# **Anatomy of CC-licenses**

## **The layering of the CC licenses**

The Creative Commons licenses were designed to have three layers. To slightly oversimplify: one for lawyers, one for re-users, one for machines.

The legal layer forms the basis that contains the legally enforceable terms and conditions of the license. The ”human-readable” layer contains a simple summary of the re-use terms (plus a couple of notices and a link to the legal code). It is also the page that Creative Commons recommends linking to when assigning a CC-license to a work, so it’s the one we as re-users of works encounter the most. The machine-readable layer is a summary of the license in a form that a computer can process. Having this information attached to a work makes it easier for search engines to discover it.

## **The license elements**

Creative commons licenses are built with four elements. The first one is attribution (BY). It is automatically attached to all CC-licenses. The second is commercial use: the licensor needs to decide whether or not to allow use of the work for commercial purposes. If not, the licensor will choose a non-commercial license (NC). The third is whether the licensor wants to allow the distribution of adaptations of the work. If not, the licensor will use a non-derivative license (ND). Lastly, if the licensor does allow adaptations to be distributed, then he needs to decide if those must be distributed under his original license. This is called share alike (SA). Using these elements, a total of six different licenses can be formed.

The different elements also have icons that are used to communicate them. Here they are in the order of attribution, non-commercial (US currency version), non-derivative and share alike:

   

## **Description of the Creative Commons licenses**

The elements of the six Creative Commons licenses have been described above. Here are the licenses from the most liberal to the most restrictive:

CC BY: permits copying and sharing of the work as well as that of adaptations of the work for any purpose, including commercial, attribution required

CC BY-SA: same as above, but with the requirement that any adaptations are licensed with the same license as the work behind the adaptation, that is CC BY-SA (or compatible license)

CC BY-NC: permits copying and sharing of the work as well as that of adaptations of the work for any purpose except commercial, attribution required

CC BY-NC-SA: same as above, but with the requirement that any adaptations are licensed with the same license as the work behind the adaptation, that is CC BY-NC-SA (or compatible license)

CC BY-ND: permits copying and sharing of the work for any purpose including commercial, does not allow distribution of adaptations, attribution required

CC BY-NC-ND: permits copying and sharing of the work for any purpose except commercial, does not allow distribution of adaptations, attribution required

## **Public domain tools**

In addition to the six licenses which each reserves some rights, Creative Commons offers an option to those creators who want to retain no rights at all, not even the right to attribution. This tool is called the CC0, the Public Domain Dedication tool (also called a waiver, because the creator waives his rights). Copyright laws in some countries don’t allow a person to fully give up copyright. For example, in Finland a complete waiver of a person’s moral rights is not valid (the copyright Act section 3 states that “The right conferred to the author by this section may be waived by him with binding effect only in regard of use limited in character and extent.”). CC0 takes this possible invalidity of the waiver into account by also granting a user license in those cases. Furthermore, if the license turns out to be invalid as well, the licensor promises not to exercise his copyrights or make claims based on use of the work.

CCO is built the same way as the licenses, with the three layers described above.

Creative Commons also offers a second public domain tool called the Public Domain Mark. Unlike the others, this one has no legal significance. It is purely used to communicate to the public that a work has been identified as being free of copyright restrictions in at least one jurisdiction. Re-users need to take into account that as the length of copyright protection differs around the world, the work may still be under copyright in some jurisdictions. Also, moral rights may still be applicable.

## **The relation between exceptions and limitations to copyright and CC licenses**

Creative Commons wanted to make sure that the licenses would only be used to further users’ re-use rights. Therefore the licenses were written so that they only apply when the work itself and its intended use are under copyright. If a work is not under copyright, for example because it doesn’t fulfill the originality requirement, you can’t make it so with a CC-license. Also, if a copyright exception or limitation applies to the intended use, a re-user doesn’t need to rely on the CC-license for said use.

### **Sources**

[3.1. License Design and Terminology](https://certificates.creativecommons.org/cccertedu/chapter/3-1-license-design-and-terminology/) by [Creative Commons](https://creativecommons.org/). [CC BY 4.0.](https://creativecommons.org/licenses/by/4.0/)

[3.2. License Scope](https://certificates.creativecommons.org/cccertedu/chapter/3-2-license-scope/) by [Creative Commons](https://creativecommons.org/). [CC BY 4.0.](https://creativecommons.org/licenses/by/4.0/)

[3.3. License Types](https://certificates.creativecommons.org/cccertedu/chapter/3-3-license-types/) by [Creative Commons](https://creativecommons.org/). [CC BY 4.0.](https://creativecommons.org/licenses/by/4.0/)

[CC-license icons](https://creativecommons.org/about/downloads/) by [Creative Commons](https://creativecommons.org/). [CC BY 4.0.](https://creativecommons.org/licenses/by/4.0/)

[CC0 1.0 Universal](https://creativecommons.org/publicdomain/zero/1.0/legalcode) by [Creative Commons](https://creativecommons.org/)

### **License statement**

[Anatomy of CC-licenses](http://extra.kansalliskirjasto.fi/finelib_julkinen/lehtilistat/CC/Creative_Commons_3.docx) © 2023 by Terhi Manninen is licensed under CC BY 4.0. To view a copy of this license, visit <http://creativecommons.org/licenses/by/4.0/>