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# Anatomy of a CC license

Third Assignment in the CC Certificate Course

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# Introduction

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The following slides describe briefly the structure and components of the Creative Commons licenses. Some general aspects about the effects of CC licenses on exceptions and limitations to copyright and public domain works are also presented.

## The three layers of the CC licenses

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## Some characteristics CC licenses

Creative Commons license are based on Copyright Laws [1]

- The CC licenses are **copyright licenses**:

They work within copyright scope, inherit *all copyright characteristics and restrictions*.

- As stated in [1] "*Other rights (patents, trademarks, privacy and public rights) are not covered by CC licenses and must be managed separately*".

- CC licenses are useful for authors, who are willing **to provide people with some permissions governed by copyright**, like: freely copying, distributing, adapting, modifying, among others.

- In cases where copyright does not apply, [CC licenses](#) do not apply either!: CC licenses do not grant rights on cases not prescribed by the law, neither in cases where copyright cannot be granted (e.g. public domain)

- CC licenses are **copyright licenses**: If a work is protected by some rights, CC licenses cannot change those rights. The **reuser (licensee) is responsible** for granting proper rights in new works and not infringing already existing rights.

# The three layers of the CC licenses

## CC licenses are comprised by different layers



Figure 1: Layers of a CC license [2]

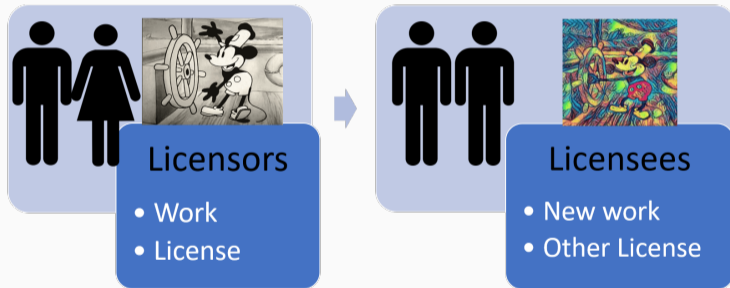
**Legal Code:** It contains *terms and conditions* in **legal terms**, that can and should be *interpreted by lawyers* and that are **enforceable** in court.

**Commons deeds:** Most known aspect of the licenses, it's been called *human-readable*, it describes and identifies the type of license, it presents a summary of the legal code (however, **not enforceable in court!**)

**Machine readable version:** It recognizes the usefulness and potential of software in creating, copying, discovering and distributing creative works. It contains the *license key features*, it can be interpreted by applications, machines and search engines.

# Involved people using CC licenses

How do I call the one who creates and uses a CC license, and how is called the one who uses a CC licensed work? [1]



**Figure 2:** **Licensor** and **Licensee**. Source: Composing images by anonymous authors CC-BY-SA, composition made by the presentation author



## **The four license elements**

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# The four license elements

**Licensor's choices.** Licensor provides users permission to reuse his work, as long as some license conditions are fulfilled.

## Attribution - BY



All licenses require attribution to be recognized

## ShareAlike - SA



Adaptions from this work must be licensed under the same license

## Non-Commercial - NC



Work is available only for non-commercial usage

## Non-Derivatives - ND



Reusers cannot share adaptions of the work

CC licenses include also two public domain tools. **These tools are not licenses!**

### Public domain - CC0



Enable creators to dedicate their works to the public domain. Some countries do not allow to dedicate works to public domain

### Public Domain Mark



Label to mark works known to be free of all copyright restrictions. Different from CC0, Public Domain Mark is not a legal tool and does not have legal effects.

# The six Creative Commons licenses

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# The six Creative Commons licenses

Based on the four license elements, six Creative Commons licenses were designed.

Do you want to allow any adaptation of your work to be shared?

Yes

Yes, but shared alike

No

Commercial usage?



Non-Commercial usage?



**Table 1:** The six CC licenses. Adapted from [3]

## The six Creative Commons licenses - Commercial use allowed

### CC-BY



Allows anyone to use the work regardless the purpose, even commercial and modified.  
Attribution is mandatory

### CC-BY-SA



Allows anyone to use the work regardless the purpose, even commercial and modified.  
Attribution and sharing in the same manner are mandatory

### CC-BY-ND



Allows anyone to use the **undapted** work for any purpose, even commercial.  
Attribution is mandatory

## The six Creative Commons licenses - Commercial use not allowed

### CC-BY-NC



Allows anyone to use the work for non-commercial purposes only, as long as attribution is given

### CC-BY-SA



Allows anyone to use the work for non-commercial purposes only, as long as: attribution is given, and adapted works are shared in the same way

### CC-BY-ND



This is the **most restrictive CC license**. People can use unadapted work for non-commercial purposes as long as attribution is given.

# CC Licenses Compatibility

















License	 PUBLIC DOMAIN	 BY	 BY SA	 BY NC	 BY NC ND
	 PUBLIC DOMAIN			 BY NC SA	 BY ND
 PUBLIC DOMAIN	✓	✓	✓	✓	X
 PUBLIC DOMAIN	✓	✓	✓	✓	X
 BY	✓	✓	✓	✓	X
 BY SA	✓	✓	✓	X	X
 BY NC	✓	✓	X	✓	X
 BY NC SA	✓	✓	X	✓	X
 BY NC ND	X	X	X	X	X
 BY ND	X	X	X	X	X

Table 2: Compatibility of the CC licenses. Adapted from [4]



# How the CC licenses affect exceptions and limitations to copyright

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## How the CC licenses affect exceptions and limitations to copyright

As stated above, CC licenses are built based on Copyright laws. CC licenses are meant to help authors to decide how their works are going to be shared respecting all copyright.

- **Exceptions** and **limitations** to copyright, like fair use and fair dealing [1], belong to copyright.

- **Creative Commons Licenses do not affect exceptions and limitations to copyright.**[5]

- All CC licenses establish a condition: the license becomes immediately invalid in case that it is assigned to any work protected by copyright and the expected use is not compatible with the rights of the original work.

- If the access to a work is granted by exceptions and limitations to copyright, and a user uses a CC license upon it, you can rely on the rights of the original work and do not need to rely on CC license terms and conditions.

## **How the CC licenses affect works in the public domain**

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## How the CC licenses affect works in the public domain

- CC licenses are not supposed to be applied to public domain works.
- CC licenses make explicit mention that they should not be applied in a manner that constrains the usage of a work that would be unrestricted otherwise.
- **A work on the public domain cannot be removed resorting to a CC license.**
- A CC license can be applied to a work derived from a Public Domain based work. The user should always be aware of any possible restriction to Public Domain contents.








- If a user is willing to dedicate a work to the public domain, he/she should use the CC Public domain dedication.
- Special attention must be paid to the usage of Public Domain works, as some particular policies could apply in one country, but they could be different in another country.

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# Bibliography

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**Thanks for your attention**  
**Questions and comments?**

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