

***Nostra res agitur*: la scienza aperta come questione sociale**

Venerdì, 23 ottobre 2015

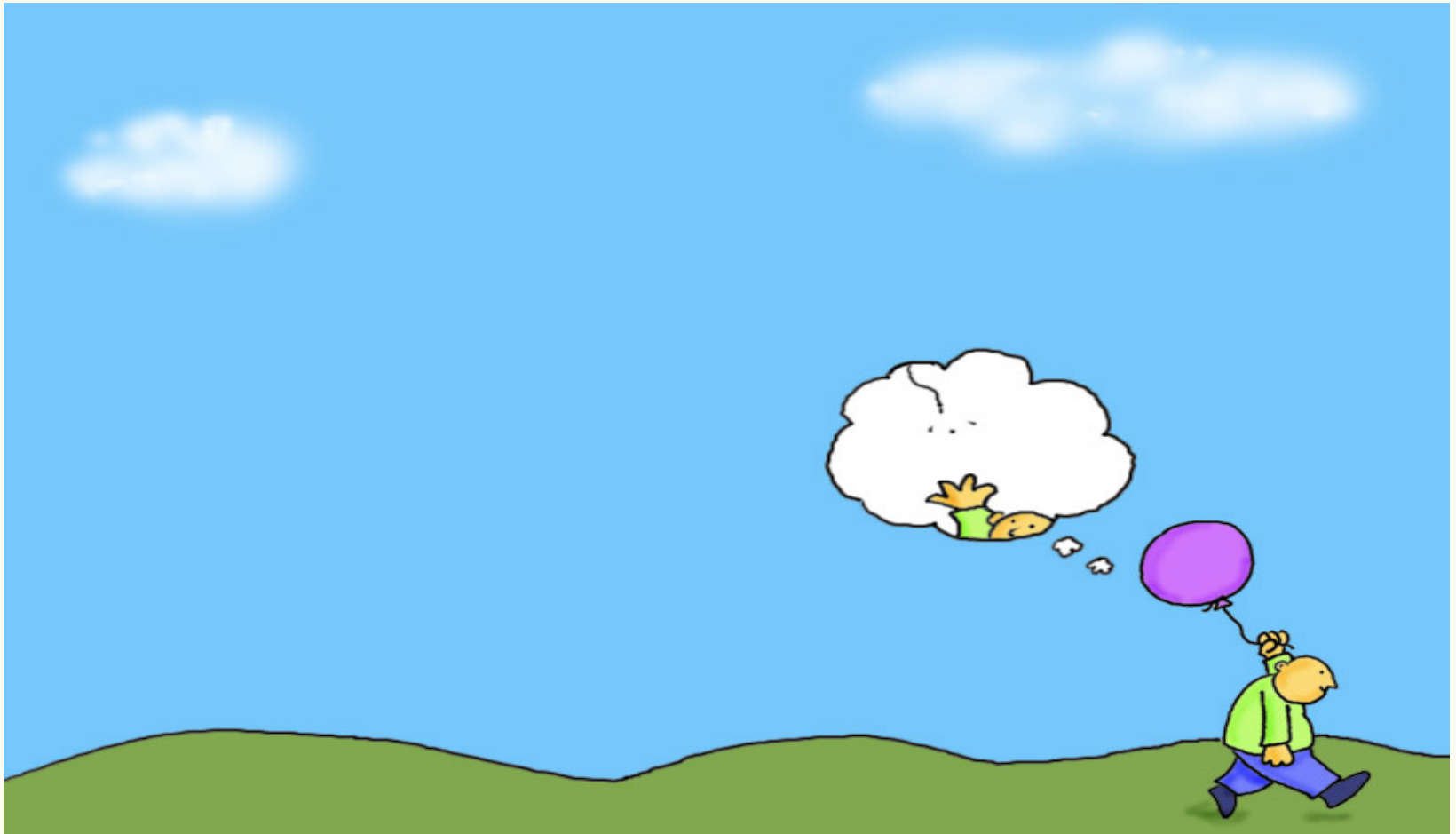
Open science in Italia e in Europa: a che punto siamo?

Valentina Moscon

*“...The empires of the future are
the empires of the mind...”*

(Sir Winston Churchill, 6 September 1943)

Il governo delle idee



WIPO IP Facts 2012

Patent 2,35 Million

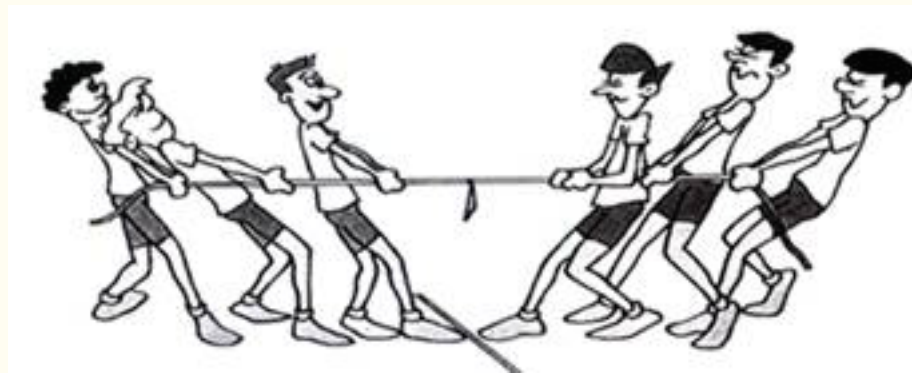
Utility Model 827,500

Trademark 6.58 Million

Industrial Design 1.22 Million

Università e trasferimento della conoscenza





L'approccio europeo

Open science in Europa

- Comunicazione 17 luglio 2012 “*Towards better access to scientific information: Boosting the benefits of public investments in research*”
- Raccomandazione 17 luglio 2012 (2012/417/EU)
- Horizon 2020 - Regulation 1290/2013, art. 43

Open Access

Open Data (Open Research Data Pilot)

Horizon 2020

Pursuant to art. 43, par. 2 Reg. UE 1291/2013
(establishing Horizon 2020)

*“With regard to the **dissemination of results through scientific publications, open access shall apply under the terms and conditions laid down in the grant agreement. Costs relating to open access to scientific publications that result from research funded under Horizon 2020, incurred within the duration of an action, shall be eligible for reimbursement under the conditions of the grant agreement...**”*

Model Grant Agreement

29.2

Each beneficiary **must ensure open access** (free of charge, online access for any user) to all peer-reviewed scientific publications relating to its results.

In particular, it must:

(a) **as soon as possible and at the latest on publication**, deposit a machine-readable electronic copy of the published version or **final peer-reviewed manuscript accepted for publication in a repository for scientific publications**;

Moreover, the beneficiary must aim to deposit at the same time the research data needed to validate the results presented in the deposited scientific publications.

(b) **ensure open access to the deposited publication** — via the repository — at the latest:

(i) on publication, if an electronic version is available for free via the publisher, or

(ii) within six months of publication (twelve months for publications in the social sciences and humanities) in any other case.

(c) ensure open access — via the repository — to the bibliographic metadata that identify the deposited publication.

The **bibliographic metadata** must be in a **standard format**

Model Grant Agreement Enforcement

29.6 Consequences of non-compliance

If a beneficiary breaches any of its obligations under this Article, **the grant may be reduced**

Open Access: Modelli legislativi nazionali

Delega alle istituzioni

- Spagna
- Italia

Modifica legge diritto autore

- Germania
- Olanda
- Francia (progetto di legge)

Dati della ricerca

Informazioni grezze

≠ Banche dati: diritto d'autore e diritto sui generis

Open Data Pilot H2020

Scope of the Pilot
Opting out option



Open Data: questioni giuridiche (1)

- Dati e proprietà intellettuale (a monte e a valle)
 - Disseminazione dei dati e brevettazione dell'invenzione
 - Protezione delle Banche Dati: licenze e interoperabilità

Open Data: questioni giuridiche (2)

- Dati personali e privacy: il dato anonimo non esiste!
(Gratton, Ohm)
Casi “America online”; “Netflix”; Progetto “1000 Genome”
- Dati personali e Privacy: Direttiva 95/46/CE, Codice della Privacy

Grazie per l'attenzione!