



IPR and Licensing: Top Tips for OER Project Teams

1. Check your institutional policy on staff and student ownership of rights as well as any institutional policies relating to the use of Creative Commons Licences.
2. Remember, ideally your OER should be reusable and re-purposable. Where possible you should choose a Creative Commons Licence without a “Non Commercial” or “No Derivative” restriction.
3. Talk to your Strand Manager if you need to select a Creative Commons Licence with a “Non Commercial” or “No Derivative” restriction due to institutional policies and/or other reasons.
4. When you request permission, don't stipulate the version number or the jurisdiction so that you are not tied to any particular Creative Commons Licence. This means that you will be in a better position to substitute any Creative Commons Licence that you have selected with the Creative Commons Version 3.0 UK, when it is launched. You can use and adapt the template permissions form created by the OER IPR Support Project to seek permissions from third parties <http://www.web2rights.com/oeriprsupport/starter.html> and also the template assignment of rights clauses <http://web2rights.org.uk>
5. Remember that you need to make sure that you either have the same or more permissions from any third party rights holders to licence out OER under the terms of the Creative Commons Licence that you have selected. You can't licence out your OER under the Creative Commons Licence you have selected if you haven't enough permissions from third parties.
6. Wherever possible, better to get permission at the time of the creation of a resource which may form part of your OER, rather than retrospectively.
7. Be flexible and remember you can embed individual pieces of content with different Creative Commons Licences and embed them within large content, as long as the resource is reusable and re-purposable.
8. Give yourselves plenty of time to seek permissions to use content created by third parties. Some rights holders might refuse to give you permission, some might ask for payment for permission, it may be impossible to track down some owners, or they may not answer your enquiries. You should factor this into your project planning.
9. If you can't trace rights holders, either keep records of attempts to trace rights holders and use the work on a risk assessed basis or try to find an alternative piece of content. A risk assessment tool can be downloaded from the SCA IPR and Licensing Toolkit <http://sca.jiscinvolve.org/wp/ipr-publications/> and a risk management checklist from the Web2Rights Project <http://www.web2rights.org.uk>
10. Create an electronic record of all rights and permissions associated with your OER which is then centrally accessible after your project is completed. Suggested rights management fields can be downloaded from the SCA IPR and Licensing Toolkit <http://sca.jiscinvolve.org/wp/ipr-publications/>
11. JISC Legal can provide a quick response helpdesk that can help you to get the legal information you need to take decisions in relation to OER. For details, visit <http://www.jisclegal.ac.uk/ContactUs/EnquiryForm.aspx>

