

# Open access and Open licensing

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MINISTERSTVO  
DOPRAVY A VÝSTAVBY  
SLOVENSKEJ REPUBLIKY



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SLOVENSKEJ REPUBLIKY

**NISPEZ**™

# Open Licensing

## What is an open license?



### **A license**

grants permissions and states restrictions

### **AN OPEN LICENSE**

grants permissions to access, reuse and redistribute work

**with few or no restrictions.**

# Open Licensing

**Openly licensed work is free to be shared, improved and built upon!<sup>1</sup>**

**Free to be:**

- ✓ Printed/shared,
- ✓ Altered,
- ✓ Incorporated,
- ✓ Used for another work, etc.

**The permissions depend on the full text of the open license that is applied.<sup>1</sup>**

# Open Licensing

## From history

[GNU Free Documentation License](#) - 2000<sup>2,4</sup>

[David Wiley](#): [Open Publication License](#) (OPL) released in June 1999<sup>2</sup>

- first formal non-software open license<sup>2</sup>

[Larry Lessig](#) – Creative Commons,

1st set of Creative commons licenses released in December 2002<sup>2,5</sup>

*An American [non-profit organization](#) and international network devoted to educational access and expanding the range of [creative works](#) available for others to build upon legally and to share.*<sup>5</sup>

# Open Licensing

## Why to use an open license?

### Copyright laws

- Protects original work by default,
- Give several exclusive rights to the copyright holder,
- Can remain in effect until the death of author plus 70 years, etc.

# Open Licensing

## Why to use an open license?

### OPEN LICENSES

**A tool for creators to allow more freedom in what others can do with their work**

#### **Benefits of freedom**

- Redistributing the work freely,
- Not forcing users to apply for permission every time they wish to use/circulate the work
- Improving the work,
- Creating new works derived from the original work, etc.

# Open Licensing

## How to apply an open license?

- What type of the content - text, images, data...?
- Rights and permissions to openly license the work.
- Other factors – requirements of the funder, institution, national legislation
- Which open license best suits your purposes?

# Open Licensing

## How to apply an open license?

- **Display a notice** somewhere prominent on your work **stating that your work is made available under the specific open license.**
- **Include a copy of, or a link to, the full text of your chosen license** in your work.

[This database is/These data are/ is] made available under the Public Domain Dedication and License v1.0 whose full text can be found at:

<http://opendatacommons.org/licenses/pddl/1.0/>










# Open Licensing

## Common license conditions<sup>7</sup>

|                     |  |
|---------------------|--|
| Permission          | Re-users must ask the copyright holder's permission before using the work.   |
| Notification        | Re-users must notify the copyright holder when they use the work.  |
| Fulltext (FT)       | Re-users must display the full text of the license every time they use the work.   |
| Attribution (BY)    | Re-users must attribute the work to the copyright holder when they use it.   |
| ShareAlike (SA)     | Re-users who create <u>derivatives of the work</u> must release the derivatives under the same license as the original work, if they choose to distribute the derivatives. |
| Noncommercial (NC)  | The work can only be used for non-commercial purposes.   |
| NonDerivatives (ND) | Re-users are not allowed to distribute <u>derivatives of the work</u> . (Essentially: the work cannot be modified.)  |

# Open Licensing: Common free licenses<sup>7</sup>

| Acronym                                    | Name   | Conditions                        |   |
|--|--|-----------------------------------|---|
| <a href="#"><u>CC BY</u></a>               | <a href="#"><u>Creative Commons Attribution 1.0, 2.0, 2.5, 3.0, 4.0</u></a>            | Attribution                       |  |
| <a href="#"><u>CC BY-SA</u></a>            | <a href="#"><u>Creative Commons Attribution ShareAlike 1.0, 2.0, 2.5, 3.0, 4.0</u></a> | Attribution, ShareAlike           |  |
| <a href="#"><u>CC0</u></a>                 | <a href="#"><u>Public Domain Dedication</u></a> v1.0                                   | Public Domain                     |  |
| <a href="#"><u>GFDL</u></a> <sup>[1]</sup> | <a href="#"><u>GNU Free Documentation License</u></a> v1.1, 1.2, 1.3                   | Attribution, ShareAlike, FullText |  |
| <a href="#"><u>FAL</u></a>                 | <a href="#"><u>Free Art License</u></a> v1.2, 1.3                                      | Attribution, ShareAlike, FullText |  |

# Open Licensing: Common data licenses

| Acronym                        | Name   | Organisation                 |  |
|--------------------------------|--|------------------------------|--|
| <a href="#"><u>OGI/NGL</u></a> | Open Government Licence; Non-Commercial Government Licence   | The National Archive<br>UK   |  <b>Open Government Licence</b><br>for public sector information<br> <b>Non-Commercial Government Licence</b><br>for public sector information |
| <a href="#"><u>CDLA</u></a>    | <a href="#"><u>CDLA-Permissive – Version 2.0</u></a><br>(Community Data License Agreement)   | The Linux Foundation         |   |
| <a href="#"><u>ODC</u></a>     | Open Data Commons Open Database License (ODbL);<br>Open Data Commons Attribution License;<br>Open Data Commons Public Domain Dedication and License (PDDL) | Open Knowledge<br>Foundation |   |
| <a href="#"><u>CC BY</u></a>   | <a href="#"><u>Creative Commons Attribution 4.0</u></a>  | Creative Commons             |   |
| <a href="#"><u>CC0</u></a>     | <a href="#"><u>Public Domain Dedication</u></a> v1.0   | Creative Commons             |    |

## Legal aspects





## Data-related legislation

➤ **Slovak Copyright Act No. [185/2015](#)**

*Autorský zákon, zákon č.185/2015 z 1. júla 2015 amended in 2016, 2018 and 2022.*

<https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2015/185/>

➤ **Directive (EU) 2019/790** of the European Parliament and of the Council of 17 April 2019 **on copyright and related rights in the Digital Single Market** and amending Directives 96/9/EC and 2001/29/EC

*[Smernica](#) Európskeho parlamentu a Rady (EÚ) 2019/790 zo 17. apríla 2019 o autorskom práve a právach súvisiacich s autorským právom na digitálnom jednotnom trhu a o zmene smerníc 96/9/ES a 2001/29/ES*

<https://eur-lex.europa.eu/eli/dir/2019/790/oj>



## Public (Open) licences in Slovakia

### Copyright Act – ACT 185/2015<sup>8</sup>

#### **Public Licence (§ 76)**

- Licence may be granted to **unidentified persons**
- Licence may only be granted as **non-exclusive**  
**free-of-charge**  
**cannot be revoked**

### Autorský zákon – Zákon č.185/2015

#### **Verejná licencia (§ 76)**

- udelenie súhlasu na použitie diela bližšie neurčenému okruhu osôb
- vznik zmluvného vzťahu
- nevýhradná
- bezodplatná
- nemožno ju vypovedať



## Data-related legislation

- **Directive (EU) 2019/1024 of the European Parliament and of the Council of 20 June 2019 on open data and the re-use of public sector information**

*SMERNICA EURÓPSKEHO PARLAMENTU A RADY (EÚ) 2019/1024 z 20. júna 2019 o otvorených dátach a opakovanom použití informácií verejného sektora*

<https://eur-lex.europa.eu/legal-content/SK/TXT/PDF/?uri=CELEX:32019L1024&from=ES>

- **Act on Free Access to Information and Amendments of Some Acts – Act No. 211/2000 Coll. (The Freedom of Information Act) of 17 May 2000**

*ZÁKON č. 211/2000 o slobodnom prístupe k informáciám a o zmene a doplnení niektorých zákonov (zákon o slobode informácií)*

<https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2000/211/>

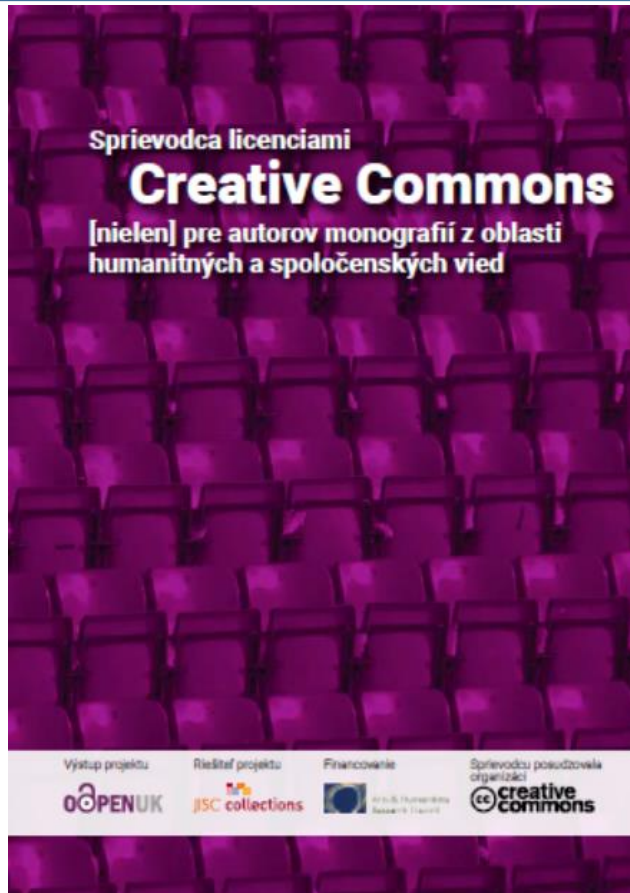
- **Decree No. 78/2020 on standards for public administration information technology**

*VYHLÁŠKA č. 78/2020 Úradu podpredsedu vlády Slovenskej republiky pre investície a informatizáciu o štandardoch pre informačné technológie verejnej správy*

## **Training and education in Slovak**



# Open Educational Resources



## Guide to Creative Commons licences [not only] for humanities and social science monograph authors

A booklet for authors in the humanities and social sciences, specifically designed to help them understand the Creative Commons licenses.

The book is supplemented with information on **Slovak IP legislation** and **research data licensing**.

Available at our [webpage](https://zenodo.org/records/4955611) or Zenodo <https://zenodo.org/records/4955611>



# Open Licensing Training and Education

## Creative Commons Licenses



Slovak Translation of Reading Material for  
Creative Commons Certificate Course  
v.01



Preklad vzdelávacieho materiálu organizácie  
Creative Commons do slovenčiny  
v.01



64  
👁️ VIEWS

53  
📄 DOWNLOADS



<https://zenodo.org/records/8344376>

# Open Licensing Training and Education

**WEBPAGE:** - information on Creative Commons and CC licenses:  
- material to download

**WEBINARS:** open licensing, creative common licenses, other open licences, attributing, etc.

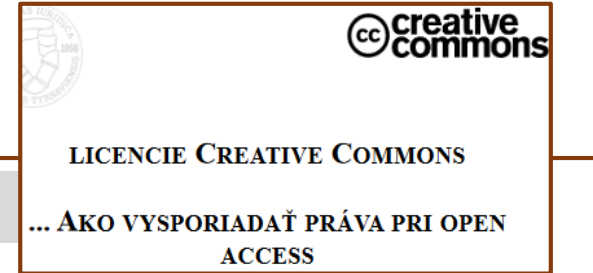
# Open Licensing Training and Education

## Webinars, workshops

23.10.2018 Zuzana Adamová – **Licencie Creative Commons**. Prezentácia je dostupná na **Zenode**.

Obrázok: **CC**

<https://zenodo.org/record/2630431#.ZGTKo6XP2Uk>



## Copyright a verejné licencie

21. marec 2022

Verejné licencie nie sú pre nás úplne nový pojem a svoje miesto majú aj v Autorskom zákone SR. Vieme však, aké druhy verejných licencií máme k dispozícii? Prečo a ako ich používať? Vo webinári sa pozrieme podrobnejšie na známe licencie Creative Commons ako aj na ďalšie typy licencií vhodných pre výstupy vedeckých projektov ako sú články alebo monografie.

Link na **záznam**.

Link na **prezentáciu**.

<https://otvorenaveda.cvtisr.sk/copyright-a-verejne-licencie/>



## Train the trainer course

New updated training:  
**OPEN SCIENCE  
IN PRACTICE** -  
accredited by the  
Ministry of  
education,  
- **4 modules:**

- 1) **Open Science Basics:**
- 2) **Open Science Infrastructure;**
- 3) **Building Open Science Culture;**
- 4) **Open Research Data**

## Sources

1. [Guide to open licensing: http://opendefinition.org/guide/](http://opendefinition.org/guide/)
2. [Learning the lesson: open content licensing](https://lwn.net/Articles/181374/), Glyn Moody, August 2006. A good history of open content licenses. Available at <https://lwn.net/Articles/181374/> Accessed on November 22,2023
3. [Gutenberg 2.0: the birth of open content](https://lwn.net/Articles/177602/), Glyn Moody, March 2006. Available at <https://lwn.net/Articles/177602/> Accessed on November 22, 2023.
4. GNU Free Documentation License at <https://www.gnu.org/licenses/fdl-1.3.html>
5. Creative Commons at [https://en.wikipedia.org/wiki/Creative\\_Commons](https://en.wikipedia.org/wiki/Creative_Commons)
6. Copyright alliance at <https://copyrightalliance.org/faqs/what-can-you-copyright/>
7. Commons: Choosing a license at [https://commons.wikimedia.org/wiki/Commons:Choosing\\_a\\_license](https://commons.wikimedia.org/wiki/Commons:Choosing_a_license)
8. New Copyright Act (CA) – Act No 185/2015 Copyright Act at <https://www.dusevnevlastnictvo.gov.sk/en/web/guest/novy-autorsky-zakon>
9. GNU Free Documentation License – logo: <https://www.gnu.org/licenses/fdl-1.3.html>
10. Duševné právo: [https://www.dusevnevlastnictvo.gov.sk/web/guest/detail-novinky/-/asset\\_publisher/TAdAnDyO0sTf/content/novelizacie-autroskeho-zakona?\\_101\\_INSTANCE\\_TAdAnDyO0sTf\\_redirect=%2Fweb%2Fguest](https://www.dusevnevlastnictvo.gov.sk/web/guest/detail-novinky/-/asset_publisher/TAdAnDyO0sTf/content/novelizacie-autroskeho-zakona?_101_INSTANCE_TAdAnDyO0sTf_redirect=%2Fweb%2Fguest)
11. Open licensing: at FOSTER: <https://www.fosteropenscience.eu/learning/open-licensing/#/id/5b618775ddd75cab7db42b31>

## Additional material to study

1. <https://opencontent.org/definition>
2. <http://davidwiley.org/>
3. <https://otvorenaveda.cvtisr.sk/>
4. BEDNÁRIK, R. Sprístupnenie dát a licencie Creative Commons. In: ADAMOVIČ, Z. (ed.) Nové technológie, internet a duševné vlastníctvo 3. Typi Universitatis Tyrnaviensis, spoločné pracovisko Trnavskej univerzity v Trnave a Vedy, vydavateľstva SAV v Bratislave, 2019, s. 247. Dostupné na <https://iuridica.truni.sk/sites/default/files/dokumenty/katedry/pdvait/adamova-internet-3-tlac.pdf>
5. DCC: <https://www.dcc.ac.uk/guidance/how-guides/license-research-data>
6. The SPDX License List – is a list of commonly found licenses and exceptions used in free and open or collaborative software, data, hardware, or documentation at: <https://spdx.org/licenses/>

## Slide 10 – Logá

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Creative Commons: CC0, CC BY-SA, CCBY - <https://creativecommons.org/mission/downloads/>

ODC - <https://opendatacommons.org/licenses/>

OGL - <https://www.nationalarchives.gov.uk/information-management/re-using-public-sector-information/uk-government-licensing-framework/open-government-licence/>

# Thank you.

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