

Beyond “Putting It Up”: Licensing Museum Content for Educational Use

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AMICO

- licenses a collective library digital multimedia documentation of museum collections for educational use

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Why License?

- Specify terms and conditions under which materials can be used
 - Control who can use materials
 - Specify what uses they can make
 - Clarify conditions of access
 - formally express relationship between museum and user

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Why License Collectively?

- economies of administration
- efficient distribution
- predictability in market
- improved service to users

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Why a Museum Collective?

- Members control governance
- Activities led by museum concerns and priorities
- Profits remain within community
- Organization reflects members' missions and goals

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What is in a License?

- Parties
- Content delivered
- Authorised users
- Authorised uses
- Prohibited uses
- Term of use
- Means of access/distribution
- Warranties and indemnification
- Requirements for security
- Termination
- Payment
- Acknowledgement
- Reporting

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Licenses are not Fees

- Licenses state an agreed upon fee, **BUT:**
 - Fee structures are established independently of terms and conditions of use
 - Fees may reflect the value of a use
 - Often reflect concessions to particular users

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Licenses are not Distribution Methods

- May specify means of delivery **BUT:**
 - Users and Uses may be served by a different distributors under the same license
 - Different distributors could have the same license to different content

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Licenses are not Products

- Licenses refer to specific content, **BUT:**
 - terms and conditions of use are different from the content that is licensed
 - the same set of terms and conditions can apply to a single item or a collection

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What makes Educational Licenses Different?

- Museums and Educators share common interests and goals
- Uses can be enabled in a sympathetic environment
- Licenses can be more permissive than commercial
- Extend “Fair Use”

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University License

- Users
 - Faculty
 - Staff
 - Students
 - Affiliates
 - Visiting Faculty
 - Researchers
- **NOT**
 - Subscribers
 - Alumni
 - Tennants
 - Families
- University declares its community of users

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University License ...

- Uses
 - classroom teaching
 - research
 - student assignments
 - display in academic and professional contexts
 - maintain in portfolio
 - incorporate into dissertation
- **NOT**
 - redistribution
 - commercial use
 - publication
 - fundraising or promotion
 - long-term storage
 - distribution of modified image
 - display without credit
 - display without data

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Museum License

- **Users**
 - staff
 - researchers/scholars
 - trustees
 - volunteers/docents
 - visitors
 - students
 - affiliates
 - visiting professionals
- **NOT**
 - subscribers
 - members
 - tenants
 - families

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Museum License ...

- **Uses**
 - gallery interpretation
 - lectures and teaching
 - research
 - assignments
 - dydactic display in gallery
 - professional display
 - incorporation into museum records
 - educational program materials
- **NOT**
 - redistribution
 - commercial use
 - fundraising or promotion
 - long-term storage
 - reposting of modification
 - display without credit
 - mounting without data

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Future Licenses

- **Identification of new audiences**
 - Public Libraries and K-12 Education
- **Clarify values of museums**
- **Identify needs of communities**
- **Define terms incollaboration**
- **Licenses reflect agreement on shared interests and desires**

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Role of the License

- **clarify relationships**
- **developed in dialogue with users**
- **reflect shared values and goals**

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