



DIGITAL PUBLIC LIBRARY
OF AMERICA

**THE DIGITAL PUBLIC LIBRARY OF AMERICA
POLICY STATEMENT ON METADATA**

PREAMBLE

The DPLA aims to make the cultural and scientific record available, free of charge, to all through databases of metadata. The DPLA, for this purpose, has undertaken the task of ingesting, indexing, enriching, and making available descriptive metadata and wishes to make such metadata widely available for reuse.

The DPLA wishes to promote innovation in the development of applications and tools that use and rely on this metadata. In order to foster such innovation, the DPLA is committed to ensuring such metadata is unencumbered by legal restrictions. This policy and statement on metadata contained in the DPLA's databases reflects that commitment. To that same end, the DPLA believes this policy is in accord with the letter and spirit of United States copyright law and would be fully respected in a court of law.

The DPLA hopes that the content and resources in the library will be put to creative uses that educate, inform, and empower current and future generations.

This policy should be construed using the following definitions:

Content: A digital surrogate of a physical object, a born-digital object, or a physical object that is part of the United States' cultural or scientific heritage, typically held and maintained by the Data Provider on its own servers or physical premises, or by a data provider of the Data Provider.

Metadata: Metadata is textual information relating to Content, either hosted or housed by a Data Provider or digitally stored on the DPLA's servers. It includes information that enables users to identify, discover, interpret, or manage Content, such as the name of the author of the work, the date on which it was first created or published, or where the physical object is located. It might also include an expressive description of the Content: for example, a brief blurb on the historical and cultural implications of a work. Metadata may also include hyperlinks that direct users to Content on a Data Provider's website. In the context of the DPLA, Metadata does not include thumbnails, audio samples, or other non-textual information.

Preview: A reduced size or length audio and/or visual representation of Content, in the form of one or more thumbnail and low resolution images, text files, audio files, and/or moving image files, maintained on the Data Provider's server and connected to the Metadata by hyperlink.

01. The Vast Majority of Metadata is Not Subject to Copyright Restrictions.

The DPLA believes that the vast majority of metadata as defined herein is not subject to copyright protection because it either expresses only objective facts (which are not original) or constitutes expression so limited by the number of ways the underlying ideas can be expressed that such expression has merged with those ideas. To be protectable, a work must be original, which means that it must contain at least a "modicum" of creativity in its creation, selection, or arrangement. Facts and ideas may



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not be copyrighted. Even if a work is original, it may be limited by the doctrine of “merger,” which states that when there are a limited number of ways an idea can be expressed, the idea merges with the expression, and is therefore not subject to copyright. These two limitations on the application of copyright are the reason the vast majority of metadata is not subject to copyright protection.

02. The DPLA’s Partners Share the DPLA’s Commitment.

The DPLA’s partners share the DPLA’s vision of and commitment to freely sharable metadata to promote innovation. The DPLA’s partners agree that the vast majority of metadata is not subject to copyright. To the extent that metadata provided by the DPLA’s partners may be protected by copyright, however, those partners have agreed to dedicate such metadata to the public domain pursuant to a [CC0 Public Domain Dedication](#). This means that *any metadata imported into the DPLA, which is protected by copyright, is provided under a CC0 Public Domain Dedication.*

03. The DPLA Asserts No Rights Over its Database of Metadata and Dedicates its Contributions to the Public Domain.

The DPLA hereby expressly waives any and all rights the DPLA might have with respect to metadata in the library, including rights arising from the DPLA’s selection and arrangement thereof. To the extent that the DPLA’s own contributions to selecting and arranging such metadata may be protected by copyright, the DPLA dedicates such contributions to the public domain pursuant to a [CC0 Public Domain Dedication](#).

04. Free and Unencumbered Access to Metadata.

Given the purposes of the policy and the copyright status of the metadata, and pursuant to the DPLA’s terms of service, the DPLA’s users are free to harvest, collect, modify, and/or otherwise use any metadata contained in the DPLA.