

#### Legal Aspects

What can we do, and why?

Copyright, Licences, Legislations





# Mining requires copying

- We download PDFs, XMLs, HTMLs, images
- Need to copy and adapt into a digital format specific to the particular content.





# Copyright

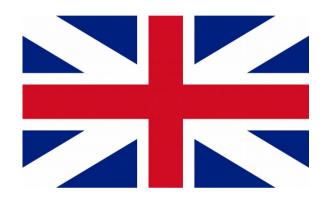
Gives the owner rights to authorise or prohibit any of the "restricted acts":

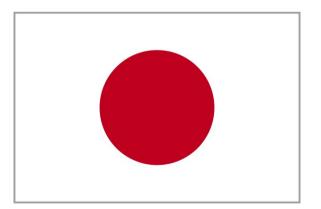
- Copying
- Adapting
- Redisseminating
  - All
  - "Substantial" part → the important ones





## Copyright exceptions





Only two countries (UK, Japan) have specific TDM exceptions

Copying is allowed without permission or paying fees

Though: For non-commercial purposes only





### What questions to ask?

material to mine:

legal situation:

grey areas

OA article article database

straightforward: start mining!

commercial or non commercial?

database right or copyright (or both)?

purpose of work?
Commercial
benefits ok if not
initially intended

not always clear, and not known for certain without going to court





#### Conclusions

- New copyright exception is great news for TDM
- Law is still unclear due to lack of case studies
- Currently it is about risk management and the importance of the work and researcher reputation

