

Mapping License Terms

**EDItEUR's ONIX for Licensing Terms,
ONIX Tools, and
NISO's License Expression Working
Group**

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Traversing the Licensing Terrain:
Emerging Issues and Innovative Solutions

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Combined presentation

- ONIX for Licensing Terms – from David Martin and Brian Green at EDItEUR

 - NISO DLF EDItEUR PLS License Expression Working Group
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ONIX background

- ❑ ONIX – a project of the Association of American Publishers and EDItEUR in 1999-2000 – became “ONIX for Books”, adopted in more than a dozen countries as a book trade standard
 - ❑ ONIX for Serials – EDItEUR and NISO (US National Information Standards Organization)
 - ❑ ONIX for DOI registration
 - ❑ and now ONIX for Licensing Terms (OLT)
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ONIX for Licensing Terms

- ❑ XML formats for expressing and communicating rights and permissions for all kinds of intellectual property
 - ❑ All using the same highly generalised underlying data model, designed to be applicable to almost any form of license
 - ❑ All terms defined in a structured OLT Dictionary (ontology) that will grow/change as new application needs are identified
 - ❑ But packaged in ways that will make sense to users
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ONIX for Licensing Terms

- ❑ The first OLT message format is the ONIX Publications License format (ONIX-PL)
 - ❑ An XML message format that can deliver a structured expression of a publisher's license for the use of (digital) resources, from a publisher to a subscribing institution (or consortium)
 - ❑ Made up of a specification, an XML schema, and a formal dictionary of controlled values
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ONIX-PL: development status

- ❑ Much ONIX PL work has been funded by JISC in the UK
 - ❑ In the first JISC project, we have mapped most elements of a sample license (Wiley) to an interim version of ONIX-PL
 - ❑ This involved considerable work on the underlying data model, the format specification and the draft dictionary
 - ❑ Most of the results are on www.editeur.org
 - ❑ representing a snapshot of work-in-progress, not a finished version
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ONIX “Publisher License” and ERMs

- It has become increasingly clear that ONIX-PL may play a role larger than “publisher’s license”
 - Libraries are already creating machine-readable expressions of their interpretation of paper licenses, to load into electronic resource management systems
 - ERM users may want to express and communicate their own preferred resource usage policies, internally and (for consortia) downstream
 - And transmit bidirectionally to publishers as part of negotiation process
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Progress report

- JISC project #1 – Mapping the Wiley license (complete, 2006)

 - JISC project #2 – Identifying and defining requirements for licensors, with the goal of creating a software package that would create License Expression XML for publishers (2006)
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Current progress

- JISC project #3 was completed end of Q1-2007

 - Draft mappings of several major JISC-managed model licenses
 - NESLi2 license (online journals)
 - Datasets license
 - E-books license
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Current progress

- ❑ Updated draft ONIX-PL format specifications were posted in March at EDItEUR website
 - ❑ Recent work has in some ways simplified the format by allowing consolidation
 - ❑ For example, usage definitions and usage terms are now combined into a single usage term element
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Current progress

- ❑ JISC #3 project work and Boston meeting output (defined later) have introduced some delays to overall development
 - ❑ Alongside JISC work, EDitEUR is addressing ERMI requirements
 - ❑ Results of this work, and revised draft specifications expected end of Q2-2007
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JISC Project #4

- ❑ Develop the OPLE (ONIX for Publications Licenses Editor) software
 - ❑ Co-funded by JISC, PLS and EDItEUR
 - ❑ JISC project completed end May
 - ❑ Likely full Version 1 delivery July
 - ❑ Underlying structure largely complete; dealing with performance and presentation
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JISC #4 OPL Editor

- Target audience: those who create licenses or who need to create license expressions:
 - Publishers
 - Licensors/licensees
 - Intermediaries such as JISC Collections
 - Will contain ERM-relevant structures (more on this later)
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JISC #4 OPL Editor

- ❑ Will be Open Source
 - ❑ Distributed on Sourceforge
 - ❑ Needs documentation and supporting materials
 - ❑ Template based and extensible as each new license mapping leads to additional terms that must be included
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Analysis – CDL Model License

- Results not yet published
 - ONIX-PL vocabulary (not structures) had to be extended a little to handle some CDL concepts and usages
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ONIX-PL expression types

Four main types will be supported:

- Licenses
 - Public templates
 - Private templates
 - License interpretations
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ONIX-PL License Expression type

- An ONIX-PL License is the XML expression of a license that has been agreed (or is in draft as part of the negotiation of an agreement) between two specified parties in connection with a specified resource or set of resources.
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ONIX-PL Public Template

- ❑ An ONIX-PL Public Template is the XML expression of a model license that is in the public domain, i.e. the expression is available, probably from an EDItEUR webpage, for general use.
 - ❑ An ONIX-PL Public Template includes designated “gaps” for which parameters must be supplied in order to create a License expression.
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ONIX-PL Private Template

- ❑ An ONIX-PL Private Template is the XML expression of a license form that is used regularly by an individual party.
 - ❑ An ONIX-PL Private Template also includes designated “gaps” for which parameters must be supplied in order to create a License expression.
 - ❑ A Private Template may be “owned” by a publisher, or by a licensee organisation – eg the University of California CDL standard license or a JISC license.
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ONIX-PL License Interpretation

- An ONIX-PL License Interpretation is the XML expression of a license between two specified parties in connection with a specified resource or set of resources.
 - However, it is normally created by the licensee, and it **represents an expression of the licensee's interpretation** of the license rather than an expression that has been authorised by the licensor and agreed between the parties.
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ONIX-PL: ERM needs

- Those parts of the written license that may be actionable in an Electronic Resource Management System need to be delivered in a fully machine-interpretable form
 - Parts of the license that are not actionable can be quoted within the XML expression and categorised in a controlled way, so that the subscribing institution can create a “knowledge base” of its licenses that can be searched consistently
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ONIX-PL: actionable?

- ❑ Not just terms specifying permitted and prohibited usages, though these are essential; but also, for example...
 - ❑ Terms specifying notice periods, dates for changes, customer obligations
 - ❑ Terms specifying bases of fee calculation in successive license years – to support budgeting and checking suppliers' invoices
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ONIX-PL structure: components

- ❑ Message header: from, to, date, etc
 - ❑ Preamble: identification of the expression and of the license, version control and derivation, parties, dates, signatories, etc
 - ❑ Definitions
 - ❑ Structured terms
 - ❑ Term citations
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ONIX-PL: definitions

- ❑ Agents: persons and organizations referred to in the license
 - ❑ Resources: licensed resources may be defined in the expression or in a separate document (and the latter could itself be an ONIX file)
 - ❑ We also need to define resources that are derived from usage, e.g. permitted extracts
 - ❑ Services, Dates/Times, Periods, Places, Events, States, Usages
 - ❑ Documents referred to from the license expression
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ONIX-PL: definition example

```
<ResourceDefinition>
  <ResourceLabel>ProtectedContentItem</ResourceLabel>
  <ResourceRelatedResource>

  <ResourceResourceRelator>onixL:IsPartOf</ResourceResourceRelator>
    <RelatedResource>LicensedContent</RelatedResource>
  </ResourceRelatedResource>
  <ResourceRelatedResource>

  <ResourceResourceRelator>onixL:IsAnyOf</ResourceResourceRelator>
    <RelatedResource>onixL:CopyrightNotice</RelatedResource>

  <RelatedResource>onixL:AttributionOfResponsibility</RelatedResource>
    <RelatedResource>onixL:Disclaimer</RelatedResource>
  </ResourceRelatedResource>
</ResourceDefinition>
```

ONIX-PL: structured terms

- ❑ Supply terms: terms relating to the supply of or access to licensed materials
 - ❑ Usage terms: terms related to permitted or prohibited usage
 - ❑ Payment terms: terms related to fee calculation rules and payment rules
 - ❑ Others may be added if found necessary
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ONIX-PL: structured term example

```
<LicensedUsage>  
  <UsageLabel>SupplyPrintedExtractToThirdPartyLibrary</UsageLabel>  
  <UsageReference>  
    <UsageReferenceRelator>onixL:IsDescribedInLicenseText</UsageReference  
Relator>  
    <DocumentLabel>License</DocumentLabel>  
    <DocumentSection>  
      <SectionNumber>C.1.e</SectionNumber>  
    </DocumentSection>  
    <ReferenceAnnotation>  
  
    <ReferenceAnnotationType>onixL:LicenseTextExtract</ReferenceAnnotation Type>  
      <AnnotationText>The Licensee's library staff may print out and send  
single paper copies of articles, chapters or entries from the Licensed Electronic  
Products for interlibrary loan.</AnnotationText>  
    </ReferenceAnnotation>  
  </UsageReference>  
  <UsagePurpose>onixL:InterlibraryLoan</UsagePurpose>  
</LicensedUsage>
```

ONIX-PL: a few conclusions

- ❑ It all looks and sounds complex
 - ❑ It IS complex, but not as complex as it looks
 - ❑ Mapping to XML forces clarification of what a license says, but not necessarily greater specificity – deliberate generality is OK

 - ❑ ERMS will need to be able to input the messages and map them against institutional policies
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ONIX-PL: next steps

- ❑ Complete current ONIX-PL draft in light of JISC, CDL, and other license analysis work
 - ❑ Extend the OLT Dictionary, and in this context review its relationship with terms defined by ERMI
 - ❑ Develop a small number of model license expressions
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Libraries and their ERM systems

- Where do they fit in the picture?
 - How does ONIX-PL work engage with Library electronic resource management systems?
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Several Underlying Tenets

- ❑ Libraries want a single place (like an ERM system) to manage all aspects of their electronic product purchasing, including:
 - ❑ Acquisitions and Invoicing
 - ❑ Access rules: URLs, logins, proxies, etc.
 - ❑ Licensing: Permissions, population groups, and locations
 - ❑ Administrative data: training, documentation, branding, etc.
 - ❑ Usage statistics
 - ❑ Reporting and analysis tools

Tenet 2

- Libraries and their staff genuinely want to obey terms laid out in a license – they're aware of the rules and are willing to follow them
 - ... as long as the terms are clearly stated and comprehensible
 - ... as long as the terms are perceived as fair
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Tenets 3 and 4

- Libraries – especially larger academics – expect to negotiate on terms and other contractual elements
 - Libraries may *need* to negotiate licenses because of state or national laws or regulations; the publisher is not always aware of these needs.
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With those underlying assumptions, how will libraries make use of structured License Terms?

- ❑ Libraries want to receive *localized* license term data from publishers that allows for immediate entry in their ERM systems without need for re-keying
 - ❑ Libraries want to store versions of these terms for historical and audit reasons. (an ERM function, but relying on some sort of version identification.)
 - ❑ Libraries want/need to display usage terms to their public
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How will libraries make use?

- During the negotiation process, libraries want to make changes to licenses and send those to the licensor as responses/drafts. (making the process bidirectional)
 - Libraries want to be able to share license terms with other libraries (e.g. consortium members)
 - Want to be able to create reports on various permissions and terms – compare and contrast license terms on resources from various publishers and licensors
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How will libraries make use?

- Libraries want license terms to be clearly stated or coded – not necessarily made more stringent – but coded for use in an ERM
 - At the same time, libraries want to continue to make use of ‘creative ambiguity’ when licenses are silent on terms
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DLF-ERMI

Different approach to licensing

- ❑ Digital Library Federation spec (published 2004-2005) was created by, is accepted and reasonably well understood by the library/ERM world.
 - ❑ If anything, DLF/ERMI is seen as overly complicated
 - ❑ ONIX-PL is new; not yet understood; model is perceived as more complex, somewhat threatening
 - ❑ ...and comes from outside the library world (comfort zone)
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A quick look at the differences

- ONIX-PL – generally three dimensional with respect to terms:
 - The Actor
 - The Action
 - The Object being Acted Upon

 - DLF-ERMI – generally 2-D
 - The Action
 - The Object
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NISO / DLF / EDItEUR / PLS License Expression Working Group

- A wide cross-section of stakeholders to
 - Guide and review the work of EDItEUR consultants.
 - Participate in pilot testing.
 - Bring their expertise and awareness of licensing and technology to keep the group's work relevant and complete.
 - Co-chaired by Nathan Robertson (ERMI) and Alicia Wise (PLS)
 - Began work in early 2006
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License Expression Working Group

- ❑ Originally 57 members
 - ❑ Not much progress

 - ❑ 'Summit' meeting in Boston, December 2006

 - ❑ 16 person working committee: NISO, PLS, DLF/ERMI, several ERM Vendors
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December meeting

- Examination of different approaches, audiences, needs
 - Multi-dimensional ONIX-PL seen as too heavy for DLF-ERMI, while DLF-ERMI licensing seen as overly simple for full range of possible ONIX-PL uses
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December meeting

- Detailed comparison of how license terms and permissions were stored and encoded
 - Identified some minor DLF-ERMI ambiguities to be addressed in DLF-ERMI2
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Major result

- ❑ ONIX-PL will expand its structure to support a **DLF-ERMI Dialect** of ONIX License
 - ❑ Dialect will be simplification / flattening of ONIX-PL to work with ERM systems
 - ❑ Publisher (i.e. OPLEditor) will create dialect, not the library or ERM
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DLF-ERMI dialect

- ❑ Will not (cannot) have the same granularity of ONIX-PL
 - ❑ Will be the closest representation possible
 - ❑ Dialect can be used for downstream distribution of license terms
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When?

- ONIX-PL draft with ERMI dialect expected at any moment

 - Likely calendar:
 - July: draft and comments
 - September/October: Final draft
 - Q4: DSFTU and early development
 - Mid-2008: earliest products
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Dependencies

- ❑ Completion of standards drafts
 - ❑ Agreement on content and function
 - ❑ Completion of ONIX-PL Editor and publisher adoption of same
 - ❑ Development of ONIX-PL License Loaders by ERM systems
 - ❑ Widespread availability
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Thank You!

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