

TODAY I WILL...

# What is Creative Commons?

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**Kamel Belhamel**

[Kamelbelhamel@gmail.com](mailto:Kamelbelhamel@gmail.com)

@kamelbelhamel



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# Presentation plan

- What is **Creative Commons**?
- The fundamental tension the creators of **CC** were trying to resolve.
- The Sonny Bono Copyright Term Extension Act.
- Eldred vs Ashcroft
- The **CC** organization
- What **CC** tries to accomplish with its licenses
- The number of **CC**-licensed works available today
- The **CC** global network.

# What's the problem?

- Digital technologies have revolutionized how creative works are made, distributed, and used
- Digital technologies implicate the right to copy through the sheer nature of how they work
- The potential that digital technologies offer also implicates the right to make derivative works





# What's the problem?

Sometimes full copyright discourages creation and dissemination, even though the creator may want to encourage these things.



➤ It can prohibit people who might benefit from creative work from being able to legally use it.

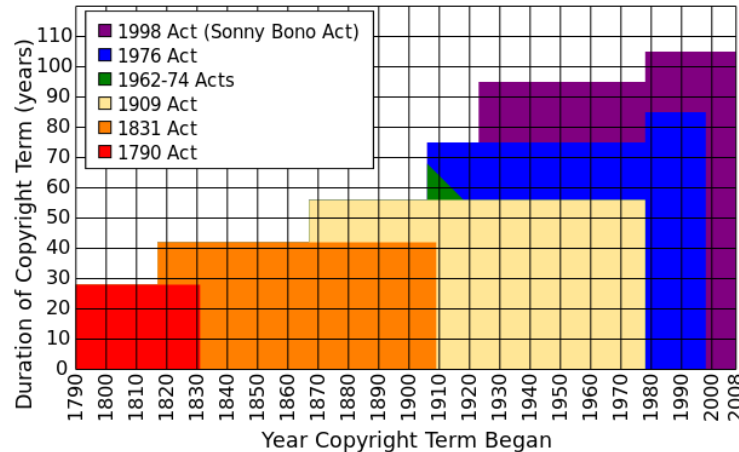




## Copyright Term Extension Act (CTEA)

The 1998 Act extended these terms to life of the author plus 70 years and for works of corporate authorship to 120 years after creation or 95 years after publication, whichever end is earlier. Copyright protection for works published before January 1, 1978, was increased by 20 years to a total of 95 years from their publication date.

This law, also known as the **Sonny Bono Copyright Term Extension Act**, **Sonny Bono Act**, or (derisively) the **Mickey Mouse Protection Act**



Tom Bell's graph showing extension of U.S. copyright term over time

**Sonny Bono** : L'encyclopédie du cinéma  
<https://www.notrecinema.com>



**Eric Eldred** : source Wikipedia

## Eldred v. Ashcroft

**Eldred v. Ashcroft**, 537 U.S. 186 (2003), was a decision by the Supreme Court of the United States upholding the constitutionality of the 1998 **Sonny Bono Copyright Term Extension Act (CTEA)**.

**Eric Eldred**, is an Internet publisher. Eldred was joined by a group of commercial and non-commercial interests who relied on the public domain for their work.

## Larry Lessig

**Lawrence Lessig**, believed this new law was unconstitutional. The term of copyright had been continually extended over the years



**Lawrence Lessig** : source Wikipedia

**Eric Eldred and Lawrence Lessig** : Together, they challenged the constitutionality of the Act. The case, known as **Eldred v. Ashcroft**



What if you want to give up some of your copyright rights and contribute creative work to the commons for sharing and reuse?



Creative Commons was created to help address the tension between creator's ability to share digital works globally and copyright regulation

The idea behind CC licensing was to create an easy way for creators who wanted to share their works in ways that were consistent with copyright law.



# Creative Commons (CC)

is an American non-profit organization devoted to expanding the range of creative works available for others to build upon legally and to share.

**The organization** has released several **copyright-licenses** known as **Creative Commons licenses** free of charge to the public.

These **licenses** allow creators to communicate which rights they reserve, and which rights they waive for the benefit of recipients or other creators

**CC** offers an alternative to full copyright; lets you easily change your **copyright** terms from “**All Rights Reserved**” to “**Some Rights Reserved**.”





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Photo by Kamel Belhamel. CC- Global Summit 2018





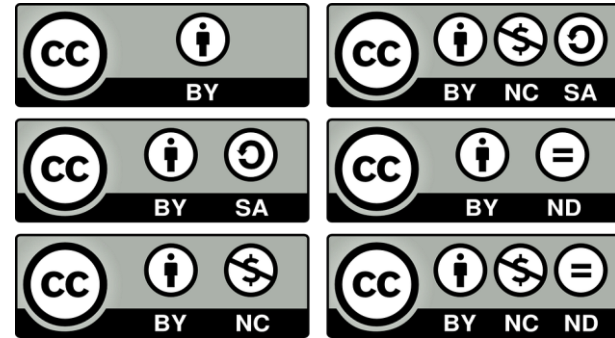
The organization was founded in 2001 by Lawrence Lessig, Hal Abelson, and Eric Eldred with the support of Center for the Public Domain. The first article in a general interest publication about **Creative Commons**, written by Hal Plotkin, was published in February 2002. The first set of **copyright licenses** was released in December 2002.

As of May 2018 there were an estimated 1.4 billion works licensed under the various **Creative Commons licenses**. Wikipedia uses one of these licenses. As of May 2018, Flickr alone hosts over 415 million **Creative Commons** licensed photos. **Creative Commons** is governed by a board of directors





## CC Licenses



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





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## **NoDerivatives ( ND)**

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The 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.



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