

# What are Creative Commons licenses?

## How do they promote sharing and creativity?

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# The basic idea

- Copyright holders have many rights.
- They may consent to waive any or all of them.
- CC licenses make these waivers
  - easy for creators to exercise
  - easy for users to recognize
  - easy for software to recognize
  - legally enforceable
- CC doesn't do away with copyright. It rests on copyright and harnesses copyright-holder consent to give users more rights.

# My background

- I work full-time for [open access](#) to scientific and scholarly research literature.
- Open-access (OA) content is
  - Digital
  - Online
  - Free of charge
  - Free of most copyright and licensing restrictions
- I write a newsletter and blog about OA.
- I use and recommend CC licenses for open access.

# Why use CC licenses?

- If you want open access to your content,
  - CC is better than standard copyright.
  - CC is better than the public domain.
- If you want to sell your content or generate revenue from it,
  - CC might be better and might not.

# Levels of protection

Standard copyright	All rights reserved
Public domain	No rights reserved
Create Commons	Some rights reserved

# Historical perspective

- Previously the default was the public domain.
  - Pre-1976, creators had to apply for copyright.
  - Pre-1964, creators had to apply for copyright renewal.
- Now the default is copyright.
  - Huge gain for publishers, huge loss for users.
  - Creators must take affirmative steps to remove access barriers automatically erected by law.
    - CC facilitates these steps.

# Why not maximum legal protection?

- Because every layer of legal protection for the creator is an access or usage barrier for the user.
  - Increasing protection can decrease audience and impact.
  - Tim O'Reilly: Invisibility can be worse than infringement.
- If you created the work for money, you might be best off limiting the audience to paying customers.
  - But even then you might not.

# CC is better than copyright

- Lower barrier for users
  - No need to ask permission; no delay or doubt
  - No need to pay permission fees
  - No fair-use judgment calls; no fear of liability; no need to err on the side of non-use
- Lower barrier for creators
  - No need to fear copying, keep your work offline, shrink your audience
  - No need to buy lawyers or tech locks (DRM); no need to manage user authentication



# Help yourself and others

- Removing access barriers
  - Helps readers read, viewers view, listeners listen, users use
  - Helps archives archive
    - Copyright can bar the copying and the migration to new formats and media needed for long-term preservation
  - Helps buyers buy
    - Full-text sampling can stimulate a net increase in sales

# CC is better than the public domain

- Lets creators retain some rights.
- Which rights? You choose.
  - Right to attribution or credit
  - Right to block commercial use
  - Right to block derivative works
    - (right to block = right to decide case by case)
  - Right to force copies to carry same license

# Details on CC licenses

- Visit web site, choose which rights you want to retain, click
- Paste code or text into your digital work
- Users see license logo on your work, click, and read the terms
- No charge for creating, using CC licenses
- Each license comes in three versions
  - Human-readable
  - Lawyer-readable
  - Machine-readable

# CC licenses for movies

- Common Content, section on movies  
<http://www.commoncontent.org/catalog/movies/>
- BBC Creative Archive (March 26, 2004, press release)  
<http://makeashorterlink.com/?Q6A7322D8>

# Creative Commons

- A non-profit corporation launched by Lawrence Lessig and others in May 2002, based at Stanford Law School  
<http://creativecommons.org/>

# Peter Suber

Blog on open access

[www.earlham.edu/~peters/fos/fosblog.html](http://www.earlham.edu/~peters/fos/fosblog.html)

Newsletter on open access

[www.earlham.edu/~peters/fos/newsletter/archive.htm](http://www.earlham.edu/~peters/fos/newsletter/archive.htm)

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