

Legal Issues In CLARIN ERIC

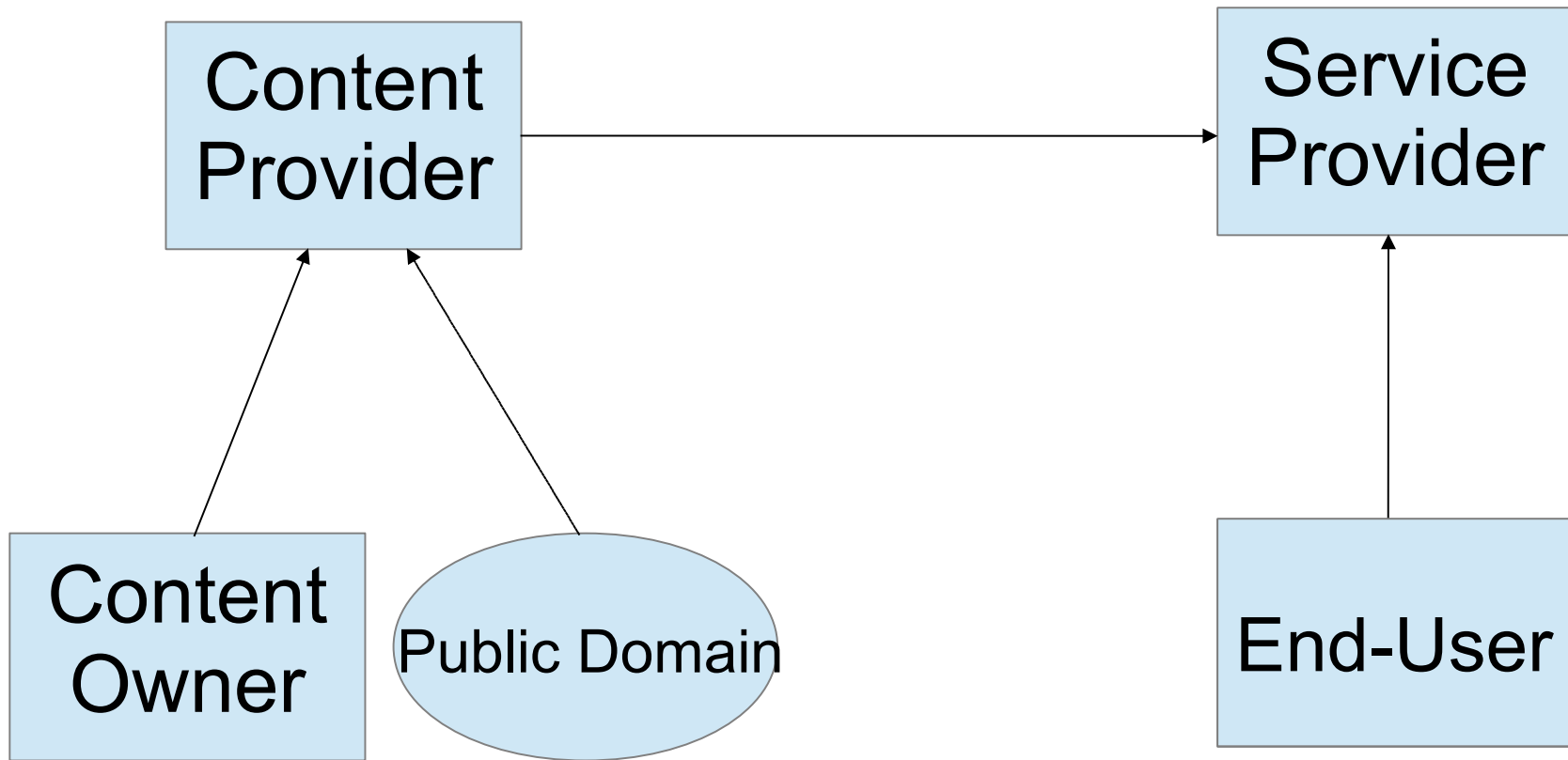
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CLARIN ERIC

This presentation may reflect current thinking or ongoing discussion within CLARIN, but it does not necessarily reflect the position of CLARIN ERIC, unless indicated otherwise

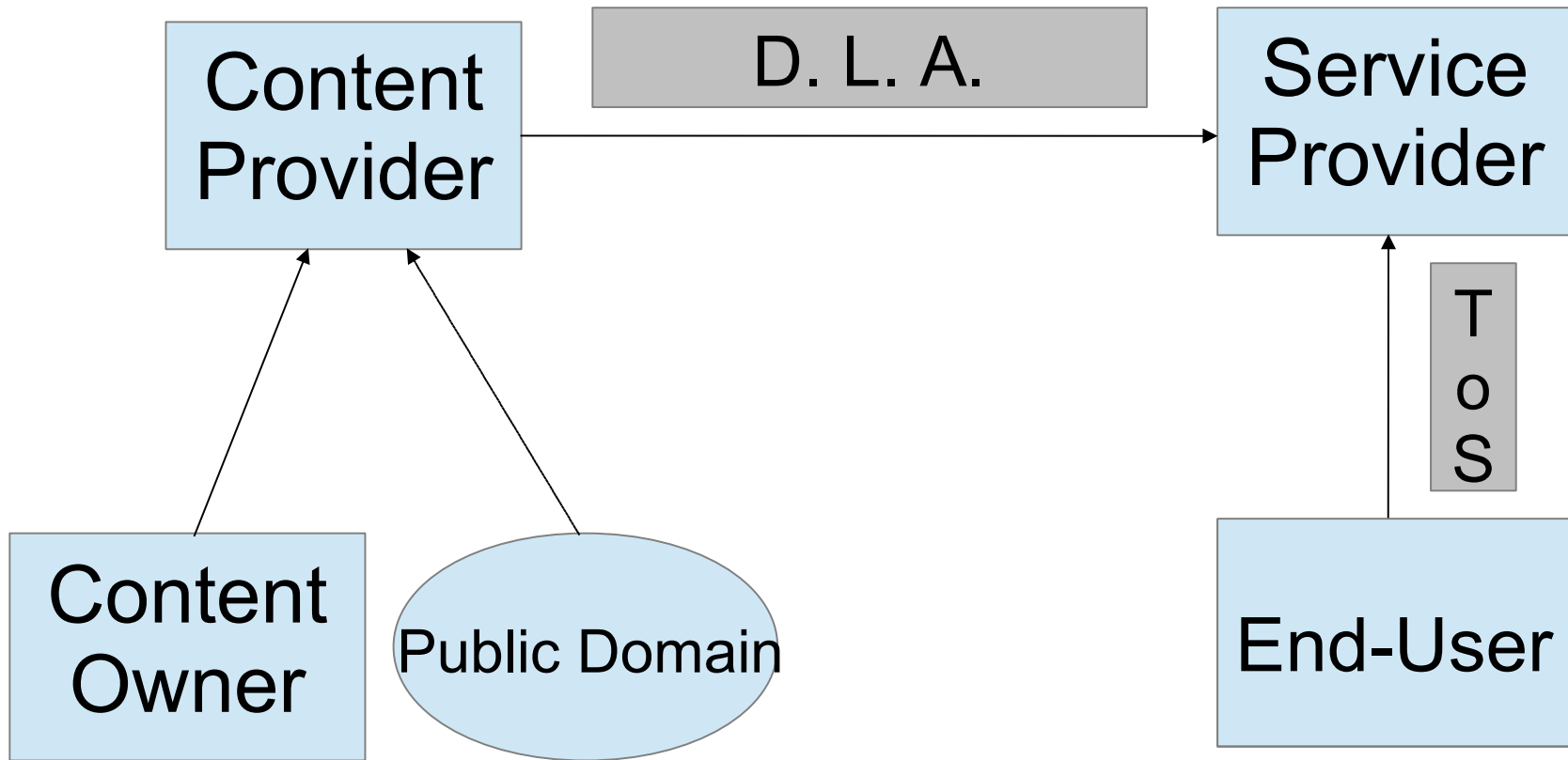
What is CLARIN ERIC?

- **Common L**anguage **R**esources and Technology **I**nfrastructure
- **ERIC** - **E**uropean **R**esearch **I**nfrastructure **C**onsortium
 - Commission Regulation n° 723/2009, 25 June 2009
 - Commission Decision 2012/136/EU, 29 February 2012
- Statutory seat in **Utrecht, the Netherlands**
- **Members:** Austria, Bulgaria, Czech Republic, Denmark, Estonia, Ger

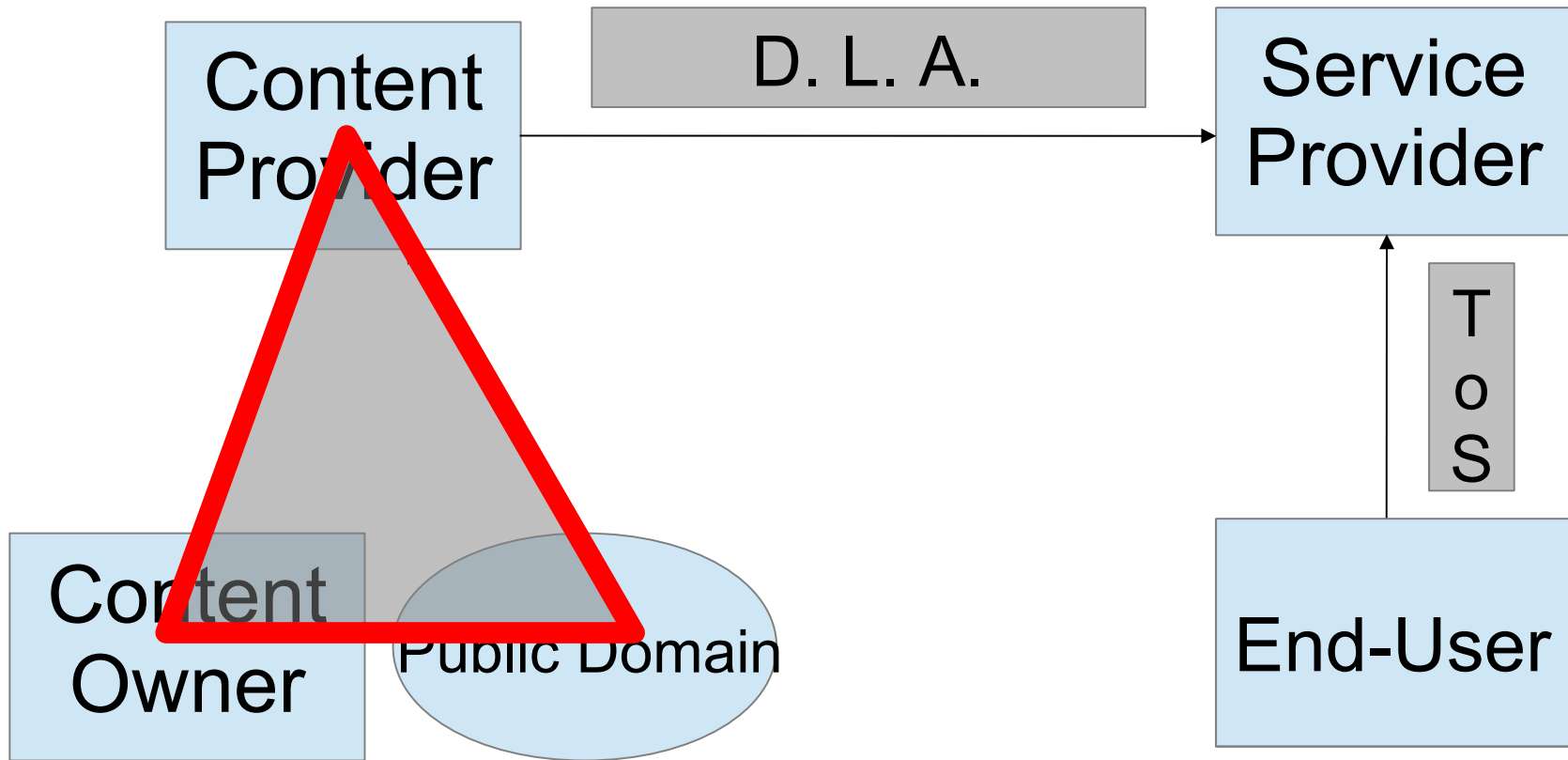
How does CLARIN ERIC work?



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How does CLARIN ERIC work?



Deposition License Agreements I

Laundry Symbols:

PUB

Public Use (Open Licenses) - recommended

ACA

Academic Use

RES

Restricted Use

Deposition License Agreements II

Additional requirements:



NC

Non-commercial use



Inf

Inform the Content Provider about the use



ReD

Redeposition of modified versions

Language Resource



Vicious Triangle of Legal Issues

-Publishers

-Authors

-Employers

-Websites

-Social Media

-Public Sector
Information

-Official texts

-Orphan Works

-Open Licenses
(CC, GPL)

(Extended) Collective licensing for research is not enough

- Possible under the existing legal framework
- Less opposition from the publishers than for research exception (but still some).
- How benevolent is the licensing organization?
 - How expensive? What are the terms?

Statutory exceptions for research

- Possible under the existing legal framework
 - Copyright: art. 5(3) a) and n) of the Copyright Directive 2001
 - Databases: art. 9 b) of the Databases Directive 1996
 - Personal Data: art. 6(2) and 83 of the Personal Data Regulation as proposed by the EC
 - Three Stage Test!
- More harmonization is still needed

29 (1) CDPA: Fair dealing with a literary, dramatic, musical or artistic work for the purposes of research for a non-commercial purpose does not infringe any copyright in the work provided that it is accompanied by a sufficient acknowledgement.

52 a) UrhG: It shall be permissible for published limited parts of a work, small scale works, as well as individual articles from newspapers or periodicals exclusively for a specifically limited circle of persons for their personal scientific research to be made available to the public, to the extent that this is necessary for the respective purpose and is justified for the pursuit of non-commercial aims.

Thank you for your attention

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