

## Creative Commons: Past, Present and Future



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## Copyright and Creative Commons

- Creative Commons
  - Non-profit organization
  - Legal sharing of creative, scientific, and educational materials.
- Creative Commons
  - Free, standardized copyright licenses
  - Each license permits royalty-free uses subject to certain conditions.

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## Copyright and Creative Commons

- Creative Commons
  - Responds to problems caused by today's copyright law.
  - Problems? What problems?

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**Copyright: 500 Years in 5 Minutes**

- Copyright starts as an “opt-in” system
  - Registration required
    - Time-consuming and moderately expensive
  - Many publications are not registered
    - Therefore free to copy

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**Copyright: 500 Years in 5 Minutes**

- The founders of the United States accept copyright.
  - Education is the goal
  - Not entertainment

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**Copyright: 500 Years in 5 Minutes**

- The United States Constitution grants Congress the power . . .
  - “To promote the progress of Science and Useful Arts, by securing for Limited Times to authors and inventors the exclusive right to their respective writings and discoveries”

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## Copyright: 500 Years in 5 Minutes

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- From 1790 to the present, copyright grows in
  - Subject matter (what can be copyrighted)
  - Scope (what rights come with a copyright)
  - Duration (when the rights expire).

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## Copyright: 500 Years in 5 Minutes

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- Copyrightable Subject Matter
  - A “map, chart, or book” (1790)
  - Any “original work of authorship” (1976)

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## Copyright: 500 Years in 5 Minutes

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### Duration

- From two 14-year terms to
- Life of the author plus 70 years
  - Published before 1923 = public domain
  - Published after 1923, could be under copyright
  - Most is not

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## Copyright: 500 Years in 5 Minutes

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- Scope
  - Originally to print, publish or sell copies.
  - Now, copyright law gives Author the power to control "copyright events"
    - Making of copies
    - Distributing copies
    - Public performances
    - Public displays
    - Adaptations of copyrighted work

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## Copyright: 500 Years in 5 Minutes

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- Throughout most of U.S. history, copyright remains an "opt-in" system.
- Many publications produced without notice and placed immediately in the public domain.
- Between 1976 and 1989, law changes
  - Registration required only when filing lawsuit
  - ©copyright notice is optional

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## Copyright: 500 Years in 5 Minutes

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- The Big Change
  - Between 1976 and 1989,
    - Automatic Copyright
    - Hard to give back to the public domain
      - Registration required only when filing lawsuit
      - ©copyright notice is optional

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## Copyright: 500 Years in 5 Minutes

- Now, copyright is a “one-size-fits-all” regime.
  - Copyright is automatic
  - Copyright is assumed to apply equally to new technologies and new uses of technology

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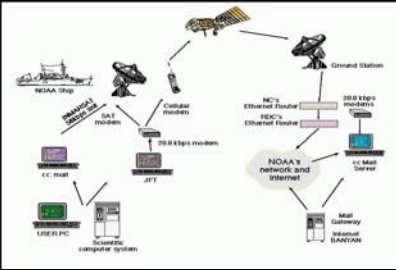
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## Copyright: 500 Years in 5 Minutes

- Enter the Internet



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## Copyright: 500 Years in 5 Minutes

- Technology Changes the Balance
  - Digital technologies have to make copies to work.
  - Really can't “distribute” a digital copy.
  - Libraries now purchase licenses instead of copies.
  - For unlicensed use, rely on
    - Fair Use
    - Section 108 privileges (archival copies, etc.)

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## Copyright: 500 Years in 5 Minutes

- One Size Does Not Fit All
  - Many researchers and other creators want a quick and easy way to authorize sharing subject to a few conditions.

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## Creative Commons

- Enter Creative Commons
  - Idea (May 2001)
    - Inspired by Open Source
  - Tools (December 2002)
    - Legal
    - Executable
  - Movement
    - Progress through sharing
  - <http://mirrors.creativecommons.org/getcreative/>

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

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## Creative Commons Licenses

- 6 Permutations
  - Attribution + 
    - Non-commercial use 
    - Share-alike 
    - No Derivatives 
    - BY-NC-SA 
    - BY-NC-ND 

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## Creative Commons Licenses

- Plus Tailored Licenses
  - Developing Nations
  - Sampling
  - Metadata for FSF GNU-GPL and GNU-LGPL

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## Creative Commons Licenses

- Only digital works?
  - No
- Author of any work can say this is under a CC license and provide URL.
  - Example
    - <http://law.bepress.com/cgi/viewcontent.cgi?article=1074&context=villanovawps>

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## Creative Commons Licenses

- What are these works in the licensed commons?
  - Blogs
  - Photos (Flickr)
  - Research (Public Library of Science, BioMed)
  - Teaching materials (MIT, Rice, Berklee, etc.)
  - Music (Wired CD, Magnatune, etc.)
  - Film (documentaries, shorts, etc.)
  - Books (novels, non-fiction, technical, etc.)
  - Visual art
  - Creativity of all kinds

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## Creative Commons Licenses

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  - Research (Public Library of Science, BioMed) <http://www.plos.org/>
  - Teaching materials (MIT, Rice, Berklee, etc.) <http://ocw.mit.edu/index.html>
  - <http://www.berkleeshares.com/>
  - Music (Wired CD, Magnatune, etc.)
  - Film (documentaries, shorts, etc.) <http://www.youtube.com/watch?v=eUphos2hgWk>
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## Creative Commons Licenses

- Launched in December 2002
- Can only measure “link backs” to license pages.
  - After one year, 1 million
  - After two years, 5 million
  - In June 2005, 12 million
  - In June 2006, 145 million
  - Now, more than 200 million link backs!

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