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Creative Commons

Going Open Access With Your Collections?
Choosing The Creative Commons Way For Open Culture

Victoria G. D. Landau MA | Digital Humanities Lab

Sunday, 31 March 2024

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«Opening» Culture: Where To Start?
Defining the Scope of Openness for Cultural Heritage

While the Cultural Heritage sector has not yet agreed on a single, universal definition of «open culture», many open movements have developed concepts and terminology that can be utilized. For example, the «**Open Definition**» by the Open Knowledge Foundation (OKF) is a simple benchmark to consider:

«Knowledge is open if anyone is free to access, use, modify, and share it — subject, at most, to measures that preserve provenance and openness.»

GLAMs (Galleries | Libraries | Archives | Museums) can make **4 content types** available Open Access:

- Digitized works they steward, for which the copyright has **expired** = works in the public domain

- Works under copyright by a third party which has given **permission**

- Works for which the institution **holds** the copyright

- All metadata and original content **generated** by the institution
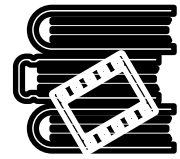
Galleries Libraries Archives Museums

⟹ each GLAM and non-institutional caretaking entity is unique, and responsible for a broad variety of works

⟹ Open Culture = dedicated to sharing digital heritage material with as few copyright limitations as possible

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«Opening» Culture: Where To Start?
Appropriate Licensing for Open Access

While all Creative Commons licenses and tools are more «open» than the standard «all rights reserved» approach to copyright, the more restrictive licenses (no commercial use & no creation of derivatives) cannot be considered very «open». The OKF designates a number of **compatible licenses and tools**:

- **Creative Commons**: CC0 1.0 | CC-BY 4.0 | CC-BY-SA 4.0, as well as Public Domain Mark (PDM)
  → OKF's «Reuse» and «No Discrimination Against Fields of Endeavor» disqualify NC & ND licenses

- **Open Data Commons**: PD Dedication (PDDL-1.0) | Attribution (ODC-By-1.0) | Open Database (ODbL-1.0)
  → the first license waives all rights, the second requires attribution, and the third is Attribution-ShareAlike

- **Rights Statements**: NO COPYRIGHT - UNITED STATES | NO KNOWN COPYRIGHT
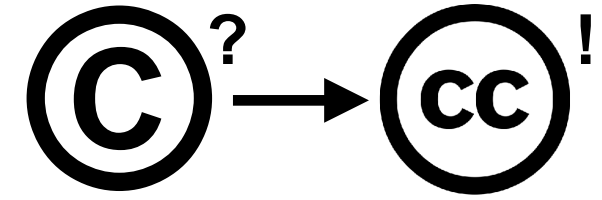 → determined as copyright-free in the USA; not conclusive, but reasonable cause to believe it is

$\Longrightarrow$ matching the scope of the Open Definition, free availability and reusability are central to licenses

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What To Expect When You're Releasing Open Access
Incentives to Open the Collections

Successful case study institutions have documented and proven the long-term benefits of openly releasing digital reproductions of their works, providing users with free, quality-controlled resources for an unlimited number of use purposes: education, research, art, community work, and more. Benefits can include:

- **Increased traffic to digital collections** = enhanced relevance to both users and potential funders
  → availability and option of reuse make a virtual «visit» attractive; funders increasingly require Open Access

- **More transparency and visibility of the collections** = aim of a holistic view on collections' holdings
  → potential beyond confines of physical exhibition spaces and capacities

- **Relieving «copyright anxiety»** = both within and outside institution
  → giving employees, researchers, students and public users certainty that they can utilize collection

⟹ Digital discoverability can be leveraged to demonstrate value of collection to public and research community

⟹ CC Licenses and Tools offer a standardized form of communicating copyright status and permissions

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What To Expect When You're Releasing Open Access
Challenges to Consider When Preparing the Collections
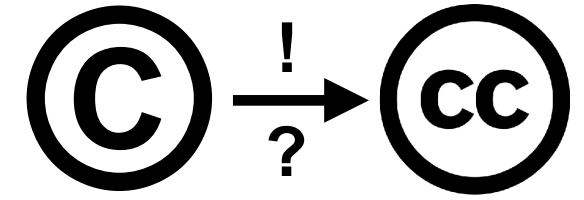
Hesitation to make collections available Open Access can usually be traced back to broad challenges facing institutions, often regarding monetary concerns, the issue of attribution and quality control. For example:

- **Affected business models and impacted revenue streams** (e.g., sale of digital images)
  - → potential costs saved = image reproduction rights cause more maintenance costs than revenue generated
  - ↪ clear policies, copyright status statements and self-service downloads reduce requests and burden on staff

- **Intentional or unintentional harm caused by uses of public domain works** (e.g., demeaning, offensive use)
  - → ethical considerations always central, «open to the extent possible», not everything *must* be released
  - ↪ if work in public domain = public opposition to harmful reuse, opportunity for education and community

- **Wrong, messy or inaccurate metadata released** (e.g., outdated material, both socially and chronologically)
  - → relevant information always worth sharing, can be accompanied by disclaimer explaining inaccuracies
  - ↪ when lacking resources or qualified personnel, content can be enhanced through community

⟹ «**Semi Open Access**» = releasing small collection portions to test waters and assess comfort of institution

⟹ **Open Access Policy** = internal decision-making on release and production should be made transparent

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What To Expect When You're Releasing Open Access
Work-In-Progress Considerations for Digitization and Upload
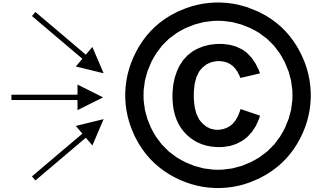
In their role as stewards of works, institutions are tasked with preserving and sharing their holdings. Copyright must therefore be addressed and considered at every point during everyday responsibilities, during digitization efforts and when designing an institutional Open Access Policy. This can include clarifying ownership and rightsholders at acquisition, and implementing risk management policies.
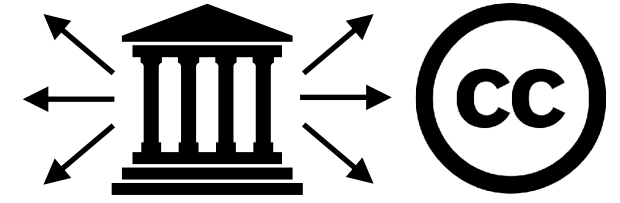
- **Owning or housing a physical copy of a work does not give an institution copyright over it**
  → third-party rightsholders to be considered; some objects have never been under any copyright to begin with

- **General Rights Workflow implemented for any and all digitization projects**
  → copyright considerations should be central (determining works' status, documenting decisions, training)

- **Digitization should not create new rights over works** = still contested in Cultural Heritage sector (!)
  → faithful digital reproductions do not generate new originals, no creative choices made, if human even involved

⟹ Global | Regional | National | Institutional levels of legal and policy frameworks factor into OA process

⟹ Documentation offers clarity for users and can serve as an example to digitization efforts in GLAM community

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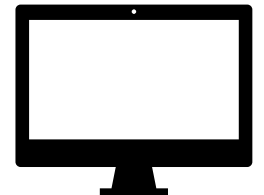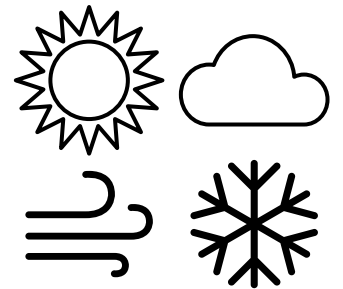Sunday, 31 March 2024

Open Access: What's The Big Idea?
Increasing the Openness of Papyrus Collections

Papyrus collections, or individual papyrus documents within larger, often unrelated collections, stand to gain much from pursuing an Open Access approach to digitizing and storing ancient textual artefacts.

- **Increased research on collections, collaborations researchers—institutions**
  - → accessibility and reusability = prerequisites for novel research approaches and topics
  - → uploading digitized versions with accompanying metadata encourages crowdsourcing

- **Digital preservation and comparison** (reproduction, «digital twin»)
  - → ensuring longevity separate from original's exposure to harmful elements and deterioration
  - → enabling online, side-by-side comparison of objects from different collections

- **Outreach, exposure and connectivity online** (third-party platforms, external interfaces)
  - → integration into Europeana, Wikimedia Commons and other transdisciplinary hubs
  - → transcending national jurisdictional limitations and facilitating reuse understanding
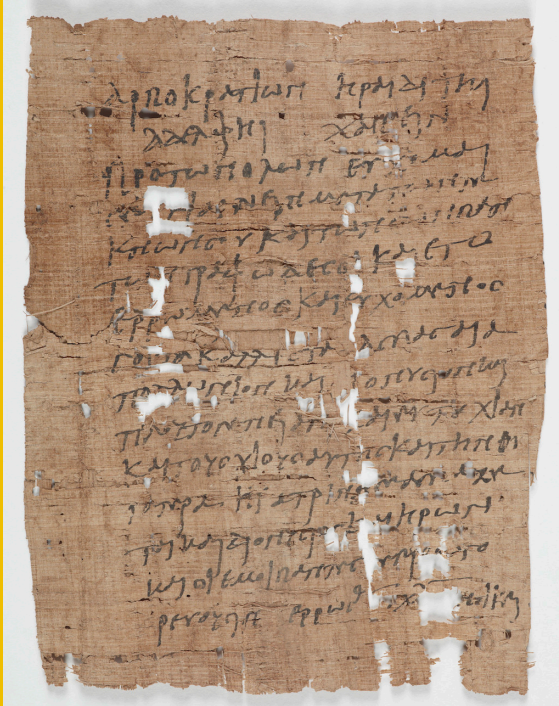
⟹ Collaboration on digitization and accessibility standards for long-term usability

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Open Access: What's The Big Idea?
Collections (Partially) Released Using CC Licenses and Tools

800'000 collection entries
190'000 images, of which
60'000 can be downloaded

- community engagement (asking for use purposes)

- NC & ND limitations on digitized ancient material

- Ongoing digitization of works, growing online collection

Papyrus, 'Letter of Harpokration'. CC BY-NC-ND 4.0.

Museum of New Zealand Te Papa Tongarewa

Open Access Images since June 2014

160'000 collection entries
110'000 images, of which
88'000 are available CC0

- IIIF Manifest available (with metadata & rights statement)

- large portion of images dedicated to public domain

- Ongoing digitization of works, growing online collection

Fragment of a Letter. CC0 1.0 Universal.

J. Paul Getty Museum

Open Access Images since August 2013

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References

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Slide 9: "Free Access to 30,000 high-resolution images from Te Papa's digital collections", Te Papa Tongarewa. 2014. Accessed March 31, 2024. https://www.tepapa.govt.nz/about/press-and-media/press-releases/2014-news-and-media-releases/free-access-30000-high-resolution/
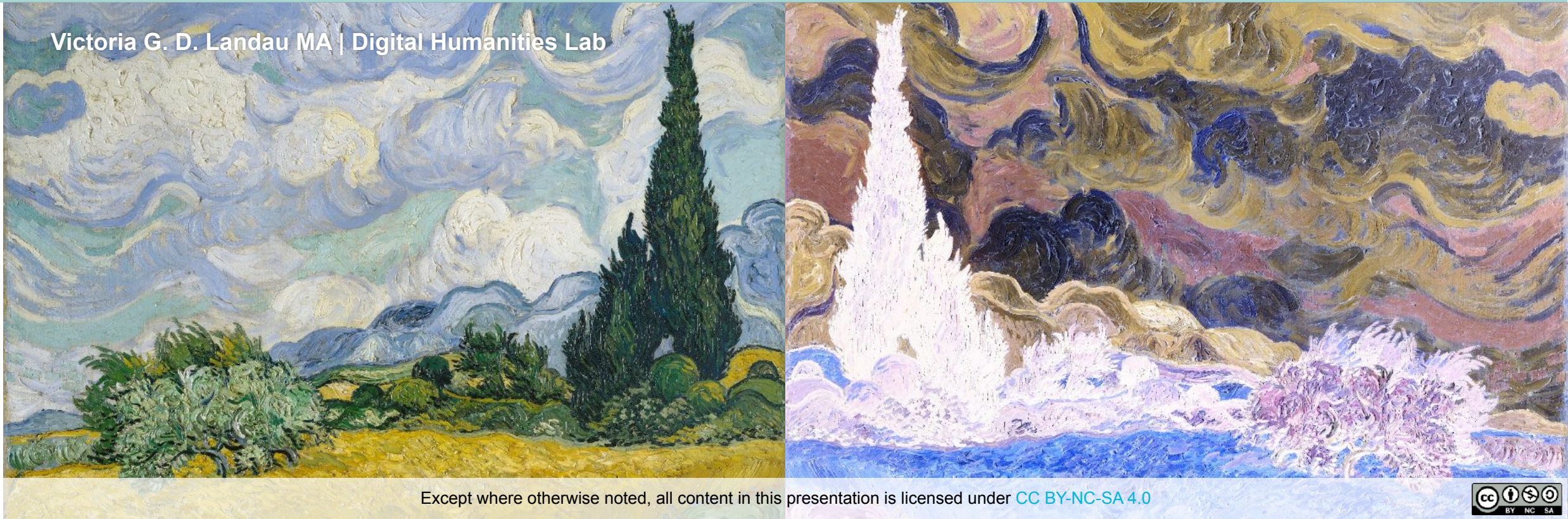
Slide 9: "About Collections Online", Te Papa Tongarewa. 2004. Accessed March 31, 2024. https://www.tepapa.govt.nz/about-collections-online/

Slide 9: "Open Content Program", J. Paul Getty Trust. 2024. Accessed March 31, 2024. https://www.getty.edu/projects/open-content-program/

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Thank you
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