

The following ZFMK data sharing protocol is mainly based on the data sharing protocol of the BIOTA project which is funded by the German Federal Ministry of Education and Research (BMBF). It has been adapted and fitted to the special situation of the *Zoologisches Forschungsmuseum Alexander Koenig (ZFMK)* in close cooperation with the IT-Department of the German National Museum (GNM) in Nuremberg.

ZFMK Data Sharing Protocol

Version 26.01.2005

It is a main aim of the *Zoologisches Forschungsmuseum Alexander Koenig* (in the following ZFMK) to make information on our collection objects available to the interested public as well as to other researchers, organisations, and institutions world wide that have a bona fide interest in the information. The basically accessibility of data (**open access**) is seen as an important precondition for a fruitful co-operation.

The aim of this protocol is:

- (a) to ensure the distribution and analysis of scientific data obtained by ZFMK;
- (b) to set an equal treatment guideline for every scientist and/or institution which cooperate with ZFMK ;
- (c) to guarantee the scientific/institutional copyright of self-reliantly processed data.

The mentioned aims are often in conflict. Therefore, this protocol sets unambiguous rules to avoid problems with respect to data use and data sharing.

1. ZFMK database access policy

1.1 Information access policy requirements

The information access policy requires that:

- Information sets may be subject to specific conditions;
- Any information should be acknowledged for its source(s)
- Information should not be handed to a third party without prior agreement from ZFMK;
- It should be used only for specified purposes such as teaching, scholarship, research, criticism, commentary, and news reporting; the purpose has to be clearly stated within the application;
- Information is free of charge, however, handling and data manipulation fees may be required (more so to commercial users than fellow research scientist);
- Information should be readily available to any person who helped collect or collate it;
- Access to information is subject to the format in which data are available at the time.

1.2 Information restrictions

Access to the following categories of information – in case there are not already in public domain - are restricted:

- Exact coordinates of endangered locations;
- Sensitive archaeological, cultural and historical location;
- Information about anything that may be stolen or traded illegally;
- Information about persons in terms of protection of data privacy
- Information that will endanger security of the institution
- Information that will allow financial gain;

These restrictions are suggested because such information may become globally available without due procedures. The ZFMK should decide carefully what information is restricted, but in keeping with the notion that information sharing will promote a scientific reciprocation.

Commercial use of information or alternative use resulting in income generation partially or wholly through access to and/or manipulation of ZFMK information is prohibited without permission from the ZFMK.

Full credit should be given to the author(s) in all cases. More sensitive information can be mentioned with only a contact name given.

2. Use of content from the ZFMK web site.

At the web site the following data will be made available in a meta-database:

- general information on the methods and procedures applied by ZFMK
- a detailed list of the data, their quality and format available in sub-data bases

Access to and use of text, photographs and other files in publications of the ZFMK or on the ZFMK web sites are subject to the following terms and conditions:

2.1 Copyright laws protect contents

The ZFMK and his scientists retain all rights, including copyrights in data, image, text, and any other information contained in these files.

It is expressly prohibited to copy any protected material on this web site, except for the purpose of fair use as defined in the copyright laws, and as briefly described below.

2.2 Fair use

Fair use of copyright material includes the use of protected material for non-commercial education purposes, such as teaching, scholarship, research, criticism, commentary, and news reporting. Unless otherwise noted, users who wish to download or to print text and

image files from the web site for above described uses are welcome to do so without expressed permission. Users must cite the author and source of this material as they would cite and acknowledge material from any printed work; the citation includes the URL of the ZFMK web site – <http://www.ZFMK.de>.

In case of including data in publications, which are unpublished and less than 10 years old, is to make a written agreement with the ZFMK.

Co-authorship has to be offered in any case.

By downloading, printing, or otherwise using text and image files from this web site users agree that they will limit their use of such files to fair use, and will not violate ZFMK's or any other party's proprietary rights.

2.3 Misuse of information

Misuse here is taken as information used for purposes other than that for which it was given, published without permission, or used without acknowledgement.

Misuse may result in the following courses of action:

- The institute or individual involved may be blacklisted and all local and foreign institutions/agencies alerted to this fact. Further data access will then be denied.
- The institute's director or funding agency can be informed and asked to take appropriate action.
- Publish rebuttals of misused or poorly interpreted data, thereby shaming the original user on the Web Site.
- Legal action under existing copyright and constitutional law, locally and internationally.

3. Application procedure for ZFMK information

All requests for ZFMK information not available within the public domain or based on a bona fide object related research must be directed in writing in consultation with the Head Office of ZFMK. The application will be evaluated by the Data Management Group of ZFMK. Any contract or agreement should be signed by the director of ZFMK. . The application should be unambiguous regarding proposed use, information, requirements, and institutional affiliation of the applicant. Data provided by ZFMK have to be treated in the manner described in paragraph 2.

The information restrictions outlined above should be considered before every application. Well-motivated appeals related to conditions of supply or refusal of requests should also be directed to the Head Office of ZFMK for re-evaluation. **4. ZFMK internal sharing and use of data**

The demanded sharing of data between departments, sections, working groups and projects at ZFMK does generally not require the same application procedure as

described in paragraph 3. Nevertheless, an explicit agreement between the curators, departments, sections, working groups and projects about the nature of the exchanged data and the intended use should be reached. The agreement can be a written memo or email.

All regulations mentioned in paragraph 2 (fair use, copyright, co-authorship, and misuse of information) are applicable to ZFMK's internal data sharing and use.

5. Use of external data by ZFMK

If ZFMK uses scientific information obtained by researchers or institutions not directly associated by cooperation treaty or corporate projects with ZFMK, naturally, ZFMK will handle these data in the same manner as required for the use of data obtained by ZFMK. This includes the following agreements:

- ZFMK members have to submit an application that is unambiguous regarding proposed use, information, requirements, and institutional affiliation of the applicant;
- Fair use of data: ZFMK users will cite the author and source of the material as they would cite and acknowledge material from any printed work;
- Provided information will be used by ZFMK users for restricted purposes such as teaching, scholarship, research, criticism, commentary, and news reporting;
- The purposes will be clearly announced within a specified agreement between ZFMK staff member(s) and the provider;
- At any time data are included in a publication, co-authorship will be offered by ZFMK staff
- Provided information will not be handed over to third parties by ZFMK without prior agreement from the providing scientist/institution;
- ZFMK members will obey all copyright laws;
- ZFMK members will not use provided information commercially without prior agreement from the providing scientist/institution.