

# Harmonizing Open Licenses among Online Databases of Enthusiast Communities: Challenges Encountered in the Legal Integration of Databases in the Japanese Visual Media Graph Project

Research funded by:



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# Overview

- The ever growing need for database license harmonization
- Introducing the Japanese Visual Media Graph Project
- Overview of the legal protection of databases
- Open licensing for databases
- Problems encountered in community database licensing practices
- Solution employed in the JVMG project

# The ever growing need for database license harmonization

# Licensing of scientific databases

- Scientific research relying more and more on large datasets
- **Open science** and **open data**
- Problems with composing databases
  - Licenses **not clear**
  - License **incompatibility**

# Introducing the Japanese Visual Media Graph Project

The Japanese Visual Media Graph project is an example of extending the logic of creating composable clearly licensed databases from sources beyond those created by research communities

# Introducing the JVMG project

- Databases by enthusiast communities are the **go to resource for checking information**



- **Japanese Visual Media Graph (JVMG) project**
- Project aim: Make these databases available for **large-scale quantitative research, in collaboration with the communities**
- Funded by the **German Research Foundation's** (Deutsche Forschungsgemeinschaft) e-Research Technologies program

# Overview of the legal protection of databases

# Database parts and legal protection

Database part	Protection type			
	EU	Japan	US	International general
Database structure: original	Copyright	Copyright	Copyright	Copyright
Database structure: non-original	Sui generis database rights	-	-	-
Database field labels	Copyright	Copyright	Copyright	?
Database content elements	Copyright except for facts and information	Copyright except for facts and information	Copyright except for facts and information	Copyright except for facts and information

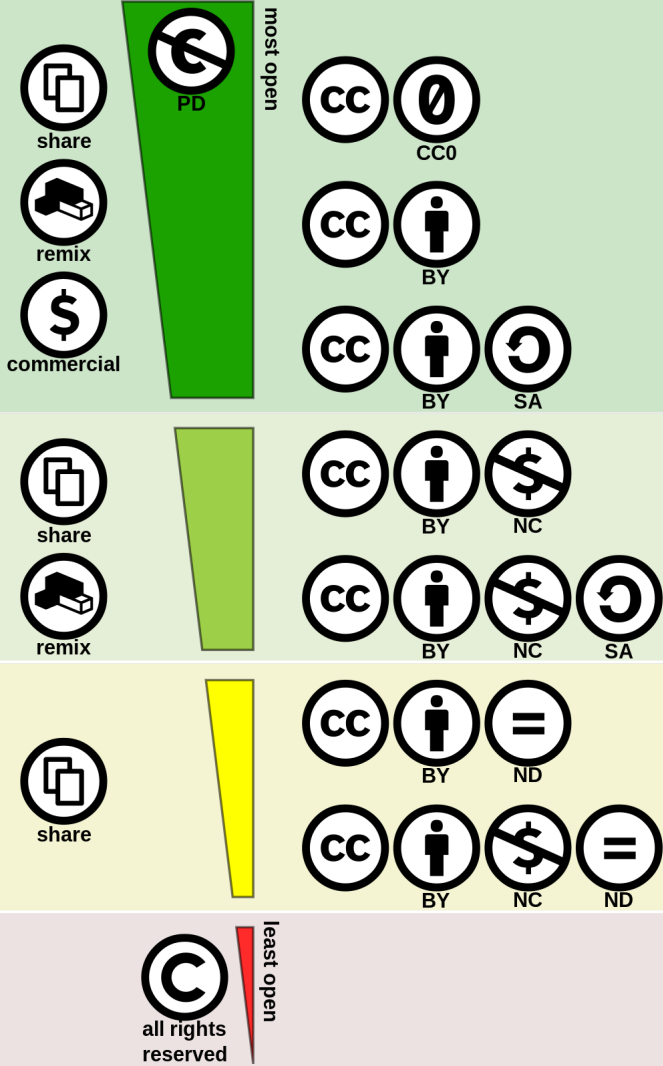


# Database parts and legal protection

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	EU	Japan	US	International general
Database structure: original	Copyright	Copyright	Copyright	Copyright
Database structure: non-original	Structural data			-
Database field labels	Copyright	Copyright	Copyright	?
Database content elements	Copyright except for facts and information	Copyright except for facts and information	Copyright except for facts and information	Copyright except for facts and information

**BUT: all elements can also fall under contractual requirements**

# Open licensing for databases



**Creative Commons (CC) licenses**

**Open Data Commons Open Database License (ODbL)**

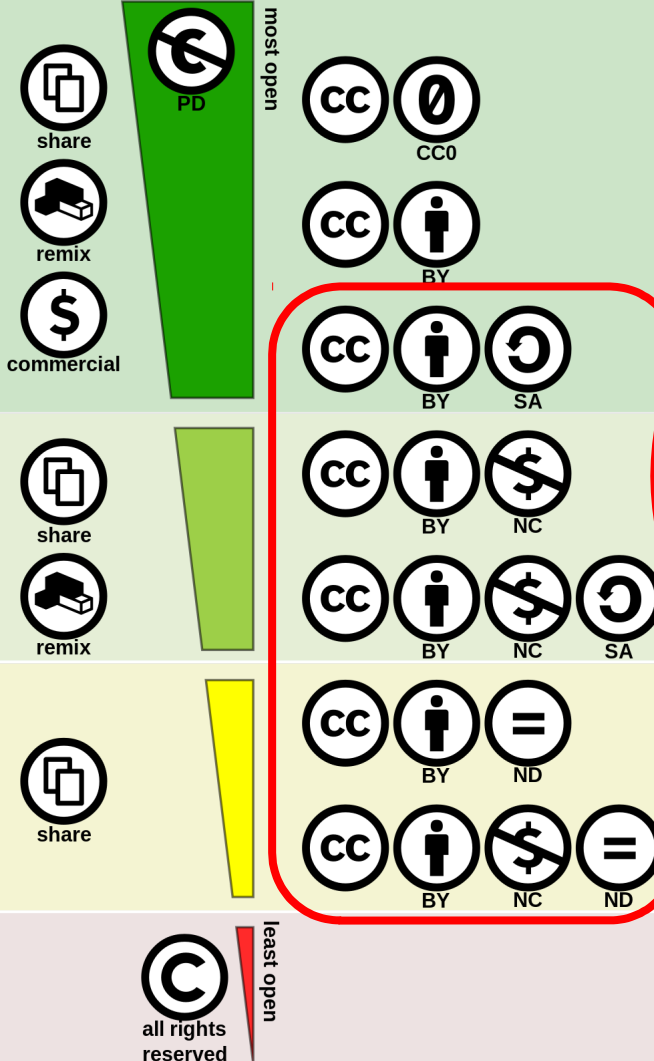
**Free to:**

- Share
- Create
- Adapt

**Requirements:**

- Attribute
- Share-Alike
- Keep open

**Creates contractual obligation on reuse**



Creative Commons Licenses

**Cannot be combined!**

Open Data Commons Open Database License (ODbL)








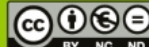






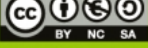
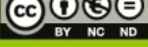
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	 PUBLIC DOMAIN	 PUBLIC DOMAIN	 BY	 BY SA	 BY NC	 BY ND	 BY NC SA	 BY NC ND
 PUBLIC DOMAIN	✓	✓	✓	✓	✓	✗	✓	✗
 PUBLIC DOMAIN	✓	✓	✓	✓	✓	✗	✓	✗
 BY	✓	✓	✓	✓	✓	✗	✓	✗
 BY SA	✓	✓	✓	✓	✗	✗	✗	✗
 BY NC	✓	✓	✓	✗	✗	✗	✓	✗
 BY ND	✗	✗	✗	✗	✗	✗	✗	✗
 BY NC SA	✓	✓	✓	✗	✓	✗	✓	✗
 BY NC ND	✗	✗	✗	✗	✗	✗	✗	✗

Even CC licenses have limits to being composable with each other

	 PUBLIC DOMAIN	 PUBLIC DOMAIN	 BY	 BY SA	 BY NC	 BY ND	 BY NC SA	 BY NC ND
 PUBLIC DOMAIN	✓	✓	✓	✓	✓	✗	✓	✗
 PUBLIC DOMAIN	✓	✓	✓	✓	✓	✗	✓	✗
 BY	✓	✓	✓	✓	✓	✗	✓	✗
 BY SA	✓	✓	✓	✓	✗	✗	✗	✗
 BY NC	✓	✓	✓	✗	✓	✗	✓	✗
 BY ND	✗	✗	✗	✗	✗	✗	✗	✗
 BY NC SA	✓	✓	✓	✗	✓	✗	✓	✗
 BY NC ND	✗	✗	✗	✗	✗	✗	✗	✗

# Problems encountered in community database licensing practices

# Range of approaches to copyright

- **Lack of awareness of / Disregarding** copyright issues
  - Everything copyright protected
- The **CC** approach
- **Copyleft**
  - ODbL
  - CC
- **Unique licenses** (open or closed)
  - E.g. end user license agreements



# Things that are often missed

- Copyright of **individual contributions** (e.g. descriptions, summaries, reviews, etc)
- **Compatibility** of various license types

# Solution employed in the JVMG project

# Need to understand what the communities want to protect themselves against

- **Wholesale copying** of their work
- **Traffic subverted** from their sites
- **Lack of acknowledgment** of their work

# Licensing needs of the JVMG project

- The license has to be **open**
- Finding the **lowest common denominator**:
  - BY-SA vs. Non-commercial vs. ODbL
- Have to **cover all / most jurisdictions**:
  - International sources
  - International users

# The solution employed in the JVMG project

- **CC BY-NC-SA 4.0**
  - 4.0 explicitly covers databases
  - Easier to ask for a non-commercial licence from more open projects than the other way around
  - Fully international
- **Separate licenses from communities**
  - Only for parts used in the JVMG database
- **Not using data elements** that could fall under individual copyright claims

# Overview of JVMG project data sources

Data source	License	Compatibility with the CC BY-NC-SA 4.0 license
Anime Characters Database	-	CC BY-NC-SA 4.0 license provided for the JVMG project by <b>individual agreement</b> for the parts used in each case
AnimeClick	-	
The Visual Novel Database	ODbL	
Media-Arts Database	CC BY 4.0	<b>yes</b>
Wikidata	CC0	<b>yes</b>
AniDB (publicly available anime titles data dump only)	CC BY-NC-SA 4.0	<b>identical</b>

# Thank you for your attention!

Get in touch at: [pfeffer@hdm-stuttgart.de](mailto:pfeffer@hdm-stuttgart.de)

Visit our project website:  
**<https://jvmg.iuk.hdm-stuttgart.de/>**

Visit the JVMG database:  
**<https://mediagraph.link/>**