

Paper 2: Recommendations for minor changes to the 1.0 version of the rights statements

Paul Keller, Co-Chair of Statements Working Group

The following paper and recommendations therein were agreed by Statements Working Group 29th August 2017 and approved by the Steering committee on 7 September 2017

This document details the suggested minor updated to Version 1.0 of the rightsstatements.org suite of rights statements. The need for these changes [has been identified in the context of the German translation](#) of rightsstatements.org. The changes proposed here are minor changes that do not alter the substantive meaning of any of the rights statements. The changes seek to ensure that the terms "Item" and "Work" are used consistently with how they have been defined in the white paper. In addition we are using this opportunity to change a reference to the institution that is in charge of the EU orphan works database which has been renamed since the rights statements had first been published. Finally we are proposing to replace the term data provider that had been used in the text of a number of Scope Notes with the more generic phrase "organization that intends to make the Item available" to ensure that the Scope Notes also make sense in use cases that do not involve aggregation platform.

The document is structured as follows: For each rights statement we first show the current text of the rights statement (1.0) in the same format that is also used in the original white paper. Subsequently we show the updated version (updated). Each section of a rights statement that contains proposals for changes **is highlighted in yellow**. Additions to the text of the 1.0 version are **set in bold** and deletions from the text of the 1.0 version ~~are formatted as strikethrough~~.

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Extra metadata

None

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Extra metadata

None

1.2 In Copyright - EU Orphan Work (v1.0)

InC-OW-EU

In Copyright - EU Orphan Work

<http://rightsstatements.org/vocab/InC-OW-EU/1.0/>

This Rights Statement indicates that the Item labeled with this Rights Statement has been identified as an 'Orphan Work' under the terms of the EU Orphan Works Directive.

This Item has been identified as an Orphan Work in the country of first publication and in line with Directive 2012/28/EU of the European Parliament and of the Council of 25 October 2012 on certain permitted uses of Orphan Works.

For this Item, either (a) no rights-holder(s) have been identified or (b) one or more rights-holder(s) have been identified but none have been located even though a diligent search for the rights-holder(s) has been conducted. The results of the diligent search are available in the EU Orphan Works Database.

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[More information about the Work may be found in the following entry in the EU Orphan Works Database: <http://example.com/1234567>]

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Extra metadata

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1.2.1 In Copyright - EU Orphan Work (updated)

InC-OW-EU	In Copyright - EU Orphan Work
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Extra metadata

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1.3 In Copyright - Rights-holder(s) Unlocatable or Unidentifiable (v1.0)

InC-RUU	In Copyright - Rights-holder(s) Unlocatable or Unidentifiable
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Extra metadata	none
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1.3.1 In Copyright - Rights-holder(s) Unlocatable or Unidentifiable (updated)

InC-RUU	In Copyright - Rights-holder(s) Unlocatable or Unidentifiable
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<http://rightsstatements.org/vocab/IC-RUU/1.0/>

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Extra metadata	none
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Extra metadata	None

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Extra metadata

None

1.5 In Copyright - Non-Commercial Use Permitted (v1.0)

InC-NC

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Extra metadata

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1.5.1 In Copyright - Non-Commercial Use Permitted (updated)

InC-NC

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Extra metadata

None

1.6 No Copyright - Non-Commercial Use Only (v1.0)

NoC-NC

No Copyright - Non-Commercial Use Only

<http://rightsstatements.org/vocab/NoC-NC/1.0/>

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1.6.1 No Copyright - Non-Commercial Use Only (updated)

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<p>This object Work has been digitized in a public-private partnership. As part of this partnership, the partners have agreed to limit commercial uses of this digital representation of the object Work by third parties.</p>	
<p>You can, without permission, copy, modify, distribute, display, or perform the digital object Item, for non-commercial uses. For any other permissible uses, please review the terms and conditions of the organization that has made the item Item available.</p>	
<p>[The limitations on commercial use of this item Item will expire on xx-xx-xxxx]</p>	
<p>Notices:</p> <ul style="list-style-type: none"> • Unless expressly stated otherwise, the organization that has made this Item available makes no warranties about the Item and cannot guarantee the accuracy of this Rights Statement. You are responsible for your own use. • You may need to obtain other permissions for your intended use. For example, other rights such as publicity, privacy, or moral rights may limit how you may use the material. • You may find additional information about the copyright status of the Item on the website of the organization that has made the Item available. 	
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<p>This Rights Statement can only be used for Works that are in the Public Domain and have been digitized in a public-private partnership as part of which, the partners have agreed to limit commercial uses of this digital representation of the Work by third parties. It has been developed specifically to allow the inclusion of Works that have been digitized as part of the partnerships between European Libraries and Google, but can in theory be applied to Works Items that have been digitized in similar public-private partnerships.</p>	
Extra metadata	If an expiration date is provided as additional metadata the text in brackets ('The limitations on commercial use of this item Item will expire on xx-xx-xxxx') MUST be displayed above the notices. If

	such a date is not provided the text in brackets MUST NOT be displayed.
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1.7 No Copyright - Contractual Restrictions (v1.0)

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<p>This Rights Statement can only be used for Items that are in the Public Domain but for which the data provider has entered into contractual agreement that requires it to take steps to restrict third party uses of the Item. In order for this Rights Statement to be conclusive, the data provider should provide a link to a page detailing the the contractual restrictions that apply to the use of the Item.</p>	
Extra metadata	<p>If a link to a page with more information about the contractual restrictions is provided as additional metadata the text in brackets ('More information about the contractual restrictions can be found here: http://example.com/1234') MUST be displayed above the notices. If such a link is not provided the text in brackets MUST NOT be displayed.</p>

1.7.1 No Copyright - Contractual Restrictions (updated)

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<p>This Rights Statement can only be used for Items that are in the Public Domain but for which the data provider organization that intends to make the Item available has entered into contractual agreement that requires it to take steps to restrict third party uses of the Item. In order for this Rights Statement to be conclusive, the data provider organization that intends to make the Item available should provide a link to a page detailing the the contractual restrictions that apply to the use of the Item.</p>	
Extra metadata	<p>If a link to a page with more information about the contractual restrictions is provided as additional metadata the text in brackets ('More information about the contractual restrictions can be found here: http://example.com/1234') MUST be displayed above the notices. If such a link is not provided the text in brackets MUST NOT be displayed.</p>

1.8 No Copyright - Other Known Legal Restrictions (v1.0)

NoC-OKLR	No Copyright - Other Known Legal Restrictions
http://rightsstatements.org/vocab/NoC-OKLR/1.0/	
<p>This Rights Statement indicates that the underlying Work is in the Public Domain, but that there are known restrictions imposed by laws other than copyright and/or related rights on the use of the Item by third parties.</p>	
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<p>This Rights Statement should be used for Items that are in the Public Domain but that cannot be freely re-used as the consequence of known legal restrictions that prevent the data provider from allowing free re-use of the Work, such as cultural heritage or traditional cultural expression protections. In order for this Rights Statement to be conclusive, the data provider should provide a link to a page detailing the legal restrictions that limit re-use of the Item.</p>	
<p>Extra metadata</p>	<p>If a link to a page with more information about the legal restrictions is provided as additional metadata, the text in brackets ('More information about the legal restrictions can be found here: http://example.com/1234') MUST be displayed above the notices. If such a link is not provided the text in brackets MUST NOT be displayed.</p>

1.8.1 No Copyright - Other Known Legal Restrictions (updated)

NoC-OKLR	No Copyright - Other Known Legal Restrictions
http://rightsstatements.org/vocab/NoC-OKLR/1.0/	

This Rights Statement indicates that the underlying Work is in the Public Domain, but that there are known restrictions imposed by laws other than copyright and/or related rights on the use of the Item by third parties.

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In one or more jurisdictions, laws other than copyright and related rights are known to impose restrictions on the use of this Item.

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[More information about the legal restrictions can be found here: <http://example.com/1234>]

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Extra metadata	If a link to a page with more information about the legal restrictions is provided as additional metadata, the text in brackets ('More information about the legal restrictions can be found here: http://example.com/1234 ') MUST be displayed above the notices. If such a link is not provided the text in brackets MUST NOT be displayed.
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1.9 No Copyright - United States (v1.0)

NoC-US	No Copyright - United States
http://rightsstatements.org/vocab/NoC-US/1.0/	

This Rights Statement indicates that the Item is in the Public Domain under the laws of the United States, but that a determination was not made as to its copyright status under the copyright laws of other countries.

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extra metadata

none

1.9.1 No Copyright - United States (updated)

NoC-US

No Copyright - United States

<http://rightsstatements.org/vocab/NoC-US/1.0/>

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extra metadata

none

1.10 No Known Copyright (v1.0)

NKC

No Known Copyright

<http://rightsstatements.org/vocab/NKC/1.0/>

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The purpose of this statement is to help the public understand how this Item may be used. When there is a (non-standard) License or contract that governs re-use of the associated Item, this statement only summarizes the effects of some of its terms. It is not a License, and should not be used to license your Work. To license your own Work, use a License offered at <http://creativecommons.org/>

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extra metadata	none
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1.10.1 No Known Copyright (updated)

NKC	No Known Copyright
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<http://rightsstatements.org/vocab/NKC/1.0/>

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extra metadata	none
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1.11 Copyright Not Evaluated (v1.0)

CNE	Copyright Not Evaluated
http://rightsstatements.org/vocab/CNE/1.0/	
This Rights Statement indicates that the data provider has not evaluated the copyright and related rights status of the Item.	
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Extra metadata	None

1.11 Copyright Not Evaluated (updated)

CNE	Copyright Not Evaluated
http://rightsstatements.org/vocab/CNE/1.0/	
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Extra metadata

None

1.12 Copyright Undetermined (v1.0)

UND

Copyright Undetermined

<http://rightsstatements.org/vocab/UND/1.0/>

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Extra metadata

None

1.12.1 Copyright Undetermined (updated)

UND

Copyright Undetermined

<http://rightsstatements.org/vocab/UND/1.0/>

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Extra metadata

None