



BRIDGE OF DATA



**GDAŃSK UNIVERSITY
OF TECHNOLOGY**

Solving legal puzzles is not easy – supporting creating Data Management Plans in three scientific disciplines: chemistry, economics, and civil engineering

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Open Science Competence Center

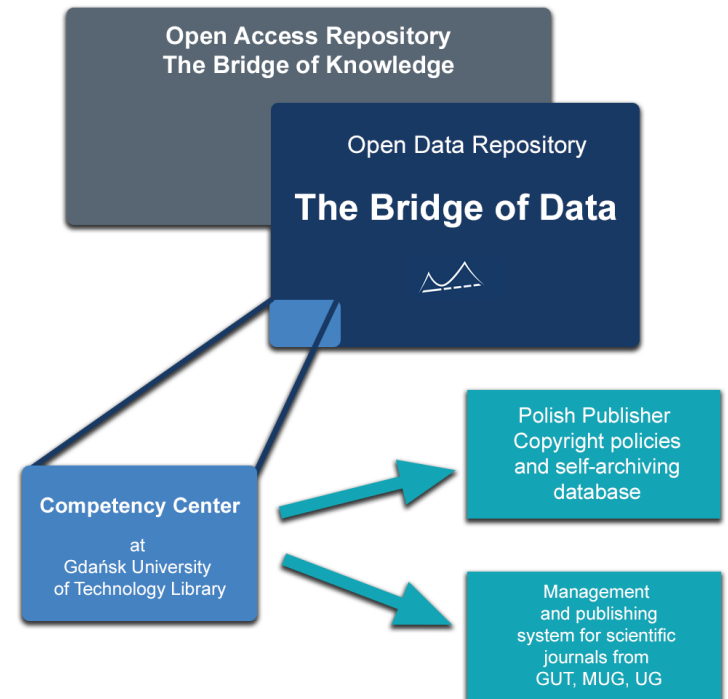

BRIDGE OF KNOWLEDGE

**OPEN SCIENCE
COMPETENCE CENTER
GAŃSK UNIVERSITY OF TECHNOLOGY LIBRARY**

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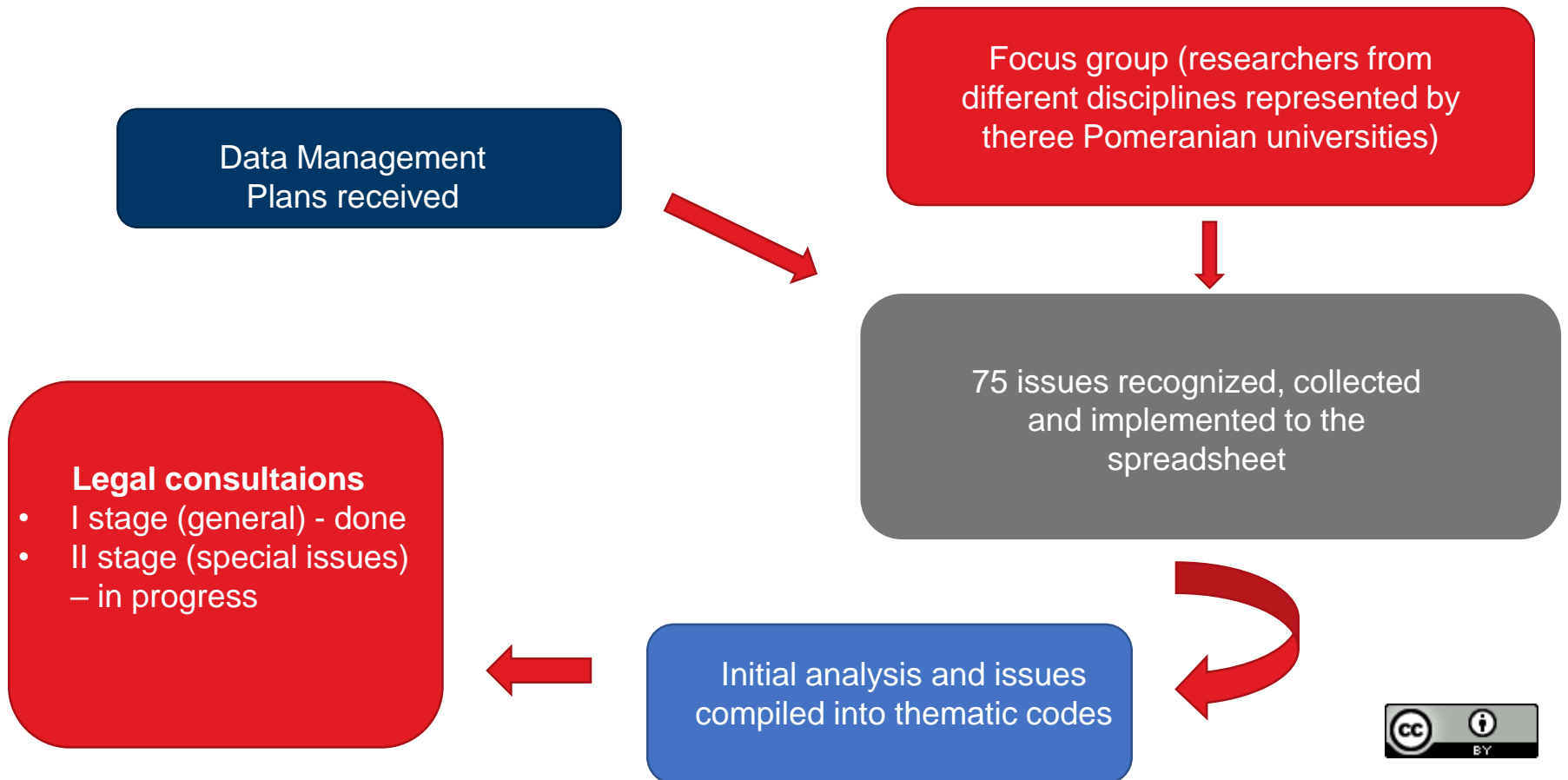
- Open Science Competence Center at the Gdańsk University of Technology Library was established upon the Bridge of Data project at the end of 2018.
- The main goal of Open Science (OS) Competence Centre created in the framework of Bridge of Data project (MOST DANYCH project) at GUT Library is to offer guidance and support to researchers about publishing in an open access, preparing Data Management Plan and making data accessible in the research data repository





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Methods for data collecting (legal issues)





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Legal arrays

Patent law <ul style="list-style-type: none">• What has to be considered when research data (can) reach patentability?	Copyright protection <ul style="list-style-type: none">• Do research data fall under copyright law at all?	Competition law <ul style="list-style-type: none">• Are research data used unfairly in business transactions?	Privacy protection <ul style="list-style-type: none">• What research data is worth protecting?
Science law <ul style="list-style-type: none">• Can research data be licensed and published on a mandate basis?	Constitutional rights <ul style="list-style-type: none">• What constitutional limits must be observed?	International law <ul style="list-style-type: none">• Which legal regulations exist outside Poland?	EU law <ul style="list-style-type: none">• What does the European data economy contribute for research data?
Contracts <ul style="list-style-type: none">• Are there any "intellectual property" agreements with research data?	Labour / service law <ul style="list-style-type: none">• Who owns the research data collected at the universities?	Conditions of the funders <ul style="list-style-type: none">• What are the conditions imposed by sponsors (NCN, industry)?	Policies <ul style="list-style-type: none">• Which legal obligations can policies develop?



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CHEMISTRY - legal issues arising among DMPs

Chemistry is a conservative discipline which is nevertheless starting to participate in the semantic web (Adams, 2009)

- **Is it ethical to collect the data? Is it being collected in an appropriate manner and used ethically?**
- **The need to protect patient privacy**
- **Concerns about data mining (e.g. drug discovery, some forms of data may be protected by copyright)**
- **Different roles/ownership of research data**
- **Users can access the chemistry data but may not be able to reuse it**
- **Desire to protect confidential commercial information**
- **Anonymise or not (requirements of research conduct)?**
- ✓ **In most cases ethical approval is required (Ethical papers)**
- ✓ **Participants must give their consent to be part of the study**



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ECONOMICS - legal issues arising among DMPs

- The contractual obligations and Business Associate Agreements
- For businesses, the meaning of "ownership" may be different in terms of „data”
- Data value cycle in economics is rather complex and involves numerous stakeholders (in many cases commercial providers) - The issue of data ownership is increased because of the digital economy and this affects all actors involved in the data value chain
- Methodology and data underlying research results is shared but most of them is not published in proper way
- Is any of the data to be managed within the project from a third party?



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CIVIL ENGINEERING - legal issues arising among DMPs

- **Big sector (construction data) with different types of data such as hydrology, ecology, geodesy, information about contractors, constructions....**
- **Data from a multitude of sources (different caveats, complications, and considerations around sharing data)**
- **Sharing civil engineering data needs a confidentiality, industry considerations, and board approval**



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Thank you!



Questions?

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