

## **1.1 LRMS Specification and Guidelines for Intellectual Property Rights Management**

**This checklist is derived from the LRMS Intellectual Property Rights Management Specification. Refer to Section 10.3.**

### **Introduction**

The technological advancement and explosion of knowledge in our contemporary environment enables the educational community to cope with the increasingly complex and challenging state-of-the-art learning resources. What is true and modern today may become traditional and obsolete tomorrow. LRMS provides guidelines to update upgrade and sustain the learning, teaching and professional development resources with proper acknowledgement and respect to whom the intellectual property right is due.

### **Definitions**

*Third Party* any individual who does not have a direct connection with a legal transaction but who might be affected by it. *For example, an illustrator may have been engaged to contribute to the production of a learning resource produced by DepED. The learning resource is copyright DepED in the current published format. However, if DepED through LRMS or any other process wants to distribute the same resource in a different format (e.g online as a digital version) and intends to use the same illustrations, permission to use the original illustrators work should be requested along with a description of the design of the new version and intended end use and distribution of the resource.*

*Modify* means enhance the content in which new copyright arises, but only to the extent that the modification cannot meaningfully inform or entertain independently of the original content. Modified materials retain the integrity of the original work. Modifications may consist in, but may not be limited to, updating of content, adding more recent examples, adding activities, worksheets, etc.

*Derivative* means any work derived from or developed from content including

- An Edited Version
- An Enhancement
- A Supplementary Work

*Reproduction* means making copies of the work by any means, including, without limitation by sound or visual recording and the right fixation and reproducing fixations of the work including storage of a protected performance or phonogram in digital form or other electronic medium. (<http://creativecommons.org/licenses/by-sa/3.0/legal> code). Reproduction does not entail any change in the content.

*Reproduction of textbooks:* In the Philippines includes authorization for DepED to reprint within a period of 5 years a maximum of 25% of the original quantity awarded. (2007 Textbook Call Guidelines for Elementary Filipino)

*Use* - as a verb means to read, view, play, perform, operate or execute the content (depending on its nature and format) within the functionality that is offered by the copyright to an ordinary user. (Curriculum Corporation, 2008)

*Reuse* means to use again.

*Repurpose* means to use for another purpose.

*Recontextualize* means to place or use the original material within a new context.

*Textbook (TX)* means an instructional material that completely and sufficiently develops the prescribed learning competencies, concepts and or topics for a specific grade or year level in a specific subject area.

**Evaluation Template 6.1** Refer to Guidelines and Processes for LRMS Assessment and Evaluation

*Conditions of Use* - refers to the document headed "Conditions of Use" which summarizes the conditions applicable to the use of the content.

**1.1.1 Guidelines and checklist to support Intellectual Property Rights Management**

Instructions:

1. Section A-D should be completed for all resources as the first part of the Evaluation process and before making a decision to catalogue, reproduce and distribute, or redesign and develop a resource.
2. For each resource complete the Evaluation table. **Place √ in all cells that apply.**
3. Complete the IPR Evaluation Report ensuring that all requested details accurate and submit to LRMS Manager or person requesting the Evaluation.

**IPR Evaluation Report**

**Resource Title:**

**Copyright owner:** *Name, Address, Contact details*

**Publisher:** *Name, Address, Contact details*

**Date of publication:**

**License Agreement:** *Attach a copy to this report as appropriate.*

<b>A. Cataloguing print or digital resources</b> <i>Cataloguing means creating a record of a resource in a database that will be published online</i>	<b>Yes</b> <i>Check all that apply (√)</i>	<b>No</b> <i>Check all that apply (√)</i>
A 1 Is the existing LR/TR/PDM owned by DepED?	A 6	A2
A 2 Is the existing LR/TR/PDM owned by a third party?	A3	A 3
A 3 Is the owner of the LR/TR/PDM able to be identified?	A 4	Do not catalogue. Complete IPR Evaluation Report
A 4 Is there a license agreement available for this LR/TR/PDM?	A 5	A6
A 5 Do the terms in the license agreement allow cataloguing of the resource?	A 6	Complete IPR Evaluation Report.
A 6 The LR/TR/PDM may be Catalogued after successfully passing all other required evaluations.	Prepare IPR Evaluation Report	

**Evaluation Template 6.1** Refer to Guidelines and Processes for LRMS Assessment and Evaluation

<b>B. Reproducing resources for offline distribution</b> <i>Reproducing resources for offline distribution means to make multiple copies of a resource to distribute.</i>	<b>Yes</b> <i>Check all that apply ( ✓ )</i>	<b>No</b> <i>Check all that apply ( ✓ )</i>
B 1 Is the existing LR/TR/PDM owned by DepED?	B 6	B 2
B 2 Is the existing LR/TR/PDM owned by a third party?	B 3	B 3
B 3 Is the owner of the LR/TR/PDM able to be identified?	B 4	Do not Reproduce Complete IPR Evaluation Report
B 4 Is there a license agreement available for this LR/TR/PDM?	B 5	B 6
B 5 Do the terms in the license agreement allow reproduction of the resource?	B 6	Do not Reproduce. Complete IPR Evaluation Report
B 6 Are there any quantity restrictions related to reproduction?	B 7. Document in IPR Report	B 7
B 7 Are there any restrictions on redeeming the cost of reproduction and distribution?	B 8. Document in IPR Report	B 8
B 8 The LR/TR/PDM may be Reproduced after successfully passing all other required evaluations.	Prepare IPR Evaluation Report.	

<b>C. Redevelopment of resources: Digitization only</b> <i>A digital version of a non digital resource is created and all the original content and design is retained.</i>	<b>Yes</b> <i>Check all that apply ( ✓ )</i>	<b>No</b> <i>Check all that apply ( ✓ )</i>
C 1 Is the existing LR/TR/PDM owned by DepED?	C 6	C 2
C 2 Is the existing LR/TR/PDM owned by a third party?	C 3	C 3
C 3 Is the owner of the LR/TR/PDM able to be identified?	C 4	Do not Digitize Complete IPR Evaluation Report
C 4 Is there a license agreement available for this LR/TR/PDM?	C 5	C 6
C 5 Do the terms in the license agreement allow digitization of the resource?	C 6	Do not Reproduce. Complete IPR Evaluation Report

**Evaluation Template 6.1** Refer to Guidelines and Processes for LRMS Assessment and Evaluation

<b>C. Redevelopment of resources: Digitization only</b> <i>A digital version of a non digital resource is created and all the original content and design is retained.</i>	<b>Yes</b> <i>Check all that apply (√)</i>	<b>No</b> <i>Check all that apply (√)</i>
C 6 Are there any restrictions related to digitizing the resource?	C 7. Document in IPR Evaluation Report.	C 7
C 7 It can be verified that all design and content of the resource is the original work of the documented author/s.	C 8	C 8 Complete IPR Evaluation Report
C 8 Originality of the resource can be verified and acknowledgements of all sources of reference are identified.	C 9	Do not digitize Complete IPR Evaluation Report
C 9 Are there any restrictions relating to access and distribution via secured online distribution?	C 10. Document in IPR Evaluation Report.	C 11
C 10 The LR/TR/PDM may be Digitized after successfully passing all other required evaluations.	Prepare IPR Evaluation Report.	
C 11 The LR/TR/PDM may be digitized and upload for distribution via the LRMS repository successfully passing all other required evaluations.	Prepare IPR Evaluation Report.	

<b>D. Redevelopment of resources: Modification and redesign</b> <i>A resource is created using the content of a previous version of a resource and where necessary new content is created.</i>	<b>Yes</b> <i>Check all that apply (√)</i>	<b>No</b> <i>Check all that apply (√)</i>
D 1 Is the existing LR/TR/PDM owned by DepED?	D 6	D 2
D 2 Is the existing LR/TR/PDM owned by a third party?	D3	D 3
D 3 Is the owner of the LR/TR/PDM able to be identified?	D 4	Do not modify. Complete IPR Evaluation Report
D 4 Is there a license agreement available for this LR/TR/PDM?	D 5	D 7
D 5 Do the terms in the license agreement allow modification of the resource?	D 6	Do not modify. Complete IPR Evaluation Report.
D 6 Is all the copyright vested in DepED?	D 8	D7
D7 Is copyright of all material vested in one party?	D 8	Identify in the IPR Evaluation report required

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<b>D. Redevelopment of resources: Modification and redesign</b> <i>A resource is created using the content of a previous version of a resource and where necessary new content is created.</i>	<b>Yes</b> <i>Check all that apply (√)</i>	<b>No</b> <i>Check all that apply (√)</i>
		permissions to be cleared.
D 8 Is DepED authorized to modify the copyrighted LR/TR/PDM for purposes of instruction and or training?	D 9 Identify in the IPR Evaluation report Conditions of Use	Identify in the IPR Evaluation report required permissions to be cleared.
D 9 Is DepED authorized to create derivatives of the copyrighted LR/TR/PDM for purposes of instruction and or training?	D 10 Identify in the IPR Evaluation report Conditions of Use	Identify in the IPR Evaluation report required permissions to be cleared.
D 10 The LR/TR/PDM may be modified and redesigned after successfully passing all other required evaluations.	Prepare IPR Evaluation Report The minimum set of rights metadata for modifying the LR/TR/PDM is documented in the IPR Evaluation. Copyright owner, Entity parties, License agreements Address and contact details of copyright owner Conditions/restrictions for modification and redevelopment.	

**Reviewer/Evaluator Name:**

**Contact Details:**

**Date of Evaluation**

**IPR Review results:**

*Check all that apply (√)*

**A. Catalogue**

**Comments or restrictions**

**B. Reproduction**

**Comments or restrictions**

**Evaluation Template 6.1** Refer to Guidelines and Processes for LRMS Assessment and Evaluation

**C. Modify**

**Comments or restrictions**

**D Redevelop**

**Comments or restrictions**

**Comments:**