

28/02/2022

IO2 – A2. Ensure OER Protection for training materials

Project:

Fostering diGitalisation and blonic transformation of SMEs through the development of a novel and innovative Training material for overcoming COVID-19 crisis



Authors and contributors	
Institute for Development and International Relations	Croatia
Karlsruhe Institute of Technology	Germany
Technological Centre of Furniture and Wood of the Region of Murcia	Spain
Globalnet sp. z o.o.	Poland
Innovawood asbl	Belgium
Styrian technology park	Slovenia

 Karlsruher Institut für Technologie Karlsruhe Institute of Technology , Project Coordinator, Germany	 <small>Centro Tecnológico del Mueble y la Madera de la Región de Murcia</small> Asociación Empresarial de investigación centro tecnológico del mueble y la madera de la Región de Murcia , Spain	 InnovaWood European network for research, education and training in forest-based sector , Belgium
 Styrian Technology Park , Slovenia	 Institute for Development and International Relations , Croatia	 Globalnet , Poland



Co-funded by the
Erasmus+ Programme
of the European Union

This project has been funded with support from the European Commission (Project Ref: 2020-1-DE02-KA226-VET-008154)

This publication reflects the views only of the author, and the Commission cannot be held responsible for any use, which may be made of the information contained therein.

This material is licensed under a Creative Commons Attribution-
NonCommercial-ShareAlike 4.0 International License.



Table of contents

TABLE OF CONTENTS	2
1. INTRODUCTION.....	3
2. WHAT ARE OPEN EDUCATIONAL RESOURCES (OER)?.....	4
3. CREATIVE COMMONS LICENSES AVAILABLE.....	5
4. OPEN LICENSE AND INTELLECTUAL PROPERTY RIGHTS BY THE EUROPEAN COMMISSION.	7
5. OER AND CREATIVE COMMONS LICENCE. CONSORTIUM AGREEMENT.....	9
6. CONCLUSIONS.	12
7. BIBLIOGRAPHY	13

Table of Figures

Figure 1: CC licenses arranged from most to least permissive [3].....	5
Figure 2: License selected in GIST Project (slide of the Power Point template)	11
Figure 3: License selected in GIST Project (frame of the video template)	11
Figure 4: Bringing together Gist Project, OER and CCL. Harmonisation and homogenisation of concepts.	12

Table of Tables

Table 1: Creative Commons License types [4]	7
Table 2: Licenses to be used in GIST project.....	10

1. Introduction

GIST project aims at developing and implementing an innovative training material for small and medium enterprises (SMEs), which will provide the basic competences to reach a "bionic status". Bionic is a company which is capable of combining technological, transversal and leadership components to achieve more productive operations and greater innovation. GIST will strengthen those key skills and competences through up/re-skilling of the current workers of traditional sectors, especially furniture (continuous VET) and students willing to focus on their professional career in such sectors (initial VET). GIST will not only focus on technical skills (4.0 key technologies); but it will also address the high lack of transversal skills under the current educational curricula for being creative, innovative, and entrepreneurial professional capable of advancing research and strengthening the addressed sector apart from having an open leadership.

This document is the result of the work done in activity 2 " Ensure OER Protection for training materials" of the intellectual output IO2 " GIST Training Content Development".

The aim of this task, led by KIT, is to show the agreement on the specific protection of OER and the different licences to be applied in the developed training materials.

An OER must carry a visible open licence, such as a Creative Commons licence, or an explicit acknowledgement that the educational resource is free and can be used, shared, remixed, adapted, distributed, etc. An open educational resource (OER) is content that is both "open" (openly licensed content) and at the same time "free" (no cost).

All the contents produced by GIST, contained in the 4 training units (and 15 learning units), are licensed following the "Creative Commons Licence" (CCL). This comes from merging the need to create Open Educational Resources (OER), to be shared by the e-learning platform, together with the need of utilizing a license worldwide recognized. The CCL allows GIST, not only to have its own credits recognised on the material, but also to place some restrictions such as "non-commercial" and "share alike", allowing others to distribute derivative works of GIST's material under the same licence used for this training course.

In this report we will explain what OER is and its connection to the GIST project, and the connection between the materials and results produced and the creative common licences. Furthermore, we will see how to secure the property rights of the developed materials taking into account the rules of the Erasmus+ programme.

2. What are Open Educational Resources (OER)?

In its simplest form, the concept of Open Educational Resources (OER) describes any educational resources (including curriculum maps, course materials, textbooks, streaming videos, multimedia applications, podcasts, and any other materials that have been designed for use in teaching and learning) that are openly available for use by educators and students, without an accompanying need to pay royalties or licence fees [1] [2].

OER has emerged as a concept with great potential to support educational transformation. While its educational value lies in the idea of using resources as an integral method of communication of curriculum in educational courses (i.e., resource-based learning), its transformative power lies in the ease with which such resources, when digitized, can be shared via the Internet. Importantly, there is only one key differentiator between an OER and any other educational resource: its licence. Thus, an OER is simply an educational resource that incorporates a licence that facilitates reuse, and potentially adaptation, without first requesting permission from the copyright holder [1].

One of the benefits of using an OER for teaching and learning is that it reduces the possibilities of users infringing copyright.

At the same time, it grants greater permissions in the use of content, such as adaptation, translation, remix, reuse, and redistribution, depending on the type of license applied to the content.

Open Educational Resources (OER) are teaching, learning, and research materials that are either (a) in the public domain or (b) licensed in a manner that provides everyone with free and perpetual permission to engage in the 5R activities.

- Retain – make, own, and control a copy of the resource.
- Reuse – use your original, revised, or remixed copy of the resource publicly.
- Revise – edit, adapt, and modify your copy of the resource.
- Remix – combine your original or revised copy of the resource with other existing material to create something new.
- Redistribute – share copies of your original, revised, or remixed copy of the resource with others [3].

The best-known open licensing provider is Creative Commons. Creative Commons (CC) is an American non-profit organisation dedicated to expanding the range of creative works available for others to legally build upon and share.

The organisation has published several copyright licences known as Creative Commons licences free of charge to the public.

These licenses allow creators to communicate what rights they reserve and what rights they waive for the benefit of recipients or other creators. A one-page, easy-to-understand explanation of the rights, with associated visual symbols, explains

the details of each Creative Commons licence.

For OER, the use of CC licences looks like this:

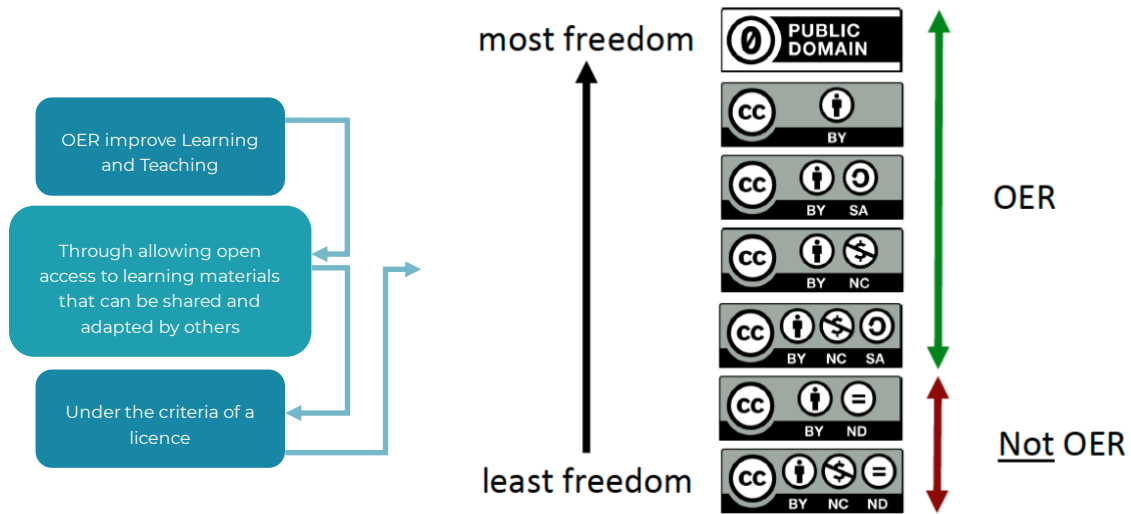


Figure 1: CC licenses arranged from most to least permissive [6].

3. Creative Commons licenses available.

Creative Commons licenses give everyone from individual creators to large institutions a standardized way to grant the public permission to use their creative work under copyright law. From the reuser’s perspective, the presence of a Creative Commons license on a copyrighted work answers the question, “What can I do with this work?” [3].

The Creative Commons License Options: There are six different license types, they are summarised in the next table.

LICENSE	DESCRIPTION	TERMS & CONDITIONS
Attribution CC BY 	This license lets others distribute, remix, tweak, and build upon your work, even commercially, as long as they give credit for the original creation. This is the most accommodating of licenses offered. Recommended for maximum dissemination and use of licensed materials	Attribution — You must give appropriate credit, provide a link to the license, and indicate if changes were made. You may do so in any reasonable manner, but not in any way that suggests the licensor endorses you or your use. No additional restrictions — You may not apply legal terms or technological measures that legally restrict others from doing anything the license permits.

<p>Attribution-ShareALike CC BY-SA</p> 	<p>This license lets others remix, tweak, and build upon your work even for commercial purposes, as long as they credit you and license their new creations under the identical terms. This license is often compared to “copyleft” free and open source software licenses. All new works based on yours will carry the same license, so any derivatives will also allow commercial use. This is the license used by Wikipedia, and is recommended for materials that would benefit from incorporating content from Wikipedia and similarly licensed projects.</p>	<p>Attribution — You must give appropriate credit, provide a link to the license, and indicate if changes were made. You may do so in any reasonable manner, but not in any way that suggests the licensor endorses you or your use.</p> <p>ShareAlike — If you remix, transform, or build upon the material, you must distribute your contributions under the same license as the original.</p> <p>No additional restrictions — You may not apply legal terms or technological measures that legally restrict others from doing anything the license permits.</p>
<p>Attribution-NoDerivs CC BY-ND</p> 	<p>This license allows for redistribution, commercial and non-commercial, as long as it is passed along <u>unchanged and in whole, with credit to you.</u></p>	<p>Attribution — You must give appropriate credit, provide a link to the license, and indicate if changes were made. You may do so in any reasonable manner, but not in any way that suggests the licensor endorses you or your use.</p> <p>NoDerivs — If you remix, transform, or build upon the material, you may not distribute the modified material.</p> <p>No additional restrictions — You may not apply legal terms or technological measures that legally restrict others from doing anything the license permits.</p>
<p>Attribution-NonCommercial CC BY-NC</p> 	<p>This license lets others remix, tweak, and build upon your work non-commercially, and although their new works must also acknowledge you and be non-commercial, they don't have to license their derivative works on the same terms.</p>	<p>Attribution — You must give appropriate credit, provide a link to the license, and indicate if changes were made. You may do so in any reasonable manner, but not in any way that suggests the licensor endorses you or your use.</p> <p>NonCommercial — You may not use the material for commercial purposes.</p> <p>No additional restrictions — You may not apply legal terms or technological measures that legally restrict others from doing anything the license permits.</p>
<p>Attribution-NonCommercial-ShareAlike CC BY-NC-SA</p> 	<p>This license lets others remix, tweak, and build upon your work non-commercially, as long as they credit you and license their new creations under the identical terms.</p>	<p>Attribution — You must give appropriate credit, provide a link to the license, and indicate if changes were made. You may do so in any reasonable manner, but not in any way that suggests the licensor endorses you or your use.</p> <p>NonCommercial — You may not use the material for commercial purposes.</p> <p>ShareAlike — If you remix, transform, or build upon the material, you must distribute your contributions under the same license as the original.</p>


		<p>No additional restrictions — You may not apply legal terms or technological measures that legally restrict others from doing anything the license permits.</p>
<p>Attribution-NonCommercial-NoDerivs CC BY-NC-ND</p> 	<p>This license is the most restrictive of our six main licenses, only allowing others to download your works and share them with others as long as they credit you, but they can't change them in any way or use them commercially.</p>	<p>Attribution — You must give appropriate credit, provide a link to the license, and indicate if changes were made. You may do so in any reasonable manner, but not in any way that suggests the licensor endorses you or your use.</p> <p>NonCommercial — You may not use the material for commercial purposes.</p> <p>NoDerivatives — If you remix, transform, or build upon the material, you may not distribute the modified material.</p> <p>No additional restrictions — You may not apply legal terms or technological measures that legally restrict others from doing anything the license permits.</p>

Table 1: Creative Commons License types [4]

The granting of CC licences for the works carried out in the GIST project will be done by choosing the CC licence that best suits the needs of the consortium and that complies with the rules of the European Commission. Once the licences have been chosen, they will be included in each of the project outputs, this will be done by including a small text indicating and linking to the licence in a copyright notice, such as this one:

This material is licensed under a Creative Commons Attribution-NonCommercial-ShareAlike 4.0 International License – CC BY-NC-SA.

In the case of using a CC licence on the project website, the licence information will be embedded in your website using the HTML code associated with the licence in question. The Creative Commons licence selector will be used to obtain the corresponding HTML code [3].

4. Open license and Intellectual property rights by the European Commission.

Erasmus+ promotes the open access of project outputs to support learning, teaching, training, and youth work. This serves both to ensure that publicly funded materials provide value to the general public, to increase the value, visibility and reuse of the insights and work of a project, and to ensure long-term access to the results, even if e.g., a beneficiary consortium ceases to exist.

Erasmus+ commits beneficiaries to make any educational resources which are

produced in the context of projects supported by the programme - documents, media, software, or other materials - freely available for the public under an open license. Such materials are known as Open Educational Resources (OER). In addition, beneficiaries must ensure that these OER are shared in an editable digital form, freely accessible through the internet (without cost, registration, or other restriction), and whenever possible shared on a suitable and freely accessible platform, thus not just a project or institution specific website. The open access requirement is obligatory and is without prejudice to the intellectual property rights of the grant beneficiaries. In general, copyright grants the creator of any original work - e.g., an educational resource - the exclusive rights to use this work. Licenses are a common way for copyright holders to allow others to make use of their work. A license defines terms and conditions under which the rightholder grants specific individuals or organisations to use their work.

An open license is a way for the copyright holder (creator or other rightholder) to grant the general public the legal permission to use their work. The applied open license is usually indicated directly on the work and wherever the work is shared. As in the case of other licenses, open licenses do not imply a transfer of copyright or other intellectual property rights. Someone granting an open license for their work still remains the copyright holder of their materials and can themselves use the materials as they wish, e.g., to commercialise their project outcomes. Specifically, an open license applied to educational resources produced with support of Erasmus+, must allow the public (i.e., any third parties) at the minimum to freely:

- Use the work.
- Adapt the work as needed (e.g., translate, shorten, modify for local contexts, etc.).
- Reproduce and share the original or adapted work with others (e.g., with students in the classroom, online, with peers, etc.).

While Erasmus+ encourages beneficiaries to apply the most open licenses to ensure the maximum impact of their works, beneficiaries may choose open licenses with specific conditions, in particular:

- That the creator has to be indicated whenever the work or a derivative is used or shared.
- That the work cannot be used commercially (e.g., sold by others, integrated in a commercial textbook, etc.).
- That any derivatives have to be shared under the same license or licensing terms.

While beneficiaries are free to choose any open license or even develop their own open license, to avoid duplication of work, ensure legal certainty, and ensure the possibility to combine several works, Erasmus+ beneficiaries are strongly encouraged to make use of well-known existing licenses suitable for the type of resource. The license cannot contain any conditions which limit the user group,

which forces users to register, participate, or otherwise undertake any specific activity, or which specifies that the use has to be requested or reported [5].

5. OER and Creative Commons Licence. Consortium Agreement.

Taking into account the description of the GIST project (Activity IO2. A2: Ensure OER Protection for training materials), this agreement aims to ensure OER protection with a creative common license, thus generating open and free learning materials. In this way, teachers and students will be able to harness the full power of the Internet to access high quality and affordable learning materials on the Bionic Transformation.

Open education licensing policies embed open licensing requirements into existing funding systems (e.g., grants, contracts, or other agreements) that create educational resources, thereby converting the content into OER, and changing the default value of publicly funded educational resources from "closed" to "open".

Also, the terms contained in the Erasmus+ Agreement concerning the production of material, funded by the Erasmus+ Programme itself, automatically push towards the agreement of the use of the OER licence, in order to respect the rules of the funding programme and make all material available to European and global users, while maintaining the intellectual property rights for the creators of the material, in this case, the GIST Project Consortium.

The licensor of the project results will be the consortium formed by all GIST partners. Considering the recommendations of the European Commission mentioned in the previous chapter regarding OER protection, the consortium will protect the project results under Creative Commons licences.

The criteria chosen by the consortium to select the licences are as follows:

1. The attribution of some rights reserved on the training material.
2. A right reserved license able to exclude commercial use and purposes on the material.
3. The free capability for the users to use, adapt, readapt, share, tweak, build new material upon that.
4. The need for a right reserved license that could allow point 1 and 3 without losing the point 2. A licence that prevents others from modifying the results of the GIST project with the intention of profiting from them.

Each type of result will have a specific licence as indicated below:

- **Content materials** created by the Partners will be protected under Attribution-NonCommercial-ShareAlike 4.0 International - **CC BY-NC-SA 4.0**.
- **Official documents** produced by the Consortium, such as guides and reports, will be protected under Attribution-NonCommercial-ShareAlike 4.0 International - **CC BY-NC-SA 4.0**.

This license requires that reusers give credit to the creator. It allows reusers to distribute, remix, adapt, and build upon the material in any medium or format, for noncommercial purposes only. If others modify or adapt the material, they must license the modified material under identical terms.

BY: Credit must be given to you, the creator.

NC: Only noncommercial use of your work is permitted. Noncommercial means not primarily intended for or directed towards commercial advantage or monetary compensation.

SA: Adaptations must be shared under the same terms [3].

LICENSES TO BE USED

Materials for the
development of the
Training Units



This work is licensed under a

[Creative Commons Attribution-NonCommercial-ShareAlike 4.0 International Licence](https://creativecommons.org/licenses/by-nc-sa/4.0/)

Official Documents
(Guides, Reports
etc.)



This work is licensed under a

[Creative Commons Attribution-NonCommercial-ShareAlike 4.0 International Licence](https://creativecommons.org/licenses/by-nc-sa/4.0/)

Table 2: License to be used in GIST project.

The integration in the developed contents of the licence agreed by the consortium, will be done by means of a short text and its corresponding image in each of the templates designed for it, as indicated in the following figures.





LICENSES

This material is licensed under a Creative Commons Attribution-NonCommercial-ShareAlike 4.0 International License.
For training material, such as images, subject to another type of license, the license is explicitly stated.



FUNDING

This training material has been developed within the framework of the "Fostering digitalisation and bionic transformation of SMEs through the development of a novel and innovative training material for overcoming COVID-19 crisis" (GIST) project.
This project has been funded with support from the European Commission (Ref: 2020-1-DE02-KA226-008154).

DISCLAIMER

This publication reflects the views only of the author, and the Commission cannot be held responsible for any use, which may be made of the information contained therein.

Co-funded by the
Erasmus+ Programme
of the European Union 

Figure 2: License selected in GIST Project (slide of the Power Point template)



Fostering diGitalisation and bionic transformation of SMEs through the development of a novel and innovative Training material for overcoming COVID-19 crisis



The present work, produced by the GIST Consortium, is licensed under a Creative Commons Attribution-NonCommercial-ShareAlike 4.0 International License.



Co-funded by the
Erasmus+ Programme
of the European Union 

Figure 3: License selected in GIST Project (frame of the video template)

6. Conclusions.

Most projects funded by the Erasmus+ Programme involve the production of textual, audio, video, or any other kind of material, which must respect the rules of the funding programme concerning intellectual property rights and copyright on the material produced. This document reviews the copyright requirements, linked to the rules of the Erasmus+ Programme, what they are and how to match them with the offers contained in the licensing scheme.

The educational material produced during the GIST project, funded by the Erasmus+ Programme, is governed by the definition of OER, explained in section 2 of this document. The GIST consortium, like millions of other creators, decided to use the Common Creative License in which we find the most suitable middle way between Public Domain and "all rights reserved". Thanks to the CCL, GIST can keep the intellectual property of the material produced while sharing it with all users worldwide, also respecting the Erasmus+ rules on the "non-commercial" use of the material.

Therefore, it is now clear what the "Attribution-NonCommercial-ShareAlike 4.0 International" symbol that appears on all educational material produced by GIST means and why it was chosen.



Figure 4: Bringing together Gist Project, OER and CCL. Harmonisation and homogenisation of concepts.

7. Bibliography

- [1] N. Butcher, A. Kanwar and S. Uvalic-Trumbic, "A Basic guide to open educational resources (OER)," 2011, 2015. [Online]. Available: <https://unesdoc.unesco.org/ark:/48223/pf0000215804>. [Accessed 9 February 2022].
- [2] O. Africa, "What are open licences and Open Educational Resources (OER)?," OER Africa, [Online]. Available: <https://www.oerafrica.org/copyright-and-licensing-toolkit/what-are-open-licences-and-open-educational-resources-oer>. [Accessed 21 February 2022].
- [3] C. commons, "Creative commons," [Online]. Available: <https://creativecommons.org/about/program-areas/education-oer/>. [Accessed 23 February 2022].
- [4] C. Commons, "About CC Licenses," [Online]. Available: <https://creativecommons.org/about/cclicenses/>. [Accessed 23 February 2022].
- [5] O. L. a. I. P. R. Erasmus + Programme Guide, "Project Results Platform - Legal issues," European Commission, [Online]. Available: <https://erasmus-plus.ec.europa.eu/erasmus-and-data-protection/project-results-platform-legal-issues>. [Accessed 22 February 2022].
- [6] J. R. & B.-D. R, "Open Licensing and Open Education Licensing Policy," in *The Philosophy and Practices that are Revolutionizing Education and Science.*, London, Ubiquity Press. DOI: <https://doi.org/10.5334/bbc.c>, 2017.

