



ATHENA
Access to cultural heritage
networks across Europe

eContentplus



Barbara Dierickx & Dimitrios Tsolis

Barriers in access to digital cultural heritage ATHENA WP6

Rome
April 28 2011



PACKED



HPCLab
University Of Patras



WP6 - Analysis of IPR issues and definition of possible solutions

ATHENA Description of Work:

“The WP intends to verify if any legal constraints existing in the national legislations of EU Member States, might create difficulties in making available the digital contents present in European museums through Europeana”



WP6 - Analysis of IPR issues and definition of possible solutions

D6.1 Overview of IPR legislation in relation to the objectives of Europeana

- With the help of the different NCPs and legal departments from consortium member institutions
- Identification of the barriers posed by legislation in each ATHENA partner country
- 'Objectives of Europeana' = online display of metadata + image through website(s)



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In reality?

- Need to obtain permission from right holder(s): see D6.2, online IPR guide resulting in a model license agreement to be concluded between the cultural heritage institution and right holder(s)
- Europeana: clean hands policy. Content providers are responsible to provide cleared content to ATHENA, which transmits it to Europeana.
- Difficult for small(er) institutions: intensive 'manual labour' means investment of time and money, legal expertise in-house is rare, ...



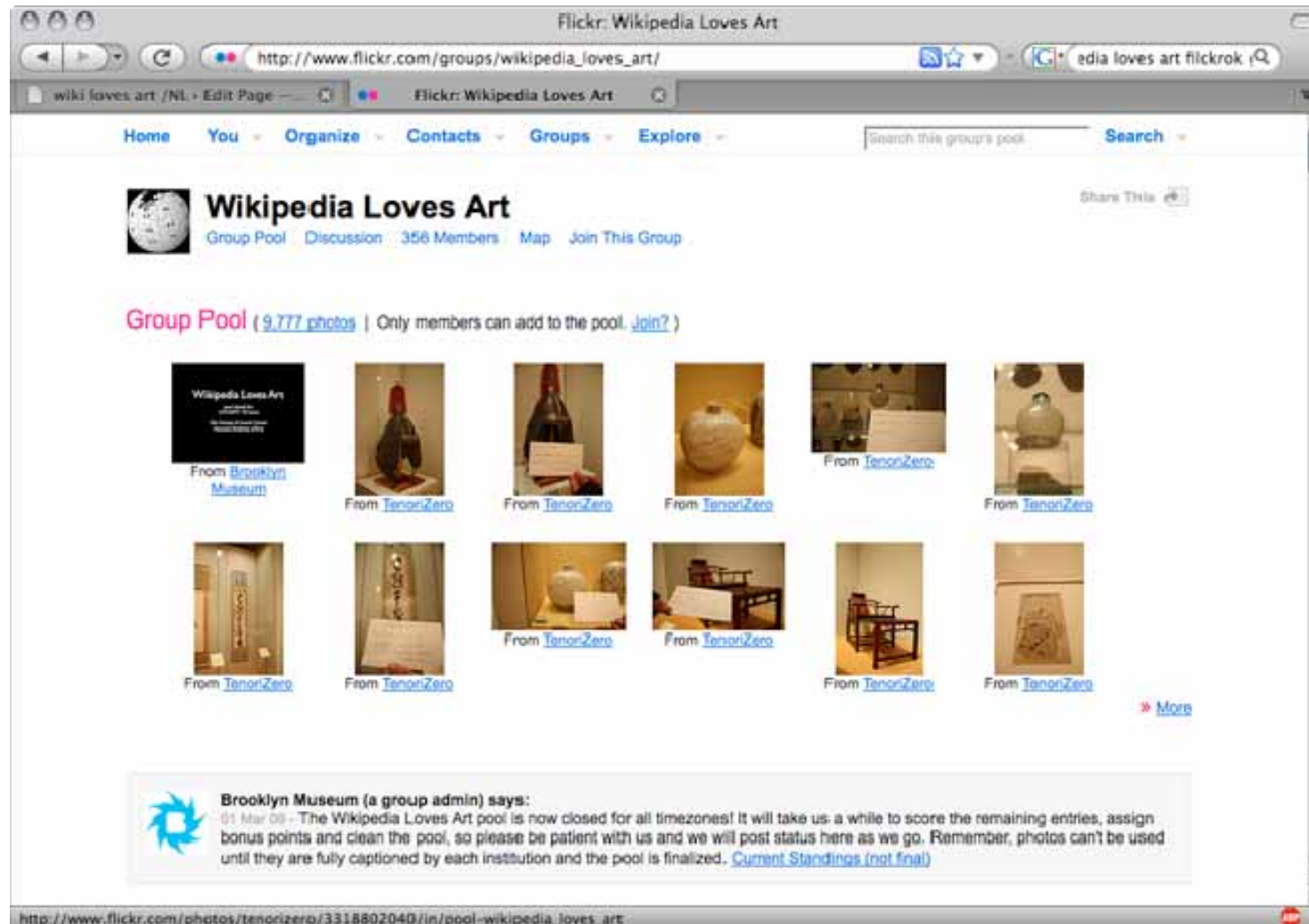
WP6 - Analysis of IPR issues and definition of possible solutions

D6.3. Overview of collective licensing models and of DRM systems and technologies used for IPR protection and management

- Current copyright discussions within European policy field + initiatives by Europeana
- Overview of existing collective licensing mechanisms and why they can be useful to the cultural heritage sector
- New and emerging licensing models: Open content licenses and Creative Commons licenses
- Application in the field of cultural heritage + cases and best practices illustrate the theory

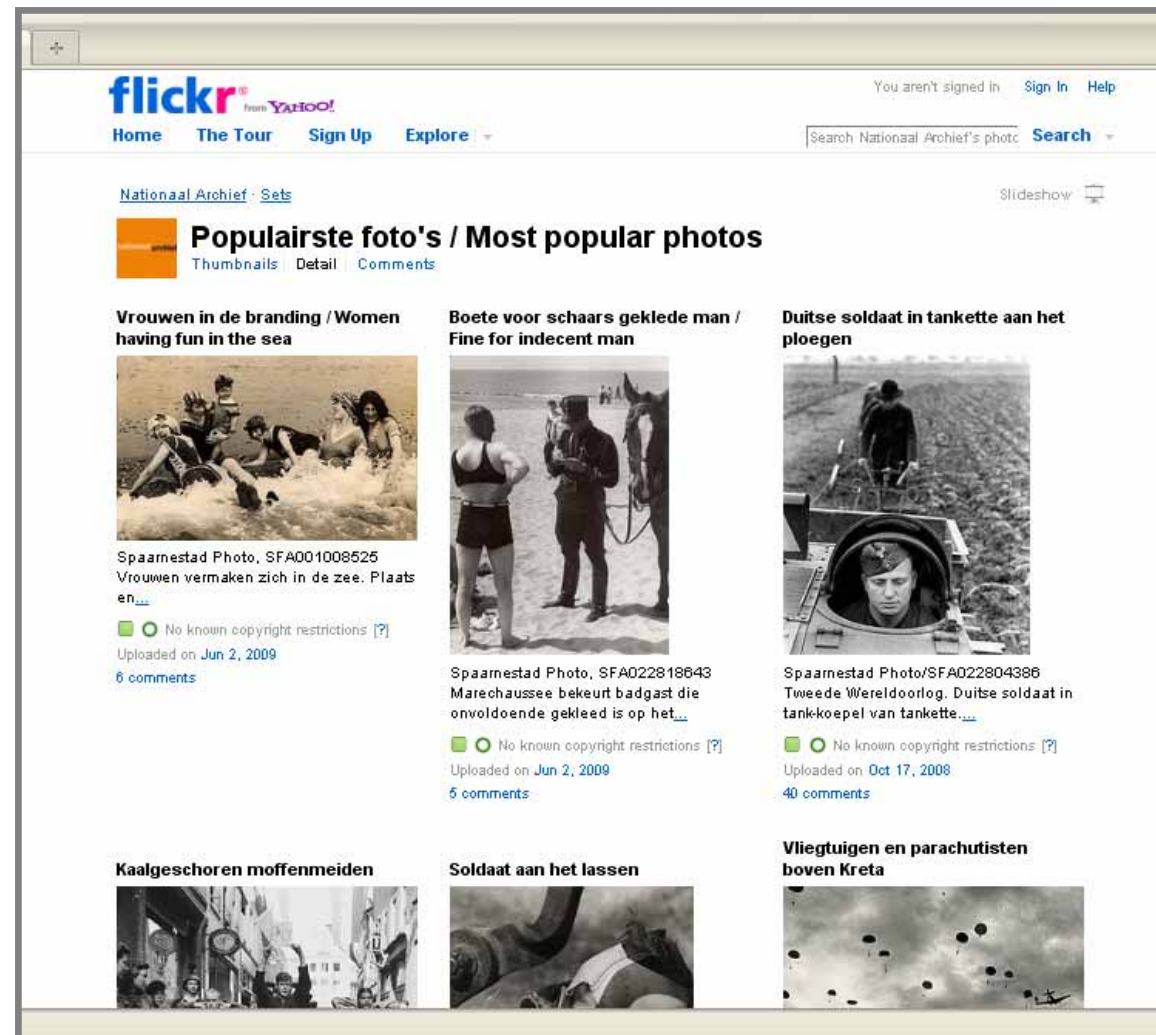
Wiki Loves Art

Museums open their doors to visitors during one month so they can take pictures of the collection. Pictures are displayed on Wikipedia under a CCLicense, so articles can be enriched with these images. Website: <http://www.wikilovesart.nl/>



Nationaal Archief + FlickrCommons

The Dutch Nationaal Archief made a part of its photo collection worldwide available through Flickr The Commons, an initiative that offers public institutions a common platform to share their photo collections with a large audience, in order to expand their knowledge about the collections with information from the website visitors. Website: <http://www.flickr.com/photos/nationaalarchief/>





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D6.3. Overview of collective licensing models and of DRM systems and technologies used for IPR protection and management

- Overview of different existing DRM systems
- State of the art in digital watermarking + uses in image and video files
- Overview of European legislation referring to DRM systems
- Chapter concluding on best practice for implementing a DRM system for IPR protection and its management for digital cultural content which is being published through websites and/or Europeana



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Europeana: Public Domain Charter & Public Domain Mark

- Term of protection of a work expired: enters the 'public domain'
- Europeana supports idea of a healthy public domain by soft law initiative: the Public Domain Charter
 - establishing clear guidelines for working with public content: a policy statement and not a binding contract
- "What is in the public domain prior to digitisation, should remain in the PD once digitised": identification through use of Public Domain Mark.





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Europeana: from Data Provider/Aggregator agreement to Data Exchange Agreement

- ATHENA project transfers aggregated content to be shown on Europeana. Europeana concludes agreement on the (re)use of the delivered content
- Currently: non-commercial use only
- Future: possible removal of the non-commercial clause in order to
 - Become part of the LOD environment
 - E.g. enabling contentwidget on website with advertisements
 - ...
- Points of view from ATHENA partners are taken into account



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The Step-by-Step Guide and IPR Database. Aim:

- Provide support to a cultural organisation to create a legal basis for clearing copyrights
- License creation for digitisation and / or on-line dissemination
- Europeana: an active and important option (Agreements)
- Respecting common legal frameworks within the member states
- Supporting and promoting the Public Domain Mark



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The SBS Guide. Design and Implementation Principles:

- Web and Web 2.0 technologies
- Managed centrally
- Supporting multilingualism: partners will have on-line forms for translating the entire guide
- Ease of use
- Support: information on local IPR organisations in the member states (by incorporating the Database containing IPR information)
- Constant help through IPR blog maintained by experts



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The SBS Guide. Structure:

- Step by Step Guide: a copyright clearance tool which produces an agreement for a specific work for defined uses

- digitisation
- making available in-house
- making available on the WWW

The guide can also produce an annex to existing license in case a license is already in place

- Background Knowledge: useful documents on legislation in member states, collective license models, technologies, Europeana etc. Useful information as weblinks included in the IPR questions.



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The SBS Guide. Structure:

- More Help? Database containing information of all copyright offices in member states and other countries
- Ask a Question. Connection to the IPR Blog provides constant help by experts



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The SBS Guide. Home

**ATHENA**
Access to cultural heritage
networks across Europe

English Nederlands Ελληνικά

IPR Guide About Get Help in your Country Background Knowledge Ask Us!

IPR Guide

At this moment, the key to successful online exploitation of digital cultural heritage is still accurate licensing. The importance of licensing has also caught Europeana's attention: the organization has set up its own 'Europeana Licensing Framework'.

When trying to bring your collection to the www, some problems may occur. Are you as a museum allowed to display images of the work on your website? Is it ok if you allow users to remix content on your museum website for whatever purpose they like? We would like to propose the most straightforward way of clearing rights in order to achieve the legal basis for the exploitation you have in mind.

Start the
IPR Guide ▶

Background

- ▶ [IPR Legislation](#)
- ▶ [New Licensing Models](#)
- ▶ [Application of Digital Rights Management techniques](#)



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The SBS Guide. Getting Help in your Country

The screenshot shows the ATHENA website with a green header. The header includes the ATHENA logo (a stylized owl in a green circle) and the text 'ATHENA Access to cultural heritage networks across Europe'. In the top right corner, there are language links: 'English', 'Nederlands', and 'Ελληνικά'. Below the header is a navigation bar with the following links: 'IPR Guide', 'About', 'Get Help in your Country', 'Background Knowledge', and 'Ask Us!'. The main content area is divided into two columns. The left column is titled 'IPR Offices' and contains a list of countries with links to their respective pages: Albania, Austria, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, and Georgia. The right column is titled 'Background' and contains three links: 'IPR Legislation', 'New Licensing Models', and 'Application of Digital Rights Management techniques'.

ATHENA
Access to cultural heritage
networks across Europe

English Nederlands Ελληνικά

[IPR Guide](#) [About](#) [Get Help in your Country](#) [Background Knowledge](#) [Ask Us!](#)

IPR Offices

- [Albania](#)
- [Austria](#)
- [Belarus](#)
- [Belgium](#)
- [Bosnia and Herzegovina](#)
- [Bulgaria](#)
- [Croatia](#)
- [Cyprus](#)
- [Czech Republic](#)
- [Denmark](#)
- [Estonia](#)
- [Finland](#)
- [France](#)
- [Georgia](#)

Background

- » [IPR Legislation](#)
- » [New Licensing Models](#)
- » [Application of Digital Rights Management techniques](#)



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The SBS Guide. Background Knowledge

ATHENA
Access to cultural heritage networks across Europe

English Nederlands Ελληνικά

athena

[IPR Guide](#) [About](#) [Get Help in your Country](#) [Background Knowledge](#) [Ask Us!](#)

Background Knowledge

What is Copyright? IPR Legislation in my Country? Collective Licensing Models? DRM Systems and Technologies?

get informed by visiting the pages below

- [IPR Legislation](#)
- [New Licensing Models](#)
- [Application of Digital Rights Management techniques](#)

ATHENA

You can find more information on ATHENA on the ["About"](#) section of our website.

Europeana, What is?

Background

- » [IPR Legislation](#)
- » [New Licensing Models](#)
- » [Application of Digital Rights Management techniques](#)



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The SBS Guide. Ask a Question

IPR Guide



FRIDAY, APRIL 22, 2011

IPR Guide. Ask us!

This blog is complementary to the online [step-by-step guide](#) of the ATHENA project.

If you have any question regarding clearing rights for digital content, do not hesitate, ask us...

A team of experts will try to provide you with support.

Posted by Dimitrios Tsolis at 3:16 PM 0 comments     

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- [IPR Guide. Ask us!](#)



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The SBS Guide. IPR Guide – Step 1

[Start](#) > [Creators](#) > [Type of work](#) > [Portrait](#) > [About License](#) > [Obtain License](#) > [Results](#)

[Start Over](#)

Identification of the work

Name of the work:

Name of the creator(s):
1

Insert the names of the creators using a new line for each one. In case you do not know the name of the creator(s), you can not proceed with this IPR guide.

Collection name:²

Collection description:

[Go to step 2](#)

¹ The author is the creator of the work.

² This guide can also result in a license for a collection of works, e.g. all by the same creator.

Background

- » [IPR Legislation](#)
- » [New Licensing Models](#)
- » [Application of Digital Rights Management techniques](#)




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The SBS Guide. IPR Guide – Creators

Determination if the work is protected by copyright


Is the work **original**? ☒ Yes ☐ No

The present date is:  *format: dd/mm/yyyy*

Creators

Name of the creator

Is the creator dead? ☒ Yes ☐ No

When did the creator die?  *format: dd/mm/yyyy*

Are there more creators? ☐ Yes ☒ No

Did the author include works of other creators, e.g. visuals, text, music? ☐ Yes ☒ No

[Go to step 3](#)

» [Application of Digital Rights Management techniques](#)



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The SBS Guide. IPR Guide – Type of Work

[Start](#) > [Creators](#) > [Type of work](#) > [Portrait](#) > [About License](#) > [Obtain License](#) > [Results](#)

[Start Over](#)

Type of work

The work you want to use:

- ☐ is a musical work or does contain music
- ☐ is an audiovisual work or does contain audiovisual material
- ☐ is a photograph of an original work

If none of the above options apply in your case, just click "Go to step 4".

[Go to step 4](#)

Background

- » [IPR Legislation](#)
- » [New Licensing Models](#)
- » [Application of Digital Rights Management techniques](#)



WP6 - Analysis of IPR issues and definition of possible solutions

The SBS Guide. IPR Guide – Step 3

[Start](#) > [Creators](#) > [Type of work](#) > [Portrait](#) > [About License](#) > [Obtain License](#) > [Results](#)

[Start Over](#)

License in place and license needed.

If the work is protected by copyright, does your institution at present have a license? ☐ Yes ☒ No

What do you want the license to cover?

Digitisation ☒

Access by authorised user through secure networks ☒

Online accessibility over open networks ☒

[Go to step 6](#)

Background

- » [IPR Legislation](#)
- » [New Licensing Models](#)
- » [Application of Digital Rights Management techniques](#)



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The SBS Guide. IPR Guide – Obtaining the License

[Start](#) > [Creators](#) > [Type of work](#) > [Portrait](#) > [About License](#) > Obtain License > [Results](#)

[Start Over](#)

Obtaining the license

Creators

Name of the creator: Praxitelis

Who represents the creator for the license that you seek?

☐ He represents himself. ☐ A representative of his heirs. ☐ A **collecting society**. ☒ I don't know

Provide your country:

[Click here to find out which organization in Greece might be able to help you locating the creator and/or who represents him/her.](#)

Address of the representative:

[Go to Results](#)

Background

- » [IPR Legislation](#)
- » [New Licensing Models](#)
- » [Application of Digital Rights Management techniques](#)



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The SBS Guide. IPR Guide – Results

Results

There seem to be **no copyright issues** with this work.

Please consider marking this work with the [Public Domain Mark](#).



Work

Work name: Ermis Sculpture

Is it original? Yes

Present date: 23/04/2011

Is there a license already? No

What you want the license to cover:

Digitisation

Access by authorised user through secure networks

Online accessibility over open networks

Creators

Name of the creator: Praxitelis

Creators

Name of the creator: Praxitelis

Address of the representative: University of Patras

Is the creator dead? Yes

Date of death: 23/04/1971

Are there copyright issues? **Yes**

You need to sign a license agreement with Praxitelis

[License agreement \(short version\).doc](#)

[License agreement \(long version\).doc](#)

Expiration date of copyright: 23/4/2041

Representative: He represents himself.

Collection

Collection name: Ancient Greek Dep

Collection description: Collection of ancient antiquities



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The SBS Guide.
IPR Guide – Results

The License

AGREEMENT FOR A LICENCE ON DIGITISATION AND ONLINE ACCESSIBILITY (SHORT VERSION)

BETWEEN:

Full name :
Full address :
Duly represented by:

("the Licensor")

AND:

Full name : *Your organization's name*
Full address : *Your organization's address*
Duly represented by: *Your organization's representative*

("the Licensee")

IT IS AGREED AS FOLLOWS:

1. LICENSE

1. The Licensor grants the Licensee a non-exclusive and non-transferable license to perform all uses of the Licensed Material (as specified in the Annex) as permitted hereunder for the duration of copyright.

Nothing in this license agreement shall constitute a waiver of any statutory rights or benefits from statutory exceptions to copyright applicable to the Licensee.

A. DIGITISATION

1.1. The Licensee may digitise the Licensed Material, resulting in the "Digitised Version". The Digitised Version may be accessed and reproduced on paper, microfilm or electronically in appropriate numbers of copies necessary for the sole purpose of back-up or preservation. The Licensee may store the Digitised Version in a systematic way so as to facilitate its search and retrieval.










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The SBS Guide. IPR Guide – Administrator's Tools

Athena Europe IPR

Athena IPR Admin

- IPR Offices
- Webpages
- IPR Offices
- Translations

		Actions
Greece	Hellenic Copyright Organization Ministry of Culture	  
Albania	Albanian Copyright Office Ministry of Tourism, Culture, Youth and Sports	  
Austria	Federal Ministry of Justice	  
Belarus	National Center of Intellectual Property (NCIP) State Committee on Science and Technologies	  



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Athena Europe IPR

Athena IPR Admin

Webpages

Page	Published	Published	Published	
IPR Guide	✓	✓	✓	
About	✓	✓	✓	
Get Help in your Country	✓	✓	✓	
Background Knowledge	✓	✓	✓	
IPR Legislation	✓	✓	✓	





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Athena Europe IPR

Athena IPR Admin

 **IPR Offices** 

You have logged in successfully: Athena IPR Admin

lpr Offices add new lpr Office

Country	Administration	Actions
Greece	Hellenic Copyright Organization Ministry of Culture	  
Albania	Albanian Copyright Office Ministry of Tourism, Culture, Youth and Sports	  
Austria	Federal Ministry of Justice	  
Belarus	National Center of Intellectual Property (NCIP) State Committee on Science and Technologies	  
Belgium	Dienst voor Intellectuele Eigendom - FOD Economie	  



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The SBS Guide. IPR Guide – Administrator's Tools

Athena Europe IPRAthena IPR Admin

Translations

Website Translations

Filter:

Website Guide Translations

English	Nederlands	Ελληνικά
website.Web site address	website.Web site address	website.Web site address
website.Address	website.Address	website.Address
website.Telephone	website.Telephone	website.Telephone
website.Telefax	website.Telefax	website.Telefax
E-mail address	website.E-mail address	website.E-mail address



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The SBS Guide. IPR Guide – Administrator's Tools

Athena Europe IPR

Athena IPR Admin



Translations

Website Guide Translations		
Filter: <input type="text"/>		
Website Translations		
English	Nederlands	Ελληνικά
Start	Start	
Identification of the work	Identificeer het werk	Το έργο
Creators	Auteurs	syggrafeis
Type of work	Type werk	fwtografei
Portrait	Portret	guide.step4.link
About License	Over de licentie	guide.step5.link



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Questions / Contact ?

Barbara Dierickx – PACKED vzw
barbara@packed.be

Dimitrios Tsolis – UPatras
dkt@hpclab.ceid.upatras.gr



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HPCLab
University Of Patras