Creative Commons: the stories and some guides

ramzy muliawan

copyright

gives exclusive right for creator
of a work to reproduce the work,
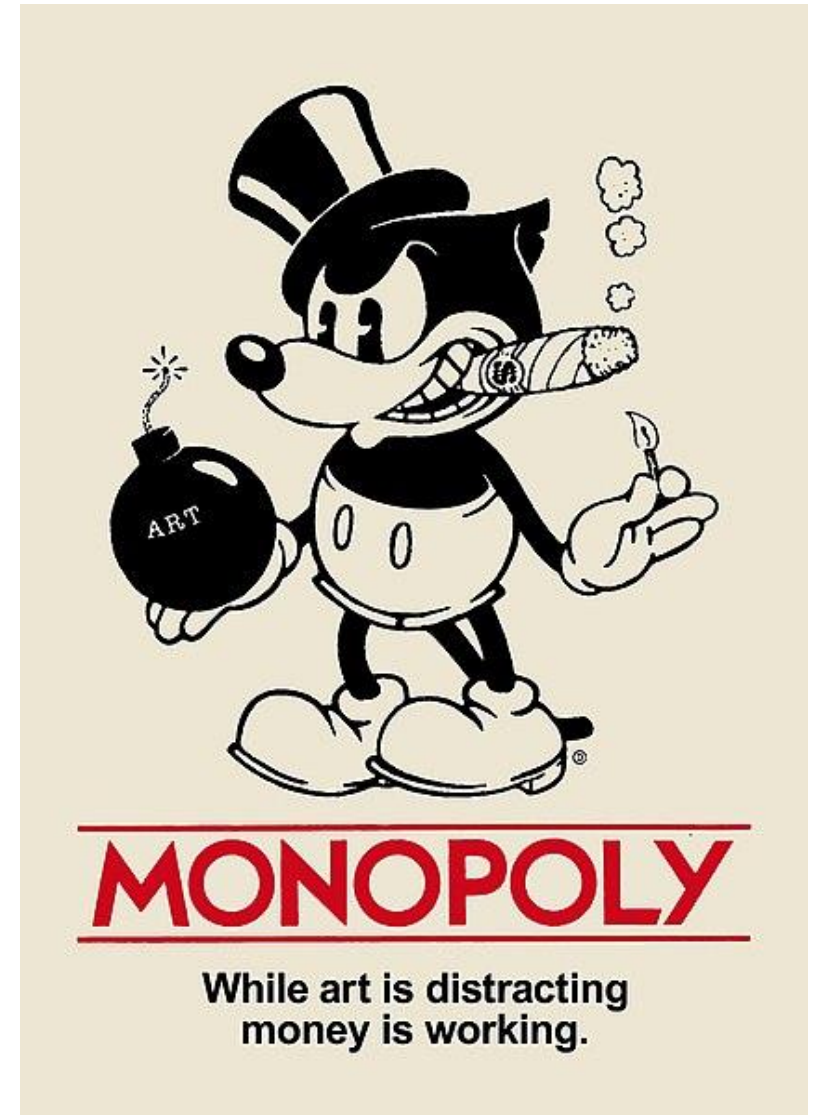usually for a limited time (Wikipedia)

but what if one wants to distribute their creative

works to the public <u>within</u> the existing regime of

copyright laws?

.......enter Creative Commons

.....but first, a little bit of history (and a mouse)

in 1998, the United States Congress passed a law called the Copyright Term Extension Act (CTEA).

this particular law regulates and protects, among many things, Mickey Mouse.

MONOPOLY
While art is distracting money is working.

Life + 50 yrs

Life + 70 yrs

CTEA extends copyright protection for every work in the United States for an addition term of 20 years.

previously, works are protected for the rest of the creator's life plus 50 years. CTEA extended it into 70 years.

this, for example the early Mickey Mouse movies, prevents some works that are supposed to be in public domain in 1998 to be still protected until 2018—last year!

this leads into *Eldred v. Ashcroft*, a 2003 U.S. Supreme Court case, where the court eventually finds CTEA constitutional.

the plaintiffs' argument:

1. CTEA violates Copyright Clause of the U.S. Constitution;

2. CTEA fails to properly balance between the freedom of speech, regulated by the 1st Amendment, and interests of copyrights;

3. CTEA violates the doctrine of public trust by withdrawing materials from public domain.

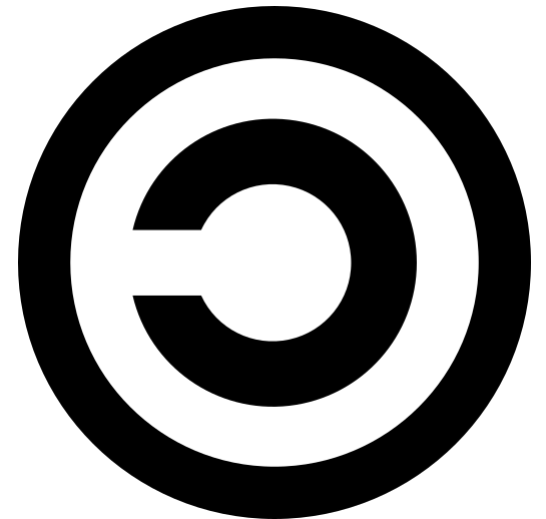Eric Eldred

John Ashcroft

(as Attorney General of the US)

but what, really, drives CC?

if there is copyright, so there is.....

copyleft

gives the public right to
freely distribute copies and
modified versions of a
creative work with several
other protective or
reciprocal requirements

Lawrence Lessig, a (then) Stanford Law professor, represented Eldred in *Eldred v. Ashcroft* case.

he believed that CTEA is unconstitutional. but since the Supreme Court finds that it is not, he believes that there must be a way to allow creators to freely distribute their works in a more flexible manner <u>and</u> consistent with the current copyright laws.

in another words, a Creative Commons.

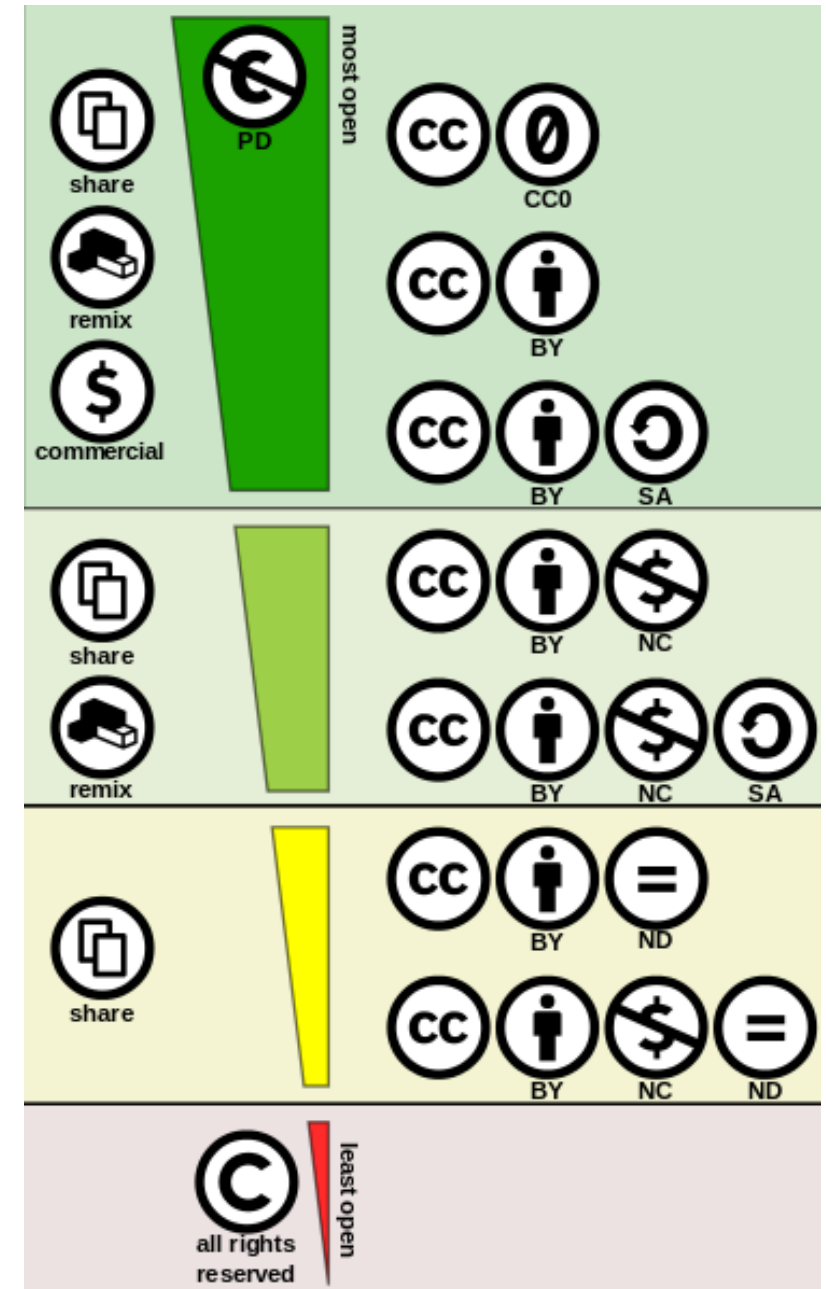Lawrence Lessig

and what is CC, again?

CC #1: the licenses

CC licenses essentially are combinations of these conditions:

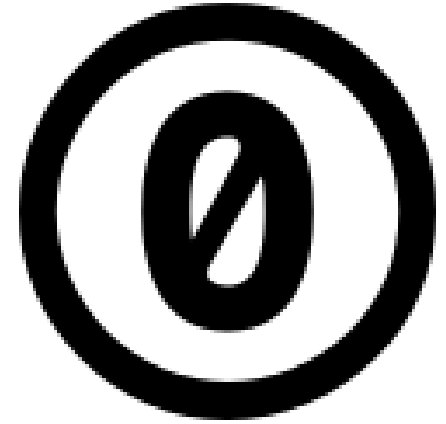attribution (BY): make the work all you want, but attribute the creator

share-alike (SA): if you want to distribute the modified work, please do so under licenses not more restrictive than the original license.

non-commercial (NC): make the work all you want, but only for non-commercial purposes.

no derivative works (ND): make the work all you want, but do not make derivatives or remixes based on it

i don't want my works to be copyrighted. how does CC accommodate me?

waive your copyright rights with CC0 ("CC-Zero") which releases your works worldwide into the public domain.

this is the "freest" CC license available, the one most radically aligned with the spirits of copyleft.

CC #2: the movement

CC is not only about licenses: it is also, after all, about people behind it. a lot of community benefits from CC. therefore, CC essentially is part of the long tradition which advocates for a more free, transparent, and flexible transfers of information and knowledges.

notable examples: CC Global Network, Mozillians, Wikipedians, Open Innovation, Open Access, Open Science, Open Educational Resources.

CC #3: the organization

CC Indonesian chapter

but also, CC is an organization.

legally, CC is a registered American non-profit (501(c)(3)) based in Mountain View, California.

CC is also supported by more than 289 community members who serve as its representatives in over 60 countries, dubbed the CC Global Affiliate Network.

How can one get involved with CC?

[use](#) the licenses

[use](#) the collections

[donate](#)

subscribe to [mailing list](#) or [Slack](#)

join the [Global Network](#)