

## Help us build a vibrant, collaborative global commons

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# Licensing considerations What our licenses do

The Creative Commons copyright licenses and tools forge a balance inside the traditional "all rights reserved" setting that copyright law creates. Our tools give everyone from individual creators to large companies and institutions a simple, standardized way to grant copyright permissions to their creative work. The combination of our tools and our users is a <u>vast and growing digital commons</u>, a pool of content that can be <u>copied</u>, <u>distributed</u>, <u>edited</u>, <u>remixed</u>, <u>and built upon</u>, all within the boundaries of copyright law.

### License design and rationale

All Creative Commons licenses have many important features in common. Every license helps creators — we call them licensors if they use our tools — retain copyright while allowing others to copy, distribute, and make some uses of their work — at least non-commercially. Every Creative Commons license also ensures licensors get the credit for their work they deserve. Every Creative Commons

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license works around the world and lasts as long as applicable copyright lasts (because they are built on copyright). These common features serve as the baseline, on top of which licensors can choose to grant additional permissions when deciding how they want their work to be used.

A Creative Commons licensor answers a few simple questions on the path to choosing a license — first, do I want to allow commercial use or not, and then second, do I want to allow derivative works or not? If a licensor decides to allow derivative works, she may also choose to require that anyone who uses the work — we call them licensees — to make that new work available under the same license terms. We call this idea "ShareAlike" and it is one of the mechanisms that (if chosen) helps the digital commons grow over time. ShareAlike is inspired by the GNU General Public License, used by many free and open source software projects.

Our licenses do not affect freedoms that the law grants to users of creative works otherwise protected by copyright, such as exceptions and limitations to copyright law like fair dealing. Creative Commons licenses require licensees to get permission to do any of the things with a work that the law reserves exclusively to a licensor and that the license does not expressly allow. Licensees must credit the license, keep copyright notices intact on all copies of the work, and link to the license from copies of the work. Licensees cannot use technological measures to restrict access to the work by others.

Try out our simple *License Chooser*.

### Three "Layers" Of 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 licensors 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 <a href="CC Rights Expression">CC Rights Expression</a> Language (CC REL) to accomplish this.

Searching for open content is an important function enabled by our approach. You can use <u>Google</u> to search for Creative Commons content, look for pictures at <u>Flickr</u>, albums at <u>Jamendo</u>, and general media at <u>spinxpress</u>. The <u>Wikimedia Commons</u>, the multimedia repository of <u>Wikipedia</u>, 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

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understand, their users can understand, and even the Web itself can understand.

#### Free and non-free licenses

There's no right or wrong Creative Commons license. That said, some licenses are more appropriate for some applications than others–for example, only the free licenses (CCO, BY, BY-SA) should be used for public sector information. Sometimes licensors mistakenly think that the license they're using allows types of reuse that it actually restricts, or vice versa. For more information on this problem, see our page on the differences between free and non-free licenses.

When deciding which license to apply to your work, ask yourself what types of reuse you'd like to encourage, and license accordingly.



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#### We'd love to hear from you!

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info@creativecommons.org 1-415-429-6753 Frequently Asked Questions





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