

RE: GA's CC BY 4.0 data / OSM Compatibility [SEC=UNCLASSIFIED]

From: [Copyright <Copyright@ga.gov.au>](mailto:Copyright@ga.gov.au)
To: [Andrew Harvey <andrew@alantgeo.com.au>](mailto:andrew@alantgeo.com.au)
Subject: RE: [DKIM] Re: [DKIM] Re: GA's CC BY 4.0 data / OSM Compatibility [SEC=UNCLASSIFIED]
Date: Friday, 11 May 2018 9:15 AM
X-Spam-Score: 0.0
Size: 229 KB

Hi Andrew,

This email saying we agree to the waiver should be sufficient. It has always been suitable for other organisations.

Regards

Elizabeth

From: Andrew Harvey [mailto:andrew@alantgeo.com.au]
Sent: Friday, 11 May 2018 9:11 AM
To: Copyright
Subject: [DKIM] Re: [DKIM] Re: GA's CC BY 4.0 data / OSM Compatibility [SEC=UNCLASSIFIED]

Hi Elizabeth,

Just seeing if there is anything you might be able to arrange in terms of completing the waiver, since you mentioned there were no issues with OpenStreetMap using GA's CC BY 4.0 data, and I'm afraid some kind of documentation that you agree to the terms of the waiver is a requirement for us.

Thanks for helping me out on this.

Best regards,

--

Andrew Harvey
CEO
Alantgeo

www.alantgeo.com.au

M: [+61 \(0\)481 083 190](tel:+61282945567)

P: [+61 2 8294 5567](tel:+61282945567)

<https://au.linkedin.com/in/andrewharveyau>

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On Tue, 1 May 2018, at 4:19 PM, Andrew Harvey wrote:

Hi Elizabeth,

That's great news. You mentioned you're not able to sign the waiver, typically we rely on that completed waiver to document the permission within OpenStreetMap, is there anything we can get in the form of documentation to back this up?

The contents of that waiver I've again attached on a letter head is probably good enough too.

Thanks for working through this with me.

Best regards,

--

Andrew Harvey

CEO

Alantgeo

www.alantgeo.com.au

M: [+61 \(0\)481 083 190](tel:+61(0)481083190)

P: [+61 2 8294 5567](tel:+61282945567)

<https://au.linkedin.com/in/andrewharveyau>

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On Tue, 1 May 2018, at 3:21 PM, Copyright wrote:

Hi Andrew,

Thanks for answering the questions.

Geoscience Australia gives you permission to use the data under ODBL.

Regards

Elizabeth

Elizabeth Fredericks | Cataloguing & IP Librarian
Discovery & Engagement | Digital Science and Information

t [+61 2 6249 9367](tel:+61262499367) www.ga.gov.au

GEOSCIENCE AUSTRALIA

APPLYING GEOSCIENCE TO AUSTRALIA'S MOST IMPORTANT CHALLENGES



From: Andrew Harvey [mailto:andrew@alantgeo.com.au]

Sent: Monday, 30 April 2018 2:00 PM

To: Copyright

Subject: [DKIM] Re: GA's CC BY 4.0 data / OSM Compatibility [SEC=UNCLASSIFIED]

Hi Elizabeth,

Good question, Section 2(a)(5)(B) of the CC BY 4.0 license addresses digital rights management technologies (ie. technologies designed to restrict users access to the underlying content or data) and it can be read to prohibit any application of technical protection measures.

On the other hand the ODBL allows data users to apply technical protection measures to their own works so long as they also provide an unrestricted version of the underlying database, ie. "parallel distribution".

This is what the second clause is about, that you're okay for your data which would be included in OpenStreetMap and used and re-distributed by anyone under the terms of the ODBL, allowing technical protection measures to be applied so long as an unrestricted version of the exact same data is also made available in parallel.

So it wouldn't restrict the use of data, in fact it would do the opposite.

Does that help? I hope you're able to be amenable to this minor inconsistency between the two licenses. Most other agencies who distribute CC BY data have had no issue with granting us this waiver to provide that license compatibility.

Best regards,

--

Andrew Harvey

CEO

Alantgeo

www.alantgeo.com.au

M: [+61 \(0\)481 083 190](tel:+61(0)481083190)

P: [+61 2 8294 5567](tel:+61282945567)

<https://au.linkedin.com/in/andrewharveyau>

[@alantgeo](#)

On Mon, 30 Apr 2018, at 1:15 PM, Copyright wrote:

Hi Andrew,

Is Section 2(a)(5)(B) going to restrict use of the data?

Regards

Elizabeth

From: Andrew Harvey [mailto:andrew@alantgeo.com.au]

Sent: Thursday, 26 April 2018 1:43 PM

To: Copyright

Subject: Re: GA's CC BY 4.0 data / OSM Compatibility [SEC=UNCLASSIFIED]

Hi Elizabeth,

Thank for clarifying this. The OSMF legal advice is that we cannot use CC BY 4.0 licensed data due to those two issues I mentioned around attribution chaining and the ODBL incompatibility with respect to parallel distribution of DRMed data. This wasn't an issue before 2012 when OSM used the CC BY license, and the OSMF only published these waivers early 2017 (<https://blog.openstreetmap.org/2017/03/17/use-of-cc-by-data/>) so prior to that the arrangement wasn't as solid as I'd like.

The CC BY 4.0 waiver is the easiest way we can continue to use GA's CC BY 4.0 licensed open data in OpenStreetMap as it's a permission on top of your existing CC BY 4.0 licensing.

Alternatively we can use ODBL licensed <https://opendatacommons.org/licenses/odbl/1.0/> data within OpenStreetMap without any additional waivers. Would you be able to sign a letter saying that all Geoscience Australia's CC BY 4.0 data is also dual licensed ODBL v1.0?

Many thanks,

--

Andrew Harvey

CEO

Alantgeo

www.alantgeo.com.au

M: [+61 \(0\)481 083 190](tel:+61(0)481083190)

P: [+61 2 8294 5567](tel:+61282945567)

<https://au.linkedin.com/in/andrewharveyau>

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On Thu, 26 Apr 2018, at 10:57 AM, Copyright wrote:

Hi Andrew,

Thank you for your email in regards to using some of Geoscience Australia's data in OpenStreetMap. You are more than welcome to use the data under the terms of the Open Database License that you have suggested.

Geoscience Australia's data has been successfully used in OpenStreetMap for quite a few years without any problems.

Please note that I am not authorised to sign any documents such as what you have attached. This email should be considered to be permission for the use of our data.

Regards

Elizabeth

Elizabeth Fredericks | Cataloguing & IP Librarian
Discovery & Engagement | Digital Science and Information

t +61 2 6249 9367 www.ga.gov.au



From: Andrew Harvey [mailto:andrew@alantgeo.com.au]

Sent: Tuesday, 24 April 2018 11:39 AM

To: Copyright

Subject: GA's CC BY 4.0 data / OSM Compatibility

Hi,

I am a volunteer of [OpenStreetMap](#), a collaborative open project to create a global geodata set freely usable by anyone on share-alike and attribution terms under the [Open Database License \(ODbL\)](#).

We're very interested in using Geoscience Australia's CC BY 4.0 licensed data to improve OpenStreetMap. In order to facilitate this, we need to confirm with you that Geoscience Australia has no objections.

In particular, there are two issues we would like to clarify.

First, because OpenStreetMap's data comes from thousands of local volunteers as well as numerous government sources, attribution to all such sources on an OpenStreetMap-based map or similar visual display is impossible. Instead, we provide attribution (including original license information) to major sources like Geoscience Australia on our [Contributors page](#). OpenStreetMap users are then required to [attribute "OpenStreetMap Contributors" in a collective fashion](#) when using any OpenStreetMap data. CC BY's attribution requirements are relatively general, so we just need you to confirm that you would consider OpenStreetMap's attribution method to attribute Geoscience Australia in a "reasonable manner" in accordance with Section 3(a)(1) of the CC BY 4.0 license.

Second, the ODbL and CC BY 4.0 have slightly different ways of addressing digital rights management technologies. The ODbL allows data users to apply technical protection measures to their own works so long as they also provide an unrestricted version of the underlying database, including their own additions ("parallel distribution"). In contrast, CC BY 4.0 can be read to prohibit any application of technical protection measures to databases that include CC BY material. This is a relatively minor difference in how the licenses are drafted, but means that in some cases, users who comply with ODbL might not comply with CC BY 4.0.

In practice, we have found that parallel distribution is an excellent way of ensuring open access to data while allowing flexibility in use. Thus, we ask that, to the extent CC BY 4.0 Section 2(a)(5)(B) prohibits any downstream restrictions even when parallel distribution is available, you waive this license restriction as to OSM and its users. This

waiver would have no effect on your original datasets and only pertains to the restrictions allowed on combinations of that data with OSM data.

Thank you for your consideration. If Geoscience Australia is amenable, can you please check off the boxes in the attached form and return a signed version to me?

We've been grateful that organisations including Land Information New Zealand, VicMap Data, South Australia open data, and many others have been able to provide this waiver for OpenStreetMap on top of their CC BY 4.0 terms.

If you have any questions or would like more information, please do not hesitate to contact me by e-mail, phone or in person.

Best regards,

--

Andrew Harvey

CEO

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P: +61 2 8294 5567

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Email had 1 attachment:

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32k (application/pdf)

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