

Digital Rights Management and the Moral Rights Maze

Charles Duncan

C.Duncan@intrallect.com

www.intrallect.com

- Studies
 - JISC: Digital Rights Management
 - HEFCE: IPR in International e-Learning
 - CIE: Use of Creative Commons in public sector
- Repositories
 - intraLibrary: supporting multiple licences and usage agreements, based on ODRL (Open Digital Rights Language)

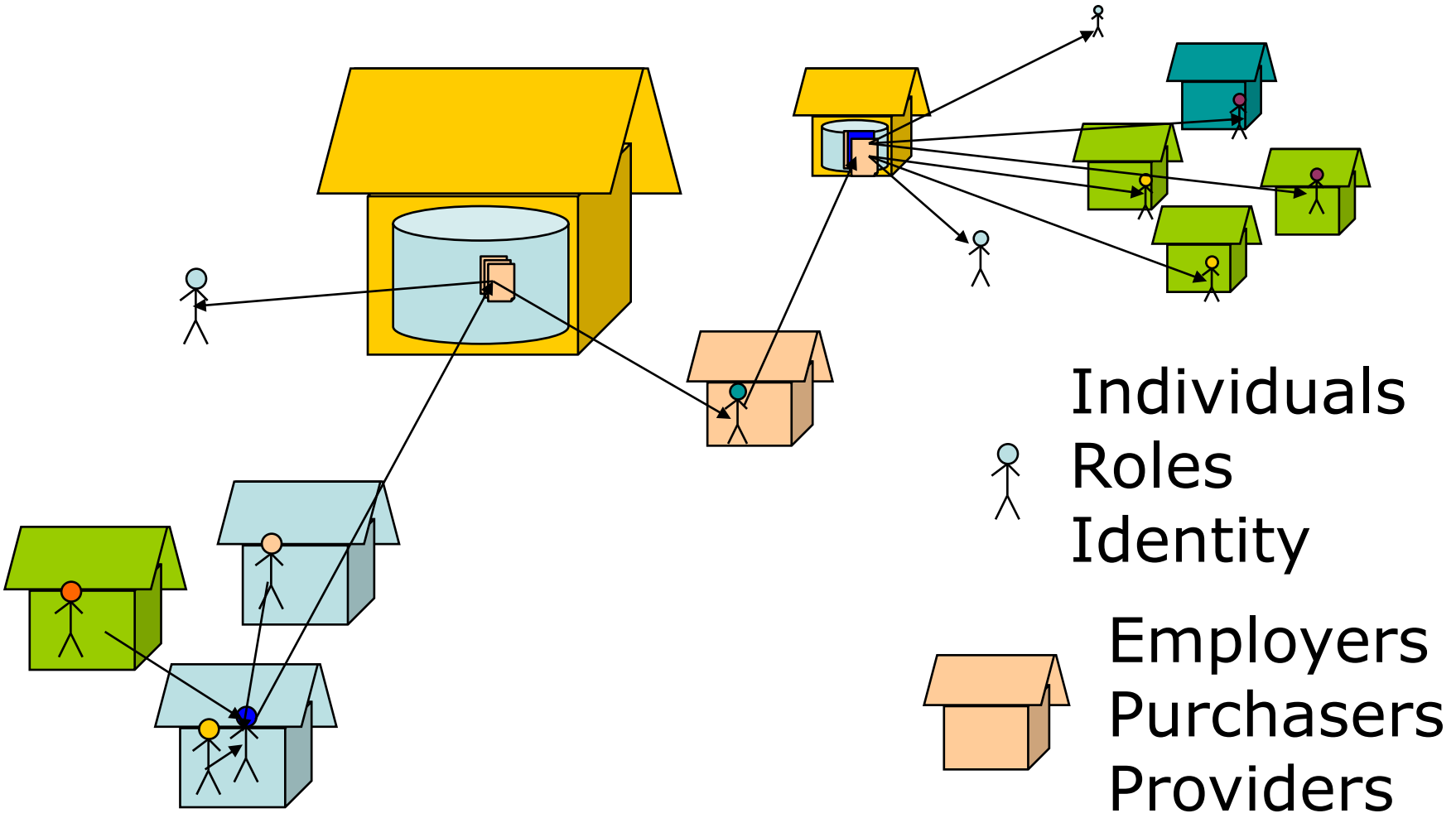
DRM

- Digital Rights Management is not an end in itself
- It is a means of managing relationships in which rights are transferred by agreement
- What rights?
 - Copyright (some rights)
 - Moral rights (paternity-attribution, integrity-no derogatory treatment)
 - Database rights

LaMacchia (2002):

"the ultimate goal of a distributed DRM system is for content authors to be able to project policies governing their content into remote environments with confidence that those policies will be respected by the remote nodes"

Relationships



Agreements

- Relationships based on agreements
- Types of agreement
 - Implicit/overarching
 - Covered by general laws or contracts
 - Example: copyright law, employment contracts
 - Explicit
 - Anonymous – user not known
 - Example: click-through licences
 - Specified – user/role/customer identifiable
 - Example: development contract assigning IP

Managing agreements

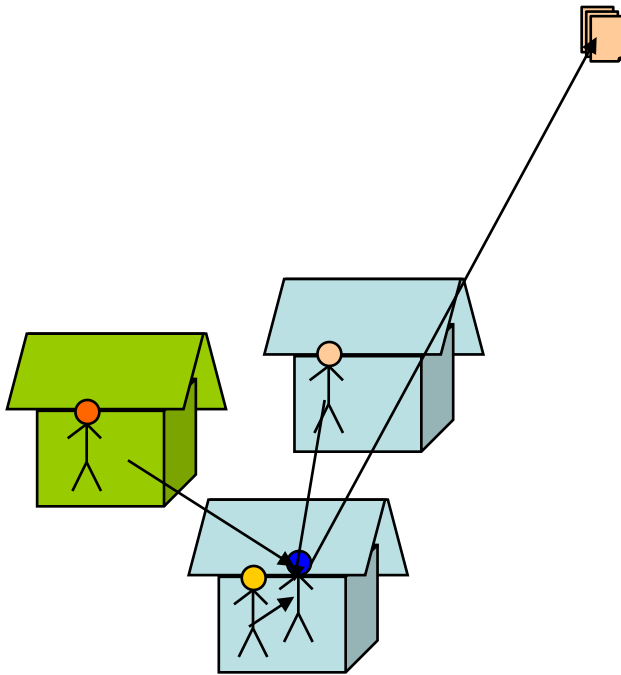
- Stages in managing agreements:
 - Defining policy
 - Examples: setting terms and conditions of use
 - Projecting policy
 - Examples: copyright (with or without a statement), link to legal agreement (licence), attach rights metadata (digital rights expression language)
 - Enforcing policy
 - Examples: security to prevent copying (games, films, music); security to limit uses (by volume, duration, region); rely on law to penalise offenders (books, web sites, repositories)

Defining policy

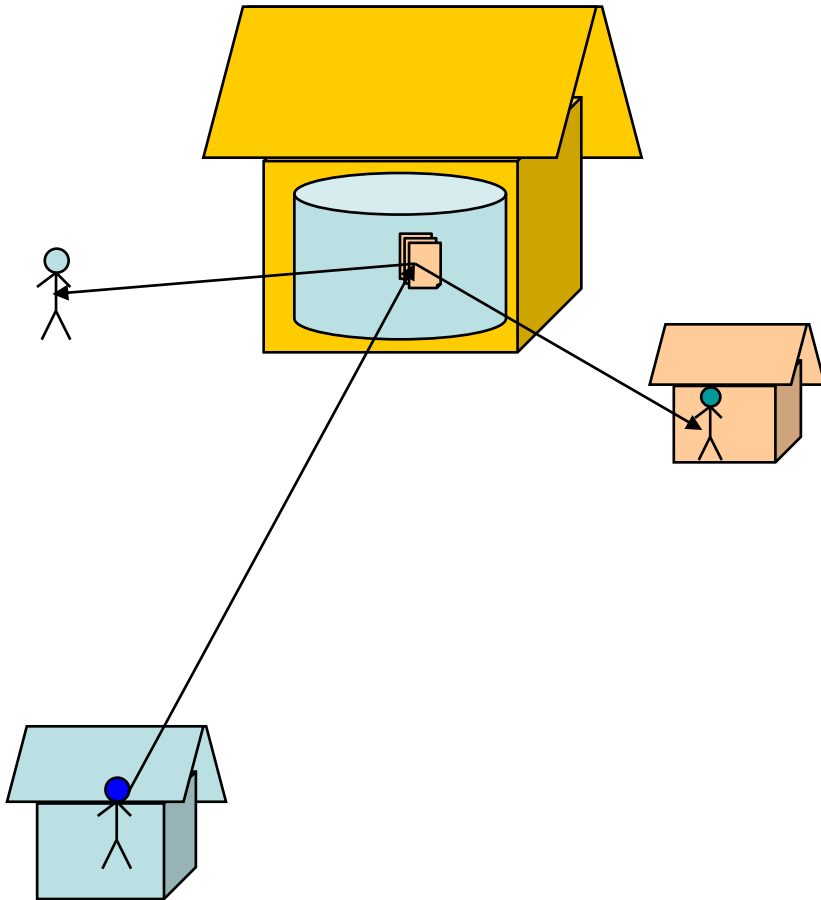
- Uses
 - *Render*: display, print, play, execute
 - *Derivative*: modify, excerpt, annotate, embed, translate
 - *Transport*: sell, loan, give, lease, transfer/distribute, copy
 - *Utility*: backup, install, delete, export, verify, uninstall, restore
- Constraints
 - Attribution
 - Temporal
 - Geographic
 - Sector
 - Non-commercial
 - Viral

Creating a work

- Ownership
 - Employee/employer contracts
- Moral rights reduced if owned by employer
 - No right to be identified as author
 - No protection against derogatory treatment unless identified as author
- Clear third party rights



Sharing a work



- Usage agreements
 - Work owner/Repository owner
 - Repository owner/user
- Rights metadata
 - Ownership metadata
 - Ownership metametadata
 - Object licence
 - Permitted uses
 - Constraints

Issues

- Attaching rights information to work
 - Ensure policy is projected
- Common or unique conditions?
 - Common licences (e.g. Creative Commons)
 - Different licences but described in standard machine-searchable way (DREL, e.g. ODRL)
- Making rights information visible
 - Benefits of common licences and icons

Six CC licences

BY	Attribution
BY-NC	Attribution - Non Commercial
BY-SA	Attribution - Share Alike
BY-ND	Attribution - No Derivatives
BY-NC-SA	Attribution - Non Commercial - Share Alike
BY-NC-ND	Attribution - Non Commercial - No Derivatives

Búsqueda avanzada



Buscar resultados que coincidan con
 limitaciones





elegir filtro de búsqueda:



guardar la búsqueda actual como
 filtro:

Resultados de la búsqueda 9 objetos encontrados


[Crear R News Feed](#)


Metro de Madrid

application/pdf / 454 kb

Líneas del metro de Madrid

[Comentarios\(0\)](#)


Baile Flamenco

video/quicktime / 5 mb

Video sin sonido de una bailarina de flamenco en Madrid

[Comentarios\(0\)](#)


Vista de Madrid

image/jpeg / 526 kb

Vista de la puerta del sol a mediodía

[Comentarios\(1\)](#)


Repositorio Nuevo León de Objetos de Aprendizaje para la Educación Básica

application/vndms-powerpoint / 224 kb

El "Repositorio Nuevo León" de objetos de aprendizaje dedicados a la educación básica es una novedad en México

[Comentarios\(0\)](#)


introducción a intraLibrary

application/vndms-powerpoint / 416 kb

Presentación corta en Powerpoint

[Comentarios\(0\)](#)




drm

context

type	offer
reference	http://creativecommons.org/licenses/by-nc-sa/2.0/uk/
name	Creative Commons (EUV) Attribution, Non-commercial, ShareAlike

party

name	{.+}
role	rights holder

permissions

id	http://creativecommons.org/licenses/by-nc-sa/2.0/uk/
permissionType	display
permissionType	print
permissionType	play
permissionType	execute
permissionType	modify
permissionType	excerpt
permissionType	annotate
permissionType	aggregate
permissionType	give
permissionType	move
permissionType	duplicate

Usage Agreements for the Library

The managers of the library require that you accept the following each of the agreements. You will be given the option to accept

Name	Source	Identifier	Description
Contributors	intrallact	intrallact-contributor	Repository agreeer

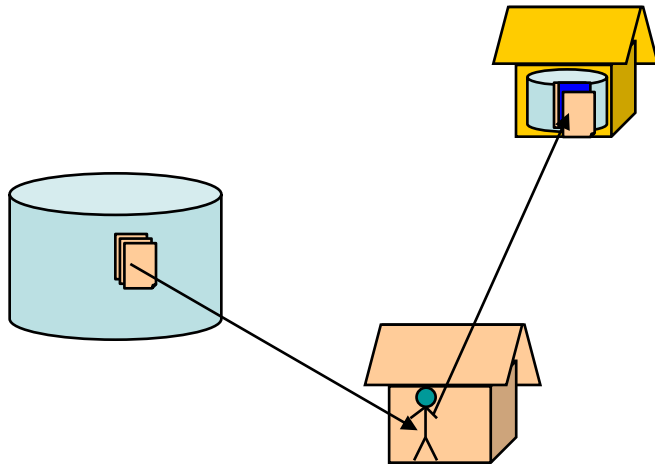
To accept this agreement click the accept button below the text of the agreement.

[accept](#) [reject](#)

To use this repository you must agree to the following conditions of use:

- 1) You will respect the licence agreements of associated with each learning object
- 2) You will recognise the ownership of objects by attributing them to the owner when using them
- 3) When contributing material to the repository you will ensure that you either own the copyright of the material, or you have obtained permission from the copyright holder to contribute the material and make it available under the appropriate licence conditions

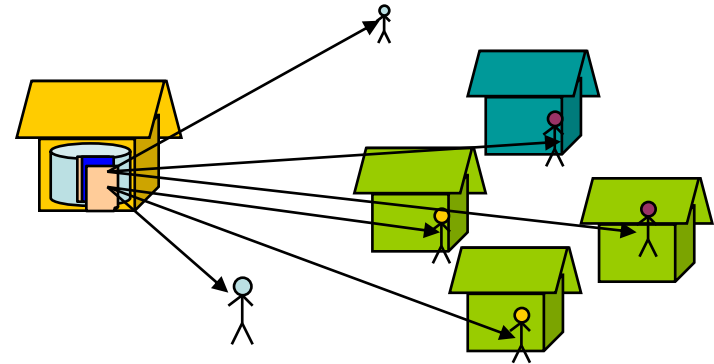
Distributing/modifying a work



- Check permitted uses and constraints
- Same as sharing a work but in addition:
 - Attribution to original work
 - Maintain link to original licence (maintain policy projection)

Constraining use by identity

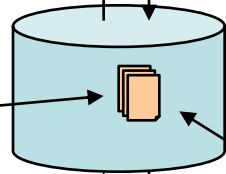
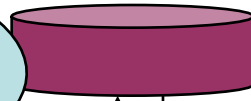
- Anonymous licences
 - One object
 - One licence
 - All users
- Specific licences
 - One object
 - Several licences
 - Licensed to groups
 - Need to identify group members



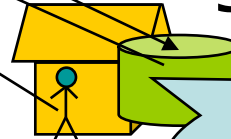
Identity management

Authentication (e.g. ATHENS)

This person is who they say they are



Authorisation
e.g. Institutional LDAP



This person is a matriculated student of this institution

This person is a teacher/doctor/solicitor

Authorisation
e.g. Professional body LDAP

Summary - licences

- Common licences
 - Creative Commons, Creative Archive, etc
- Specific licences
- Underlying rights expression language
- Machine readable/searchable
- Common icons for recognition

Summary – rights metadata

- Most metadata formats (DC, LOM, MARC) woefully inadequate for rights information, need DREL such as ODRL
- Copyright (multiple owners)
- Permitted uses
- Constraints
- Potential for different conditions for different groups

Summary – DRM spectrum

Light DRM

- Repository Usage Agreements
- Rights metadata displayed
 - Copyright holders
 - Permitted uses
 - Constraints
- Distribute rights metadata on export
- Anonymous licences

Heavy DRM

- In addition to Light DRM
- Specific licences
- Rights metadata inseparable
- Permitted uses enforced
- Constraints enforced
 - May require identity management

Further information

- www.intrallect.com/projects
 - For reports on DRM, Creative Commons and IPR management
- www.intrallect.com/products
 - For information about intraLibrary, fully rights-managed digital object repository
- JISC TechWatch
 - Report on DREs due soon
- C.Duncan@intrallect.com