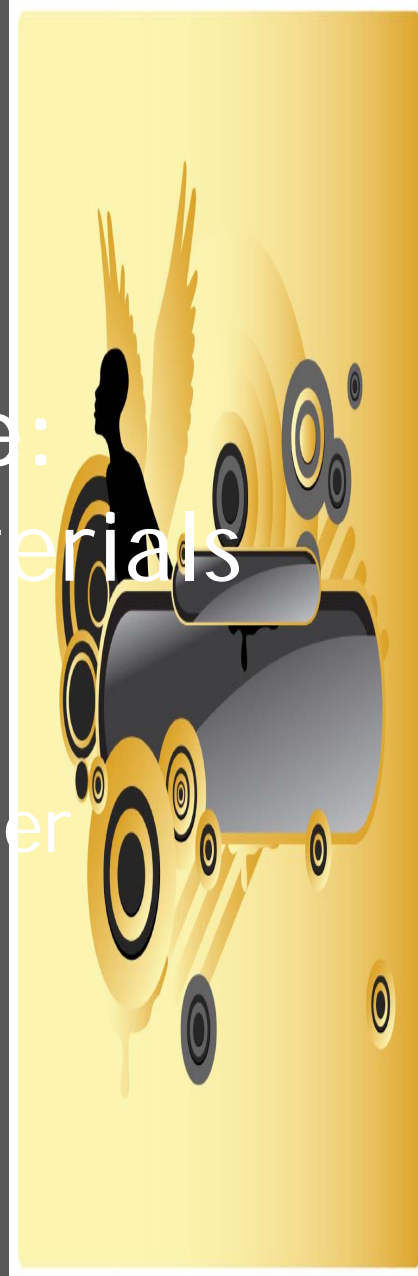


Getting unCommonly Creative: Reusing and creating open materials

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Overview



- What is Creative Commons and how it differs from Copyright
- Creating a CC license and the constituent elements
- Benefits and the drawbacks
- Finding CC licensed materials



What is Copyright?

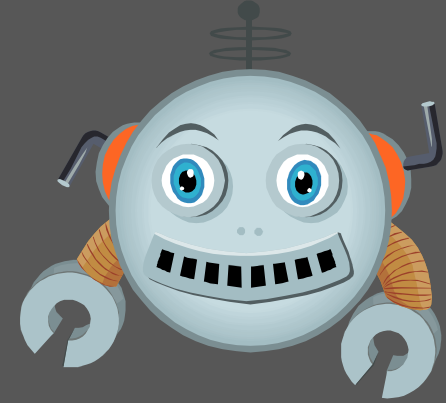
- Copyright
 - “The exclusive right to reproduce in any form those works defined in s.1 (1) of the Copyright Designs and Patents Act (1988). These include original literary, dramatic, musical or artistic works, sound recordings, films, broadcasts.”
 - (Mick Woodley (ed.) Osborn's Concise Law Dictionary (2005) 10th ed. Thomson, Sweet & Maxwell).
- Under UK law (CDPA 1988) Copyright is automatic
 - Lengthy period (Life+ 70) makes reuse tricky
 - Reuse only permitted under licence or permission
 - Fair dealing, criticism and review may also apply



Creative Commons & Open Licences

- An alternative to traditional copyright
 - Copyright is all or nothing
 - Historically short periods in © but increasing today
- Creative Commons licenses*
 - Propagates reuse of intellectual endeavour outputs
 - Encourages others to share their work
- Permits reuse without permission request
 - Predefined limitations & restrictions can be applied
 - Internationally recognised & under UK law

**US concept, hence US spelling*



Why does it Matter?

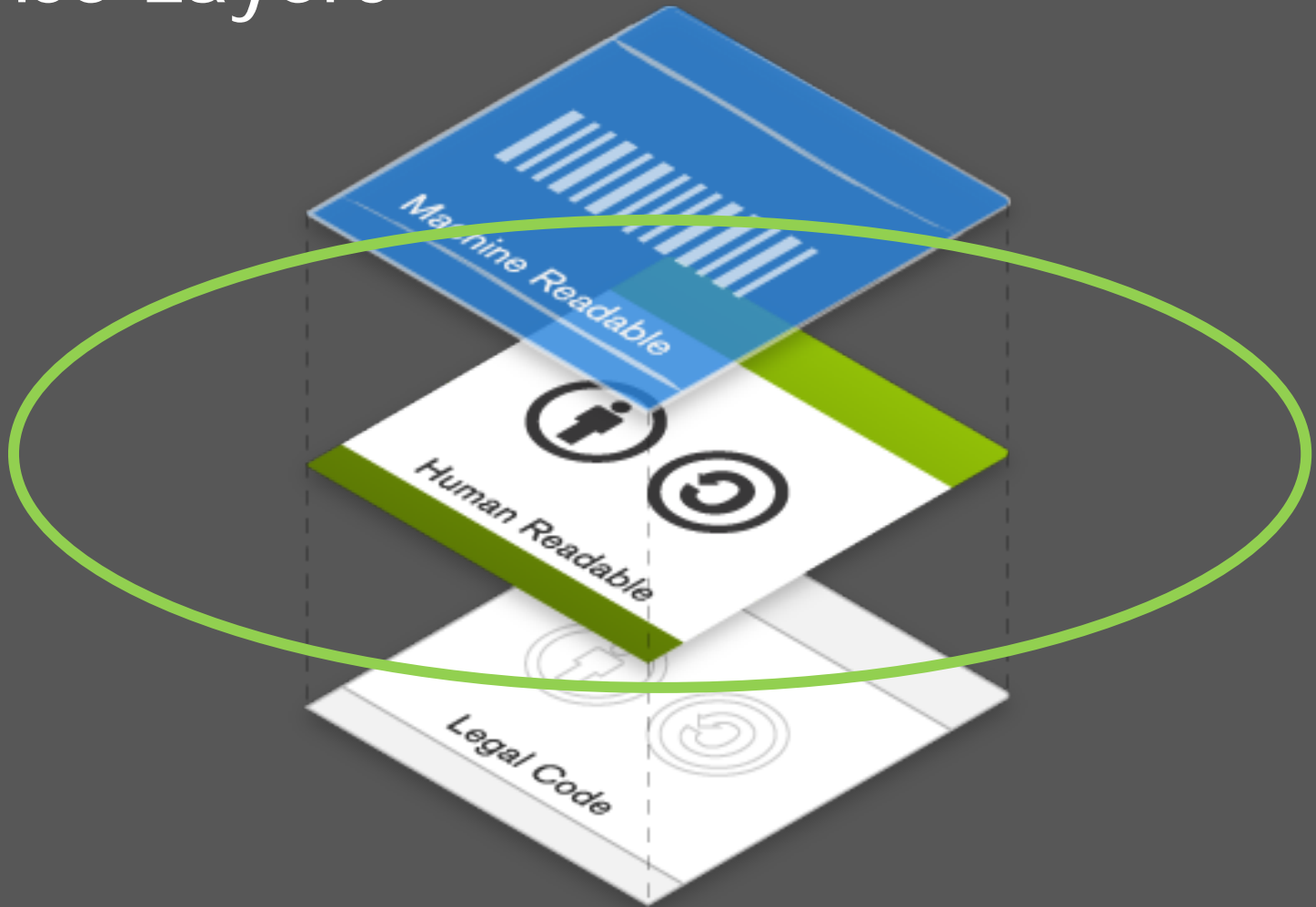
- Many feel traditional © is obsolete
 - Legislation lags while technology bounds forward
 - Web 2.0 sharing inhibited by absolute ©
 - Alternative is to waive rights
- CC Gives greater control to content creators
 - Restrictions take a back seat to permission
 - Licenses follow content
 - Avoids some issues over Orphan Works and permissions



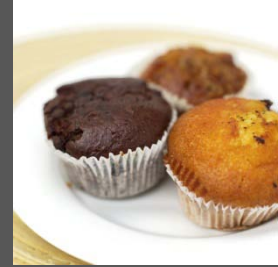
How does it Benefit HE?

- More understanding means more material shared under CC
 - Expands readily available pool of teaching, learning and research materials
 - Helps eliminate time and effort seeking permission or under stricter licenses (e.g. CLA)
- Openness and sharing basis
 - Even fair dealing usage of © can be unclear for some
 - Allows legal inclusion of material to lectures, publications etc at last minute
 - Encourages new kinds of scholarship through remixing





License Layers







Baking the Creative Commons Cake

Attribution (by)	Share Alike (sa)	Non-Commercial (nc)	No Derivative Works (nd)
<p>You let others copy, distribute, display, and perform your copyrighted work — and derivative works based upon it — but only if they give credit the way you request.</p> <div data-bbox="127 1136 490 1259">  </div>	<p>You allow others to distribute derivative works only under a license identical to the license that governs your work.</p> <div data-bbox="552 1136 915 1259">  </div>	<p>You let others copy, distribute, display, and perform your work — and derivative works based upon it — but for non-commercial purposes only.</p> <div data-bbox="977 1136 1340 1259">  </div>	<p>You let others copy, distribute, display, and perform only verbatim copies of your work, not derivative works based upon it.</p> <div data-bbox="1412 1136 1775 1259">  </div>



Mixing your Ingredients

- CC BY is lowest level of protection
 - Enforcing moral rights recognition through attribution
 - Open to all kinds of reuse in part or in full
 - Even commercial reuse permitted
 - Some recommend only reusing objects shared with this license
- CC BY-SA encourages building on your work
 - Even for commercial reuse
 - License used by Wikipedia
 - Enforces new objects are shared in the same way





Mixing your Ingredients

- **CC BY-ND** is about whole reuse
 - E.g. the performance of a whole play
 - No reuse of parts of a work allowed
- **CC BY-NC-SA** is a personal favourite
 - Allows for non-commercial reuse of work
 - Enforces sharing of outputs under the same license
 - But is education non-commercial (e.g. journals/books?)





Mixing your Ingredients

- CC BY-NC is another fairly open license

- Reuse with appropriate credit
- Limited only by lack of commercial exploitation



- CC BY-NC-ND is the most restrictive

- Material can only be used in its entirety
- No commercial usage either
- Items shared under this can be tricky to reuse



Creating a CC

Allow commercial uses of your work?

- Yes [i](#)
- No [i](#)

Allow modifications of your work?

- Yes [i](#)
- Yes, as long as others share alike [i](#)
- No [i](#)

Jurisdiction of your licence [i](#)

International [v](#)

Additional Information

The additional fields are optional, but will be embedded in the HTML generated for your license. This allows users of your work to determine how to attribute it or where to go for more information about the work. [i](#)

Tell us the format of your work:

Other [v](#)

Title of work

[i](#)

Attribute work to name

[i](#)

Attribute work to URL

[i](#)

Source work URL

[i](#)

More permissions URL

[i](#)

Select a Licence

Attribution-NonCommercial-ShareAlike 3.0 Unported (CC BY-NC-SA 3.0)

This is a human-readable summary of the [Legal Code \(the full license\)](#).

[Disclaimer](#)

You are free:

to **Share** — to copy, distribute and transmit the work

to **Remix** — to adapt the work

Under the following conditions:



Attribution — You must attribute the work in the manner specified by the author or licensor (but not in any way that suggests that they endorse you or your use of the work).



Noncommercial — 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 the same or similar license to this one.

With the understanding that:

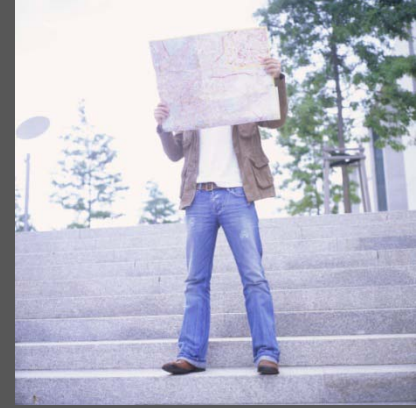
Waiver — Any of the above conditions can be **waived** if you get permission from the copyright holder.



Who Is Using CC?

- At Leicester
 - Open Educational Resources (OERs) (BDRA)
 - The TIGER/OTTER/OSTRICH Projects
 - Manufacturing Pasts project (Library/BDRA)
 - Library training materials for copyright
- Externally
 - MIT Open Courseware
 - Connexions from Rice University
 - iTunesU at Oxford University
 - Smarthistory (art history textbook)
 - Nine Inch Nails Ghosts I-IV (BY-NC-SA)

Regionality



- Can create CC licenses attached to a country
 - CC themselves recommend 3.0 Unported
 - *"Use the option "International" if you desire a license using language and terminology from international treaties."*
- Library recommends UK
 - As CC licenses are recognised under UK law
 - Additional legal protections of UK legislation



Finding Creative Commons Objects

- Search engines advanced options
 - Can search for work tagged for reuse
 - E.g. Google Advanced Search, Creative Commons Search, Wikimedia Commons
- Sites for searching particular object types
 - Freebase.com, IntraText, Freesound etc
- Media sharing sites have licences embedded
 - YouTube, Flickr, Internet Archive etc
 - Concerns over listed sharing and reuse permissions



Downsides

- Copyright law is already complex
 - Regionality, type of works and fair dealing
 - CC licenses are designed to be easy to use but do add another layer
- Grey areas over definitions
 - Does a whole presentation reusing a CC-BY-SA image need to be shared?
 - What exactly is commercial use?
 - How much attribution is needed? Name, site, link back etc, in references or onscreen??
 - How will disputed cases be handled in court?



Summary

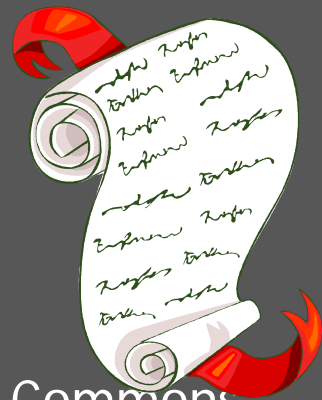
- CC is an alternative to more restrictive total copyright
- CC licenses help unlock easier access and reuse to created works
- CC license elements can be mixed to create your perfect blend (or cake)
- CC licenses have some issues but are on the whole relatively easy to understand



Questions & Contact

- Gareth J Johnson
 - Ext 2039, gjj6@le.ac.uk
 - @llordllama on twitter
- For more on Copyright and CC
 - See the training materials
 - Or contact the Copyright Team

www.le.ac.uk/copyright



References

- Baking the Creative Commons Cake - Understanding Creative Commons Open Licenses [Video] <http://tinyurl.com/CreativeCommonsCake>
- Connexions. <http://cnx.org/>
- Creative Commons. About the Licenses. <http://creativecommons.org/licenses/>
- EduCause. 7 things you should know about Creative Commons. [PDF] <http://tinyurl.com/bshd7fl>
- IntraText Digital Library. <http://www.intratext.com/>
- Internet Archive. <http://www.archive.org/>
- MIT Open Courseware. <http://ocw.mit.edu/index.htm>
- Sitepoint. 30+ Places to Find Creative Commons Media. <http://www.sitepoint.com/30-creative-commons-sources/>
- Smarthistory. <http://smarthistory.khanacademy.org/>
- Wikimedia Commons. http://commons.wikimedia.org/wiki/Main_Page

2008/9
THE AWARDS
UNIVERSITY OF THE YEAR

2009/10
THE AWARDS
OUTSTANDING SUPPORT
FOR STUDENTS