

Responding to issues:

This issue goes back at least until 2010.

172

<http://www.cidoc-crm.org/Issue/ID-172-temporality-of-rights>

It lives again in 2017 and 2018

330

<http://www.cidoc-crm.org/Issue/ID-330-physical-ownership-and-right>

335

It is addressed in an additional different issue over these two years here:

<http://www.cidoc-crm.org/Issue/ID-335-new-class-right-holding>

343

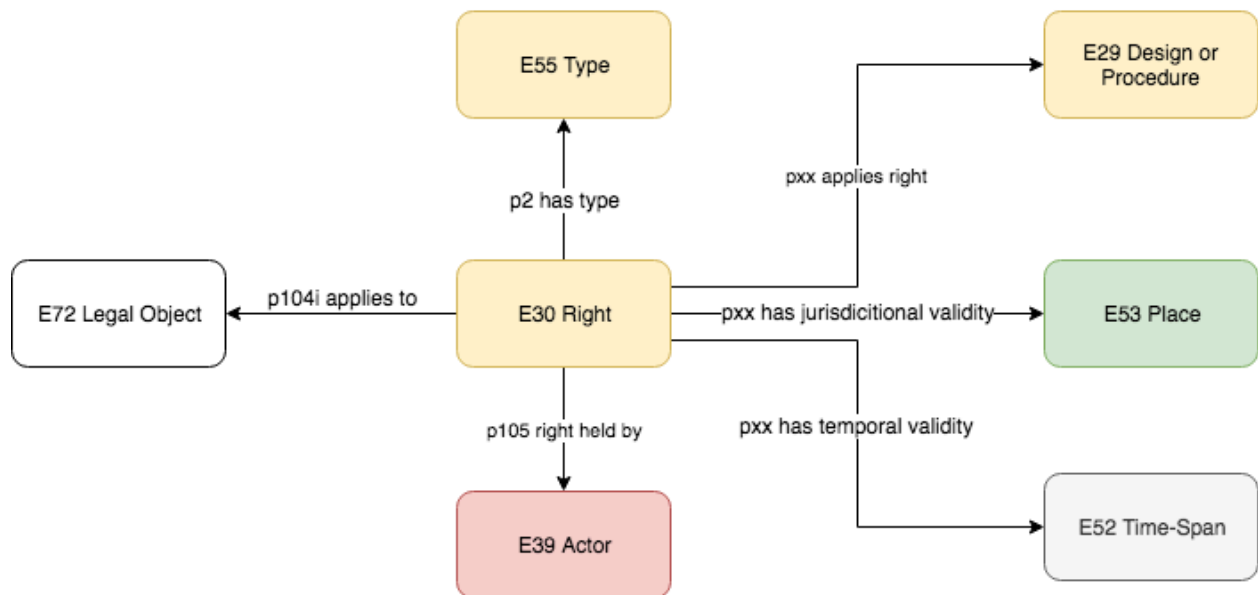
A long theoretical conversation took place as well, documented in another issue about the same thing

<http://www.cidoc-crm.org/Issue/ID-343-end-of-existence-for-rights>

It is clear there is much confusion of what E30 Right is in CRM and how it is to be applied, in no small part arising from it being under modelled relative to the needs of the community. The below attempts to take insights from all of the above and propose some solutions that bring the different ideas together.

N.b.: in the above discussion of the definition of E30, Martin explains is not with the intent of 'having force over (which is implied by the actual scope note of E30) but only the terms of the having a right (ie the document of rights, or their conceptual content)'... this is not the interpretation that is followed in the modelling below which sticks closer to a different interpretation of the existing scope note which entails that there is a kind of right which is the idea of a kind of being in force over a legal thing that can be possessed by people, exchanged etc. but is not a document, but ... a social agreement.

Rights Model Enriched



The enriched rights model proposes a more robust definition of right and its associated properties. The present scope note of right defines it as,

Scope Note: This class comprises legal privileges concerning material and immaterial things or their derivatives.

These include reproduction and property rights.

Examples:

Copyright held by ISO on ISO/CD 21127

Ownership of the “Mona Lisa” by the Louvre

Bartolomeo Centurione has the right to be proxy of Federico Centurione in the Kingdom of Aragon.

Therefore the instance of a right is the particular conceptual/social contract (as idea, not a document) that holds over some legal thing and gives some actor some privilege with regards to that legal thing.

In practice, people need to document things like copyright and other mixed rights scenarios over various kinds of objects. Missing from the present modelling of rights are a number of features that pertain to rights and are of great importance to know if the use of rights class is to help understand what rights pertain to given objects about which we know at what time and where.

Particularly, we need ways to express, where the right is in operation geographically, for how long it is supposed to be valid, under whose auspices it is authorized, and the particular kind of right that is being applied.

In the above model then we offer three new properties:

Pxx has jurisdictional validity D: E30 R: E53

Pxx has declared temporal validity D:E30 R: E52 (this indicates the ideal time for which a right applies... reality may differ)

Pxx applies right D: E30 R: E29 (this property is necessary because rights are often based on actual declarations of right that are formalized texts. These are not 'types' but particular documented conceptual objects that describe the rules applying to disposing of a particular right. Therefore an individual 'right' of this type is not an instance of E30 right, but of E29 Design or Procedure. That is to say for example CC-BY is not an E30 Right but is an instance of E29 which is applied by some instance of E30 Right that uses it.

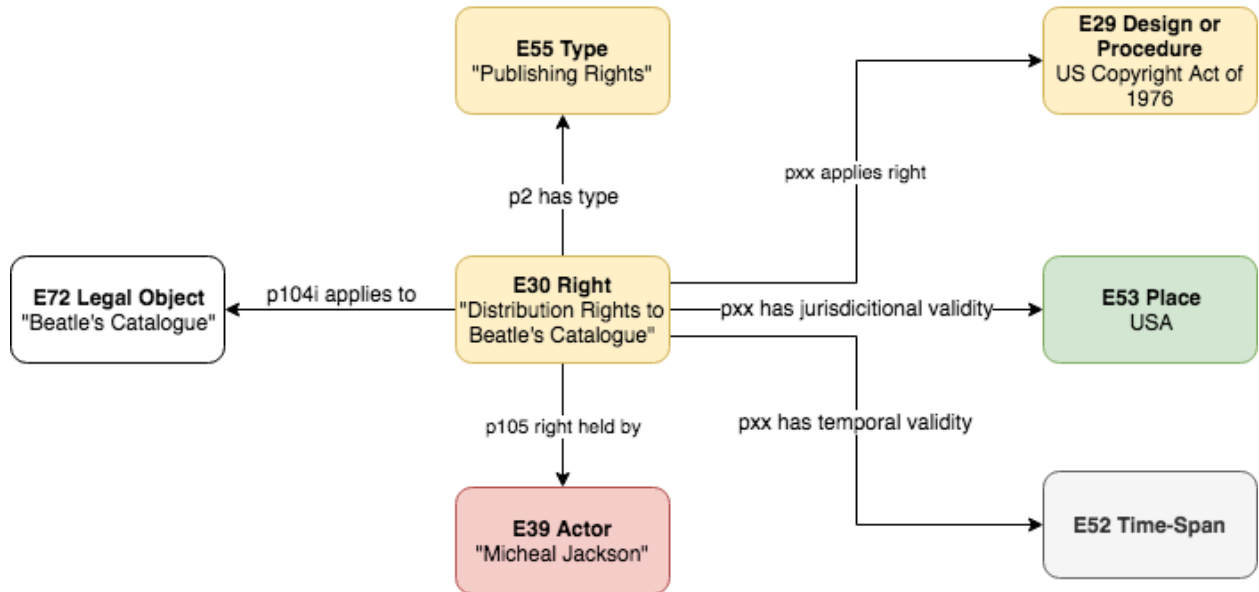
P2 has type: allows us to indicate the general kind of right being claimed/declared e.g.: property right

Here with regards to ownership we do not take into account time. We simply say that some actor holds the particular instance of right that has a certain geographic and temporal validity. We do not know any details of this ownership from a temporal perspective.

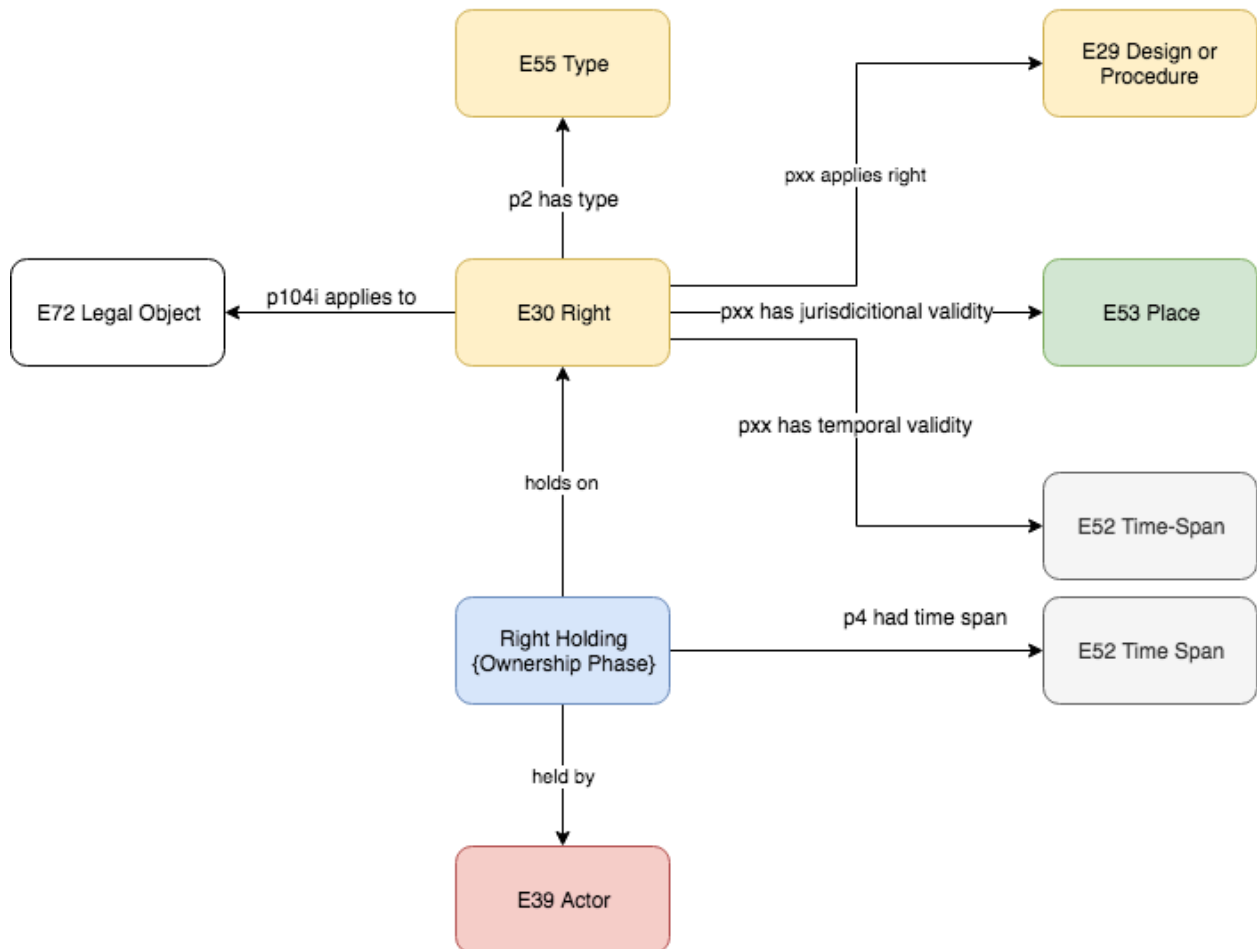
Example: Beatles' Catalogue Publishing Rights

<https://www.biography.com/news/michael-jackson-paul-mccartney-beatles-music-catalog>

Rights Model Enriched



Rights Model with Ownership Phase



Here we extend the above model with more information with regards to the temporal aspects of the ownership of the right. We may wish to say that an ownership has a temporal aspect which differs from the declared potential validity of the right. In this case we need to introduce a new 'state' or 'phase' class, that would belong in the CRMSoc extension and would be a subclass of Formal Social Binding and Ownership.

The right holding class establishes the temporal phase of having held a right by some actor for some time. In this model we do not know what causes the fact of right holding only that it is asserted to have held for some time, as designated through the time span.

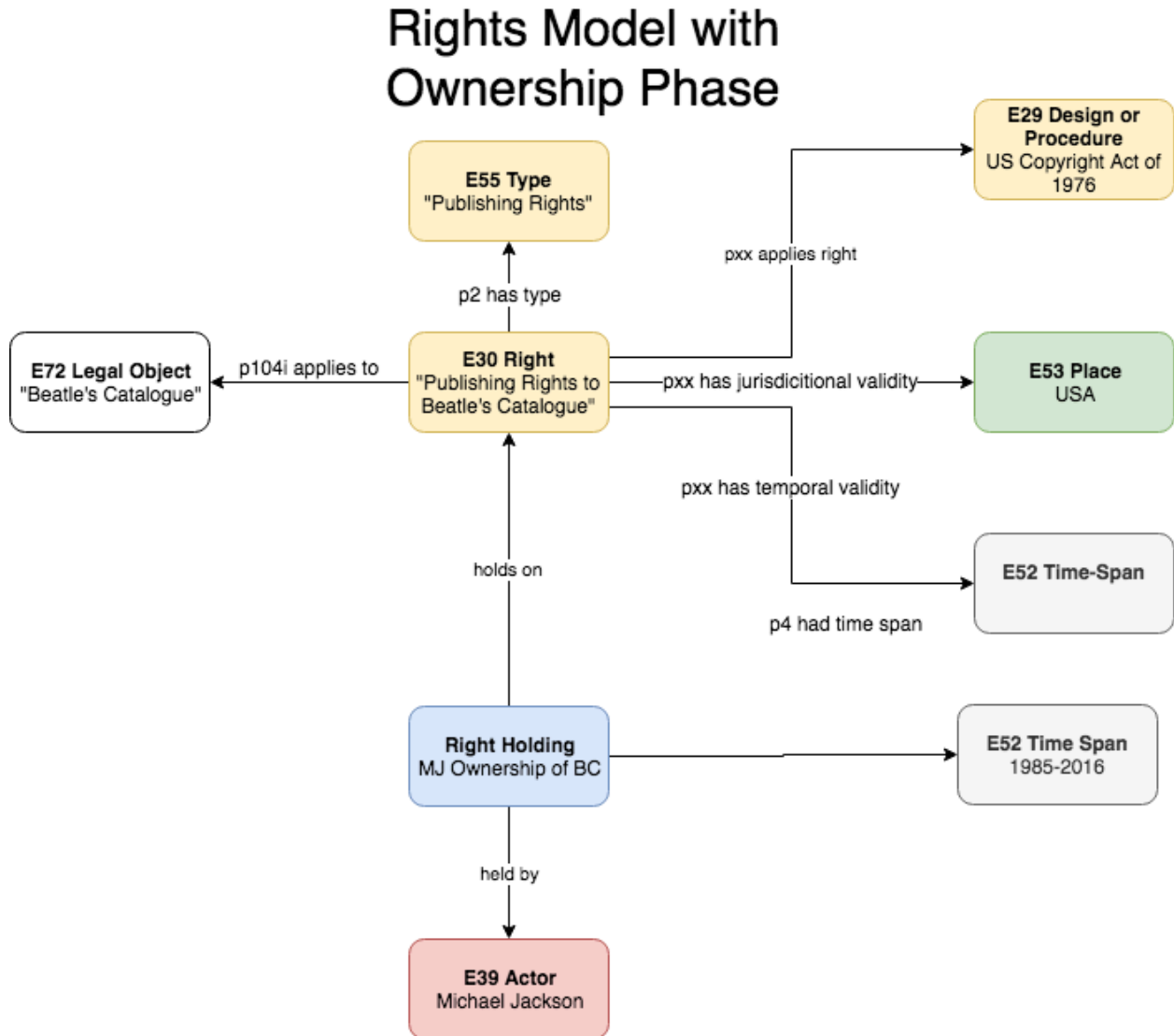
This would require the declaration of one new class and two new properties:

Right Holding: a documented period of ownership of a right by some actor.

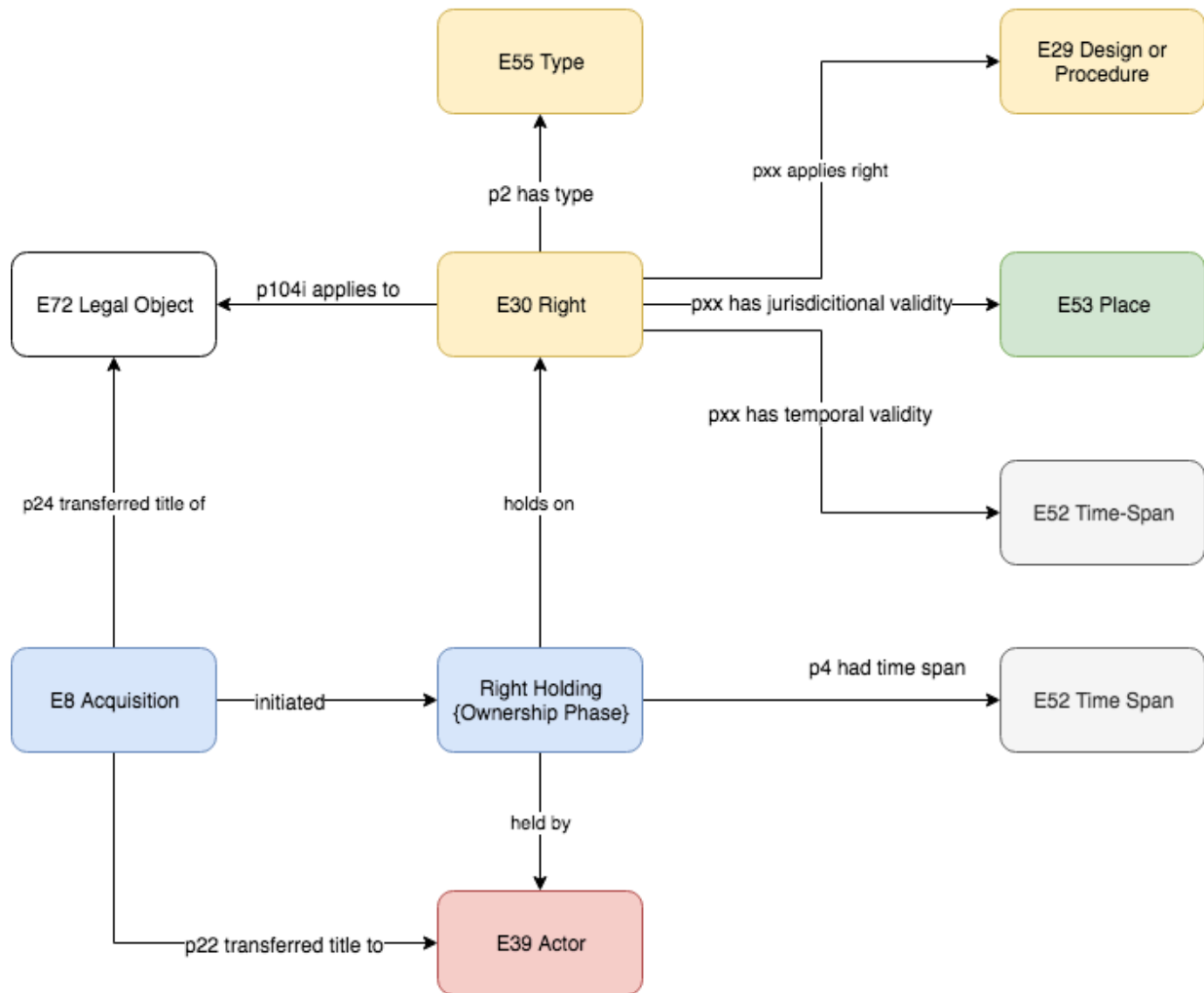
Holds on: D Right Holding R: E30

Held by: Dright Holding R: E39

Example



Rights Model with Ownership Phase and Events



In this model we simply extend the knowledge we have to indicate the causal event to the rights holding if/when we have this knowledge and wish to express it.

We encounter one need for a modified property and one new property

We must have a property

Initiates D: E7 R: Phase (which indicates some intentional activity causes some state of affairs to come to be... this could be broadened to non intentional if desired)

P24 transferred title of: here the range of this property is Physical Thing. In many cases, we trade rights to and over conceptual things and so this range seems too narrow. Must consider widening after reflection over implications. One potentially terrible implication would be to have a right over a right.

Example

HW: different types of right

Investigate the relations for contract and legal framework

Declarative Acquisition

Initiates right

Rights Transfer

Initiates **Right Status**

Transfers right from **Actor**

Transfers right to **Actor**

Right Status

Right over **Legal Object**

Associates right **Right**