Welcome to Slovenia
CREATIVE COMMONS LICENSES

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Open Content Licenses
OUTLINE

➔ Open Content Licenses

➔ CC Licenses
I. Open Content Licenses

• Why?

• What?
I. Open Content
Licenses - WHY?

- © = exclusive right, a monopoly

- monopolies should be limited!

- © = limited
I. Open Content Licenses - WHY?

- © = limited

HOWEVER

- limitations are becoming “smaller” while © is becoming “bigger”
I. Open Content Licenses - WHY?

© is becoming “bigger”:

- duration (from 14 to 70+)

- rights (from copying to more and more uses of work)

- content (from works of an individual to works of companies etc.)
Limitations to © are being narrowed down by the use of TPM and by legal protection of TPM
I. Open Content Licenses - WHY?

Consequence =

fewer works freely available to **enjoy** and **build upon**
I. Open Content
Licenses - WHY?

Justification?

New technology enables new uses of works – authors want remuneration for these uses.
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HOWEVER

Authors don't have ©; publishers do!
I. Open Content Licenses - WHY?

THEREFORE

Companies that own ©, profit from it, the authors don't!
I. Open Content Licenses - WHY?

THEREFORE

Neither *incentive* nor *reward*
I. Open Content Licenses - WHY?

RESULT:

instead of stimulating creativity, © is stifling it
"The opportunity to create /.../ becomes weakened in a world in which creation requires permission and creativity must check with a lawyer."

Lawrence Lessig, Free Culture, 2004
Certain authors want to:

- get rid of the intermediaries;
- want to enable use of their works under their own terms;
- want to share their works.
Open Content Licenses allow all that.
Open Content Licenses allow authors to:

- waive certain rights on their works
- under certain conditions
- to unknown circle of users.
I. Open Content Licenses - WHAT?

Characteristics:

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I. Open Content Licenses - WHAT?

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- **no warranty**
Critics:

- **no warranty** – even for legal errors – not only an open content licenses problem
I. Open Content Licenses - WHAT?

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- **questionable validity of the licenses** – the legal basis is copyright law; if there is infringement, it is infringement of copyright law, not the license itself
I. Open Content Licenses - WHAT?

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- **authors giving up too many rights** – irrevocable.
- **Open Content License fill a gap** – when authors *want to share* but want to keep certain rights

- **Proof** = success of open source software – the community getting creative

Recommendation: Guide to Open Licenses, Lawrence Liang
II. Creative Commons Licenses

What is Creative Commons?
CC = a non-profit organisation, based on the idea that some authors want to share their works.

CC prepares licenses for authors to use for free in order to share their works.
II. Creative Commons Licenses

How does that work?
II. Creative Commons Licenses

The goal is to adapt a general license to the legislation of individual countries.

Volunteers all over the world are CC legal leads of their jurisdictions – they adapt the licenses to their legislation and their language.
When the licenses are adapted and launched, offered on the CC website for authors to use freely.

The project leads “take over” - promotion of the licenses.
How does a CC License work?
II. Creative Commons Licenses

The author can choose between 3 conditions:

a) Non-commercial (NC)
II. Creative Commons Licenses

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b) No Derivative Works (ND)
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c) Share Alike (SA)
The author can choose between 3 conditions:

a) Non-commercial (NC)

b) No Derivative Works (ND)

c) Share Alike (SA)

In addition – all CC licenses have an additional condition – Attribution (BY)
By various combinations of these 3 conditions, 6 licenses can be generated:

1) BY + NC + ND
II. Creative Commons Licenses

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1) BY + NC + ND

2) BY + NC + SA
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2) BY + NC + SA
3) BY + NC
4) BY + ND
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1) BY + NC + ND
2) BY + NC + SA
3) BY + NC
4) BY + ND
5) BY + SA
6) BY
When the author has chosen the conditions, the license generates itself automatically in three shapes:

a) Commons Deed (human-readable)
II. Creative Commons Licenses

a) Commons Deed (human-readable)

You are free:
- to copy, distribute, display, and perform the work
- to make derivative works

Under the following conditions:

- Attribution. You must give the original author credit.
- Non-Commercial. You may not use this work for commercial purposes.
- Share Alike. If you alter, transform, or build upon this work, you may distribute the resulting work only under a license identical to this one.

Warning: Any of these conditions can be waived if you get permission from the copyright holder.
II. Creative Commons Licenses

When the author has chosen the conditions, the license generates itself automatically in three shapes:

a) Commons Deed (human-readable)

b) Legal Code (lawyer-readable)
II. Creative Commons Licenses

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Creative Commons Legal Code - Mozilla Firefox

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"The Licensor" [one or more legally recognized persons or entities offering the Work under the terms and conditions of this Licence]

and

"You"

agree as follows:

Done
When the author has chosen the conditions, the license generates itself automatically in three shapes:

a) Commons Deed (human-readable)

b) Legal Code (lawyer-readable)

c) Digital Code (computer-readable)
II. Creative Commons Licenses

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II. Creative Commons Licenses

The author then adds the button.
II. Creative Commons Licenses

When a potential user clicks on that button, he is transferred to the **Commons Deed** of the license.
- designs strategies and tools for faster, more efficient web-enabled scientific research

- identifies unnecessary barriers to research + crafts policies and contracts to lower these barriers

- develops technology to make data and materials easy to find and use
\[ \text{CC} = \text{mc}^{\text{shared}} \]

More at: http://www.sciencecommons.org
- in 2001 – 1 million CC licensed works
- in 2001 – 1 million CC licensed works
- by 2005 – 17 million
- in **2001** – *1 million* CC licensed works

- by **2005** – *17 million*

- in **May 2006** – *50 million*
“[90] million works can't be wrong!”
(Herkko Hietanen, CC Finland)