

MEMORANDUM OF UNDERSTANDING

Between

The Smithsonian Institution, on behalf of
The Encyclopedia of Life

And

The Regents of the University of Michigan

Introduction

This Memorandum of Cooperation provides the basis for the Encyclopedia of Life (EOL) and the Regents of the University of Michigan on behalf of the Animal Diversity Web (ADW) to work together to develop and share information and informatics tools facilitating the dissemination of knowledge about animal species worldwide. In particular, ADW will allow the Encyclopedia of Life to access and incorporate information from its species lists and accounts. In return, ADW will gain access to the resources of the Encyclopedia of Life, including species pages, scanned literature, and informatics tools. In addition, EOL and ADW may collaborate on the development of shared software tools, procedures and protocols and/or other projects of joint interest.

The Parties

Animal Diversity Web is an online database of animal natural history, distribution, classification, and conservation biology.

ADW has:

- Thousands of species accounts about individual animal species. These may include text, pictures of living animals, photographs and movies of specimens, and/or recordings of sounds.
- Descriptions of levels of organization above the species level, especially phyla, classes, and in some cases, orders and families. Hundreds of hyperlinked pages and images illustrate the traits and general biology of these groups.

ADW is a large searchable encyclopedia of the natural history of animals. Every day, thousands of classroom students and informal visitors use it to answer animal questions. Other sites specialize in local, endangered, or particular kinds of animals. It aims to be as comprehensive as possible.

ADW facilitates inquiry-driven learning, that is, teaching about science by leading students to use the methods of science. Its large database is structured, providing consistent information for all species to foster comparisons. An advanced search tool allows a user to call up species

accounts fitting any combination of descriptors. Students can explore for patterns and relationships, learn how to frame and answer scientific questions and, with the help of a good teacher, experience the excitement and satisfaction of doing science. The long-term goal is to create a database rich enough that students can discover for themselves basic concepts in ecology and conservation biology.

ADW provides a way to make the contents of research museums available globally for teaching and research. So far, its efforts in this area have been directed mainly at mammals. Photographs of scientific specimens are available for representative species from most mammal families. An important goal for the future is to expand to cover other groups of animals and include other media such as animal behavior video.

The Encyclopedia of Life is an informal consortium of institutions and organizations dedicated to building an on-line Encyclopedia of Life composed of content-rich multi-media web pages for each of the presently known species on Earth. Currently, the EOL is composed of five working groups:

- *Species Sites Group*—defines the composition of information on species pages; works with the scientific community to identify potential sources of information (such as FishBase) for the species pages and to authenticate the information on the species pages; establishes licensing agreements with data providers.
- *Biodiversity Informatics Group*—conceptualizes and prepares the software needed to host and to search the species pages; applies taxonomic intelligence to the scientific names on the species pages and in the literature.
- *Scanning and Digitization Group*—working with the Biodiversity Heritage Library, a consortium of many of the world's largest natural history libraries, digitizes and marks up the world's biodiversity literature.
- *Education and Outreach Group*—exploits the EOL's potential by exploring and promoting its educational uses.
- *Biodiversity Synthesis Group*—holds synthesis meetings to help reach taxonomic consensus on megadiverse groups; develops tools for analyzing and synthesizing information across species pages.

EOL's membership is composed of universities, museums, and other similar organizations. EOL is an facilitating and organizing activity that relies on partnerships with others to accomplish most of its goals.

Objectives

To establish a framework for co-operative work between the ongoing EOL and ADW programs, ADW will provide access to information contained within their species accounts and guidance on lessons learned in developing their site. EOL will provide access to species information, in a standardized, easy to use format, tools and web services for sorting and analyzing species-level data.

Future additional cooperative activities may include

1. Identifying and implementing collaborative projects of value to both organizations, including possible joint education-oriented projects.
2. Considering the sharing of personnel, such as detailing individuals to work with or at the

other organization on topics of interest to both.

3. Developing joint workshops and meetings.

All such additional specific activities will be drafted as Addenda to this MOU with details and objectives captured on a case-by-case basis.

Conditions of Use

1. Both parties agree that they will clearly label the source of all content and require users to indicate those sources in any subsequent re-use. For EOL-supplied data, ADW will indicate that the information came from the EOL and will include all further attribution metadata. For ADW-supplied data, EOL will require users to meet ADW's standards of attribution for its data providers and its Portal.
2. Each party agrees to fully acknowledge the other (verbally and by including logos) when citing or promoting jointly developed products.
3. Except as provided above or by prior written consent, neither party will use the name, insignia, or trademark of the other in any advertising or promotional activities or literature.

Smithsonian owns, controls, and has registered certain trademarks and service marks, including, but not limited to "Smithsonian," "Smithsonian Institution," and the Smithsonian sunburst logo (collectively "Names"). Except as provided above or by the Smithsonian's prior, written consent, ADW shall not use the Names or refer to Smithsonian or any of its museums, programs, organizations, or facilities in any manner or through any medium, whether written, oral, or visual for any purpose. Upon the expiration or termination of this agreement, ADW shall immediately cease to use the Names, and shall not exploit in any manner its association with Smithsonian, unless otherwise agreed to in writing by Smithsonian at the time of such expiration or termination. ADW shall incorporate the provisions of this Section into any potential ADW subcontracts, if any, entered into in connection with this MOU.

Nothing herein restricts ADW from disclosing the existence of the agreement, the identity of the parties, or the purpose and scope of the project in its normal business records.

4. EOL will provide ADW with monthly statistics of usage of ADW-provided content accessed through the EOL portal (such as unique users, visits, pages, hits, bandwidth), and *vice versa*.

Amendments and Modifications

This Memorandum of Understanding may be amended in writing and signed by the authorized representative of each party.

Authorized Representatives.

1. Smithsonian Representative. For purposes of liaison, providing guidance and direction in daily operational matters, granting approvals or withholding same, and for general

contract coordination as detailed herein, the Smithsonian Institution, on behalf of the EOL, shall be represented by **James Edwards, Executive Director, Encyclopedia of Life,**

2. ADW Representative. For the purposes of liaison and direction in daily operation matters, ADW shall be represented by Dr. Philip Myers or an authorized representative thereof.
3. Substitution of Representative. Smithsonian and ADW shall advise one another in writing of any substitution for said representatives.

Notices.

Any notices and consents required hereunder shall be in writing and deemed delivered upon actual receipt of such notice when hand-delivered or sent by certified mail, postage prepaid, return receipt requested, or overnight express courier to the address listed below. All written consents required hereunder shall be sent as provided above to the following addresses:

**To SMITHSONIAN:
For Technical Matters:**

James Edwards
Encyclopedia of Life
Smithsonian Institution
PO Box 37012 MRC 106
Washington, DC 20013-7012
+1.202.633.8730

To ANIMAL DIVERSITY WEB:

Dr. Philip Myers
Museum of Zoology, 3048 Museums,
Ann Arbor, MI 48109-1079

For Contractual and Legal Matters:

Contracting Office, Office of Contracting
Smithsonian Institution

PO Box 37012
Washington, D.C. 20560-1200
Attn: Director
+1.202.633.7290

Sharyn I. Sivy, Sr. Project Rep,
University of Michigan, DRDA, Room
1082, 3003 South State Street, Ann
Arbor, MI 48109 -1274 Telephone:
734 936 1296

Not a Legal Partnership.

The parties do not intend to create a legal partnership, principal/agent, or joint venture relationship and nothing in this MOU shall be construed as creating such a relationship between the parties. Neither party may incur any obligation on behalf of the other.

Non-exclusive Agreement

This Memorandum of Understanding is non-exclusive, and in no way restricts either EOL or ADW from participating in similar activities or arrangements with other public or private initiatives, organizations, or individuals.

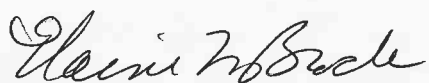
Duration

This agreement is effective as of the date of the last signature and is effective for five (5) years. It shall be automatically renewed for five additional years unless terminated.

The parties reserve their right to terminate this Agreement without cause upon three months written notice to the other party. Upon termination EOL shall cease providing access to ADW information and ADW will cease providing access to EOL information.

Signatures

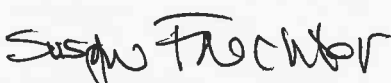
For the Regents of the University of Michigan

Signature 


Date: 8/11/08

Name: **Elaine L. Brock**
Sr. Associate Director, DRDA

For the Smithsonian Institution, on behalf of the Encyclopedia of Life

Signature 

Date: 8/27/08

 Name: Cristian Samper
Title: Director, National Museum of Natural History

Revised 8/8/08
/sis