

A QUICK REFERENCE GUIDE TO CC LICENSES



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THE THREE LAYERS

Every CC license has three layers.

Each one is designed to be read by a different reader.

Most people only need to worry about one of them.



LAYER I

- Legal Code: This is the actual legal language that makes the license enforceable.
- Here is a lawyer from Frederick, Maryland, found via an OpenVerse search for “lawyer.” At least, I’m assuming he’s a lawyer. They didn’t include his name.



"Lawyers in Frederick Maryland" by Frederick Md
Publicity is licensed under CC BY 2.0

LAYER 2

- Human Readable: This puts the language of the license into terms that everyone can understand. Also known as the Commons Deed.
- This is one of the photos that comes up in the creativecommons.org image search for "human." Pretty much immediately after the invention of photography people started dressing up their cats and taking photos of them.



Playtime, Cats in Human Situation, Playing Jump Rope with a Vintage Victorian Doll" by Beverly & Pack is licensed under [CC BY 2.0](https://creativecommons.org/licenses/by/2.0/)

LAYER 3

- Machine Readable: This is the language that is used by search engines to find CC-tagged work like that guy you saw who is probably a lawyer or the two kittens playing jump rope with a doll.
- And this robot, who is reading the machine readable license.
- And planning world domination.



"Windows 7
robot" by randychiu is
licensed under CC BY
2.0

THE FOUR LICENSE ELEMENTS

- There are four elements that make up a CC license. The first is BY.
- The BY license has a logo that looks like a person.
- BY: Which means credit must be given. Go back and look at the photos I used on the previous three slides.
- Those were all CC BY images, and I gave the creator credit below the photos.



SECOND ELEMENT: SA



- SA: This stands for ShareAlike. It means that any work created using work with an SA license on it must have the same license as the work being used.
- So, if you see an SA tag on a license, pay careful attention to the other elements, because by using that work, you agree to put the exact same license on your own work.
- It looks like arrow doing yoga.

THIRD ELEMENT: NC

- NC – NonCommercial. This just means that the licensed work cannot be used for commercial purposes
- This only refers to the USE and not the USER
- A for-profit company can use an NC licensed work as long as that particular use isn't commercial
- Likewise, a nonprofit could be in violation
- It looks like my bankaccount



FOURTH ELEMENT: ND

- ND, meaning no derivatives, or as CC calls it: NoDerivatives. This means that the licensed work cannot be remixed, transformed or built-upon.
- For example, a creative commons textbook with an ND cannot be distributed if the text is altered in any way
- By comparison, a CC BY licensed textbook can be rewritten and integrated into other material as long as proper credit is given.
- It's an equal sign in a circle.



THE SIX LICENSES



The four elements combine to make six licenses.

The first is CC BY.

- “This license allows reusers to distribute, remix, adapt, and build upon the material in any medium or format, so long as attribution is given to the creator. The license allows for commercial use” (“About CC Licenses,” 2021).

CC BY-SA



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- The second is CC BY-SA
 - This means: Attribution
Sharealike
 - “This license allows reusers to distribute, remix, adapt, and build upon the material in any medium or format, so long as attribution is given to the creator. The license allows for commercial use. If you remix, adapt, or build upon the material, you must license the modified material under identical terms” (“About CC Licenses,” 2021).

CC BY-NC

- The third means:
Attribution Noncommercial
- “This license allows reusers to distribute, remix, adapt, and build upon the material in any medium or format for noncommercial purposes only, and only so long as attribution is given to the creator” (“About CC Licenses,” 2021).



CC BY-NC-SA



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- This means: Attribution, Noncommercial, Sharealike
 - “This license allows reusers to distribute, remix, adapt, and build upon the material in any medium or format for noncommercial purposes only, and only so long as attribution is given to the creator. If you remix, adapt, or build upon the material, you must license the modified material under identical terms” (“About CC Licenses,” 2021).

CC BY-ND



- This means: Attribution, No Derivatives
- “This license allows reusers to copy and distribute the material in any medium or format in unadapted form only, and only so long as attribution is given to the creator. The license allows for commercial use” (“About CC Licenses,” 2021).

CC BY-NC-ND



- This means: Attribution – Noncommercial-No Derivatives
- “This license allows reusers to copy and distribute the material in any medium or format in unadapted form only, for noncommercial purposes only, and only so long as attribution is given to the creator” (“About Creative Commons Licenses,” 2021)

Refresher:

EXCEPTIONS AND LIMITATIONS TO COPYRIGHT


There are certain circumstances in which copyrighted materials may be used regardless of the license applied to them.

These circumstances are known as Fair Use.

If the qualifications for Fair Use are met, then copyrighted materials may be used.


Since a CC license is simply a type of copyright, one in which certain permissions are given to potential users, and with certain conditions, Fair Use applies to CC licensed works as well.

These circumstances are known as limitations and exceptions to copyright. Fair Use is an example of an exception within the U.S.



THE FOUR FACTORS OF FAIR USE

The principles of fair use were codified in the Copyright Act of 1976. They are:

- the purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes;
 - the nature of the copyrighted work;
 - the amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
 - the effect of the use upon the potential market for or value of the copyrighted work (17 U.S. Code § 107).
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OKAY, SO WHAT DOES THAT MEAN?

- It means that certain uses are permitted, in certain situations, despite exclusive copyright. These uses are considered according to the four factors.
- Fair Use could warrant a workshop by itself. Three great resources are:
- "Fair Use Gone Viral: Predicting the Future of Copyright" a webinar by Kenny Crews, Columbia University Libraries.
- "Measuring Fair Use: The Four Factors" from Stanford University Libraries
 - <https://fairuse.stanford.edu/overview/fair-use/four-factors/>
- "Copyright Reference Guide: Fair Use" from University of Illinois Library
 - <https://guides.library.illinois.edu/copyrightreferencguide/fairuse>

CC PUBLIC DOMAIN TOOLS

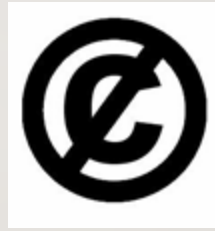
- Authors can also choose to effectively place their work in the Public Domain
- The Public Domain differs from CC in the Public Domain is not a license
- Any work in the Public Domain is free to use, remix, transform, distribute and sell with no restrictions.
- CC offers a tool for this called “CC Zero.”
- Using this tool means the author renounces all exclusive rights to their work, in as far as they are able.
- The CC Zero label is not a license, it is the complete absence of a license
- Moral rights may still apply in some jurisdictions.

CC ZERO AND THE PUBLIC DOMAIN MARK

- CC also offers a mark that may be placed on works that are identified as being free of any copyright restrictions
- This is not recommended for works that are free of copyright in some regions but not in others.



CC ZERO



PUBLIC DOMAIN MARK

- The Public Domain mark is for work which has been identified as being free of known restrictions under copyright law, including all related and neighboring rights

REFERENCES

- *2.4 Exceptions and Limitations to Copyright | Comment on CC Cert. For Educators and Librarians.* (n.d.). Retrieved October 31, 2021, from <https://certificates.creativecommons.org/cccerteducomments/chapter/2-4-exceptions-and-limitations-to-copyright/>
- *3.3 License Types | Creative Commons Certificate for Educators, Academic Librarians and GLAM.* (n.d.). Retrieved October 31, 2021, from <https://certificates.creativecommons.org/cccertedu/chapter/3-3-license-types/>
- *About CC Licenses.* (n.d.). *Creative Commons.* Retrieved October 31, 2021, from <https://creativecommons.org/about/ccllicenses/>
- *About The Licenses—Creative Commons.* (n.d.). Retrieved October 31, 2021, from <https://creativecommons.org/licenses/>
- *Creative Commons Public Domain Tools.* (n.d.). Retrieved October 31, 2021, from <https://creativecommons.org/publicdomain/>