Rights clearance documentation tool

A very early draft
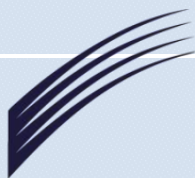
Szabolcs Dancs
WG 6, NSZL

19 November, 2019
Nicolaus Copernicus University Library, Toruń

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WG 6 Rights clearance documentation tool

WG 6 Rights clearance documentation tool (previously WG #4)	A17	Identifying requirements of technical infrastructure for legally appropriate documentation of rights clearance activities	01.09.19	31.10.20	NSZL	ALL (with exception of UT, NUK, EMAU, NCU, VKOL, CVTISR)
	A18	Specifying requirements of implementation of rights clearance documentation tool into other workflows and environments	01.11.20	31.07.21	NSZL	
	A19	Implementing and testing rights clearance documentation tool	01.08.21	31.08.23	NSZL	

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Identifying requirements of technical infrastructure for legally appropriate documentation of rights clearance activities (M1-M14)

- The working group members will identify requirements for a tool for legally appropriate documentation of rights clearance activities (of all kinds) taking into account frame conditions such as national laws and current state-of-the-art interfaces and platforms and compile those in a specification paper.

- *o D17 Specification paper 1 (M14)*

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Scope and purposes

- literary works;

- documentation of the rights clearance processes (i.e. sources exploited, results, actions, follow-ups, etc.), incl.:

  - documentation of diligent search (OWs, OOC?)

  - licence management, incl. communication processes in case of agreements with authors or publishing houses, CC licences

  - supporting institutions in the field of OA communication

- providing solutions working in concordance with current library systems (ILS/LSP) – challenge: Work/Expression level?
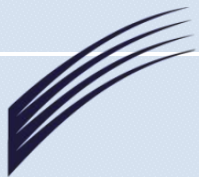
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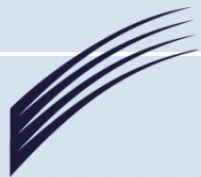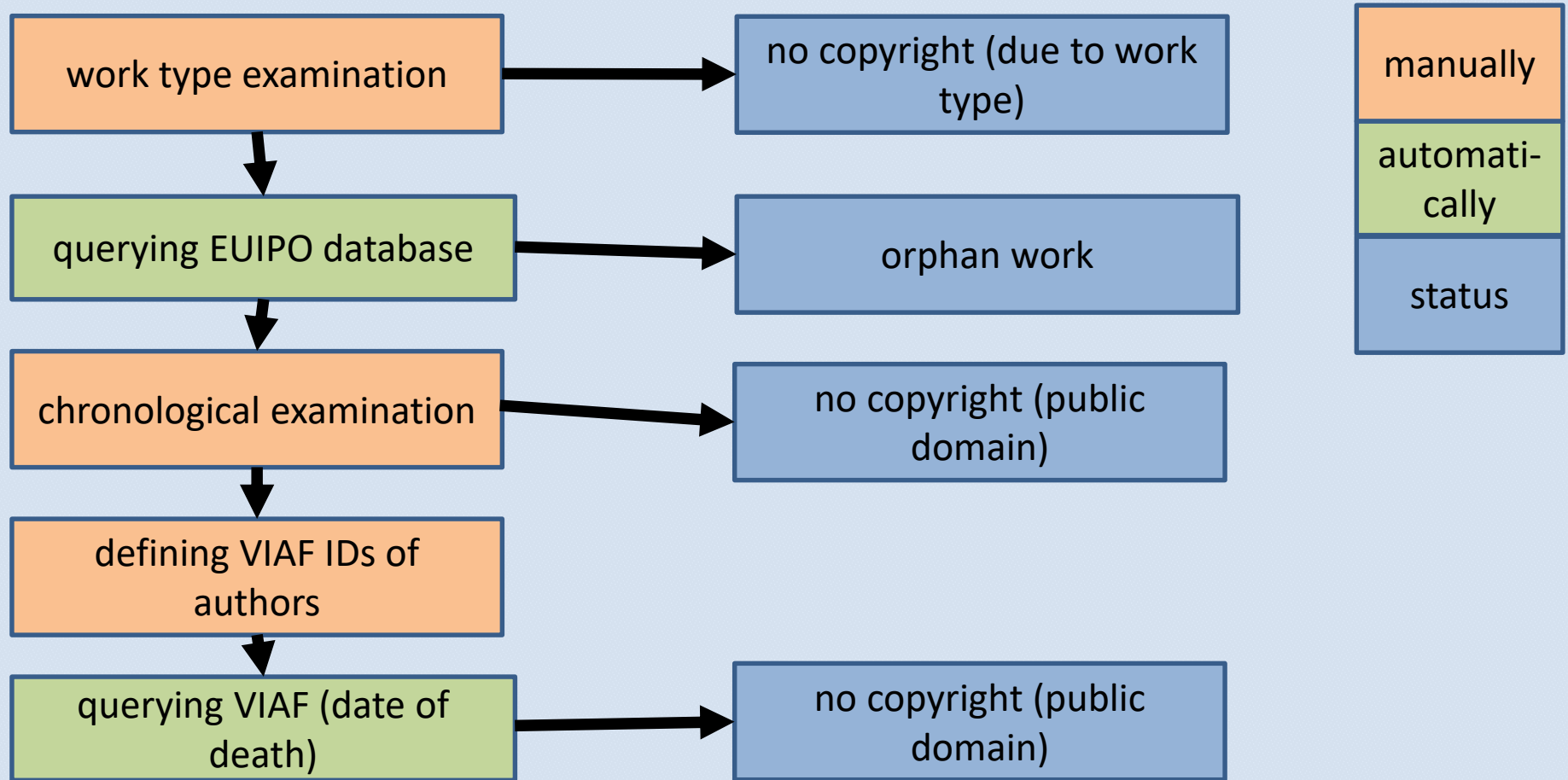NATIONAL SZÉCHÉNYI LIBRARY, HUNGARY

Sources for …

… element set:

- workflows, right clearance policies
- laws/regulations
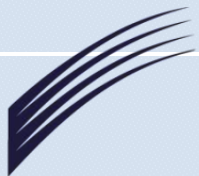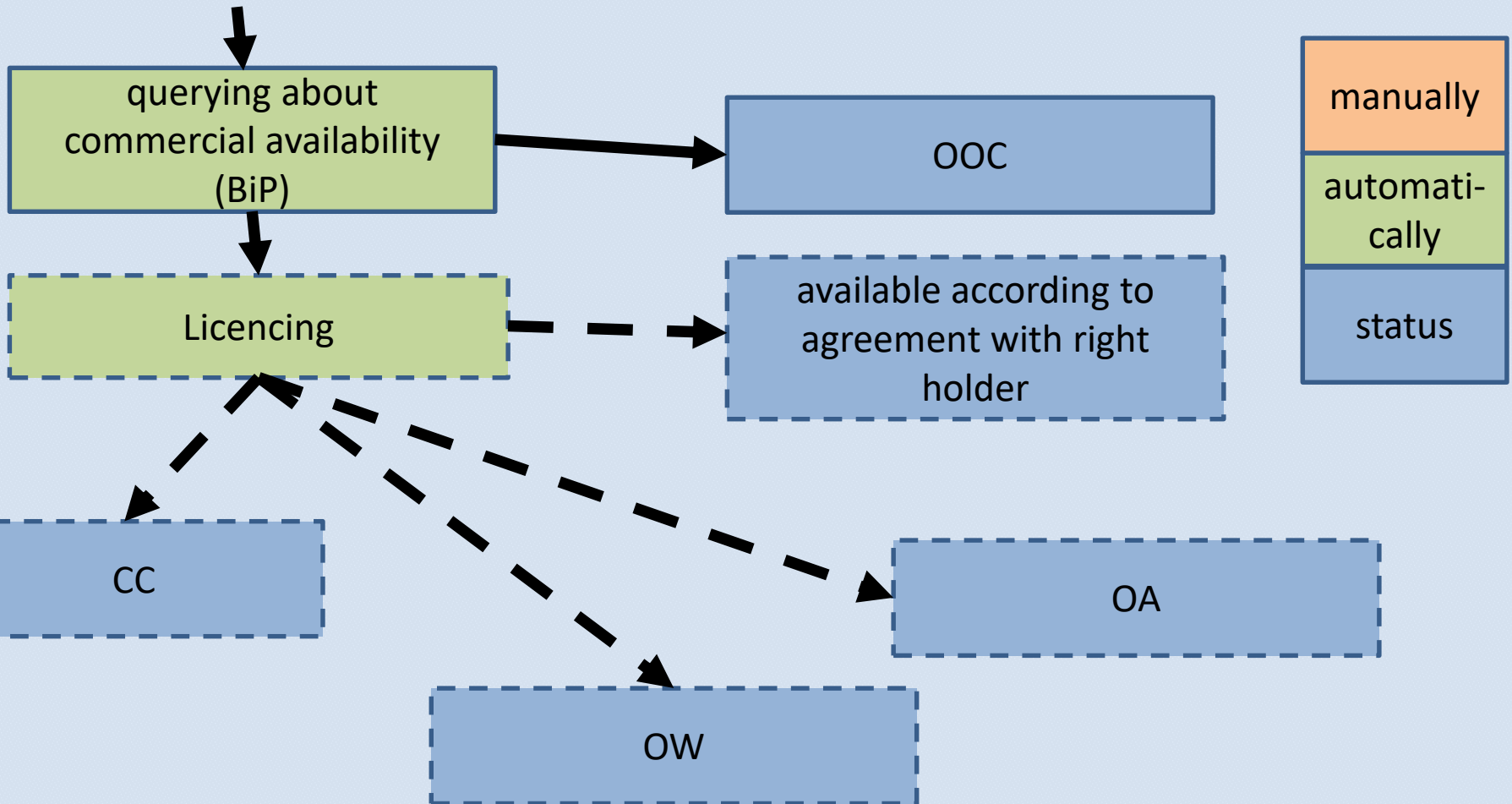- standards (MARC21, BIBFRAME, ONIX)

… value vocabularies:

- authority files
- right clearance policies
- namespaces
- "community supported expression" (ISO DTR 22038, 5.2) (can be taken from namespaces, etc.)

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Right clearance process 1.

```
work type examination ───────────▶ no copyright (due to work type)
        │
        ▼
querying EUIPO database ──────────▶ orphan work
        │
        ▼
chronological examination ────────▶ no copyright (public domain)
        │
        ▼
defining VIAF IDs of authors
        │
        ▼
querying VIAF (date of death) ────▶ no copyright (public domain)
```

manually

automati-cally

status

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Right clearance process 2.

querying about commercial availability (BiP)

OOC

Licencing

available according to agreement with right holder

CC

OW

OA

manually

automati-cally

status

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Information and Documentation —Presentation of Rights Information in Digital Collections

- in final draft phase

5.1: „**Rights information** to be presented is rights concerning the access and/or usage of the digital resource by the users. Typically, copyrights under the appropriate jurisdiction, agreements between stakeholders, and/or social customs are included.

Rights information should clearly state what users may do and may not do with the provided resource."

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ISO DTR 22038 – „Rights information elements"

a) Type of the rights;

b) Information to identify the rights holder:

- name;

- identifier;

- contact information;

- other details;

c) Legal basis for the rights:

- jurisdiction;

- title of the law;

d) Dates concerning the right:

- copyright year;

- other dates showing the effective term of the right;

e) Permissions or licenses:

- permissible actions;

- prohibited actions;

- conditions for the actions above;

- patterned license name and/or link to the license;
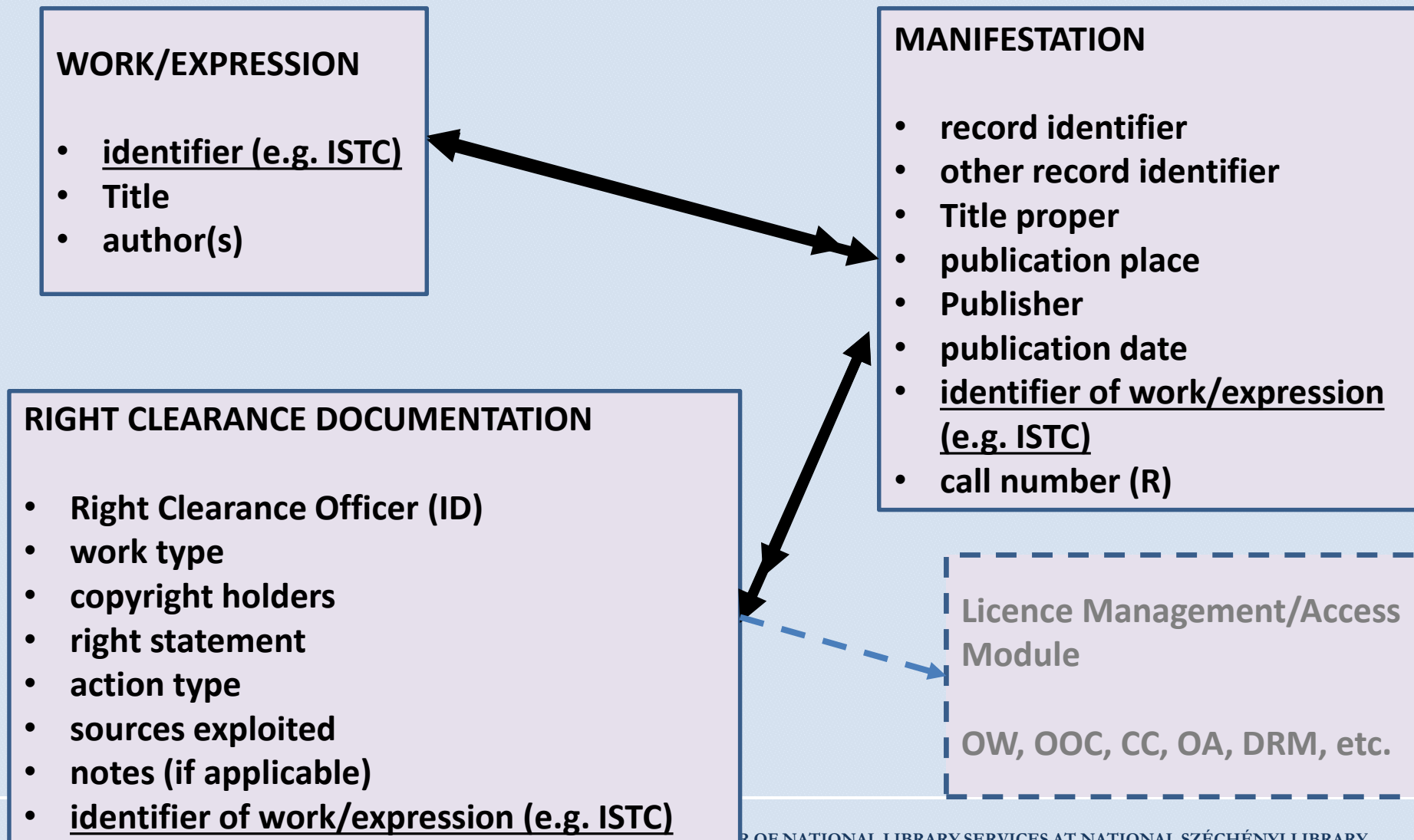
f) Other elements:

- applicable legal instrument.

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machine-readable form of rights information → human-readable rights information is generated from these rights expressions

Examples:

- http://creativecommons.org/

- http://rightsstatements.org/

- Traditional Knowledge (TK) Labels - are tools for indigenous communities to express community-specific restrictions regarding access and use

- **ONIX for Publications Licenses (ONIX-PL)**

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A very early draft of scheme

WORK/EXPRESSION

- **identifier (e.g. ISTC)**
- **Title**
- **author(s)**

MANIFESTATION

- **record identifier**
- **other record identifier**
- **Title proper**
- **publication place**
- **Publisher**
- **publication date**
- **identifier of work/expression (e.g. ISTC)**
- **call number (R)**

RIGHT CLEARANCE DOCUMENTATION

- **Right Clearance Officer (ID)**
- **work type**
- **copyright holders**
- **right statement**
- **action type**
- **sources exploited**
- **notes (if applicable)**
- **identifier of work/expression (e.g. ISTC)**

Licence Management/Access Module

OW, OOC, CC, OA, DRM, etc.

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Excel for …

… documentation:

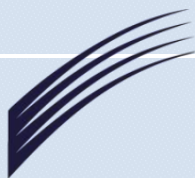| Gondos jogosultkutatást folytató munkatárs	Raktári jelzet	AMICUS azonosító	MOKKA azonosító	árva mű címe	árva mű szerzője	árva mű megjelenési adatai	elvégzett intézkedése k ideje	elvégzett intézkedések helye
Kovács Géza	634.265	388950	MOKKAZ0006384003	Küzdelem a népbetegségek ellen	Szántó Menyhért (1860-1945)	Budapest : Társadalmi Múz., 1915	2015.02.09	ÁSZ szerint
Kovács Géza	277.767	346600	MOKKAZ0006375868	Gaál a szocziálista-irtó	Garay András	Budapest : Budapesti Kvny. és	2015.02.19	ÁSZ szerint
Kovács Géza	634.253	385741	MOKKAZ0006383415	Német földről…	Szentimrei István	Nagyszeben : Haiser Gy., [1900].	2015.02.19	ÁSZ szerint
Kovács Géza	634.299	392641	MOKKAZ0006384696	Katalitikus olajfehérítés és oxidáció	Kreybig Lajos (1879-1956)	Budapest: Anglo, 1913	2015.02.19	ÁSZ szerint
Kovács Géza	634.298	392624	MOKKAZ0006384691	Aethylnitrit és sósav behatása az eugenol, safrol, apiol és izo-vegyületeikre	Szathmáry István	Kolozsvárt : Lehmann, 1894.	2015.02.19	ÁSZ szerint
Kovács Géza	408.268	384210	MOKKAZ0006383188	The Pollák - Virág rapid-telegraph	Pintér J. (19-20. sz.)	Budapest : Légrády, 1900.	2015.02.19	ÁSZ szerint
Kovács Géza	JD 10.379	241484	MOKKAZ0006350744	Élettan gyakorlatok	ismeretlen	[S.l.] : [s.n.], 1987.	2015.03.02	ÁSZ gyakorlatok
Kovács Géza	634.315	395886	MOKKAZ0006385307	Nyiri lombok	Lengyel József	Nyíregyháza : Tóth Ny., 1910.	2015.03.04	ÁSZ szerint
Kovács Géza	XD 55.770	115294	MOKKAZ0006323894	Szakdolgozatok állományjegyzéke	Vezetőképző Központ	Budapest : OVK, 1987	2015.03.04	ÁSZ szerint
Kovács Géza	MB 68.263	1262704	MOKKAS0000503925	Munkásőrök versekben	Országos Parancsnokság	Országos Parancsnokság, 1971	2015.03.04	ÁSZ szerint
Kovács Géza	408.283	394213	MOKKAZ0006385057	Történelmi és Régészeti Múzeumtársulat	Nagy László	Kvny., 1912.	2015.03.05	ÁSZ szerint
Kovács Géza	828.427	394682	MOKKAZ0006385135	A kínok útja	Millok Sándor	Budapest : Müller K., [1945]	2015.03.18	ÁSZ szerint
Kovács Géza	408.294	396986	MOKKAZ0006385527	Section des II. internationalen Ornithologen-arcképe	1894), v. Wangelin	[Budapest] : [s.n.], [1891],	2015.03.26	KVK
Kovács Géza	34.095/2	401764	MOKKAZ0006386609		Lázár Béla (1869-1950)	Budapest : Légrády	2015.04.01	ÁSZ szerint

… data exchange (with EUIPO):

	A	B	C	D	E	F	
1	Identifier	Related to	Title of work	Title VIAF ID	Description	Alternative Title/VIAF ID	Language(
2	MOKKAS0003454173		A kommunista kiáltvány				HU
3	MOKKAI0009214382		Vörösmarty Mihály válogatott kiseb				HU
4	bibMOK01394874		Zalán futása			Tündérálom	HU
5	MOKKAS0000471123		Anglicizmusok : angol kifejezések gy				EN
6	bibMOK02626506		A 2600 éves japáni állam				HU
7	MOKKAI0009403530		Erzsébet királyné emlékezete : cypru				HU
8	MOKKAZ0003839393		Anglicizmusok : angol kifejezések gy				EN
9	MOKKAS0000782893		Példatár főleg hitszónokok és hitokt				HU
10	bibMOK00846639		Cserhalom				HU

Intro | Guideline - Fields description | Guideline - Codes | Guideline - Std. Cat. Mapping | **Data - Works** | Data - Categor …

ONIX-PL

ONIX for Publications Licenses (ONIX-PL) – XML based language for the communication of license terms

Example:

Creative Commons

Attribution

License 3.0 ("CC BY 3.0")

```
−<Description>
    Creative Commons License Summary - Attribution 3.0 Unported
  </Description>
</DocumentDefinition>
−<DocumentDefinition>
    <DocumentLabel>CCBY3.0License</DocumentLabel>
    <DocumentType>onixPL:WebResource</DocumentType>
  −<DocumentIdentifier>
      <DocumentIDType>onixPL:URL</DocumentIDType>
    −<IDValue>
        http://creativecommons.org/licenses/by/3.0/legalcode
      </IDValue>
    </DocumentIdentifier>
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    </Description>
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    <LicenseTextLink href="d1e108d1e168920101209T231026.364Z"/>
    <LicenseTextLink href="d1e108d1e168920101209T231106.887Z"/>
  </LicenseGrant>
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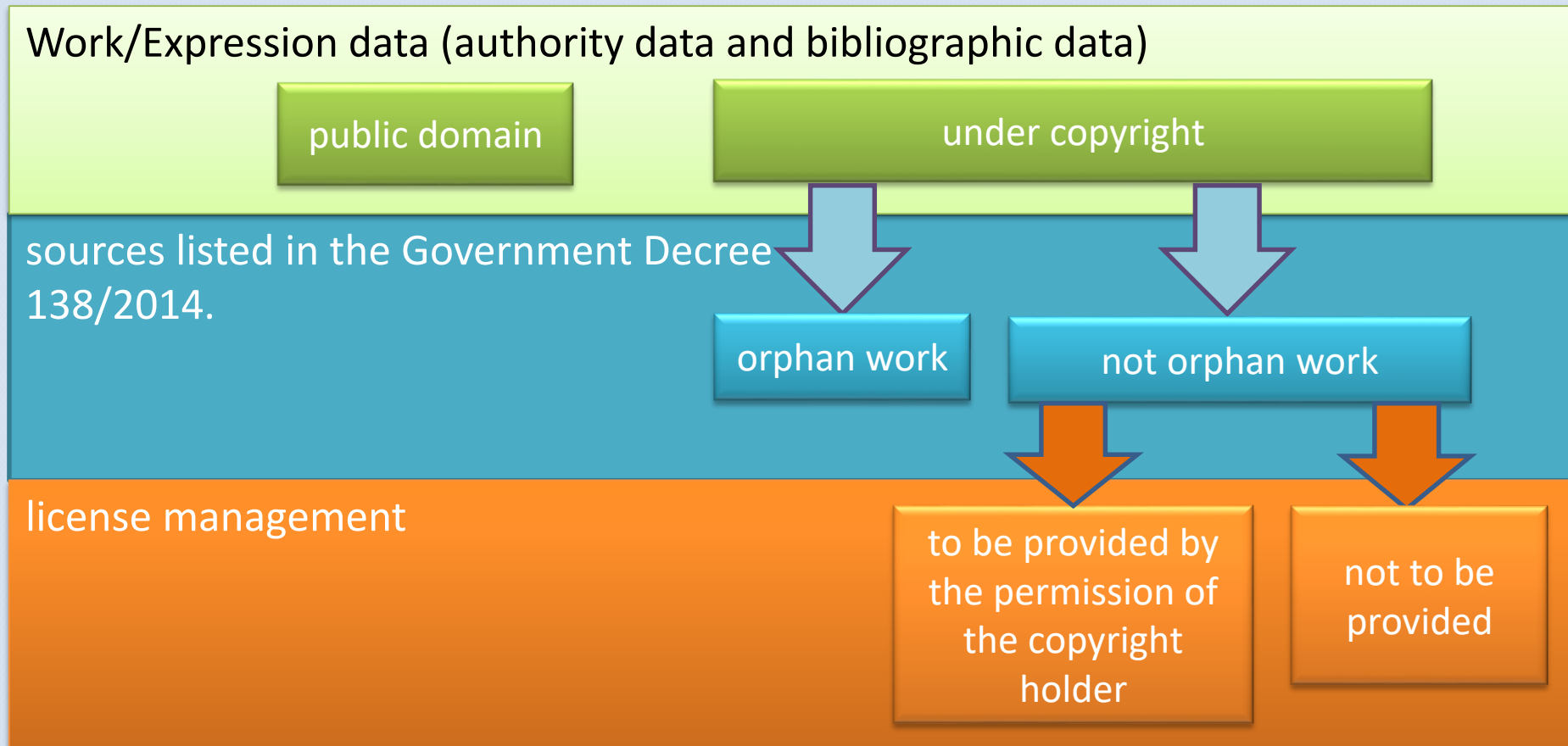
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Copyright „filtering" – a semi-automated method

Work/Expression data (authority data and bibliographic data)

public domain

under copyright

sources listed in the Government Decree 138/2014.

orphan work

not orphan work

license management

to be provided by the permission of the copyright holder

not to be provided

Cooperation with European Union Intellectual Property Office (EUIPO)

sources listed in the Government Decree 138/2014.

orphan work

Uploaded (in Excel) by NSL, forwarded by HIPO

EUIPO Orphan Work Database

registered orphan work

feedback

digital library service

accessed orphan work

Access-module under development

- part of the new national library platform

- based on earlier developments

- cooperation with Books In Print company (data exchange in ONIX; opusnet.hu)

- using copyright statements (https://rightsstatements.org/en/) to be recorded in the field '506, in MARC 21; plus terms intended to use:
  - Public Domain – for documents published more than 140 years before the digitisation (to be automatically added to the records);
  - in copyright – freely usable (e.g. for preservation purposes); in copyright – freely usable (e.g. via access through dedicated terminal);
  - CC = Creative Commons (plus CC statements), etc.

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Identifying requirements of technical infrastructure for legally appropriate documentation of rights clearance activities (M1-M14)

- The working group members will identify requirements for a tool for legally appropriate documentation of rights clearance activities (of all kinds) taking into account frame conditions such as <u>national laws and current state-of-the-art interfaces and platforms</u> and compile those in a specification paper.
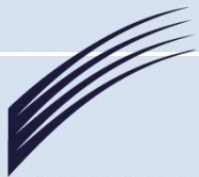
- *o D17 Specification paper 1 (M14)*

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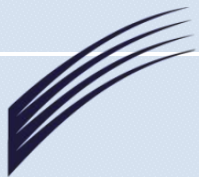
Next steps

identifying requirements

1. clarifying draft: compliance with national laws, current procedures/workflows or procedures/workflows intended to implement – 29 February 2020 – & see check list!

2. identifying technical solutions to apply: database, formats, vocabulary encoding scheme, interfaces, other standards, etc. – 14/15 May 2020

After that: D17 Specification paper 1 has to be done by 31 October 2020

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Other questions

- What are your working „channels"?
  - EOD Wiki

  - mailing list

  - Skype

  - …

- What do you need from the project management / the consortium?
  - WG5 cooperation

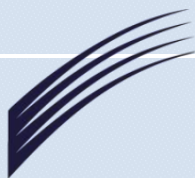BIBLIOTHECA NATIONALIS HUNGARIAE

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- compliance with national laws & current procedures/workflows? sources for vocabularies?

- FRBR-based solution (differentiating Work/Expression and Manifestation entities) - do you already provide it, any plan to implement it?

- Cloud-based solution: common platform used by all, or module communicating with ILS/LSP?

- Licencing management module: should it include setting permissions (DRM?), agreement forms, etc.?

- SQL? triplets (RDF)?

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Rapporteur for the plenum?

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