

- <sup>67</sup> See, e.g., *Schack*, Urheber- und Urhebervertragsrecht, 4th edition 2007, pp. 458 et seq.; *Boschiero*, Infringement of Intellectual Property Rights, A Commentary on Article 8 of the Rome II Regulation, IX Yearbook of Private International Law 87, 94 et sequ. (2007).
- <sup>68</sup> See § 301 of American Law Institute, Intellectual Property: Principles Governing Jurisdiction, Choice of Law, and Judgments in Transnational Disputes, 2007 and Articles 3:102, 3:201, 3:301, 3:601 of European Max Planck Group on Conflict of Laws in Intellectual Property (CLIP), Principles for Conflict of Laws in Intellectual Property, Second Preliminary Draft (6 June 2009), available at <http://www.cl-ip.eu>.
- <sup>69</sup> *Jaeger/Metzger*, Open Source Software, 2<sup>nd</sup> edition 2006, marginal number 356
- <sup>70</sup> <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:177:0006:0016:EN:PDF>.
- <sup>71</sup> *Jaeger/Metzger*, Open Source Software, 2<sup>nd</sup> edition 2006, marginal number 356.
- <sup>72</sup> One possible wording for such a clause could be: „This licenses shall apply only if German copyright law is applicable. German copyright law is to be applied if you copy or distribute the work or make it available on German territory. In this case, the license shall also be governed by German law.“ For details, see *Metzger*, Free Content licenses under German Law. Talk at the Wissenschaftskolleg, Berlin, June 17, 2004 available at <http://lists.ibiblio.org/pipermail/cc-de/2004-July/000015.html>.
- <sup>73</sup> <http://artlibre.org/licence/lal/en/>.
- <sup>74</sup> For details please see <http://www.fsf.org/licensing/licenses/fdl.html>.
- <sup>75</sup> See *Liang*, Guide to Open Content Licenses - available at <http://pzwart.wdka.hro.nl/mdr/pubsfolder/opencontent/>.
- <sup>76</sup> For details, see *Lessig*, CC in Review: Lawrence Lessig on Compatibility, available at: <http://creativecommons.org/weblog/entry/5709>.
- <sup>77</sup> Just recently, the Wikipedia community and the Wikimedia Foundation board approved the adoption of the Creative Commons Attribution ShareAlike license as the main content license for Wikipedia and other Wikimedia sites. For details and background see <http://creativecommons.org/weblog/entry/15411>.
- <sup>78</sup> See Lessig's example at <http://creativecommons.org/weblog/entry/5709>.
- <sup>79</sup> The old version 2.5 of the CC BY-SA similarly required derivatives to be licensed under “*the terms of this license, a later version of this license with the same license elements as this license, or a Creative Commons jurisdiction license that contains the same elements as this license.*”
- <sup>80</sup> *Garlick*, Creative Commons Version 3.0 licenses – A brief explanation, available at [http://wiki.creativecommons.org/Version\\_3#Further\\_Internationalization](http://wiki.creativecommons.org/Version_3#Further_Internationalization).
- <sup>81</sup> E.g., under either the CC BY-SA license or the certified CC compatible license. See *Garlick*, Creative Commons Version 3.0 licenses – A brief explanation, available at [http://wiki.creativecommons.org/Version\\_3#Further\\_Internationalization](http://wiki.creativecommons.org/Version_3#Further_Internationalization).
- <sup>82</sup> <http://creativecommons.org/weblog/entry/10443> - details available at <http://www.gnu.org/licenses/fdl-1-3.html> [http://meta.wikimedia.org/wiki/Licensing\\_update/Questions\\_and\\_Answers](http://meta.wikimedia.org/wiki/Licensing_update/Questions_and_Answers).
- <sup>83</sup> <http://arstechnica.com/open-source/news/2009/04/wikipedians-to-vote-on-creative-commons-license-adoption.ars>.
- <sup>84</sup> See press release on dual licensing (21 May 2009) available at [http://wikimediafoundation.org/wiki/Press\\_releases/Dual\\_license\\_vote\\_May\\_2009](http://wikimediafoundation.org/wiki/Press_releases/Dual_license_vote_May_2009).
- <sup>85</sup> [http://wikimediafoundation.org/wiki/Press\\_releases/Dual\\_license\\_vote\\_May\\_2009](http://wikimediafoundation.org/wiki/Press_releases/Dual_license_vote_May_2009).