

## Open data on the atmosphere and ocean for commercial use

\*Shinya Kakuta<sup>1</sup>, Hajime Nishimura<sup>1</sup>

1. JAMSTEC Japan Agency for Marine-Earth Science and Technology

It is discussed what guidelines for terms of use would be desired in permitting commercial use of open data on the atmosphere and ocean generated by public organizations.

In some cases, users are charged for research data worthwhile. It is difficult to prepare rules, framework, and data-providing systems without supports of experts on accounting and intellectual properties for commercial use. According to questionnaire by Ono et al. (2016) over researchers community of DIAS and GRENE-ei, definite-term project of Ministry of Education, Culture, Sports, Science and Technology, 31.6 % of answers regarded NC (Noncommercial) of Creative Commons (CC) as agreeable for the provider side, if a researcher provided arbitrary others with data generated by oneself.

Most data freely downloadable from each ministry site are not academic research data. As their terms of use, Government of Japan Standard Terms of Use (ver. 2.0) is commonly adopted. The terms say, “...permitted to use without restriction, for example, to duplicate, broadcast, translate, and adapt, also for commercial use” under a certain conditions. However, the terms are not adopted for data with charge on use or with restriction on receivers and users. The terms are compatible with CC BY (Attribution). However, CC license is not suitable for cases with usage and support conditions and exemption from responsibility. Thus, terms of use of open source codes should be referred.

In a simple example, a data generator is equal to the reference on quality of the data, equal to a licensor. It depends on consensus among data generators whether their licensor is a natural or legal person. In the case that a licensor is natural, it could take time to respond to each use application, or farther, the licensor could become too short of time to decide to respond.

On the other hand, there are many research data generated from definite-term projects. Guidelines on data ownership are desired to determine whether data generators are natural or legal people, whether licensors are data generators or organizations in charge of open data, in case data generators could hardly continue to manage and open their own data.

Taking the above mentioned issues into consideration, we would like to discuss what guidelines are preferable for commercial use of data.

ONO Masafumi, KOIKE Toshio, SHIBASAKI Ryosuke (2016) “Survey for research data sharing in earth environmental information domain: Realities in research community,” *Journal of Information Processing and Management*, vol. 59, no. 8, pp. 514-525.

Keywords: open data, commercial use, atmosphere, ocean