



ODI Learning in Tanzania

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<http://tanzania.learndata.info>



Increase confidence in using and
understanding open data licences



List the characteristics of an open licence

Identify instances of an open licence

Identify when you can apply an open licence to a data set for publication



Law and licensing

Please note:

I am not a lawyer and this should not be treated as legal advice.



Why licence?

A licence provides clarity

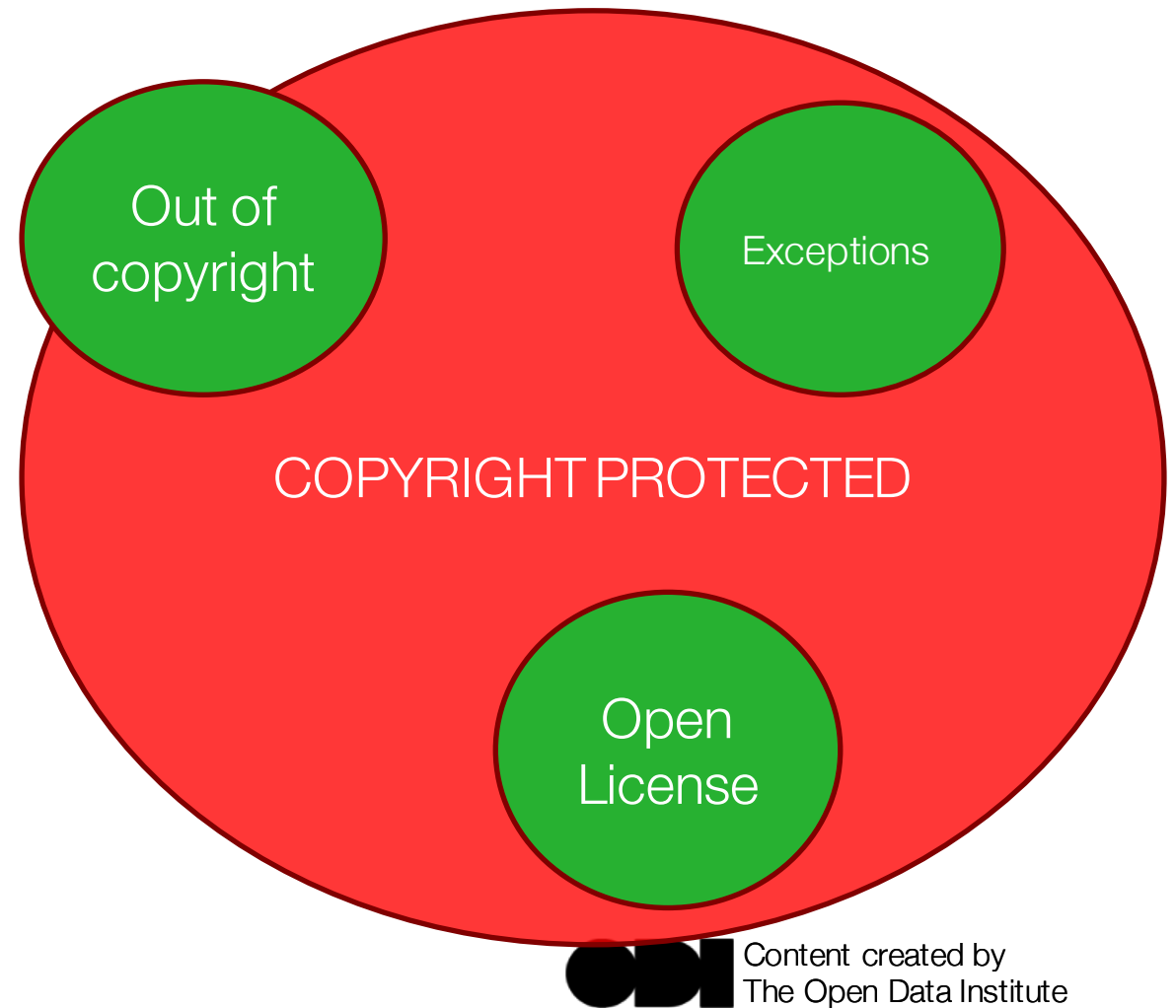
It sets out exactly what users and re-users are permitted to do with your dataset



The content world

You can use it if [green]:

- It's out of copyright [public domain]
- It's openly licensed
- Your use is covered by a copyright exception



Content created by
The Open Data Institute

Copyright

Applies automatically to –

- literary works
- artistic works
- dramatic works
- musical works
- layouts of works
- sound and film works
- broadcasts



Copyright

Applies automatically to –

Anything where there is an intellectual, creative and original process in creating a thing.

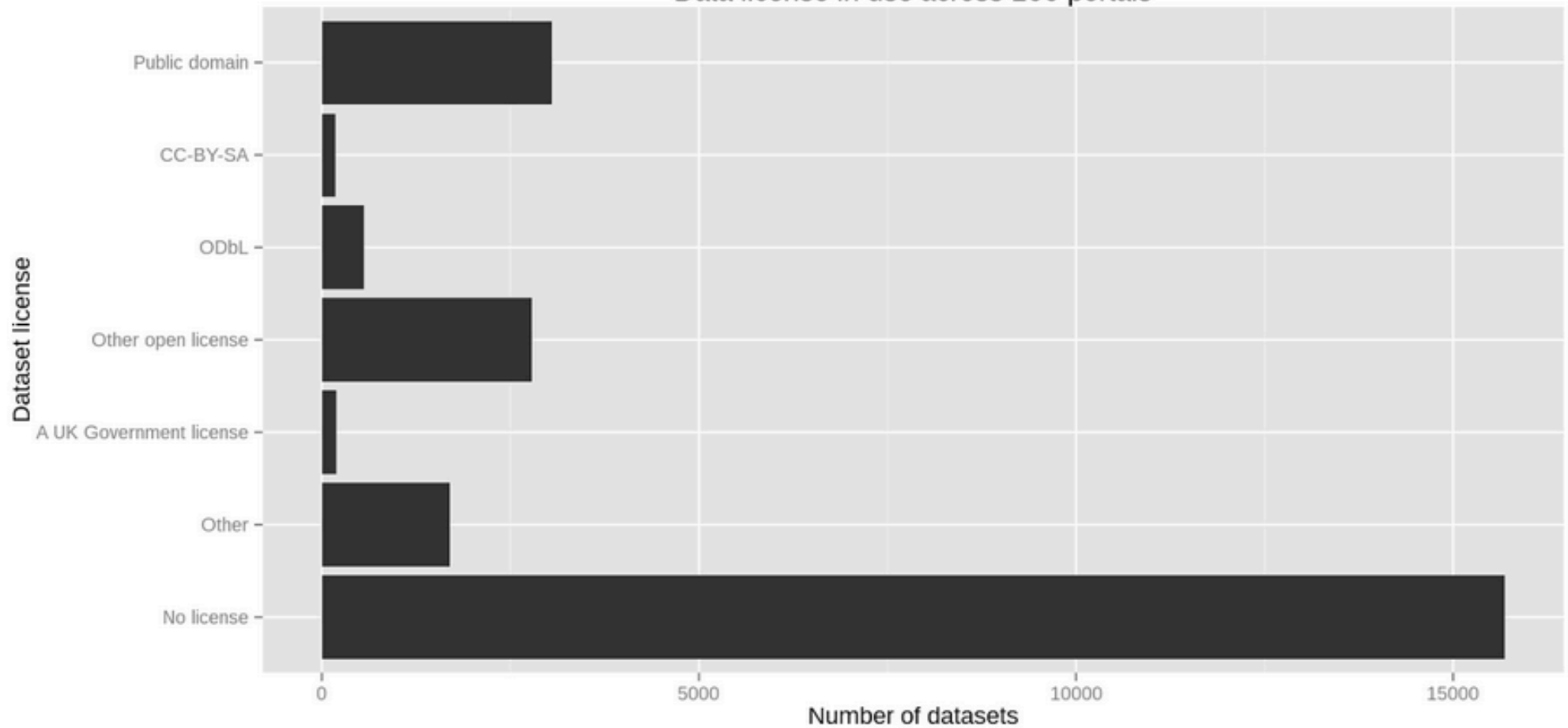
It does not apply when the thing created would be the same whoever created it.

“it’s obvious”



Open data is hardly ever appropriately licensed.

Data license in use across 100 portals



Source: Thomas Levine

<http://thomaslevine.com/!/open-data-licensing/>

Exercise

Build your own open data licence



Some drafting tips

“Under this licence **you can**:”

[what is permitted?]

“**You must**, where you do any of the above:”

[do you have any restrictions?]

“**You must not**”

[explicit restrictions?]



The UK Open Government Licence

Version 3.0 released in October 2014

<http://www.nationalarchives.gov.uk/doc/open-government-licence/version/3/>



What does it permit?



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The main alternative




Open and community
developed; not
controlled by a central
agency or body.




Attribution-ShareAlike 4.0 International (CC BY-SA 4.0)

This is a human-readable summary of (and not a substitute for) the [license](#).
[Disclaimer](#)




You are free to:


Share — copy and redistribute the material in any medium or format

Adapt — remix, transform, and build upon the material
for any purpose, even commercially.

The licensor cannot revoke these freedoms as long as you follow the license terms.

Under the following terms:

**Attribution** — You must give **appropriate credit**, provide a link to the license, and **indicate if changes were made**. You may do so in any reasonable manner, but not in any way that suggests the licensor endorses you or your use.

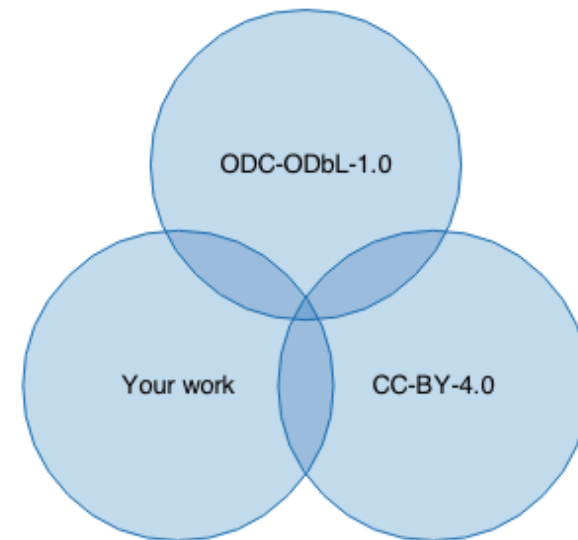
**ShareAlike** — If you remix, transform, or build upon the material, you must distribute your contributions under the **same license** as the original.

Checking license compatibility

Type of remix:

My new work is a:

- ☒ **"Strong" adaptation.** I remix or tightly integrate significant portions of the original works directly into my own.
- ☐ **"Weak" adaptation of individual files.** All of my changes and additions are contained in separate files from those of the original works.
- ☐ **"Weak" adaptation of software libraries.** My own work merely links against the original works, using them as software libraries. I've made no changes to the source code of the original works.
- ☐ **Collection.** I simply package the original works together, without changing any of the individual works themselves.



<http://clipol.org/tools/compatibility>



Identifying open licenses

Recognising Open Licences

When discovering data online, it is important to be able to check the licence to understand whether the data is open and if so, under what conditions can you access, use and share it

Take a look at each of the following licences and try to determine whether they are open licences



Licensing your data set for publication



What do you need to think about?

Exemptions

This licence does not cover:

- personal data in the Information;
- Information that has not been accessed by way of publication or disclosure under information access legislation (including the Freedom of Information Acts for the UK and Scotland) by or with the consent of the Information Provider;
- departmental or public sector organisation logos, crests and the Royal Arms except where they form an integral part of a document or dataset;
- military insignia;
- third party rights the Information Provider is not authorised to license;
- other intellectual property rights, including patents, trade marks, and design rights; and
- identity documents such as the British Passport



Be Careful!

Personal data

Protected by the data protection act

Information that has been accessed unlawfully

You ripped it from a protected medium (DVD)

Third party IP rights

The data was obtained from a copyrighted source.



Personal Data

Does this data contain personal identifiable data?

Could this data be used combined with another data set to create personal identifiable data?

Can it be anonymised?



Third party rights

A data set could also contain other copyright works:

- Images (i.e. satellite pictures)
- Headlines (if original enough)
- Excerpts of text



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