

# COPYRIGHT AND OPEN LICENSING FOR AFFORDABLE AND OER RESOURCES: PART TWO

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# WHAT I DO

I have a dual role at UGA:



**Oversight of the material collections budget for the sciences and engineering**

**Lead University of Georgia's scholarly communications initiatives:**

- **Copyright assistance for UGA**
- **Promotion of open access publishing and OERs**
- **Coordination of UGA Libraries support for new faculty profile system, *UGA Elements***
- **Support for data management planning, funder requirements**

**When I'm not doing either of these two things, I'm a law student at**



# WHO I AM

**Few of the things I find time to do when not talking about copyright or CC licensing**

**Enjoy riding my terra trike recumbent bike**

**Enjoy cool weather flat water (or coastal)  
Kayaking**

**Honing my skills at the martial art of  
Aikido (I'm a "green belt")**



# **GOALS FOR PART II: CREATIVE COMMONS LICENSING**

- **Have a basic understanding of Creative Commons licensing model and how CC works with copyright**
- **Know the range of licenses available from Creative Commons**
- **As an author, be able to select the best CC license based on your needs**

# WHAT IS A LICENSE?

**“a right granted which gives one permission to do something which he could not legally do absent such permission...”**

**Licensor: party granting the license**

**example: you're the author of an OER text**

**Licensee: party receiving the permission to use the licensed work or item**

**example: a faculty member re-mixing the OER text  
you created**

**A CC license is written to be internationally enforceable in court within as many jurisdictions as possible**

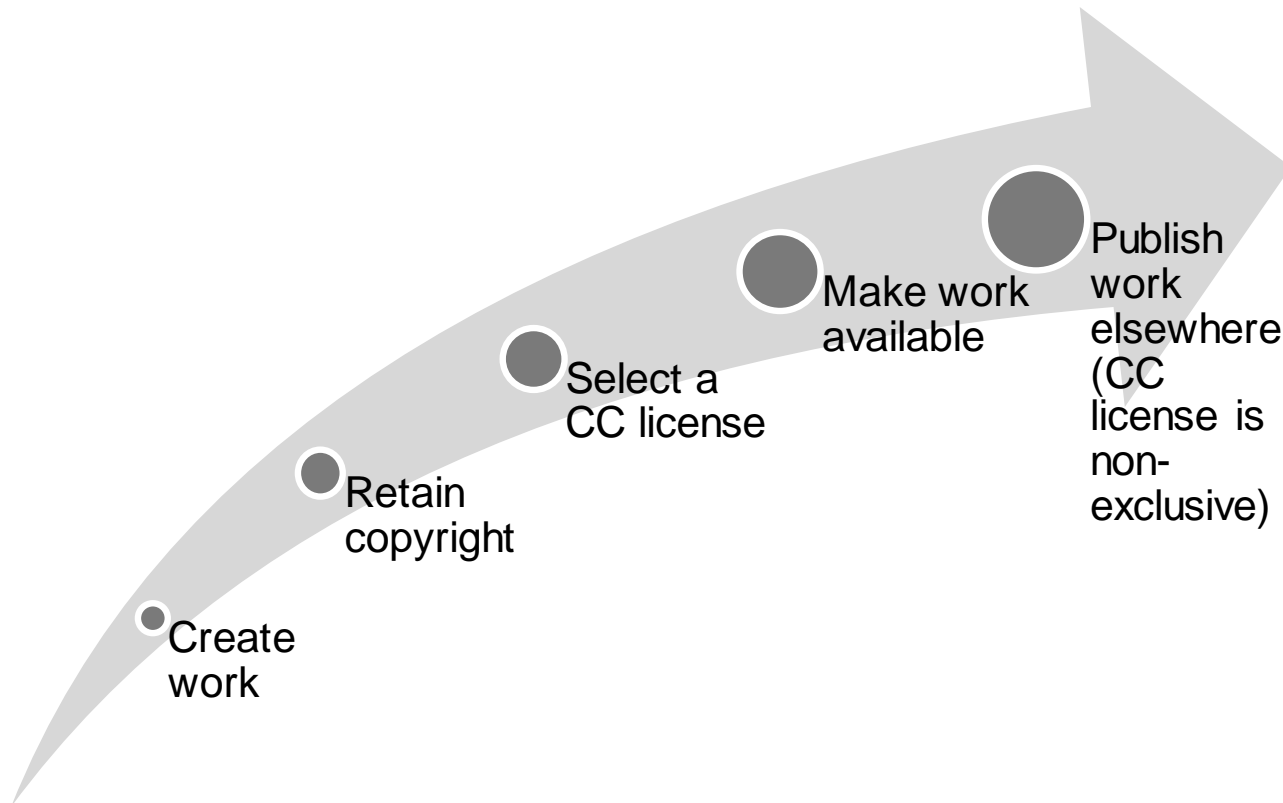
# HOW CC LICENSES WORK WITH COPYRIGHT

- **CC licenses work WITH copyright – and do not limit fair use or other exceptions**
- **You must have the copyrights necessary to your work(s) to license it under a CC license**
- ***At a minimum*, you must have retained the rights to:**
  - reproduce**
  - distribute**
  - display**
  - make adaptations (derivatives)**

# CC 101

- **Current version is 4.0**
- **CC is an international non-profit that provides free legal tools to facilitate sharing, re-using, and re-mixing creative works**
- **Best known for licenses, but also has other tools:**
  - CC0 – Public Domain dedication**
  - Public Domain Mark – tool to mark public domain works**
- **Not a legal firm and does not provide legal advice or endorse particular lawyers**

# HOW A CC LICENSE WORKS





# OVERVIEW OF LICENSES

- **There are 6 different licenses for authors to choose from; there is not a one size fits all license for general use**
- **All licenses require the user to give attribution to the creator of the work when using and sharing the work (BY)**
- **Licensors can choose the BY license; its only requirement is attribution to the creator**
- **Other 5 licenses combine BY + 1 or more requirements**

# NOW TO THE 6 LICENSES...

Attribution  
CC BY

Attribution-  
ShareAlike  
CC BY-SA

Attribution-  
NoDerivs  
CC BY-ND

Attribution-  
NonCommercial  
CC BY-NC

Attribution-  
NonCommercial-  
ShareAlike  
CC BY-NC-SA

Attribution-  
NonCommercial-  
NoDerivs  
CC BY-NC-ND

# CHOICES, CHOICES...

## 1. “All is fair game”

Least restrictive:

CAN share and re-mix, even for commercial use



Attribution  
CC BY

## 2. “The Wikipedia license”

CAN share, re-mix, and build, even for commercial use.

Must use the same license terms



Attribution-ShareAlike  
CC BY-SA

## 3. “All or nothing”

CAN redistribute, commercial or non-commercial, must remain whole and unchanged



Attribution-NoDerivs  
CC BY-ND

# OK, 3 MORE CHOICES

4. “Not for sale”



Attribution-NonCommercial  
CC BY-NC

CAN re-mix, build upon but ONLY non-commercially

5. “Not for sale and the same  
license terms”



Attribution-NonCommercial-ShareAlike  
CC BY-NC-SA

CAN re-mix, build upon non-commercially, and use same  
license terms

6. “Only download and share”



Attribution-NonCommercial-NoDerivs  
CC BY-NC-ND

Most-restrictive of the 6

# **ASSESSING YOUR NEEDS FOR A CC LICENSE**

**Questions to help you choose the right license for you:**

- **Do you want to allow users to be able to make money based on your work? You will not get a share of the money.**
- **How much change to your original work are you comfortable with, or would allow – any?**
- **Do you have a requirement for users to license under the same terms as you licensed your original work?**

# APPLICATIONS FOR OER LICENSING



requires authors to use the **LEAST** restrictive  
**CC BY** license

content licensed by more restrictive  
**CC BY- NC- SA**



what might be advantages or disadvantages of each  
model? Which is your preference?

# **WRAP UP**

## **Key Points:**

- 1. CC licenses work with, and assume you have retained copyright to use**
- 2. CC licenses do not limit fair use or other exceptions to copyright law**
- 3. There are 6 licenses from least restrictive to most restrictive on the user – not a one size fits all**
- 4. Assess your needs for the work you create before choosing your license**
- 5. Learn about the OER licensing model a platform uses before using that platform**