




# The Case for NC Commons (20 min)

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Stephen LaPorte, James Heilman, Douglas Scott  
Room 310, 11:45 Aug 18 2023



# Want

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Use otherwise difficult to get images to better illustrate Wikipedia articles.

**Example:** can be used to better represent medical conditions amongst a greater diversity of people.



DermNetNZ.org



# Want

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Use special  
otherwise available  
images on  
Wikipedia.

**Example:** the Gupta  
family relationship  
with President  
Zuma.



# Decrease shoehorning images in under “fair use”

## Category:European Space Agency images [ edit ]

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Category Talk

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From Wikipedia, the free encyclopedia

? Help

This category only contains [European Space Agency](#) images NOT originating from the [ESA Multimedia Gallery](#).

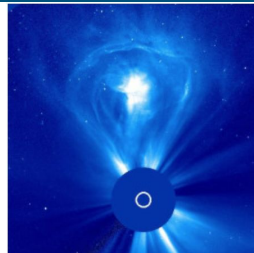
Images taken by the [European Space Agency](#) are free for non-commercial use.

### External links [ edit ]

- [ESA website](#)



To place a file in this category, add the tag `{{Non-free ESA media}}` to the bottom of the file's description page. If you are not sure which category a file belongs to, consult the [file copyright tag page](#). If this category is very large, please consider placing your file in a new or existing subcategory. Free files can be moved to the [Wikimedia Commons](#).



No higher resolution available.

Large\_coronal\_mass\_ejection\_on\_2000-02-27\_from\_SOHO\_LASCO\_C3\_coronagraph.jpg (256 × 256 pixels, file size: 18 KB, MIME type: image/jpeg)

🖼️ [Open in Media Viewer](#) ⚙️

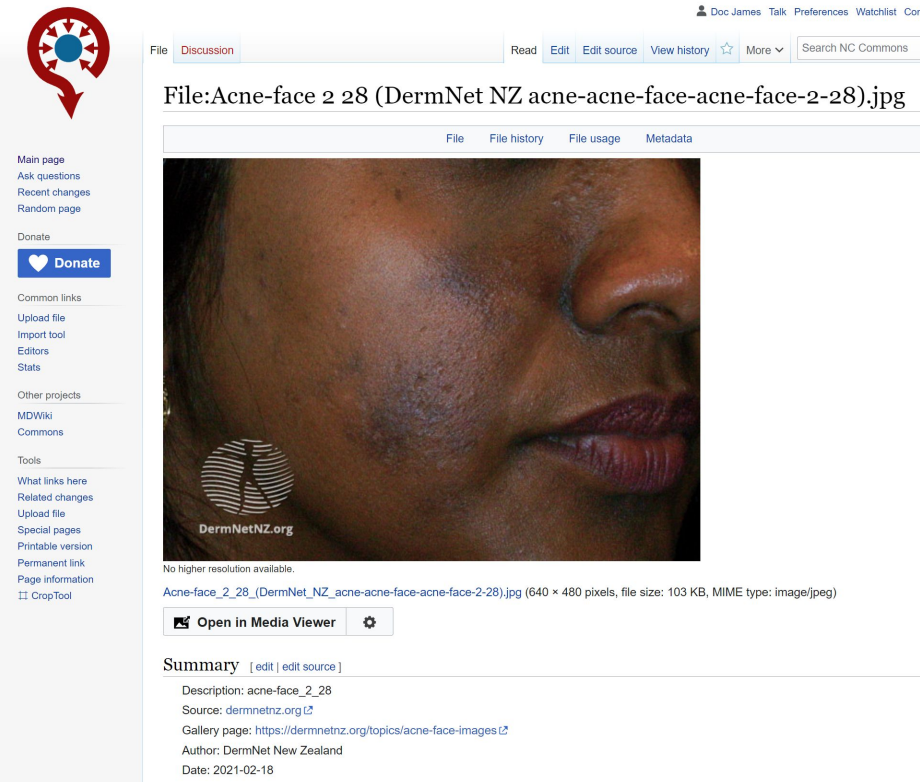
### Summary [ edit ]

#### Non-free media information and use rationale for Coronal mass ejection

Description	A coronal mass ejection observed by the SOHO/LASCO C3 white-light coronagraph on 2000-02-27 at 09:18 UT
Source	<b>Original publication:</b> SOHO website <b>Immediate source:</b> <a href="https://soho.nascom.nasa.gov/data/Theater/">https://soho.nascom.nasa.gov/data/Theater/</a>
Article	Coronal mass ejection
Portion used	
Low resolution?	
Purpose of use	To provide a visual representation of the structure and appearance of a coronal mass ejection in white light as they are most commonly observed (through a white-light coronagraph)
Replaceable?	Modern observations of coronal mass ejections via coronagraphs are made almost exclusively by the SOHO/LASCO coronagraphs.

ESA images are NC licensed. As they have one of the few “cameras” that can take images of this we use it via “fair use” on EN WP.

# The Solution | NC/ND Commons




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File Discussion Read Edit Edit source View history More Search NC Commons

## File:Acne-face 2 28 (DermNet NZ acne-acne-face-acne-face-2-28).jpg

File File history File usage Metadata



No higher resolution available.

Acne-face\_2\_28\_(DermNet\_NZ\_acne-acne-face-acne-face-2-28).jpg (640 × 480 pixels, file size: 103 KB, MIME type: image/jpeg)

[Open in Media Viewer](#)

### Summary [\[ edit \]](#) [edit source \]](#)

Description: acne-face\_2\_28  
Source: [dermnetnz.org](http://dermnetnz.org)  
Gallery page: <https://dermnetnz.org/topics/acne-face-images>  
Author: DermNet New Zealand  
Date: 2021-02-18

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## File:President Jacobo Zuma attends The New Age and SABC Business breakfast 16 Mar 2012.jpg

File File history File usage Metadata



No higher resolution available.

President\_Jacobo\_Zuma\_attends\_The\_New\_Age\_and\_SABC\_Business\_briefing\_16\_Mar\_2012.jpg (466 × 350 pixels, file size: 72 KB, MIME type: image/jpeg)

[Open in Media Viewer](#)

### Summary [\[ edit \]](#) [edit source \]](#)

Description:	<b>English(Colon)</b> ( President Jacobo Zuma , Atul Gupta and Eastern Cape Premier Noxolo Kievet at the Breakfast with the President in Port Elizabeth )President Jacobo Zuma and SABC's Peter Ndoro during a live broadcast of the SABC News Morning Show. The show was broadcast from the SABC Cape Training Centre in Port Elizabeth. The breakfast with The President was held in partnership with Transnet, SABC News and the New Age Newspaper 16/03/2012
Date:	2012-03-16 07:14:10
Source:	<a href="https://www.flickr.com/photos/governmentza/8444279368/in/album-72157632682384259/">https://www.flickr.com/photos/governmentza/8444279368/in/album-72157632682384259/</a>
Author:	South African GovernmentZA Flickr

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# Benefits

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- Grows our movement
- Increases collaboration opportunities
- Improves what we can provide our readers
- Recognizes reasons that organizations use NC

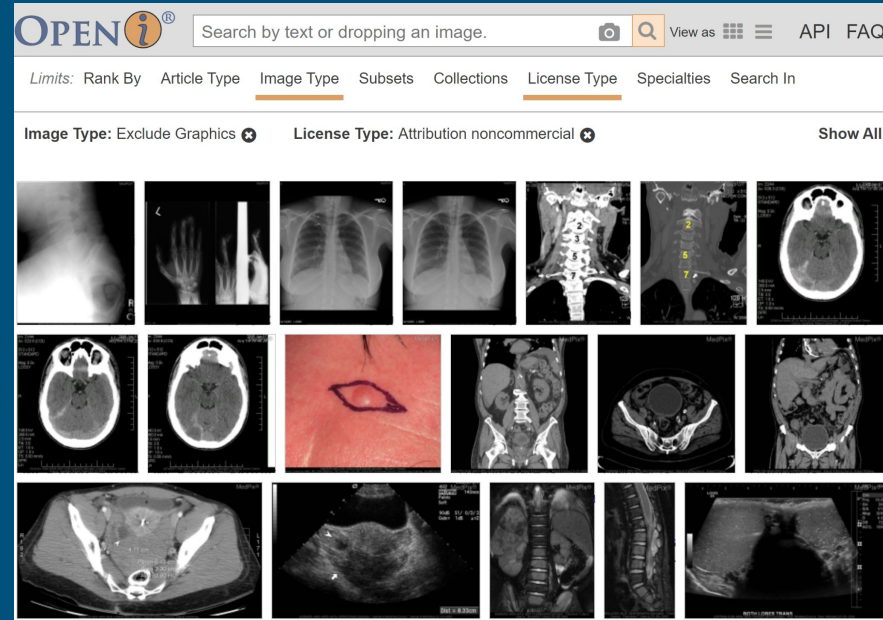
# Risks

- Not an ideal license
- Concerns that our commercial reusers might get confused
- Concerns that allowing NC will decrease pressure on organizations to adopt more open license

# Major users of NC licenses

Currently 10s of million of media files under NC and ND licenses

- World Health Organization
- Khan academy videos (>8,000)
- South African government
- TED talks (>3,500)
- [Government of Canada](#)
- [Openi](#) 633,000 images
- Half of “open access journals” are NC or ND licensed



# History

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- Discussion regarding a central repository for “fair use” dates back to at least 2014.
- A draft of our 2030 strategy contained the text “Likewise, photographs, which are marked ND (No derivative works) or NC (No commercial works) could be made available for use with proper attributions/licensing notices”
- A different group felt “that the acceptance of a non-commercial license in Commons would cause more harm than good”
- Wiki Project Med Foundation launched NC Commons in March of 2021 and have subsequently collected more than a million mostly medical images.



# Definition of NC

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- Creative Commons NC licenses expressly define NonCommercial as “not primarily intended for or directed towards commercial advantage or monetary compensation.”
- Many have claimed that NC cannot be used by universities or schools as they involved commercial transactions. But that is NOT most school’s primary purpose.
- CC goes on to say “The inclusion of “primarily” in the definition recognizes that no activity is completely disconnected from commercial activity; it is only the primary purpose of the reuse that needs to be considered.”
- Additionally one can distribute at the cost of manufacturing. Some claims that NC would have disallowed distribution of WP on DVD are incorrect.

# Current situation on EN WP

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- The only NC images are from the European Space Agency and are used under “fair use” rational. ([link](#))
- Can not use South African government photographs.

# Policy

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There is no movement wide policy preventing NC licensed material

# Exemption Doctrine Policy (EDP)

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NC could be used under an [EDP](#) similar to EN WP's Fair Use Policy. What would be required is:

- A community has consensus at a project level
- There is machine readable details to indicate that it is NC license, currently as is done for fair use
- There is a preference for non-NC images where available