

MERIS Conditions of Use

In accordance with an agreement between the European Space Agency (ESA) and NERC, the BADC is allowed to distribute data from the MERIS instrument on board the Envisat satellite to

1. scientists who already have a Category-1 (in short, "Cat-1") project with ESA, allowing them to use MERIS data (in particular, scientists who are involved in the calibration/validation of the instrument);
2. investigators of current or past projects belonging to the NERC funded *Clouds, Water Vapour and Climate* (CWVC) Programme, for the purpose of their research in the context of their CWVC project or as a natural continuation of it, under "Category-1 Project" conditions (the BADC being the "Cat-1 Project Leader").

Therefore, applicants are requested to provide the BADC with a brief description of their research project, including the project duration and how MERIS data will be used. In addition,

1. Recognised ESA Cat-1 scientists are requested to provide their ESA Category-1 Project title and ID number, as well as the names of the project principal investigators; by applying, they confirm that they are allowed to access MERIS data in accordance with their contract with ESA.
2. Investigators of a CWVC project — considered by ESA, in this context, as the "Category-1 Project Leader's co-investigators" — are requested to provide the title and reference number of their CWVC project, as well as the names of the project principal investigators, and to abide by the clauses listed below, adapted or derived from the *Terms and Conditions for the Utilisation of ESA Data under Category 1*. If their current research is a continuation of the work done during the CWVC project, their research summary should underline in which way.

Conditions applying to the use of MERIS data by CWVC investigators

In what follows, "user", "Category-1 Project Leader's co-investigator" and "project investigator" are synonyms.

Data

1. In the framework of the Envisat mission, ESA has adopted an ENVISAT data policy which is understood and accepted by the Cat-1 Project Leader's co-investigators.
2. The project investigator shall use the MERIS data received for the exclusive purpose of the agreed project.
3. The data supplied shall not be copied, transferred or otherwise be made available to third parties without the written consent of ESA.
4. The BADC shall provide the MERIS data as received from ESA. It cannot be taken as responsible for disruptions of data provision decided by ESA.
5. The user waives any claim against ESA in the event of any damage directly or indirectly arising from a malfunction or interruption in the transmission of MERIS data for any reason whatsoever.

Reporting

In order to enable the BADC to comply with its commitment to report to ESA, the user shall submit a progress report describing the status of the project every six months, followed by a final report at the end of the project period. The contents of the final report should be as described below. The final report can be the copy of the corresponding final report to NERC, the copy of a presentation to an ESA workshop or conference, or a copy of a publication in a scientific review, but it must then be accompanied by the exact reference of that publication. When applicable, samples of processed data sets and derived information shall be provided as part of the progress and final reports. Reports should be provided in electronic form and sent to the BADC by e-mail, at badc@rl.ac.uk.

Final report format — The final report shall cover the following, as applicable.

- Objectives of the project
- Detailed description of the experiment
- Integration of MERIS data in the experiment
- Contribution to development/improvement of models
- Synergy between MERIS data and other data sources
- Quality of MERIS data, adequacy to the requirements of the experiment; comparison with other data sources
- Results of the experiment
- Contribution of MERIS data to the experiment
- Overall assessment of the outcome of the experiment. Divergence, if any, from original objectives
- Any recommendations to improve future sensor characteristic/data product specifications/mission operations, etc.

Publication and participation in workshops

1. All papers, press releases, scientific publications and other publicity material resulting from work carried out using MERIS data shall clearly state that the European Space Agency's ENVISAT satellite has been used.

2. The user should publish the result of his/her project in publications of international renown both during and on completion of the project period. In particular, the user shall attend and present his/her results at dedicated workshops organised by ESA. He/she will have the exclusive right to publish such results for a period limited to six months after completion of the project. After this period, both ESA and the project investigator shall have full rights to publish such results, unless the project investigator can demonstrate a character of commercial confidentiality of his/her own results.
3. Any publication by the project investigator shall include a suitable acknowledgement of the services afforded by ESA or the BADC.
4. A copy of any such publication will be provided to the BADC, who will forward it to ESA. ESA shall at any time have a royalty free right of publication and dissemination of the above publications, unless the project investigator claims a character of commercial confidentiality of his/her own results and to the extent that such reproduction and dissemination do not conflict with the rights of third parties.

Intellectual property rights

ESA's title and copyright shall not prevent recognition of copyright in favour of the project investigator, which may arise as a result of the latter's own interpretation of MERIS processed data, inputs of data and knowledge from other sources in the final results of the project.