

Use of Creative Commons Licenses

What are they, and when can they help EUN?

hans.graux@timelex.eu



Information & Technology Law in the Heart of Europe → www.timelex.eu

What is the problem?



- Copyright is fairly restrictive by default
- To allow sharing and re-use of a protected work, you need to grant licenses
- Licenses can be complicated and ambiguous, especially when you want to keep some rights to yourself
- Interpretations can vary from country to country
- Couldn't we build a set of standard licenses?

Creative Commons: goals and background



- Creative Commons is a US based non-profit organisation
<http://creativecommons.org/>
- Founded to replace case by case drafting and negotiating:
 - to facilitate lawful sharing and re-use
 - to facilitate the communication of your terms to users
- Agile, easy, low cost licensing regime, free to use and internationally recognized (currently 50 jurisdictions, and multi-language)

3

What is Creative Commons?



- CC is not public domain or free of any restrictions.
- CC does not eliminate copyright; it builds on it!
- CC is a group of licenses, not a single license. You can pick the one that suits you best.
- CC can be applied to any work protected by copyright: text, images, video, software, ...
- CC does not stop you from making money!

4

Who uses CC licenses?





- Educational: MIT OpenCourseWare
- Reference: Wikipedia
- Books and comics: XKCD, L. Lessig
- Music: Jamendo, Magnatune
- Government: White House, Kremlin
- Photo/video: Flickr, YouTube



5

The Creative Commons license family



- Each license: one page, and one visual symbol
- Summarized by four characteristics that determine when you may copy, distribute, display and perform the work and make derivative works :
 -  **Attribution (BY)**: only if you give credit.
 -  **Non-commercial (NC)**: only for noncommercial purposes
 -  **No derivative works (ND)**: only verbatim copies
 -  **Share-alike (SA)**: distribute derivative works only under an identical license (copyleft)

The Creative Commons license family



→ Mix and match!

	BY	ND	SA
NC	BY-ND	BY-SA	BY-NC
ND-SA	ND-NC	SA-NC	BY-ND-SA
BY-ND-NC	BY-SA-NC	BY-SA-ND	ND-SA-NC

(red = logically impossible; orange = not used in practice)

→ 6 common types:



How to obtain/grant licenses?



→ Indicate the logo,
e.g. Jamendo

The screenshot shows the Jamendo website interface. It features album listings for 'Lohstana' and 'Tout est relatif'. The 'Lohstana' listing includes a Creative Commons license icon (CC BY-NC-SA). The 'Tout est relatif' listing includes a 'Make a donation' button and a 'Download the album' button. A pop-up window titled 'Your rights on this album' is displayed, stating: 'You can copy, distribute, advertise and play this album as long as you: 1. Give credit to the artist. It's possible to benefit from rights other than this license, with jamendo pro.' There is also a 'SOME RIGHTS RESERVED' icon in the pop-up.

→ Or simply state the license, e.g. Wikipedia:

[[commons:Attribution|]]
 '''Creative Commons''' ('''CC''') is a [[non-profit organization]] headquartered in [[Mountain View, California]].
 Content that violates any copyrights will be deleted. Encyclopedic content must be **verifiable**.
 By clicking the "Save Page" button, you agree to the **Terms of Use**, and you irrevocably agree to release your contribution under the **CC-BY-SA 3.0 License** and the **GFDL**. You agree that a hyperlink or URL is sufficient attribution under the Creative Commons license.
[Edit summary](#) (Briefly describe the changes you have made)
 Creative commons is awesome!!

[Editing help](#) (opens in new window)

→ How to choose the right one?

<http://creativecommons.org/choose/>

When is CC a good idea?



- When you want to make your available to an international audience: legal validity and translations!
- When you have a large group of works that you want to make available under the same terms
- When you want recognisable licenses
- When you have collaborative works with a large number of authors

When is CC a bad idea?



- When a work is not protected by copyright, or when it is already in the public domain
- When you don't want any restrictions (but: CC0!)
- When you don't have the rights yourself: you cannot grant a CC license on someone else's work
- When you already agreed to other restrictions (e.g. exclusive rights)
- When you simply don't want one of the exact solutions offered by CC licenses