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

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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

<table>
<thead>
<tr>
<th>Database part</th>
<th>Protection type</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>EU</td>
</tr>
<tr>
<td><strong>Database structure: original</strong></td>
<td>Copyright</td>
</tr>
<tr>
<td><strong>Database structure: non-</strong></td>
<td>Copyright</td>
</tr>
<tr>
<td><strong>Database field labels</strong></td>
<td>Copyright</td>
</tr>
<tr>
<td><strong>Database content elements</strong></td>
<td>Copyright except for facts and information</td>
</tr>
</tbody>
</table>
# Database parts and legal protection

<table>
<thead>
<tr>
<th>Database part</th>
<th>Protection type</th>
<th>EU</th>
<th>Japan</th>
<th>US</th>
<th>International general</th>
</tr>
</thead>
<tbody>
<tr>
<td>Database structure: original</td>
<td>Copyright</td>
<td>Copyright</td>
<td>Copyright</td>
<td>Copyright</td>
<td>Copyright</td>
</tr>
<tr>
<td>Database structure: non-original</td>
<td>Sui generis database rights</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Database field labels</td>
<td>Copyright</td>
<td>Copyright</td>
<td>Copyright</td>
<td>?</td>
<td></td>
</tr>
<tr>
<td>Database content elements</td>
<td>Copyright except for facts and information</td>
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<td>Copyright except for facts and information</td>
<td>Copyright except for facts and information</td>
<td></td>
</tr>
</tbody>
</table>

**BUT: all elements can also fall under contractual requirements**
Open licensing for databases
Open Data Commons Open Database License (ODbL)

Free to:
- Share
- Create
- Adapt

Requirements:
- Attribute
- Share-Alike
- Keep open

Creates contractual obligation on reuse

Image source and attribution information:
Open Data Commons Open Database License (ODbL)

Free to:
- Share
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- Adapt

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Creates contractual obligation on reuse

Cannot be combined!

Image source and attribution information:
Even CC licenses have limits to being composable with each other.
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

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

Get in touch at: pfeffer@hdm-stuttgart.de

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

Visit the JVMG database: https://mediagraph.link/