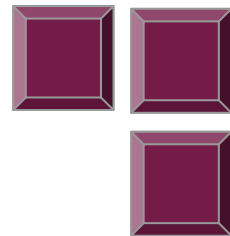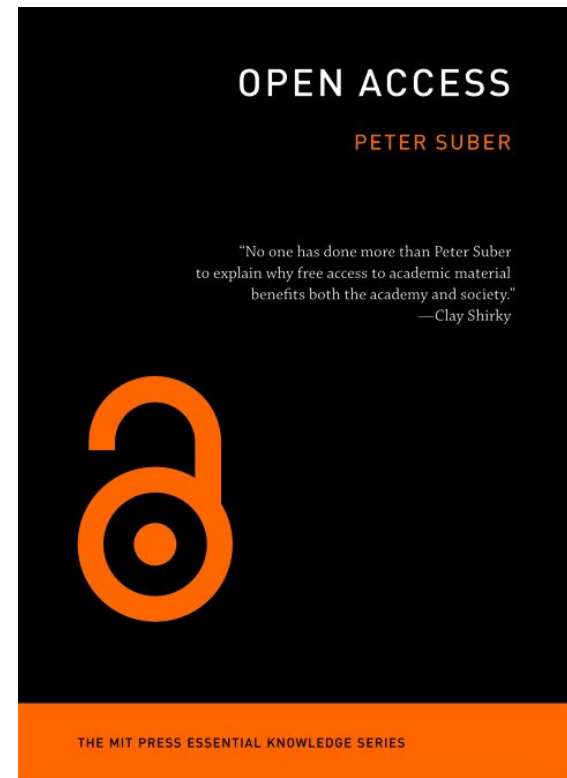# Creative Commons

"Some rights reserved"

©opyright

- Collection of rights granted to artists, authors, musicians, and other creators of original works
- Ensures that creators benefit from their creations
- Protects intellectual property
- Protection is temporary; works eventually enter into the public domain
  - Canada: Life + 50 years
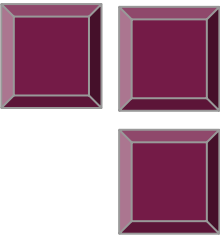 - USA: Life + 70 years

Open Access

"Open access (OA) literature is digital, online, free of charge, and free of most copyright and licensing restrictions." Peter Suber 2012

- OA removes barriers to access:
    - Price
    - Copyright/permissions

OPEN ACCESS

PETER SUBER

"No one has done more than Peter Suber to explain why free access to academic material benefits both the academy and society."
—Clay Shirky

THE MIT PRESS ESSENTIAL KNOWLEDGE SERIES

Open Access

*Budapest Open Access Initiative* Definition of OA:

"By 'open access' ... we mean its free availability on the public internet, permitting any users to read, download, copy, distribute, print, search, or link to the full texts of these articles, crawl them for indexing, pass them as data to software, or use them for any other lawful purpose, without financial, legal, or technical barriers other than those inseparable from gaining access to the internet itself. The only constraint on reproduction and distribution, and the only role for copyright in this domain, **should be to give authors control over the integrity of their work and the right to be properly acknowledged and cited."**

Bethesda Statement on Open Access Publishing; Berlin Declaration on Open Access to Knowledge in the Sciences and Humanities:

For a work to be OA, the copyright holder must consent in advance to let users "copy, use, distribute, transmit and display the work publicly and to make and distribute derivative works, in any digital medium for any responsible purpose, **subject to proper attribution of authorship."**

# The Origins of *Creative Commons*

- The *Copyright Term Extension Act* was passed in 1998, increasing the copyright term from death + 50 years, to death + 70 years
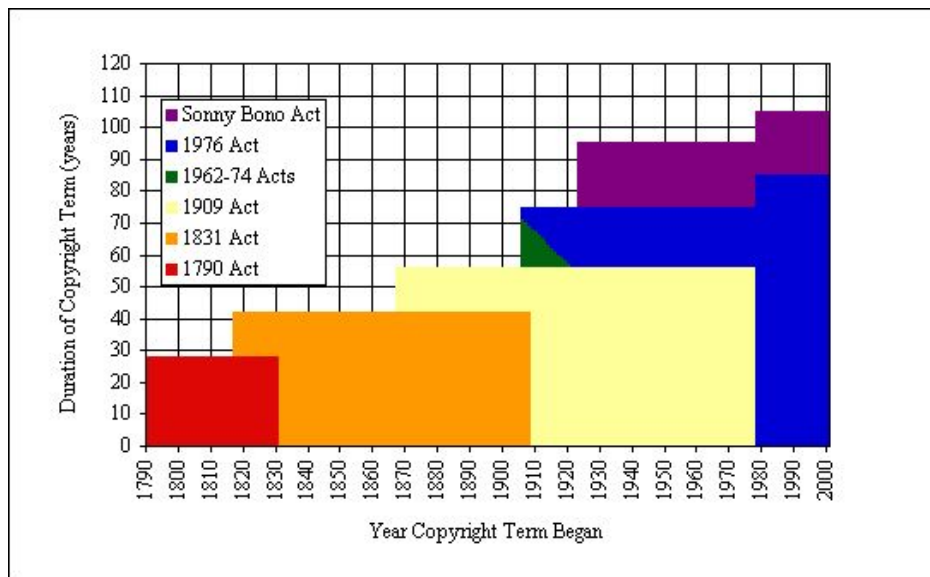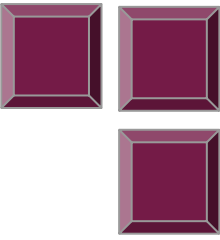
The Origins of *Creative Commons*

- Eric Eldred argued that the act was unconstitutional
- Lawrence Lessig took Eldred's case to court
    - Lessig assembled a group of people to help fight the case, the *Copyrights Commons*
    - The group was made up of Lessig, Eldred, and Hal Abelson
- The lawsuit and subsequent appeals were lost
- *Creative Commons* organization was formed
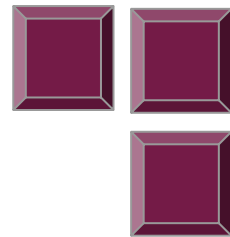
creative commons

- What are they?
  - Global nonprofit organization

- What do they do?
  - Provide legal tools that encourage creation and sharing

- What do they want?
  - "Help others realize the full potential of the Internet" (FAQ)
  - "Build a vibrant, usable commons, powered by collaboration and gratitude." (Merkley, "What we do")

CORPORATE CAPITALISM

FREE CULTURE

PUBLIC DOMAIN

THE BATTLE OF COPYRIGHT
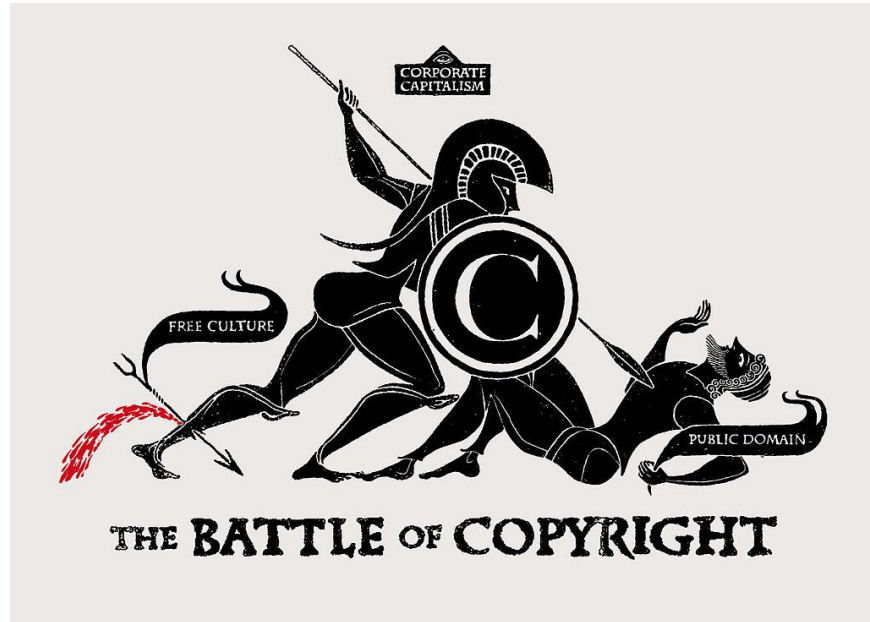
MISSION

Creative Commons develops, supports, and stewards legal and technical infrastructure that maximizes digital creativity, sharing, and innovation.

VISION

Our vision is nothing less than realizing the full potential of the internet — universal access to research and education, full participation in culture — to drive a new era of development, growth, and productivity.
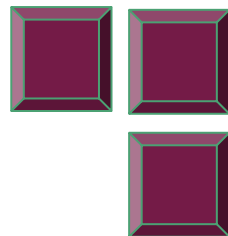
WHO WE ARE

CC Staff • CC Global Network • CC Board of Directors • CC Advisory Council • Platform partners and hosts of openly licensed content globally • Millions of CC users, creators, and community members around the world

STRATEGY

We collaborate with...

Academia • Businesses • Creators and CC users • Educators • Foundations • Galleries, Libraries, Archives, Museums (GLAM) • Governments • Nonprofits, Institutions, and Partners • Platforms

...to create a vibrant, usable, and collaborative global commons of openly licensed content that drives access, equity, and innovation across all disciplines, including:

Arts & Culture • Science • Education

PROGRAMS

| LICENSES + LEGAL TOOLS	DISCOVERY + COLLABORATION TOOLS	POLICY + ADVOCACY	COMMUNITY BUILDING
Maintaining and advancing the core suite of CC licenses	Developing open source discovery and collaboration tools fostering use of the commons	Working to mainstream open education and create a world with universal access to effective open educational resources	Supporting the ongoing growth and expansion of CC's Global Network
Serving as international experts on copyright and CC license adoption and use	Developing Open Ledger and CC Search, open platforms and services making commons content more discoverable and reusable	Supporting governments and institutions in unlocking content funded for the public good	Making the case for a culture and community of sharing and collaboration
Educating, supporting, and advocating for proper legal interpretation of licenses	Collaborating with content platforms hosting commons content to improve user experiences	Reforming copyright through policy positions and campaigns engaging public support	Organizing activations of communities of creativity and knowledge while foregrounding the impact of "open"
Developing new legal tools for key communities	Developing additional collaboration tools in response to community need and interest (such as exploring tools to support sharing and collaboration in the 3D printing community)	Promoting open access to research and data in academic and scientific research	Deepening creators' and users' relationships with the commons and each other
		Educating, training, and supporting new open community practitioners and leaders	

www.creativecommons.org
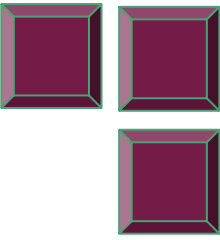
Global Affiliate Network

Affiliate responsibilities:

❖   Public outreach

❖   Community building

❖   Translating information and tools

❖   Fielding inquiries

❖   Conducting research

❖   Maintaining resources

❖   Promoting and sharing CC mission

By Mohamed Elfatih Hamadien (Own work) [CC BY-SA 4.0
(http://creativecommons.org/licenses/by-sa/4.0)], via Wikimedia Commons
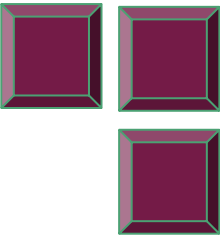
Timeline

- 2001: *Creative Commons* was founded

- 2002: First set of copyright licenses (1.0) released in December

- 2004: The number of works licensed under Creative Commons was 4.7 million; Version 2.0 released

- 2005: Version 2.5 released

- 2007: 90 million works held CC licenses; Version 3.0 released

- 2009: An estimated 350 million items held CC licenses; CC0 launched

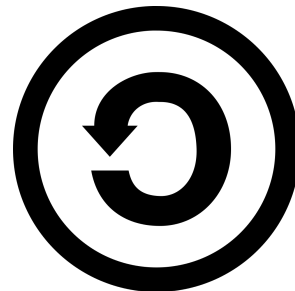- 2013: Version 4.0 released
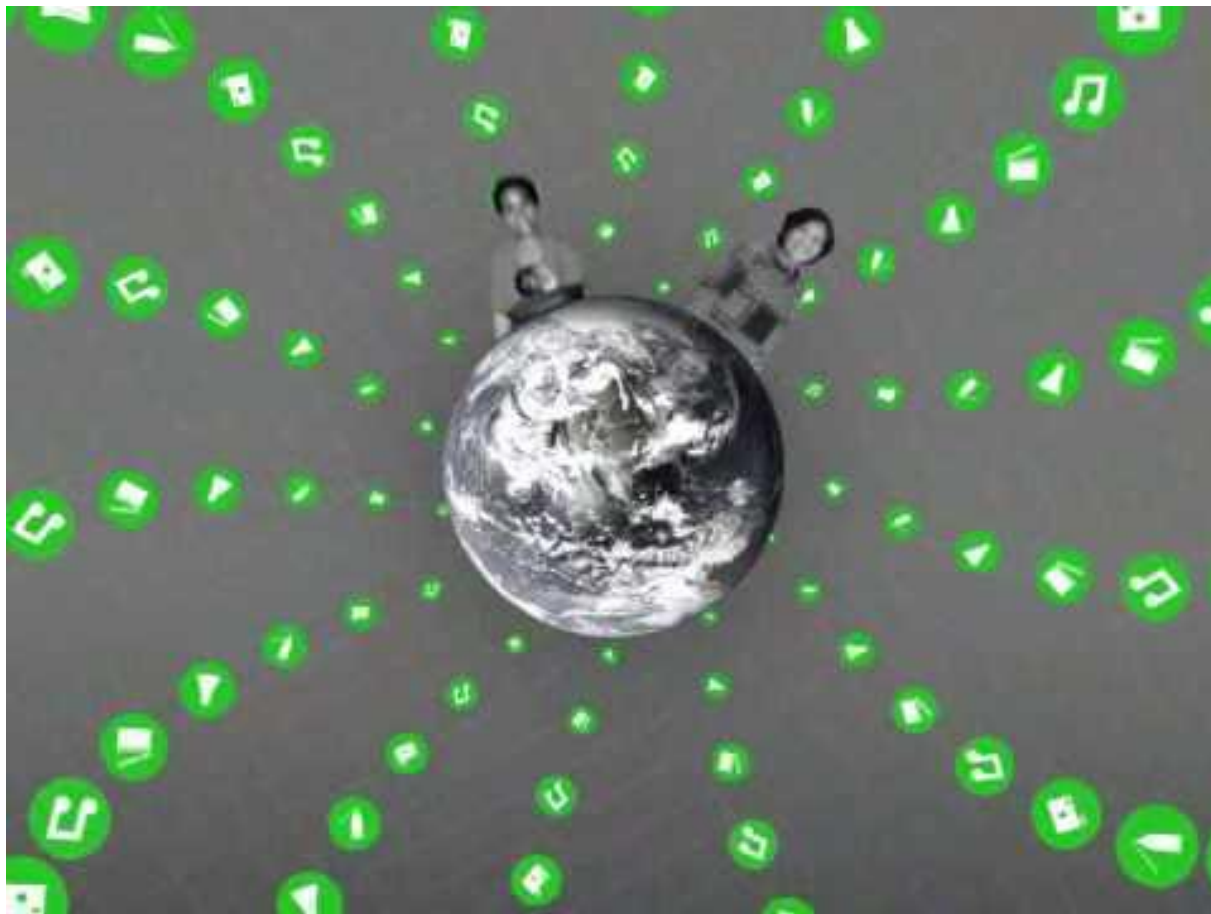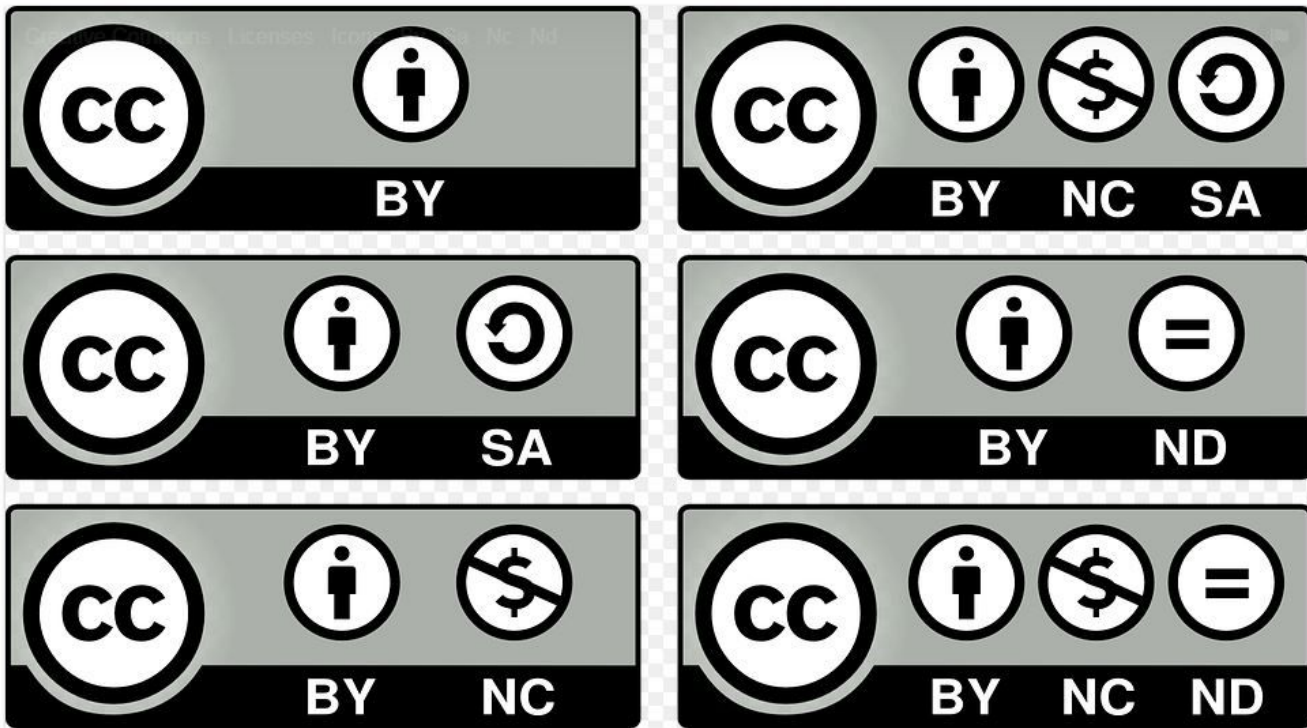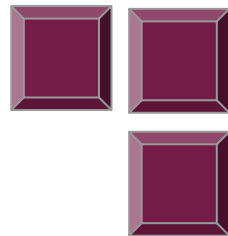
https://www.youtube.com/watch?v=q0VzUigrb_g
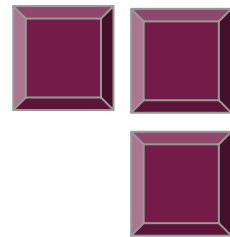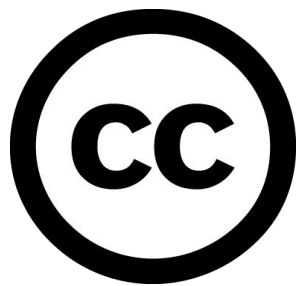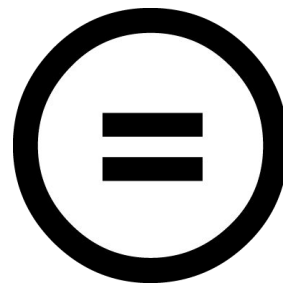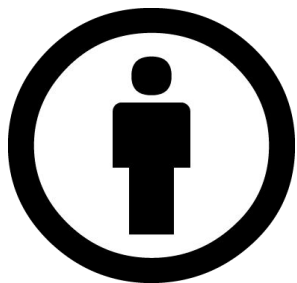
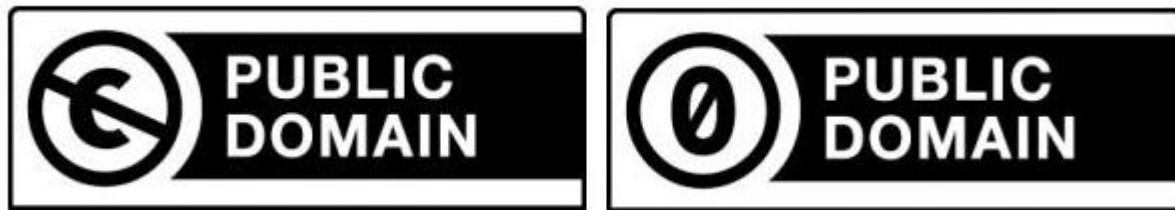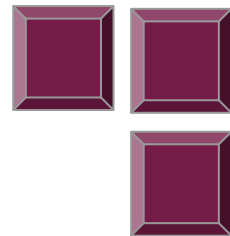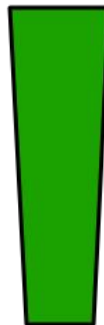|			
Attribution		No derivatives	
Non-commercial		Share alike	

The Licenses - Standard

The Licenses - Public Domain

Free Culture

- Freedom to use the work itself
- Freedom to use the information in the work itself for any purpose
- Freedom to share copies of the work for any purpose
- Freedom to make and share remixes and other derivatives for any purpose

MOST OPEN

CC0
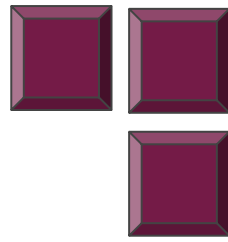
BY

BY SA

BY ND

BY NC

BY NC SA

BY NC ND

LEAST OPEN

APPROVED FOR
Free Cultural Works

https://stateof.creativecommons.org/2015/sotc2015.pdf

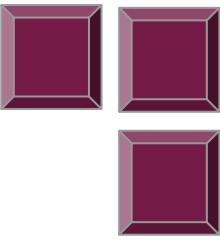# Technically Speaking

https://wiki.creativecommons.org/wiki/File:License_3_layers_diagram_intl.gif

Users

- Content Creators
  - Artists
  - Writers
    - Both scholarly and non-scholarly
  - Musicians
  - Designers
  - Educators
- Publishers
  - Open Access

"This license [CC-BY] is used by leading open-access publishers such as PLOS and BioMed Central, recommended by the Open Access Scholarly Publishers Association, and adopted by the World Bank for its internally published research."
- Michael Carroll, "Creative Commons and the Openness of Open Access"

Users

http://adho.org/sites/adho.org/files/theme/adho_logo_large.png

http://www.slavevoyages.org/

https://twinery.org/wiki/_media/wiki:logo.png

http://whitmanarchive.org/shared/h1_bg.jpg

http://www.digitalhumanities.org/dhq/common/images/dhqlogo.png

http://www.tei-c.org/system/modules/org.tei.www/_common/images/banner.jpg

http://voyant-tools.org/

https://www.hastac.org/sites/all/themes/hastac/images/hastac-logo.png
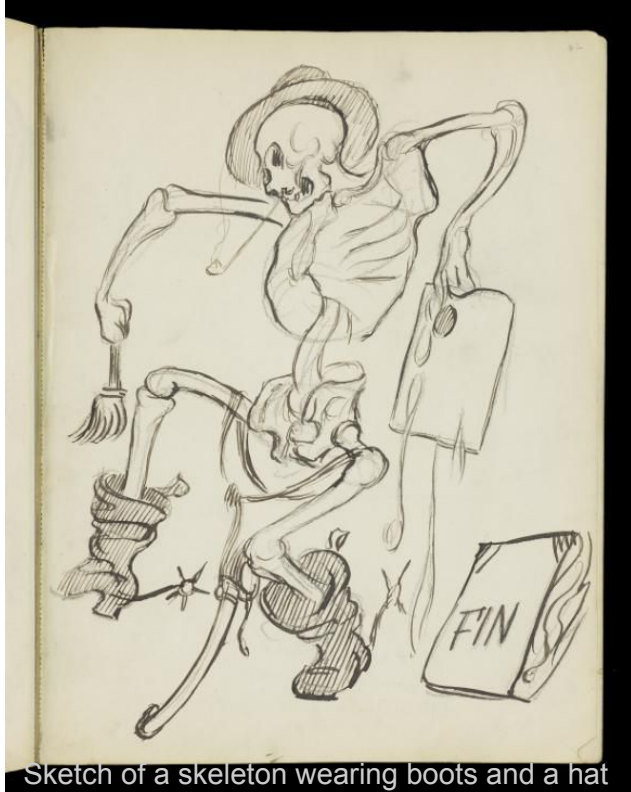
Users

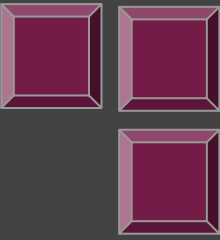https://creativecommons.org/about/platform/
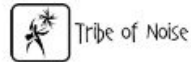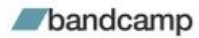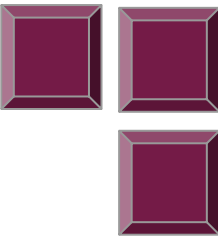
Users

Sketch of a skeleton wearing boots and a hat and smoking a pipe. By Henri Gaudier-Brzeska. Image released under Creative Commons CC-BY-NC-ND (3.0 Unported)
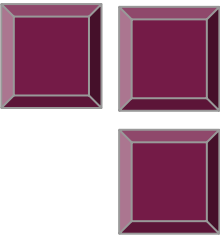

View of Houses in Delft (Little Street), Johannes Vermeer, 1658. CC0

'With the internet, it's so difficult to control your copyright or use of images that we decided we'd rather people use a very good high-resolution image of the 'Milkmaid' from the Rijksmuseum rather than using a very bad reproduction.'
-Taco Dibbitts, Director of Collections at the Rijksmuseum

Implications in DH

"Openness matters for the digital humanities for reasons of interoperability, discovery, usability, and reusability." Christine Borgman "The Digital Future is Now: The Call to Action for Humanities"

- Open resources are more valuable for research and learning
- Open resources are more accessible
- Borgman suggests that all DH projects publish and release their material using CC-BY licenses
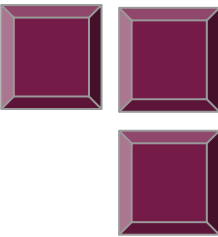
Questions
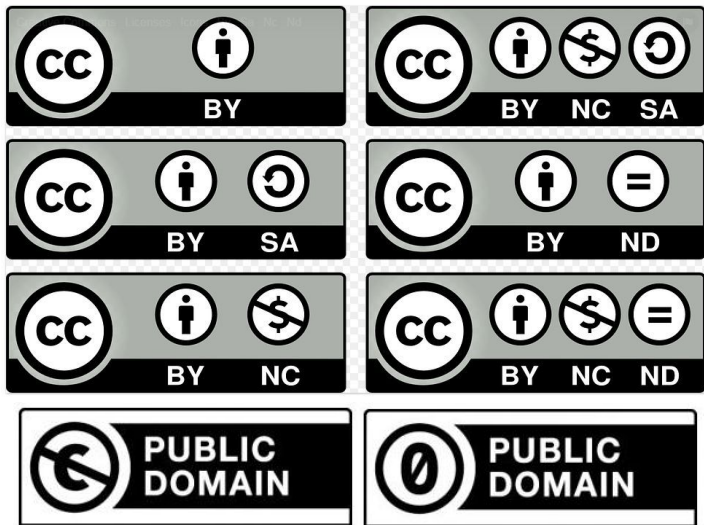
- Would you use a Creative Commons license?
- What license would you choose?
  - Why?
- What are some of the positive aspects of using the NC element?
  - What are some of the drawbacks?
- Do you have any questions?
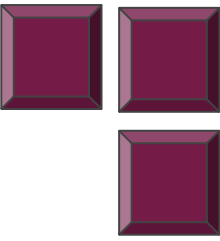
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