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

MARIANN BURRIGTH
HEAD, SCIENCE COLLECTIONS AND SCHOLARLY COMMUNICATIONS
UNIVERSITY OF GEORGIA

AFFORDABLE LEARNING GEORGIA WEBINAR,
SEPTEMBER 25, 2015
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 University of Georgia Law.
**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 your 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

Create work

Retain copyright

Select a CC license

Make work available

Publish work elsewhere (CC license is non-exclusive)
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...
CHOICES, CHOICES...

1. “All is fair game”
Least restrictive:
CAN share and re-mix, even for commercial use

CAN share, re-mix, and build, even for commercial use.
Must use the same license terms

3. “All or nothing”
CAN redistribute, commercial or non-commercial, must remain whole and unchanged
OK, 3 MORE CHOICES

4. “Not for sale”
   CAN re-mix, build upon but ONLY non-commercially

5. “Not for sale and the same license terms”
   CAN re-mix, build upon non-commercially, and use same license terms

6. “Only download and share”
   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