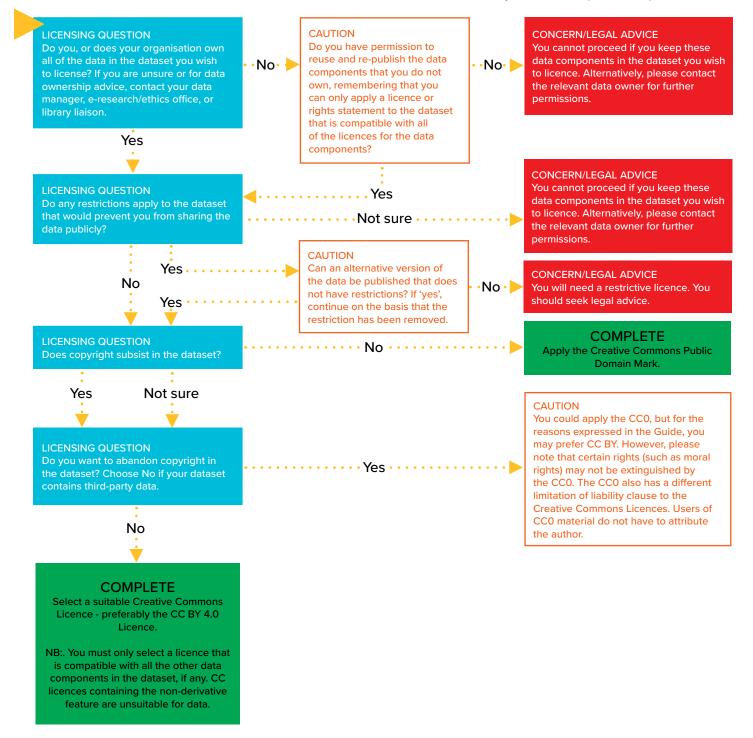# ARDC
Australian Research Data Commons

Data rightsholder's/ creator's flowchart

The colours indicate different steps in this process:

- **Blue** for licensing questions
- **Orange** indicates some caution is required
- **Red** indicates concern or need for legal advice
- **Green** indicates you can complete the process

LICENSING QUESTION
Do you, or does your organisation own all of the data in the dataset you wish to license? If you are unsure or for data ownership advice, contact your data manager, e-research/ethics office, or library liaison.

→ **No** →

CAUTION
Do you have permission to reuse and re-publish the data components that you do not own, remembering that you can only apply a licence or rights statement to the dataset that is compatible with all of the licences for the data components?

→ **No** →

CONCERN/LEGAL ADVICE
You cannot proceed if you keep these data components in the dataset you wish to licence. Alternatively, please contact the relevant data owner for further permissions.

Yes ↓

LICENSING QUESTION
Do any restrictions apply to the dataset that would prevent you from sharing the data publicly?

← **Yes**

Not sure →

CONCERN/LEGAL ADVICE
You cannot proceed if you keep these data components in the dataset you wish to licence. Alternatively, please contact the relevant data owner for further permissions.

Yes →

CAUTION
Can an alternative version of the data be published that does not have restrictions? If 'yes', continue on the basis that the restriction has been removed.

→ **No** →

CONCERN/LEGAL ADVICE
You will need a restrictive licence. You should seek legal advice.

No ↓ | **Yes** ↓

LICENSING QUESTION
Does copyright subsist in the dataset?

→ **No** →

COMPLETE
Apply the Creative Commons Public Domain Mark.

Yes ↓ | **Not sure** ↓

LICENSING QUESTION
Do you want to abandon copyright in the dataset? Choose No if your dataset contains third-party data.

→ **Yes** →

CAUTION
You could apply the CC0, but for the reasons expressed in the Guide, you may prefer CC BY. However, please note that certain rights (such as moral rights) may not be extinguished by the CC0. The CC0 also has a different limitation of liability clause to the Creative Commons Licences. Users of CC0 material do not have to attribute the author.

No ↓

COMPLETE
Select a suitable Creative Commons Licence - preferably the CC BY 4.0 Licence.

NB:. You must only select a licence that is compatible with all the other data components in the dataset, if any. CC licences containing the non-derivative feature are unsuitable for data.

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