

## Success Stories of Open Data Mediation



### From start-up to star company

Company R, a start-up and navigation service provider, wanted to access the nationwide road signs from the Ministry of Land, Infrastructure, and Transport(MOLIT) in order to upgrade its App service. But R's request was denied on the grounds that the right to provide such data belonged to the local governments respectively. R turned to the Open Data Mediation Committee for help, and the case was successfully mediated by asking the MOLIT to get permission from those concerned local governments. Since the mediation by the Committee is legally binding, R was able to get the data as needed. One year later, R was acquired by a large social network service provider at over KRW 60B.



### Developing driver's license exam app with free legal advice!

Company Q, trying to develop a mobile application using questions from driver's license exams, wanted to use the test questions developed by the Korea Road Traffic Authority(KoROAD). But KoROAD denied the request, because it could harm the interest of concerned workbook publishers. While seeking for legal advice, Q learned that Open Data Mediation Committee offered free legal advice regarding open data and met with the Committee. The Committee decided that KoROAD should provide the data to Q, because copyright of the test questions belonged to KoROAD meaning test questions are public data. Thanks to the decision, Q was able to release its app service, and its staff are now very happy to see the number of the service subscribers increase.

## [Open Data Mediation Committee]

In order to facilitate dispute resolution, ODMC runs has installed a secretariat office with in the Open Data Center.



Open Data Mediation Committee  
[www.odmc.or.kr](http://www.odmc.or.kr)



Open Data Portal  
[www.data.go.kr](http://www.data.go.kr)

Introduction of Committee, System and Procedures of Dispute Mediation, Application, Request and Consulting for Dispute Mediation, Trends in Dispute Mediation etc.

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# Open Data Mediation Committee

## Secretariat of Open Data Mediation Committee

- Receive applications for open data mediation and conduct fact-finding survey
- Support the Committee activities
- Promote, train and provide counseling on mediation process and system
- Establish collaboration framework among domestic and international mediation agencies

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# Open Data Dispute Mediation

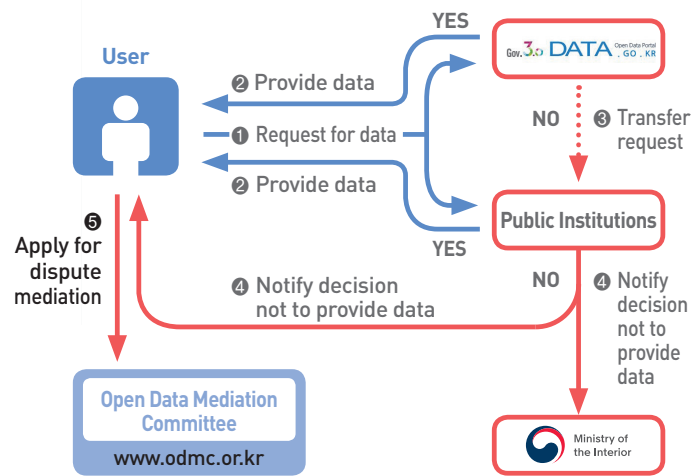


## What is open data dispute mediation system?

The system provides simple procedures for mediating open data disputes when public institutions refuse or stop providing public data



## Procedures for Requesting Public Data and Dispute Mediation



## Open Data Mediation Committee

Pursuant to Art. 29 of Act on promotion of provision and use of public data, the Committee consists of 25 experts from academia, legal community, and civil organizations for resolving disputes regarding public data provision



# What is Resolved?



## Open Data Mediation Committee

Dispute mediation, pre-mediation, consultation, and training related to public data provision



**Q** Is it allowed for developer that received open data from public institutions to process and use the public data for commercial advantage??

**A** Yes. The Act on promotion of the provision and use of public data has the aim of facilitating the use of public data provided by public institutions and creating values that contribute to economy.

**Q** Are public works (government releases, etc.) eligible as public data for provision ?

**A** Yes, if they are digitally processed. Only those public works processed in optical and/or electronic manner are considered open data, and they should be provided pursuant to Art. 17 of Act on Promotion of the Provision and Use of Public Data, unless there are reasons for rejection.

**Q** Does ODMC mediate in cases where public data is provided but with conditions making it practically impossible to use (ex. Excessive fee)?

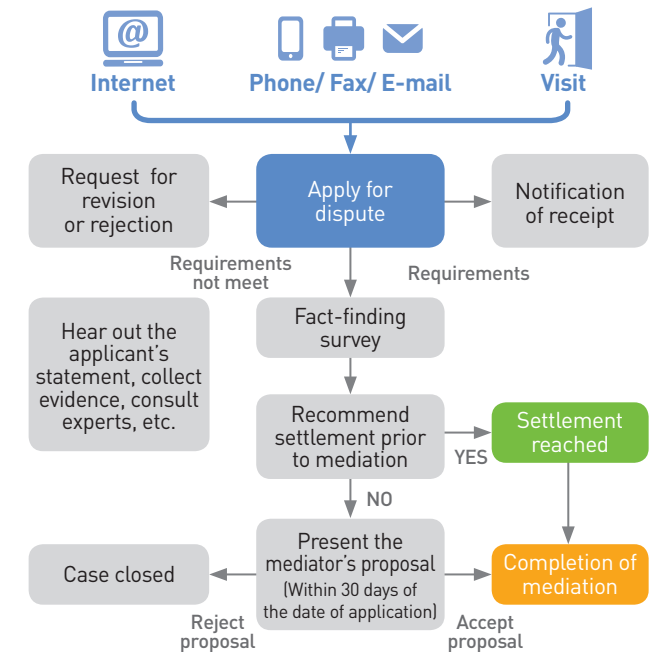
**A** Yes. Public institutions may provide public data on some conditions, but if users find them unreasonable, they can apply for dispute mediation.

# Mediation Procedure



## Act on promotion of the provision and use of public data

All cases are handled in accordance with Art. 31 and 32 of this act above. An applicant can apply for mediation with the Open Data Mediation Committee within 60 days at the website ([www.odmc.or.kr](http://www.odmc.or.kr)) or through phone, e-mail, visit, and fax from the notification of rejection or stop providing public data.



## If mediation is successful,

The content of the settlement in the form of the mediator's proposal acquires the same legal validity of judicial reconciliation in accordance with Art. 32, Paragraph 9 of Act on promotion of the provision and use of public data



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# **Open Data**

## **Mediation Committee**