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Europeana Food and Drink

D2.4 Europeana Food and Drink Content Upload Report

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Statement of originality:
This deliverable contains original unpublished work except where clearly indicated otherwise. Acknowledgement of previously published material and of the work of others has been made through appropriate citation, quotation or both.
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1. **Introduction**

This is the resubmitted deliverable D2.4 as per the project’s First Period Review that took place in Luxembourg on the 2nd June 2015.

It aims to address key issues that were unclear at the time of original submission in March 2015, especially trying to provide a clear and detailed description of:

- The solution agreed among the Consortium about the storage of the content base and how this new solution affects the different aspects of the project
- Time schedule and resources available for the delivery of the content base
- Updated time schedule and resources available for the other project activities that depend on the content base
- A table with a clear presentation of content selected and ready to be made available which would allow assessing correctly the current progress against project’s commitments referred to in DoW (table "Content", pp16-18).

2. **Approach**

The original assumption of the project was that the Europeana Cloud project would provide the metadata aggregation and content storage solution of Europeana Food and Drink, and therefore no resources were allocated for the creation of this. Unfortunately this has not been possible at the moment. eCloud has indicated that fully functional beta will be available in December 2015. We are in conversation with eCloud to implement this soon after this date.

Therefore the project needs to create, at least temporarily, solutions to meet its immediate needs:

- A metadata aggregation(s) (with links to content);
- Content storage solution.

To meet the need for the **metadata** aggregation there are two solutions:

- MINT provided by NTUA – used by those who do not have a suitable collections management system, but can provide XML or CSV files that can be mapped;
- ECK provided by CT – for those who have an ECK-enabled collections management system which allows the export of metadata from that system.

In both solutions there is an associated ‘dark aggregator’ for storing metadata both of which are capable of being harvested by Europeana. It should be noted that it is foreseen that both MINT and the ECK will be integrated into Europeana’s ingestion workflow by year two (mid 2017) of the Europeana-DSI (Digital Services Infrastructure).

The **content** storage solution is that provided by MINT (see below).
Using MINT

The main requirements for publishing metadata on Europeana are:

- **Metadata in EDM**: Europeana only harvests metadata that conforms to the Europeana Data Model (EDM);
- **Content available online**: A link to the digitised object is mandatory (full size or thumbnail).

In the Food and Drink project not all the providers have their content available online, therefore we should have two different workflows:

**Providers who have their content available online.**

![Diagram of MINT process](image)

Providers prepare an export of their metadata in **CSV or XML** that includes the Europeana mandatory information:

- dc:title or dc:description
- dc:language for text objects
- dc:subject or dc:type or dc:coverage or dcterms:spatial
- edm:type
- edm:dataProvider
- edm:isShownAt: The URL of a web view of the object in full information context. Either edm:isShownAt or edm:isShownBy is mandatory.
  - <edm:isShownAt rdf:resource="http://www.mimo-db.eu/UEDIN/214"/>
- edm:isShownBy: The URL of a web view of the object. Either edm:isShownAt or edm:isShownBy is mandatory. <edm:isShownBy rdf:resource="http://www.mimo-db.eu/media/UEDIN/IMAGE/0032195c.jpg"/>
- edm:object: The URL of a representation of the CHO which will be used for generating previews for use in the Europeana portal. This may be the same URL as edm:isShownBy. See Europeana Portal Image Guidelines (http://pro.europeana.eu/technical-requirements) for information regarding the specifications of previews. This must be an image, even if it is for a sound object. <edm:object rdf:resource="http://www.mimo-db.eu/media/UEDIN/IMAGE/0032195c.jpg"/>
- edm:provider
- edm:rights

1. They import their metadata into MINT and they map them to EDM.
2. They publish their metadata to the NTUA OAI-PMH server from which Europeana harvests on the 21st of a month.
Providers who do NOT have their content available online

1. Providers upload their content to the NTUA Content Base. This includes the following steps:
   a. Use an FTP client (FileZilla, Cyperduck and FireFTP) to upload the images.
      The syntax of the URL will be the following:
      \texttt{http://foodanddrink.image.ntua.gr/image/username/filename}
      i.e. for user:nsimou and filename:108_0851b.jpeg the URL will be:
      \texttt{http://foodanddrink.image.ntua.gr/image/nsimou/108_0851b.jpeg}

2. Providers prepare an export of their metadata in CSV or XML that includes the Europeana mandatory information:
   - \texttt{dc:title} or \texttt{dc:description}
   - \texttt{dc:language} for text objects
   - \texttt{dc:subject} or \texttt{dc:type} or \texttt{dc:coverage} or \texttt{dcterms:spatial}
   - \texttt{edm:type}
   - \texttt{edm:dataProvider}
   - \texttt{edm:isShownAt}: The URL of a web view of the object in full information context. Either \texttt{edm:isShownAt} or \texttt{edm:isShownBy} is mandatory.
   - \texttt{edm:isShownAt rdf:resource="http://www.mimodb.eu/UEDIN/214"/}
   - \texttt{edm:isShownBy}: The filename of the images uploaded to the NTUA Content Base. The URL can be constructed within MINT using its mapping functionalities (concatenate mapping).
   - \texttt{edm:object}: The filename of the images uploaded to the NTUA Content Base. The URL can be constructed within MINT using its mapping functionalities (concatenate mapping).
   - \texttt{edm:provider}
   - \texttt{edm:rights}

3. They import their metadata into MINT and they map them to EDM.

4. They publish their metadata to the NTUA OAI-PMH server from which Europeana harvests on the 21st of a month.
Migration of Content Base to Europeana Cloud

All the Europeana Food and Drink metadata will be published on Europeana Portal using `<edm:provider>Europeana Food and Drink</edm:provider>`. This implies that the creative applications developed within the project will be able to use the Europeana API - once metadata are published on Europeana - to consume and re-use them within their context (note that the link to content - hence the content itself - can be re-used according to the rights statements used).

Once Europeana Cloud infrastructure is ready two possible migration scenarios can be used:

1. Europeana internally handles the migration process since this will include the cooperation of the Ingestion Office and the eCloud development team.
2. NTUA can perform one or more planned uploads from their internal Food and Drink Content Base to eCloud. A possible issue that may arise at this point is the update of metadata according to the new URL identifier that content will get from eCloud. The following example just presents the possible issue in a naive way only identifying the need of provenance between in the eCloud URLs.

Example: NTUA Content Base

*User:* nsimou  
*Filename:* 108_0851b.jpeg  
*URL after upload:* http://foodanddrink.image.ntua.gr/image/nsimou/108_0851b.jpeg

**eCloud Content Base**

If the URL given by eCloud does not use the user and the filename that are used by the NTUA Content Base as a primary key constraint then the update of the metadata won’t be possible on NTUA’s side. Two examples of eCloud URLs are given below.

URL that could be automatically updated:

- http://www.europeana.eu/ecloud/2022304/37ECBAE00A0F699D95A41762E44548CBBE03364F/nsimou/108_0851b.jpeg

URL that could not be automatically updated:

- http://www.europeana.eu/ecloud/2022304/37ECBAE00A0F699D95A41762E44548CBBE03364F.jpg

**Using the ECK**

The Europeana Connection Kit was developed during the EC-funded Europeana Inside project between 2012 and 2014. The aim was to simplify the contribution to Europeana (or any aggregator) by automating, as much as possible, the process from the provider’s collection management system (CMS) to the aggregator. The CMS providers who took part in the project represented some seven thousand installations throughout the world.

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4 Review recommendation: e) If/how the Europeana Cloud technical infrastructure will be deployed once it is available to the EFD Consortium.
The ECK is based on a set of functional requirements which define workflow for exporting metadata to any aggregator:

1. **Manage** – all aspects of data and user management;
2. **Select** – Choose, for contribution, multiple and single record based on values in the CMS data, and save any choices made;
3. **Prepare** – containing all activities regarding data preparation, e.g. EDM mapping, IPR and data manipulation.
4. **Validate transformation and receive feedback** – checks that the transformation conforms to the selected metadata standard (e.g. EDM);
5. **Supply (push / pull)** – management of the process;
6. **Data acceptance** – post supply management of metadata;
7. **Enrich and Return (including Return and Re-use)** – round tripping of metadata.

The requirements led to a set of technical specifications which defined a modular architecture:

Two methods of implementation of these specifications were used:

- All or part of the requirements implemented in the CMS;
- A separate standard implementation, based on open source.

In addition a ‘dark aggregator’ was set up, and is being maintained, which can be used by partners in EFD to submit their metadata for harvesting by Europeana.

In practical terms partners will:

- Use their ECK enabled systems to submit metadata to the ECK’s dark aggregator;
- Upload their content, if not already online, to the MINT storage.

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Aspects of the approach

How it fits with the project objectives and needs\(^7\)

The main objective of the project was to demonstrate the commercial potential for re-use of cultural heritage collections relating to food and drink.

The solution above manages to create the content base in two infrastructures (a Content storage solution through the 2 Dark Aggregators, MINT and ECK, as outlined above).

The idea is that potential users of cultural heritage material locate it through Europeana and then follow the link to where the content is stored, to access the digital files and, according to its licensing conditions, re-use it for commercial and educational purposes.

How content will be searchable and exploitable\(^8\)

As explained in the section “Roadmap to Europeana using MINT” the idea is to have all the metadata published on Europeana using the “Food and Drink” value for the edm:provider property. This will make all the content and metadata delivered from this project to Europeana searchable and exploitable through its portal. In addition, Europeana provides an API that allows the creative re-use of its published content and metadata by third party developers.

However, NTUA, are prepared to develop new functionalities for the Content Space which will allow content to become searchable and re-usable within a timeframe of 2.5 months (finished by end of September 2015) pending the authorization of the extra cost to subcontract a designer for the front end interface.

Search and metadata enrichment results envisaged\(^9\)

Semantic enrichment will take place on the Semantic Demonstrator app that Ontotext is developing.

Ontotext (ONT) has done significant work on this and linked it with other Europeana projects, as ONT participates in the various task forces that are relevant to the semapp task.

They provide more information on the Semantic Demonstrator app development in the Report D3.20a, as well as their work on enriching existing and new EFD content in Europeana.\(^10\)

From their report “Semantic enrichment (in this case relating CH objects and thesauri to the FD classification) its main purpose is the classification and the mainstay information to be processed by the semapp”.

They also prepared and delivered two presentations and a paper describing how to semantically enrich Europeana content and apply EFD classification:

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\(^7\) Review recommendation: b) Presentation of the way in which this solution fits the main objectives and rationale of the project (notably how all other project activities will draw and use the implemented content base).

\(^8\) Review recommendation: c) Clear explanation of how the new solution will render the project content searchable and exploitable for interested creative professionals.

\(^9\) Review recommendation: d) What kind of search and metadata enrichment results will come out of WP2-T2.2.

\(^10\) Document D3.20a was submitted to the Commission via email on 10 July 2015; this is not an official deliverable demanded by the DoW.
A collaboration with Europeana, this presentation outlined the importance of Wikipedia/Wikidata for future Europeana enrichment. It provided examples of using Wikipedia for EFD classification.

Prepared for EFD content partners, this presentation shows how easy it is to add labels and items to Wikidata, and somewhat harder to add categories and redirects (labels) to Wikipedia. It emphasizes the recommendations of the Europeana and Wikimedia task force, and makes it clear that GLAM institutions can use Wikipedia and enrichment to make their collections searchable and discoverable in a multilingual context.

Described our approach to building a domain-specific gazetteer for EFD and includes more scientific details on the approach than this document. It was submitted to a conference on semantic keyword search (Keystone) to be held in September 2015.

Plan for expanding the content base

In collaboration with ONB, who lead on dissemination, we are putting together a marketing plan for content providers that we will approach (detailed Communications Plan can be found in Appendix 1 of this Report (p.13)). In addition to this, we are asking all content partners to send suggestions for content providers in their respective countries.

Once the content and metadata ingestion workflow has been tested, PS proposes we create a “how-to” booklet with:

- Simple description of workflow for submitting content;
- Simple version of Editorial Guidelines to assist them in content selection;
- Simple version of Guidelines for Creative Re-use outlining the IPR management process and right formats to enable re-use.

Implementing the Europeana Content Reuse Framework (ECRF)

The Consortium sub-contracted Kennisland as IPR specialists for the project. The IPR Guidelines document included as Appendix 3 in this report is authored by Kennisland and addresses specifically the issue of how content providers will implement the ECRF.

Kennisland states:

"Europeana’s Content Reuse Framework (ECRF) is a search functionality of the Europeana API. It allows the user to specify certain requirements necessary for successful implementation of cultural heritage in (commercially) viable products, such as those specified in the Europeana Food and Drink project.

The framework is available as a beta to the general public and is expected to be fully functional by September 2015.

The service allows API calls to determine the size of images (small, medium, large and extra-large), the aspect ratio of images, the general colours of

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11 Review recommendation: f) Plan and schedule for approaching Consortium-external content providers as per T2.4.

12 Review recommendation: g) Clear explanation of how the Europeana Content Reuse Framework (ECRF) will be implemented by each content provider.
images, the quality and duration (very short, short, medium, long) of audio and video.”

Kennisland’s report provides context of the legal framework in place, as well as the guidelines and framework Europeana uses to manage rights issues on the platform and beyond. The ECRF will be implemented by content providers to address the following issues so that content included in the content base and products is properly licensed and attributed:

- Ensuring ownership of content;
- Publishing Open Educational Resources;
- Licensing own materials;
- Using materials created by others;
- Providing proper attribution.

Kennisland will remain available to the content providers throughout the remainder of the project and at their disposal to answer further questions about the ECRF and other IPR issues.

**Content sourcing for Europeana Food and Drinks creative applications**

Responding to feedback from the Luxembourg Review about the use of content for the applications developed by the project deriving from the Content Base, please find in the Appendices a brief outline of where content for each of the applications comes from.

**Timeframe and resources**

The timeframe will follow the metadata ingestion timeframe, which was described in deliverable D2.6. The Content Providers who have already submitted their data by the June deadline, in addition to ALINARI and ONT who have already submitted their earlier than the 2nd batch, will join the 2nd batch as programmed.

The progress of the ingestion is marked in green.

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<th>Schedule for submitting metadata &amp; content to EFD</th>
<th>Metadata ingestion</th>
<th>Content uploading</th>
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<td>VARIOUS</td>
<td>5000</td>
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</tbody>
</table>


14 As scheduled in the DoW, D2.6 was submitted to the Commission on 1 July 2015.
### Next steps

NTUA are setting up the Content Storage solution which should be ready within the next couple of weeks. As soon as they do, we will issue instructions for the Content Partners to start uploading their content as per the schedule. The metadata ingestion through MINT has already started its first round (June 2015, report submitted in D2.6 deliverable) and will continue with 3 more rounds of ingestion. ECK schedule will be finalized in early August.
APPENDICES

1. Communications Plan for new potential content providers

Introduction

This paper sets out the communications plan for approaching new content providers within the Europeana Food and Drink project, which will run until the end of the project.

The primary aim of this document is to create awareness of Europeana Food and Drink project and provide a comprehensive plan for project partners to approach new content providers.

The paper details the strategy in terms of key objectives, messages, activities and time schedule.

General Approach

Focusing on the rich and vibrant European food and drink culture and heritage, Europeana Food and Drink wishes to engage the general public, creative industries, cultural heritage organisations and the food and drink industries in creating, sharing, learning and making use of food- and drink related content. The approach of possible content providers is essential for the success of the project.

The aim of promoting a coordinated communications strategy is to ensure that the activities of each partner are closely aligned and complementary to maximise the impact so that we can approach as many content providers as possible.

The core idea of attracting new content providers would be their relation to the subject along with the benefits they have through Europeana and Food and Drink Project.

Europeana Food and Drink is the key for:

- Taking your collection where your audiences are;
- Providing richer content and increase the visibility of your collections;
- Making your collections available for re-use by other services;
- Getting your data featured on Europeana Labs\(^{15}\);
- Having your open collection available on social media\(^{16}\).

Target audience

Museums, archives, libraries, academic collections food and drink organizations with digital collections.

Activities

- Direct Mail Campaign (including PowerPoint )

Email campaign is well established as an efficient, highly measurable and cost-effective way of marketing strategy. It was chosen as the ideal way of approaching potential content providers for Food and Drink project due to the specific target group.

Partners should create an email target database of potential organizations that would be interested in the subject of Food and Drink and would have digitized collection and/or material.

Suggested Email Database Template:

\(^{15}\) See: [http://labs.europeana.eu/data](http://labs.europeana.eu/data)

The email body is presented in appendix. Partners will find the necessary information for each potential provider who needs to be informed about the Europeana Food and Drink project. Each partner could adapt the letter into his own language and proceed to customization according to the potential provider’s profile that he will address the email.

Along with the text body a presentation will accompany the email.

A follow up (telephone and/or email) communication is highly recommended. The feedback received by each partner will be shared on a google document so as it can be monitored by all partners.

- Open Call: Social Media + Website (AL)(including Template for Open Call - Banner + Blogpost - Partners can post the Banner + link to the Blog) (AL)

All Partners will further be provided with an Open Call Package: This includes a Website Banner, a short standardized text to be included into their website as well as relevant links. A blog post/website page will be written for Europeana Food and Drink’s general website for partners to refer to. Social Media Promotion should be encouraged by sharing the Open Call and the respective link on the partner’s own social media channels. Social media stimulates participation, openness’ conversation and sense of community that are necessary to approach new content providers in a collective project as Food and Drink.

The Europeana Food and Drink project is inviting all cultural heritage institutions to be part: Join us and become a content provider to increase the visibility of your collections related to food and drink! Read more here. [Link to Blog Post]

Promotional material

Attached you will find promotional material for the Email:

- Poster;
- Bookmark;
- Leaflet.

Suggested Time Schedule

<table>
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<tr>
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</thead>
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<tr>
<td>E-mail Campaign</td>
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</tr>
<tr>
<td>Follow up E-mail Campaign</td>
<td>2-3 Weeks</td>
</tr>
</tbody>
</table>

17 See: https://docs.google.com/spreadsheets/d/1YFKTsoNbo-44CR0WS1q-6Tv4By6X4u56itr6WVoyo/edit#gid=0
Open Call via Food and Drink Website | 1 Day (First Week)
Sharing Open Call in each partner’s Website | 1 Day (First Week)
Sharing Open Call in each partner’s Social Media | 3 Weeks (Posts and Follow Up)

Results
All partners should fill in their activities in the google doc so the results of the communication plan are monitored.

Email text
Subject: Open up your Collection and join the Europeana Food and Drink Family

Europeana Food and Drink is a project funded by the European Commission under the CIP ICT Policy Support Programme (ICT PSP) that aims at promoting the wider re-use of the digital resources available through Europeana.

Focusing on the rich and vibrant European food and drink culture and heritage, Europeana Food and Drink wishes to engage the general public, creative industries, cultural heritage organisations and the food and drink industries in creating, sharing, learning and making use of food- and drink related content.

Join us!

The Europeana Food and Drink project is inviting your institution to be part: Join us and become a content provider to increase the impact of your collections related to food and drink:

- Take your collection where your audiences are
- Provide richer content and increase the visibility of your collections
- Make your collections available for re-use by other services
- Get your data featured on Europeana Labs
- Have your open collection available on social media

See the value of opening up your collection in the case studies of LSH museet and Rijksmuseum.

More on the project:
The project brings together 28 partners from across 16 European countries and is led by the UK-based Collections Trust. Leading content providers, creative technologists and creative industry partners are working together in order to create an evocative suite of commercial applications and products featuring food and drink related content catered to specific audiences.

Europeana Food and Drink will achieve its objectives by:

- Discovering, preparing, licensing and uploading 50-70,000 unique high-quality digital assets and their associated metadata to Europeana
- Working with creative industry partners to develop a suite of innovative creative and commercial applications
- Enhancing unique ideas via Open Innovation Challenges and extending the Europeana Open Labs network

Help us develop and share new knowledge through the theme food and drink. Get in touch with us:

2. Content sourcing for the Europeana Food and Drink applications

Book and eBook
All content that has been used in the book (with the exception of the CC-BY licensed images from Ewan Munro) will flow into Europeana through the Historypin API, which will enrich Europeana’s holdings. This is expected to happen in the autumn of 2015. As the book cluster decided to use content that was identified to meet a specific user need, namely previously unseen photos of pub exteriors that alleviate a lack of historic pub photographs, only this newly sourced imagery was selected for publication.

**Mobile optimised web application**

Content for Collections Highlights (up to 15 per venue) will come to Tea Trail London web app in one of three ways listed below in order of preference:

- Collections highlights will through Europeana API Collections highlights;
- Uploaded to trail web app CMS;
- Potentially / maybe using organisations' internal API (for scalability, thinking beyond the project).

**Exhibition and Virtual exhibition**

The exhibition uses 25 images. The theme of the exhibition, the origin of cake, its uses and customs, requires specific imaging which was not available under the correct rights of use in Europeana.

In order to guarantee the timely production of the exhibition CAG has relied on existing sources. 15 of the images used in the exhibition will be delivered to Europeana and have the appropriate rights. In cooperation with the Week van de Smaak CAG and KMKG will organise 8 Crowdsourcing event where cake related materials like pictures and recipes are collected.

All materials collected during the crowdsourcing events will be considered and prepared for participation in the online exhibition and/or contribution to Europeana.

**Social Game**

Linking from the description of the content to Europeana when possible. Content that will be used for the game - will be harvested to Europeana. ICIMSS - will add a date of when they will be added to Europeana (Maybe December)

**eLearning Resources**

In the intermediate version of OERs from Uniroma1 14 Europeana objects are used. The links to the contents used from Europeana and CFM’s database could be found in the appendices of the three resources. As mentioned above they are around 60 digital objects. The contents used from CFM’s database will not be all uploaded to Europeana.

**Picture Library**

Some content partners have supplied relevant image metadata to Europeana but it is expected the majority of images will be a selection from the newly supplied images to the Europeana database for Europeana Food and Drink. The picture library does not directly interact with Europeana because it requires instant access to all of the high resolution images therefore all of the high resolution images are stored on TopFoto’s cloud servers, as well as a local back-up.

3. Kennisland’s IPR Guidelines: Europeana Food and Drink
Report

IPR Guidelines

Europeana Food and Drink

Location: Amsterdam
Date: July 2015
Authors: Lisette Kalshoven, Maarten Zeinstra
In collaboration with: Collections Trust, Europeana Food and Drink
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Background

Kennisland has partnered with Collections Trust to address questions that partners of Europeana Food and Drink have about Intellectual Property Rights (IPR). Kennisland has been involved in advising the cultural heritage sector on IPR issues for over eight years. Kennisland has been the coordinator of the strategic IPR activities of the Images for the Future project (2007-2014), at that time Europe's biggest audiovisual digitisation project. Since 2009, Kennisland is working with Europeana on the Licensing and Rights Information Framework and related activities. Kennisland is one of the initiators of Open Culture Data in the Netherlands (launched in 2012) and the coordinator of Creative Commons Netherlands (since 2001). Kennisland also co-chairs the copyright working group of the Dutch cultural heritage institutions.

George Hendrik Breitner, Meisje in witte kimono (Rijksmuseum, public domain)

This document provides introductions in the policies, laws and regulations that need to be taken into account when reusing cultural data¹ in the products being developed under the Europeana Food and Drink project. The document builds upon work, products and documents created and tested in other Europeana projects such as Europeana Connect, Europeana Awareness, Europeana Sounds, Europeana Creative and Europeana Cloud. The document provides information on the context of the legal limitations of reusing digital cultural heritage objects.

These are guidelines as to what steps to take and what questions to ask when reusing data.

¹ Note that descriptive data (metadata) and content (digital objects) will be referred to together within the term ‘data’. Where necessary a distinction is made between metadata and digital objects.
In the first section a brief introduction is given on the relevant IPR laws that are often associated with cultural heritage objects. Afterwards the document explains how the Europeana Licensing Framework governs data accessed via the Europeana API and Europeana.eu and how this relates to the reuse of data. Since the Creative Commons legal tools are often applied to heritage material, the next sections delves deeper into their specifics. After a brief introduction to the Content Reuse Framework three flowcharts present guidelines to the steps to take and what questions to ask when reusing data from Europeana, when working with data from external platforms and lastly, what to do when user-generated content (UGC) and/or crowdsourced data is involved in the products being developed. Although some exceptions to IPR may be applicable for cultural institutions, they are likely not relevant for the products being developed since they are aimed at use outside of cultural institutions with different partners.

During the Europeana Food and Drink plenary of May 2015 we have collected information on product-specific issues and other suggestions for this document. We distributed a short survey to see what kind of data Europeana Food and Drink is using from Europeana, and other platforms. From our 10 responses 50% uses metadata published on Europeana, 40% (also) uses metadata that does not originate from Europeana, and 20% uses no metadata at all. All products use some form of visual objects, either from Europeana or other parties. Crowdsourcing is used in 60% of the projects.

Regarding IPR, we have seen that there are various (third-party) content providers. Project members have connections to bloggers, local cultural organisations and commercial organisations. Project members have agreements with these content providers, although they are unsure about reuse in their products. Creative Commons licensing is used throughout the projects. CC BY-NC is commonplace, which is not recommended. Some products have a ‘Rights Managed’ scheme which needs explanation in relation to public domain content and licensed content.

We have received some questions about template agreements for licenses, suggestions about UGC, how to avoid commercial reuse of the developed products. This document tries to inform the project members as much a possible about this issues. If there are remaining questions you can find our details in the contact section. Note that national IPR differ and that it is always advised to check how your member state has applied IPR laws. Consult a local lawyer for certainty of your specific situation.
A brief introduction in IPR for cultural heritage

“Public domain is the rule, copyright is the exception”. This statement from the Public Domain Charter might seem surprising, but all cultural works are in the public domain, except for the limited time period when they are restricted by Intellectual Property Rights.

Works that are in the public domain can be used and reused as seen fit by users. This is the basis upon which our society allows culture to grow and evolve. IPR are intended to give the creator of a work an exclusive right to exploit (copy, distribute, publish, use or reuse) his or her work for a limited period of time. The IPR that the project members are most likely to come across in Europeana Food and Drink include copyright, related rights and database rights. These rights can be stacked; one digital object you want to use can be protected by multiple types of IPR, held by multiple creators. Although the European Union has been harmonising national copyright laws in the past decades, it is important to check your national laws to see whether the guidelines in this document apply to your situation.

Public domain is the rule, copyright is the exception.

Copyright

Copyright is an exclusive and assignable right that exists in creative works that have enough originality (individual character) to warrant such a right. Copyright exists in literary and artistic works in the literary, scientific and artistic domains. The type of expression makes no difference in the protection, and the right is given automatically to the creator when the work is created. Therefore, a quick sketch on a napkin can have the same amount of protection as a work made by a renowned author, as long as they both are original enough to attract copyright.

Copyright restrictions have a time limit: in Europe the rule of thumb is 70 years after the death of the latest creator of a published work. In some countries, when the author is not a natural person (e.g. an institution) or the author is anonymous/pseudonymous the term of protection is 70 years after first publication. When restrictions based on copyright end, a work enters the public domain. You can generally assume that works created before 1860 are in the public domain, work created between 1860 and 1945 are likely restricted by some form of copyright. When works are created after 1945 you can be sure that the work is still restricted by copyright.

Copyright can be subdivided into two rights: exploitation rights and moral rights. As the name suggests, exploitation rights are those that can be transferred and licensed. This is the economic value of the copyright. Moral rights are non transferrable and in some European jurisdictions perpetual. They protect the creator against slander, and guarantee that attribution must be given. In France and Italy, for example, moral rights are perpetual, while in the UK and The Netherlands moral rights end when the
exploitation rights end (i.e. 70 years after the death of the last surviving author). To ensure you do not breach the moral rights of the author it is important to give attribution to public domain material. You can find more information on this in the Data Usage Guidelines for Public Domain developed by Europeana.

As stated, not everything warrants copyright restrictions. The most notable exceptions are facts and ideas. Together with partners Kennisland developed the platform OutofCopyright.eu to determine, based on national copyright legislation, which works belong to the public domain and which not. The platform includes research on rights created during digitisation of heritage materials.

Related Rights
Related rights refer to a group of rights that seem very similar to copyright, but restrict the use of different kinds of material. Related rights are given to performers, phonogram producers, sound recordists, film producers and broadcasters of works. This list is not exhaustive, some jurisdictions have additional related rights. They regulate the right of fixation, reproduction, distribution and broadcasting, and communication to the public. Related rights are very relevant for audio(visual) material. When determining the rights status of audio material there are differences among the composition, performances and recordings (phonogram) of a work. If a composition is in the public domain, it does not necessarily mean that the digital object is also in the public domain, as it may be protected by related rights (performance rights and phonogram rights).

Most related rights are protected for a term of 50 years after an initial performance, broadcast or fixation. With regards to the term of protection for performers and sound recordings, Directive 2011/77/EU has extended the term of protection to 70 years after the first publication or the first communication to the public. However, at the time of writing this directive has not yet been implemented in several member states. As a result, some member states' laws still grant 50 years of protection after the initial performance, broadcast or fixation. For the purpose of this project data providers should assume that related rights are protected for 70 years after the initial performance.

Database Rights
The last relevant IPR are sui generis database rights, an almost solely European phenomenon. These rights are not given to individual objects but only to a certain type of collection of objects, so, as such, they are not relevant when discussing rights statements of digital objects. The Europeana directive on the legal protection of databases (Directive 96/9/EC) defined a database as a "a collection of independent works, data or other materials arranged in a systematic or methodical way and individually accessible by electronic or other means." The restriction for the use of databases is 15 years after creation, after each substantial investment in time, effort and/or money this term of restriction is renewed. Database rights are something to keep in mind when you receive collections from another institution, either by purchasing or being endowed with the material, as the way the collection is structured could be protected by database rights. There is no restriction to the use of databases outside of the European Union.
**IPR can be stacked**

It is important to note that one (digital) object can contain multiple types of IPR. For example, a performance of a work composed by Johann Sebastian Bach can consist of rights in the lyrics, the composition, the performance by the musicians, the producers of the piece and several more. Simply noting that Bach has been dead for over 70 years and thus it must be public domain is incorrect. The rights statements on Europeana should reflect all levels of IPR. However, when sourcing for content outside Europeana this stacking of rights should be considered.

The above was a brief overview of relevant laws and legislation, related to IPR, for the Europeana Food and Drink project. There are also policies and contracts to be taken into account, the most important of which is the Europeana Licensing Framework.

*The Europeana Licensing Framework helps govern the relationships of Europeana, its data providers and its users.*

**Europeana Licensing Framework**

The Europeana Licensing Framework (ELF) provides an important underlying layer facilitating many of Europeana's activities. The framework helps govern the relationships between Europeana, its data providers and its users. Europeana uses standard, interoperable and machine-readable licenses to allow the data to talk to other applications and services. The licences frame in a clear way what can and cannot be done by human and machine agents with the metadata and with the content it accesses.

The ELF has two clear objectives:

- It ensures that all metadata aggregated can be published by Europeana under the same terms and without any restrictions on reuse. Based on this Europeana makes all metadata available under the terms of the CC0 Public Domain Dedication.
- With regards to the content that data providers make available via Europeana, the licensing framework provides a list of standardised rights statements that must be used by data providers to describe the rights status of these digital objects made available via Europeana. Having a relative small number of standardised rights statements allows users to filter search results based on the reuse conditions.

Additionally, the Europeana Licensing Framework introduces community norms to support best practices among users and reusers. The Framework loosely consists of three parts: the Data Exchange Agreement, the CC0 waiver and the Europeana Data Use Guidelines. They are described below.

*The Europeana Data Exchange Agreement (DEA)*

The DEA is the central element of the Europeana Licensing Framework. It structures the relationship of Europeana and its data providers. The DEA specifies how metadata and
previews provided by data providers can be used by Europeana and third parties. It details the exchange whereby data providers get enriched metadata back, as well as access to other metadata of interest. It establishes rules for updating and deleting metadata stored by Europeana and deals with issues such as liability and removal of data at the request of third parties.

*The Creative Commons Zero Universal Public Domain Dedication (CC0 waiver)*
The CC0 waiver is a legal tool that has been developed by Creative Commons (discussed in detail below) for making data available without restrictions on reuse. The DEA establishes that Europeana publishes metadata it receives from its data providers under the terms of CC0. This means that anyone can use the metadata published by Europeana for any purpose, without the need for attribution.

*The Europeana Data Use Guidelines*
A link to the [Europeana Data Use Guidelines](#) accompanies metadata published by Europeana. These guidelines make best-practice requests to users of the metadata. They are non-binding but reflect the best practice of the Europeana community. The Data Use Guidelines deal with issues like attribution and data integrity.

There are also [special terms](#) developed for user-generated content. These terms apply to end users who contribute content to Europeana (usually as part of Community Collection projects, such as [Europeana 1914-1918](#)). These terms have been developed so that Europeana can use content provided by its users, and ensure that it can be integrated with other Europeana held data. User-generated content and its elements will be discussed further in the flowcharts section of this report.

All digital objects shared through Europeana.eu have a rights statement applied, which is a requirement in the ELF. The most up-to-date source of information about which rights statements are possible to use is the page on [Available Rights Statements on Europeana Professional](#). This page contains a controlled list of rights statements that can be applied to digital objects that are made available via Europeana. It contains statements for in-copyright works that cannot be reused, statements for marking public domain material and it also includes the six Creative Commons licenses that allow data providers to grant permission to the public to reuse in-copyright works under certain conditions.

Creative Commons licensed or marked material will most likely provide the most flexibility in reuse of data. The licenses are often misunderstood and misused, which is why they are explained in detail below.

*Creative Commons legal tools*
Creative Commons licenses and tools offer creators a simple, standardised way to grant copyright permissions to their works. Licensor retains copyright while allowing others to copy, distribute, and make some uses of their work — at least non-commercially. A Creative Commons license can only be applied by the rights holder(s) of a work, or with explicit permission from the rightholder(s). Creative Commons licenses ensure that licensor get the credit they deserve for their work. Licensees must credit the licensor, keep copyright notices intact on all copies of the work, and link to the license from copies of the work. Licensees also cannot use technological measures to restrict access to the work by others.
**Creative Commons licenses ensure that licensors get the credit they deserve for their work.**

Creative Commons offers six licenses and two public domain tools. Only four of these are relevant for widespread (commercial) reuse. A complete overview of all tools and their requirements and limitations is offered below. The licenses help authors to keep and manage their copyright on terms they choose. The public domain tools (CC0 and PDM) on the other hand, enable authors and copyright owners who want to dedicate their works to the worldwide public domain to do so, and facilitate the labelling and discovery of works that are already free of known copyright restrictions.

<table>
<thead>
<tr>
<th>Logo</th>
<th>Description</th>
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</thead>
<tbody>
<tr>
<td><img src="cc_by" alt="Attribution (CC BY)" /></td>
<td><strong>Attribution (CC BY):</strong> The most accommodating of licenses offered. It is recommended for ease of use and has very few requirements. This license lets others distribute, remix, tweak, and build upon licensed work, even commercially, as long as you credit the original creator(s) for their work.</td>
</tr>
<tr>
<td><img src="cc_by_sa" alt="Attribution-ShareAlike (CC BY-SA)" /></td>
<td><strong>Attribution-ShareAlike (CC BY-SA):</strong> Often called a copyleft license. It is recommended if your product allows reuse of offered material. The license lets others remix, tweak, and build upon the licensed work even for commercial purposes, as long as you credit the creator(s) and license new creations under the identical terms.</td>
</tr>
<tr>
<td><img src="cc_by_nd" alt="Attribution-NoDerivatives (CC BY-ND)" /></td>
<td><strong>Attribution-NoDerivatives (CC BY-ND):</strong> A license that does not allow you to make derivatives works like crops or lower quality versions. This license allows for redistribution, commercial and non-commercial, as long as it is passed along unchanged and in whole, with credit to the creator.</td>
</tr>
<tr>
<td><img src="cc_by_nc" alt="Attribution-NonCommercial (CC BY-NC)" /></td>
<td><strong>Attribution-NonCommercial (CC BY-NC):</strong> The simplest non commercial license. This license lets others remix, tweak, and build upon licensed work non-commercially, new works must also acknowledge the creator and be non-commercial, derivative works do not have to be licensed under these terms.</td>
</tr>
<tr>
<td><img src="cc_by_nc_sa" alt="Attribution-NonCommercial-ShareAlike (CC BY-NC-SA)" /></td>
<td><strong>Attribution-NonCommercial-ShareAlike (CC BY-NC-SA):</strong> Lets others remix, tweak, and build upon work non-commercially, as long as the creator is credited and derivatives are licensed under identical terms.</td>
</tr>
<tr>
<td><img src="cc_by_nc_nd" alt=" Attribution-NonCommercial-NoDerivs (CC BY-NC-ND)" /></td>
<td><strong>Attribution-NonCommercial-NoDerivs (CC BY-NC-ND):</strong> The most restrictive of the six licenses, it only allows downloading of works and share them with others as long as the creator is credited, derivatives are not allowed and commercial use is not permitted.</td>
</tr>
<tr>
<td><img src="cc_zero" alt="Creative Commons Zero Public Domain Dedication (CC0)" /></td>
<td><strong>Creative Commons Zero Public Domain Dedication (CC0):</strong> Allows licensors to waive all rights and place a work in the public domain.</td>
</tr>
<tr>
<td><img src="pdm" alt="Public Domain Mark (PDM)" /></td>
<td><strong>Public Domain Mark (PDM):</strong> Allows institutions to mark works that have been identified as free of known copyright restrictions.</td>
</tr>
</tbody>
</table>
The image below guides you through the needs you might have in using works that are marked with one of Creative Commons legal tools:

When using material that has been licensed or marked using Creative Commons tools, it is possible to mix content to create derivative works. It is important to take license compatibility into account, however. Below a diagram on how the different licenses and tools can be mixed (or not).
As you can see it is possible to mix the more open licenses easier than the licenses with a ‘NC’ or ‘ND’ building block. It is advised to work with the Free Culture licenses as much as possible, which are CC BY (only attribution) and CC BY-SA (attribution, share alike). Naturally public domain material can always be mixed, as well as content where all rights have been waived using CC0.

Proper attribution
All Creative Commons licenses have an attribution requirement in common. This means that it is mandatory to properly attribute all Creative Commons licensed works you use in your product or publication. These requirements include that you acknowledge the creator, the title of the work, the license and link to the license. You also need to add any modification or alteration to the work and link to a source if applicable. Acknowledging the creator and title of the work are part of inalienable moral rights that a creator has. Often you see that publishers are attributed instead of the creator. This is not necessary according to the license. It is the creator that you need to attribute, not the publisher or distributor. Mentioning the license, a link to the license, modifications of the work and link to the source are elements of the Creative Commons licenses.

In offline publication contexts it is impossible to provide an active link to the license, in these contexts you will need to write out the full link to the license. When you create a document or product that can reasonably be downloaded you will need to add this fully written out link as well, as we have done at the end of this document. Only placing the licensing symbols that are introduced above are not sufficient to properly license or reuse material that has been made available with Creative Commons licensing.

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2 The exception to this are CC0 and the Public Domain Mark. These two legal tools are not licenses per se and formally do not require attribution.
The above example shows proper attribution of a photo found on Wikimedia Commons. It shows that this is a crop of a photo, it shows the title, creator and license. Because of the possibility that this document is used in printed form the license URL is written in full.

Aesthetically it can be a burden to properly attribute open material in your publications and products. You do not have to place the licensing information on the same page. You can be creative while attributing the work that you are reusing. In other types of media you can use the conventional places for attributions: a bibliography in a book, credits after a movie, or the colophon of a report.

Keep in mind that you are required to provide proper attribution, failing to do so terminates the license. This means that you no longer have permission to use that file, you are infringing the copyright of the licensor, which can lead to legal problems.

The use of the open licenses and proper attribution is also reflected in the outcomes of the Content Reuse Framework.

**Content Reuse Framework**

Europeana’s Content Reuse Framework (CRF) is a search functionality of the Europeana API. It allows the user to specify certain requirements necessary for successful implementation of cultural heritage in (commercially) viable products, such as those specified in the Europeana Food and Drink project.

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3 Kennisland's website, for example, uses information bubbles to present this information. See: [https://www.ki.nl/en/themas/copyright](https://www.ki.nl/en/themas/copyright) (as retrieved in May 2015)
The framework is available as a beta to the general public and is expected to be fully functional by September 2015.

The service allows API calls to determine the size of images (small, medium, large, and extra large), the aspect ratio of images, the general colors of images, the quality and duration (very short, short, medium, long) of audio and video.

For more information on the CRF, please refer to the Europeana Creative deliverable 3.3 Documentation of the Extension of the Europeana Licensing Framework.

This section provided context of the legal framework in place, as well as the guidelines and framework Europeana uses to manage rights issues on the platform and beyond. In the following section three flowcharts are presented to guide users through questions that need to be taken into consideration when data is used, for example in the Europeana Food and Drink products.

**Ensuring ownership of content**

Whenever you use or ingest content from third parties or individual contributors you need to make sure you have permission to reuse that material. In the case of user-contributed content this means that you also need to educate your users on how permission can be given and whether the contributing party is allowed to give you permission.

The chart below shows how you can make sure that you will get permission from the proper rights owner.
1. The creator of every original creation has a monopoly to control the initial communication of the creation to the public and can grant permission for every reuse.

2. If you are the creator of the work it is important to understand there are exceptions to your ownership. For example, if the work is commissioned or creator for your employer. These rules vary per jurisdiction. Rights ownership over a creative work does not always belong to the creator.

3. If the work is commissioned or if you have transferred part of your copyrights to a third party, you need to get permission before you can offer the work to be reused by others. Note, agreements with third parties are not always exclusive. It is not always necessary to obtain permission from that party directly. Universal permission can be given through Creative Commons licenses for example.

4. You need permission of the rights holder before sharing a work for reuse if you yourself are not the creator/heir/rights holder.

5. You need to get permission before you can offer the work to be reused by others if rights have been transferred to third parties. Note, agreements with third parties are not always exclusive. It is not always necessary to obtain permission from that party directly (the work can for example be licensed under a Creative Commons license).

6. Even though rights have not been transferred to third parties you might not be the only rights owner of a work. In certain jurisdictions works of co-authorship get different protection and have different rules for reuse.

7. You can only share your work when you are the sole creator of an original work and you have not (yet) made agreements with third parties regarding their (exclusive) rights to you work.

8. You will have to ask all co-authors for permission to before you can reuse a work.

9. You can only share your work when you are the sole creator of an original work and you have not (yet) made agreements with third parties regarding their (exclusive) rights to you work.

**Publishing OER**

Creating (digital) learning resources that can easily be used by schools across Europe can be very challenging. Open Educational Resources (OER) are digital learning resources that everyone can build upon, which are even harder to create. Successful OER take into account the IPR issues during creation of the resource as well as design for maximum reuse. The easiest way to ensure that all these issues are considered is to follow the OER method of the Hewlett Foundation\(^4\) creating materials:

“OER are teaching, learning, and research resources that reside in the public domain or have been released under an intellectual property license that permits their free use and re-purposing by others. Open educational resources include full courses, course materials, modules, textbooks, streaming videos, tests, software, and any other tools, materials, or techniques used to support access to knowledge.”

Licensing own materials
In practice this means that all materials should be released under a CC BY (attribution) or CC BY-SA (attribution, share-alike) license. The resources can also be shared using the CC0 public domain dedication. With CC0 you remove the requirement for attribution.

It often occurs that creators of learning materials instinctively apply a CC BY-NC (attribution, non-commercial) license on the material. However, that is not advisable. There is no proper (legal) definition for what ‘commercial’ means, which leads to confusion in the reuse of OER. Also, different education systems in Europe have different means of financing, and the NC limitation in the license could imply that only completely state-funded schools can reuse the created resource. This would severely limit the reuse of the materials created in the Europeana Food and Drink project. Therefore, CC0, CC BY and CC BY-SA are the only appropriate licenses.

Using materials created by others
When the learning materials consist of other elements than those specifically created for the resource, such as use of existing photographs or other (cultural heritage) objects, it is necessary to have permission to use the materials. It is also advised to get permission for the users of the learning materials (teachers) to reuse the materials. This means using materials that are either in the public domain, have been dedicated to the public domain using CC0, or licensed under CC BY or CC BY-SA. This ensures that teachers are allowed to use the materials in the classroom, and also adapt to local situations (such as translate materials, or change assignments to local customs).

Please note that this is also the case for cultural heritage objects used by the institution that holds the object. The teacher is the user of the object, and therefore needs permission for reuse. Merely providing access to it in OER is not sufficient.

Providing proper attribution
The attribution rules set out in the section ‘proper attribution’ on page 11 also apply for use in teaching materials. As OER are often compositions of different works, attribution can become complicated. An often used method is to state at the beginning of the resource what the general applicable license is, and then provide specific attribution per resource. This can be done either on each specific page (or presentation slide) or in a bibliography at the end of each resource.

Example of preamble statement:

“Unless otherwise noted, everything in this resource is made available under a Creative Commons Attribution 4.0 license. You can read the full license here: https://creativecommons.org/licenses/by/4.0/. Please consider the following method of attribution when using the material:

Europeana Food and Drink, Cultural overlap in cookie cuisine (2015), CC BY 4.0.

In case of offline use of the material, include the URL of the license in the attribution:

Europeana Food and Drink, Cultural overlap in cookie cuisine (2015), https://creativecommons.org/licenses/by/4.0/.”
IPR Guides

When reusing digital cultural objects it is important to follow IPR restrictions on these objects. Failing to comply with the licensing and obtained permissions means that you are infringing the rights of the rights holder. This can cause you legal difficulties. Below we have made a couple of easy-to-navigate flowcharts that guide you through questions regarding IPR and licensing.

Working with digital cultural heritage retrieved from Europeana

When you are using data retrieved from Europeana, please be aware of its licensing structure. Follow the following flowchart and read the provided additional instruction per question below.
1. Europeana offers both descriptive information (metadata) via its APIs, as well as links to media files like images, audio, texts, and video (content). If you are only using this descriptive information please choose metadata.
2. Europeana’s metadata is shared using CC0. CC0 permits you to further distribute the data, also for commercial purposes, without having to mention Europeana and its dataprovider as the source of the information. However, please follow the Europeana Data Use Guidelines.
3. Public domain works in Europeana are marked with the Creative Commons Public Domain Mark (PDM). Please choose ‘yes’ when you limit yourself to objects that are marked with this rights statement.
4. A digital object enters the public domain when copyright restrictions have expired. This means that you do not have to ask permission to reuse and object, you also do not have attribute the creator for her work. However, please follow the Europeana Data Use Guidelines and attribute your sources.
5. Please choose ‘yes’ when you limit yourselves to objects that are marked with a Creative Commons rights statement.
6. Creative Commons does not have a formal definition of a commercial use. However, if the company exploiting the product is a commercial company or when products drive indirect revenues (e.g. by attracting customers) then please choose ‘yes’ here. Otherwise, choose ‘no’.
7. If your intended use is not for commercial purposes you are allowed to use all Creative Commons licenses. However, be aware that you do need to conform to the restrictions of the applied license. For example, you may not be allowed to create derivative works.
8. Only a set number of Creative Commons legal tools is available for commercial reuse. Please restrict the ingestion of data.
9. When you are not using one of the Creative Commons rights statements in Europeana data you will need to obtain permission from the rights owners of that data. Choose ‘yes’ if you already have such an agreement.
10. Rights holders can create their own agreement with you. Please follow the usage rules set out in that agreement.
11. If you do not have permission for the Europeana data and this data is not licensed under a Creative Commons license, or marked with the Creative Commons Public Domain Mark, you cannot use this data.
Working with external sources

When working with data not processed through Europeana and its licensing structure, please be aware of copyright restrictions and licenses that need to be taken into account.

1. If you use data in your product other than data retrieved from Europeana or its APIs please choose 'yes' here.
2. The copyright status of a work is important to determine whether you need to retrieve permissions for reuse.
3. This flowchart does not apply to your product. Please see the section ‘Working with digital cultural heritage retrieved from Europeana’ (p. 16) for more information.
4. Please choose ‘yes’ when the data you use objects that are shared under a Creative Commons license.
5. A digital object enters the public domain when copyright restrictions have expired. This means that you do not have to ask permission to reuse an object, you neither have to attribute the creator. However, please follow the Europeana Data Use Guidelines and attribute your sources.
6. The general rule of thumb is that all works published before 1860 are in the public domain. Everything published after 1945 is most likely still restricted by copyright. To make sure if the data you use is in the public domain, please check OutOfCopyright.eu.

7. Creative Commons does not have a formal definition of a commercial use. However, if the company exploiting the product is a commercial company or when products drive indirect revenues (e.g. by attracting customers) then please choose ‘yes’ here. Otherwise, choose ‘no’.

8. When data is not openly licensed you need to get permission from the rights holder before you can use the data. Please answer ‘yes’ if you have done so.

9. If your intended use is not for commercial purposes you are allowed to use all Creative Commons licenses. However, be aware that you do need to conform to the restrictions of the applied license. For example, you may not be allowed to create derivative works.

10. Only a set number of Creative Commons legal tools is available for commercial reuse. Please restrict the ingestion of data.

11. Rights holders can create their own agreement with you. Please follow the usage rules set out in that agreement.

12. If you do not have permission for the data and this data is not licensed under a Creative Commons license, or marked with the Creative Commons Public Domain Mark, you cannot use this data. Please obtain permission before you continue.

**Working with user-generated content**

This section differs slightly from the two above. While the flowcharts ‘working with digital cultural heritage retrieved from Europeana’ and ‘working with external sources’ assume that the products use existing data published either through Europeana or other platforms, this one discusses the issue of either data generated by users based on the product (i.e. adding geodata), or existing data that end users add but are not part of the a collection of a cultural heritage institution (such as photographs of historical events).
When users add data it is important to ask for the necessary permissions for reuse, and to make sure users are aware of the permissions they give when using the product. For example, if an app is created following a certain historic route in the Dutch countryside, and users are encouraged to add comments and photos of their walking experience, as an app builder you want to have permission to use those photos to enrich the information on the route. Even more so, you might want permission to add the photograph in the collection of the cultural heritage institutions, or use it in another online context.

Europeana has experienced this issue within the Europeana 1914-1918 project where citizens were encouraged to bring own historical artefacts to collection days. In light of this project the user-generated content guidelines were developed. These best practice guidelines state that added metadata must be licensed under CCO (like all Europeana metadata) and data that can described as content needs to be licensed under the Creative Commons BY-SA license. It is legally necessary for users to check a box before they can agree to such terms, and such a system therefore needs to be implemented in the products.

1. User-contributed/-generated data is either added by users of your product or ingested from a third-party platform.
2. Please create a terms of use agreement for your users. This needs to contain a licensing agreement for metadata and content, and assurances that the users have permission to contribute to your product by either being the rights owner or having permission to do so.
3. If Europeana is the source of your user-generated/-contributed content, then we are certain of its permissions of reuse.
4. Europeana guidelines for user-generated/-contributed content are clear. They fit the rules of the Europeana licensing framework. Please see the section on ‘Working with digital cultural heritage retrieved from Europeana’ on page 16.
5. Each data source can provide its own agreements and licenses. Please read the agreement that you have made with your data source carefully and follow its rules.
Licence & Contact

The information and recommendations above are based on our experiences in working with cultural heritage institutions. Kennisland is aware that every situation is unique and has specific challenges. We emphasise the introductory and general character of the presented information.

Kennisland is not a law firm, this document is not legal advice.

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