



The Journey of Creative Commons

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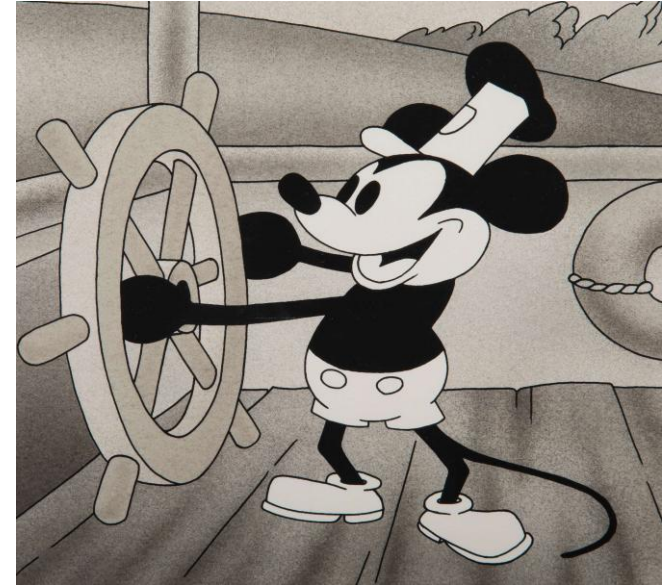


The Statute of Anne of 1710:

- ❖ Before 1694, any book published had to be licensed by official censors.
- ❖ Monopoly was lost when the requirement for licensing was lifted.
- ❖ According to Zimmerman (2010), parliament granted copyright protection to authors for a limited term before work goes into public domain.
- ❖ The copyright laws came with conflicting ideas and debates- To the public, authors had special protection to their products but the public also had rights to knowledge and learning.

Mickey Mouse Protection Acts

- ❖ Statute of Anne of 1710 had a copyright term of 14 years, renewable if the author was alive (Zimmerman, 2010)
- ❖ 1958-1998, US Congress extended the term of copyright 11 times. Just before the copyright on Steamboat Willie's original Mickey Mouse cartoon by Walt Disney was about to expire (Lessig, 2005)
- ❖ The Creative Commons story was born from the 1998 Sonny Bono Copyright Term Extension Act (CTEA) which extended copyright to 70 years after the death of the creator and for corporate or anonymous works, copyright was extended to 95 years from publication or 120 years from creation depending on which one comes first ([Creative Commons, n.d.](#)).



[Steamboat Willie](#) in the [public domain](#)

- ❖ The passage of the 1998 Sonny Bono Copyright Term Extension Act (CTEA) prevented any new works from moving into the public domain until 2019
- ❖ This also prevented existing copyrighted works from entering the public domain until 2019
- ❖ Eric Eldred, a retired computer programmer who maintained a website of public domain works decided to fight the CTEA law with the help of Lawyer Lawrence Lessig. Ashcroft represented the US Government – Eldred vs Ashcroft.
- ❖ They challenged the constitutionality of the law up to the Supreme Court -1. repeated extension of the term on copyright just means copyright was unlimited, 2. extension on already existing works was unlawful. Eldred had already created works that were going to be in the public domain and the CTEA affected him negatively.
- ❖ They lost the case (Lessig, 2005).
- ❖ But this loss triggered a new beginning for making creative works freely available. Hence the birth of CC led by Lessig and his team in 2001

- ❖ The Internet revolutionize how works are created, disseminated and preserved.
- ❖ The printing press helped produce many copies of works inexpensively, however, the internet came with no cost to making additional copies and making them available and accessible freely around the world, which was not captured in the copyright law.
- ❖ Creative Commons came into existence from the conflicts between new technologies and copyright laws. The idea is to bridge the gap.
- ❖ CC licenses excellently helps copyright adapt to the electronic world.

*“Digital technologies give new life to copyrighted material after it passes out of its commercial life. It is now possible to **preserve and assure universal access to this knowledge and culture**, whereas before it was not.”* – (Lawrence Lessig, 2005)

Copyrights and Research/Academic Books/Articles (Creative Nature of Humans)

According to Taylor (2007), rights are usually at the heart of authors. There was a need for academics to re-use other author's copyrighted materials for research purposes. However, the academics who are copyright owners themselves are sometimes concerned when their materials are re-used inappropriately or without adequate remuneration.

The Dual aspect to copyright: Copyright arises inalienably from authorship (Taylor, 2007). Some academics support Open Access (OA) while others prefer more protection and control, hence the academic publishers mediating role and the author-publisher balance. One way to resolve the duality was the introduction of OA with CC Licenses - NonCommercial-ShareAlike for that purpose.

*“Creative activity requires protection of the moral and economic rights of the creators of original material, on the one hand, and the **opportunity to use and develop existing material in new and original forms**, on the other hand.”* (The British Academy, 2006)

Creative Commons as a 3 in 1

Today, when you hear of Creative Commons, three (3) things should come to mind:

1. CC as an international **Non-profit Organization**: maintaining the CC licenses and supporting the global open movement(Network) in various ways.
2. CC as a **Set of Licenses**: legal tools that help creators decide how to share their works freely with the public in a less restrictive way. CC legal tools are considered digital public good (DPG), used by formal institutions and individuals from diverse fields on over 2.5 billion works. It is considered a vital policy goal in scholarly publication and education.
3. CC as a **Global Movement**: international network of activists, policy makers and creators with shared value of openness – sharing and collaboration. CC as an open movement has other sister movements such as Wikimedia Foundation, Open Knowledge Foundation, etc.

Goals of Creative Commons

Main Goal:

CC's focus is to enable governments, institutions, individuals and communities have the **technical, policy and legal choices** to promote sharing of knowledge and culture for public good.

- To enable creators control how their work is shared and used
- To promote the culture of sharing and collaboration
- To encourage community of practice that believe in the idea of solving the world's challenges through openness – [CC's "Better Sharing, Brighter Future"](#).

How to Join the CC Community

Various ways to join the CC community:

Unofficially via:

[Zulip](#), LinkedIn, CC is moving out of **Slack**

Officially via:

- the [Creative Common Global Network](#); join the [CC Open Education Platform](#), [CC Copyright Platform](#) and/or [CC Open Culture Platform](#)
- Take [CC Certificate Course](#)
- Subscribe to [CC Mailing List](#)
- Share your work under [CC Licenses](#)
- Contribute to CC activities through other Open Movements – [Wikimedia](#), [Mozilla](#), and be an Open Access Advocate
- [Donate to Support CC](#)

BE A CC GLOBAL NETWORK MEMBER



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Individual Member

Take the CC Certificate Course



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Creative Commons Certificate

The Creative Commons Certificate program recognizes proficiency in open licensing. Open licensing strengthens our collective work, building a more equitable, accessible, and innovative world through sharing open knowledge and culture.



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[Creative Commons](#)

Keeping the
Internet
Human: 25
Years of
Choosing to
Share



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Eldred vs Ashcroft https://en.wikipedia.org/wiki/Eldred_v._Ashcroft

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The Story of Creative Commons 1.1 <https://creativecommons.org/course/cc-cert-edu/unit-1-what-is-creativecommons/1-1-the-story-of-creative-commons/> by [Creative Commons CC BY 4.0](#).

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