How to Choose a License

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Why License Research Data?

- Releasing data without clarifying terms of use is confusing

- Laws differ across jurisdictions

- Reports may differ from raw data, structure, etc.

- Reusers need clear guidance on what they can and cannot do with the data

http://www.dcc.ac.uk/resources/how-guides/license-research-data

Why License Research Data?

- Uploading a dataset to a repository with good metadata isn't the end

- Think about what others can do with your data

- Also think about your right to specify (did you get the data from someone else)?

- Generally, the goal is to be **as open as possible**

https://update.lib.berkeley.edu/2017/02/09/research-data-publishing-licensing-101/

Licenses Help Keep Your Data Open

- If you want your data to be open the license matters; keeps it open for users with restricted jurisdictions

- The **Open Definition:**

"Open means anyone can freely access, use, modify, and share for any purpose (subject, at most, to requirements that preserve provenance and openness)."

https://opendefinition.org/

Open Licenses

- Open Data Commons (ODC)
  - Created specifically for data/databases
  - Allows the content of a database to be licensed separately from the database itself
- Creative Commons (CC) Licenses
  - Applies to a wide range of content
  - Can apply to data/databases (best option is debatable)

Creative Commons (CC) Licenses

- [Popular for many reasons:](#)
  - One of the most used & recognized standard licenses
  - Easy to use, widespread adoption
  - Familiar & flexible
  - Human- and machine-readable forms
  - Increased chance of data reuse

Can You Apply a CC License?

- To be clear of copyright issues, your work should be **1 or more** of the following:
  - your original work
  - built from open resources
  - built from the public domain
  - built from copyrighted work (with permission)

Can You Apply a CC License?

- October 2015: UC Presidential Open Access Policy

- Sharing is not a problem at UCM and is in fact highly encouraged

- If research is publicly funded, the funding body may expect you to share
  - "As open as possible, as closed as necessary"

- Sometimes publishers require restrictions, however

- CC licenses cannot be revoked

https://www.fosteropenscience.eu/learning/open-licensing/
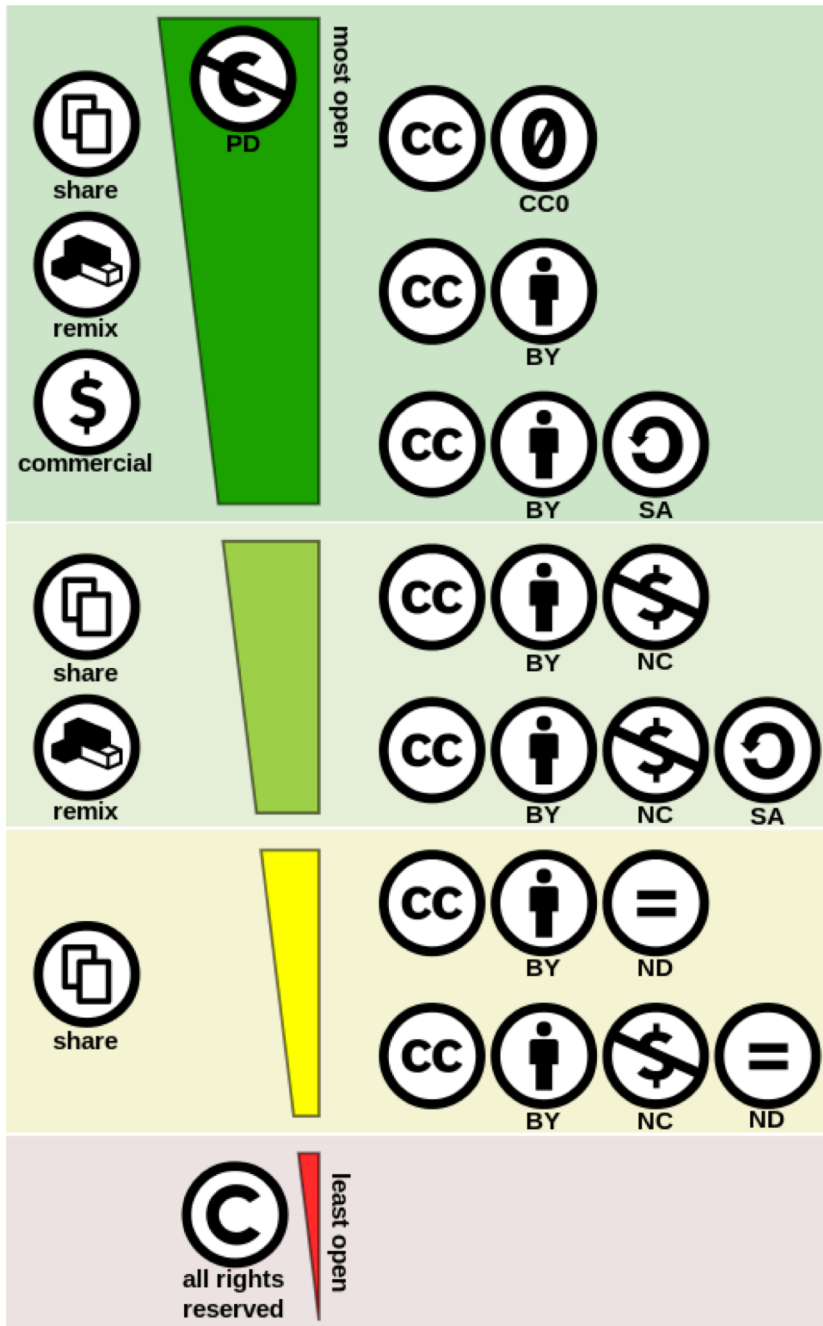
Icon	Term
(person)	**Attribution (BY)**
(circular arrow)	**Share-Alike (SA)**
(dollar)	**Non-Commercial (NC)**
(equals)	**No Derivatives (ND)**

No rights reserved CC0

Attribution CC BY

Attribution-NoDerivs CC BY-ND

Attribution-NonCommercial CC BY-NC

Attribution-ShareAlike CC BY-SA

Attribution-NonCommercial-ShareAlike CC BY-NC-SA

Attribution-NonCommercial-NoDerivs CC BY-NC-ND

All rights reserved Copyright

It is mine. I do NOT allow you to take this material and repurpose it. You need to ask for my permission to use this.

vs.

Open License

It is mine. But I DO allow you to take my material. Just remember to make a proper attribution to me. It is free, and you do not need to ask for my permission to use it.

https://training.instructure.com/courses/1276118/pages/what-is-an-open-license

Icon	Description	Acronym	Attribution Required	Allows Remix culture	Allows commercial use	Allows Free Cultural Works	Meets 'Open Definition'
PUBLIC DOMAIN	Freeing content globally without restrictions	CC0	No	Yes	Yes	Yes	Yes
CC BY	Attribution alone	BY	Yes	Yes	Yes	Yes	Yes
CC BY SA	Attribution + ShareAlike	BY-SA	Yes	Yes	Yes	Yes	Yes
CC BY NC	Attribution + Noncommercial	BY-NC	Yes	Yes	No	No	No
CC BY NC SA	Attribution + Noncommercial + ShareAlike	BY-NC-SA	Yes	Yes	No	No	No
CC BY ND	Attribution + NoDerivatives	BY-ND	Yes	No	Yes	No	No
CC BY NC ND	Attribution + Noncommercial + NoDerivatives	BY-NC-ND	Yes	No	No	No	No

	Public Domain	CC BY	CC BY-SA	CC BY-NC / BY-NC-SA	CC BY-NC-ND / BY-ND
Public Domain	✓	✓	✓	✓	✗
CC BY	✓	✓	✓	✓	✗
CC BY-SA	✓	✓	✓	✗	✗
CC BY-NC / BY-NC-SA	✓	✓	✗	✓	✗
CC BY-NC-ND / BY-ND	✗	✗	✗	✗	✗

Attribution CC 0

- Not a license – a waiver

- Some argue that CC 0 is best fit for open data
  - Encouraged by Dryad and BioMed Central
  - The easier you make reuse (and the clearer you are about not planning on suing people) the better
  - Simpler
  - Permanently relinquish rights & protections
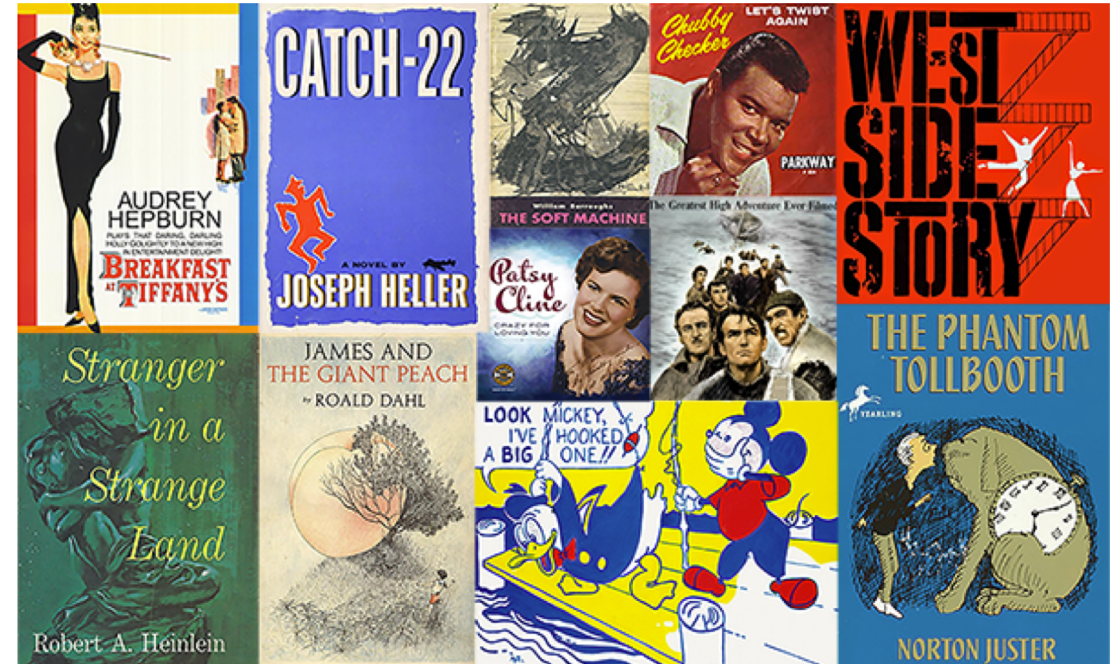
Attribution CC BY

- Can distribute, remix, tweak, build upon, & even sell your work
  - **as long as they credit you!**
- Most accommodating license
- Best for maximum dissemination & use
- Most open-access articles
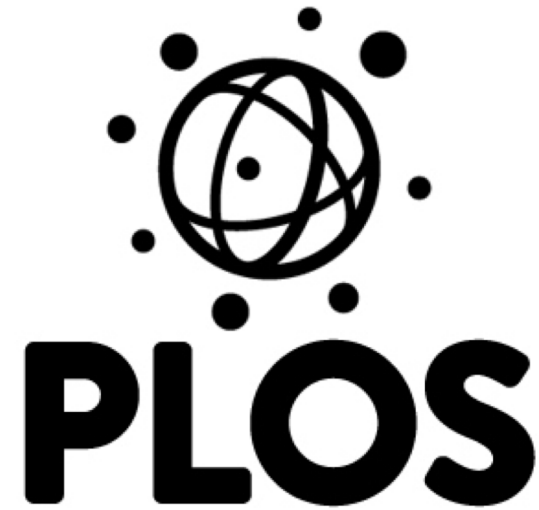
Attribution CC BY-SA

- Can distribute, remix, tweak, build upon, & even sell your work
  - **as long as they credit you**
  - **as long as they use the SAME license (share too)**
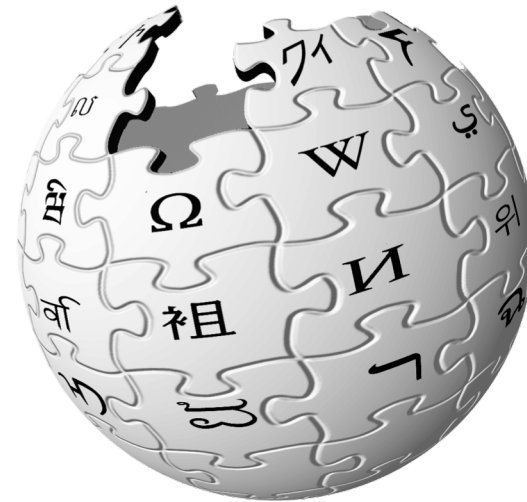
Attribution CC BY-NC

- Can distribute, remix, tweak, & build upon your work
  - **but NOT sell it**
  - **as long as they credit you**
  - **they do NOT have to use the same license**

Attribution CC BY-NC-SA

- Can distribute, remix, tweak, & build upon your work
  - **but NOT sell it**
  - **as long as they credit you**
  - **and they MUST use the same license**
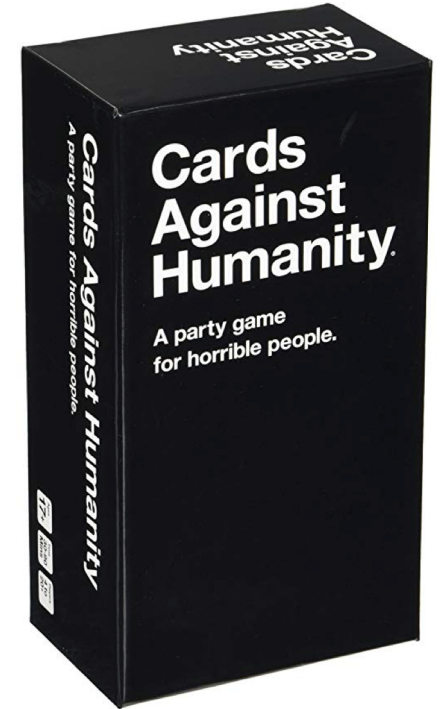
Restrictive Attributions

- Can distribute and sell your work
  - **but CANNOT CHANGE IT**
  - **as long as they credit you**

- Can distribute your work
  - **but CANNOT sell it**
  - **and CANNOT change it**
  - **as long as they credit you**
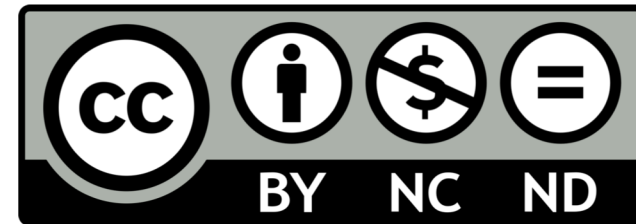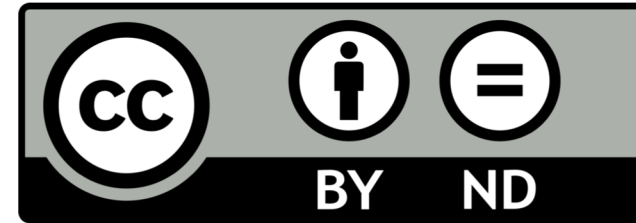
YouTube
10 Million Videos

WIKIPEDIA
34 Million Articles

flickr
307 Million Photos

PLOS
100,000 Articles

Scribd.
50 Million Documents

9 MILLION WEBSITES USE CREATIVE COMMONS LICENSES

500
500,000 Photos

jamendo
400,000 Songs

wattpad
300,000 Stories

FREE CULTURE LICENSES

2014

MORE OPEN

LESS OPEN

30%

20%

10%

CC0

BY

BY
SA

BY
NC
SA

BY
NC

BY
ND

BY
NC
ND

Which Creative Commons licence is right for me?

Instructions

Creative Commons (CC) is a non-profit organisation that works to make it easier to share, reuse, repurpose and remix creative material. It does this by providing free licences that let creators give permission in advance for certain uses of their material.

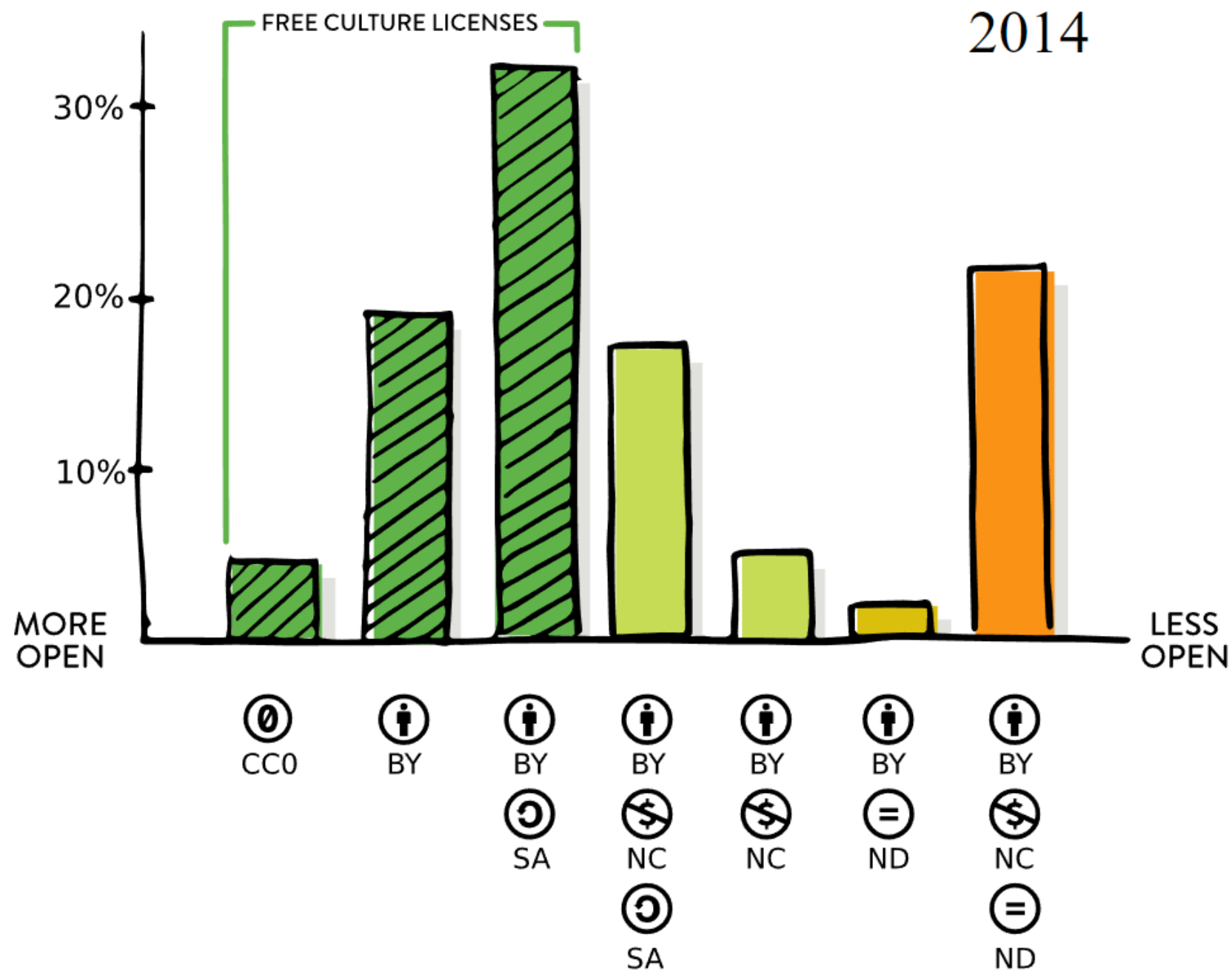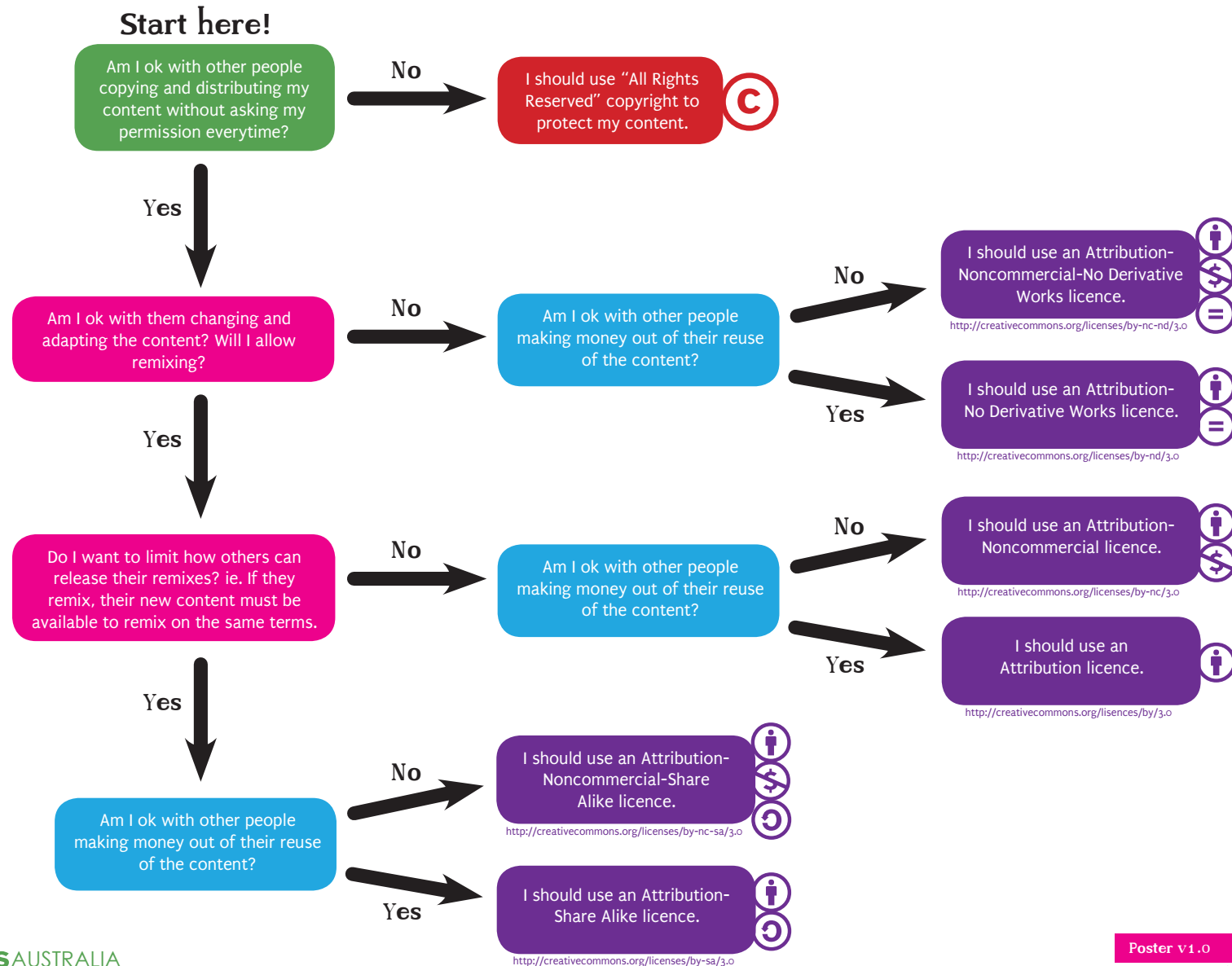CC encourages people to share their work. But we think it is very important that you use the right licence for you, and that you understand what that licence means. This flowchart is intended to help with this—by answering a few simple questions, it lets you choose which CC licence is right for you, or if you want to use a CC licence at all.

Start at the *green question box* and, following the arrows that correspond with your answer, make your way through the *pink remixing* and *blue commercial* questions until you reach a *purple licence box*. That will be the right licence for you. For the full details of each of the licences, see the *link* under the box.

CC has an online tool that will take you through the similar process at http://creativecommons.org/license.

For more information about the CC licences, see http://creativecommons.org/licenses.

Start here!

Am I ok with other people copying and distributing my content without asking my permission everytime?

— **No** → I should use "All Rights Reserved" copyright to protect my content. Ⓒ

— **Yes** ↓

Am I ok with them changing and adapting the content? Will I allow remixing?

— **No** → **Am I ok with other people making money out of their reuse of the content?**
  - **No** → I should use an Attribution-Noncommercial-No Derivative Works licence.
    http://creativecommons.org/licenses/by-nc-nd/3.0
  - **Yes** → I should use an Attribution-No Derivative Works licence.
    http://creativecommons.org/licenses/by-nd/3.0

— **Yes** ↓

Do I want to limit how others can release their remixes? ie. If they remix, their new content must be available to remix on the same terms.

— **No** → **Am I ok with other people making money out of their reuse of the content?**
  - **No** → I should use an Attribution-Noncommercial licence.
    http://creativecommons.org/licenses/by-nc/3.0
  - **Yes** → I should use an Attribution licence.
    http://creativecommons.org/lisences/by/3.0

— **Yes** ↓

Am I ok with other people making money out of their reuse of the content?

— **No** → I should use an Attribution-Noncommercial-Share Alike licence.
  http://creativecommons.org/licenses/by-nc-sa/3.0

— **Yes** → I should use an Attribution-Share Alike licence.
  http://creativecommons.org/licenses/by-sa/3.0

Making a Choice

- CC BY is most common for open access articles

- Can use others for scholarly articles, but …
  - What is non-commercial use?
    - Does a non-profit count?
  - Derivative works are **important** for scholarship
  - When citations are the goal, reuse is best

- CC 0 and CC BY popular for open data

CC License Chooser Tool

CC License Chooser Tool

Help others attribute you!

This part is optional, but filling it out will add machine-readable metadata to the suggested HTML!

Title of work	Open Course Library
Attribute work to name	SBCTC
Attribute work to URL	http://sbctc.edu
Source work URL	http://opencourselibrary.org
More permissions URL	
Format of work	Other / Multiple formats ▼
License mark	HTML+RDFa ▼

Have a web page?

Open Course Library by SBCTC is licensed under a Creative Commons Attribution-NonCommercial-NoDerivatives 4.0 International License.
Based on a work at http://opencourselibrary.org.

Copy this code to let your visitors know!

```
<a rel="license"
href="http://creativecommons.org/licenses/by-nc-
nd/4.0/"><img alt="Creative Commons License"
style="border-width:0"
src="http://i.creativecommons.org/l/by-nc-
nd/4.0/88x31.png" /></a><br /><span
xmlns:dct="http://pud.org/dc/terms/"
```

◉ Normal Icon   ○ Compact Icon

When Open Licenses Aren't Appropriate

- ND and/or NC licenses
- Clinical (HIPAA) or personal information (Data Protection Act, 1998), without consent
- Restricted material
- Organizational or business restrictions
- [UC policy allows waivers under "compelling circumstances"](#)

http://discovery.ac.uk/files/pdf/Licensing_Open_Data_A_Practical_Guide.pdf

When Open Licenses Don't Work
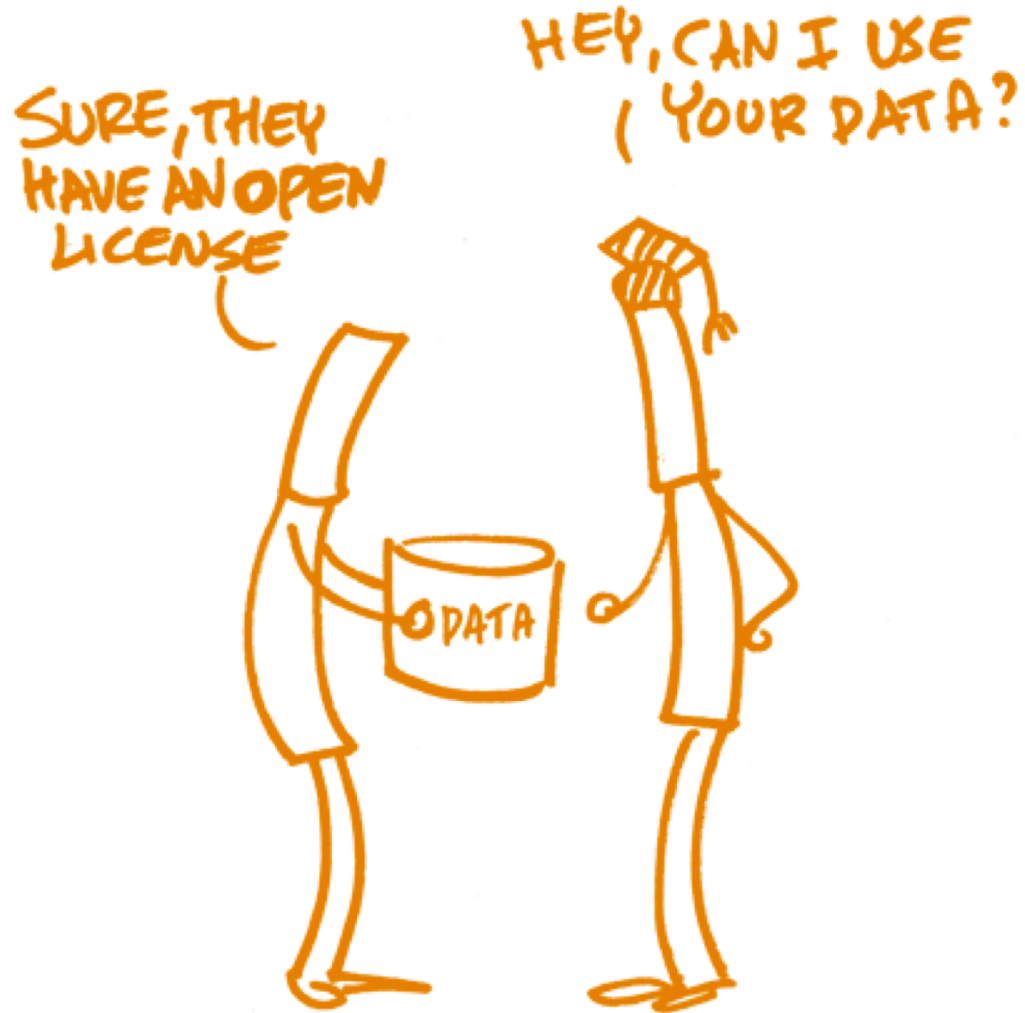
Data Repositories and Licenses

- If you're storing your data in an online repository, that repository may determine or limit the license you use
- For example, the Slovenian Social Science Data Archives allows users to choose either CC 0, CC BY, or CC-BY-NC

Data Repositories and Licenses

re3data.org
REGISTRY OF RESEARCH DATA REPOSITORIES

Data licenses ⊟

Apache License 2.0 (21)
BSD (20)
CC (712)
CC0 (78)
Copyrights (189)
ODC (44)
OGL (20)
OGLC (3)
Public Domain (44)
RL (3)
other (217)

dash | UNIVERSITY OF CALIFORNIA
DATA SHARING MADE EASY

○ Any data submitted will be under the CC-BY 4.0 or CC0 license. We do not currently support any other license types, nor do we allow for restrictions on data access or use
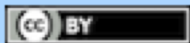
CC BY

NSF Funding and Licenses

- "You should consult with your publisher or the repository in which the article is housed …. The Federal Government has a non-exclusive, irrevocable, worldwide, royalty-free license to … use a federally-funded work for Federal purposes. The Federal Government license includes the right to have the … material included in a repository where the public can search, read, download, and analyze the material in digital form."

Attaching Your License

- Statement of applicable license

- Reference to full text of license

- That's it!

- "[This database is/These data are/<name of dataset> is] licensed under a Creative Commons Attribution 4.0 International License."

http://www.dcc.ac.uk/resources/how-guides/license-research-data

How to Respect Others' Licenses

- Scroll down to the bottom of a website and you'll often see:

THE OHIO STATE UNIVERSITY

How to Attribute Others' Work

- If you're using someone's licensed research data in an article, attribute it to them (in text, footnote, etc.)

- If you're referencing a licensed article, you can simply cite it as normal

https://wiki.creativecommons.org/wiki/Best_practices_for_attribution

How to Attribute Others' Work

- Sometimes they'll tell you who to credit

- If an attribution is not provided, TASL
    - **Title, Author, Source, and License**

LICENCE

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https://www.fosteropenscience.eu/learning/open-licensing/

How to Attribute Others' Work

This is an ideal attribution

"Creative Commons 10th Birthday Celebration San Francisco⊞" by tvol⊞ is licensed under CC BY 2.0⊞

Because:

Title? "Creative Commons 10th Birthday Celebration San Francisco"

Author? "tvol⊞" - linked to his profile page

Source? "Creative Commons 10th Birthday Celebration San Francisco⊞" - linked to original Flickr page

License? "CC BY 2.0⊞" - linked to license deed

https://wiki.creativecommons.org/wiki/Best_practices_for_attribution

CC Licenses for Courses

- In Canvas, your course is copyrighted by default, **but** [you can set a CC license for your course](#)!

- Settings -> Course Details ->
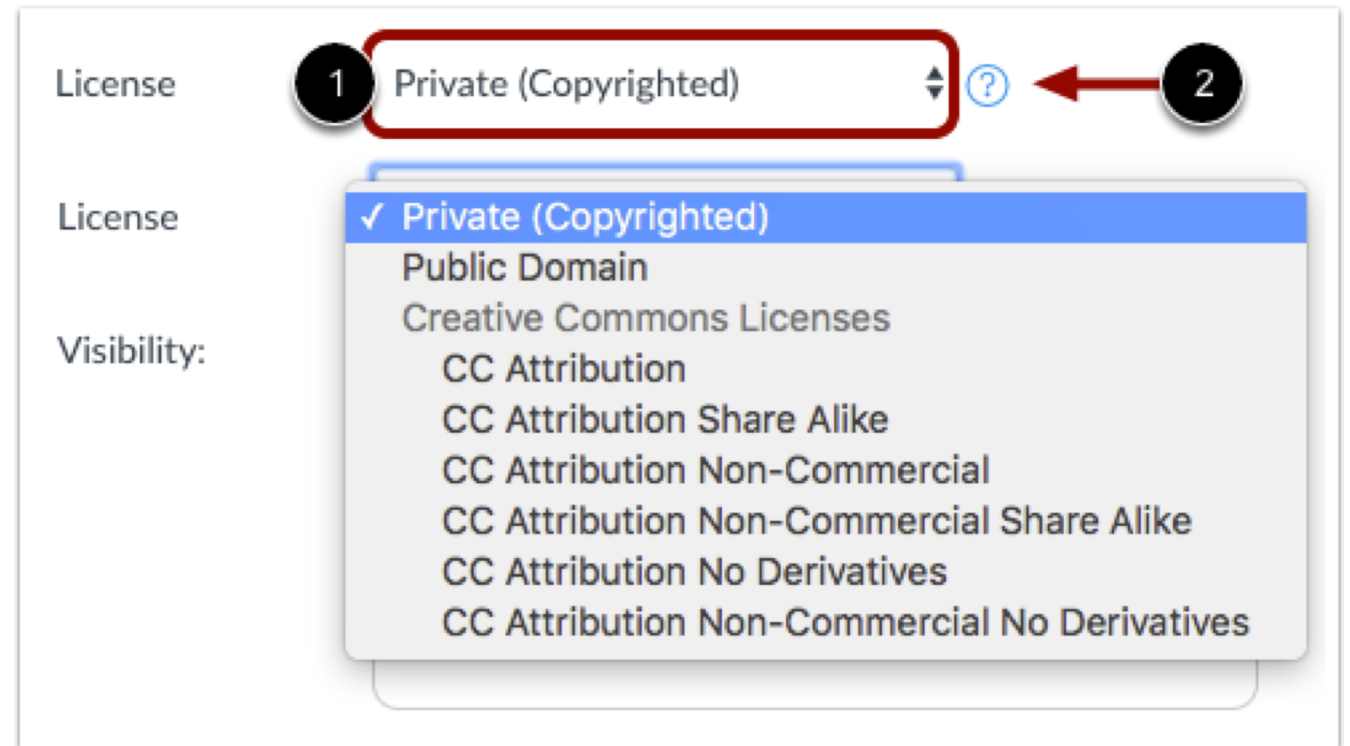
Overview

- **(Disclaimer: Not a lawyer!)**
- The more open the license, the better for data sharing, etc.
- The UC does not have a general rule for which license(s) you use
- However, it encourages open access as much as possible
- Repositories or publishers may restrict license options
- You can apply CC licenses to almost anything you like by yourself
  - Courses on Canvas
  - Personal websites
  - Journal articles
  - Data

Questions/Comments

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