# **Creative Commons – why, what, how**

An immense ability to copy and share works has been brought about by technological advances. At the same time copyright laws around the world continue to put hard limits to that copying and sharing.

## **The Sonny Bono Copyright Term Extension Act and a lawsuit**

The Berne convention requires copyright protection for the author’s lifetime + 50 years but it also allows for individual countries to exceed that 50 years. In 1998 the US decided to take advantage of this and made the extension from 50 years to 70 years, known as the Sonny Bono Copyright Term Extension Act (Sonny wanted copyright protection to be eternal…).

*“Fun” fact: Countries of the European community including Finland had decided to make the same extension a couple of years earlier, based on a European Council directive.*

One person who was unhappy about the new Act was Eric Eldred. He had relied on the + 50 year mark in building a free public library by scanning out of copyright works and making them available online. He joined forces with Laurence Lessig in attempting to prove that the extension of the term was unconstitutional. The term had already been extended before and it was meant to be of limited duration – the habit of extensions was effectively making the duration of copyright not limited. The argument did not succeed and the new Act remained as such.

## **Enter Creative Commons**

Partly as consequence of this experience, Laurence Lessig was instrumental in the founding of Creative Commons, a non-profit organization. In 2002 Creative Commons published its first set of licenses. The licenses are tools for creators who do not wish to reserve all their rights, to share their works and enable users to utilize those works. They are important for the creators as a clear and easy way to license works, but the user’s experience is equally important as they provide an easy to understand set of ways to use the work. Also, the fact that CC licenses are now the de facto standard of open copyright licensing with over two billion works (audio, video and literary works, both educational and artistic) is very helpful from the user’s point of view, as it largely removes the need for the user to get acquainted with multiple open licenses from different sources and interpreting them.

*Fun fact: In 2022 almost half of the Finnish scholarly articles by corresponding authors were published open access with a CC license through the FinELib-consortium*

## **How to get involved**

The licenses are the essence of the Creative Commons for many people, but it is also a globally spread community, working together for the advancement of sharing knowledge and culture. Anyone who has an interest in working towards openness of resources can get involved in Creative Commons. Many countries have their own Creative Commons chapter. There are also theme-based groups for those who want to work specifically with open education, copyright or GLAM. However, most of us are part of the community through our jobs that happen to involve an aspect of Creative Commons, in my case negotiations with scientific publishers regarding open access publishing.

*Fun fact: Finland has its own CC chapter since 2002.*

### **Sources:**

[1.1 The story of creative commons](https://certificates.creativecommons.org/cccertedu/chapter/1-1-the-story-of-creative-commons/) by Creative Commons. [CC BY 4.0.](https://creativecommons.org/licenses/by/4.0/)

[1.2 Creative Commons Today](https://certificates.creativecommons.org/cccertedu/chapter/1-2-creative-commons-today/) by Creative Commons. [CC BY 4.0.](https://creativecommons.org/licenses/by/4.0/)

[Berne convention](https://www.wipo.int/wipolex/en/text/283693)

[Council Directive 93/98/EEC](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:31993L0098) of 29 October 1993 harmonising the term of protection of copyright and certain related rights

How I Lost the Big One by Lawrence Lessig: <https://www.legalaffairs.org/issues/March-April-2004/story_lessig_marapr04.msp> Excerpt from Free Culture by Lawrence Lessig. [CC BY-NC 1.0](https://creativecommons.org/licenses/by-nc/1.0/)

[FinELib-konsortion vuosi 2022](https://extra.kansalliskirjasto.fi/finelib_julkinen/vuosikertomukset/FinELibin_vuosikertomus_2022.pdf) ,page 12

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