

Annex: Intellectual Property and Publication Policy

for the ICP Forests PCC Collaborative Database

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Introduction

ICP Forests has an extensive collaborative database containing monitoring data from European forest ecosystems, from the 1980s up until today. All data are stored at the European central data storage facility at the ICP Forests Programme Coordinating Centre (ICP Forests PCC) in Hamburg. The database is of great interest to many scientists and data access has often been requested by various EU projects.

Preventive rules are important to avoid misunderstandings concerning intellectual property. Therefore, it is imperative to clearly state the rights and obligations of the *parties submitting* data to the ICP Forests PCC Collaborative Database (ICP Forests PCC CD) in order to assure that their data will not be improperly used. It is of equal importance to clarify and define the rights and obligations of any *party requesting* data from the ICP Forests PCC CD. The respective rules on the Intellectual Property (IP) for both, i.e. the submitting and requesting parties, should guarantee a prominent ICP Forests PCC CD stimulating transparent and efficient collaborative research activities with a clear and concise application, approval, and documentation process.

Objectives

The aims of this IP Policy is to (i) stimulate cooperative studies among internal and between internal and external partners, and to (ii) protect the rights of owner- and authorship, and (iii) to ensure proper co-authorship and acknowledgement for the data that have been submitted to the ICP Forests PCC CD.

Content of this document

This document outlines the IP policies of ICP Forests PCC concerning the access to historical and future data collected during the monitoring activities within the ICP Forests programs conducted by the member countries. This IP policy document covers rules and regulations, rights and obligations to be applied for data-supply, -request, and -use from the ICP Forests PCC CD. This documents seeks to protect the IP of the ICP Forests member countries while providing a prominent and collaborative environment for internal and external users.

These IP policies are based on the Vancouver Protocol¹, which is used as an international standard for ethics of publication. The Vancouver Protocol states three required criteria to be named as a co-author:

- Substantial contribution to idea and design, data provision or data analysis.
- Participation in the writing and revision of the text.

¹ Anonymus (2008): Uniform Requirements for Manuscripts Submitted to Biomedical Journals: Writing and Editing for Biomedical Publication. Updated October 2008) International Committee of Medical Journal Editors. <http://www.icmje.org>

- Reading and endorsing the finalized article.

If all three criteria are fulfilled, any contributing partner may not be excluded from the list of co-authors.

In the following, we refer to the ICP Forests PCC Collaborative Database as "*ICP Forests PCC CD*"; "*the contributor*" refers to National Focal Centres (NFCs) that have provided data to the database; "*the applicant*" refers to a third party, individual, or institution that may apply for access to data from the ICP Forests PCC CD; "*the administrator*" refers to the ICP Forests Programme Coordinating Centre (PCC) currently responsible for the maintenance and management of the Collaborative Database and for processing data requests from applicants.

Rights and obligations of the applicant

The applicant is encouraged to involve data providers into collaborative proposals. In order to receive access to specific data from the ICP Forests PCC CD, the applicant has to submit an application to the administrator of the database using the attached application form, triggering an official application approval process. A response containing the decision over the submitted proposal may be expected from the database administrator within 6 weeks.

The applicant is obliged to offer the possibility to intellectual input to the proposed studies to the involved contributors. Such intellectual input, together with data provision, and points 2. and 3. of the above mentioned Vancouver Protocol will lead to co-authorship as stated above. In case, not all three points of the Vancouver-rules are fulfilled, the applicant may reject contributors from co-authorship but is still obliged to properly acknowledge the administrator and contributors in their final scientific articles. The acknowledgement text is given at the end of this document and will always be attached to the data when delivered. Any produced output must be shared with the administrator for publication on the ICP Forests web site, at least as reference and abstract according to the publisher's rules.

The applicant is obliged to be honest and open in their disclosure of the intended use of the data requested. Data that are submitted to other parties or used for purposes other than outlined in the application constitutes a breach of the agreement.

Rights and obligations of the contributor

A two-year exclusive right for data evaluation is granted to the contributors and the administrator, starting from the date when the data has been entered into the database. Afterwards, the data may be released for the use by applicants. Data evaluation by the contributors is regarded as the final step of validation and is thus essential to ensure appropriate quality control and quality assurance.

Contributors of data to the database retain the right to be informed by the administrator of any request to use their data. Following the data rules under the Convention on Long-range Transboundary Air Pollution (CLRTAP) data access to external applicants can only be denied or restricted if appropriate reasons are provided.

The administrator is responsible for the application approval process. In cooperation with the administrator, contributors of data to the database are obliged to participate in the application approval process.

Obligations of administrator

The administrator is obliged to ensure that applications are processed within 6 weeks. Furthermore, the administrator is obliged to protect the rights of both parties, the contributors and the applicants, according to this IP Policy document.

All applications are first evaluated by the administrator. Hereafter, the administrator sends out the request for use of data along with the original application to all relevant contributors. For more detailed information, see chapter 'Application and publication process'.

Along with the requested data, the administrator will provide a list of relevant contributors (data providers and relevant expert panel members from the ICP Forests programme) and a specific acknowledgement text to the applicant.

Precision and quality of data

In order to take into account property rights, in general, plot coordinates will be provided at the accuracy of degrees only. A specific explanation must be included in the proposal, in case a higher accuracy for plot coordinates is required.

Neither the administrator nor the contributor is fully responsible for the data quality. In fact, only the close collaboration between contributor and applicant can guarantee for a full understanding of the data, their relevant back-ground information (metadata), and overall quality, including accuracy and applicability.

Application and publication process

In the following, the individual steps of the required application process are described for both, internal (ICP Forests expert groups and relevant bodies under the CLRTAP) or external applicants. Recommended turnaround times are given in parentheses.

1. The applicant decides to apply for certain data that are stored in the ICP Forests PCC CD.
2. The applicant completes the provided application form and submits it to the administrator, hereby accepting and agreeing to the conditions of this IP Policy document.
 - For an internal application by ICP Forests expert groups or by other bodies under the CLRTAP, the application is to be submitted by the chairperson of the respective expert group applying for an internal evaluation.
3. The administrator confirms the receipt of application (2 weeks) and informs the appropriate contributors about the application and the proposed purpose for the provision of data (2 weeks).
4. The contributors consider the application and respond within the following categories (2 weeks):
 - Rejection: the contributor is not convinced that the data will be fairly used and duly acknowledged or there is a significant conflict of interest. Following the data rules under the CLRTAP, the National Focal Centre needs to provide a specific reason for rejecting the release of data.

- Negotiation: the contributor is satisfied with the proposal but would like to be directly involved in the activities. In this case, the contributor informs the administrator on contact details of relevant experts to allow further discussions and negotiations over a possible collaboration.
 - Permission: the contributor is satisfied with the proposal and agrees the respective data to be released and provided to the applicant.
 - In case of an internal evaluation, a rejection by the contributors is not possible. There is no formal reply of the contributors to the applicant. Instead, the contributors that are interested in a direct involvement of the proposed analyses may contact the applicant directly. In case, the contributor does not participate in the application approval process within a predefined period, the final decision over the application is up to the administrator.
5. The administrator compiles the contributors' responses and informs the applicant about the final decision on the approval of the submitted application (2 weeks), including the expected delivery date of the required data. Hereafter, the data to be released are transferred to the applicant along with the list of contributors and experts to be contacted for collaboration as well as the respective acknowledgement text to be used.
 6. Within 6 weeks after the data have been received, the applicant shares the list of intended co-authors with the administrator. Prior to submission of the manuscript, the applicant shares the final list of co-authors with the administrator. The administrator informs the contributors about both lists. The applicant needs to take into consideration the comments given to these lists by the administrator and the data contributors.
 7. After publication, the results from published evaluations of the respective ICP Forests data need to be shared with the administrator as pdf-file. The administrator will make this information available on the ICP Forests web page, either as pdf-file to be downloaded or as reference with abstract to be cited (according to the publisher's rules).

Acknowledgement text

The use of the data must always be acknowledged in peer reviewed (scientific journals) or not peer reviewed (reports) publications. Below please find the acknowledgement text to be used:

"The evaluation was based on data that are part of the UNECE ICP Forests PCC Collaborative Database (see www.icp-forests.org). In particular, data from *Country1 (responsible institution1)*, *Country2 (responsible institution2)*, *Country3 (responsible institution3)*, were part of the analyses. Data collection was co-financed by the European Commission under*(the administrator will indicate the specific projects or regulations if appropriate).*"

Application Form for the Provision of Data from the UNECE ICP Forests PCC Collaborative Database

The undersigned requests Level I and Level II data from the following UNECE ICP Forests programme(s) (*please tick*):

Visual Assessment of Crown Condition

- Level I
 Level II

Analysis of Soil

- Level I
 Level II

Analysis of Soil Solution

- Level I
 Level II

Analysis of Needles and Leaves

- Level I
 Level II

Growth and Yield

- Level II

Analysis of Deposition

- Level II

Meteorological Measurements

- Level II

Assessment of Ground Vegetation

- Level II

Phenological Observations

- Level II

Monitoring of Air Quality

- Level II

Assessment of Ozone Injury

- Level II

The requested data shall be evaluated within the following project:

Project title:

Objective(s) of the project:

Scientific background of the project:

Detailed description of the project on a separate sheet, giving evidence of the specific purposes for which the data shall be used, e.g. hypotheses to be tested, statistical methods to be applied, further data involved in the evaluations etc. (*please use a separate sheet*).

Time schedule (beginning and end of the project):

Name and e-mail address of the
responsible scientist:
(project leader)

Name of the institution:

Full address:

Name(s) of Subcontractor(s) (if any)
foreseen to also use the data:

For **internal evaluation** by ICP Forests expert group or body under the Convention on Long-Range Transboundary Air Pollution (LRTAP), submission only through the responsible chairperson
(please tick if appropriate)

Name of ICP Forests expert group or body under the Convention on Long-Range Transboundary Air Pollution

We commit ourselves to _____

- respect the intellectual property policy of ICP Forests
- use the data only for the above project,
- delete the data as soon as the project is completed,
- not to provide the data to third parties (besides to indicated subcontractors),
- **share the results of the data evaluation with ICP Forests (administrator) by the end of the project by means of a hardcopy and digital reprint of the peer reviewed scientific paper or report.**
- **notify ICP Forests (administrator) in case the data were not used nor published and to declare that all the data have been deleted after the end of the evaluation.**

Date: _____ Signature: _____

DECLARATION of ICP Forests data contributor

PCC of ICP Forests is

- authorised to forward the data as requested
- authorised to forward data as requested with the following restrictions
.....
- not authorised to forward any data for the following reason
.....

to (name and address of applicant)

for the project (name of the project)

Experts are available for scientific input in the activities and shall be put in touch with the applicant to discuss potential collaboration.

(name and institute of experts, e-mail address)

Data provision is agreed under the condition that the intellectual property policy of ICP Forests is respected

National Focal Centre of

Date:

Signature:

Please return the signed declaration to
PCC of ICP Forests,
Leuschnerstr. 91, D-21031 Hamburg, Fax: 0049 – 40 – 739 62 – 299