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Intellectual Property Rights Policies for Think Tank Outputs: A Case Study of World-Renowned Think Tanks (Postprint)

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Abstract

[Objective/Significance] This study investigates the intellectual property rights policies of world-renowned think tanks, providing references for libraries and information service institutions in building think tank resources and for researchers in science and technology policy consulting who utilize these outputs, and proposes recommendations for formulating intellectual property rights policies for China's new-type think tanks.

[Method/Process] Employing a web-based research methodology, this study selects research subjects based on the "2019 Global Go To Think Tank Index Report" published by the University of Pennsylvania, comprehensively investigating think tank intellectual property rights policies and categorically summarizing copyright ownership, publication methods, licensing approaches, and specific rights provisions across various stages of resource construction.

[Results/Conclusion] Recommendations are proposed to mitigate rights risks in utilizing think tank outputs, including thoroughly examining the rights provisions of such outputs, paying attention to the laws of the countries or regions where think tanks are located, and a hierarchical and categorical management framework for think tank output rights is presented. The study also recommends that China's new-type think tanks attach importance to intellectual property protection of their outputs and draw on the experience of world-renowned think tanks to formulate reasonable intellectual property rights policies.

Full Text

Research on Rights Policies of Think Tank Outputs: Taking World-Renowned Think Tanks as Examples

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Abstract: [Purpose/Significance] This study investigates the rights policies of world-renowned think tanks to provide references for libraries and information service institutions in constructing think tank resources and for researchers in policy consulting, and to offer recommendations for formulating rights policies for China's new-type think tanks. [Method/Process] Using network research methods and referencing the *2019 Global Go-To Think Tank Index Report* published by the University of Pennsylvania, this paper comprehensively surveys the rights policies of think tank outputs, categorizing and summarizing copyright ownership, release methods, licensing approaches, and specific rights regulations across various resource construction stages. [Result/Conclusion] The paper proposes suggestions for avoiding rights risks when using think tank outputs, including thoroughly examining rights regulations, paying attention to relevant laws in the think tank's country or region, and presenting a hierarchical classification framework for think tank output rights management. It also recommends that China's new-type think tanks attach importance to intellectual property protection of their outputs and draw on the experience of world-renowned think tanks to formulate reasonable rights policies.

Keywords: think tanks; rights; rights management; open access resources

Think tanks are non-profit policy research institutions born from specific political, economic, and cultural contexts that serve national and public interests with the goal of influencing public policy and opinion [1]. Think tank outputs encompass all research products, primarily including books, journal articles, conference papers, research reports, and briefings [2]. Against the backdrop of knowledge innovation driving development strategies, think tanks, as vital components of decision-making consultation systems, influence knowledge-based decision-making in relevant fields through their outputs [3]. Currently, think tank outputs have become important reference sources for decision-making consultation, strategic intelligence research, and policy formulation, as well as key knowledge resources that libraries must prioritize in information resource construction.

Libraries constructing think tank resources involve acquiring, organizing, and providing services for various think tank outputs according to their nature and user needs. In open information environments, libraries and information service

institutions must not only provide basic reading, downloading, and retrieval services but also offer deep-level utilization and services such as link and index establishment, resource delivery, integration of heterogeneous resources, visualization, knowledge mining, and semantic organization [4]. However, the use of think tank outputs is constrained by both the laws of the think tank's country of origin and the rights policies formulated by the think tank institutions themselves. These restrictions create various rights issues across different stages of resource construction, significantly impacting libraries' deep-level utilization and services. For instance, different think tanks have different regulations regarding whether content can be downloaded or machine-scraped, whether it can be republished on library-built platforms, and whether it can be mined for data. Additionally, think tanks originate from different countries, produce diverse types of outputs, and may have varying copyright ownership and rights regulations for different output types within the same think tank, creating difficulties for libraries in rights management.

Currently, domestic scholars' research on think tank output rights primarily focuses on protecting think tank intellectual property, with few studies examining the issue from the perspectives of library resource construction and utilization. Zhou Hongchun points out that Chinese society has weak awareness of intellectual property protection for think tank outputs and needs to establish a property rights protection system [5]. He Peiyu et al. argue that new-type think tanks should attach great importance to protecting intellectual property rights during operation and management, and incorporate intellectual property development strategies into new-type think tank construction planning [6]. Yang Zaifeng et al. propose that new-type university think tanks should establish sound property rights evaluation systems to prevent academic plagiarism while promoting research output dissemination [7]. However, China currently lacks comprehensive and systematic research on think tank output rights issues, which hinders the effective utilization of think tank outputs.

Compared to commercially subscribed resources or open resources following open protocols, the rights status of think tank outputs is more complex. Given their increasingly significant importance across various sectors, comprehensive investigation of world-renowned think tanks' rights policies is necessary to formulate reasonable measures that promote and strengthen the legitimate use of think tank outputs in decision-making consultation and intelligence research. Furthermore, the mature experience of renowned foreign think tanks in rights policy formulation and management merits reference for China's new-type think tanks in developing output rights policies and promoting output development and dissemination.

Based on these considerations, this study selected 52 representative think tanks to investigate their output rights policies. Combining practical work in information resource construction and services, the study explores countermeasures for addressing rights issues when using think tank outputs, aiming to achieve rational, effective, and maximized utilization of think tank outputs while complying

with laws and relevant rights policies.

1 Data Sources and Research Methods

Top-tier think tanks are often prioritized for learning, research, and decision-making reference due to their renowned senior experts and high-quality research outputs. Analyzing their rights policies and related regulations can yield representative findings for developing reasonable and effective rights strategies. The *Global Go-To Think Tank Index Report*, compiled by the University of Pennsylvania's Think Tanks and Civil Societies Program, is a highly representative and socially influential think tank evaluation worldwide [8]. This study initially selected the TOP 100 think tanks from the *2019 Global Go-To Think Tank Index Report (including the United States)* as survey subjects. After excluding some samples based on website accessibility and language factors, and supplementing according to country of origin, the study ultimately selected 52 think tanks as research subjects (shown in), with abbreviations used for some think tanks in subsequent references. The survey was conducted through October 22, 2020.

lists the investigated renowned think tanks by country, including 15 from the United States, 6 from Germany, 6 from the United Kingdom, and others from Belgium, Japan, Canada, South Korea, Russia, Spain, Italy, France, India, Argentina, Brazil, Denmark, the Netherlands, Lebanon, Sweden, Ukraine, and Norway.

Think tank output rights policies are documents formulated and published on think tank websites to explain the copyright status of their outputs and restrict or regulate user usage. Some think tank websites' "Terms of Use," "Legal Notices," or "Website Use Agreements" also contain such content, collectively referred to herein as "output rights policies." Among the 52 investigated think tanks, 30 (57.69%) had output rights policies available on their websites. Eleven think tanks (21.15%) had no rights policies, only copyright notices or one-to-two-sentence copyright reminders on their websites or publication inner pages. Another 11 think tanks (21.15%) had no output rights policies, copyright notices, or reminders, or simply stated "all rights reserved" without further explanation. These statistics indicate that most think tank institutions attach importance to copyright protection and have formulated and published output rights policies or regulations, though the level of detail varies significantly.

2 Analysis of Think Tank Output Rights Policies

2.1 Basic Status of Think Tank Output Rights

The basic status of think tank output rights includes copyright ownership, release methods, and licensing approaches. Copyright of think tank outputs generally belongs to the think tank institution, though some think tanks declare joint ownership between the institution and authors. However, user usage is generally regulated and controlled by the think tank institution through rights

policies published on their websites.

Based on survey results, this paper categorizes think tank output release methods into four types: formal publication, web release, open publication, and multiple release methods. Formal publication refers to think tanks releasing outputs through formal publishing channels, generally including think tank reports, journals, and books. Web release refers to think tanks directly publishing research outputs or information on their websites without formal publishing, including blogs, expert commentaries, news, project/activity introductions, and multimedia resources. Open publication refers to publishing under open licenses such as Creative Commons (CC) protocols. Multiple release methods involve combining two or three of the above approaches, which is the method adopted by most think tanks.

Licensing approaches refer to agreements where intellectual property rights holders, or stakeholders with specific interests protected by intellectual property law (collectively referred to as rights holders), contractually permit licensees to utilize intellectual achievements or commercial marks in specific ways, exercising certain intellectual property rights [62]. In most legal systems, intellectual property law restricts the use, reuse, distribution, and adaptation of copyrighted resources without licensing agreements. Licensing agreements legally enable users to understand which resources can be used and under what circumstances [63], making them crucial legal bases for using think tank outputs. This paper classifies think tank licensing approaches into five categories: written permission, website agreement licensing, open licensing, no explicit licensing, and multiple licensing methods. Website policies containing phrases such as “no reproduction or distribution without written permission,” “application by email required,” or “reproduction in other electronic or printed publications prohibited without consent” are defined as requiring written permission. Website agreement licensing refers to automatic granting of limited usage rights when users meet requirements stipulated in website policies or agreements. Open licensing follows CC protocols or similar open licenses. No explicit licensing means the think tank has not indicated how users are authorized to use the outputs or lacks holistic explanations. Multiple licensing methods involve two or more of the above approaches.

Survey results show that most think tanks adopt two or three release methods, with licensing methods mostly combining written permission and website agreement licensing, or written permission and open licensing. For example, the Asian Development Bank Institute (ADBI) publishes some outputs under CC BY 3.0, some under CC BY-NC-ND, and other works under “all rights reserved” [41].

presents the release methods and licensing approaches of each think tank. The complexity of rights status across different output types within the same think tank affects libraries’ and information service institutions’ ability to discover, acquire, and utilize think tank outputs.

2.2 Website Agreement Licensing Provisions

Among the licensing approaches mentioned above, copyright holders generally execute written authorization by signing written contracts with users. Website agreement licensing automatically grants users limited usage rights when they satisfy requirements in website agreements. This section elaborates on usage provisions in website agreement licensing. Based on different regulated objects, this paper categorizes usage provisions in think tank website licensing agreements into four types: provisions for database/multimedia outputs, provisions for usage purpose/user identity, provisions for usage methods, and provisions for usage quantity. The restrictiveness levels are classified as: very permissive (almost unlimited), permissive (few restrictions), strict (significant restrictions but still allowing some use), and very strict (highly restrictive, nearly prohibitive), as shown in .

Regarding provisions for database/multimedia outputs, some think tanks apply the same regulations as for text-based outputs or have no separate provisions. For example, Human Rights Watch states that photos on its website are protected by the same copyright as reports and can be reproduced according to CC protocol terms [20]. Other think tanks have different usage provisions: ADBI has separate terms of use for its online statistical database system [41], and RAND Corporation requires separate licensing applications for RAND photos [17].

In terms of usage purpose/user identity provisions, most think tanks encourage individual users to download, print, and use outputs for personal purposes while generally prohibiting commercial use or requiring additional permission. Some think tanks designate “authorized users” (such as faculty, students, and staff at academic institutions) who may use outputs under specified conditions [30], while others restrict use to personal users only [10].

Regarding usage method provisions, some think tanks allow copying, downloading, printing, distribution, and republication without restricting specific methods [16], while others permit only browsing, downloading, and printing but prohibit copying, distribution, or republication [14]. Some strictly prohibit any downloading, copying, distribution, or republication [10].

Concerning usage quantity provisions, some think tanks impose no special restrictions, while others specify limits. For instance, SIPRI considers using no more than 10% of datasets for non-commercial purposes such as commentary, news reporting, teaching, and academic research as fair use, requiring separate permission beyond this threshold [59]. DIIS allows reproduction of small excerpts provided users credit the publication title, author, and DIIS [56].

2.3 Rights Provisions in Resource Construction Stages

Library construction of think tank resources involves three stages: resource acquisition, resource organization, and resource service. Based on survey results

and the classification of restrictiveness levels described above, this section categorizes rights provisions involved in each stage.

Resource Acquisition includes full-text acquisition and metadata acquisition. The surveyed think tanks do not provide metadata acquisition methods, so this discussion focuses on full-text acquisition. Full-text acquisition methods include downloading, robot scraping, and open APIs. For acquisition, this paper classifies rights provisions into three levels, as shown in . Some think tanks explicitly prohibit machine scraping, creating difficulties for libraries' batch acquisition and subsequent integration. Human Rights Watch is the only think tank in this survey that permits machine scraping to help librarians and digital archivists keep their databases current, though its quantity provisions are vague [20]. Most think tanks support single-article downloading to meet individual users' shallow information needs, and some provide RSS feeds to deliver latest content.

Resource Organization is a critical step that facilitates various deep-level services. This stage primarily includes storage, integration, and mining of resources. Currently, few think tanks have formulated policies on storage; none of the 52 surveyed think tanks had relevant provisions.

Data mining involves using computer programs to process data and extract potentially useful information [64]. Batch acquisition is an important prerequisite for text data mining. Think tanks currently impose strict restrictions on batch acquisition and have relatively few provisions on text mining. Two surveyed think tanks (Brookings Institution and PIIE) explicitly prohibit data mining activities.

According to CC protocols, adapted material refers to works protected by copyright and similar rights that are based on licensed material, such as translations, adaptations, arrangements, modifications, or other changes requiring permission from rights holders [65]. Regarding derivative works, a small number of think tanks using open licenses permit adaptation under CC protocol terms, while most prohibit modification. CAP does not allow modification of original texts but permits modification of excerpts without changing the author's original intent [16]. The Fraser Institute, which follows CC open protocols, states that users creating derivative works from openly published outputs on its website must follow relevant CC protocol provisions [42]. classifies and summarizes relevant rights provisions in the organization stage.

Resource Service involves issues of attribution and linking when republishing think tank outputs. Attribution is an important moral right stipulated in intellectual property laws worldwide. Many think tanks require proper citation as a condition for using their outputs, with some specifying citation formats. Some think tanks require users to link to original documents using URLs rather than directly copying content, partly to track usage or increase website traffic. Some further require links to HTML pages rather than PDFs. Most think tanks require hyperlinks back to the original website. Some prohibit any form of linking without written permission. categorizes and summarizes corresponding

provisions in the service stage.

3 Recommendations and Countermeasures

The survey reveals that think tank output rights are complex, posing infringement risks for libraries and information service institutions in constructing think tank resources and for researchers using these outputs in scientific intelligence and decision-making consultation. Therefore, heightened attention is required, with thorough investigation and analysis of think tank rights policies before use to develop reasonable countermeasures. Additionally, China's new-type think tanks have imperfect rights policies and need to learn from first-class foreign think tanks.

3.1 Thoroughly Investigate Think Tank Output Rights Provisions

When using think tank outputs, detailed investigation of rights provisions is necessary to avoid infringement risks. First, website rights policies sometimes do not represent the rights status of all outputs within a think tank. Think tanks, as intellectual centers with rich outputs, possess not only literature-type outputs such as reports, papers, briefings, and commentaries but also non-literature outputs including data, databases, software, code, photos, and videos. With the development of open data, data and supplementary materials have become integral parts of think tank outputs, and think tanks with databases mostly formulate specialized rights policies for them. Therefore, when using databases and multimedia outputs, attention must be paid to distinguishing their rights policies from those for text-based outputs, adopting different processing methods when different regulations exist.

Additionally, some think tanks lack holistic rights policies, instead placing copyright or usage notices at the bottom of webpages or in specific locations. There are also cases where individual reports have higher openness than the overall rights policy. For example, ADBI notes that while most of its publications are ADB-copyrighted, some outputs may have shared or external copyright ownership, and ADB may not hold copyright for every chapter, table, figure, dataset, photo, illustration, or other output form [41]. When using think tank outputs, users should carefully examine copyright notices for each publication and dataset, investigating the actual copyright status of paragraphs, tables, figures, datasets, photos, or other illustrations. For materials from other sources, further investigation of rights policies or contact with copyright holders or publishers is necessary to obtain permission and minimize infringement risks.

3.2 Reference Relevant Laws of Think Tank's Country or Region

All think tank output rights policies are formulated under the laws of their respective countries. lists legal bases mentioned in some surveyed think tanks' rights policies. Before using think tank outputs, in addition to thoroughly investigating rights policies, attention must be paid to relevant intellectual property

laws in the think tank's country. Taking data mining as an example: the UK revised its Copyright Law in 2014 to add a text and data mining exception, stipulating that text and data mining of lawfully accessed works for non-commercial purposes does not constitute copyright infringement [66]. Although U.S. law does not explicitly permit specific limitations or exceptions for text mining, case law typically applies the four-factor fair use test to data mining disputes [67]. France amended its Intellectual Property Code in 2016 to allow the public and researchers to mine lawfully accessed works for non-profit scientific research purposes [68]. Therefore, when using think tank outputs from the UK, US, and France, even without explicit rights policy provisions, libraries and information service institutions may conduct data mining for academic research or non-commercial purposes within the scope of fair use. If copyright holders explicitly prohibit data mining or impose quantity and usage restrictions, relevant regulations must be followed.

3.3 Develop Hierarchical and Classified Think Tank Output Rights Management Frameworks

To improve work efficiency and better develop deep-level information services, libraries and information service institutions need a rights management framework for think tank outputs during resource construction. Based on the classification and summary of rights provisions above, this paper proposes a hierarchical and classified think tank output rights management framework based on the resource construction workflow, including a licensing management framework () and a resource construction stage rights management framework (). These frameworks cover all provisions from the 52 surveyed think tanks, classifying restrictiveness levels into four categories: very permissive, permissive, strict, and very strict; and risk levels into four categories: low, medium, high, and prohibited, with corresponding recommended processing methods for different levels. Libraries and information service institutions can adapt these frameworks according to actual resource construction conditions, hoping to provide reference for relevant practices.

3.4 Learn from World-Renowned Think Tank Rights Policy Systems to Improve China's New-Type Think Tank Policy Formulation

Think tanks' decision-support functions are realized through their outputs, necessitating effective intellectual property protection. Most world-renowned think tanks attach importance to protecting their outputs and have formulated detailed, classified rights policies. China's new-type think tanks should also strengthen protection of intellectual achievements and incorporate comprehensive rights management systems, including output rights policy formulation, into new-type think tank construction.

It is recommended that China's new-type think tanks actively learn from foreign experiences to formulate detailed and reasonable output rights policies that clarify which outputs can be used and in what ways. Policy content should include

copyright notices, licensing methods, and specific usage details. Simultaneously, outputs should be classified and managed: confidential and non-public outputs require strengthened protection, while non-confidential, publicly available outputs can be conditionally and partially disclosed through restricted authorization methods (such as commercial licensing), usage scope, and quantity limitations. Reasonable rights policies can protect intellectual property rights while improving the transformation rate of scientific and technological achievements, promoting exchange and dissemination of think tank outputs, and enhancing think tanks' social and international influence. During policy formulation, attention should be paid to aligning with China's intellectual property laws and related legislation to ensure policy legality and rationality.

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Research on the Rights Policies of the Output in Think Tanks — Taking the Output of the World-Renowned Think Tanks as an Instance

Abstract: [Purpose/significance] By investigating the rights policies of world-renowned think tanks, this paper provided references for libraries and information service institutions constructing and using think tank resources, and offered suggestions for China's new-type think tanks regarding output rights policies. [Method/process] This paper adopted network research methods, selecting survey subjects based on the *2019 Global Go-To Think Tank Index Report* issued by the University of Pennsylvania, comprehensively investigating think tank output rights, and classifying copyright ownership, release methods, licensing methods, and specific rights regulations. [Result/conclusion] Suggestions were made for avoiding rights risks, including examining rights provisions in detail, paying attention to relevant country/region laws, and referring to the hierarchical and classified rights management framework proposed in this paper. It is recommended that China's new-type think tanks attach importance to intellectual property protection and draw on world-renowned think tanks' experience to formulate reasonable rights policies.

Keywords: think tanks; rights; rights management; open access resource

Note: Figure translations are in progress. See original paper for figures.

Source: ChinaXiv — Machine translation. Verify with original.