Creative Commons – Saving the Internet One License at a Time

Michelle Armstrong
Boise State University

Traditionally copyright has been inflexible, creating few opportunities for those who wish to share or use a new work. Copyright is automatically assigned as soon as an original creation is fixed in a tangible medium. Although registering a work with the U.S. Copyright Office may be beneficial, it is not required for an author to receive the rights and protections provided by the federal law. Under this system, anyone wanting to use a creation is limited to the allowable uses outlined in the law or must justify their use through a fair use analysis. All other applications of a work are only allowable if permission has been granted by the author or the organization that owns the rights to the work. There is no way for an author to communicate other uses that are acceptable to them. In an information world that now thrives on the sharing and exchange of new information, the restrictions of copyright are onerous and confusing. It was because of these limitations that the desire for something more proactive came about. Authors needed a system that would allow them to say up front what they were willing to let people do with their work. As a result Creative Commons licenses were developed.

Developed by Creative Commons, a non-profit foundation, the licenses are legal agreements that communicate what a person can do with a specific work. Creative Commons licenses however do not replace the protections provided in the U.S. Copyright law. Those rights are still retained by the copyright holder and should be respected by anyone wanting to use the work. With the addition of a Creative Commons license, an author is now able to communicate other uses that are acceptable to them. They help bridge the gap between the “all rights reserved” environment established by the existing copyright law and the free for all atmosphere prevalent on the web.

Depending on what an author would like to allow, there are certain conditions that they can select from:

- **Attribution**: Regardless of which version of the Creative Commons license that is chosen, all licenses require the user to attribute the work to the original creator.

- **NonCommercial**: Users are limited to only those who wish to use the work for non-profit purposes.

- **ShareAlike**: Users may only use the work if they also share the modified work under the same terms.

- **NoDerivatives**: Authors only allow their work to be utilized as it is. No one may revise or modify the original creation.

These conditions are then combined in a variety of ways to create six Creative Commons licenses that specify how a work can be used. These licenses include:
Each of the Creative Commons licenses has associated with it an icon, specific legal code, a human readable version of the license known as the Common Deeds, and a machine readable layer which enables search engines and other digital tools to identify the rights assigned to a work. The legal code and Common Deed detail exactly what is required if a Creative Commons licensed work is to be used. To release a work with a Creative Commons license, an author simply needs to select a license and mark their creation, which may vary depending on the format. To help authors assign the licenses to their works, Creative Commons created an easy to use License Chooser tool and released a brochure explaining how to mark a work.

The use of Creative Commons licenses is becoming increasingly widespread and many tools have been developed to help librarians and patrons find these resources. The Advanced Search features in the main Google site, Google Images, and Flickr all have an option that allows users to limit their search by usage rights. YouTube allows users to filter their search results to videos that have been released with a Creative Commons Attribution license. Other sites such as Wikimedia Commons, OER Commons, and Jamendo specifically focus on resources that are openly available through Creative Commons licenses. In addition to these resources, there are many other sites that have incorporated Creative Commons content into their services.

Libraries are also finding the use of Creative Commons licenses valuable in their work. Many organizations such as the Hood River County Library District and Texas State Library and Archives Commission have incorporated Creative Commons licenses into their public documents. MLibrary at the University of Michigan, Harris County Public Library and UCLA Library all make the content of their websites available under a Creative Commons license. Both the University of Florida and Red Deer College Library include Creative Commons licenses on their LibGuides. Many institutional repositories use Creative Commons licenses to disseminate their university’s research. ScholarWorks at Boise State often uploads faculty scholarship published with a Creative Commons license. Similarly Pacific University and Indiana University allow students to disseminate their works with a Creative Commons license. Other libraries such as the Knox County Public Library and the Cumberland County Library System include Creative Commons licenses on their blog posts and podcasts.

In addition to helping patrons find needed resources and openly sharing their knowledge, librarians have a terrific opportunity to talk with their users about copyright, intellectual property, and open access issues. Although many patrons have borrowed and shared all types of content, few understand the legal and ethical implications of their actions. In contrast librarians deal with copyright issues in many areas of their work. Library staff working in acquisitions, reserves, interlibrary loan, institutional repositories, and instruction design, confront copyright issues on a regular basis. This experience and expertise can be used to help patrons as they distribute and utilize creative works.

There is no doubt that the world of information has changed dramatically. Patrons want more content and less barriers. Creative Commons licenses provide librarians ways to meet both needs, expanding the resources available to their patrons.
Michelle Armstrong is a librarian at Albertsons Library at Boise State University. Before joining Boise State, she managed the “Victims of Crime with Disabilities Resource Guide” grant for the University of Wyoming and served as the Coordinator of Information Services for the Wyoming Institute for Disabilities. Since the fall of 2008, Ms. Armstrong has overseen the development of ScholarWorks, Boise State’s institutional repository and serves as the Library Liaison for the Graduate College and Department of Mathematics.