

Copyright, Licensing and Open Access

fact sheet

DRI Factsheet Series No. 2: Copyright, Licensing and Open Access. Feb. 2014

For more information, please contact:

The Digital Repository of Ireland Royal Irish Academy 19 Dawson St, Dublin 2

web. www.dri.ie email. dri@ria.ie

Copyright is an area of Intellectual Property law which covers original creative works including literary, dramatic, musical and artistic works, film, sound recordings, broadcasts and the typographical arrangement of published editions, computer software and non-original databases, and performances.

Copyright exists from the moment the work is created, and does not require any registration. Generally, copyright covers a work until 70 years after the death of its creator. For digital objects, there may be separate copyrights covering the original work, the new digitised copy, and any associated metadata.

Licensing allows copyright owners to permit approved use and reuse of their work, without waiving their copyrights fully. Licensing can permit both commercial and non-commercial reuse of a work, depending on the terms of the licence, and licences may last in perpetuity or for a specified period, or cover certain geographic locations.

Creative Commons is a charitable organisation which provides a suite of free, standardised licences which allow content creators to share their work. Currently there are 6 licences available, which give varying degrees of re-use permissions (see chart on page 2).

The most open licence is CC-BY (Attribution) which allows any re-use of the work as long as the original creator is credited. The most restrictive licence is CC-BY-NC-ND (Attribution-Non-Commercial-NoDerivs) which requests that the creator of the work is credited, and does not allow any derivatives or commercial re-use of the work.¹

DRI supports the application of standardised licences such as Creative Commons to digital objects, publications and metadata where possible.

Public Domain Dedication, CCO, or "No Rights Reserved" is similar to Creative Commons licences, but it does not reserve any rights in a copyright work.

Assigning a Public Domain Dedication to a work waives all rights

DRI Factsheet Series No. 2: Copyright, Licensing and Open Access

in it, and allows use and re-use of the work for any purpose, without any credit to the original author. Essentially this dedication allows works to enter the public domain before the legal term of copyright protection has ended.²

Open Access

The phrase "Open Access", when capitalised, refers to an international movement promoting the publication of scholarly research openly online.

Ireland's National Principles for Open Access Policy Statement defines Open Access as "...free availability on the public internet, permitting any users to read, download, copy, distribute, print, search, or link to the full texts of these articles, crawl them for indexing, pass them as data to software, or use them for any other lawful purpose, without financial, legal, or technical barriers other than those inseparable from gaining access to the internet itself. The only constraint on reproduction and distribution, and the only role for copyright in this domain, should be to give authors control over the integrity of their work and the right to be properly acknowledged and cited".³

Open Access implies that authors do not reserve all copyrights in their work, but ask only to have the work attributed to them. The licence which most closely aligns with the principles of Open Access is Creative Commons Attribution, or CC-BY.⁴

DRI favours as open an approach as appropriate for the data ingested into the Repository. See also DRI's Position Statement on Open Access for Data.⁵

- $2.\ http://wiki.creative commons.org/CC0_FAQ$
- http://www.agriculture.gov.ie/media/migration/research/NationalPrinciplesOpen AccessPolicyStatement.pdf
- 4. http://creativecommons.org/licenses/by/2.0/
- 5. http://dri.ie/sites/default/files/files/dri-position-statement-on-open-access-for-data-2014.pdf

CREATIVE COMMONS LICENCES

CC BY (Attribution Only)

This licence lets others distribute, remix, tweak, and build upon your work, even commercially, as long as they credit you for the original creation. Recommended for maximum dissemination and use of licensed materials.

CC BY-SA (Attribution-ShareAlike)

This licence lets others remix, tweak, and build upon your work even for commercial purposes, as long as they credit you and license their new creations under the identical terms. All new works based on yours will carry the same licence, so any derivatives will also allow commercial use.

CC BY-ND (Attribution-NoDerivs)

This licence allows for redistribution, commercial and non-commercial, as long as it is passed along unchanged and in whole, with credit to you.

CC BY-NC (Attribution-NonCommercial)

This licence lets others remix, tweak, and build upon your work non-commercially, and although their new works must also acknowledge you and be non-commercial, they don't have to license their derivative works on the same terms.

CC BY-NC-SA (Attribution-NonCommercial-ShareAlike)

This licence lets others remix, tweak, and build upon your work non-commercially, as long as they credit you and license their new creations under the identical terms.

CC BY-NC-ND (Attribution-NonCommercial-NoDerivs)

This licence is the most restrictive of the six main CC licences, only allowing others to download your works and share them with others as long as they credit you, but they can't change them in any way or use them commercially.