What will we discuss today?

- First, a brief overview of copyright, because Creative Commons licenses are built upon copyright
- Benefits of CC
- Then, the six basic Creative Commons licenses, plus two more licenses worth a mention
- The CC license creator, how to find licensed content, and what is CC 4.0?
- Who uses CC
- Where is Creative Commons going in the future?
- Judicial update
- Questions??
What are Creative Commons Licenses?

- License?
- Licenses granted by creators of works that allow:
  - Creators to share photos, courseware, textual documents, websites, and other tangible creations
  - The republication of blog posts, the remix of music
    - Therefore, others may use these items without violating copyright law
Copyright law, no sleeping!

- http://www.flickr.com/photos/timothykrause/6071374455/sizes/z/in/photolist-afvo6V-adMi1b-acMP5h-acJZwe-adMgKC-adMhky-acMH6G-acKZ228-acMKwU-adJrzi-acJVUD-81C.Ke-acMMQE-aazBXh-9Y6ZD-9RJKbv-9TdzQe-cGmPIS-9YqQNA-9Z681-e3cgkZ-9mwDqi-bqCmxX-9mDaOh-eGop4Q-949FUb-djgs1F-jKy6sb-eL8Hp-e7lhAb-da2yi6-kwoSKB-hANkgg-7Ed7vE-cGAgFm-9BZzbd-9BWCWn-bDsNN-j6nrJ-iaPNqM-9Y9W1Y-9YGWm1-a3uikb-9Tz73G-9Y9Uow-9Y9SUu-5DfIA-9Y9UE5-a1kpFo-9TPUyz-9TwaG8/
What is copyright law again?

- In the United States, a creator is immediately vested in copyright when he or she:
  - Creates an item that is “original” and “fixed in any tangible medium of expression”
  - Originality requires a modicum of creativity
  - Must be fixed in tangible form for only a brief duration
  - A work is tangible when it may be perceived or communicated
Which works receive copyright protection?

- Literary works
- Musical works, including accompanying works
- Dramatic works, including accompanying music
- Pantomimes and choreographic works
- Pictorial, graphic, and sculptural works
- Motion pictures and other audiovisual works
- Sound recordings
- Architectural works
What is not granted copyright protection?

- Ideas and facts
- Works published by the United States government (e.g., GPO)
  - Be careful of state, municipality, and university publications
- Sometimes data and databases
- Works in the public domain
What are an original creator’s five basic copyrights?

- The **exclusive** right to:
  - Reproduce
  - Distribute
  - Prepare derivatives
  - Publicly display
  - And publicly perform
Wake Up!!

- By NeilGHamilton, It’s a big one, @ http://www.flickr.com/photos/neilghamilton/7148316279/
  CC BY 2.0
Do we need Creative Commons licenses?

- Fair use 107
- 110(1) and (2)
- 108...
- Copyright Clearance Center
How may Creative Commons licenses benefit you (from a user’s perspective)?

- You want to locate and use:
  - Image for a class, library catalog link, website...
  - Blog post, tweet...
  - Music to remix
  - Courseware or course materials to include on a distance learning course site
- It takes the guesswork out of the equations, all without violating any copyright laws!!
How may Creative Commons licenses benefit you (from a creator's perspective)?

- Want to share your courseware, syllabus
- Want to promote your photography to colleagues
- Want others to use your music
- Want to disseminate your scholarship to colleagues
- Do all of this without losing your copyright protection, and prevent others from commercially benefiting without giving you a proper accounting
What do the licenses look like?

http://creativecommons.org/licenses/
Creative Commons licenses

e.g., CC BY-NC

- What do these symbols mean?
- CC – Creative Commons
- BY – must give proper attribution
- ND – No derivatives
- NC – may not reuse for commercial benefit (No Commercial)
- SA – Must perpetually reuse with the same license mandated by the original creator (Share Alike)
CC-BY Attribution

- Most liberal license
  - Give proper attribution
  - One may distribute, create derivatives, use commercially, may relicense with any license

http://creativecommons.org/licenses/
CC BY-ND
Attribution No DeRivs

- Must give proper attribution
- May not create derivatives

- May I relicense with any license?
- May I use for commercial purpose?

http://creativecommons.org/licenses/
CC BY-NC-SA Attribution-NonCommercial-ShareAlike

- Must give proper attribution
- May not use commercially
- Must license future derivatives with exact same license
- May I create derivatives?
- May I distribute?

http://creativecommons.org/licenses/
CC BY-SA
Attribution-ShareAlike

- Must give proper attribution
- Must perpetually license future derivatives with the same license

- May I create derivatives?
- May I use for commercial purposes?
- Often compared to “copyleft” free and open source software licenses
  - http://creativecommons.org/licenses/
CC-BY-NC
Attribution-NonCommercial

- Proper attribution
- No commercial use

- May I create derivatives?
- May I use any type of subsequent license?

- Seems to be the most common for academic purpose
- Third party use commercially after relicensing?
  - http://creativecommons.org/licenses/
CC BY-NC-ND Attribution-NonCommercial-NoDerivs

- Most restrictive CC license
- Proper attribution
- No commercial use
- No derivatives
  - So, you also may not relicense
    - http://creativecommons.org/licenses/
One more CC license

- CC0
  - The creator immediately gives up all copyright protection in his or her work
Open Data Commons

- Open Data Commons Public Domain Dedication and License (PDDDL)
  - Similar to CC0
All of those combinations of letters, oh my!!

- By Old Shoe Woman, Year 2~Day 103 +074/366: Wild and Crazy Day, @ http://www.flickr.com/photos/judybaxter/2333929702/, CC BY-NC-SA
3 layers of CC licenses

Our public copyright licenses incorporate a unique and innovative “three-layer” design. Each license begins as a traditional legal tool, in the kind of language and text formats that most lawyers know and love. We call this the Legal Code layer of each license.

But since most creators, educators, and scientists are not in fact lawyers, we also make the licenses available in a format that normal people can read — the Commons Deed (also known as the “human readable” version of the license). The Commons Deed is a handy reference for licensees and licensees, summarizing and expressing some of the most important terms and conditions. Think of the Commons Deed as a user-friendly interface to the Legal Code beneath, although the Deed itself is not a license, and its contents are not part of the Legal Code itself.

The final layer of the license design recognizes that software, from search engines to office productivity to music editing, plays an enormous role in the creation, copying, discovery, and distribution of works. In order to make it easy for the Web to know when a work is available under a Creative Commons license, we provide a “machine-readable” version of the license — a summary of the key freedoms and obligations written into a format that software systems, search engines, and other kinds of technology can understand. We developed a standardized way to describe licenses that software can understand called CC Rights Expression Language (CC REL) to accomplish this.

Searching for open content is an important function enabled by our approach. You can use Google to search for Creative Commons content, look for pictures at Flickr, albums at Jamendo, and general media at spoonge.org. The Wikimedia Commons, the multimedia repository of Wikipedia, is a core user of our licenses as well.

Taken together, these three layers of licenses ensure that the spectrum of rights isn’t just a legal concept. It’s something that the creators of works can understand, their users can understand, and even the Web itself can understand.
How do we utilize this CC tool?

- “Confused Jack” was created by Mot and licensed via a CC BY-NC-ND license at http://www.flickr.com/photos/mottram/78025602/
How to create a license?
Textual or digital CC license

- Text--This work is licensed under the Creative Commons Attribution 3.0 Unported License. To view a copy of this license, visit [http://creativecommons.org/licenses/by/3.0/](http://creativecommons.org/licenses/by/3.0/)

How to locate CC licensed content?
Who uses CC most?

- Hobbyist
- However, academic use is afoot!
Academy use of CC

1. MIT: http://ocw.mit.edu/help/
   a. Their intellectual property sections: http://ocw.mit.edu/help/faq-intellectual-property/

2. Stanford is using a CC license for some of its course offerings: http://creativecommons.org/weblog/entry/10767
   a. http://see.stanford.edu/


Academy use of CC

- University of Michigan is utilizing a CC BY license for content: http://www.lib.umich.edu/news/mlibrary-adopts-new-creative-commons-license
  a. Michigan first adopted a CC BY-NC license in 2008, but decided in 2010 to implement a CC BY license

  a. Using a CC BY-NC-ND license

- 7. University of Massachusetts, Boston open courseware: http://ocw.umb.edu/
  a. Utilizing a CC BY-NC-SA

- 8. University of Notre Dame open courseware: http://ocw.nd.edu/
  a. Using a CC BY-NC-SA, but allow use of other licenses
  b. Encourage other faculty to use and distribute
How is the 4.0 suite different from the past licenses?

- International focus
- Sui generis
- Moral, publicity, privacy, personality rights waived
- Noncommercial treatment
- Common sense attribution
- Enable desired anonymity
- 30 days to cure a breach, to avoid revocation
- Clarity regarding the CC BY-NC
Future of CC

- Facebook, Twitter
- Emails
- Affective Computing software
- Google glasses
- Augmented reality and holograms
  - Moore’s law
Judicial update

- **Chang v. Virgin Mobile (N. Dist. Tex.)** – CC only addresses copyright issues, not privacy
- **Curry v. Audax** – Dutch court upheld NC feature of license
- **SGAE v. Fernandez** – Spanish court upheld in favor of bartender playing CC licensed music
Piracy

- [commons.wikimedia.org/wiki/File:Pirate_Flag.svg](http://commons.wikimedia.org/wiki/File:Pirate_Flag.svg)
Questions

- http://commons.wikimedia.org/wiki/File:Copyright-uncertain.png,