OUT-OF-COMMERCE WORKS PORTAL

Reflecting on the Datathon

Content

Datathon event:

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1. Purpose

Bringing together professionals of the cultural heritage institutions

➢ **Visibility** and promotion

➢ Understanding of the new **legal mechanism**

➢ Informing about the **portal functionalities**

➢ Creating synergies for collaboration and **information exchange**

DATATHON EVENT
Out-of-commerce works

*Source: Pexels*

1. Purpose

Organisation around workstreams:

1) Sharing **information**

2) Increasing the confidence regarding the use of the Portal and creating **network** of data providers

3) Sharing **best practice** examples

→ facilitated by system of 'godfathers'

1. Purpose

Expectation:

identifying possible sources of out-of-commerce works and ways to approach them so that an important part of **cultural heritage is made available to the public through the Portal**
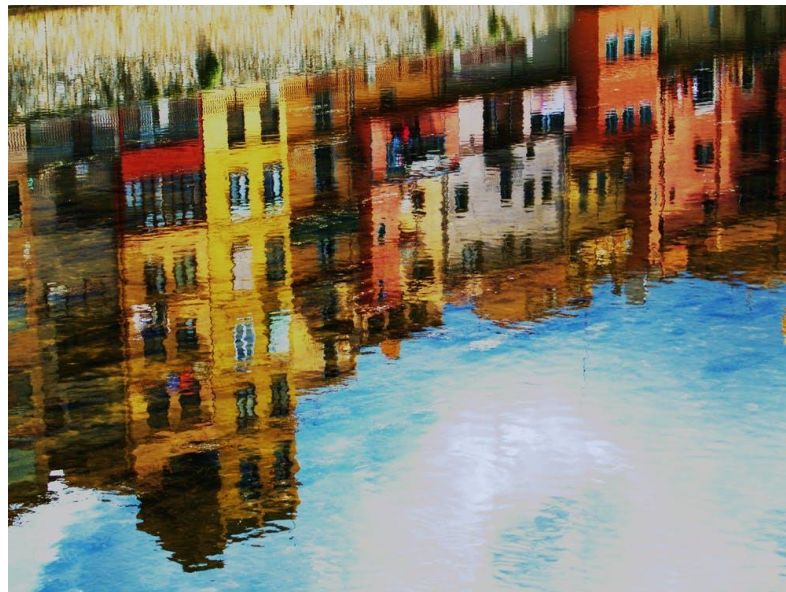
2. Scope

26 April	What is an out-of-commerce work
10 May	How to use the portal
24 May	How to prepare and upload the datasets to the portal
28 June	Closing event in Alicante

For the presentations click here: 📊

2. Scope – S1: "What is an out of commerce work?"

IN THE PERMANENT COLLECTIONS

DEFINITION & TIPS

Items that are 'permanently in the collections of the institution', understood as owned or permanently held

✅ 'for example as a result of a transfer of ownership or a licence agreement, legal deposit obligations or permanent custody arrangements'
🚫 Materials that are held by a CHI on the bas~~is~~ exhibition, or temporary loan, are excluded f~~rom the~~ out of commerce works solution.

NEVER IN COMMERCE

DEFINITION & TIPS

Materials that were never in commerce fall within the scope of the solution

NO LONGER IN COMMERCE

DEFINITION & TIPS

Materials that were once in commerce, but are longer available in customary channels of commerce

✅ Even if in commerce to a very limited extent
✅ Even if there are adaptations of it
🚫 If a version of an item is available in commerce, the item should be considered to be in commerce

REASONABLE EFFORT

DEFINITION & TIPS

Determination of the out of commerce 'status' through a **reasonable effort**
- In principle, not repeated over time, but consider 'easily accessible evidence of upcoming availability'
- should not require a work-by-work assessment
- should not require verification outside of the MS

Leading to a **'good faith' determination** that the item is not available in commerce

by Ariadna Matas, Europeana

2. Scope – S2: How to use the portal

KEY FUNCIONALITY OF THE PORTAL

**I**   **Account registration** for CHI,CMO, PA

II   **Record creation** by CHI, CMO, PA

- » An Individual work via user interface
- » A Set of works via user interface
- » Batches of Individual works and Sets of work via Excel bulk upload

III   **Record management** for CHI, CMO, PA

IV   **Opt-out Request** for Rights holders

V   **Recording Opt-out outcome decisions** in the portal for CHI, CMO, PA

2. Scope – S3: Uploading to the portal

I How to use the Excel Bulk Upload

1. What is Excel bulk upload?
2. Where to find the templates and how to download them
3. Difference between Standard Import, Extended Import and Uses of works Templates
4. How to fill in the template.
5. Uploading the template
6. Handling errors

Datathon_3_Bulkupload_1
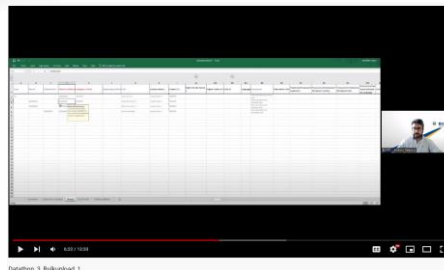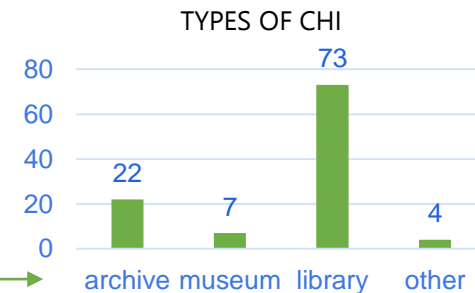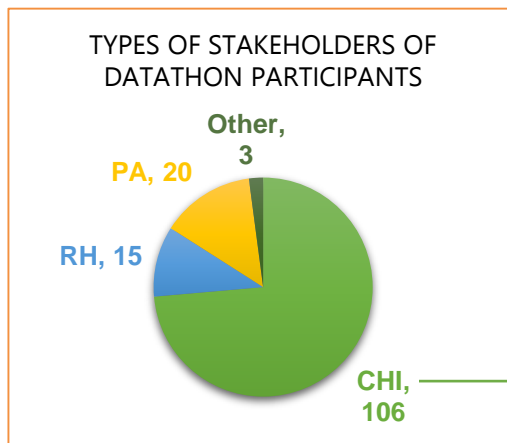
IV Checklist for a smooth upload

1. The Type and Category columns use controlled vocabulary which is either selected from a dorpdown or pasted in.
   The content must be in all capital letters. *

2. No duplicates in the internal reference column.**

3. Recommend: for first uploads, make upload files of Works all in same category.

4. Use only appropriate ISO codes for Country, Date and Language fields. No brakets or other punctuation.

5. To include Publisher/Producer/Broadcaster information, the name field needs to be filled.***
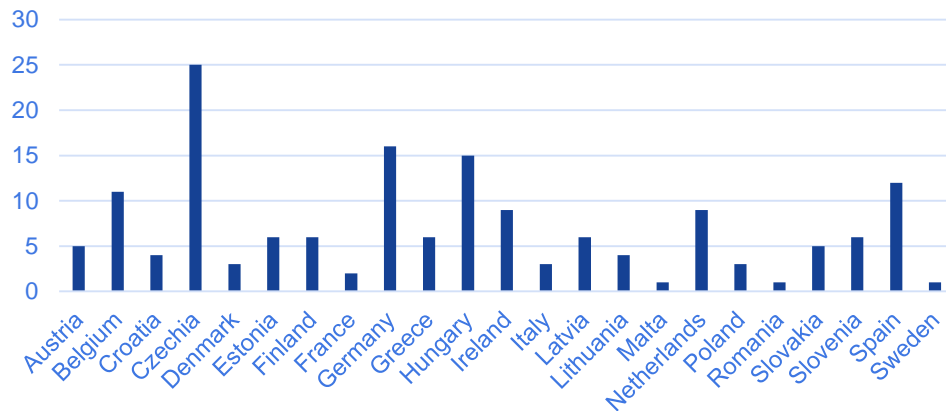
3. Participation

Session	Participants (registered)
1	118 (183)
2	99 (217)
3	86 (207)

165 individuals
144 organisations

TYPES OF STAKEHOLDERS OF DATATHON PARTICIPANTS

Other, 3
PA, 20
RH, 15
CHI, 106

TYPES OF CHI

- archive: 22
- museum: 7
- library: 73
- other: 4

3. Participation

MEMBER STATE REPRESENTATION

TOTAL OF MEMBER STATES:
23

# 3. Participation

TOTAL NUMBER OF RECORDS OVER TIME

902.096

Legend: TOTAL

Start of Datathon
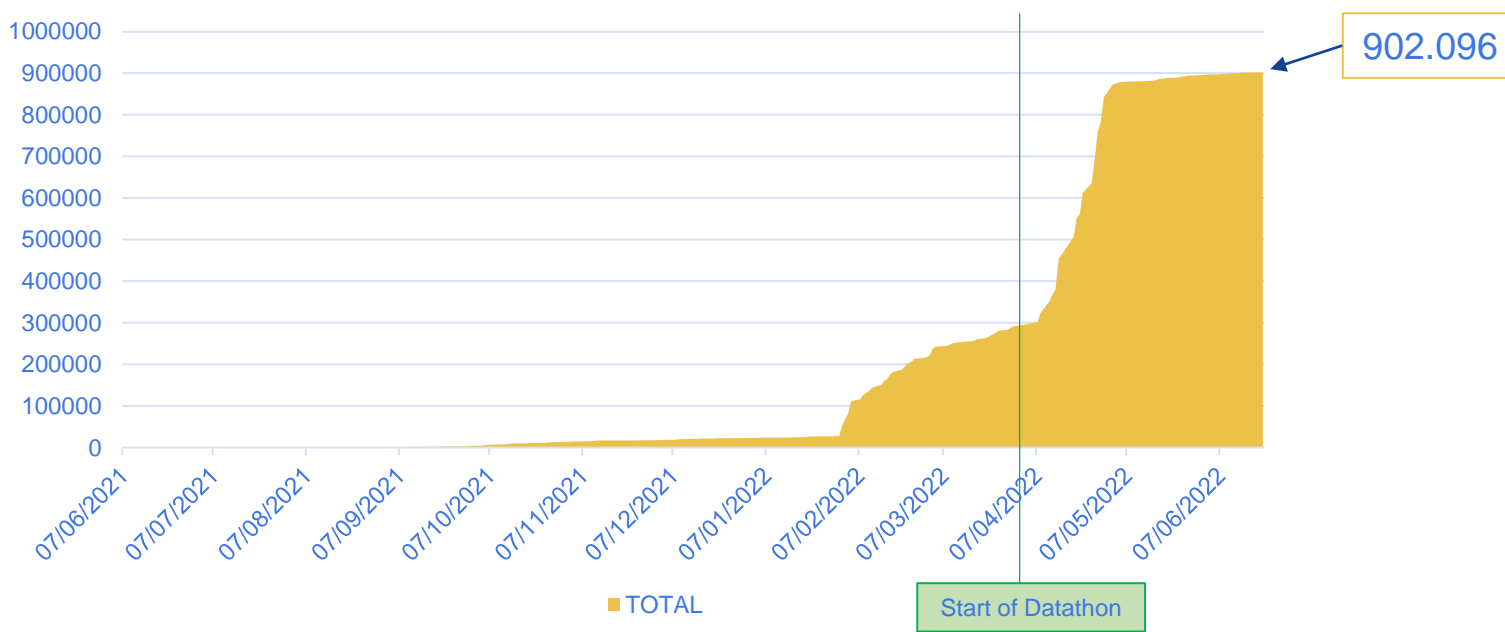
3. Participation

RECORDS BY MEMBER STATE

Country	Records	Percentage
Slovakia	900826	99.86%
Estonia	483	0.05%
Germany	435	0.05%
Hungary	195	0.02%
Netherlands	154	0.02%
Austria	3	0.00%

3. Participation

TOTAL NUMBER OF USER REGISTRATIONS OVER TIME

42

Start of Datathon

Total

Data as of 22.06.2022
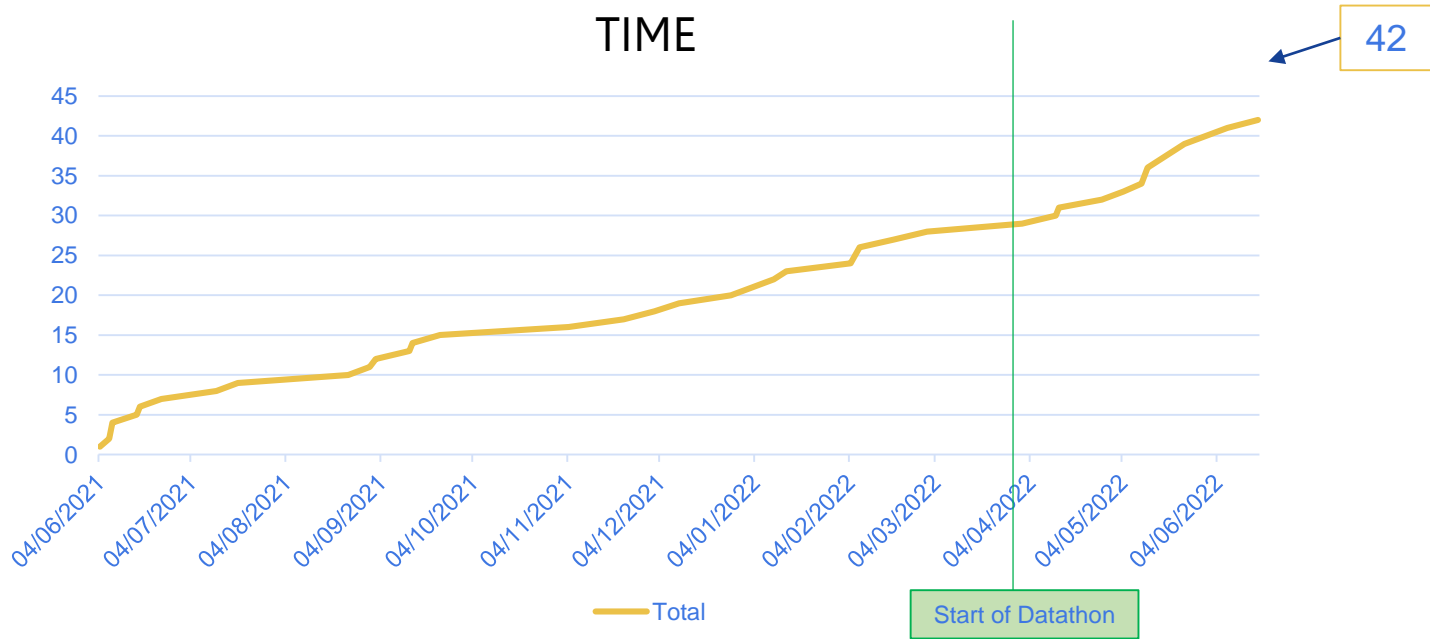
4. Reflection

Out-of-commerce works system at early stages...

❖ **Implementation** of the Directive still ongoing / just completed
❖ **Negotiations** with right holder organisations ongoing
❖ **Identification** of Out-of-commerce works ongoing

Next steps:

➡ Raising awareness
➡ Sharing of best practices
➡ Facilitating collaboration and information exchange
➡ Continuous technical support and improvements to the Portal

Out-of-commerce Works Portal info

✉ outofcommerceworks@euipo.europa.eu

🔗 *Access to the Portal*

🔗 *Out-of-commerce webpage*

🔗 *Datathon event*