



Metadata/Preview template language for Aggregators

16 Jan. 2014

1.1. Article [X1] Definitions

- **CC0 1.0 Universal Public Domain Dedication:** The Creative Commons Universal Public Domain Dedication as published at: <http://creativecommons.org/publicdomain/zero/1.0/>. The version of CC0 Universal Public Domain Dedication that is published on the Effective Date is attached to this agreement as **Annex1**.
- **Content:** a physical or digital object that is part of Europe's cultural and/or scientific heritage, typically held by the Data Provider or by a data provider of the Data Provider.
- **Europeana.eu:** The Europeana website, its data and its machine interfaces, all without necessarily being disclosed under URL europeana.eu.
- **Europeana Data Use Guidelines:** Non-binding guidelines for users of data published by Europeana, made available at the Effective date at <http://www.europeana.eu/portal/data-usage-guide.html>.
- **Intellectual Property Rights:** Intellectual property rights including, but not limited to copyrights, related (or neighbouring) rights and database rights.
- **Metadata:** textual information (including hyperlinks) that may serve to identify, discover, interpret and/or manage Content.
- **Metadata Specifications:** The most recent version of the Metadata specifications published by Europeana and available at <http://europeana.eu/schemas/> on the Effective Date
- **Preview:** A reduced size or length audio and/or visual representation of Content, in the form of one or more images, text files, audio files and/or moving image files.
- **Public Domain:** Content, Metadata or other subject matter not protected by Intellectual Property Rights and/or subject to a waiver of Intellectual Property Rights.
- **Third Party:** Any natural or legal person who is not party to this Agreement
- **URI:** Uniform Resource Identifier, URLs (Uniform Resource Locators) are URIs.



1.2. Article [X2] Use of Metadata

1. [Aggregator] shall include the Metadata provided by the Data Provider in the database held by [Aggregator] and shall provide these Metadata to Europeana for inclusion in Europeana's database.
2. The Data Provider understands that Europeana shall publish all Metadata, including the Metadata provided by the Data Provider to [Aggregator], under the terms of the CC0 1.0 Universal Public Domain Dedication and [Aggregator] is hereby authorized by the Data Provider to authorize Europeana to do so. The Data Provider recognizes that it hereby waives – to the greatest extent permitted by, but not in contravention of applicable law – all Intellectual Property Rights in the Metadata it has provided and will provide to [Aggregator]. If – according to the applicable law – such waivers are not legally binding in particular territories the “Public License Fallback” in sec. 3 of the CC0 1.0 Universal Public Domain Dedication will apply, and the Metadata provided by the Data Provider is licensed non-exclusively, unconditionally, free-of-charge for all types of use and for all territories to the public. For details about the waiver/public license see the Text of the CC0 1.0 Universal Public Domain Dedication under the URL mentioned in Article [X] above.
3. In as far as the Data Provider has provided or will provide [Aggregator] with Metadata that it has aggregated from Third Parties or that otherwise originate from Third Parties, the Data Provider shall ensure that these Third Parties have authorized the Data Provider to comply with paragraph 2 of this article.
4. The Data Provider agrees to use their best efforts to provide [Aggregator] with accurate Metadata concerning the Intellectual Property Rights of the Content, including the identification of Content that is Public Domain as being Public Domain.

1.3. Article [X3] Use of Previews

1. Notwithstanding paragraphs 2 and 3 of this article, [Aggregator] and Europeana are entitled to allow use of the Previews by visitors of Europeana.eu and Third Parties in accordance with terms specified by the Data Provider in the europeana:rights field (or its equivalent in a later version) of the Metadata Specifications.
2. Data Provider authorizes [Aggregator] and Europeana to store and publish on Europeana.eu all Previews provided by the Data Provider, though only in combination with the Metadata that pertain to the same Content.
3. [Aggregator] and Europeana are entitled to publish the URLs pointing to the Previews together with other Metadata.
4. In as far as the Data Provider is the proprietor of Intellectual Property Rights to the Previews it provides to [Aggregator], the Data Provider hereby grants [Aggregator] and Europeana a license to use these rights in



accordance with this article, without affecting any moral rights that it may have in these Previews.

5. In as far as the Data Provider has provided or will provide [Aggregator] with Previews that it has aggregated from Third Parties or that otherwise originate from Third Parties, the Data Provider ensures that these Third Parties have authorized the Data Provider to enable [Aggregator] and Europeana to perform paragraphs 1 and 2 of this article.