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# Introduction

This contribution analyse existing data license schems and retrieve required information.

### -----------------------Start of change 1-------------------------------------------

# 6 Data License Schemes and Management

## 6.x Information in Data License Schemes

There is no right answer as to which license scheme to assign to data. Typically the holder of data or dataset select one of well-known data license schemes. However, if none of such well-known data license schems reflect needs for a licensee, customized data license schemens can be prepared by the licensee. Most data license schems are written in a way that contain necessary information to describe how data can be used by liensor. Table 6.x-1 provides information that needs to be considered when formulate a data license scheme.

Table 6.x-1 Information needed to consider when select a license scheme

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| **Information** | **Description** |
| User of licensed data | The data license scheme should specify who is permited to use the licensed data. |
| Exclusivity | This is required when a licensee requires an exclusive license to the data. In this case, this information grants rights to the data to the licensee, not allows use or access by other parties, including the licensor. |
| Sole license | If a licensee does not want the data to be licensed to other 3rd parties, but to allow the licensor to continue to access and use the data, a sole license should be mentioned in the data license. |
| Purpose | In some cases, data is needed to be licensed for a specific purpose and only for that purpose. |
| Location | This information is to specify where the data can be stored, accessed and used. For example, a license for EU citizens’ healthcare data may limit storage, access and use of healthcare data from EU citizens to EU. |
| Privacy and security | Considering strong privacy and security related regulations (e.g., GDPR and PIPA), it is important to address in the data license sentences that the licensee is obligated to take to protect the data and the licensee’s potential liability if a data breach occurs. |
| Quality | If licensors want to disclaim any representation or warranty with respect to the completeness, accuracy, timeliness of the licensed data, a licensee need to specify such intention to the data license. For example, the following disclaimer can be used for a licensor if the licensor is not in the business of licensing the specific type of data:  *“The data is licensed ‘as is’ and ‘as available’ and the licensor does not assume any responsibility for the use of the licensed data”* |
| Rights | It is important for licensees to satisfy through the license agreement that the licensor possesses and is able to grant the licensee all of the rights the licensee requires to use the data for the anticipated purposes. |
| Termination | Often, data is licensed for a limited subscription term. After the subscription term, licensed data will be returned or destroyed. |

*Editor’s note: Further information will be added to Table 6.x-1.*

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