

Memorandum of Understanding

Between

Monterey Bay Aquarium Research Institute (MBARI)

And

The Steering Committee of the World Register of Marine Species (WoRMS),
represented by the Flanders Marine Institute (Vlaams Instituut voor de Zee – VLIZ)

Introduction

This Memorandum of Understanding (MoU) provides the basis for cooperative work between the MBARI and the World Register of Marine Species (WoRMS).

The parties

MBARI

The Monterey Bay Aquarium Research Institute (MBARI) [is a non-profit oceanographic research center advancing marine science and engineering to understand our changing ocean.](#)

WoRMS – VLIZ

The Flanders Marine Institute (VLIZ) is a not-for-profit, largely government funded organization based in Oostende (Flanders, Belgium). VLIZ acts as the coordination and information platform for marine and coastal-related scientific research in Flanders and serves as an international contact point. The Data Centre Division provides assistance, technologies and tools to scientists and policy makers to support marine data management. Within international networks, VLIZ participates in the development of data infrastructures and promotes the flow of marine data from Belgium. The Data Centre is a world leader in managing biodiversity data, and is part of the World Data System of the International Council for Science (ICSU). In particular, VLIZ has built-up expertise in taxonomic data management through the hosting of the World Register of Marine Species (WoRMS) and related taxonomically-oriented databases.

The World Register of Marine Species (WoRMS) – including its subregisters – is managed by the WoRMS Steering Committee (WoRMS SC), who represents the editors in all matters relating to the databases, including liaison with other (international) programs, projects and initiatives concerning the databases, in close collaboration with the WoRMS Data Management Team (WoRMS DMT). They are responsible for the scientific correctness of the database, and for identifying data and editor gaps. WoRMS itself is part of the Aphia platform, an infrastructure designed to capture taxonomic and related data which includes an online editing environment. Aphia is hosted at and managed by the Flanders Marine Institute (VLIZ) and is an integral part of the LifeWatch Taxonomic Backbone (LW-TaxBB), which is a central component of the European LifeWatch project.

Objectives

The objective of this MOU is to enable cooperation between MBARI and WoRMS for the purpose of collaborating on labelling data curated from public datasets. These results will be subsequently ingested into FathomNet and WoRMS to promote the use of biodiversity information systems for scientific research. Staff from both organizations will participate in annotation/verification of data labeled by machine learning methods to enrich both information systems. Additionally, staff from both organizations will contribute to marine taxonomic educational materials that result from these efforts and share these with the community.

Conditions of data exchange

The cooperative framework is governed by the following conditions:

- The source material for the planned efforts are currently publicly available and no ownership transfer of these materials is inferred by this agreement.
- The data generated by this effort are the localization of animals in the image frame and annotations of species or other identifications. This data will be owned by the respective organization (or both) creating the localization/annotation and uploaded to FathomNet and WoRMS under the Terms of Use for each of those platforms.
- Educational materials generated by or contributed to by either party, and subsequently released publicly or in the FathomVerse game will be subject to the data policy of those platforms.

Limited Warranty

The Electronic Intellectual Property (EIP; any data provided in an electronic format) is licensed to the receiving party on an “as is” basis, and the providing party makes no guarantees, representations or warranties with respect to the data, either express or implied, arising by law or otherwise, including but not limited to, effectiveness, completeness, accuracy, or fitness for purpose.

Exclusion and indemnity

- Neither party may incur any obligation or liability on behalf of the other.
- Each party shall indemnify and save harmless the other party, its servants, agents, and contractor from and against any claim, demand, or action, alleging loss, costs, expenses, damages, or injuries (including injuries resulting in death) arising out of the party’s use of the EIP or in any way relating to this agreement.
- This MoU shall impose no financial obligation on either party.

Amendments and modifications

Either party may recommend amendments to this MoU by notifying the other party in writing. The amendment shall enter in force after the subsequent agreement of the other party.

Conflict resolution

If this agreement would be terminated, neither party can demand to withdraw the exchanged data and information from the other party's databases. In such a situation, all parties can continue the maintenance of the received data as they see best fit, respecting and acknowledging the original source of the data.

Not a legal partnership

The parties do not intend to create a legal partnership, principal, agent, or joint venture relationship and nothing in this MoU shall be construed as creating such a relationship between the parties.

Non-exclusive agreement

This MoU is non-exclusive, and in no way restricts either MBARI (and its partners) or WoRMS (and its host institute) from participating in similar activities or arrangements with other public or private initiatives, organizations or individuals.

Duration and termination

This agreement is valid indefinitely until it is terminated by either party by a written notice sent to the other party 3 months in advance.

Notices

All written consents required hereinabove shall be sent to the following addresses:

- To MBARI
Attn. Basilio Martinez, CFO
7700 Sandholdt Road
Moss Landing, California 95039

- To WoRMS:
Flanders Marine Institute (VLIZ)
Att. WoRMS Data Management Team
Jacobsenstraat 1
8400 Oostende
Belgium

Authorized representatives

- **MBARI representative:** for the purposes of liaison, providing guidance and direction in daily operation matters, MBARI shall be represented by Dr. Kakani Katija.
- **WoRMS representative:** for the purposes of liaison and providing guidance and direction in daily operation matters, WoRMS shall be represented by the Chair or the Vice-Chair of its Steering Committee.
- **VLIZ representative:** for the purposes of liaison and providing guidance and direction in daily operation matters, The Flanders Marine Institute (VLIZ) – permanent host institute of the Aphia database and its related registers, including WoRMS – shall be represented by its General Director.

Signatures

For MBARI

Name: Basilio Martinez

Title: CFO

Date: 04/15/2024

Signature: 

For the World Register of Marine Species

Name: Shane Ahyong

Title: Chair of the Steering Committee of the World Register of Marine Species

Date: 04/16/2024

Signature: 
Shane Ahyong (Apr 16, 2024 09:34 GMT+10)

For the Flanders Marine Institute (VLIZ)

Name: Jan Mees

Title: General Director

Date: 04/16/2024

Signature: 
Jan Mees (Apr 16, 2024 07:14 GMT+2)












MOU-WoRMS and MBARI

Final Audit Report

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