cc creative
commons

N E W S L E T T E R

Issue No. 3   September 2007

MESSAGE

Dear All,

I know the ccNewsletter is a bit early, but I wanted to make sure to highlight some interesting things that have happened recently before the launch of our 3rd annual fundraising campaign.

We here at CC thank you for your interest in and support of Creative Commons. We exist because of you and because of that I welcome any questions, suggestions, or ideas that you may have about the ccNewsletter content.

All the best,

Melissa Reeder
Development Coordinator
Creative Commons

Above: Ito, Joi. "Melissa Reeder." CC BY 2.0 http://flickr.com/photos/joi/463728506/

Highlight: As alluded on the left, we are ramping up for the launch of our 3rd annual online fundraising campaign which starts Oct. 1st. Look for our new website redesign, limited edition tshirt, revamped "Lessig Letter" series -- subscribe at http://creativecommons.org/about/lessigletter -- and all the CC competitions and events that you could hope for.

CONTENTS

*Backgrounds: **Guerrero, Berne.** Monochrome adaptation of an image derived from the photo of **Grevel/Greta PPP.** "shyness is nice" CC BY-SA 2.0 http://www.flickr.com/photos/gre/16460056/*

We rely on our supporters to continue our work enabling stories like those listed above. Check it out:

DONATE
http://support.creativecommons.org/donate

CC STORE
http://support.creativecommons.org/store

File Info panel for Adobe applications

by **Asheesh Laroia**
14 September 2007
http://creativecommons.org/weblog/entry/7648

We're pleased to announce a user-friendly installer[1] for our software to examine Creative Commons licensing from inside Adobe applications like Photoshop. Furthermore, the licensing metadata that you see in Photoshop is interoperable with other metadata packages in Free Software like Exempi.

A week ago I took this picture of our lovely web engineer Nathan Kinkade along with our community manager, Jon Phillips. After opening it in Adobe Photoshop and tagging it with a Creative Commons Attribution 3.0 license, I clicked on "File Info" from the File menu. Here's what that looks like:
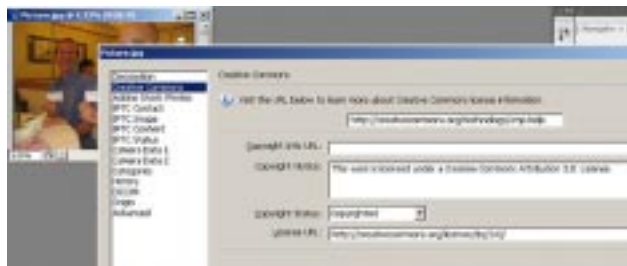
We've always said that the Creative Commons licenses come in three forms: lawyer-readable, human-readable, and machine-readable. Metadata is the "information about information" that allows software to tell you more about the file you are examining.

This file info panel is possible because Adobe published an Extensible Metadata Platform ("XMP") standard as well as Freely-licensed software that implements the platform in addition to supporting it in their own applications. To get started displaying CC metadata in the Adobe programs that support it, simply install our panel[2] (available for both Windows and Mac, the two Adobe-supported platforms). If you want to mark a work as licensed under a CC license, simply choose a license[3] and select the option labeled "To mark a PDF or other XMP-supported file, save this template". Open that with the Adobe program and your file is marked. We had written about the panel before;[4] this refresh provides an easy installer as well updates it for changes to our metadata namespace.

And remember that this metadata standard is cross-platform. We've written before about other people including XMP support in pdflatex,[5] PHP,[6] PDF files,[7] and Tracker,[8] just to name a few examples of Free Software support for XMP.

Endnotes

1 http://wiki.creativecommons.org/Creative_Commons_Panel
2 http://wiki.creativecommons.org/Creative_Commons_Panel
3 http://creativecommons.org/license
4 http://creativecommons.org/weblog/entry/4007
5 http://creativecommons.org/weblog/entry/4270
6 http://creativecommons.org/weblog/entry/6074
7 http://creativecommons.org/weblog/entry/7567
8 http://techblog.creativecommons.org/2007/07/10/sidecar-xmp-and-license-extractors-in-tracker/

cc News

LAWSUIT AGAINST VIRGIN MOBILE AND CREATIVE COMMONS · FAQ

by **Mike Linksvayer**
27 September 2007
http://creativecommons.org/weblog/entry/7680

Many people have asked us for information about the lawsuit prepared to be filed in Texas against Virgin Mobile and Creative Commons. The plaintiffs of the lawsuit are the parents of a student whose image in a CC-licensed photograph was used by Virgin Mobile in an advertising campaign and the photographer who took the original picture of the student and posted it on Flickr. We have prepared the FAQ below, which should answer many of your questions. We also recommend that you read Creative Commons CEO Lawrence Lessig's blog post[1] about the situation.

Has Creative Commons been sued?

Yes, Creative Commons has been named as a defendant in a lawsuit[2] filed in a Texas state district court.

So what has Creative Commons been sued for?

The complaint alleges that a photographer, Justin Wong, took a picture of a student, Alison Chang, and posted it on to Flickr. The photographer posted the photo under a Creative Commons Attribution license.[3] He selected that license from within Flickr, via one of the site's "Set a license" pages, which gives all users the option to license their photos under any of CC's six copyright licenses. Virgin Mobile in Australia then used the photographer's picture in an advertisement (that is, commercially). Although the photographer licensed the photo to the public for commercial use under one of CC's commercial licenses, Virgin's commercial use of the picture apparently surprised him. So now he is suing CC, claiming that we failed "to adequately educate and warn him ... of the meaning of commercial use and the ramifications and effects of entering into a license allowing such use."

Of course, users do not have to license their photos when they use Flickr; CC licensing is a special option within Flickr for only those users who are specifically looking to grant certain copyright rights to the general public. The set of CC license options available within Flickr includes three "noncommercial" licenses, which are clearly marked as such (full page screenshot).[4] The "Set a license" pages within Flickr also link to the Creative Commons site which explains, in detail, how the different licenses work. [5]

Is Creative Commons liable?

No.

Do you have any authority for that answer beyond your own (some might say self-serving) views?

Well, listen to the lawyer who brought this case in his interview with CNN.[6] At approximately the 2:16 mark of the interview, he's asked how there could be a lawsuit here given that the photographer's license authorized commercial use. "The commercial use has really been blown out of proportion. It's really irrelevant to our case," he says. "What's important here is that Alison has a separate and independent right of privacy."

That's a pretty sensible answer by this lawyer. The lawsuit is also against Virgin Mobile (specifically, Virgin Mobile USA, LLC and Virgin Mobile PTY Ltd.). The complaint alleges that Virgin Mobile used a photograph of a student commercially without getting permission from the student or her parents. That claim does not involve copyright law, it involves the rights of publicity. As we say in our Creative Commons licensing FAQ, Creative Commons licenses say nothing about rights of publicity. [7]

In his CNN interview, the photographer's lawyer did not talk about the claim against Creative Commons.

So then are you happy?

Totally unhappy. The photographer in this case alleges that he misunderstood our license. Anytime that happens, we're not happy. Our aim is to make this copyright stuff simpler.

So what are you going to do?

We are always looking for ways to improve Creative Commons licenses, and we will continue to make changes to the licenses when we think we've found an improvement that can be made.

Does this lawsuit mean that the Virgins of the world can use my CC-licensed work any way they want to?

We don't think so. First, if like the majority of CC users you chose the "noncommercial restriction" when licensing your work, no Virgin should want to have anything to do with your work without asking you for permission first. Second, now that this lawsuit has received so much attention, if you've released a photo of a person under a CC license (or under no license at all), you could reasonably expect that no Virgin would consider using that photo commercially without making sure the person pictured in the photo is OK with that.

But there you go again with the word "commercially." I thought you (or at least the lawyer suing you) said "commercial use … is really irrelevant to our case."

That's true in the sense that this lawsuit is not about whether the commercial use of this photograph was a violation of copyright law. But the right of privacy or publicity alleged to have been violated by Virgin Mobile depends upon the manner in which the company used the photograph. By using it as they did, commercially, they triggered the question as to whether they have violated Ms. Chang's rights of privacy or publicity.

So did the photographer violate Ms. Chang's rights?

We certainly don't think so. We don't believe any court should find that Justin Wong had violated Ms. Chang's rights simply by posting this photo of her in Flickr, however it was licensed. Cool (as in using Flickr, and even better, using Flickr with CC licenses) can't be a crime.

Endnotes

1. http://lessig.org/blog/2007/09/on_the_texas_suit_against_virg.html
2. http://lessig.org/blog/complaint.pdf
3. http://creativecommons.org/licenses/by/2.0/
4. http://mirrors.creativecommons.org/blimg/flickr-default-license-pref.png
5. http://creativecommons.org/licenses/
6. http://www.cnn.com/video/#/video/us/2007/09/24/intv.virgin.flickr.lawsuit.cnn
7. http://wiki.creativecommons.org/FAQ#When_are_publicity_rights_relevant.3F

CC News

'Copyright, Fair Use, and the Cultural Commons' now on MIT World

by **Kaitlin Thaney**
10 September 2007
http://creativecommons.org/weblog/entry/7636
http://sciencecommons.org/weblog/archives/2007/09/10/copyright-fair-use-cultural-commons/

From the Science Commons blog: [1]

Now up on MIT World,[2] "Copyright, Fair Use, and the Cultural Commons."[3] The Web cast is from the April 28, 2007 panel discussion featuring Creative Commons'[4] own Hal Abelson,[5] William Uricchio[6] (who moderated the event), Wendy Gordon,[7] Gordon Quinn,[8] and Pat Aufderheide. [9]

From the Web site: [10]

"Moderator William Uricchio sets the scene for panelists' discussion of current copyright wars with a brief historical overview of copyright protection. In 1790, when news traveled by horse and carriage, copyright protection was good for 14 years. Today, when a digital, networked society enables instant transmission of data, protection lasts 70-plus years. Uricchio notes, "Bizarrely, the faster information circulates, the longer we're extending copyright protection. It seems totally at odds with where our constitution framers and case law emerged from." […]

Hal Abelson [Professor of Computer Science and Engineering, MIT School of Engineering] offers his sense of how copyright concerns constrict life at the academy. MIT, he says, has begun putting fences up around its own course materials, including the most basic and central of thinkers. For instance, it has limited online, published versions of Aristotle, Pascal and Fermat to students in a particular course, for a single semester. Huge expense goes into getting permissions from faculty, and university lawyers are so concerned about offending copyright holders that they bar reams of material from MIT's OpenCourseWare site. Abelson believes these fences risk "destroying the university as an intellectual community," and recommends using open content (granting Creative Commons licenses) as much as possible, as well as aggressively exercising fair use."

MIT World > 17

CC News

REPORT FROM THE BANDWIDTH MUSIC/TECHNOLOGY CONFERENCE

by **Mike Linksvayer**
11 September 2007
http://creativecommons.org/weblog/entry/7641

A late report on Bandwidth 2007,[1] "The "Music | Technology Conference" held in San Francisco August 17-18.

I moderated "The DRM Panel", retitled from "Mano-A-Mano: The DRM Panel", as it seemed the panelists would largely be in agreement. This was the case. None of the panelists were tied to a hard-core anti-DRM position or a die-hard DRM defense. Most were involved in businesses that serve as intermediaries between labels and online distribution.

There was broad agreement that in music, there has been a seismic shift away from DRM, for entirely pragmatic reasons — DRM is a pain for consumers, so has driven some to filesharing, concentration on protection has meant that the industry has not built services that use technology to provide value to consumers, leaving the likes of MySpace and Apple to slowly fill the gap.

One interesting observation was that the decline in CD sales is creating an opening for those in the industry who have been clamoring for a different approach for years. The alternative would be more circling the wagons with DRM, but that has already been tried.

There are many smart, progressive people in the music industry — we've seen a number [2] [3] [4] [5] of them experimenting with using CC licensing as part of their strategy — but it was cool to hear that they may be finally gaining the upper hand. There has of course been a ton of "Music 2.0? innovation happening at the edges for years, but there's no reason that shouldn't kick into a higher gear with the involvement of and non-persecution by the majors.

We didn't discuss this on the panel, but during the pre-panel preparation there seemed to be agreement that although DRM is on its way out for music, the movie industry would stick with DRM for a long time. My question, if there had been time, would have been "DRM didn't work for the music industry, so why does the movie industry

think its experience will be any different?" I'm still wondering about that.

CC Creative Director Eric Steuer was on a later panel called "Sue Me, Sue You, Sue Everybody!" in which there was a pretty strong consensus that suing fans is a pretty stupid strategy that also hasn't worked out well for the industry. As previosuly mentioned, the really smart people are going beyond just not suing fans, but empowering fans with CC licenses.

The DRM Panel

Sue Me, Sue You, Sue Everybody!
Photos by Jason Schultz (http://lawgeek.typepad.com/) under CC Attribution-NonCommercial. (http://creativecommons.org/licenses/by-nc/2.0/)

Endnotes

1   http://www.bandwidthconference.com/schedule.html
2   http://creativecommons.org/weblog/entry/7557
3   http://creativecommons.org/weblog/entry/7603
4   http://creativecommons.org/weblog/entry/5812
5   http://creativecommons.org/weblog/entry/4488

Dutch Collecting Societies Welcome CC

by **Melissa Reeder**
23 August 2007
http://creativecommons.org/weblog/entry/7622

From Paul Keller[1] - CC Netherlands[2] Project Lead:

> On August 23, 2007, Dutch collecting societies Buma and Stemra and Creative Commons Netherlands launched a pilot project[3] that seeks to provide Dutch musicians with more opportunities to promote their own repertoire. This project enables members of Buma/Stemra[4] to use the 3 non-commercial CC licenses for non-commercial distribution of their works. It also allows Dutch composers and lyricists who already use the CC NonCommercial license to join Buma/Stemra and have them collect their royalties for commercial use of their works.

> Before now Dutch authors have not been able to make their work available online under the CC NC license while at the same time having Buma/Stemra collect their royalties for commercial use of those works. The Netherlands is the first country to bring such a collaboration between a music copyright organization and Creative Commons, a move applauded by Lawrence Lessig, the founder and chairman of Creative Commons International, as "the first step towards more freedom of choice in the field of exploiting music works in the digital world."

The press release by Creative Commons Netherlands and Buma Stemra can be found at http://www.creativecommons.nl/bumapilot/070823persbericht_en_web.pdf. And for more information about what's going on in the Netherlands check out CC Netherlands website.[5]

Endnotes

1   http://www.kennisland.nl/nl/mensen/paul/index.html
2   http://www.creativecommons.nl/
3   http://creativecommons.nl/2007/08/23/cc-nl-start-pilot-flexibel-rechtenbeheer-samen-met-bumastemra/
4   http://www.bumastemra.nl/
5   http://www.creativecommons.nl/

Unlocking the Potential Through Creative Commons

by **Mike Linksvayer**
27 August 2007
http://creativecommons.org/weblog/entry/7626

Creative Commons Australia has just published an amazing 65 page report [1]on the use and potential of CC licenses in various sectors of the Australian economy, government, and media.

In November 2006, the Australian Research Council Centre of Excellence for Creative Industries and Innovation[2] (CCi), in conjunction with the Queensland University of Technology,[3] hosted the CCau Industry Forum, a research-focused industry engagement event. The event was run by the CCi ccClinic[4] and CC + OCL Research projects,[5] and aimed to evaluate understanding of and attitudes towards copyright, OCL and CC in Australia. The Forum focused on the government, education and the creative industries sectors.

Unlocking the Potential Through Creative Commons: An Industry Engagement and Action Agenda evaluates and responds to the outcomes of this Forum and presents a strategy for continued research into Creative Commons in Australia.

Please download the report at http://creativecommons.org.au/materials/report_FINAL.pdf.

The report is of course licensed under CC Attribution 2.5 Australia.[6]

Endnotes

1   http://creativecommons.org.au/unlockingthepotential
2   http://www.cci.edu.au/
3   http://www.qut.edu.au/
4   http://www.cci.edu.au/ccc
5   http://www.cci.edu.au/ccr
6   http://creativecommons.org/licenses/by/2.5/au/

CC News

LiveContent continues with Fedora and Worldlabel.com

by **Timothy Vollmer**
17 September 2007
http://creativecommons.org/weblog/entry/7652

tvol/Timothy Vollmer. "Creative Commons & Fedora @ LinuxWorld 2007" CC BY 2.0 http://www.flickr.com/photos/ sixteenmilesofstring/1042943994/

The LiveContent[1] project lives on at Creative Commons. Over the summer, Creative Commons teamed up with Fedora [2]and Worldlabel.com[3] to build a LiveCD[4] that runs open source software and showcases Creative Commons and other open content. The first iteration of the project was[5] released[6] at the LinuxWorld Expo in San Francisco, with the help of many hardworking interns and the CC community.

In the coming weeks we're aiming to release version 2.0[7] of LiveContent, for distribution to libraries, with more free and open content, documentation and demos of Creative Commons and open content movement, and some concrete examples of how users can create and share more open content with the free, open source tools provided on the disc.

Please check it out and continue to champion the project with creative ideas, suggestions, and technical support!

Endnotes

1 http://creativecommons.org/project/livecontent
2 http://fedoraproject.org/
3 http://www.worldlabel.com/
4 http://en.wikipedia.org/wiki/LiveDistro
5 http://flickr.com/photos/creativecommons/sets/ 72157601470288199/
6 http://flickr.com/photos/sixteenmilesofstring/sets/ 72157601288073551/
7 http://wiki.creativecommons.org/LiveContent_2_0

CC News

Fun with Numbers

by **Jennifer Yip**
26 September 2007
http://creativecommons.org/weblog/entry/7678

Creative Commons is searching for a full-time accountant[1] to join our team in San Francisco. Please send along anyone who may fit the job description and would be interested in working at our office. We welcome applicants from the Bay area and beyond to apply by emailing materials to me[2] or via fax (415.278.9419).

Endnotes

1 http://creativecommons.org/about/opportunities/ #accountant
2 mailto:jennifer@creativecommons.org
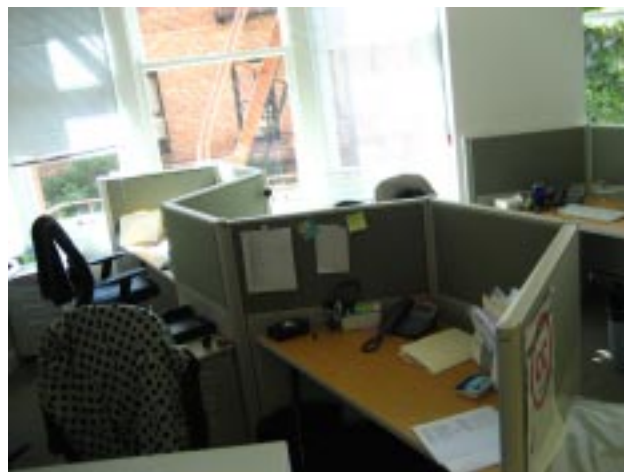
tvol/Timothy Vollmer. "creative commons office sf" CC BY 2.0 http://www.flickr.com/photos/sixteenmilesofstring/536156367/

Science Commons News

A web without science …

by **Kaitlin Thaney**
4 September 2007
http://creativecommons.org/weblog/entry/7631

From the Science Commons blog:[1]

James Boyle's[2] latest column in The Financial Times[3] - "The irony of a web without science"[4] - examines how the lessons learned from the world wide web can and should be applied to the sciences. From research funding to commercial publishing, Boyle posits that the capabilities made available through the advent of the Web and its design are not adequately being applied to scientific research.

Boyle writes:

> "The greatest irony, though, is this. The world wide web was designed in a scientific laboratory to facilitate access to scientific knowledge. In every other area of life - commerce, social networking, pornography - it has been a smashing success. But in the world of science itself? With the virtues of an open web all around us, we have proceeded to build an endless set of walled gardens, something that looks a lot like Compuserv or Minitel and very little like a world wide web for science."

The article notes a key element of Science Commons philosophy - the almost-mythical "e-research" world, where collaboration is the norm and we design our systems for the network. Meaningful e-research is going to require a fundamental redefinition of infrastructure. Infrastructure is more than just ethernet and fiberoptic cable. Content is part of the infrastructure, too, and likely the underlying ICT infrastructure content needs to be open by default and governed by open, standard protocols. We won't get to the e-research future any other way.

Please see the Neurocommons pages[5] for a sense of what an e-research project looks like. If only we had as much access to the literature online as we do to digital data …

Science Commons News

'Cyberinfrastructure for Knowledge Sharing'

by **Kaitlin Thaney**
21 August 2007
http://creativecommons.org/weblog/entry/7620

In Science Commons news: [1]

Check out the latest issue of CTWatch Quarterly[2] for an article by John Wilbanks. [3] The article, "Cyberinfrastructure for Knowledge Sharing", [4] explores the reasons behind the inefficiencies in knowledge sharing, and what role Science Commons' efforts[5] play in this debate.

The issue, "The Coming Revolution in Scholarly Communication & Cyberinfrastructure"[6] was guest edited by Lee Dirks and Tony Hey of Microsoft Corporation. Also in this issue are pieces by Clifford Lynch[7] (CNI),[8] Timo Hannay[9] (Nature Publishing Group),[10] Peter Suber,[11] and many others. For a complete list of this issue's contents, visit CTWatch's Web site.[12] All articles are OA-related, and well worth a read.

Endnotes

1   http://sciencecommons.org/weblog/archives/2007/08/21/cyberinfrastructure-knowledge-sharing-ctwatch/
2   http://www.ctwatch.org/quarterly/
3   http://sciencecommons.org/about/whoweare/wilbanks/
4   http://www.ctwatch.org/quarterly/articles/2007/08/cyberinfrastructure-for-knowledge-sharing/
5   http://sciencecommons.org/projects/
6   http://www.ctwatch.org/quarterly/
7   http://www.ctwatch.org/quarterly/articles/2007/08/the-shape-of-the-scientific-article-in-the-developing-cyberinfrastructure/
8   http://ww.cni.org/
9   http://www.ctwatch.org/quarterly/articles/2007/08/web-20-in-science/
10 http://www.nature.com/
11 http://www.ctwatch.org/quarterly/articles/2007/08/trends-favoring-open-access/
12 http://www.ctwatch.org/quarterly/

Science Commons News

A report from Science Foo camp (SciFoo)

by **Kaitlin Thaney**
9 August 2007
http://creativecommons.org/weblog/entry/7608
http://sciencecommons.org/weblog/archives/2007/08/
09/a-report-from-science-foo-camp/

I recently attended the second annual Science Foo Camp,[1] co-sponsored by O'Reilly[2] and Nature.[3] See my entry on the Science Commons blog[4] for a more in depth look at the discussion surrounding Open Science.

And, once again, many thanks to those from O'Reilly and Nature for putting together such a spectacular event, and Google[5] for hosting us.

A report from Science Foo camp,[6] held this past weekend (Aug. 3-5) at the Googleplex.[7]

SciFoo[8] is an O'Reilly[9]-Nature[10] event. Over 200 leading scientists, science fiction writers, technologists, and an assortment of others are invited to the Googleplex,[11] making this a truly cross-disciplinary and engaging event. Although there were numerous topics discussed, Open Science was a key theme. A few interesting points on the topic:

1. There was an overwhelming consensus that a problem exists with the current way science is communicated, be it in respect to publishing and journals, or in communication between scientists. And with the growing interest and attention given to "Web 2.0" and all that comes with, many believe that those developments are part of the big push to change how this is done. ("this" being the problems specified above, briefly touched upon for sake of time.)

2. More than one session looked into the reasons behind the apprehension existing in the community preventing the full adoption of current advances of the Web by scientists. There was also a lot of discussion about the further exploration of innovate modes of scientific collaboration.

   This topic was first visited in a session entitled "Open Science 2.0" on Saturday morning. (for an in-depth look at that session, see Duncan Hull's[12] recap at http://www.nodalpoint.org/2007/08/06/

scifoo_day_two_good_morning_mashup). The first half of the session was spent rehashing the current state and frustrations with publishing, breeding a culture of fear and anxiety. (for more, see Alex Palazzo[13] notes, at http://scienceblogs.com/transcript/2007/08/scifoo_day_2_dinner.php.) Fear of not getting published, tenure concerns, and more of the "publish or perish mentality".

3. A follow-up session born out of "Open Science 2.0" looked at these issues from the perspective and relating to young scientists (led by Andrew Walkingshaw and Alex Palazzo. Notes at http://wwmm.ch.cam.ac.uk/blogs/walkingshaw/, http://scienceblogs.com/transcript/2007/08/scifoo_day_2_dinner.php and http://wwmm.ch.cam.ac.uk/blogs/murrayrust/?p=467.) Though I sadly had to miss the session, I was able to catch up with Andrew later that day, as well as read write-ups after the fact. Alex brought up a good point in that unless a general consensus comes from all of the players (publishers, funders, academics, etc.), junior scientists are less likely to participate in new 2.0-esque and exploratory methods of scientific communication. Too much of a risk exists that could have lasting effects on the young scientists' careers.

4. A good amount of attention was paid to recent technological advances, especially social networking, blogs, wiki-science and so forth. A session on social-networking and nature, led by Josh Knauer[14] and John Durant,[15] looked into how to best take advantages of these applications and what, if any, place they had in the future of science on the Web.

This is only the tip of the iceberg, when it comes to what can be written in the days following SciFoo. To follow the other chatter from the science blogging community, you can visit http://www.lexical.org.uk/planetscifoo/, graciously set up to aggregate participants' blogs.

Endnotes

1   http://www.nature.com/nature/meetings/scifoo/index.html
2   http://oreilly.com/

CC in Business

CC, UGC PLATFORM INTEGRATION AND CUSTOMER ACQUISITION

by **Mike Linksvayer**
19 September 2007
http://creativecommons.org/weblog/entry/7662

Denise Howell writing at ZDNet has a nice report on IP and the user generated economy at TechCrunch40[1] about new collaboration services that have affordances for CC licenses, and some that should:

> The clips forming the foundation of musicshake creations are all licensed, and the company plans to let users sell their creations, keeping some of the proceeds themselves and kicking some to those providing the clips on which the finished work is built. It would be nice to see musicshake include Creative Commons[2] licensing, but there was no mention of this today. Two companies who either are or are contemplating offering Creative Commons licensing are docstoc[3] and AOL's BlueString (mentioned above). docstoc, which blends document storage with sharing and social networking, bakes in Creative Commons licensing à la Flickr,[4] and BlueString's terms[5] advise users that they "may" have the option to apply a Creative Commons license to what they put on the site.

Good (probably) for docstoc and BlueString. For others, it seems crazy to not build in the option of CC licensing from the beginning (yes, I am biased). First, CC licensing assures "users" (really the creators who make such sites valuable) that the site is not an attempt to turn the creators into sharecroppers. Second, there are real legal issues around UGC, especially collaboratively created media, that CC licenses help to address — and these licenses have been deployed for nearly five years, and benefit from many thousands of hours of international copyright expertise and community input. Third, unless the new service intends to be a monopoly host for its content type (dream on), it makes sense to facilitate the flow of content among services — may the best host win, and if a new service isn't better on some angle than existing ones, why bother? Fourth, there is no other way to give users access to tens of millions of photos and hundreds of thousands of audio and video tracks to build upon legally — and allow users to actually use their collaborative creations legally outside of your silo, perhaps even inside it.

Somewhat less obviously, CC integration is a cheap customer acquisition strategy, if done thoroughly — meaning CC licenses are exposed in a machine-readable way in HTML, feeds, and custom APIs — i.e., integrated into the platform, not merely the site. My favorite example of this is web-based office software Thinkfree's integration with Flickr's CC search.[6] A small organization in Anytown, Anywhere that merely wants to cut costs (mostly by having to not maintain local IT infrastructure — they could save on MS Office licensing by using OpenOffice) starts using ThinkFree. Someone wants to add a picture to a document, and it is very natural to use Flickr's CC search embedded in ThinkFree to do so. This user is very likely to come away satisfied with a great picture for their document, given the 47 million licensed photos on Flickr. Not only is it likely this user has just been introduced to Flickr, they've been introduced in a very powerful way, which would be almost impossible to reproduce with a marketing budget of any size.

Now Flickr (owned by Yahoo!) presumably does have a pretty big budget, and it is already very well known, at least among the digerati (others are more likely to be using a far less cool photo sharing site). A new service probably has next to no marketing budget and is unknown to everyone by definition, making this story even more compelling.

The need for web sites to have "open" APIs has clicked with the masses (of digerati anyway) this year. Hopefully this helps make clear why CC licensing of user created and collaborative content is an important part of such an "open" strategy.

Endnotes

1   http://blogs.zdnet.com/Howell/?p=186
2   http://creativecommons.org/
3   http://www.docstoc.com/
4   http://www.flickr.com/creativecommons/
5   http://www.bluestring.com/terms.jsp
6   http://creativecommons.org/weblog/entry/5990

CC in Business

Sony uses CC in Blu-ray marketing campaign

by **Mike Linksvayer**
3 September 2007
http://creativecommons.org/weblog/entry/7630

Sony Europe is releasing[1] marketing assets for its Blu-ray Disc format under a Creative Commons Attribution-NonCommercial-ShareAlike[2] license as an integral part of its campaign: [3]

> "By creating assets available exclusively online and licensing them under Creative Commons, we are encouraging increased interaction between Sony and our target audience," says James Kennedy, General Manager for Communications Europe at Sony.
>
> …
>
> Leo Ryan, director at RMM explains the strategy behind the campaign, "Previous work with Sony BRAVIA proves that amazing digital content can provoke online buzz around a campaign on its own. However, we believe that it's essential to use online PR and social media relations to amplify this buzz. We're linking strong relationships with influential bloggers and social networks, with natural search optimisation campaigns to ignite debate, build buzz and drive visits to the website".

It's great to see that Sony and the marketing firms behind this campaign see that "viral" marketing needs to empower hosts for maximum impact.

Endnotes

1   http://www.blu-ray.sony-europe.com/info/index.php/archives/13
2   http://creativecommons.org/licenses/by-nc-sa/3.0/
3   http://www.ukprwire.com/Detailed/Advertising_Marketing/Sony_Europe_ignites_conversations_on_Blu-ray_Disc_9538.shtml

CC in Business

Wiki to books: Wikitravel Press launches

by **Mike Linksvayer**
3 August 2007
http://creativecommons.org/weblog/entry/7596

Wikitravel Press has launched[1] to produce printed books based on the pioneering CC BY-SA[2] licensed collaborative travel site Wikitravel.[3] From the announcement:

> Wikitravel Press is owned and operated by Jani Patokallio, a long-time Wikitravel community leader and travel writer, and Evan Prodromou and Michele Ann Jenkins, the site founders. Books will be sold at competitive prices (typically US$10-20 plus shipping and other fees), initially through the Web and later through other channels. The books will use the same Creative Commons license as Wikitravel Web pages, so they can be copied and reused freely.
>
> Wikitravel Press will ship its first guidebooks in Fall 2007. The initial titles will be in English, with other Wikitravel languages launched soon after. Wikitravel Press will also provide "ad hoc" books, so travellers can roll their own from their choice of destinations.

Many small steps for travelers, one long-haul flight for peer production. Also check out Evan's new wiki project[4]— it would not be bold to predict wine-stained peer-produced CC-licensed paper wine guides in a couple years.

Endnotes

1   http://wikitravelpress.com/announcement
2   http://creativecommons.org/licenses/by-sa/1.0/
3   http://wikitravel.org/
4   http://creativecommons.org/weblog/entry/7580

Congratulations, shoutouts, use cases, and interesting tidbits

C-Shirts, Code, and Music in Japan

by **Michelle Thorne**
21 September 2007
http://creativecommons.org/weblog/entry/7666

The Creative Commons team in Japan[1] is ablaze with activism. At Mozilla 24 in Tokyo[2] this September 15th, the Japanese team invited participants in their workshop[3] to remix FireFox's[4] squeezeably-cute new mascot Foxkeh[5] into over 45 uniquely designed CC-licensed T-shirts, a continuation of the successful C-Shirt project [6] highlighted at the iSummit 2007 in Dubrovnik.

They also hosted LiveCoding[7] #4 during the 23:30-03:00am stretch of Mozilla 24. With over 100 attendees and 5 x 20 min. of live & local hacking action, the CC team in Japan ushered in daybreak with audience-generated Open Content creation and then joined in the streaming of Larry Lessig's speech on Web n.0. [8]

In other good news, Public Project Lead Dominick Chen[9] reports that mF247,[10] one of Japan's largest net-labels, now offers artists the option of adding any CC license to their work. Domo arigato, Japan!

(Image credits: Mozilla Japan, Creative Commons Attribution-NonCommercial 2.1 Japan. http://creativecommons.org/licenses/by-nc/2.1/jp/deed.en Source: http://www.foxkeh.com/downloads/)

Endnotes

1   http://creativecommons.jp/
2   http://www.mozilla24.com/en-US/programs/tokyo/
3   http://www.flickr.com/photos/hideyuki_emura/1395985124/in/photostream/
4   http://www.mozilla.com/en-US/firefox/
5   http://www.foxkeh.com/
6   http://icommons.org/articles/too-sexy-for-your-c-shirt
7   http://livecoding.org/
8   http://www.mozilla24.com/en-US/programs/stanford/g1-1.html
9   http://www.tokyoartbeat.com/tablog/entries.en/author/dominick/
10   http://www.mf247.jp/

First CC-licensed Photography Contest in China

by **Michelle Thorne**
19 September 2007
http://creativecommons.org/weblog/entry/7659

CC in China Mainland[1] has partnered with the online photo-sharing community nphoto.net[2] and one of China's largest internet portals, sohu.com,[3] to co-sponsor the first CC-licensed photography contest[4] in China Mainland. The first submissions were received on September 1st, 2007, and at the time of this posting, entries now number around 3,500 and span three major categories: society & humanity, nature & landscape, and portrait.

The contest is open to both professional and amateur photographers, and as the blog from CC in China Mainland reports,[5] all entrants will select a localized CC license for their photos.

Judging will be carried out in two phases, the first consisting of open, online voting ending October 15, followed by a selection by a panel of experts. Awards will be presented to the winners on November 3rd at the National Library of China[6] accompanying the opening of a critically-acclaimed photography exhibition.

Official contest page: http://cc.nphoto.net/

Endnotes

1   http://cn.creativecommons.org/en/
2   http://www.nphoto.net/
3   http://www.sohu.com/
4   http://cc.nphoto.net/
5   http://cn.creativecommons.org/en/index.php/2007/09/19/first-cc-licensed-photography-contest-in-china/
6   http://www.nlc.gov.cn/old/english.htm

Congratulations, shoutouts, use cases, and interesting tidbits

THE $2.2 TRILLION FAIR USE (U.S.) ECONOMY

by **Mike Linksvayer**
12 September 2007
http://creativecommons.org/weblog/entry/7643

The Computer and Communications Industry Association has released a study[1] claiming that the value added in the United States by industries dependent on fair use is $2.2 trillion dollars annually, or one sixth of the U.S. economy, apparently[2] almost 70% more than than value added by copyright industries, as measured by other recent studies. From the release:

> "As the United States economy becomes increasingly knowledge-based, the concept of fair use can no longer be discussed and legislated in the abstract. It is the very foundation of the digital age and a cornerstone of our economy," said Ed Black, President and CEO of CCIA. "Much of the unprecedented economic growth of the past ten years can actually be credited to the doctrine of fair use, as the Internet itself depends on the ability to use content in a limited and nonlicensed manner. To stay on the edge of innovation and productivity, we must keep fair use as one of the cornerstones for creativity, innovation and, as today's study indicates, an engine for growth for our country"

> The Fair Use exception to U.S. copyright law, as codified in Section 107 of the U.S. Copyright Act of 1976 states, "The fair use of a copyrighted work … is not an infringement of copyright." Fair use permits a range of activities that are critical to many high technology businesses such as search engines and software developers. As the study indicates, however, fair use and related exceptions to copyright are crucial to non-technology industries as well, such as insurance, legal services, and newspaper publishers. The dependence of industries outside the high-tech field illustrates the crucial need for balanced copyright law.

While the particular numbers arrived at by the study may be challenged (it is the first attempt to quantify the fair use economy in this way and the CCIA is composed of interested parties), the overall points highlighted above (emphasis added) are extremely compelling.

Given the demonstrated criticality of fair use to the economy and the steady diminishment of fair use, is there any reason to believe the current balance is optimal? Even moreso outside the U.S., where fair dealing[3] and other exceptions to copyright are less liberal than fair use.

This is one place where Creative Commons comes in. CC licenses make it easy to grant permissions[4] beyond the scope of fair use (and without ever restricting fair use), shifting the balance by completely voluntary action. This is not lost on leading companies in the fair use economy. For example, at least five CCIA members[5] have provided support for Creative Commons — Google, Microsoft, Red Hat, Sun, and Yahoo!.

Those are huge, important companies, but a fraction of a $2.2 trillion fair use economy, and that's not counting the world outside the U.S. Consider joining[6] these leaders — your business, or your job, may depend on it.

Our annual fall fundraising campaign starts next month, so keep the above in mind.

If your company is or should be interested in contributing to our corporate commoner giving program, please contact our development coordinator at melissa@creativecommons.org.

Endnotes

1. http://www.ccianet.org/artmanager/publish/news/First-Ever_Economic_Study_Calculates_Dollar_Value_of.shtml
2. http://informationweek.com/news/showArticle.jhtml?articleID=201805939
3. http://en.wikipedia.org/wiki/Fair_dealing
4. http://creativecommons.org/license/
5. http://www.ccianet.org/members.html
6. http://support.creativecommons.org/

Congratulations, shoutouts, use cases, and interesting tidbits

Internet Archive web-based upload

by **Mike Linksvayer**
30 August 2007
http://creativecommons.org/weblog/entry/7629

The Internet Archive[1] has been the most important repository of Creative Commons licensed media since Creative Commons launched over 4 1/2 years ago. However, their ftp-based upload was a barrier to those unfamiliar with that pre-web technology and the Internet Archive's upload workflow. A small price to pay for otherwise free access to the repository most likely to make your work available forever–that's the point. And using ftp made sense, as the Internet Archive wants to keep the highest quality files possible — that means huge files, and web-based upload was not up to that task.

CC wanted to make the Internet Archive more accessible to artists, so we created ccPublisher,[2] which hid ftp and most of the workflow complexity, making upload a drag and drop operation. This was imperfect, as it required artists to install a desktop application and Creative Commons to maintain a cross platform desktop application requiring network access, which takes a lot of work to do well across the many versions and configurations of Windows, Mac, and Linux in widespread use — and the developer (Nathan Yergler, now our CTO) could only dedicate a fraction of his time to the project.

Through some combination of factors–perhaps more robust file upload code in browsers, on the server side, and wider deployment of broadband — web-based upload for fairly large files now works well. So the Internet Archive has rolled out a web-based uploader at archive.org/create.[3] It doesn't look all that interesting, but actually is very important — it dramatically lowers the barrier for artists who want their work to be part of the permanent record of free culture. Of course choosing a Creative Commons license is a built-in part of the uploader.

So upload away![4] The Internet Archive still recommends ftp or ccPublisher for files over 100MB, but that barrier will fall eventually as well.

Endnotes

1   http://www.archive.org/
2   http://wiki.creativecommons.org/CcPublisher
3   http://www.archive.org/create/
4   http://www.archive.org/create/

Behold: High-Quality Flickr Image Search

by **Cameron Parkins**
10 September 2007
http://creativecommons.org/weblog/entry/7637

Behold[1] is a phenomenal resource that "attempts to catalogue CC images with quality comparable to that of professional image archives such as Getty Images[2] or Corbis,[3] by using the social structure of Flickr[4] and image content analysis".

The ultimate aim of Behold is to offer graphic designers and artists access to high quality images that they can freely use, a goal that is accomplished through the use of CC licences. Very simply, users can define whether or not they want their results to be "free to use", creating an array of new options that would not have been so conveniently realized prior.

Flickr's rich repository of open content is not only inspiring in terms of the sheer amount of photos available, but even more so in terms for its ability to allow interesting and innovative resources, such as Behold, to be built. Even more promising is the wider[5] trend to incorporate CC-licensing into new content directories as they are built, a movement that can only lead to even greater cultural amenities.

Endnotes

1   http://photo.beholdsearch.com/search.jsp
2   http://www.gettyimages.com/Creative/CreativeHome.aspx?country=usa
3   http://pro.corbis.com/
4   http://flickr.com/
5   http://wiki.creativecommons.org/Content_Directories

Congratulations, shoutouts, use cases, and interesting tidbits

60sox — more CC coolness from Australia

by **Mike Linksvayer**
28 August 2007
http://creativecommons.org/weblog/entry/7627
http://creativecommons.org.au/node/128

CC Australia has another[1] cool announcement today:

> We here at CCAU are always excited to hear about new concepts designed to help Australian/ Kiwi creators get paid for what they do, especially when CC licences are involved. So we're very happy to call attention to the launch of 60Sox,[2] a new initiative coming out of the Institute for Creative Industries and Innovation. [3]

> 60Sox is an online network aimed at connecting creative talent with industry professionals. By providing a home to showcase their digital wares, 60sox gives creators the opportunity to generate exposure, make industry contacts, receive feedback and critical appraisal from peers and industry DSLs (dead set legends) and…wait for it… get paid for their work!

> The site acts as a meeting point for emerging creative practitioners and creative professionals by providing members with their own online gallery, which others can access (particularly employers) to critique their work, monitor industry trends and source new talent in a variety of creative disciplines. 60Sox uses member ratings to sort material, with the most highly rated items 'floating' to the top of the pile. It is also user moderated, with a 'dodgy' button where members can flag any item that they consider might have inappropriate or infringing content.

> But what sets 60Sox apart from the crowd is the '2bobmob',[4] a forum of industry professionals who provide constructive feedback and advice to 60sox members. These professionals have committed to commenting on a certain number of works a month, and are able to provide their own ratings to boost material to the front page. Although 60Sox has only been online for a few weeks, the 2bobmob already includes such high-profile experts as author John Birmingham, DJ

Kid Kenobi and Simon Cahill of Sony/BMG.

As an important part of its ethos of sharing as a vital part of promotion and creativity, 60Sox encourages creators to upload their materials under a Creative Commons licence. 60sox's comprehensive, flexible and easy to follow upload system places it right up there in the CC best practice stakes. It uses the CC "Attribution–NonCommercial-ShareAlike Australia 2.5" licence as its default upload licence, but gives users the option to use another CC licence, or even all rights reserved if they wish. By doing so, 60sox actively promotes the exchange of artistic works in the digital domain and encourages creative interaction (eg through remixing), but at the same time retains creators' freedom to choose their own licensing model to meet their own preferences.

The user interface clearly displays and explains the default licence, which creators can choose to bypass to the main CC licence generator. Members can set a default licence for all of their works, and are reminded of this licence and given the option to change it each time they upload. Further, they can choose a different licence for individual items and change the licence on a work at any time.

60sox is proving itself to be innovative in its rights management of online digital content, and a great resource for participants at all levels in the creative industries. So get out there and share!

5 < MIT World

Visit MIT World's Web site[11] to listen to this wonderful discussion, as well as to learn more about the forum's participants.

Endnotes

1   http://sciencecommons.org/weblog/archives/2007/09/
     10/copyright-fair-use-cultural-commons/
2   http://mitworld.mit.edu/
3   http://mitworld.mit.edu/video/469/
4   http://creativecommons.org/
5   http://www-swiss.ai.mit.edu/~hal/hal.html
6   http://web.mit.edu/lit/www/faculty/uricchio.html
7   http://www.bu.edu/law/faculty/profiles/bios/full-time/
     gordon_w.html
8   http://kartemquin.com/about/gordon-quinn
9   http://www.centerforsocialmedia.org/about/staff/
     aufderheide/
10   http://mitworld.mit.edu/video/469/
11   http://mitworld.mit.edu/video/469/

9 < Web without science

You can read Boyle's article in its entirety at http://www.ft.com/cms/s/2/39166e30-5a7f-11dc-9bcd-0000779fd2ac.html. Boyle is a William Neal Reynolds professor at Duke Law School,[6] and a co-founder of Science Commons.[7] He also sits on the Creative Commons[8] board.

Endnotes

1   http://sciencecommons.org/weblog/archives/2007/09/
     04/a-web-without-science/
2   http://www.law.duke.edu/boylesite/
3   http://www.ft.com/
4   http://www.ft.com/cms/s/2/39166e30-5a7f-11dc-9bcd-
     0000779fd2ac.html
5   http://sciencecommons.org/projects/data/
6   http://www.law.duke.edu/
7   http://sciencecommons.org/
8   http://creativecommons.org

10 < Science FooCamp

3   http://www.nature.com/
4   http://sciencecommons.org/weblog/archives/2007/08/
     09/a-report-from-science-foo-camp/
5   http://en.wikipedia.org/wiki/Googleplex
6   http://www.nature.com/nature/meetings/scifoo/
     index.html
7   http://en.wikipedia.org/wiki/Googleplex
8   http://www.nature.com/nature/meetings/scifoo/
     index.html
9   http://oreilly.com/
10   http://www.nature.com/
11   http://en.wikipedia.org/wiki/Googleplex
12   http://www.cs.man.ac.uk/~hulld/
13   http://scienceblogs.com/transcript/about.php
14   http://www.maya.com/web/who/bios/
     who_bio_knauer.mtml
15   http://web.mit.edu/museum/index.html

16 < 60Sox

article by Emma Carroll and Jessica Coates

60sox is a collaboration between the Australian Research Council (ARC), the Queensland University of Technology (QUT), TAFESA, the Queensland Government, the Australian Interactive Media Industry Association (AIMIA), the Billy Blue School of Graphic Arts and the Southbank Institute of Technology

Endnotes

1   http://creativecommons.org/weblog/entry/7626
2   http://60sox.org.au/
3   http://www.ici.qut.edu.au/
4   http://60sox.org.au/
     main.aspx?page=2bobmob%20Who&mode=display

Congratulations, shoutouts, use cases, and interesting tidbits

JAMGLUE: REMIX T. PAIN, THE BLUE SCHOLARS, AND R. KELLY

by **Cameron Parkins**
7 August 2007
http://creativecommons.org/weblog/entry/7603

Jamglue,[1] an "online community for creating and personalizing audio," has just launched an amazing remix contest featuring "southern soulster" T. Pain[2] and his song "Bartender".

"Bartender" is available as separate instrument tracks, all of which are released under a CC BY-NC-SA license.[3] By utilizing CC licencing, Jamglue offers its community an open way to interact with the culture around them while allowsingartists flexibility over what rights they want their songs to carry. Users can upload their final cuts for prizes and recognition, the outcome being another great example [4] [5] [6] of a hybrid economy where sharing and commercial interests exist symbiotically.

Jamglue is holding a similar contest featuring Seattle hip-hop duo Blue Scholars'[7] "Fire for The People" and also recently finished a contest around R. Kelly's "I'm a Flirt".[8] Go and get your remix on.

Endnotes

1   http://www.jamglue.com/
2   http://www.jamglue.com/contests/tpain
3   http://creativecommons.org/licenses/by-nc-sa/2.5/
4   http://creativecommons.org/weblog/entry/7595
5   http://creativecommons.org/weblog/entry/7571
6   http://creativecommons.org/weblog/entry/7564
7   http://www.jamglue.com/contests/bluescholars
8   http://www.jamglue.com/contests/rkelly