

# AEShareNET

CAROL FRIPP AND DENNIS MCNAMARA

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## CAROL FRIPP

I could not agree more with Tom Cochrane. I never thought I would be 'Copyright Carol' in the last vocational aspiration that I have ended up in. If I look at my own children, who probably reflect society, two of them have absolutely no understanding of what I do, and do not want to. The other two are mortified that I would be involved in copyright control because they download everything. I live in the world that represents society.

The session we are talking about this morning is in summary. We do want to talk about open content and you have already heard that Roger Clarke as Chair of our Board has been writing articles since being involved with this company on open content, and they are worth reading. They are on his website and if anyone wants to follow up some of the research in that, I am sure you would find that debate. There are quite a large number of articles emerging as we go through the journey.

We want to talk about the licence templates and for those who think they know something about us we hope to add some new things to our presentation this morning, because we are changing. We are really about finding other peoples' resources. That is one of the primary purposes that we exist. We are set up for education. We started in vocational education but we do go across all the areas where there is any form of vocational education occurring. It takes us across the secondary and right through to higher education and into the enterprise and corporation area and we are finding those are expanding as we go on the journey.

The challenge is quick access and even though the technologies are advancing, it is very difficult to get some of these accesses working. This audience is probably familiar with Google, currently working on a new project to catalogue large numbers of university resources which will change the way people start looking at how they want to find material, because we are finding people do like the Google approach. I do not know if it happens in the libraries in your organisation, but are you happy with the control vocabularies and specialist search engines any more? Or do you want to type in one or two words and *hey presto* it is up in front of you?

Most of our search capacities are really not set up like Google and I am wondering how long before we will be challenged. Users want easy assurance of the copyright clearances. That is still a very difficult one when a lot of educators work the night before they start delivery the next day (or in the world that I work in, that is certainly the case) and sometimes getting clearances the night before is challenging if you have not done your homework. And they are always mortified you cannot download it and use it without going through some long and protracted process that some bureaucrat in their organisation put in there for them.

Inexpensive learning resources – you have heard about that – continue to be an enormous debate. We get everything from zero dollars through to thousands or multi-thousands. People have varying expectations of what those resources are worth and in the marketplace sometimes they are not worth anywhere near what people think. They often have accountants in their organisations that are driving their competitive and commercial agenda. And the methodology to avoid the duplication of effort is one of the biggest challenges I see. We still have a culture in many areas that believes they cannot take someone else's work and build on it very well because it is something about yourself. It is about your portrayal of your image to the world and sometimes you look at someone else's work and think, 'they have not quite got it right; I think I will do it my way'. Trying to get people to re-use is sometimes a challenge and we are finding that certainly is not as easy as we had hoped.

What is ShareNet? Yes you know it is a company set up by Ministers. We would say that we are probably the first working model that we know of that has tried to set up a marketplace for both sharing and trading, and it is online. It was put online before online was even there, and it was a very brave and visionary thing to do in a world that, at that time when this concept was put together, was not working online. We still struggle with systems where people still are not online enough to take advantage of what we have to offer. We are still in front of many of the clients that we work with. Yes, we are a trading marketplace and that does not always mean money, but we operate as a broker and, if you have had experience of brokers in any form you might have views of what brokers should and should not do. That is what our webpage now looks like if you have not seen us for a while, slightly different. The main interest there is the search engine because that is really the core of our business, finding the resource, and connecting you to a player.

What do we provide? We provide, as you can see, material to anyone. We are on the Internet. Anyone can discover us anywhere in the world and anywhere in the world often does. You can acquire a licence online to use and adapt the resources and we have several of those. If you are the owner of a resource you can make that available. We do not hold the resource; we never have and we really do not want to unless people have a particular case and obtain permissions for use, so that people are clear about what they can and cannot do – a bit like Creative Commons – clarifying some of the ownership issues so people know what is going on.

The model: we have six trademarks called protocols and I am not a lawyer either, I am a practitioner, so protocols are often a strange word for people to get their head around. Four of those particular licences can be used within the system, or without the system. What we do offer is probably a little different in that we have standardised or consistent templates that simplify things for people.

It is like going to a real estate agent. You are used to getting a standardised contract. You know where to look for things, so we try to make it easier by getting people familiar with the copyright contract. Most people, in my experience, do not want to read a copyright contract. We have consistent meta-data that is used by the education sector, so the terms are familiar to people. They are used to coming up with certificates, diplomas, certain vocabulary that they work with in their, hopefully, most of their working time, and we have the online brokering system which you can see if you go through the site.

What we do is link to repositories that are evolving. We link to large numbers of collections. They might be a very small number; they might be half a dozen, or they can be very large bureaucracies where there could be something like 11-15,000 available resources. We are starting to see people play around with that repository idea as they try to link things and figure out how to use the trade marks across those repositories, which is quite exciting. If you are trying to look at your own work and make a choice that is the first place to start. One of the differences you will see on ours that may not be in many of the others, is there is capacity to vet any changes made (if you want to action that option), where some of the others do not give you a vetting option. Not all people take that up but it is there if they need it.

The ‘Free for Education’ protocol was developed as a response to the marketplace, and it was quite a radical change to everything else we were

doing at that time. Everything else went through our system. This is one where you put the logo on a piece of work and there are series of conditions that apply to that, so it does not go through our system at all. Much like Creative Commons, you can go into a search engine and put in 'Free for Education' and see what is available. We had this developed through the Government Solicitor Office because people were wanting a lot more information and education about copyright and simplifying what copyright really means. They do not use the word 'contextualisation' in their daily work place generally or 'enhancement' or 'compilation', so we help people come to terms with working with particular material, what they are doing or want to do with that, and that helps them then find some way to get through the copyright maze.

We are refining that search engine because, like all search engines, it has its limitations. Part of this recent work is to play around with certain concepts. What we are finding useful is on the website. The other thing that we are changing (this is fairly new and we will be putting out more information) is what we call our other free or sharing protocols – the 'U' for 'Unrestricted', the 'P' for 'Preserve' and the 'S' for 'Standard'. They are all about sharing your content, usually with no money involved, and we intend to free them up and get them out there into the market place for much wider use. The licences that we broker for those people who do want to commercialise material are our 'C' and our 'E' – the 'Customisable' (or some people call it 'Commercial') and the 'E' for the 'End User Licence' and they are the ones that we are finding there is a lot more interest in because people do want, in many cases, to play around with conditions and play around with money.

What can you do? You can search; you can find; you can preview. We have various degrees of sophistication although some of it is not sophisticated. This is not Amazon. It is very much an educational organisation or an Ebay, but some of the previews are getting a lot better and available for purchase. You can access our database and find a resource that will link you to the copyright owner through standard internet protocols. If you find something you like, you press a button and you have a licence. We have examples where that takes 2 minutes from beginning to end. At the other side where people want to talk a lot more it can take a longer period of time.

## DENNIS MCNAMARA

This is the schizophrenic part of the company where you think about charging for open content (it is probably heretical in this conference to say we should charge for licences). We have found in working, particularly, with vocational education but also with education generally, that if you wanted to open up IP, wanted to open up content for maximum use, sometimes you had to have money changing hands, otherwise it was not going to work. I was thinking yesterday when we heard about the Smart State in Queensland, it is quite difficult even to get a Queensland public education organisation to give any content to a New South Wales public education organisation because the Queensland public education organisation will think, 'why should we use Queensland's taxpayers' money to subsidise New South Wales'? In fact, if you want to get sharing happening across even state borders, let alone between private and private, and public and private, if you do not have money changing hands it just will not happen as easily as we would like. One example is a 3-D animation of a body part, owned by a multi-media company in Sydney, and produced for the medical industry at great expense. The company licences this animation to education for a very small sum of money. Medical courses, science courses, all sorts of courses, would make very good use of them, but education could never probably afford to produce those resources. The fact that they can get them fairly cheaply is an advantage.

Why would anyone want to charge for open content? Because they think it is part of their business to do so. Why would anyone pay for open content? Because you get it a lot cheaper than you would if you produced it yourself, so it is a win/ win situation. We believe that in the open content space there needs to be room for both share-ware, allowing things to be freely given, and as our Chair has said, also for charging for content to change hands. We think both need to happen and we would like to do both for education.

In November 2004 we ran a conference on 'Unlocking Intellectual Property' where a lot of issues were made about the cost of transactions. What we are trying to do by being a broker of open content is to make it easier for organisations to trade without too much cost to them and that is a typical way of brokers working the share industry and any other industry. We have a system when we broker a licence. We also collect all the money and we reimburse people. We do all the accounting functions, all the GST functions and handle all Ebanking. If you own content and you want to charge for it but you do not want to charge too much, you only want to charge for example 10, 20 or a hundred dollars and you do it yourself, the

cost of a transaction makes it counter-productive to even think about doing. But if you work through a broker, you can have money changing hands in a reasonably efficient way. Whether that is sustainable long-term remains to be seen. At the moment that seems to be a reasonably efficient way for people to proceed. The way it works is basically: you cannot obviously use our system, our brokerage, without being an AShareNet member, but you put your stuff up, someone requests a licence, you can negotiate the conditions of the licence, or you can just accept the conditions as they are, that negotiation happens online.

To give you an example, you might put a material up and say this resource is only available for use in Australia. Someone may come along and say ‘can I use it in New Zealand or India?’ and you can say yes or no. Depending on if you have any embedded copyright restrictions in the resources, you can make that happen online through an online transaction. At the end of the day, we collect the money and reimburse the owners. It is a typical brokerage offering, which we think is adding value in the education sector to allow people to move resources between institutions, between public and private and so on.

You can glimpse our changing resources and see the status of the licences, in terms of whether they are draft, under negotiation, payment pending, on our site. Notice that I deliberately use the words ‘sell site’ and ‘buy site’ to show that there is a lot of business activity there. A variety of organisations that put resources up such as TAFE South Australia, have both ‘licences in’ resources and ‘licences out’ resources and they think they are better off by doing that. They make money on some of the resources they have developed. They pay money out for resources they access from elsewhere, but a lot less than if they developed it themselves. That is the kind of basic philosophy of our open content for money approach.

There are just a couple of things I want to say about some of the challenges we face in making this work. Once we develop and review resources we work out where the copyright might lie if we have not cleared it first, and then work out what can be done. This is more of a cottage industry model. You may finish up under that model with two teachers, two academics in the same institution at the same time working on producing learning resources and they may not have collaborated or know each other was doing it. If we are going to make maximum use of resources, without suggesting we go into a McDonald’s model where you get the same hamburger everywhere, there might need to be more organisational faculty decisions about what programmes are run, what resources are developed

and to think about what resources exist that we can build on before we start developing them. Rather than always take material and build it from scratch and then licensing resources from outside, keep records of what you have done and then licence out products to others whether for free or for money. My contention is that even if you want to give stuff away, you cannot give it away if you do not know that you own it, so it is important to get those things right.

I suggest there is a lot more to open content licensing than just developing the templates. We need business models and transaction platforms. Learning resources need to be accessible but they do not always need to be free, as we have been suggesting. The trick is to get the balance right for sharing and trading in what can be a competitive educational environment. You might be bidding for the same funds, bidding for the same students, or in straight competition between public and private providers.

I want to mention the licence template ‘Free For Education’ that we put up for those people who would like to licence their products, content, systems, whatever, for educational use but not other people. This is an example of one that has gone live today. I got a phone call this morning about this. It is educational software produced by an organisation that mainly works in the finance industry – training and doing professional development for financial people – and this organisation is happy to licence this to educational organisations for nothing but they would not want to give it away to their competitors. They would not want to go as far as open source software on this but they are happy for educational organisations to use their software for free. That is a good example of where the ‘Free for Education’ fills a particular need for educational organisations in the open content space.