Harmonizing PSGI licences in the Netherlands

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INSPIRE art. 17(1)

Each Member State shall adopt measures for the sharing of spatial data sets and services between its public authorities.

Those measures shall enable those public authorities to gain access to spatial data sets and services, and to exchange and use those sets and services, for the purposes of public tasks that may have an impact on the environment.
Measures

The measures provided for in paragraph 1 shall preclude any restrictions likely to create practical obstacles, occurring at the point of use, to the sharing of spatial data sets and services.
Practical obstacles, occurring at the point of use?

- Ad hoc negotiations between public authorities every time access is required
- Prior agreements between public authorities
Practical obstacles, occurring at the point of use?

• Money
• Time between request and use
• Use restrictions
Practical obstacles, occurring at the point of use

Money:

Tanguy de Lestré (Agoria):
"It is not the price that matters,……

…..it is transparency in what is available and what conditions apply"
Harmonising licence restrictions in NL

- Aiming at harmonising the licenses currently existing

- Not: aiming at changing access policies, funding models and the like
Harmonising licence restrictions in NL

Three levels:
- Structure
- Terminology
- Content
Het eigendomsrecht (auteursrecht) van bovenbedoelde gegevens berust bij XYZ.

Alle rechten waaronder de auteurs- en databankenrechten van producten die vervaardigd zijn door de afdeling zijn voorbehouden aan XYZ.

Het is, behoudens het bepaalde in de Auteurswet 1912 en de uitdrukkelijke schriftelijke toestemming van XYZ per geval, niet toegestaan de verstrekte gegevens openbaar (te doen) maken of te verveelvoudigen, een en ander in de ruimste zin des woords.

=> XYZ behoudt zich uitdrukkelijk de intellectuele eigendomsrechten voor, zoals bedoeld in de Auteurswet en in de Databankenwet
Uniform content

• General framework of conditions possible respecting characteristics of ‘all rights reserved’, ‘some rights reserved’ and ‘no rights reserved’ regimes

• Examples:
  • Creative Commons
  • Guidelines DT DSS INSPIRE
  • GeoShared (RGI-006)
Example: Creative Commons

1. icon
2. simple text
3. legal text

You are free:

- to Share — to copy, distribute and transmit the work
- to Adapt — to adapt the work

Under the following conditions:

- Attribution — You must attribute the work in the manner specified by the author or licensor (but not in any way that suggests that they endorse you or your use of the work).
GeoShared framework

- Aiming at harmonising the licenses currently existing
- Building on Creative Commons
- Keep it simple
Process

- 2006: First concept presented at EC GI/GIS conference
- 2008: Presented at workshop Dutch INSPIRE conference
- 2008-2009: Consulting organisations responsible for INSPIRE data set
- 2009 (Nov): Workshop on concept model with PS data providers
- 2010 (March): Overall agreement Stakeholders, but lawyer test
- 2010 (June): Passed the lawyer test
- 2010 (July): On the agenda of GI Council
- 2010 (Fall): Implementation
GeoShared licensing framework

- Public domain
- Attribution
- No redistribution
- Derivative works only if Work not selectable from derivative work
GeoShared licensing framework

- Time limitation
- Fee is required
- Purpose limitation
- Other restrictions
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GeoShared licencing framework

- Consensus building process
- Process increased awareness of importance of transparent and consistent licences
- Promotes transparency and consistency of use conditions for PSGI
- In July on the agenda of GI Council
Next

- Implementing the framework in the Netherlands
- Harmonising PSGI licences across Europe?!
Harmonizing PSGI licenses in the Netherlands

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