

Privacy and Intellectual Property on the Web: A Model for LIIs Open Source Publications

Pompeu Casanovas*, Enric Plaza^o

*UAB Institute of Law and Technology, Law Faculty, Universitat Autònoma de Barcelona, Bellaterra, Barcelona-08193, Catalonia, Spain

pompeu.casanovas@uab.cat

^oIIIA Artificial Intelligence Research Institute CSIC, Spanish Council for Scientific Research, Campus UAB, Bellaterra, Catalonia, Spain

enric@iia.csic.es

Abstract. We are proposing an Open Access model for Legal Information Institutes (LIIs) publications in three steps: Accredited Public Archival (APA), Comment-Open Publication (COP) and Peer-Reviewed Publication (PRP). This raises some ethical and legal issues on privacy and intellectual property which cannot be ignored. We would like to foster dialogue and discussion as the unique means to create an interactive framework among research communities, IILs and users.

Keywords: Free Access to Law, Legal Information Institutes, Relational Law, Open Access Publishing, Privacy, Intellectual Property

1. Introduction

This paper is a follow up of the Round Table coordinated by Tom Bruce in the previous Law via the Internet Meeting, in Durban, on the possibility of publishing an IIL journal to gain transparency and visibility, and fostering the sharing of knowledge and fresh ideas on the Web. Some people were interested, and this proposal raised an interesting discussion to the same session, which was also referred later on in some *blawgs*.¹ This paper is an updated reflection on the proposal presented by Enrico Francesconi and Ginevra Peruginelli (ITTIG-Florence). They worked out a hybrid model of Open Access Repository/Journal, with a workflow interaction schema. We would like to flesh out this proposal, adding some information on transnational culture, the conception of law, privacy and intellectual property. We will end up with a simplified model for the IIL platforms, trying to foster communication and new discussions about this subject among the different stakeholders (IIL institutes, practitioners, publishers, and users).

The paper is divided into four different sections: (i) Relational law, rights and new ways of publishing; (ii) Open Access Publications and the LICT-Repository; (iii) Privacy, ethical values and free access to legal

¹ Cfr. e.g. <http://iinek.wordpress.com/2009/11/26/10th-international-law-via-the-internet-conference-durban-south-africa-26-27-november-2009-day-1/>

information; (iv) Steps and functions of the new process of digital publication.

2. Relational law and new paths to think on intellectual property

We will focus first on the culture developed through the Internet, which is changing the perception and the shape of the law. Law is now a more horizontal structure based on dialogue —with the added value of rapidity, flexibility and the immediate reaction towards particular problems— than a solely structure of rules or norms. This is what we will name “Relational Law”.² This set of legal forms is not opposed to national law or to jurisprudence, but it is superimposed to them. In other words, the dialogue is not another option but the most natural way to communicate on the Internet.

There are other forms to deal with relational forms of law. The underlying model of this kind of regulation, based on the developments of the Semantic Web, reuse of knowledge and *crowdsourcing* has been recently called “Metropolis” by Kazman and Chen (2009). Crowdsourcing companies and humanitarian platforms (such as Ushaidi) are among the most interesting developments of governance and democracy on the web.³

As regards the so-called “intellectual property”, we think that we are moving away the discussion from the legal arena of the 20th century. This legal arena was in turn based in the rule of law of the 19th century. Even if we accept the term, we have to analyze thoroughly the concept in a non-normative way.

While Lessig was defending the non-extension of copyright to 95 years before the Supreme Court of the United States, Dan Hunter —an expert lawyer on AI & Law— warned about the improper extension of the concept “property” concerning the intellectual products of the net (Hunter, 2003). He called it the paradox of the *Anticommons*, this is to say that an excessive protection of the contents may cause a weak development of the net. Protection becomes an obstacle, since the net is the result of gathering both telecommunications and information technologies, and it is not a material object with volume and consistence (such as the land). The problem has not been solved with the Web 2.0, it has become worse. Facebook’s position is well known as well as the reactions it has provoked.⁴ However, there are other Web 2.0 options to share work and settings.⁵

² Cfr. Casanovas (2009), Casanovas and Poblet (2009).

³ See <http://compassioninpolitics.wordpress.com/2011/03/12/best-examples-of-crowdsourcing-companies/>

⁴ “For content that is covered by intellectual property rights, like photos and videos (“IP content”) you specifically give us the following permission, subject to your privacy and application settings: you grant us a non-exclusive, transferable, sub-licensable, royalty-free, worldwide license to use any IP content that you post on or in connection with Facebook (“IP License”). This IP License ends when you delete your

We have been recently surprised by the rough and scathing criticism against the performance of lawyers, judges and legislators that did not come from Richard Stallman.⁶ It came from one of the most important researchers of the Center of Supercomputing of San Diego, Kimberly Claffy, who is responsible for the calculation of nodes, connections and net hubs (Barabasi maps).⁷ In the article entitled *Ten Things Lawyers Should Know about the Internet* (2009), Claffy blurted out before the community of lawyers of Stanford University that the Center could not know scientifically Internet's development due to the amount of obstacles that researchers were facing to carry out their work.⁸ It points at the effects that law based on power may have to regulate the Internet and at the performance of lawyers and jurists. Tim Berners-Lee and James Hendler (W3C) have admitted that they cannot measure the level of semantic indexing in the net.⁹ Literally: we do not know it. The present situation not only limits the access to knowledge, but it also limits the access to scientific knowledge about the Internet.

Therefore, it is not surprising that the scientific community has reacted according to its needs, making the most of the communication possibilities offered by the net. There is a European project on this topic: *Liquidpub*, liquid publications.¹⁰ This project's goals are the new ways of scientific communication that increase day by day and coexist with the peer-review and the publication in journals. Wikis, blogs and virtual communities

IP content or your account unless your content has been shared with others, and they have not deleted.”

⁵ “1. Zoho represents the most complete online collaborative writing suite of tools that includes several different functionalities from an editor as in Google Docs to a public repository such as Scribd. 2. Thinkature is the most complete online mind-mapping tools 3. CiteYouLike is a likable example of an online shared personal library of references, 4. Scribd is an impressive tool for documents sharing, social evaluation and dissemination. 5. IntenseDebate is an inspiring example of a basic reputation system across different communities of the Social Web. 6. Facebook can represent an example of social web tool in which applications are user-generated as addons to the basic service introducing new practices of the tool itself. 7. The DataVerse Project and Swivel are a very interesting exploration of datasets sharing and manipulation.”

⁶ Stallman proposed a classification into three kinds of works according to their purpose: (i) functional works (e.g. manuals and programs should rid of copyright as open source); (ii) works that express personal position (verbatim right should apply and these works should not be modified without the author's consent); (iii) aesthetic works (the modification affects the author but may have new aesthetic uses).

⁷ “Capture the lessons learned and opportunities provided by the Web and open source, agile development to develop concepts, models, metrics, and tools for an efficient (for people), effective (for science), and sustainable (for publishers and the community) way of creating, disseminating, evaluating, and consuming scientific knowledge. Understand what's good for science, and make it happen.” <http://project.liquidpub.org/>

⁸ See Claffy (2008) and Kenneally and Claffy (2009). The authors propose a “Privacy sensitive sharing framework” for creative and scientific works.

⁹ See Hendler, Shadbolt, Hall, Berners-Lee and Weitzner (2008).

¹⁰ See for an overview of the main LiquidPub model, Osman et al. (2010).

provide a discussion forum that allows progress in a particular field thanks to the contribution of specialists.

There are “liquid” scientific journals (having their own problems: copy, delete or remove, and share)¹¹; “liquid” journals (with *copyleft*), and “liquid” conferences (with irrevocable license to distribute the content).

Does this mean that editorial production does not have value anymore? Does this mean that the old concept of work’s added value has to be put aside? Does this mean that any content may be used freely?

We do not think so. One of the main promoters of *Liquidpub* is Springer Verlag. Publishers are very interested in these new trends. In fact, they started to allow scientific pre-prints quite a while ago.¹² There are different kinds of soft licenses in use (GFDL, CC-BY-SA) but the context has become more complex as well as the behavior of the actors. The difficulty lies in understanding the rights not only from the law perspective, but from the metalegal perspective (as the Dutch use to call it). The metalegal perspective is the distance that entails the definition of a different object. The necessary dialogue among actors lies there, since the following step is the development of the net thanks to its own growth.

An example is the 15-year experience of the Legal Information Institutes. In 1992, Tom Bruce¹³ started Cornell’s legal platform; in 1993, Daniel Poulin did the same in Canada (LexUM)¹⁴; and in 1995, Michael Greensleaf set up the Australian Legal Institute (which at present coordinates the *Asian LII*, *CommonLII*, *CommonLII* and *Lawcite* projects). The Australian platform gathers 1,155 databases that receive more than 100,000 visits per day.¹⁵ Cornell’s platform receives from 1,500,000 to 2,000,000 visits per month and it is the most used platform in the USA.

At the beginning, the platforms were based in ideals such as the universal access to free content. But they soon realized that legal material was protected by the so-called *Crown Copyright*. Therefore, they came to an

¹¹ “Liquid Journals (LJs) are essentially a scientific social bookmarking service—but with a focus on making selections to share, annotate and present rather than to keep a bibliography.”

¹² “Preprints form the ‘green road’ to open access—authors can make the text of their articles publicly available while assigning commercial rights and/or copyright to journal publishers. arXiv, the largest such preprint server, offers users a choice of licenses when submitting articles. (i) Default option: a non-exclusive and irrevocable license for arXiv to distribute the article, (ii) Compatible with most journal copyright transfer agreements, (iii) Creative Commons Attribution license. (iv) Typical open access license (PLoS, BioMed Central . . .), (v) Creative Commons Attribution-Noncommercial-Sharealike license., (vi) A common restrictive open access license; (vii) Public domain.”

¹³ See Bruce (2009)

¹⁴ See Poulin (2009)

¹⁵ Communication at LII Conference held in Durban (26th – 27th November 2009)

agreement with state agencies, politic representatives and the most important users in order to guarantee free access to materials making no distinction as regards the level of use.

In other words: (i) free access is not equivalent to free content; and (ii) the content producers as well as the interested users are now financing the Australian platform because it did not get the one million Australian dollar funding required to the Government in 2007. So a hybrid, collective, non-publicity but common interest based business model was thought to keep on offering the service (Greensleaf, 2009).

As highlighted in Florence (2008)¹⁶ and Durban (2009)¹⁷ Conferences, nobody questions at present the need to collaborate with companies, the need to combine business models with principles and ideals and, above all, the need of dialogue among all interested actors to go on progressing.¹⁸ This is an example of what we have called relational law.

We think that *Creative Commons* can move towards this same direction and, in fact, they are doing so. On 25th January 2010, the manifesto of *Communia* in favor of the public domain seemed to open the debate:

“The public domain, as we understand it, is the wealth of information that is free from the barriers to access or reuse usually associated with copyright protection, either because it is free from any copyright protection or because the right holders have decided to remove these barriers. It is the basis of our self-understanding as expressed by our shared knowledge and culture. It is the raw material from which new knowledge is derived and new cultural works are created. The Public Domain acts as a protective mechanism that ensures that this raw material is available at its cost of reproduction - close to zero - and that all members of society can build upon it. Having a healthy and thriving Public Domain is essential to the social and economic well being of our societies”.¹⁹

We are placed between two positions: (i) considering the public domain as the general rule and copyright as the exception; (ii) considering copyright as the general rule and the public domain as the exception.

¹⁶ <http://www.ittig.cnr.it/LawViaTheInternet/>

¹⁷ <http://www.saflii.org/content/10th-law-internet-conference-icc-durban-26-27-november-2009>

¹⁸ “Open access and commercial publishing can coexist. [...] Our own view is that there is room for both and that in fact both are needed. At least in Canada, commercial entities are doing a superb job publishing law” (Poulin, 2009: 22); “The only realistic option for AustLII is what we could call a ‘multi-contributor’ model, but is really a mix of different business models. Part of its model will continue to be based on competitive grant funding [...]” (Greensleaf, 2009: 435).

¹⁹ *Manifesto for the Public Domain*, 25th January 2010, *Communia* <http://communia-project.eu/> (The European Thematic Network to the Digital Public Domain)

Nevertheless, we think that there is a wide space for the dialogue between these two poles.

The present paper deals with this intermediate position, focusing on Francesconi and Peruginelli's proposal of a "hybrid" publication/repository form for the platforms of the Free Access to Law Movement.²⁰ However, we will propose shifting from the specifically legal intellectual property domain to a more flexible structure provided by ethics and a wider conception of privacy.

3. Open Access Publications and the LICT-Repository

According to Peter Suber (2011), "Open-access (OA) literature is digital, online, free of charge, and free of most copyright and licensing restrictions".²¹ Since the Budapest Open Source Initiative (2002), distinguishing between *self-archiving* (tools and assistance to deposit their journal articles in open electronic archives) and *open-access journals* (new generation of journals committed to open access)²², a great deal of work has been done towards this direction²³. Self-archiving is also known as the "green road" and Open Access Journals (OAJ) as the "gold road" to open access. It seems to us that definitions provided so far emphasize for the authors the idea of gaining *control* over the integrity of their works, at the same time that they make them available to a wide community of potential readers. A *hybrid* way of publishing would combine these two possibilities, and open up different options offered by the main scientific publishers as well.²⁴ The idea set up by Enrico Francesconi and Ginevra Peruginelli follows this mixed, flexible way of conceiving and managing intellectual productions:

"The idea is to create a hybrid form of legal information sharing environment. As a first stage an OA repository is developed with the name of Legal Information and Communication Technologies

²⁰ See Francesconi and Peruginelli (2011).

²¹ Peter Suber, "Open Access Overview. Focusing on open access to peer-reviewed research articles and their preprints",

<http://www.earlham.edu/~peters/fos/overview.htm>

²² <http://www.soros.org/openaccess/read.shtm>

²³ The so-called BBB common definition of "Open Access" (Budapest, 2002; Bethesda, 2003; Berlin, 2004): "By "open access" to this literature, we mean its free availability on the public internet, permitting any users to read, download, copy, distribute, print, search, or link to the full texts of these articles, crawl them for indexing, pass them as data to software, or use them for any other lawful purpose, without financial, legal, or technical barriers other than those inseparable from gaining access to the internet itself. The only constraint on reproduction and distribution, and the only role for copyright in this domain, should be to give authors control over the integrity of their work and the right to be properly acknowledged and cited."

<http://www.earlham.edu/~peters/fos/newsletter/09-02-04.htm#progress>

²⁴ See some of the main publishing policies at

http://en.wikipedia.org/wiki/Hybrid_open_access_journal

Repository (LICT-Repository). It does not perform peer review, but simply makes an initial validation on conformity to the subject. The repository intends to collect not only new resources like technical reports, pre-prints, newly created material, but also documents already submitted for peer-review to other editorial committees of reviews or presented in conferences and seminars. All material is identified as peer-reviewed or not. Authors may archive their preprints without anyone else's permission. The model adopted is ID/OA (Immediate-Deposit/Optional-Access)²⁵ which envisages immediate archiving of publications and options to access them, decided on a case-by-case basis according to the publishers' policies and the contracts signed by the authors. "Closed" access to the unabridged text of the document is thus allowable, although open access is preferable: immediately if permitted by the publisher or delayed if there are restrictions. In any case, bibliographical metadata will be accessible immediately and the user will be able to request the text from the author".

This is the Francesconi-Peruginelli workflow:

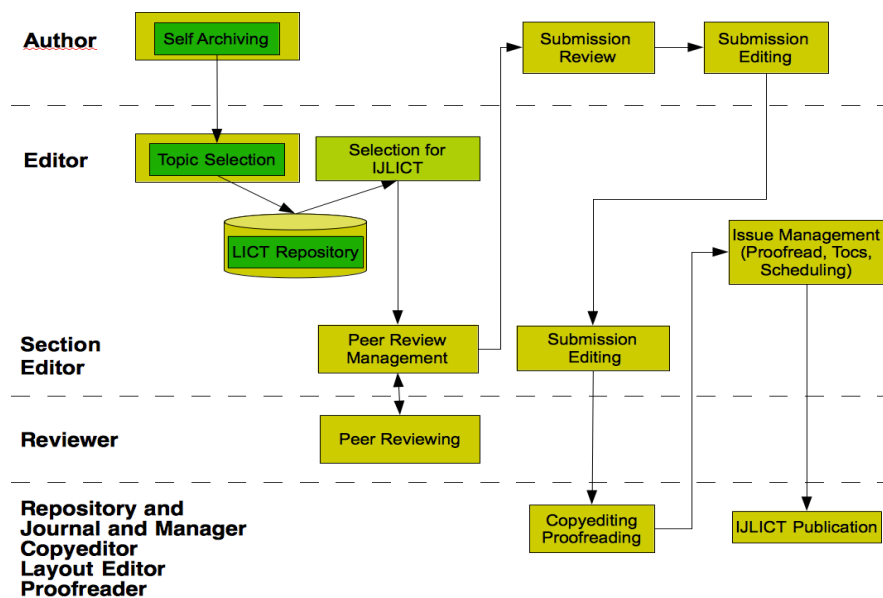


Fig. 1. Workflow interaction schema. Source: Francesconi and Peruginelli (2011).

²⁵ See <http://openaccess.eprints.org/index.php?archives/71-guid.html>

4. Privacy, ethical values and free access to legal information

We think that we could follow this original idea, but shifting from the intellectual property framework to a wider conception, more suitable for the LIIs purposes. This means changing lens: instead of viewing the publication process from the poles (the binary relationship between authors and publishers or LIIs), we might approach the same relationships stemming from the link among all the implied agents, LIIs, publishers, institutions...and users (professionals or lay people). This is to say, changing the property perspective, in which individual authors' rights and interests are the focus of the discourse, in benefit of collective trust and shared common values. Launching an OA journal means creating some kind of ties first, and securing interoperability and a more fluid and permanent communication: (i) between research communities and Legal Information Institutes, (ii) between users and LIIs, (iii) and between LIIs themselves.

Creating a community is not at all an easy task, but this social network might be at the same time a condition and a result of the Web 2.0 and Web 3.0 applications to the legal field, which is evolving along the increasing functionalities of mobile technologies and services offered in the web (legal services and, more recently, semantic services). A new balance between the increasing risks and information asymmetries of the web of data, and the protection offered by privacy enhancing technologies (PET) is taken place and it must be included into the policies of LIIs.²⁶

To do this it is not necessary to break the chain value of digital intellectual property rights (in which authors, servers, publishers and sellers are equally involved as chain links). From this point of view, as showed by Anne Fitzgerald et al. (2010) for the Australian case, protecting and gaining control over the own productions can be secured with already CC existing licenses and tools²⁷, e.g.. We think that the legal perspective can be broadened up towards an information or computer ethics perspective. This would make sense for OA ILLs publications, because liberty and easier lay people accessibility to legal knowledge have been the main scope of the free access movement since the beginning.

Therefore, digital rights may be conceived as integrated into a broader conception of information privacy which takes into account not only the professional community needs, but the actual demands from companies and institutions within the boundaries of the market.²⁸ This does not mean accepting these limitations, but entering into a dialogue without excluding any stakeholder. Moreover, a multicultural and pluralist approach to the different

²⁶ See the works included in Delgado and Rodríguez (2009).

²⁷ See also on the coexistence of collective societies and CC licensing, Hietanen (2010).

²⁸ See the papers gathered by M. Genesereth, R. Vogl and M.A. Williams (2010); especially Sabah Al-Fedaghi (2010) on the concept of "information privacy" and his refinement of L. Floridi's ontological interpretation of information ethics.

needs and cultural values of the readers seems also appropriate to make a balance between universal values and local differences and needs as well. This leads to a more political redefinition of “information ethics”.²⁹

The publication process can be revisited according to these guidelines.

5. Steps and functions of the new process of digital publication: a model for the LII platforms

The process of digital publication allows separating different steps and functions that were intermingled in the old paper-based publication process. In particular, the low cost of “digital publication” (that is to say, making widely accessible some body of digital work) decouples the “publication” stage from the “quality certification” stages. Paper-based publication high cost made widely accessible (with a high number of physical copies) those documents that were already certified above some quality level (e.g. peer-reviewing in scientific research); digital publication allows very cheap and straightforward self-publication, institution-based publication, etc., since the Internet makes any such publication widely available. Self-publication, however, lacks some institutional and social properties that are desirable. We propose now a three-component model of digital publication, namely:

APA - Accredited Public Archival
COP - Comment-Open Publication
PRP - Peer-Reviewed Publication

The valid transition of a publication among these components is from the outside to 1, from 1 to 2, from 1 to 3, and from 2 to 3 (See Fig. 2). We will now describe each component in turn.

²⁹ See e.g. E. Mègnigbèto (2010: 144) “Information policy is the set of strategies and actions defined at a geographical or institutional level in order to satisfy information needs expressed by people and assure development goals. With the development of information and communication technologies (ICT), new stakeholders appear, including both information producers and consumers, raising problems relative to authenticity, reliability, and evaluation of information, and also the problem of full and effective use of information technology. As information policy aims at providing access to timely information, it should attempt also to make people fluent with technology.”

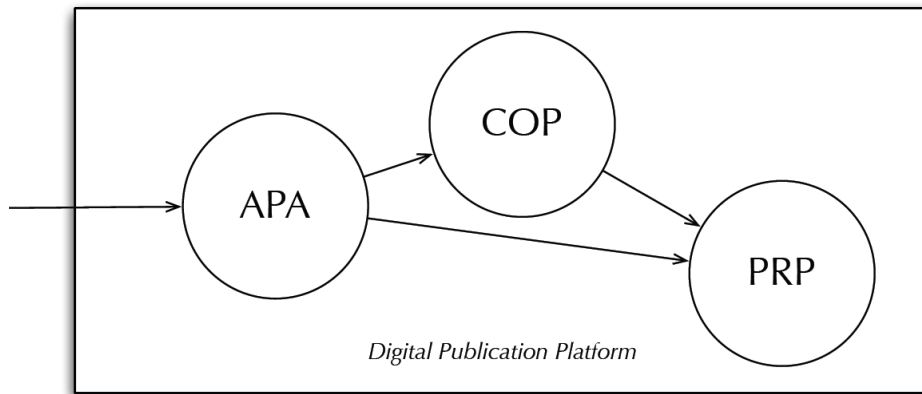


Fig. 2. Digital Publication Structure

5.1. ACCREDITED PUBLIC ARCHIVAL (APA)

This component has similar functions to the way Archive.org is used by researchers in the domains of physics and mathematics. The APA component is a platform that allows the storage, indexing, retrieval, access and copy of documents. Authors of a document submit the contents of a document, and APA accredits the claim of authorship by the submitters with regard to the content of the document, and certifies the date and time stamp of the submission.

This process allows the authors to claim accreditation of authorship of the contributions at a particular date, and making it public helps their reputation and increases the transparency on research work. The authors receive a public identifier and certification, as well as the services of retrievability and accessibility provided by the platform.

The submitted document is an *archival publication*. It is a “publication” in the sense that it is public and publicly accessible, and is “archival” in the sense that the platform commits the permanent or long-term preservation of the submitted documents. Notice, however, that this changes the common meaning of *archival publication* in scientific publication.

Submitting a research paper to a peer-reviewed journal requires the authors to state that it has not yet been published in an “archival publication” – it is admissible to have been published in a non-archival publication (i.e. one that does not insure permanent or long-term preservation, like workshop proceedings, or one-shot publications). The difference from our proposal is that APA is not peer-reviewed, so the requirement for submission to peer reviewed publication should more exactly phrased as “a document whose content of that has not been subject *peer-reviewed archival publication*”. In this way, documents in APA do not fall under this requirement.

This component does not allow any kind of third-party or social commentary, or any other action, upon the APA documents; these documents are simply accessible, and their authorship claim accredited. No claim or counter claim on innovation, plagiarism, etc., takes place at this component.

5.2. COMMENT-OPEN PUBLICATION (COP)

This component receives only documents previously certified by APA. When the authors submit their publication to COP they open this publication to third-party and social commentary using the functionality provided by the platform for this purpose. As an example, the COP platform may include functionalities like these:

- comments of the documents by certifiably identified persons
- comments provided anonymously
- reputation-based mechanisms like “I like” or “I do not like”
- endorsing mechanisms, like promoting the reading of the paper for a particular purpose, problem, or community, or recommending some particular person to read the document
- permanent citation mechanisms, using the APA-identifier of the document to cite it, while contributing to its reputation by accumulating these citations in the platform or via citation interchange with other similar platforms.

Moreover, digital publication allows early feedback, so COP supports activities that help evolving documents. Three main evolving mechanisms are:

- *Refinement*: which allows the authors to write a new version of the paper (but under the same title and identifier) based on the community’s feedback; sometimes this may be referred to as versioning.
- *Superseding*: the authors deprecate the document and submit to APA a new document (with a new identifier, and typically a new title) that is considered as a new take on the same issues, sufficiently different from the previous one.
- *Merging*: authors of two (or more) documents decide to proceed, by creating a new joint document based on their individual previous work (which becomes superseded by the new document).

The COP papers are not peer-reviewed, they are open to comments and public scrutiny, while not formally claiming a scientific contribution, they are deemed worthy of public debate. The reasons can be variegated: they can be presented as food for thought, as new ideas that need elaboration, or as challenges to commonly held ideas or mores.

For instance, a paper discussing how to evaluate computer science papers is typically not accepted as a regular paper in a computer science journal or conference, since it is not about computer science; but it is a challenge to current ideas or mores of the computer science community.

Another example would be State of the Art papers, which typically depend on the field, but should keep evolving as the field evolves.

5.3. PEER-REVIEWED PUBLICATION

The third component is the equivalent to the usual peer-reviewed archival publication, where quality is certified by a formal process. Only papers coming from APA or COP can enter this PRP component. PRP platform can encompass one or several “virtual journals”, with each journal having a specific Editor and a Board. PRP document identifier would be a pair (i,j) , i.e. a composition of the APA identifier i and the journal identifier j ; in this way the publication aspect (the making public stage) is decoupled from the community-certified quality (the journal “inclusion” rather than “publication” of the paper). Once the paper has been included in a journal it is considered a peer-reviewed archival publication, and submission to other journals

Finally, the PRP component does not commit to any particular process of quality certification, although in scientific journals peer-reviewing (in its different formats) is a de facto standard.

Acknowledgements

Partially supported by projects NextCBR (TIN2009-13692-C03-01), ONTOMEDIA (CSO-2008-05536-SOCI; TSI-020501-2008-131) and SGR (CIRIT-2009SGR0688). The authors thank Sílvia Gabarró for her kind assistance.

References

- Al-Fedagli, S. (2010), *Information Privacy and its Value*, in Genesereth, M., Vogl, R., and M.A. Williams (Co-chairs), “Intelligent Privacy Management. Papers from the AAAI Spring Symposium”, Technical Report SS-10-05, AAAI Menlo Press, California, pp. 7-12.
- Bourcier, D., Casanovas, P., Dulong de Rosnay, M., Maracke, C. (Eds.) (2010), *Intelligent Multimedia. Managing Creative Works in a Digital World*, European Press Academic Publishing, Florence.
- Bruce, T.R. (2009), *Foundings on the Cathedral Steps*, in Peruginelli, G. and Ragona M. (Eds.), “Law via the Internet. Free Access, Quality of Information, Effectiveness of Rights”, European Press Academic Publishing, Florence, pp. 411-422.
- Casanovas, P. (2009), *The Future of Law: Relational Law and Next Generation of Web Services*, Fernández-Barrera et al. (Eds.), “The Future of Law and Technology: Looking into the Future. Selected Essays”, European Press Academic Publishing, Legal Information and Communication Technologies Series, vol. 7, Florence, pp. 137-156.
- Casanovas, P. and Poblet, M. (2009), *Justice via the Internet: Hopes and Challenges of Law and the Semantic Web*, G. Peruginelli, M. Ragona (eds.), “Law via the Internet. Free Access, Quality of Information, Effectiveness of Rights”, European Press Academic Publishing, Florence, pp. 347-359.

- Claffy, K.C. (2008), *Ten Things Lawyers should Know about the Internet*, 2008, http://www.caida.org/publications/papers/2008/lawyers_top_ten/ .
- Communia, (2010), *Manifesto for the Public Domain*, 25th January 2010, Communia <http://communia-project.eu/> (The European Thematic Network to the Digital Public Domain).
- Delgado, J. And Rodríguez, V. (Eds.) (2010), *1st Workshop on Privacy and Protection in Web-based Social Networks*, IDT Series n. 6, Ed. Huygens, Barcelona, <http://www.huygens.es/site/service4.html>
- Fitzerald, A., Hooper, N., Fitzgerald, B. (2010), *The Use of Creative Commons Licensig to Enable Open Access to Public Sector Information and Publicly Funded Research results: An Overview of Recent Australian Developments*, in Bourcier, D., Casanovas, P., Dulong de Rosnay, M., Maracke, C. (Eds.) (2010), “Intelligent Multimedia. Managing Creative Works in a Digital World”, European Press Academic Publishing, Florence, pp. 151-174.
- Francesconi, E. and Peruginelli, G. (2001), *An Open Access Policy for Legal Informatics Scholarly Research Publishing*, unpublished paper.
- Genesereth, M., Vogl, R., and M.A. Williams (Cochairs) (2010). *Intelligent Privacy Management. Papers from the AAAI Spring Symposium*, Technical Report SS-10-05, AAAI Menlo Press, California.
- Greensleaf, M. (2009), *AustLII’s Business Models: Constraints and Opportunities in Funding Free Access to Law*, in Peruginelli, G. and Ragona M. (Eds.), “Law via the Internet. Free Access, Quality of Information, Effectiveness of Rights”, European Press Academic Publishing, Florence, pp. 423-437.
- Hendler, J., Nigel Shadbolt, N., Wendy Hall, W., Berners-Lee, T. and Weitzner, D. (2008), *Web Science: An Interdisciplinary Approach to Understanding the Web*, Communications of the ACM , July, vol. 51, n. 7, pp. 60-68.
- Hietanen, H. (2010), *Collecting Societies and Creative Commons Licensing*, in Bourcier, D., Casanovas, P., Dulong de Rosnay, M., Maracke, C. (Eds.) (2010), “Intelligent Multimedia. Managing Creative Works in a Digital World”, European Press Academic Publishing, Florence, pp. 199-221.
- Howe, Jeff (2006), *The Rise of Crowdsourcing*, Wired, issue 14, June, <http://www.wired.com/wired/archive/14.06/crowds.html> (accessed 29 April 2011)
- Hunter, D. (2003), *Cyberspace as Place and the Tragedy of the Anticommons Paradox* , 91 California Law Review, pp. 439
- Kazman, R. and Chen, H (2009) *The Metropolis Model: A New Logic for the Development of Crowdsourced Systems*, Communications of the ACM, July, pp. 76-84.
- Kenneally, E. and Claffy, K. (2009), *An Internet Data Sharing Framework For Balancing Privacy and Utility*, in Engaging Data: First International Forum on the Application and Management of Personal Electronic Information. October, MIT.
- Mêgnignêto, E. (2010), *Information policy: Content and challenges for an effective knowledge society*, The International Information & Library Review, Volume 42, Issue 3, September 2010, pp. 144-148.

- Osman, N., Sierra, C., Sabater-Mir, J., Wakeling, J.R., Simon, J., Origgi, G., Casati, R. (2010), *Liquid Publications and its Technical and Legal Challenges*, in Bourcier, D., Casanovas, P., Dulong de Rosnay, M.; Maracke, C. "Intelligent Multimedia. Managing Creative Works in a Digital World", European Press Academic Publishing, Florence, pp. 321-336.
- Poulin, P. (2009), *Fifteen Years of Free Access to Law*, in Peruginelli, G. and Ragona M. (Eds.), *Law via the Internet. Free Access, Quality of Information, Effectiveness of Rights*, European Press Academic Publishing, Florence, pp. 15-32.
- Suber, P. *Open Access Overview. Focusing on open access to peer-reviewed research articles and their preprints*, <http://www.earlham.edu/~peters/fos/overview.htm> (accessed 29 April 2011)