

OpenStreetMap Foundation, Licensing Working Group **Agenda & Minutes**

Thursday January 10th 2019, 20:00 - 21:00 UTC

Final

Present: Nuno Caldeira, Simon Poole, Kathleen Lu, Jim Vidano

Guests:

Apologies:

Minutes by: Dorothea

1. Adoption of Minutes of last meeting

2018-12-13:

https://docs.google.com/document/d/1URemUHIscJKaoiPsc3dDkFOF8-6zIQRmXtAiS49T8_g/edit?usp=sharing

Accepted

- 2016-05-06 **Dermot** licence question wrt Ordnance Survey Northern Ireland Open Data
- 2017-03-02 **Simon** determine existing obligations towards sources listed on the copyright page
- 2017-05-04 **All/Simon** review import guidelines wrt licence "approval"
- 2017-09-05 **Simon** ask Lawdit for quotes for registering for the additional class suggested
- 2018-03-08 **All** look at the Working Groups collecting personal information
- 2018-04-12 **LWG** to follow-up on the [iD editor](#), as the number of changesets is now included on the changeset comments thread
- 2018-04-12 **Simon** to contact openstreetmap.cymru. The LWG will allow use of domain name on the condition that if there's local group in the future, they will have to concede control to them and get agreement in writing, so that if domain expires it doesn't get squatted on
- 2018-04-12 **Canadian licences reminder** - no Canadian Licences are currently considered by the LWG, as some members of the community seem to think
- 2018-04-12 **Simon** to write short step by step guide of how to approach licencing considerations and add things to look out in the licences.
- 2018-05-10 **Jim** to sign the LWG NDA
- 2018-09-14 **Simon** to email OpenStreetCab
- 2018-09-14 Open Data License - India (GODL) -Make statement, in line with other licences, to not use datasets with personal data which might be subject to privacy laws
- 2018-09-14 **Simon** to create section on OSMF website for license compatibility
- 2018-09-14 **Simon** to contact German lawyer involved with OSM about joining the LWG, touch base with Dermot, email the OSMF mailing list and contact Mapillary
- 2018-10-11 **Simon** to ask the board to contact the Working Groups about the NDA and ask people to sign up.
- 2018-10-11 **Simon** to investigate about whether Wikimedia Germany has an in-house lawyer (*related to the 2018-09-14 action item*).
- 2018-10-11 **Jim and Kathleen** to follow up on the "OSM contributor" app issue.
- 2018-11-08 **LWG** to update the OSMF address on US DMCA website - should match OSMF website listing.
- 2018-11-08 **Kathleen** to process the input from the meeting regarding the DMCA policy and add section to top, describing formal versus informal policy.
- 2018-11-08 **Simon** to get guidance regarding information requests in UK from law enforcement.
- 2018-11-08 **Simon** to ask William to provide information about the Canadian OGL variants he is interested in, in a systematic format.
- 2018-12-13 GDPR: We need to disclose the details about our hosted bookkeeping solution, Xero (they host in NZ and US), in the privacy policy.
- 2019-01-10 **Simon** to draft text to developers of apps related to geo/mapping, having OSM in their names or using variations of our logo.

2. Reportage

- OpenStreetCab - wants 1'700 Euros for the domain
 - Name of the app removed from Google playstore.
 - openstreetcab.com site still up. They want to keep it because it is referenced in their paper.
 - We have a lot of domains to stop other squatters, i.e. openstreetmap.eu. Don't cost much but administrative pain.
 - Decision: ask for disclaimer on the page.
- Kate has questions wrt UK legal guidance - waiting for answer
- Draft budget for 2019 submitted
<https://docs.google.com/spreadsheets/d/1LeNg9ONQ74IZJjwf5-8gh2FopS2Ps7SFCQD-VrBYZkg/edit?usp=sharing>
- Work started on wiki page/doc on third party data licences

3. Update attribution guidance

Current:

<https://www.openstreetmap.org/copyright>

https://wiki.osmfoundation.org/wiki/Licence/Licence_and_Legal_FAQ#What_do_you_mean_by_22Attribution.223F

Old discussions

<https://docs.google.com/document/u/1/d/1PI83Tx48iQn7qFJgEUAG8U7IUb1jMzu8VS4F4famseQ/pub>

https://docs.google.com/document/u/1/d/1flvuygF4pZd_PfBbxg-acAP9c_IA37_sTEkdvccloXk/pub

The verbal advice we received at the time from Lawdit was that an icon / button did not fulfil the ODbL requirement for attribution.

The relevant section from the ODbL

<https://opendatacommons.org/licenses/odbl/1.0/index.html> 4.3 for the required attribution of Produced Works is:

However, if you Publicly Use a Produced Work, You must include a notice associated with the Produced Work reasonably calculated to make any Person that uses, views, accesses, interacts with, or is otherwise exposed to the Produced Work aware that Content was obtained from the Database, Derivative Database, or the Database as part of a Collective Database, and that it is available under this License.

Time to revise the guidance written in 2012, as a lot of technical changes: mobile phones' screenspace is larger.

Suggestion: Produce 2-3 page document, signed by board.

- Estimated duration of work: 1-2 months. Start in January.

Enforcement discussion

- Different opinions on whether emails from community members to companies that do not give correct attribution are sufficient.
- Escalating: CC'ing the legal department usually helps. Formal faxes have been sent to CEOs in the past (rare cases).
- Naming and shaming (i.e. creating list of people/companies that do not give attribution) should be used as a last resort.

Suggestion regarding enforcement

- Communication to companies might be best if it is in official letterhead. That way, the person receiving the email will have something more formal to show and help prioritise the changes.

Suggestions for document

- Could include: "if you're showing part of map which has OSM data, you have to show attribution."
- Add good and bad examples.
- Revisit attribution in video and cinema films. Visible in end credits is ok with us.

- Attribution has to be visible long enough that people can read it (not long enough: maps.me)

Other points during discussion

- Formal document has psychological effect - people take it seriously.
- LWG members have been contacting companies such as Facebook and Apple about attribution.
- Company recipients of LWG communications have to get people from other teams to fix UI issues.
- We can't be exhaustive in guidance but they have to follow ODbL.
- There might be additional ways to abide with ODbL terms (Example given with attribution below the map, in bigger font).

4. "OSM" apps

There is a general issue that apps that contain "OSM" in their names (top examples from a quick search on googles play store: OsmAnd, OSMContributor, OSM Peak Finder, OSMTracker, OSM GIS, OSM Share Location Plugin, OSM sketch) are assumed to be products of the OSMF or similar.

There is also an issue with geo/mapping-related apps using variations of our logo.

Possible, reasonable, action: require clear disclaimers as suggested in the trademark policy.

- Position: Brief disclaimer on the top (e.g. "not official OSMF app") and the rest at the bottom/end of the readme.

Vespucci disclaimer: "OpenStreetMap, OSM and the magnifying glass logo are trademarks of the OpenStreetMap Foundation. The Vespucci app is not endorsed by or affiliated with the OpenStreetMap Foundation".

Related question: should we suggest the same to the non-OSM related apps that use OSM (as for example in Online Soccer Manager) too?

- "OSM" (three letters) is not registered by us but we have some reasonable, legal standing that it can be confusing.
- Only if related to geo/mapping.

Pro memoria:

<https://play.google.com/store/apps/details?id=osmsketch.az.jp.osmsketch>

seems to be promoting "vandalizing" OSM via uploading fake GPX tracks.

- Forwarded to DWG.

Action item: Simon to draft text to developers of apps related to geo/mapping, having OSM in their names or using variations of our logo.

5. AOB

Next Meeting:

February 14th 2019 20:00 UTC [on Mumble](#)