

**Are Creative Commons
Licenses **Good** Ideas for NDAP?
From the Perspective of Archive Organizations**

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2008.03.18 NDAP International Conference

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原住民展覽館

中央研究院民族學研究所
台灣原住民數位典藏計畫

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原住民年度儀式系列

臺灣原住民歷經漫長的歲月處於部落社會的狀態。部落社會除了大分散、小聚落的特色之外，每個民族都各自擁有獨特的年度祭儀，一方面敬天祭祖調節歲時運行，一方面凝聚整個社會人與人之間的關係。在臺灣原住民的年度祭儀中，大家耳熟能詳、常被津津樂道的包括：西拉雅族的「夜祭」、邵族的「大過年」、卑南族的「猴祭」、排灣族的「五年祭」、賽夏族的「矮靈祭」、阿美族的「豐年祭」等等。這些祭儀的展演具有極強的渲染力與滲透力，不僅只是因為唱歌跳舞與眾同樂的氛圍，更是一種個人社會化的體驗歷程。當我們視年度祭儀為一種個人與整體社會的體驗歷程時，人的存在不僅只是「存有」的問題，更重要的是「形成」的問題。年度祭儀在人的「存有」與「形成」之間，個人與集體的緊張關係之間，扮演了決定性的影響。每個社會的個人透過年度祭儀的展演過程，培養出每個社會對每個人所要求的「社會與文化品質」，使人可以從生物人、自然人轉化成社會人、文化人。



農曆八月，邵族的過年，是邵族最盛大的祭典活動，一連串的儀式與活動，除了慶祝過年的歡樂氣息，也包含著許多重要的儀式，不僅充分表現出邵族人對於祖靈的敬畏、長者的敬愛，更是邵族人觀最具體的展演。

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Issues related to public release

- quality
- information system
- ¡copyright!



from the perspective of
Archive Organizations

Question 0:

Why NDAP needs to use Public Licensing?

Answers:

1.
2.
3.

However:

**the benefits of public licensing may be obvious ,
but **it is not so obvious** if it can't be persuasive.**

Public licenses in practice in NDAP

- digital archives archive vs. openness
- demands for using public licenses what's in demand
- plan of Program Office to use CC licenses policy making process
- decision made by the joint committee of project directors evaluation of using CC licenses
- choose a particular CC license review mechanism
- encounter difficulties in using CC licenses legal supports

creative common license at Union Catalogs of Digital Archives

後設資料

授權與引用資訊

引用資訊

作者不詳 (1959/02) 。[綁腿布]。《數位典藏聯合目錄》。
。 <http://catalog.ndap.org.tw/?URN=1780565> (2008/03/17瀏覽) 。

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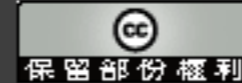
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公共授權資訊



保留部份權利

本頁的內容採用創用CC「姓名標示-非商業性-相同方式分享2.5台灣」授權條款釋出。

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關於我們 聯合目錄簡介 計畫總覽 計畫辦公室 數位101 網站地圖 交流部落格

數位典藏國家型科技計畫 網路核心平台
National Digital Archives program ,Taiwan.

Issues related to public licenses

Is it copyrightable?

Question:

Are photos of collections copyrightable?

Answers from legal department of NDAP:

... because there're many different opinions, we suggest that

if the photo is taken by a person and you're sure that the photo is taken along with the choice of scenes, composition, angles, diaphragm, focus, depth of field, and shutter, then please check "it's copyrightable".

[copyrights clearance guideline, NDAP]

Do we have the rights?

licenses granted by contracts

-rights sharing:

... the copyright of the collection is shared by the author and the institute...

-rights transferring:

...the institute can copy, distribute ... the work, but can not transfer the rights to others...

**Who should bear the
consequence if
something goes wrong?**

this institute warrants that it has the right to grant licenses for public use of the licensed works pursuant to CC licenses and that NDAP may make any kind of use under the said license without infringing third parties' IPR or other rights. **This institute shall indemnify NDAP for any loss or damages, including but not limited to, court fees and attorney's fees,** as result of any breach hereof.

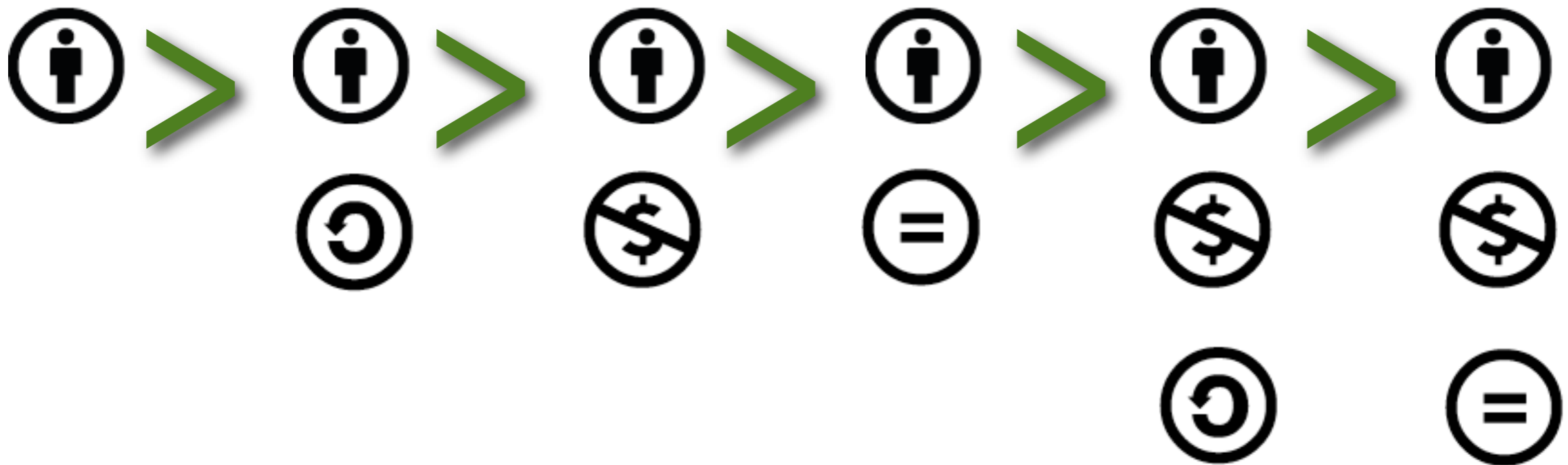
[License Agreement, NDAP Academia Sinica]

**Who can help protect
our rights if any
unauthorized use occurs?**

nobody

Creative Commons Licenses

Are some CC Licenses “better” than other CC Licenses?



**Can I license others to translate
my works without the right to
modify?**

conclusion:

**What we need is a
practical and efficient
legal support!**

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