## Copyright Decision Tool: How do I clear the rights for my OER? **Instructions for use** Use this chart to understand the right issues which may arise in content you wish to use in your OER, and the tools you can refer to in order to deal with the flagged issues. Remember to repeat this process for each piece of content because there might be support multiple layers of content from different sources Further links: Web2Rights A2: Review the IPR OER starter pack http://www.web2rights.org.uk **Before you start: have** OER IPR Support you selected your http://www.web2rights.com/OERIPRSupport **Creative Commons** licence for your OER? Please note that this chart does not deal with issues to do with Data Protection, privacy, ethical procedures etc. For further information see www.web2rights.org.uk **B2:** Getting Permissions or contact JISC Legal http://www.jisclegal.ac.uk/ OSS Watch http://www.oss-watch.ac.uk/ C2: Making Informed Where does your proposed OER content come from? Management C3: Licences You May Encounter from Third Parties **Other Prelicensed material Project Team Members from** Contractors/Freelancers **Creative Commons Licensed** Other Third Parties/Unlicensed/ Was the content produced as part of Does the licence allow me to **Different Institutions** Have I got permission from users to material **Don't Know** Have I got a their duties and your institution owns relicense the material under the Does the licence allow me to freely Do I have a consortium agreement Have I got their permission? ubcontractors/freelancers reuse the content they have the rights Creative Commons or similar license agreement? with all of the project team I wish to use? members? **B1:** Terminology C1: IPR Licensing Yes Top Tips for OER Project Teams You need to ensure You need to ensure Review the You need to ensure You need to ensure Review the You need to ensure Terminology Toolkit Terminology Toolkit Terminology Toolkit you get permission to you get their you get their Terminology Toolkit then restart this then restart this you have a Consortiun agreement then restart this permission reuse any content they permission then restart this Agreement process process have produced process C4: Risk Management process Checklist **D2:** Model Contractual Clause D1: Model Terms D3: Model Contractual **B1:** Terminology for requesting permission D5: Example and Conditions of D4: Model **B1:** Terminology Clause for requesting **B1:** Terminology **B1:** Terminology Service which can be Consortium permission from **B3:** Briefing Paper subcontractors/freelancers Agreement used by the project for requesting students permission from staff Does the Consortium Agreement Does the Consortium Agreement allow me to to reuse the content allow me to to reuse the content produced by the partners? produced by the partners? You need to ensure you get permission that is compliant with JISCs Terms and Conditions of funding Terminology Toolkit Consortium Agreemen to ensure you are OK to use the content the have produced **B1:** Terminology **B1:** Terminology D5: Example **D7:** Template D2: Model Contractual **B14:** JISC Terms **D1:** Model Terms and Consortium Clause for requesting and Conditions of Conditions of Service which funding (in call can be used by a project permission from subcontractors / Does the permissions meet the erms of my selected CC licence? Does the permission now meet the JISC Terms and Conditions of funding? You should be fine You need to choose another CC licence with more/different permissions, choose content that is compatible or renegotiate the permisions and start You need to talk to your **Strand Manager DISCLAIMER** this process again Whilst we hope that you find this chart useful and informative the contents should be used for general use, advice and best practice purposes only and do not constitute legal advice. Although we believe the contents are up to date and a true representation of best practice advice, we can give no assurances regarding the accuracy, currency or applicability of any of the contents in relation to specific situations and particular circumstances. In such circumstances appropriate legal advice should always be sought. Use of this resource is entirely at the users own risk. www.web2rights.com/OERIPRSupport Creative

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