

# **Rights clearance documentation tool**

**pilot research based on the feedback of  
international libraries**

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**NSZL, WG 6**

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**EODOPEN Requirements Workshop**



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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	

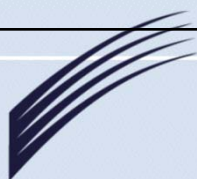


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# Questionnaire 1. – Relevant laws

	Your response	Response by NSL
<b>I. Relevant laws</b>		
1. title:*		1999. évi LXXVI. törvény a szerzői jogról (Sztj.)/Act LXXVI of 1999. on copyright
1. access URL:*		<a href="https://net.jogtar.hu/jogszabaly?docid=99900076.tv">https://net.jogtar.hu/jogszabaly?docid=99900076.t v</a>
2. title:		138/2014. (IV. 30.) Korm. rendelet az árva mű felhasználásának részletes szabályairól/Government Decree No. 138/2014. (IV.30.) on the detailed provisions of the use of orphan works
2. access URL:		<a href="https://net.jogtar.hu/jogszabaly?docid=a1400138.kor">https://net.jogtar.hu/jogszabaly?docid=a1400138.kor</a>




# Questionnaire 2. – Workflow

<p><b>II. Workflow</b></p>		
<p>A. If you already have a workflow implemented or a workflow conception which complies with the relevant laws (i.e. covers all procedures and sources listed as requirements of copyright clearance/diligent search in the law), please provide details about it.</p> <p>B. If there is no a workflow, please draft one.</p> <p>C. What do you expect to gain from WG6 as a result? (You can use draft workflow provided in <i>Appendix 1</i> as a reference.)</p>		<p><i>See Appendix 1 by OSZK</i></p>



# Questionnaire 3. – Elements

III. Data elements to record in RCDT	<i>elements suggested by You</i>	<i>elements suggested by OSZK</i>
		<p>for Work/Expression:</p> <ul style="list-style-type: none"> <li>▪ identifier (e.g. VIAF Work ID, ISTC)</li> <li>▪ Title (original title)</li> <li>▪ author(s)</li> </ul> <p>for Manifestation:</p> <ul style="list-style-type: none"> <li>▪ identifier of work/expression (e.g. ISTC)</li> <li>▪ identifier (ISBN, National Bibliography Number, etc.)</li> <li>▪ record identifiers (control number of national union catalogue, national bibliography, etc.)</li> <li>▪ Title proper</li> <li>▪ publication place</li> <li>▪ Publisher</li> <li>▪ publication date</li> <li>▪ (call number (R), if applicable)</li> </ul> <p>for RCT:</p> <ul style="list-style-type: none"> <li>▪ identifier of work/expression (e.g. ISTC)</li> <li>▪ Right Clearance Officer (ID)</li> <li>▪ date of right clearance process</li> <li>▪ work type</li> <li>▪ copyright holders</li> <li>▪ right statement</li> <li>▪ action type (e.g. submitted to Orphan Work Database, agreement between stakeholders)</li> <li>▪ sources exploited</li> <li>▪ notes (if applicable)</li> </ul>

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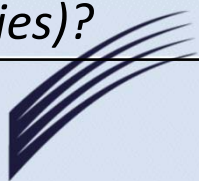
# Questionnaire 4. – Vocabularies

IV. Vocabularies		
<i>purpose</i>	<i>vocabulary suggested by You</i>	<i>vocabulary suggested by OSZK</i>
elements (bibl. data)		MARC21, BIBFRAME
elements (legal data, licence data)		ONIX(-PL), ISO DTR 22038
values (entities: Work/Expression)		VIAF, WordCat
values (entity: Agent)		national authority files, VIAF
values (attribute: legal status/accessibility)		1. <a href="http://creativecommons.org/">http://creativecommons.org/</a> 2. <a href="http://rightsstatements.org/">http://rightsstatements.org/</a> 3. Traditional Knowledge (TK) Labels 4. ONIX for Publications Licenses (ONIX-PL)



# Questionnaire 5. – IDs, FRBR

<b>V. Identifiers</b>	<i>IDs suggested by You</i>	<i>IDs suggested by OSZK</i>
ID for work/expression		ISTC: assignments of ISTCs are currently problematic, so any suggestions are welcome 😊
ID for manifestation		ISBN/NBN/ bibliographic record control number
any other ID		---
<b>VI. FRBR approach</b>		
<i>Solutions to be developed should be FRBR-based (differentiating Work/Expression and Manifestation entities)?</i>	Yes/Not/Other:	<u>Yes</u> /Not/Other:



# Questionnaire 6. – Platform? Licence management

<b>VII. Platform solution</b>		
<i>What kind of resource management system (ILS/LSP) do you have? (E. g. cloud-based, national platform, etc.)</i>		A national (cloud-based) platform is under construction. To be implemented in 2020.
<b>VIII. Licence management</b>		
<i>Solutions to be developed should include licence management?</i>	Yes/ Not	Yes/Not/ <u>Other</u> : not yet decided; it depends on new laws supporting legal solution for e-lending on the basis of PLR (Public Lending Right) regime.
	... setting permissions (e.g. by implementing DRM) by right holder?	Yes/Not/Other: not yet decided
	... forms for agreements?	Yes/Not/Other: not yet decided
	... documentation of whole procedure incl. attaching and preserving correspondences with right holders and signed agreements if applicable?	<u>Yes</u> /Not/Other:

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# Questionnaire 7. – Books in Print

<b>IX. Books in Print</b>		
<i>Do you have a Books in Print service in your country? If yes, do you use it for copyright clearance, or do you plan to use it for that purpose?</i>	Yes/Not/Other:	Yes/Not/ <u>Other</u> : a BiP service is under establishment in Hungary, OSZK already has a signed agreement with the company, since we find it useful for copyright clearance (both in case of OWs and OOC works)

„Of course, you can add notes anywhere you find it necessary (e.g. by using “Note:” as prefix).

If you have relevant documents to attach, please do so, with reference such as “See Appendix 1 by OSZK”.

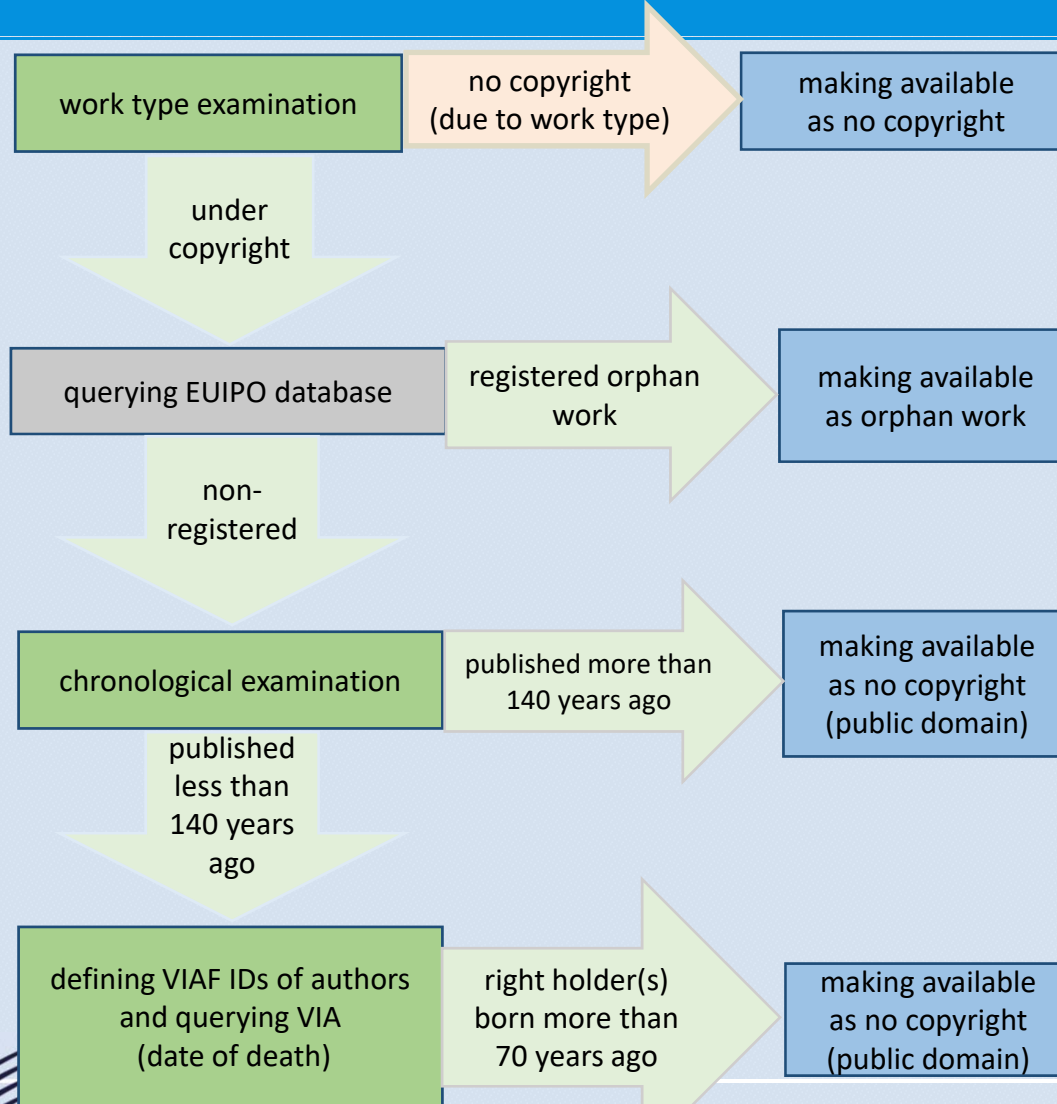
**Please add more aspects and questions to the list if you find it necessary.”**



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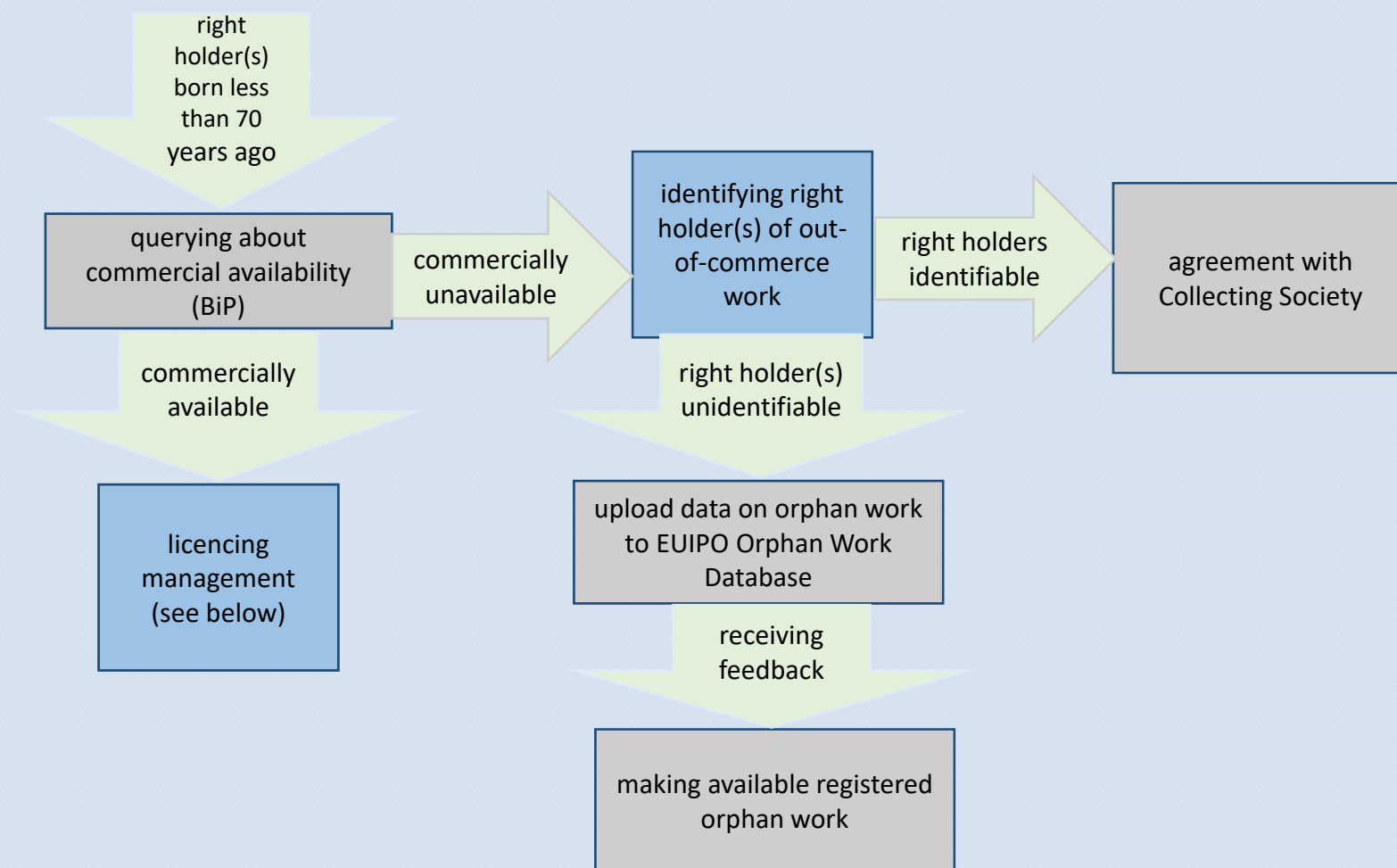
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# Reference right clearance workflow 1.

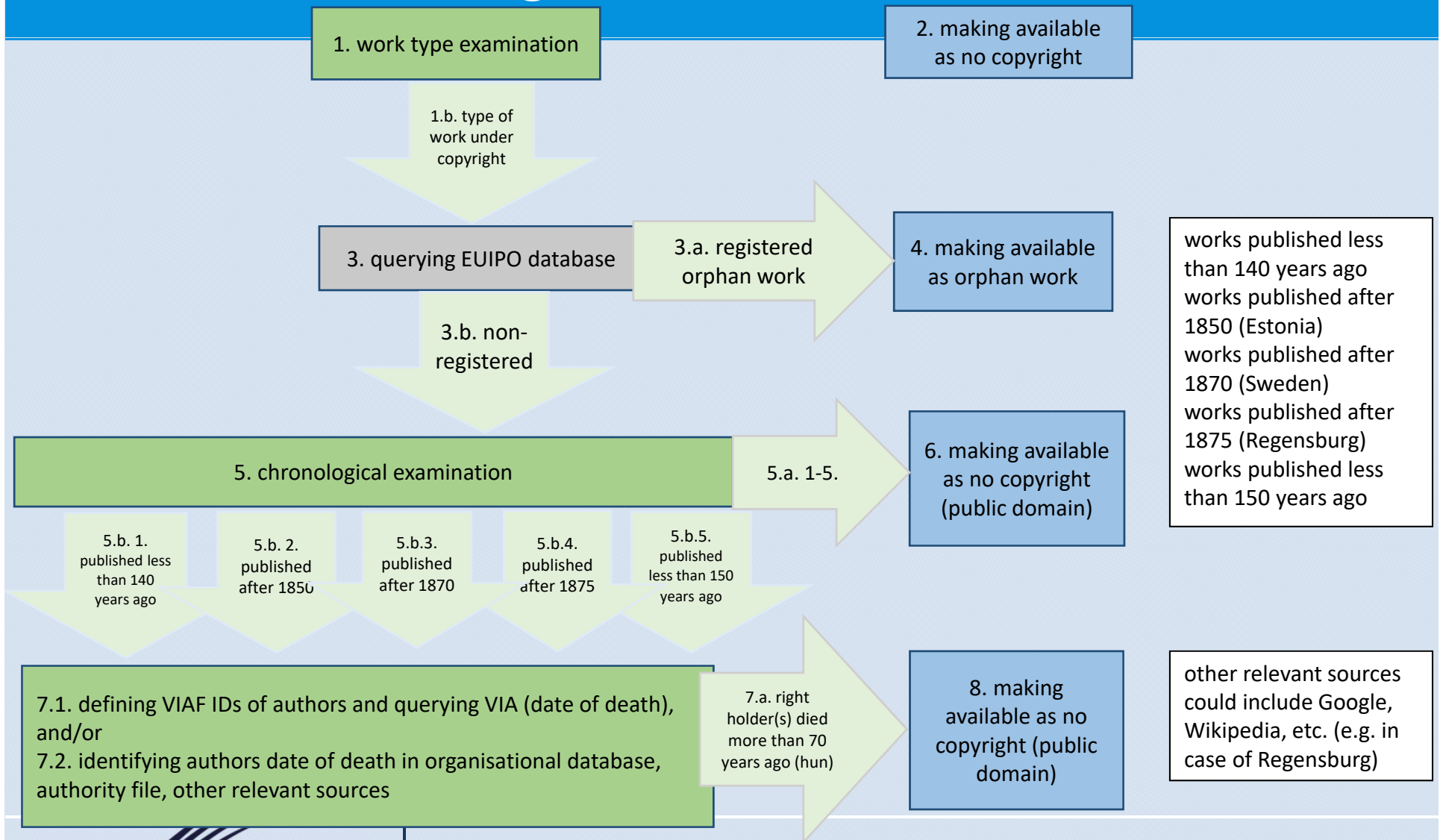


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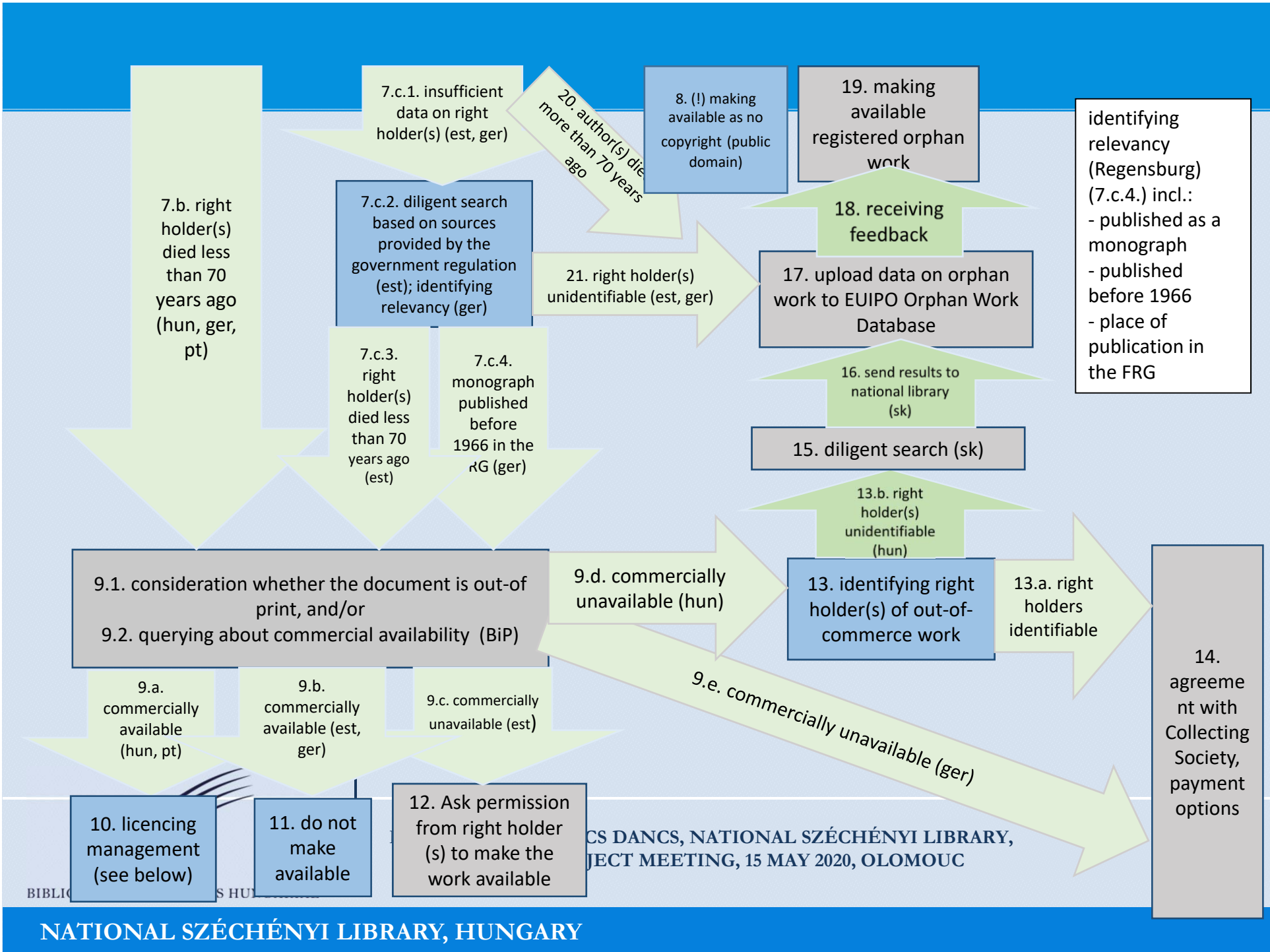
# Reference right clearance workflow 2.



# The workflow aligned



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# Conclusions regarding workflows

- workflows are similar to the reference workflow → they could be merged into it without problem
- reference workflow constitutes the stages of diligent search in Hungary, other ones have a diligent search procedure BEYOND the common workflow and included as additional stages into the workflow
- some methods and processes suggested were considered out of the scope of documentation tool
- use of additional sources such as national authority files was suggested
- Lithuania has its own tool: <https://cc.inb.lt/zenklinimo-irankis/>, no need for an additional tool



# Metadata for Work/Expression

## Data elements to record in Rights Clearance Documentation

### Tool (RCDT) – Work/Expression

Partner	NSL/P12	CVTISR/P1 3	VU/P15	UG/P05	UREG/P 14	PMZK/P0 4	NLS/P0 6	NLE/P1 1	UIBK/P01	NUK/P03
	identifier (e.g. VIAF Work ID, ISTC)	identifier (e.g. VIAF Work ID, ISTC)	identifier (e.g. VIAF Work ID, ISTC)	identifier (e.g. VIAF Work ID, ISTC)				ID of work	At least identifier, if the other informati on could be retrieved from sources	identifier (national authority files (CONOR), VIAF
	Title (original title)	Title (original title)	Title (original title)	Title (original title)	Title (original title)	Title (original title)	Title (original title)	Title		Title (original title)
	author(s)	author(s)	author(s)	author(s)	author(s)	author(s)	author(s)	author(s)		author(s)



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# Metadata for Manifestation, RCDT

- see excel tables

Rights Clearance Documentation Tool (RCDT) – Manifestation											
CVTISR/P13	VU/P15	UG/P05	UREG/P14	MZK/P04	NLS/P06	NLE/P11	UIBK/P01	NUK/P03			
identifier of work/expression (e.g. ISTC)	identifier of work/expression (e.g. ISTC)	identifier of work/expression (e.g. ISTC)				ID of work	At least identifier, if the other information				
Data elements to record in Rights Clearance Documentation Tool (RCDT) – RCDT											
National Bibliographic Number, etc.)	Partner	NSL/P12	CVTISR/P13	VU/P15	UG/P05	UREG/P14	MZK/P04	NLS/P06	NLE/P11	UIBK/P01	NUK/P03
record id (control of national catalogue bibliographic)		identifier of work/expression (e.g. ISTC)	identifier of work/expression (e.g. ISTC)	identifier of work/expression (e.g. ISTC)	identifier of work/expression (e.g. ISTC)						
Title project publication		Right Clearance Officer (ID)	Right Clearance Officer (ID)	Right Clearance Officer (ID)	Right Clearance Officer (ID)	Right Clearance Officer (ID)		Right Clearance Officer (ID)		Right Clearance Officer (ID)	Right Clearance Officer (ID) (we have just introduced a Collective Right Clearance Office and we still have not experiences in this field. We suppose that this data will be important in the future)
		date of right clearance process	date of right clearance process	date of right clearance process	date of right clearance process	date of right clearance process	date of right clearance process	date of right clearance process		Start/end (?) date of right clearance process	date of right clearance process





# Books in Prints services

- Austria and Germany: Verzeichnis Lieferbarer Bücher (VLB): [www.vlb.de](http://www.vlb.de)
- Slovenia: Knjige v tisku (Books in print): <https://www.nuk.uni-lj.si/viri/knjige-v-tisku>
- Portugal: there used to be a BIP service (maintained by the Portuguese Publishers Association)
- Hungary: under establishment
- Slovakia and Czech Republic: books out of print databases
- Other: do not have or no information

