**Open Data Promotion Consortium**

**Summary of Minutes of the Third Meeting of**

**the Data Governance Committee**

Date and time: 10:00 - 12:00, January 28 (Monday), 2013

Venue: Mori, Hamada & Matsumoto Law Office, 16th Floor, Conference Room A19

**Attendees:**

Chairman: Yuriko Inoue Professor, Hitotsubashi University Graduate School of International Corporate Strategy

Vice-Chairman: Yuko Noguchi Lawyer, Mori Hamada & Matsumoto

Committee members:

Toshiko Sawada Director, EC Network

Fumito Tomooka Professor, Nihon University College of Law

Ryouji Mori Lawyer, Cyber Law Japan Eichi Law Offices

**Observers:**

Ministry of Internal Affairs and Communications (MIC) (Information and Communications Bureau)

Cabinet Secretariat (CAS) (Information Technology Policy Office)

Ministry of Economy, Trade and Industry (METI) (Commerce and Information Policy Bureau)

Ministry of Land, Infrastructure, Transport and Tourism (MLIT) (National Spatial Planning and Regional Policy Bureau)

Geospatial Information Authority of Japan

**Secretariat:**

Fumihiro Murakami, Takeshi Tsukuni, Nao Fukushima (Mitsubishi Research Institute)

**Handouts:**

Material 1. Seating chart

Material 2. Contents of discussions at the Second Meeting of the Data Governance Committee and its subsequent meetings

Material 3. Trend in foreign countries concerning data governance

Material 4. Status of discussions at the Data Governance Committee (explanatory materials prepared by Rules and Dissemination WG)

Material 5. Proposed case studies (materials for further discussions)

Reference Material 1. Handling of copyright in Japan’s open data strategy (reference material prepared by Professor Inoue, the Contents Enhancement Advisory Committee)

Reference Material 2. About the study on standardized license (use policy) for survey data, etc.

**Agenda:**

1. Report about the matters discussed at the Second Meeting

- Matters discussed at the Second Meeting and at the subsequent meetings are reported by Secretariat Ms. Fukushima, based on Material 2.

2. Report about the direction of the treatment of outputs from the meetings of this Committee

- The trend in foreign countries concerning data governance is reported by Secretariat, based on Material 3.

- The direction of the treatment of outputs from this Committee is reported by Secretariat, based on Material 4.

- The contents of discussions at the meeting of the Rules and Dissemination WG of the Public Sector Electronic Open Data Working Level Meeting, held on January 24 (Thursday), are reported by observer Mr. Kawashima.

* “Public Sector Electronic Open Data Working Level Meeting” was established within the Cabinet Secretariat, with its Chairman being Prof. Murai, and under that Meeting, Rules and Dissemination WG (for which I myself serve as Chairman), and Data WG were created. The members of the Rules and Dissemination Working Group include not only knowledgeable people but also representatives from the Ministries and Agencies concerned such as the Agency for Cultural Affairs and Financial Bureau of the Ministry of Finance. At the first WG meeting held on January 24, the value of open data, examples of utilization, and so forth were reported by knowledgeable people, and matters to be attended to when interpreting the copyright associated with open data, eligibility of data for copyright, and so forth were explained by the representative from the Agency for Cultural Affairs. The treatment of data under the National Property Law and the Public Finance Law was explained by the representative from Co-ordination for National Property Management Division, Financial Bureau of the Ministry of Finance. In Article 9 of the Public Finance Law, it is stipulated that the property of the government shall not be exchanged, used as means of payment, or assigned or leased without receiving an appropriate level of consideration (compensation), unless permitted under other national laws”, and thus, if any data are considered as a national property, it becomes necessary to receive appropriate consideration. Then, there are two kinds of arguments here; namely, the first one is whether the object in question falls under the category of the national property and the second one is what level of consideration is appropriate. In the meantime, in Article 22 of the National Property Law, it is stipulated that sales or lease of national property without consideration or at a reduced price is allowed as long as the object in question is used for purposes of high public nature. Then, this leads to another question of what is meant by the usage with high public nature. No deep examination on this point has been made yet. The general agreement at the Rules and Dissemination WG was that if and when a firm policy on the treatment of public sector data is established at the Working Level Meeting, the WG will just follow that decision.
* I want to complement that statement from the standpoint of IT Policy Office of the Cabinet Secretariat, which is serving as the secretariat for the Working Level Meeting. At the first meeting of the Rules and Dissemination WG held on January 24, we first aimed to share the fundamental knowledge among attendees. From the side of knowledgeable people, a general presentation was made, and from the side of authorities concerned of national systems, explanation was made about the Copyright Law and the National Property Law. We agreed to proceed with discussions hereafter based on such shared knowledge. The materials originally prepared by the Secretariat were based on the understanding that we would discuss the overall direction of the meetings or a general guideline, based on the request expressed at the Working Level Meeting held on January 15. However, the actual discussions were rather focused on questions and answers on the National Property Law, and no concrete discussion on the guideline was made. From the standpoint of the Secretariat, we want to take up the issue of the basic way of thinking as an important topic of the Rules and Dissemination WG meetings. For that purpose, we are going to prepare a material for further discussions at the WG meetings. As regards the National Property Law, I think it necessary to make close coordination between the Ministry of Finance and the Secretariat. As there are also some other items left over from the first WG meeting, we want to start our discussions, after firstly sorting out the points at issue and confirming them with the Ministry of Finance in a form of written questionnaires.
* If you look at page 7 of Material 4, “waiver of right” by the government (public sector) is mentioned in Item (2) as the direction of settling the issue in line with the result of discussions at the main Committee meeting, and it is stated there that the confirmation of its possibility is necessary from the viewpoint of various laws including National Property Law, Local Autonomy Law, and Law on Rationalization of Budgetary Execution concerning Subsidies, etc. Concerning the possibility of adopting the issuance of license mentioned in Item (3), too, it is necessary to confirm that this way will not violate any provisions of laws such as the National Property Law and the Public Finance Law, even if gratuitous secondary use of data is permitted. Regardless of the question as to which of the Items (2) or (3) to adopt as the measures to settle the issue, it is necessary to resolve the issue of interpretation of laws including the National Property Law. This recognition is also shared among all members of the Rules and Dissemination WG.
* I also attended the meeting of the Rules and Dissemination WG held the other day, and I quite agree to the agreed direction. As the way of settling the problem, such measures as transferring public sector data to the public domain, waiver of copyright, and adoption of easily usable licenses were presented. The bottleneck here is the treatment of data under the National Property Law and the Public Finance Law, and therefore, it was quite natural that discussions at the Rules and Dissemination WG meeting were focused on that point.
* We will further discuss that subject at future meetings of the Rules and Dissemination WG, and it is also possible that the main Committee itself will examine the interpretation of laws as appropriate.

【**About the image of outputs from the main Committee, described in page 9 of Material 4**】

* As regards the national property that has copyright, conditions for its secondary use can be imposed rather flexibly under the Copyright Law. However, with respect to the national property that has no copyright, I wonder if we have to make it open (public) gratuitously. I want to question if the main Committee will examine as to how such property is treated under the laws such as the National Property Law and the Public Finance Law, and where the demarcation line is drawn.
* My understanding is that if the property does not have copyright, then that property does not come under the category of national property. Is my understanding correct?
* It can be categorized as national property if it has any kind of intellectual property rights. Do you have any concrete image about such property (data)?
* As regards the data to which no copyright occur, it’s all right as long as there aren’t any data that fall under the category of national property. Anyway, I haven’t raised this question based on any concrete image.
* As the types of intellectual property rights that can occur to national property, we can name such rights as patent rights, copyrights, trademark rights, utility model rights, and other equivalent rights. These rights all accrue to intangible matters.
* As regards the patent rights, we need to go through the process of application and registration. As a matter about which it is controversial if that has intellectual property right, we can name “trade secret”. But it is questionable if we can say that trade secret is national property.
* As regards the trade secret, once it is made open, that will not bring about any further problems.
* At the time of making data open, there may be a room for an argument taking place to the effect that their publication is not appropriate because the data have value.
* In the case of public sector data, the problem lies not in the point whether they meet business requirements or not. If it is allowed for the public sector to have copyright, the question about the treatment under the National Property Law and the Public Finance Law will necessarily come out. But concerning the data that have no copyright, it is understood that they essentially do not fall under the category of national property.
* Then, I think the transfer of public sector data to the public domain is the way that does not necessitate any modification to the National Property Law, as indicated in page 7 of Material 4. Procedures to modify laws usually takes a long time and there will also be pros and cons about the modification.
* By the way, presentation by Copyright Division at the Rules and Dissemination WG meeting of the Working Level Meeting was made in the form of an easily understandable lecture on the Copyright Law. In the presentation, such matters as the contents of the Copyright Law, exceptions stipulated in Article 13 of the Copyright Law (concerning the question of whether the government can have copyright), and constraints of rights for reproduction stipulated in Item 2 of Article 32 were explained. Basic knowledge about these matters was shared among attendees including Ministries and Agencies concerned. It was explained that numerical data do not accrue copyright. What was made was essentially explanation about existing laws.
* At the meeting, no one touched upon the fundamental point as to why the government has copyright.
* Concerning the explanation made by Financial Bureau of the Ministry of Finance at the Rules and Dissemination WG meeting, lively discussions were made. Against the opinion from knowledgeable people that gratuitous use of public sector data should be promoted by loosening or widening the interpretation of the National Property Law, the representative from Financial Bureau reacted by saying that the deed to make secondary use of some data that have copyright is to make their monetary value conspicuous and thus, that deed should essentially be made against an appropriate level of consideration.
* The oral explanation at that time will be sorted out and confirmed in writing later-on.
* What the provision of Article 9 of the Public Finance Law stipulates is that the property of the government shall not be exchanged, used as means of payment, or assigned or leased without receiving an appropriate level of consideration, “unless permitted under other national laws”. Then, if the essential stipulation contradicts with stipulations of certain other existing laws, I wonder if we need to discuss whether we should enforce a special legislation to deal with such a situation. Concerning the direction of our discussions, I don’t think it right to say that open government is not possible because of the stipulation in the National Property Law. If we are to discuss various means including the enforcement of a special legislation in order to cope with legal obstacles standing in front of us in promoting the open government, I can well appreciate the meaning of this meeting. But, if we say we need to collect fees from the nation (users) because we have the stipulation of the National Property Law, I don’t think such a way of thinking is correct when we are discussing the desirable state of the national policy.
* Our discussions on the policy have not reached that detailed point yet. Ministries concerned merely explained the current situation. I understand that the opinions of knowledgeable people based on the needs of our society have been well perceived.
* Yes, the important points of opinions were taken note. We will examine all options in detail at the next stage, and if we encounter such matters that cannot be solved within the present framework, then, that situation itself will become a topic of our discussions. And if we can identify certain options that can be adopted within the framework of existing laws, the next stage will be that we discuss what we can do with each of the options and if the available range is acceptable or not.
* Talking about the bottleneck, I think that the explanation given by Financial Bureau of the Ministry of Finance was that from the standpoint of the National Property Law, copyright to public sector data is admitted under the Copyright Law and because there exist no restrictions, we need to treat it as property. Then, regardless of the question as to whether this is a matter of interpretation or legislation, I think we need to modify either of the Copyright Law or the National Property Law in any event.
* There should be indeed a way of proceeding with this issue, by enforcing a basic law corresponding to the special legislation we are talking about.
* What arrested my mind most was that Financial Bureau asserted that it is a problem related to the Copyright Law. I can understand that as the remarks made from the standpoint of the safe keeper of the country. Regarding the matters categorized as national property, the stance of Financial Bureau that insists that they cannot loosen constraints easily is quite natural and understandable.
* Unless the framework of the legal system becomes clear, we cannot advance our discussions about the license. Therefore, I want that the Rules and Dissemination WG of the Working Level Meeting examines this issue and also that the main Committee itself will make studies as needed.
* I understand that the government has the responsibility to supervise its laws. However, from the standpoint of the private sector, it is also important to request for revision of the Copyright Law straightforwardly. If we come to the conclusion that the government does not have copyright, it will be important to ask the government to make clear what problem they have, and also concerning the National Property Law, to ask them to cope with the situation by revising the Copyright Law rather than dealing with the problems by way of its interpretation. It will be necessary to continue making requests straightforwardly without paying too much attention to the position of the government. While grouping a realistic point of compromise, we should also look for the possibility of revising the law.
* Such approach will be taken only after thorough discussions as to whether the revision of the law is truly required beyond the framework of interpretative approach.
* I think it all right if we take the step of firstly sorting out the problems carefully and then, implementing revision of laws if that is considered really necessary.
* To conduct interviews with and get comments from the experts of Administrative Law, National Property Las and Public Finance Law will be also an effective way.
* I wonder if it is truly meaningful from an operational viewpoint to transfer public sector data to the public domain and revise the Copyright Law. In the case of the license, its maneuverability is high, and the flexibility in changes in conditions and amenability to alteration are also big. Certainly, I can understand the benefit of changing laws as a hierarchy of governance. However, when considering the actual effect from the standpoint of people involved in daily operations, the important thing is that the effect is obtained easily, and if the effect realized by the license is the same and if the effectiveness and modifiability of the license is more flexible, I don’t think it so important to change laws.
* If the Copyright Law is revised, the government loses copyright. Then, for instance, it will become no more necessary to establish CC-BY license based on the copyright.
* As indicated at the previous meeting of the Rules and Dissemination WG, people on the side of using and applying the secondary data have a strong desire of using them as easily as possible. Therefore, I, as a person involved in legal matters, think it necessary to continue pursuing revision of laws such as the Copyright Law and the Public Finance Law. Apart from that, it is also necessary to examine the measures that can be taken under the existing legal framework.
* When you mention the idea of revising the Copyright Law, do you have in mind the situation in which license conditions are legitimized as they are?
* No, that is not correct. I have no objection to the thought that the license is necessary for the time being, because it will take a rather long time before the Law is revised. As you can see in the example of the Federal Government of the United States, there are cases where there is a stipulation in the copyright law that no copyright occurs to literary works of the government. In Japan, too, because judicial precedents and laws have no copyright, it is free to copy judicial precedents and create a database. In this way, the meaning of revising the Copyright Law is to create a situation where no copyright accrues from the beginning. Then, it will “not” become necessary for us to first determine the existence of copyright and thereafter to discuss, based on the determination, how to handle the data in question. And, concerning the question of what conditions are appropriate, too, we will have a situation where it is natural that revision can freely be made, as there will be no more room for arguing whether modification is required or not if copyright does not exist from the outset, although I think the issue of indemnification in the use conditions may still remain. The same thing applies to the commercial use of public sector data. The benefit of revising the Law is that we lose the room for arguing about the constraints. It is quite simple. Yet, it will be necessary to establish a certain level of constraints, and if proactive imposition of constraints is desired, revising the Law may not be a very attractive option. On the contrary, if a wide use of public sector data including secondary use is aimed at, revising the Law has a big benefit in that discussions on the selection of licenses and the indication of data source become unnecessary.
* On the side of the government, there are often cases where they desire that conditions to indicate the data source or to prohibit modification are imposed. I think it all right to impose conditions either by the Copyright Law or by the license, but there should be fairly many condition items we need to consider. I can think of two possibilities. Namely, the first way is to make the complete public domain “de-facto”, and the second way is to make certain conditions “de-facto” and make it possible not to ask for those conditions. Theoretically, in order to make the public domain “de-facto”, it is necessary to create a situation where we can say that it is more efficient and better for the social structure to eliminate all related procedures by transferring public sector data to the public domain. But that is not easy.
* It is not right to say that all open data subject to this meeting have copyright. For instance, numerical data and statistical data do not have copyright. However, even for such data, there will be desires on the side of the government to guarantee the accuracy or to constrain the extent of modification within a controllable range. And also, there will be desires on the side of the government to ask users of numerical data to clearly indicate the source. With respect to the public sector data, requests for source indication or consideration for quality maintenance will exist regardless of the existence or non-existence of any protection under the Copyright Law. If we look for means of guaranteeing source indication or quality maintenance under the Copyright Law and rely upon the license, the data that can be covered by this Law will be limited to those that have copyright, and it will become difficult to make all other data subject to source indication or quality maintenance. The determination of the necessity for source indication or quality maintenance of the public sector data will need to be made based on the nature of the data, apart from the issues under the Copyright Law. On that point, it will be necessary to prepare special rules, separately from the Copyright Law. If we solely rely upon the Copyright Law, we may overlook important viewpoints.
* I understand that we are proceeding with our discussions based on the basic policy of promoting open data, which was decided upon at the Working Level Meeting. If that is the case, then, apart from the problems foreseen in relation to the Copyright Law, we should make a decision on the direction of our discussions as to whether we should go in the direction that the public sector data cannot be made open hastily because of the existence of constraints, or in the direction of making the data open in principle and discussing the necessity of controlling their disclosure individually.
* The Copyright Law was enacted to encourage the creativity of right holders, and therefore, it is rather difficult to apply the Law per se to the public sector data. The situation of the public sector is not the same as that of the private sector. In the private sector, right holders impose conditions on the use of their data so that their rights are not encroached. When the public sector imposes certain constraints on its own data, that is done when it wants to avoid any misunderstanding on the side of the users or any damage taking place as a result of their misuse by users. Therefore, the main reason for the transfer of data to the public domain is to forget about the viewpoint of the right holders in the first place.
* There are a variety of constraints on the use of the public sector data, under various separate laws such as Consumer-Protection Law, Personal Information Protection Law and Meteorological Service Law. The necessity of practically controlling the usage has also been examined at the Working Level Meeting.
* What you mean is the constraints by individual laws?
* For the data for which the necessity of imposing constraints or controlling are not clear under individual laws, we should not resort to a makeshift measure to control them in the name of the Copyright Law, because the data which are not covered by the Copyright Law cannot be controlled in any way. Practically speaking, the side of the public sector may have a feeling that it is more problematic if the factitious data not covered by the Copyright Law are tampered in an unexpected way. If that is the case, one possible way is to create individual laws as required. The proposed solution option (1) “transfer of public sector data to the public domain together with the revision of the Copyright Law” was presented based on such thought. However, even if the proposed solution option (1) is a possibility, we will not be able to make a swift movement unless we also discuss, in parallel, the issue of the license as one option that we can utilize for the time being.
* I want to confirm one thing. As regards AusGOAL which appreas in page 10 of Material 3, it says CC-BY 2.5, but I think it should be CC-BY 3.0. , isn’t it?
* If that is written in that way, I think that’s a mistake on the side of website. In the official document, there doesn’t seem to be any description about the number of the version. Although the version number is described in AusGOAL, this document is merely a guideline, and the official document is “Open Access Principles” that appears before AusGOAL. If necessary, we will get confirmation.
* Regarding the comparison of licenses in foreign countries and the examination of domestic licenses mentioned in page 19 of Material 4, I wonder if the contents of Material 3 will be incorporated.
* Yes, that is correct.
* In page 13 of Material 4 and in page 19 of Material 3, there is a description to the effect that “licenses whose conditions can be selected at the time of their issuance”. As an image, it seems to me that the types of licenses to which more circle marks are described are better ones, but I think it necessary to discuss the point as to whether or not the main Committee should more positively appraise the licenses that have conditions such as “not-for-profit” or “prohibition of alteration”. What do you think? As regards the data whose arbitral alteration is not desirable, I don’t think it a problem to prohibit alteration from the standpoint of open government or consumer protection, but I don’t think it right to prohibit even minor alterations such as formats or columns with no changes in the numerical values of the data, on the same basis, based on the principle of alteration prohibition. There is a big gap between the constraints on the use due to possible misunderstanding and the total prohibition of any alteration. I want to avoid the situation where it is seen as if we were recommending the prohibition of alteration, by allowing the selection of the conditions to prohibit alteration in the license presented by the main Committee. Having said that, although I don’t think that any misunderstanding will occur from the remarks stated at the bottom of page 13 of Material 4, which say that it is appropriate to make a trial by using CC-BB as the mainstream, but I think it necessary to elaborate the way of presentation, by making it clear if we adopt the six items of CC license as the preconditions, or we first establish the indicated licenses as the basis and then show a comparison table of individual licenses separately.
* As it is necessary to elaborate the way of presentation, we will consult and confirm about that with the Committee members, as appropriate, at the stage of documenting the draft table of contents.
* As Korea is always ranked first in the ranking of international electronic governments, I want to have Korea included in the comparison, if there is enough time to spare for that.
* We will take that request into consideration as one of the items for comparison to be made in future.
* I think it necessary to make clear the issue of the treatment of national property before discussing license matters. There are cases where reproduction is not allowed even in the case of CC-BY if an appropriate compensation is not asked for. The benefit of the license is that the provision of data is possible under existing laws, but we should clarify all possible problems under the existing laws before discussing the license matters mentioned in the draft table of contents in page 19 of Material 4, as there is a question as to whether the level of the compensation claimed is rightly regarded as appropriate under the Public Finance Law.

* As we are going to incorporate the contents indicated in page 7 of Material 4 in Item 1 of the table of contents, we are going to describe that clearly.
* I understand that many things are omitted from Item (3) in page 7 of Material 4, but the important point is whether a license without compensation under the current laws is permissible or not.
* I think if secondary use without source indication and with freedom of alteration is allowed, that can be considered the same as the waiver of copyright. Then, I wonder why it is necessary to look for source indication. I think it easier to use data in question if no source indication is required.
* In the case of Australia or New Zealand, each ministry makes judgment of not asking for source indication based on the thought that the obligation of source indication is a burden. Licenses are also used for other purposes commonly in the world, and because the instructions are to the effect that indication shall be made as the right holder designates. Then, it is possible to interpret the instructions in the way that if no designation is made, it is permitted not to make any indication. Even for CC-BY, it is possible to adopt the interpretation that the source indication is not necessary. In that case, the difference between the license and the public domain is that while the description of the Commons Deed of the CC license is simplified, the original license contains such provisions as DRM prohibition. In actuality, it may be necessary to also discuss whether it is good or not to adopt such interpretation.
* I didn’t know about that. We want to proceed with our discussions by sharing such information among attendees. We should discuss fundamental points in depth and furthermore, we should examine the National Property Law as one issue which we need to take note when adopting the method of the license, as indicated in page 18 of Material 4.

**3. About case studies**

* + Whitepaper “Information and Communications in Japan” and statistics-related information websites are explained by the Secretariat, based on Material 5.
  + Standardized license (use policy) concerning survey data is explained by observer Mr. Ono (Geospatial Information Authority of Japan), based on Material 2.

**【Direction of case studies】**

* + - I wonder if we need to include in the items subject to our discussions such characters as symbol marks and mascots, described in page 29 of Material 5. I think we can exclude them in light of our objective of promoting open government and open data. We should exclude what is unnecessary from our discussions. Concerning the data possessed by Statistics Japan of MIC, there is a question whether it is necessary to proactively indicate the source. This question may relate to the case where a third party right accrues later-on, but there will be cases where it is more kind if the source is indicated proactively for the sake of easier understanding, when we are to adopt the general rule that the data to which a third party right will accrue are not subject to source indication. On the contrary, if we are to describe the source individually, we may say that the proactive indication is not necessarily required because the data that have no source indication are considered to be usable for secondary use.
    - Although it will depend on the amount of work in future, it may consume too much time and effort if we have to perform management of rights even for the data which were created in the past without giving such thought to their secondary use. Certainly, it may be ideal if we also manage rights retrospectively, but I think it better to first focus our discussions on the management of data to be created in future.
    - The point you mentioned relates to “other points to consider”, described in page 32 of Material 5. I agree that we need to discuss the treatment of rights of third parties in depth.
    - After having obtained sufficient comprehension of the problems associated with the past cases, we must decide which way we should follow; namely, whether we take the way of making the treatment of future data as the main task, or whether we take the way of making the treatment of data in the past as the main task. I think all the items that are necessary for our consideration are covered.
    - I think the proposed standardized license mentioned in Material 2 is quite suggestive. I have a feeling that the license is of quite unrestrained nature because that is not asking for source indication while including conditions about public order and morality, as well as national security.
    - The examination of this proposed license has been limited to survey data out of various kinds of geospatial information. License application is required under the Surveying Law and regarding the application under this Law, source indication is stipulated. Since application is not required if the amount of data is small, there are cases where the source is required to be indicated even if application procedures are not taken.
    - The objective of the Surveying Law is not to constrain the secondary use of public sector data but rather to give professional advice so that the survey data are utilized in the better manner as possible, by adopting the method of application for use. Geospatial Information Authority of Japan is ready to support the correct utilization of data and the new method of survey.
    - The gist of procedures is the assurance of accuracy of survey as well as the maintenance of orderly use.
    - This is somewhat similar to the Meteorological Service Law. The stance is to promote wide use as much as possible, although there are constraints based on individual laws. In the case that CC-BY is also applied to other data, it will be better to have a unified style as much as possible so that compatibility is secured. If similar things are essentially being done, I wish that we also examine the way of making it the same as the license used in other open data strategy.
    - For that purpose, it is mentioned at the bottom of page 1 of Material 2 that the information examined in the main Committee should also be referred to.
    - Because the license we are talking about is essentially very flexible, it will not cause a big problem even if we combine this with CC-BY. In the meantime, although the prohibited matters described in item 2 of the back side of Reference Material 2 are not incorporated in CC as clearly prohibited matters, if any prohibited deed is committed, the deed will anyway be punished under other laws. In that case, the punishment is applied regardless of whether it is described or not. However, if there exists a difference in use conditions, that may bring about problems.
    - We want to continue our discussions in this way, in close coordination among participants.

**4. Other important matters that require attention 【Material 5】**

* As regards other important matters that require attention, which are stated in or after page 32 of Material 5, we will discuss in the next meetings.

**5. Messages from Secretariat**

Next meeting will be held on March 15, 2013.

**6. Closing**