FIELD OF ACTION RESEARCH

Licences
RDM Team TU Graz

What is a licence?

- A licence grants others the right to use a certain object (e.g. data) under certain conditions.

- **Licensor** (right to grant licence) and **Licensee** (uses the subject of the licence)

- **Licence agreement** regulates the use of the subject of the licence by both parties

- Various licences: Legal licences, software licences, licences for data, contract licences ...

- Associated with it: **IPR (Intellectual Property Rights)**

  - Occur in copyright law, patent law, utility model law, trademark law, Universities act,

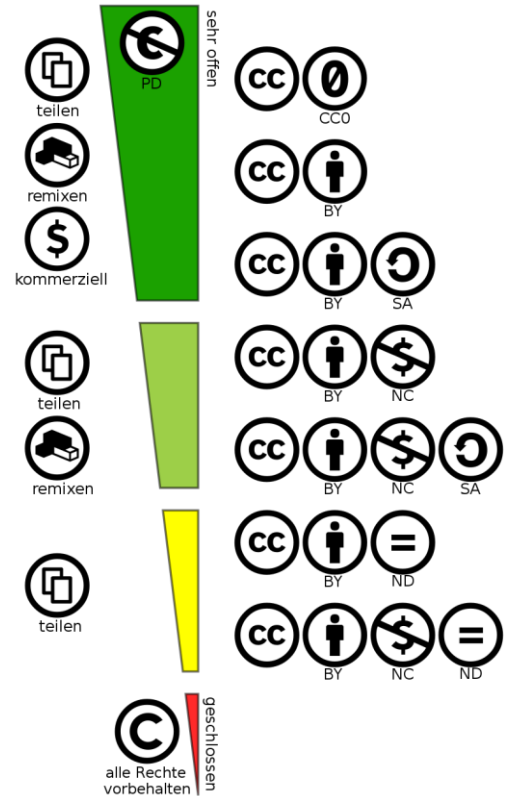   employment law/agreement and employment contracts.

A few important licences

1) Data

- CC0   No rights reserved
- CC BY   Attribution
- CC BY-SA   Attribution and ShareAlike
- CC BY-ND   Attribution and NoChanges
- CC BY-NC   Attribution and NonCommercial

2) Databases

- Open Data Commons PDDL (corresponds to CC0)
- Open Data Commons ODbL
- Open Data Commons ODc-By

„Creative Commons license spectrum", created by Shaddim under a CC0 license.

Combination of licenced works

	PUBLIC DOMAIN (mark)	PUBLIC DOMAIN (CC0)	CC BY	CC BY-SA	CC BY-NC	CC BY-ND	CC BY-NC-SA	CC BY-NC-ND
PUBLIC DOMAIN (mark)	✓	✓	✓	✓	✓	✗	✓	✗
PUBLIC DOMAIN (CC0)	✓	✓	✓	✓	✓	✗	✓	✗
CC BY	✓	✓	✓	✓	✓	✗	✓	✗
CC BY-SA	✓	✓	✓	✓	✗	✗	✗	✗
CC BY-NC	✓	✓	✓	✗	✓	✗	✓	✗
CC BY-ND	✗	✗	✗	✗	✗	✗	✗	✗
CC BY-NC-SA	✓	✓	✓	✗	✓	✗	✓	✗
CC BY-NC-ND	✗	✗	✗	✗	✗	✗	✗	✗

„CC Licencse Compatibility Chart", created by Kennisland under a CC0 license.

A few important licences

3) Software and Code

- MIT Licence: Software, licence itself modifiable

- Apache Licence: Software, no Copyleft

- GNU General Public Licence: Software, widely used

- 3-Clause BSD License: Software, no Copyleft

- European Union Public License: Software, applyies to EU law

Licences can be found on RDM Homepage: RDM Licences

Who decides which licence to use?

- TU Graz framework policy for RDM: *… As many different legal norms as well as contracts are involved, a general statement regarding intellectual property rights (e.g. ownership) covering each case, cannot be made. In most cases, however, TU Graz is owner of the IPR generated by its employees and TU Graz has the right to choose how the data are published and shared. …*

- In practice, this means: group leader or head of institute

- Attention in consortia: different right holders present

- Licensing process should be recorded in consortium agreement or in a separate document

Important points

- Licences facilitate the transfer of rights to use data

- Most cases TU Graz is IPR owner

- IPR owner(s) decides which licence is appropriate

- Each license subject has a suitable license

- Include all possible licensing partners early in the licensing process

- Licensing of the data should be specified in an agreement and DMP

- Licensing corresponds to the R (Resuable) in FAIR