



# Data Licensing - the Terrestrial Ecosystem Research Network (TERN) Approach

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# Data licensing project

- *Key elements*
  - *Open access to ecosystem research data*
  - *Respecting existing rights*
  - *Collaborative structure of multiple organisations*
- *Project stages*
  - *Review of requirements*
  - *Review of existing licence options*
  - *Prepare data licensing policy*
  - *Prepare implementation framework*

# Project stages

- *Review TERN structure and data licensing requirements*
  - *Identify / prioritise issues*
    - *data types*
    - *copyright in data?*
    - *Data provenance*
    - *Compliance and enforcement*
    - *confidentiality/sensitivity/privacy*
    - *Acknowledgement (citation)*
    - *sharing methods*
- *Assess existing approaches (e.g., AusGOAL, ALA, ANDS)*
- *Produce and implement TERN Data Licensing Policy & Framework*
  - *Top-level policy statement*
  - *Specific principles & exception strategies*
  - *Integration into TERN Facility data management (access) processes (implementation)*

# Flexibility in Implementation

- *Spectrum of Interests*
  - *Provider of data*
  - *Facility*
  - *User of data*
  - *TERN*
- *Spectrum of Obligations*
  - *Data source policy & procedures*
  - *Facility host organisation policy & procedures*
  - *TERN policy*
- *Informed decision-making*

# TERN Data Licensing Policy Principles

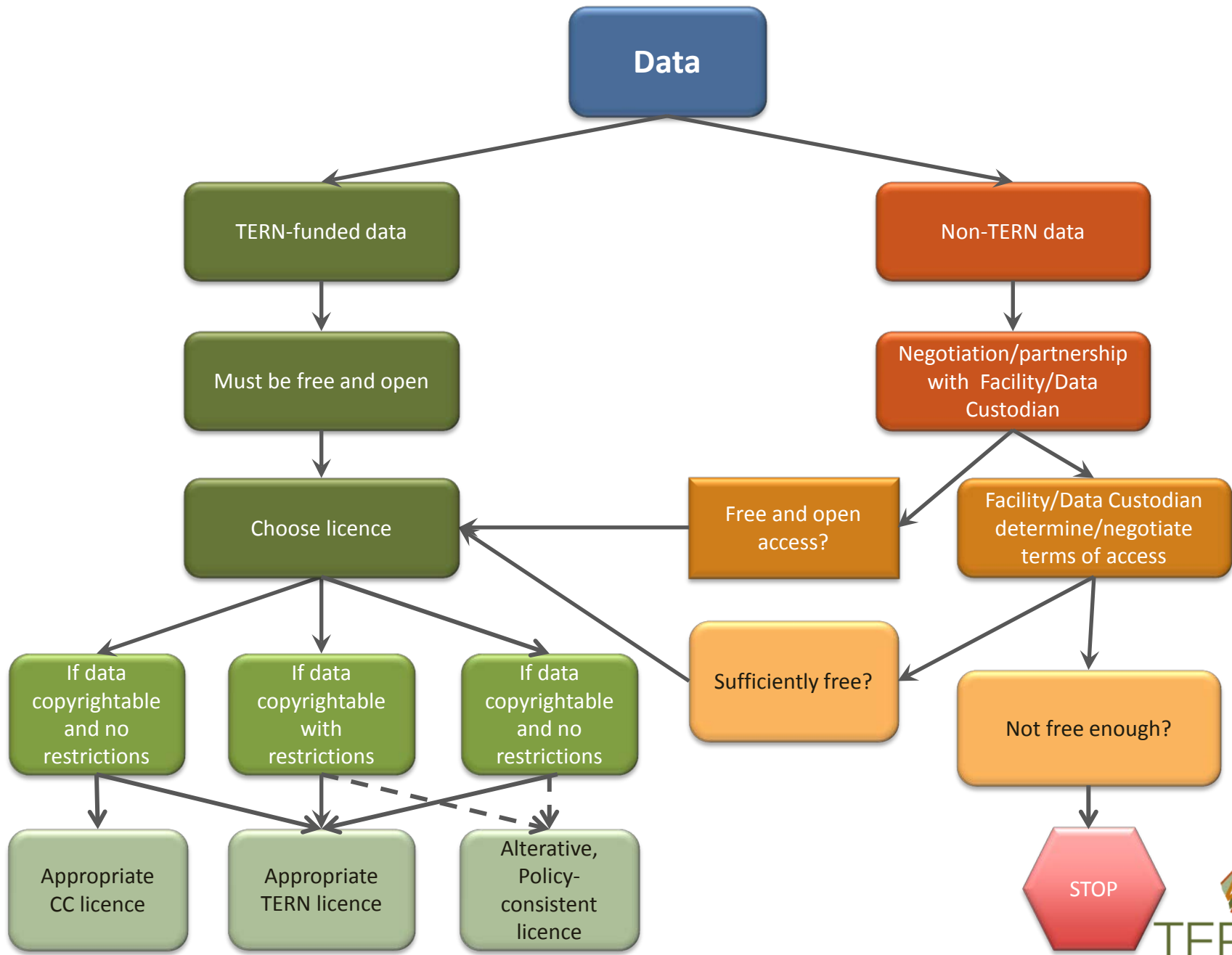
<http://tern.org.au/datalicence/>

1. *The least-restrictive licence/terms possible are to be applied to all data made available through TERN.*
2. *Data generated through TERN funding (“TERN data”) will be made freely and openly available by the relevant Facility, noting that:*
  - i. *Users will be required to attribute the source of the data; and*
  - ii. *Justifiable conditions protecting sensitivities of data will be allowed.*

# TERN Data Licensing Policy Principles

<http://tern.org.au/datalicence/>

3. *Third party/existing data (“non-TERN data”) provided to/through TERN will be made freely and openly accessible through the relevant Facility, noting that:*
  - i. *Users will be required to attribute the source of the data; and*
  - ii. *Other justifiable conditions of use (including data sensitivities) will be determined by the data custodian in negotiation with the relevant Facility, subject to the data being made available under the least restrictive licence/terms possible..*
4. *TERN recommends a range of preferred data end user licences to achieve TERN’s data access goals.*



TERN

# TERN Data Licence Suite

(Covering all licensed materials including material not subject to copyright)

- **TERN Attribution Licence (TERN – BY)**



- **TERN Attribution No Derivatives Licence (TERN – BY-ND)**



- **TERN Attribution Share Alike Licence (TERN – BY-SA)**



- Also available:

- Creative Commons Australia open source licences for copyright material



# Implementation

- *General process for data sharing*
  1. *the data rights holder and the TERN Facility liaise;*
  2. *Identify data and any restrictions/conditions;*
  3. *agreement on data transformation /derivatives;*
  4. *select appropriate user licence; and*
  5. *Publish metadata, data and/or the derived product with appropriate links to/detail of user licence.*

# Lessons/vital issues

- *Organisation structure critical*
- *Cater for a wide variety of data sources*
- *Cater for a wide variety of data types including those in which copyright does not subsist*
- *Engagement and education process needed*
- *Culture shift non-trivial*

# Contact

*TERN*

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