

<start>

past + present + future

Free/ Open Content licensing: an IPR management perspective

Date: 28.01.08

INF 5750

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Universitetet i Oslo



[one] Copyright Basics

[two] Follow the flow of rights

[three] techno-legal regimes and IPR
management

[four] anatomy of a licence (GPL)

[seven points of interest]

[five] flow of rights in GPL

[six] the CC project

[seven] two CC case studies

Copyright basics

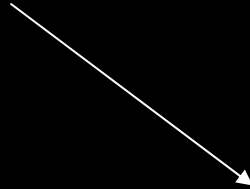
[one]

“Open-source software runs counter to the mission of WIPO, which is to promote intellectual property rights”

“To hold a meeting which has as its purpose to disclaim or waive such rights seems to us to be contrary to the goals of WIPO”

Lois Boland, Director of International Relations for the U.S. Patent and Trademark Office, 2003

•Is FLOSS really contrary to Copyright Law?



•How does Copyright law operate in relation to software?

Copyright and Software

- **it is not a “natural” way to “protect” software**
- **there has been an extensive debate in the 1980s and early 1990s about whether it is the most appropriate way to support production and innovation of software**

What is
Copyright?

- one of the Intellectual property rights (IPR)
- a **limited** property right granted by the state under certain conditions
- a bundle of rights
- an expression of a social agreement on the way in which intellectual production of a certain kind may be fostered
- the outcome of specific historical circumstances

- duration
- idea/expression
- originality

Economic Assumptions

- **Commercial value is the result of direct exchange between the rights holder and the user**
- **The creator requires incentives in order to innovate**



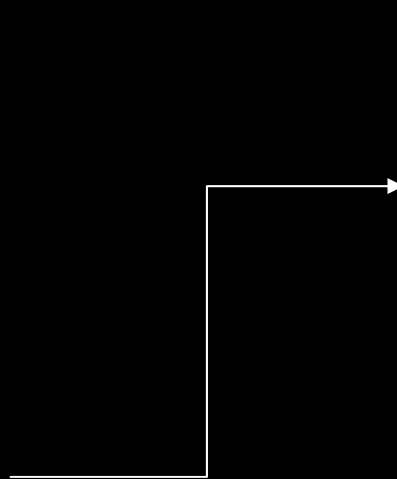
Such assumptions:

- **are expressed in the Copyright Act**
- **are exercised in licensing agreements that set the specific conditions of creative production and distribution**

Economic Assumptions

changed

- What if the cost of creative contribution is so low that the problem is not to provide incentives but rather to reduce frictions?
- The Commons Based Peer Production Model
- A different set of issues:
 - Reduce legal and technological friction
 - Introduce decentralized production modes
 - Coordinate with the lowest possible transaction costs



- Legal reform
- New ways of exercising existing proprietary rights
- Free/ Open Source Licensing

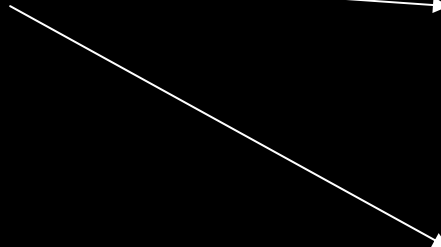
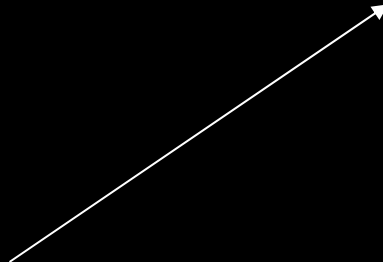
Copyright

Statutory Creature

A **bundle** of rights

Each Creation may
comprise of several
“copyrighted works”

A special Property
Right



(a) Why Copyright

Differentiation between the work and its material carrier

Great cost to produce the work

Low cost to reproduce material carrier

A “public good” or “non-rivalry good”

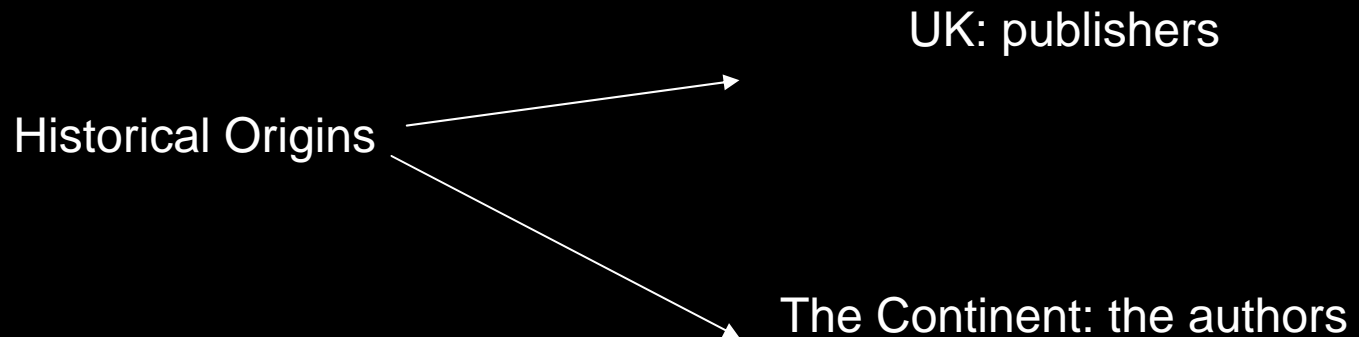
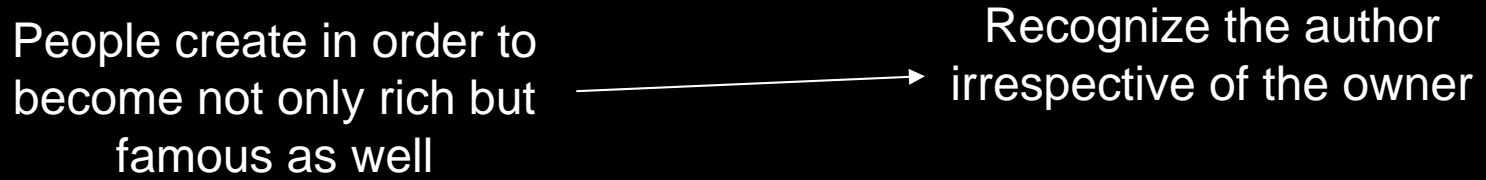
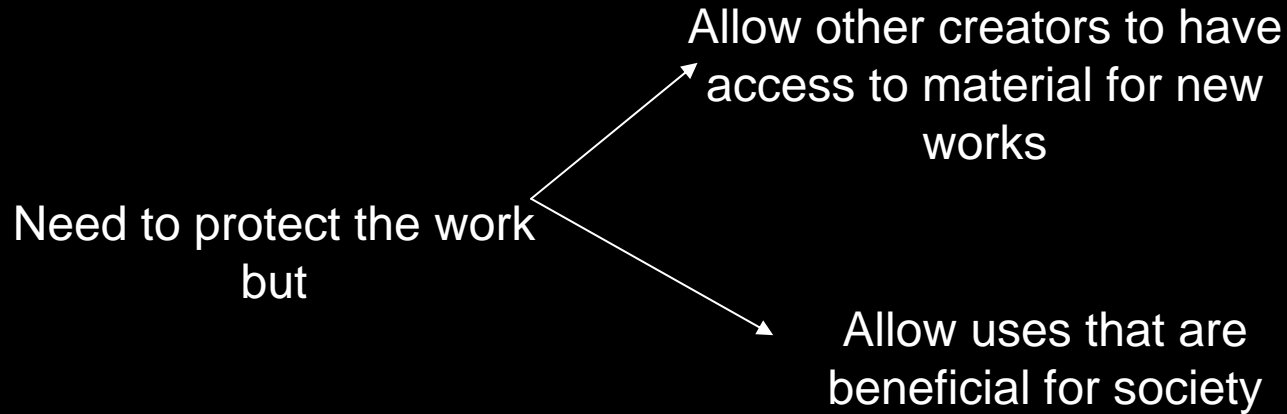
I may enjoy the work without prohibiting others from doing the same

Need to provide incentives to people to create works

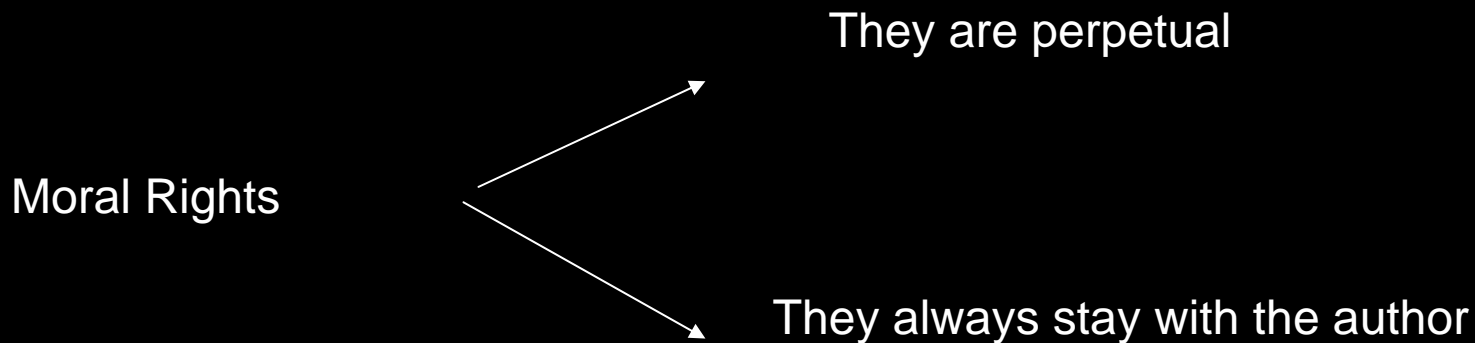
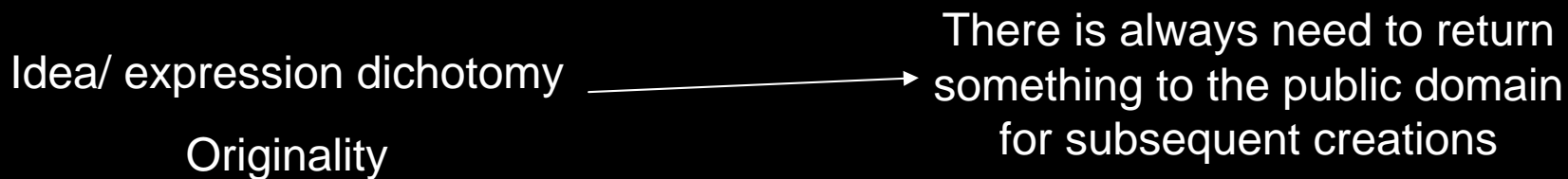
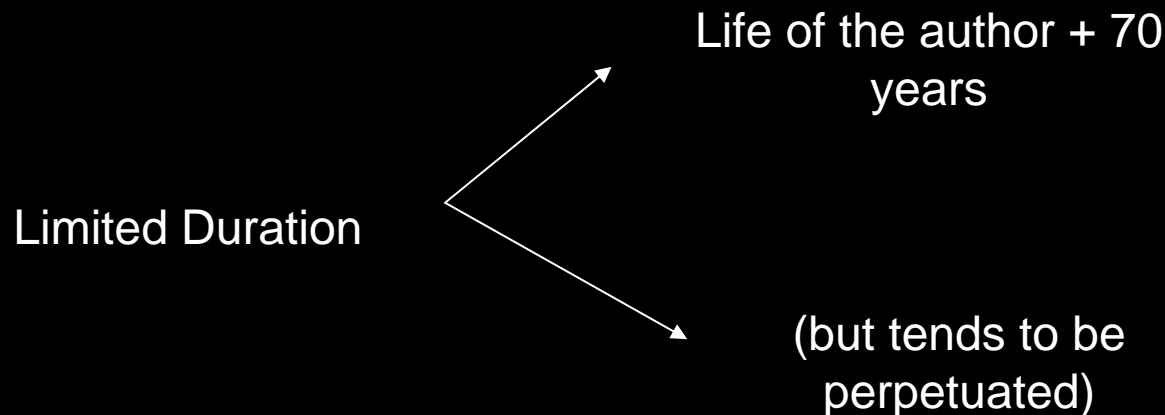
A legal system that prohibits reproduction of work/ material carrier with no permission

Technologies that prohibits reproduction of work/ material carrier with no permission

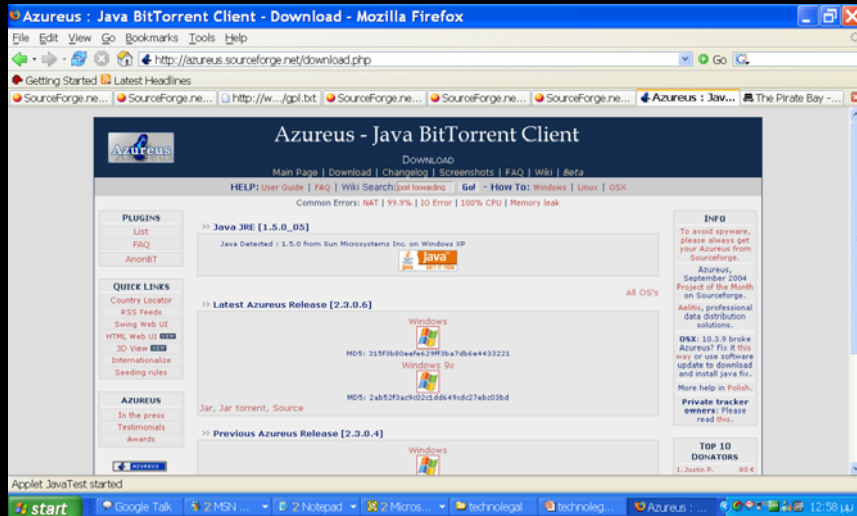
(b) Balancing interests



(c) A special property right



(d) One creation several works



Source Code

Documentation

Design Documents

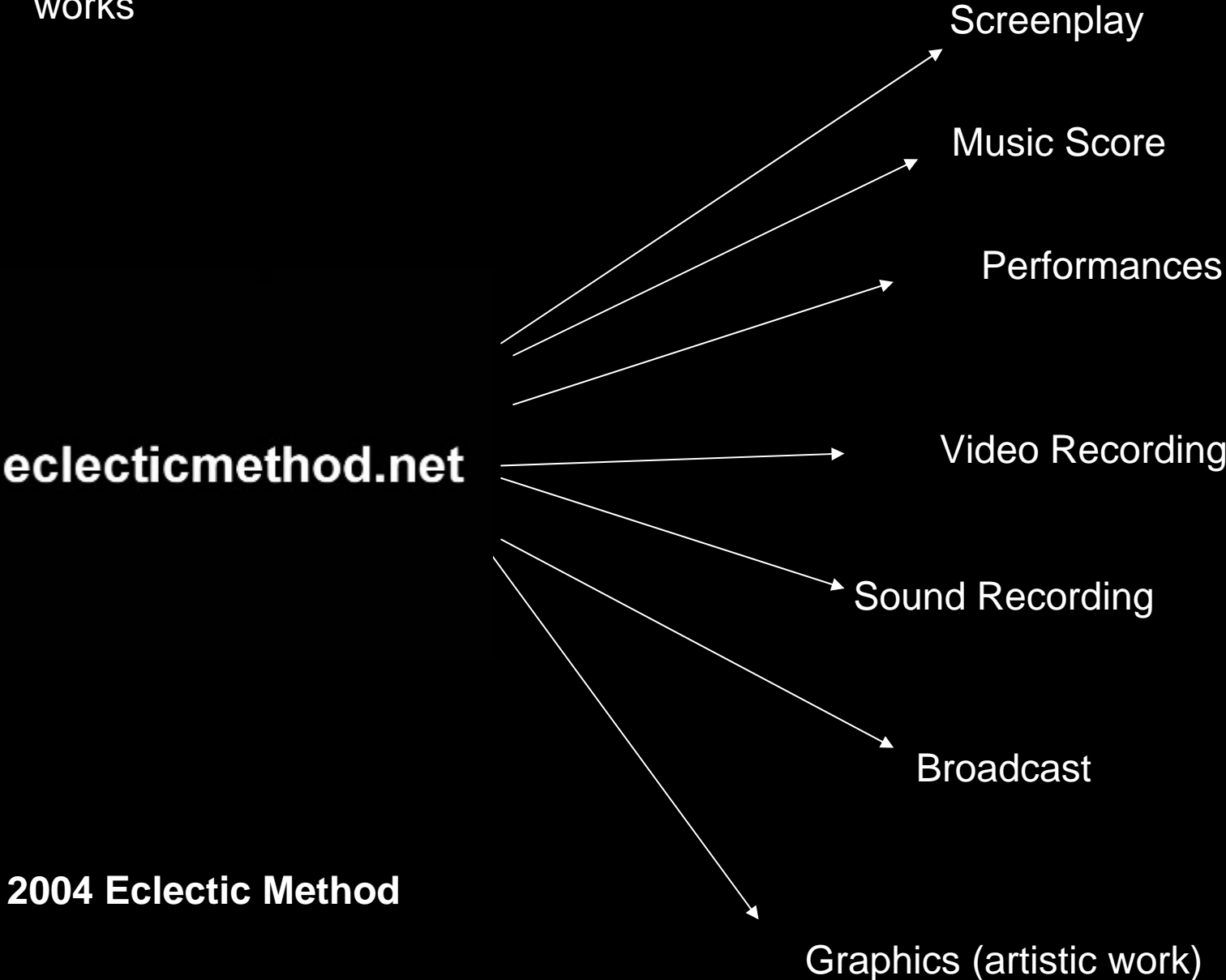
Manuals/ FAQs

Graphic User Interface

Support Tools

Pluggins/ Skins

(d) One creation several works

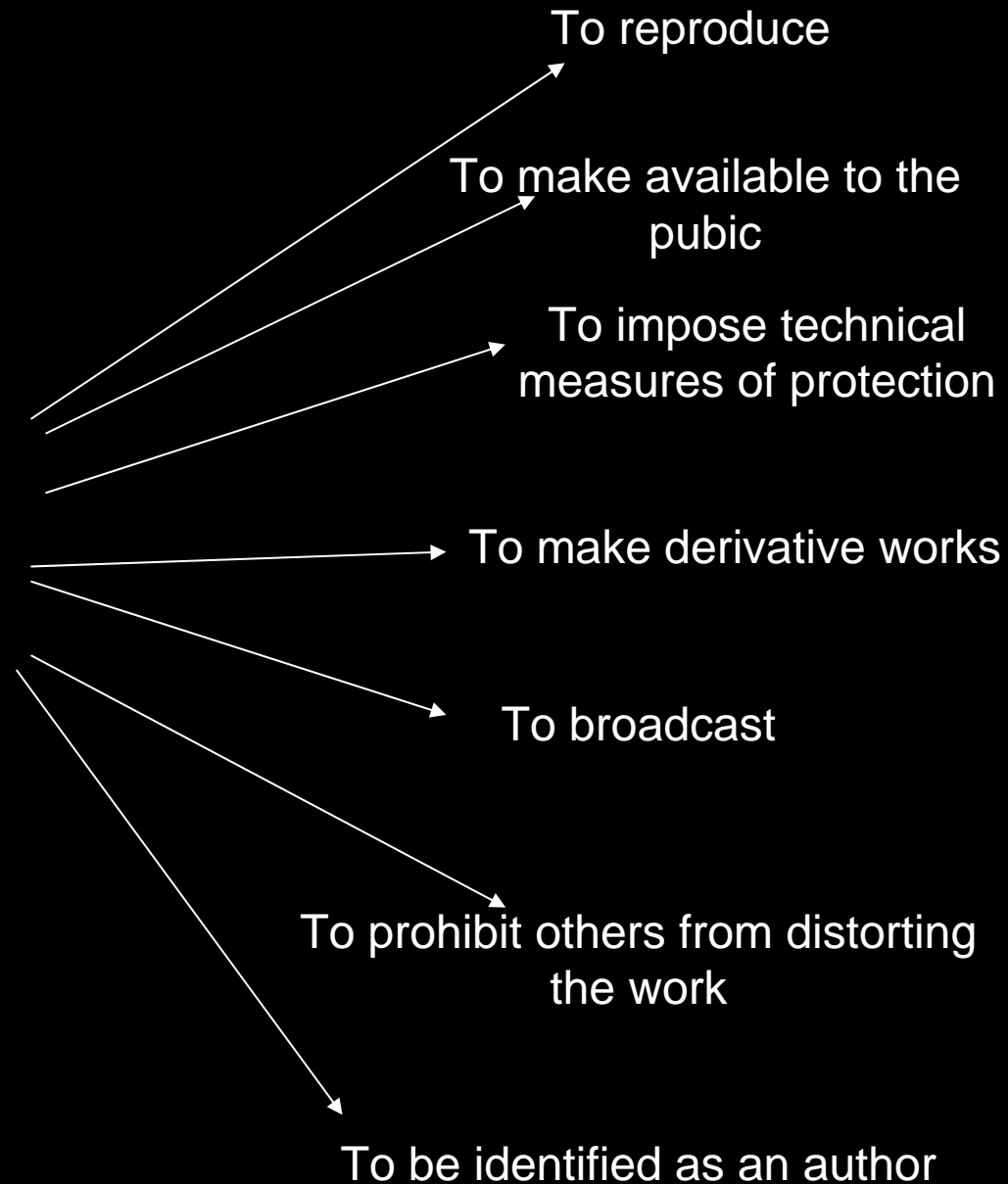


(e) One work several rights



1890 [Adolphe-Léon Willette](#)

Welcome Images CC-EW 2.0 BY_NC



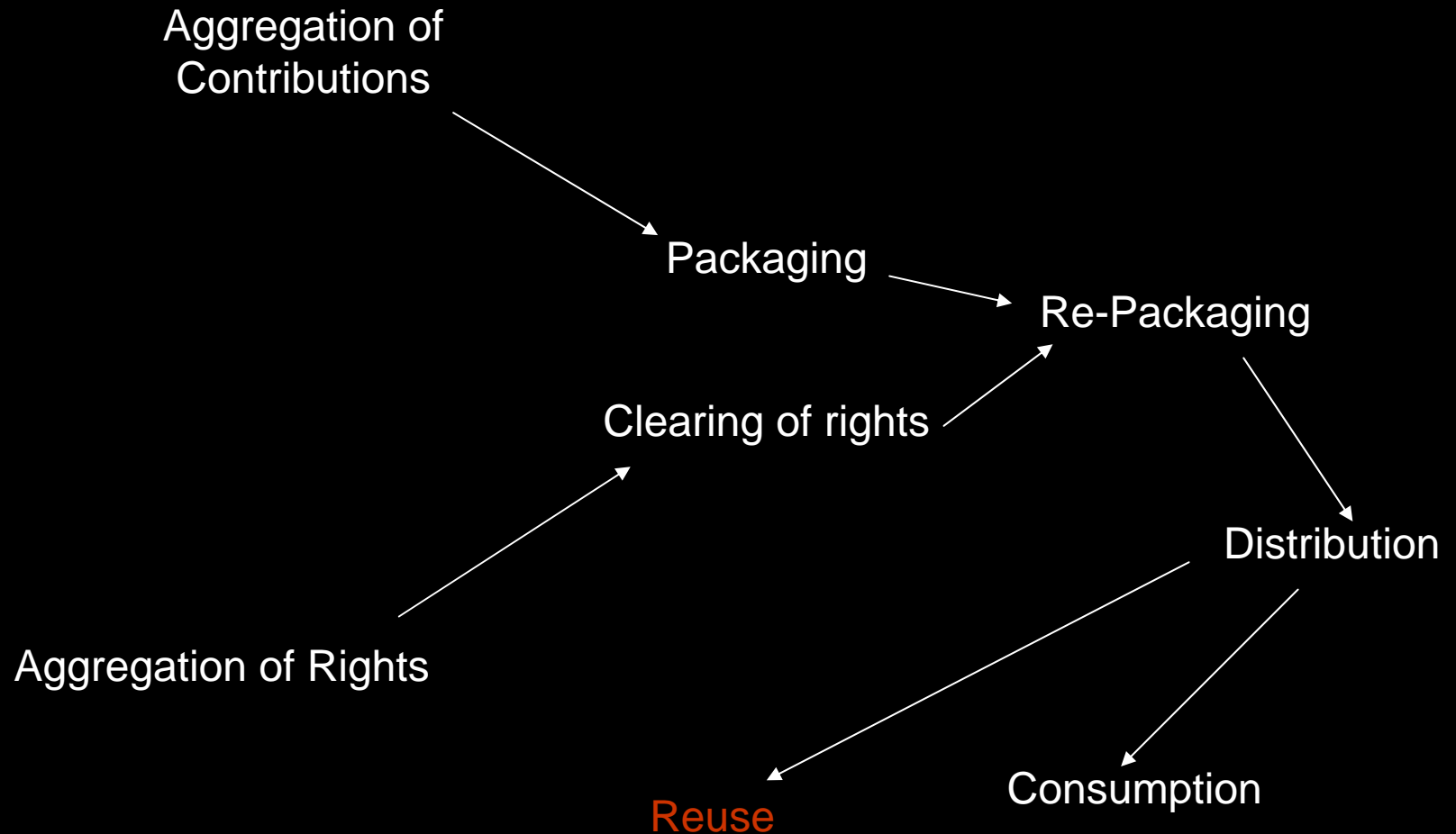
(f) Sources

- Law: Copyright, Designs and Patents Act 1988 (with subsequent regulations)
- Case Law
- Readings:
 - Sterling (2003)
 - Coppinger, Skones James (2004)
 - Bentley (2004)
 - Reed and Angel (2003)
 - Benkler (2002)

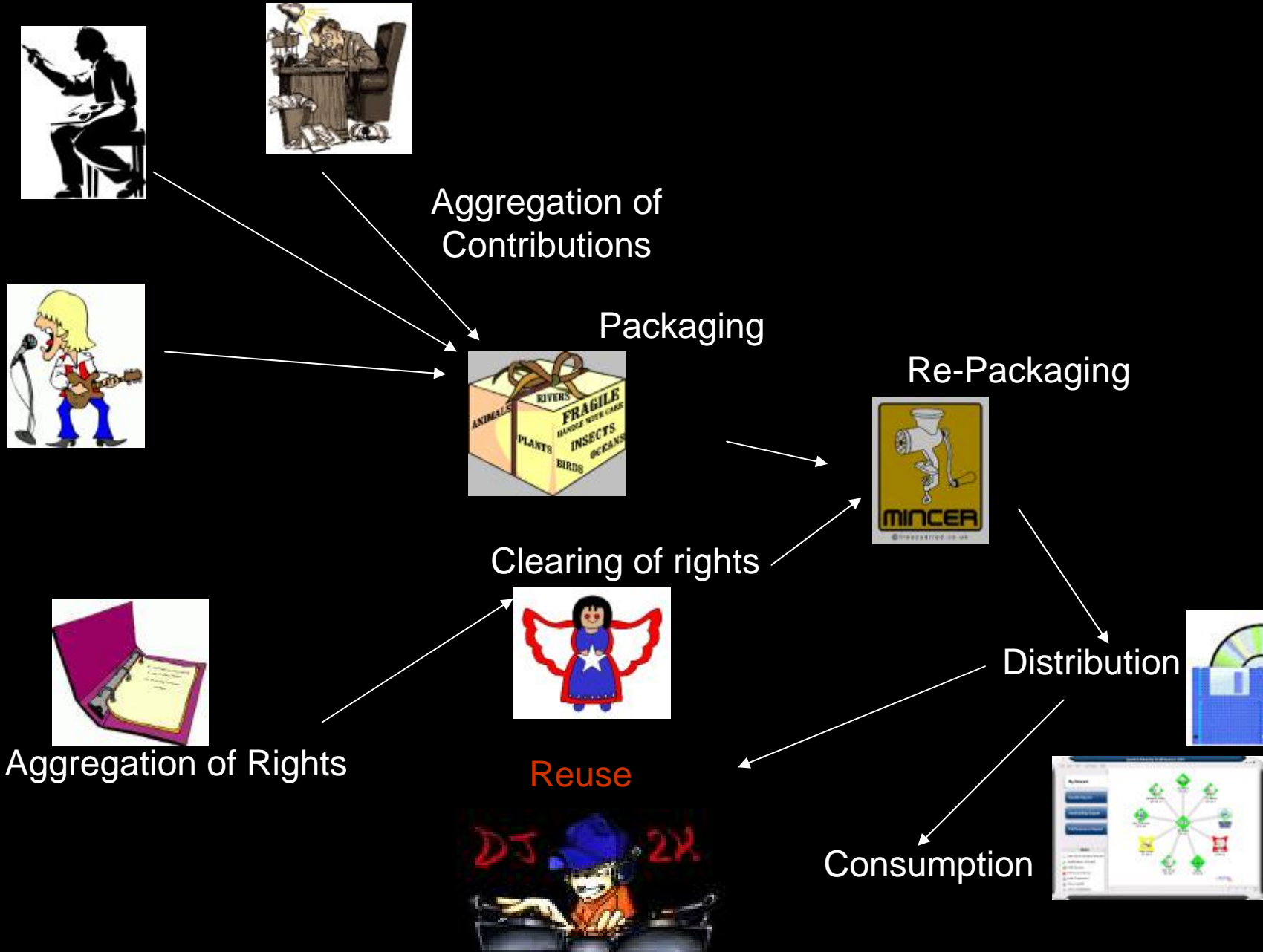
Following the flow of rights

[two]

Schema of a typical Copyright Transactional Cycle



An Example of Flow of Rights



An Example of Flow of Commercial Value (e.g. Money)



Aggregation of Contributions



Packaging



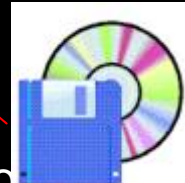
Re-Packaging



Clearing of rights



Distribution



Aggregation of Rights



Reuse



Consumption



The distantiation phenomenon

The “Work” becomes independent” from its material manifestations: one work many manifestations (fixations)

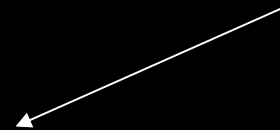


If the work may be put in a digital form the transaction costs significantly drop (goods markets)

The rights on the work get disassociated with its material manifestations



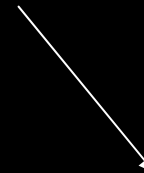
If the rights may be put in a digital form the transaction costs significantly drop (licence/ rights markets)



Licence Retail markets



Licence Wholesale markets



Third Way Licensing

Techno-legal regimes and IPR management

[three]

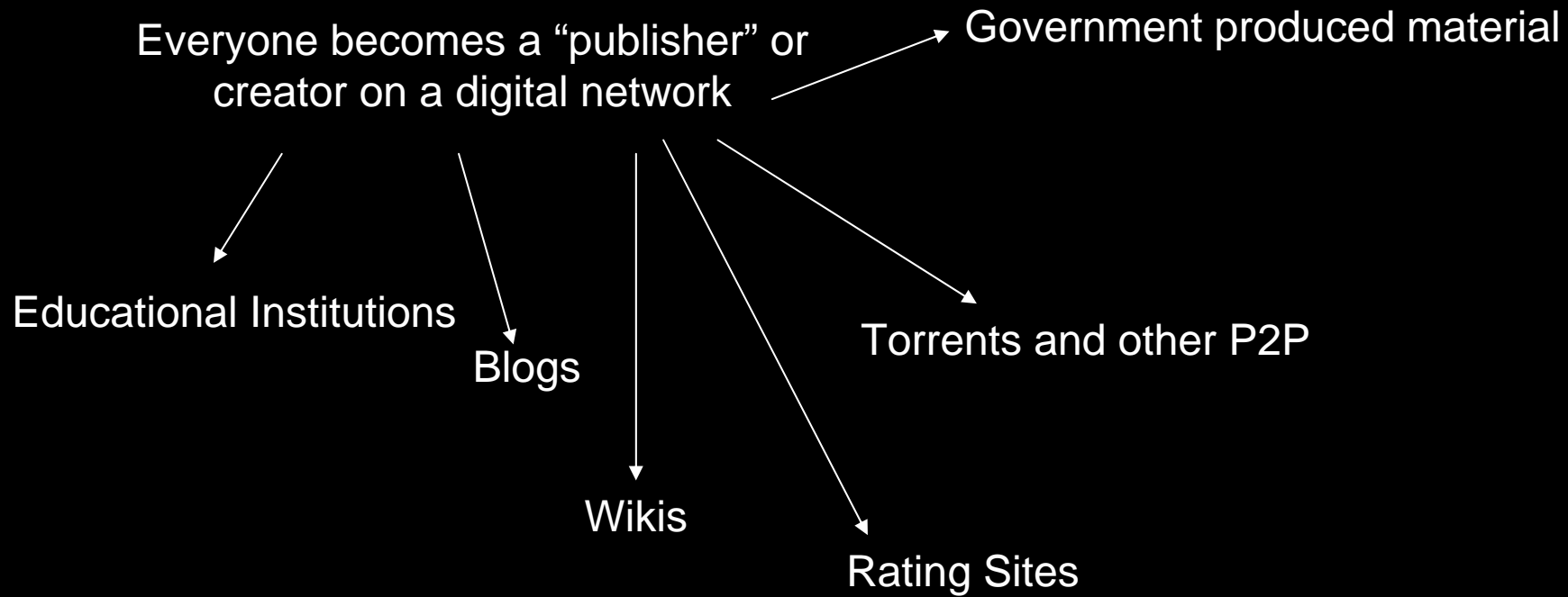
Law referring to the author as an individual

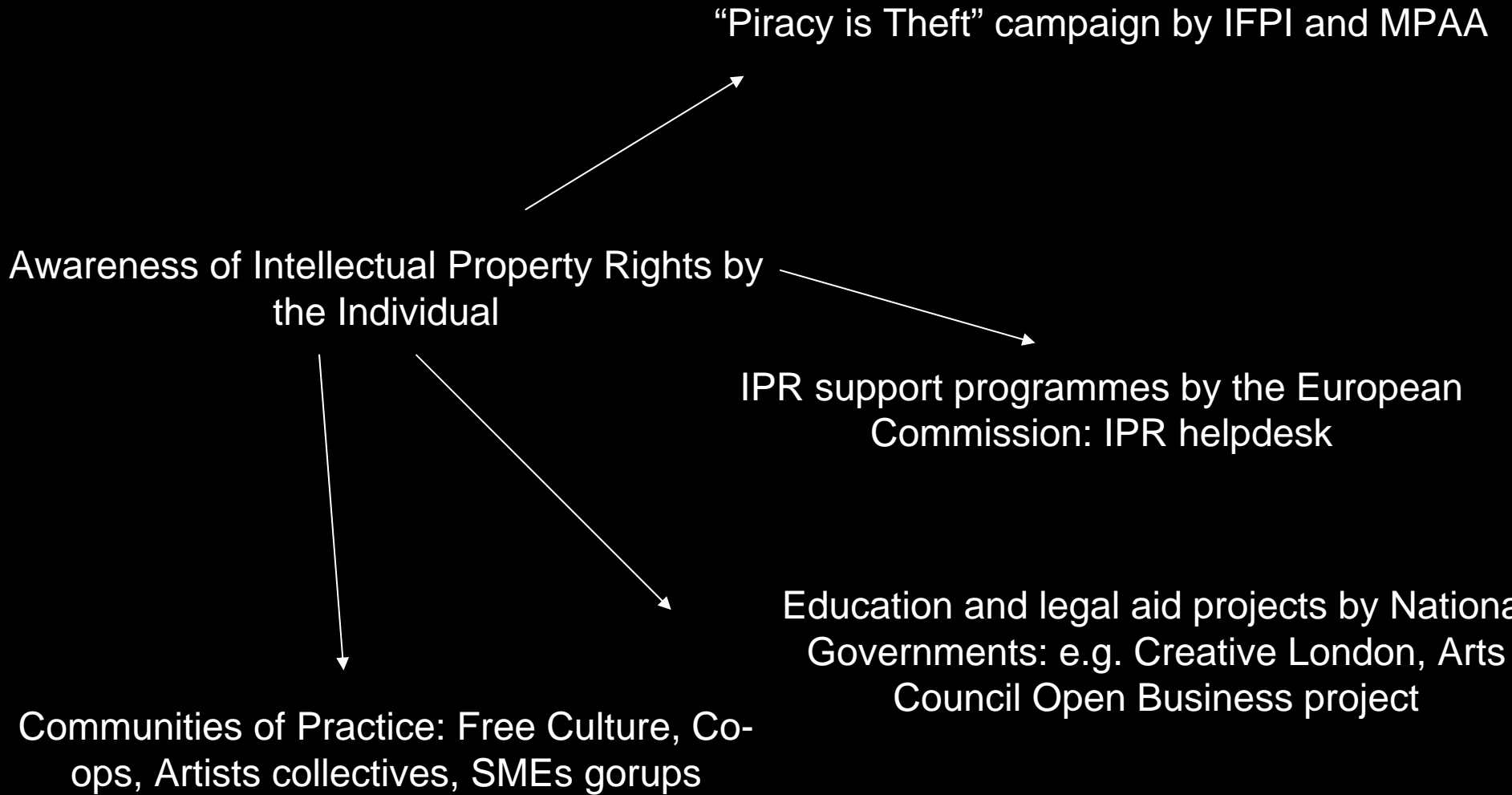
Because of the costs of production publishing and dissemination
There is aggregation of rights and content by intermediaries

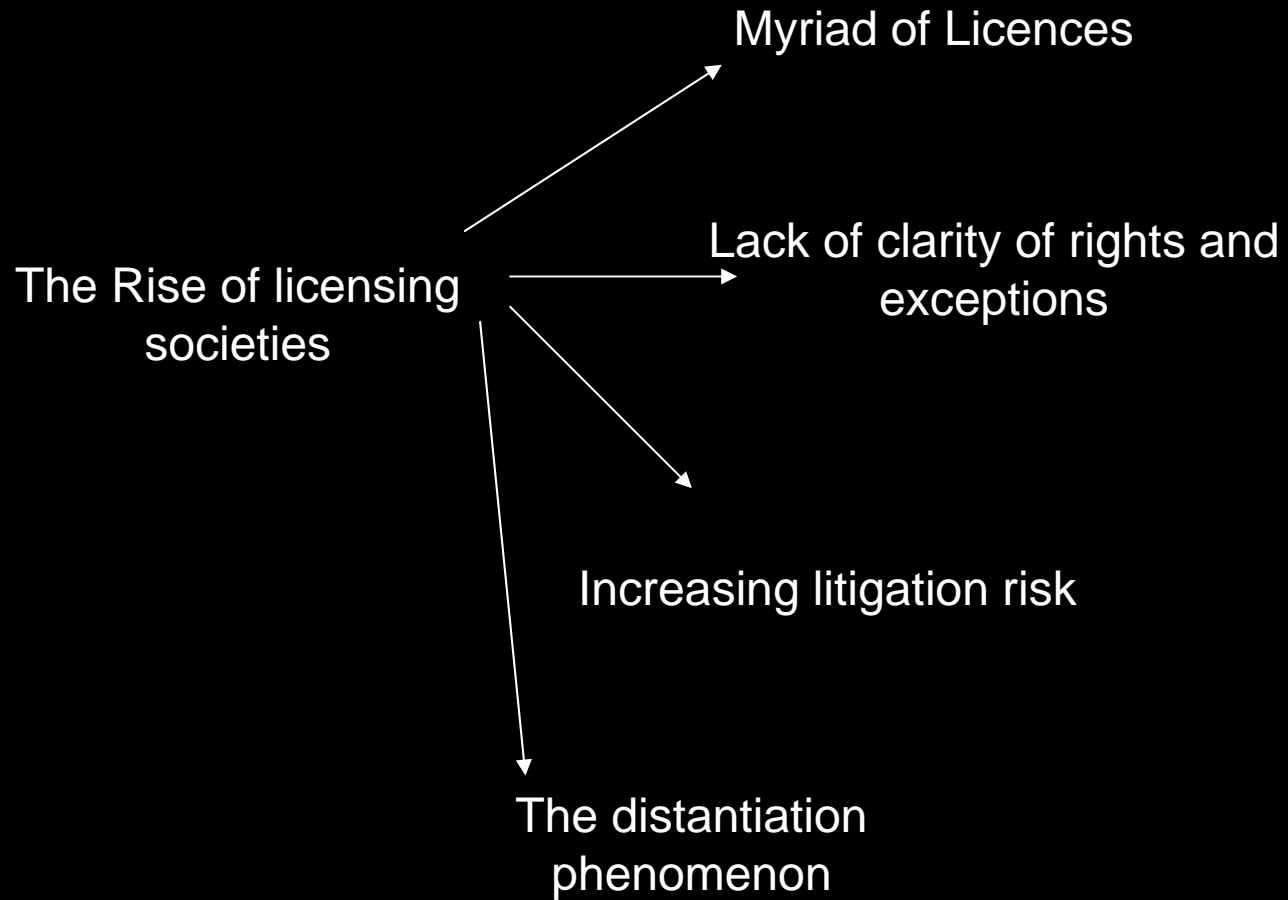
Traditional Model of IPR management

```
graph LR; A[Traditional Model of IPR management] --> B[Law referring to the author as an individual]; A --> C[Because of the costs of production publishing and dissemination  
There is aggregation of rights and content by intermediaries]; A --> D[A wide range of uses either outside the scope of copyright law  
(e.g. reading a book) or within Fair Use exceptions];
```

A wide range of uses either outside the scope of copyright law
(e.g. reading a book) or within Fair Use exceptions







Cultivate your own ecology of regulation

Need for new types of services

Collaboration/ coordination tools
beyond software development

Easy IPR Management services

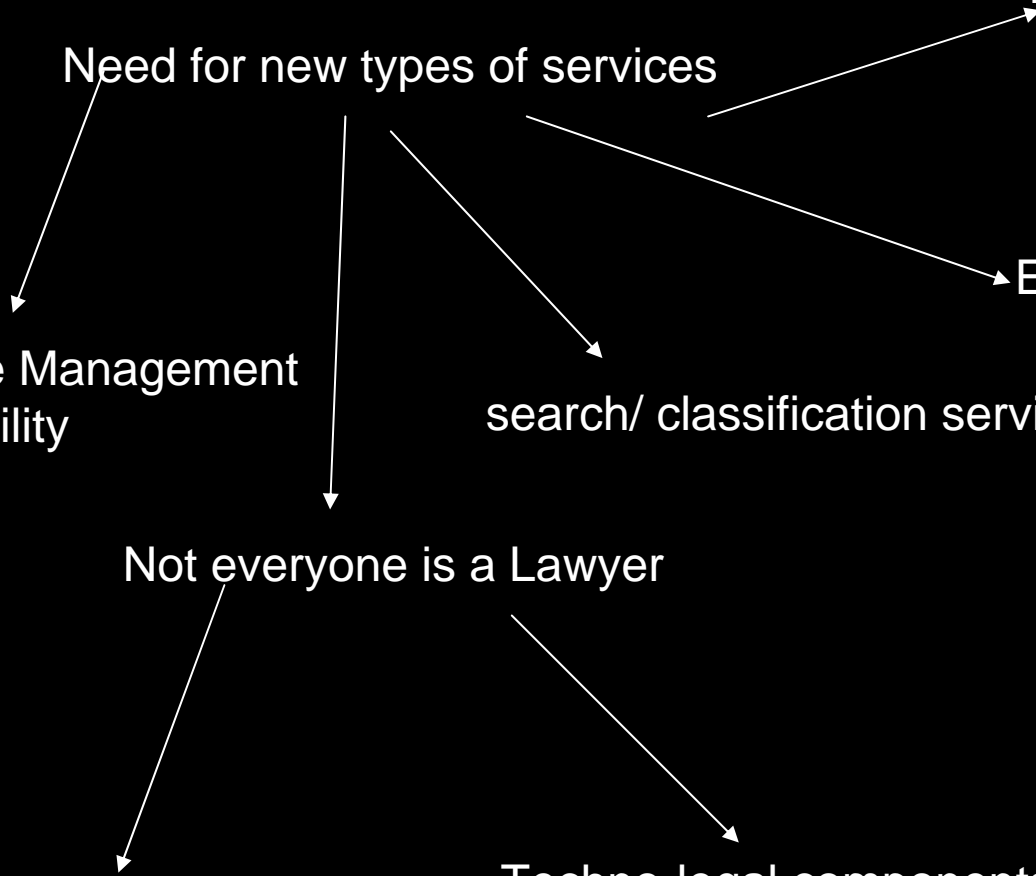
search/ classification services

Collective Management
vs. Flexibility

Not everyone is a Lawyer

User friendly contracts

Techno-legal components



Reference Farm

On the Four modalities of regulation →

Lessig, L. (1998). "The New Chicago School." Journal of Legal Studies 27(June): 661-691.

On the use of copymarks →

Jon Bing (2004): Copymarks: A suggestion for simple management for copyrighted material International Review of Law, Computers & Technology; Routledge, part of the Taylor & Francis Group (18:3) November pp 347-374

On current licensing issues →

On Creative Commons →

Peter Schønning (2000): Copyright Licensing on the Internet; ALAI 2000, Stockholm June 18-20 (PDF)

Prodromos Tsiavos(2007): Cultivating Creative Commons: From Creative Regulation to the Regulatory Commons
<http://www.lse.ac.uk/collections/informationSystems/pdf/theses/tsiavos.pdf>

Anatomy of a licence (GPL)

[four]

The General Public Licence

GNU/Linux

The Soft Revolution

Nicolas Rougier (c) 2005. <http://www.loria.fr/~rougier>



Slammy Arch Linux, an 686-optimized and streamlined distribution, ASPLinux, a modern multifunctional GNU/Linux distribution, Beehive, made by system administrators, for system administrators, BriSpeak, a mini-distribution for the blind, ClarkConnect, a dedicated broadband gateway and easy-to-use server, College Linux, a stand-alone operating system based on Slackware, Conectiva, a Linux distribution from Brazil, Darwin, the open-source Linux underpinnings of Apple's Mac OS X, Debian GNU/Linux, releases are geared more toward stability than cutting-edge features, DemoLinux, a distribution designed to reside entirely on a bootable CD, e-smith, a server-oriented distribution, EasiLiX, a text-based, menu-driven interface for configuring services, ELX, an interface similar to Windows, EnGarde, a secure distribution of Linux engineered from the ground-up, Fedora Project, the free descendant of Red Hat Linux, FreeBSD, an advanced operating system for Intel i486 compatible, DEC Alpha, and PC-98 architectures, Gentoo Linux, an enhanced BSD ports-style package system, Gibraltar, a Debian-based router/firewall distribution, GNU-Darwin, combines Apple's Darwin 1.4.1 with X Windows and several GNU packages, Icepack Linux, an independent Linux distribution built from scratch, JBLinux, a Linux distribution designed primarily for security and performance, K12LTSP, based on Redhat Linux and the LTSP terminal server package, Knoppix, a Linux distribution runs entirely from a bootable CD, Libranet, a Debian-based distribution with an easy-to-use installer, Lycoris, an operating system designed with ease of use in mind, Mandrake, a friendly and popular Linux operating system, NetBSD, a free, secure, and highly portable UNIX-like operating system, Peanut Linux, a small distribution, a 160 MB download and a 400 MB install size, Red Hat, probably the best-known Linux distribution, Rock Linux, a full-featured and powerful distribution, geared toward system administrators, Slackware, the most "UNIX-like" Linux distribution out there, SmoothWall, a small distribution designed to act as a secure firewall gateway, Sol, optimized Linux distribution for use on servers, Sorcerer, a distribution geared toward system administration, Suse Linux, a popular distribution based out of Germany, Trustix Secure Linux, a distribution aimed towards the server market, Turbolinux, most popular Linux distribution in Japan and China, UnitedLinux, a standards-based Linux operating system targeted at the business user, Yellow Dog Linux, a complete 32-bit based Linux distribution for the PowerPC, Vector Linux, keep it simple, keep it small!

The GPL case

- Time: 1984
- Place: MIT
- Context: Printing out material
- Human Actors: Richard Stallman (software developer), Eben Moglen (Lawyer)
- Source of problem: disparity between working practices/ social ethos and Copyright Law
- Solution: the General Public Licence (Free/ Open Source Software)
- Source: Stallman, R. M. (2002). Why Software Should Not Have Owners. Free Software, Free Society: Selected Essays of Richard M. Stallman. J. Gay, GNU Press: 224.

A four modalities of regulation approach

- Social norms incompatible with the law
- Software tools to support practices (From Mailing Lists, Bulletin Board Systems and floppy disks to Concurrent Version Systems and Sourceforge)
- Non-direct exchange based
- Contracts following practice
- A techno-legal phenomenon

OSTG -Eclipse TechForge -ThinkGeek -Slashdot -ITMJ -Linux.com -NewsForge -freshmeat -Newsletters -PriceGrabber -Jobs -Broadband -Whitepapers

Ads by Google

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SourceForge.net

Create, Participate, Evaluate

Project of the Month

NHibernate

SourceForge.net Changes

What's changed and will change next

Registered Projects: 106,861 Registered Users: 1,186,515

Project News

RSS

phpBMS v0.61 Released

11/29/05 06:44 - phpBMS

phpBMS is a PHP, MySQL based billing, scheduling, and client management system. Features include PDF generation for printing, mass e-mailing to clients, repeatable task and event handling, and quote/order/invoice tracking.

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Wiki 0.5.0 released

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[ANN] Eclipse Checkstyle Plugin 4.0.0 final released

11/29/05 06:42

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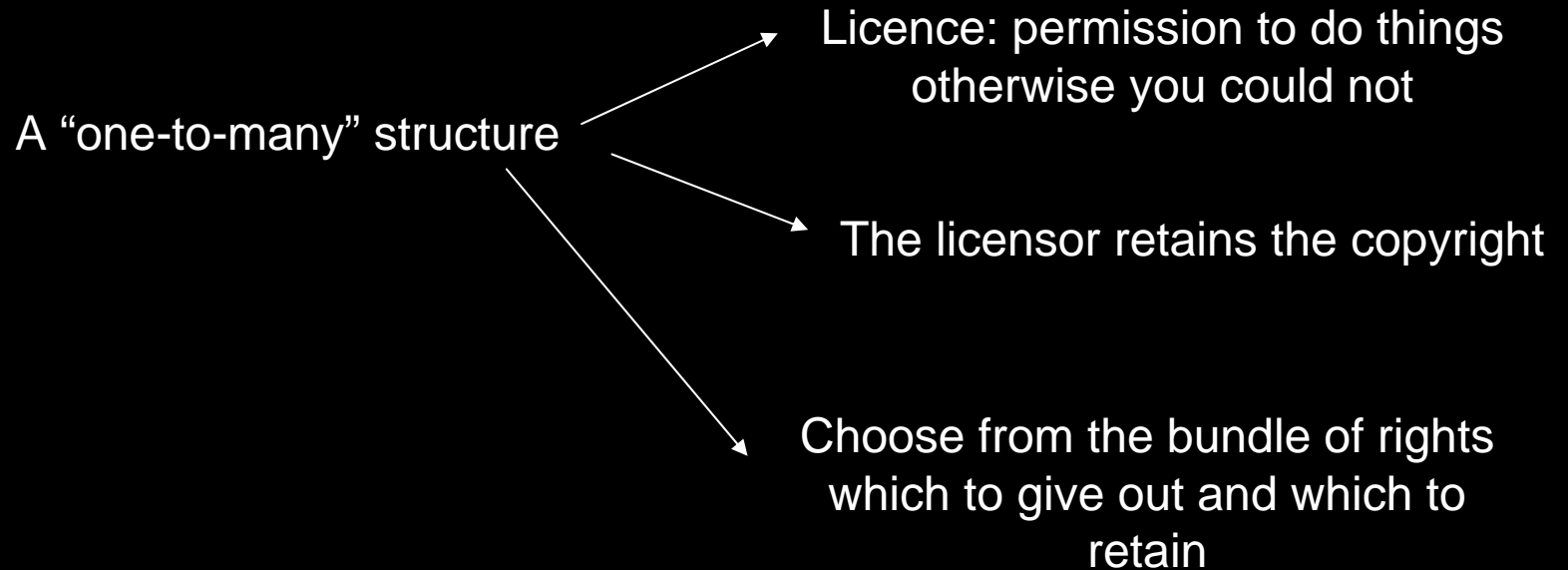
www.m7.com

Share Outlook with a team

Groupware without Exchange Shared contacts, calendar, email.

www.publicshareware.com

Basic Licence Features I



[1] [three expressions]

Human-Readable: Commons Deed

[2]

Lawyer-Readable: Legal Code

[3]

Machine-Readable: Meta Data



SOME RIGHTS RESERVED

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Publish



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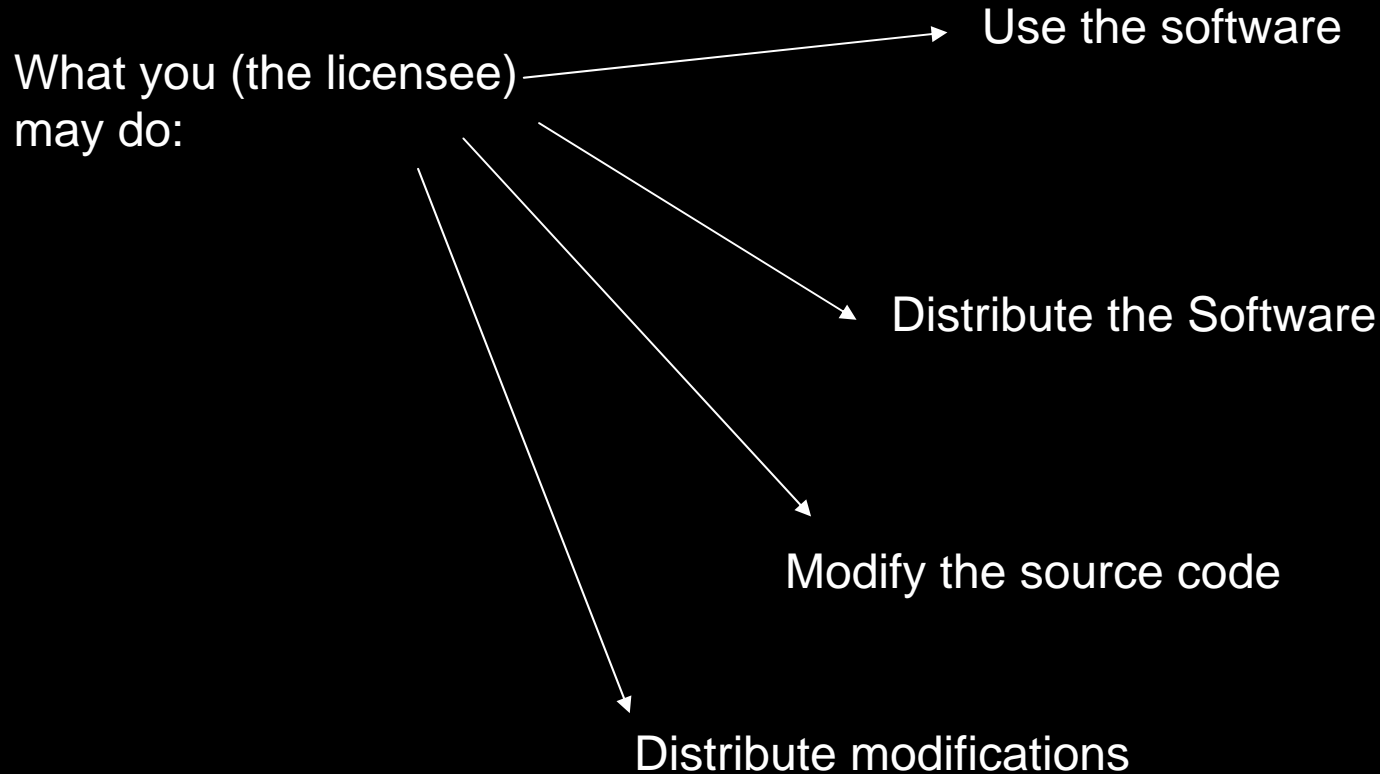
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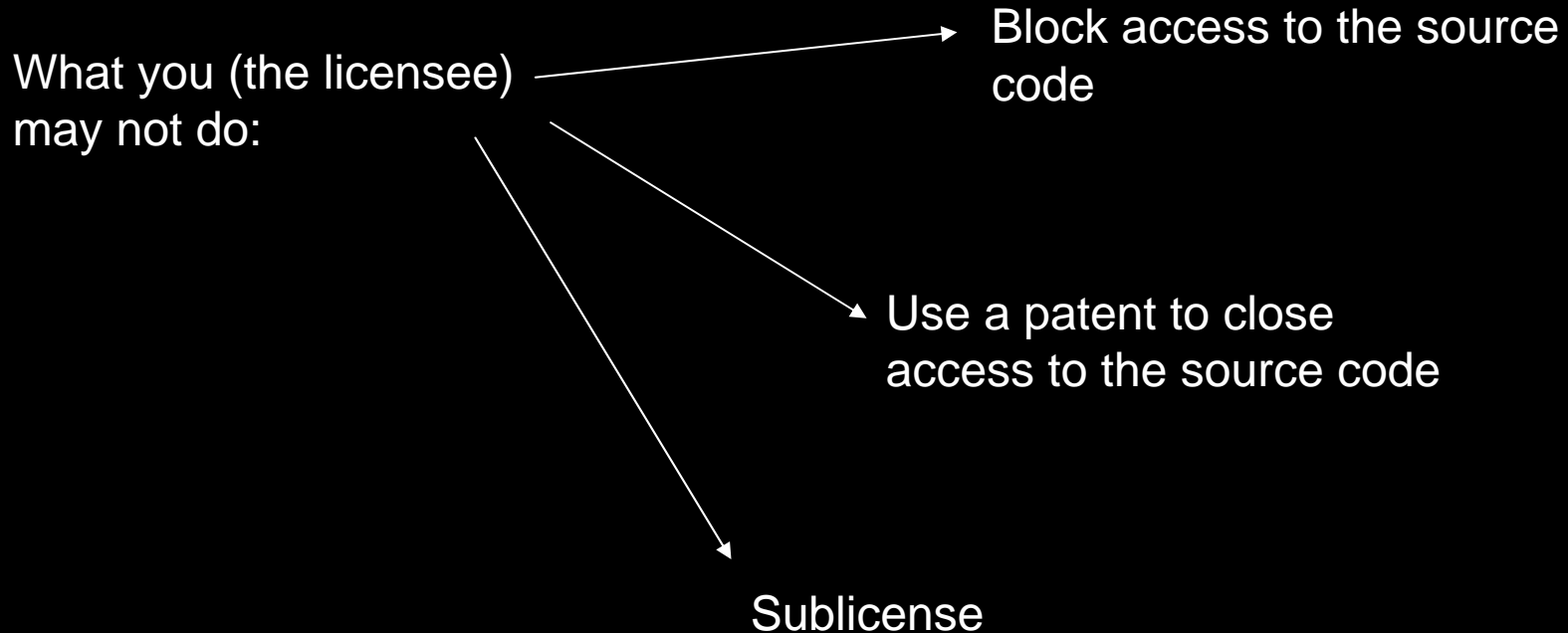
This is a human-readable summary of the Legal Code (the full [GNU General Public License](#)). A [Portuguese translation](#) is also available.

[Disclaimer](#)

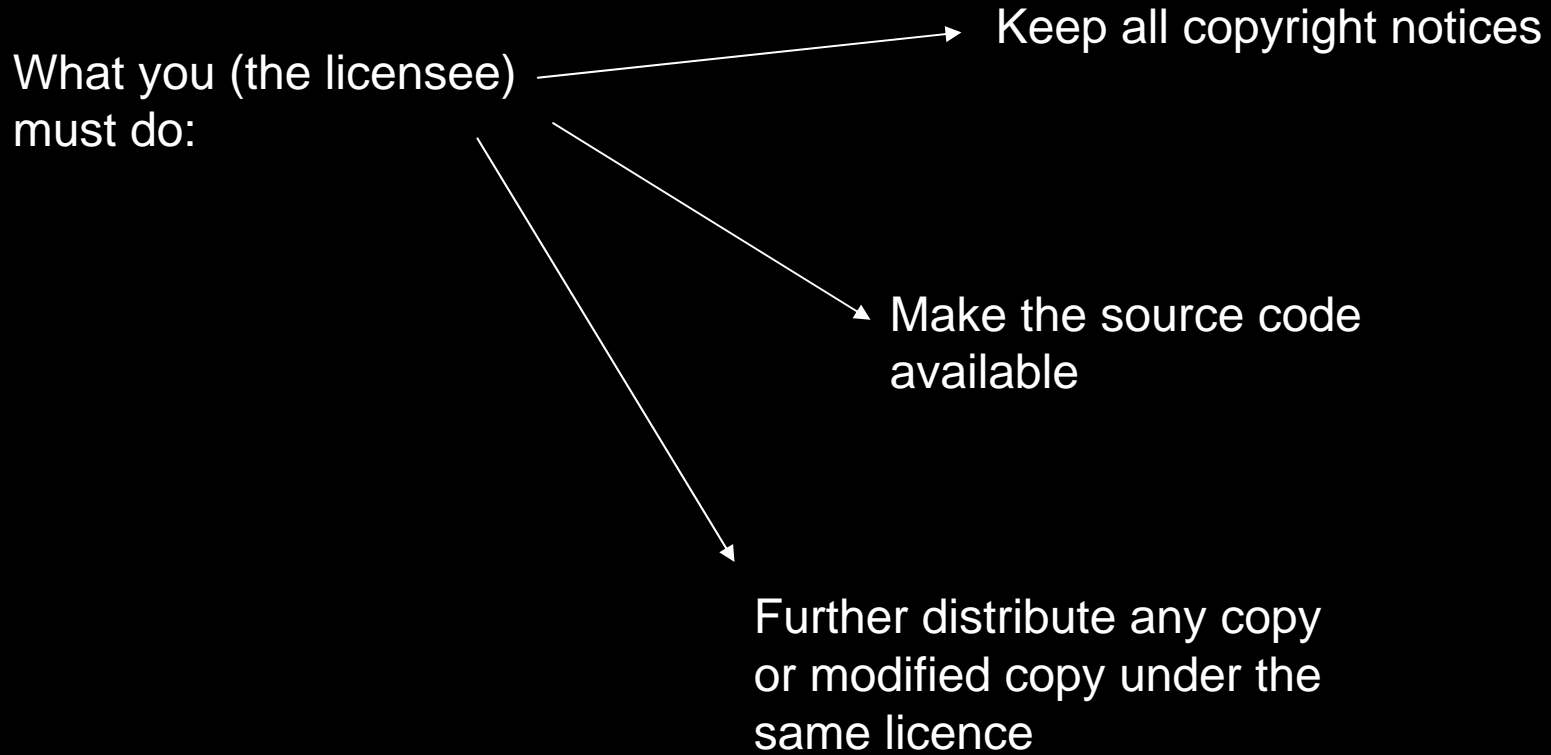
Basic licensing features II



Basic licensing features III

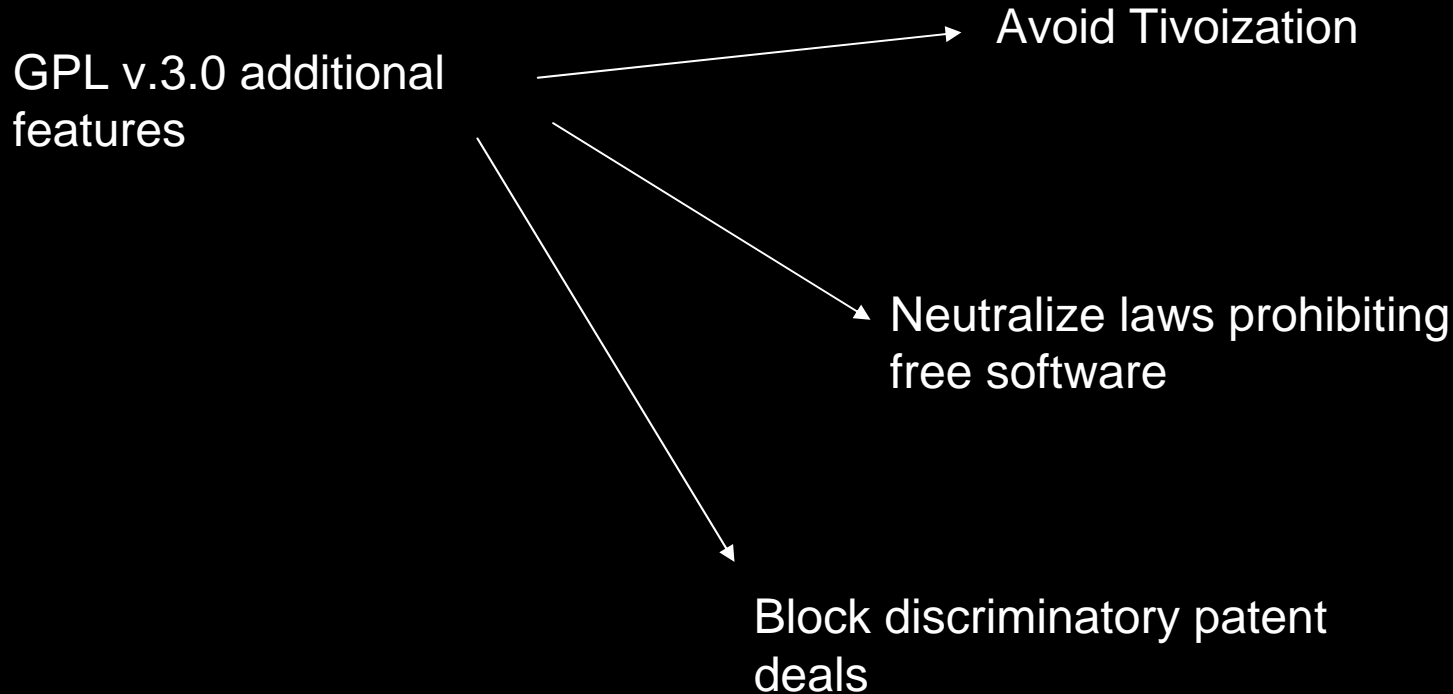


Basic licensing features IV



Basic licensing features V

GPL v.3.0



GPL v.3.0 [neutralization]

- **If someone uses GPL v.3.0 to write code that implements DRM, then such code is not deemed as “an effective protection measure”**
- **As a result, if you “break” that code, the DRM-related clauses are not activated**

GPL v.3.0 [anti-tivoization]

- **requiring the distributor of a device using GPLed software to provide you with whatever information or data necessary to install modified software on the device.**
- **distributors are still allowed to use cryptographic keys and are required to disclose one only for the purpose of modifying the GPLed code**

GPL v.3.0 [anti-patent]

- **requiring the distributor of a GPLed software to provide the licensee with all patent licences necessary to exercise the rights GPL has granted to them**

GPL v.3.0 [Licence compatibility]

- **opening up compatibility with licences containing only minor restrictions**
- **clarifying compatibility with other licences**

GPL v.3.0 [source code (sc) provisions]

- **keep intact existing provisions requiring dissemination of source code**
- **provide instructions rather than the sc itself**
- **special provisions for BitTorrent users (obligations applicable only for the initiator of the torrent)**
- **combination with GPL-incompatible libraries possible**

GPL v.3.0 [terminology and compliance]

- **use of the term “convey” instead of “distribute” in order to avoid terminology issues with non-US – like legal systems**
- **compliance using the CC-compliance labs**
- **if violation occurs, rights may be restored once the violation stops; alternative procedure in case the rights-holder contacts you directly**

Flow of rights in a GPL
scenario

[five]

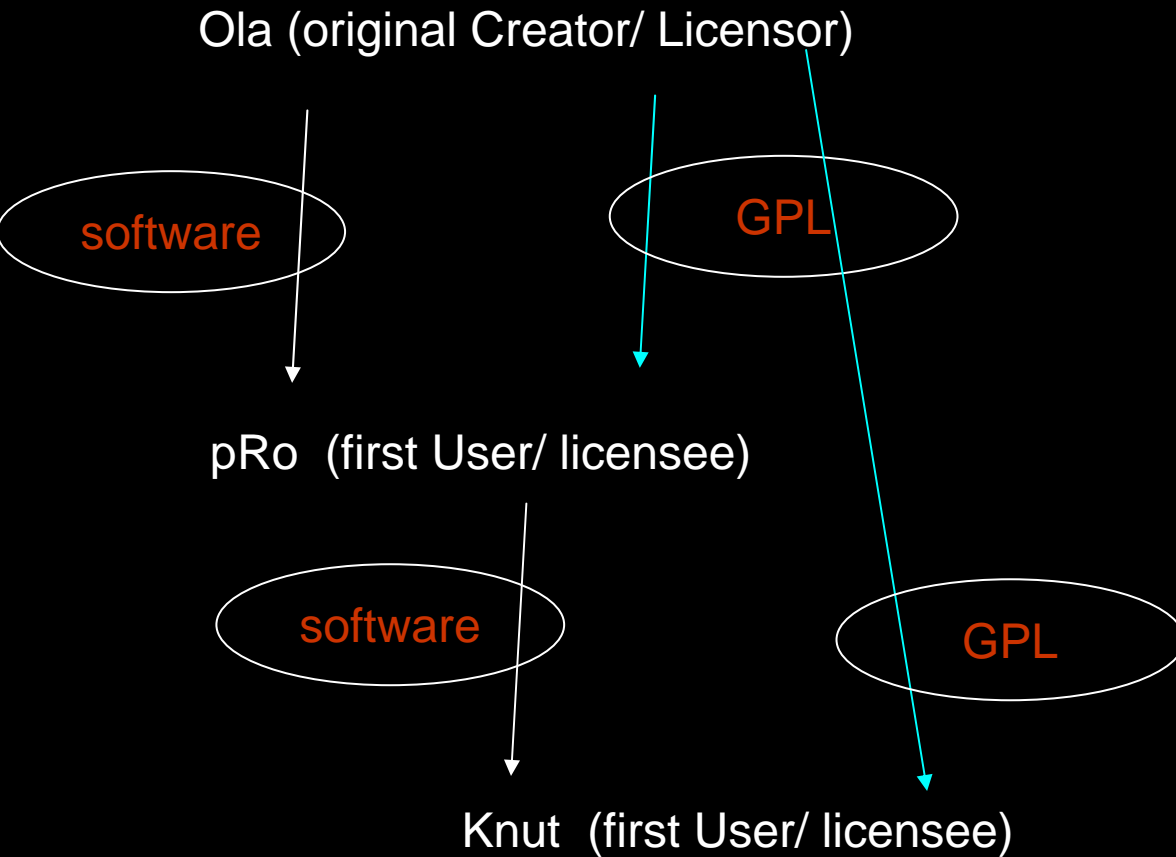
Three flows to be noticed

Digital Copies

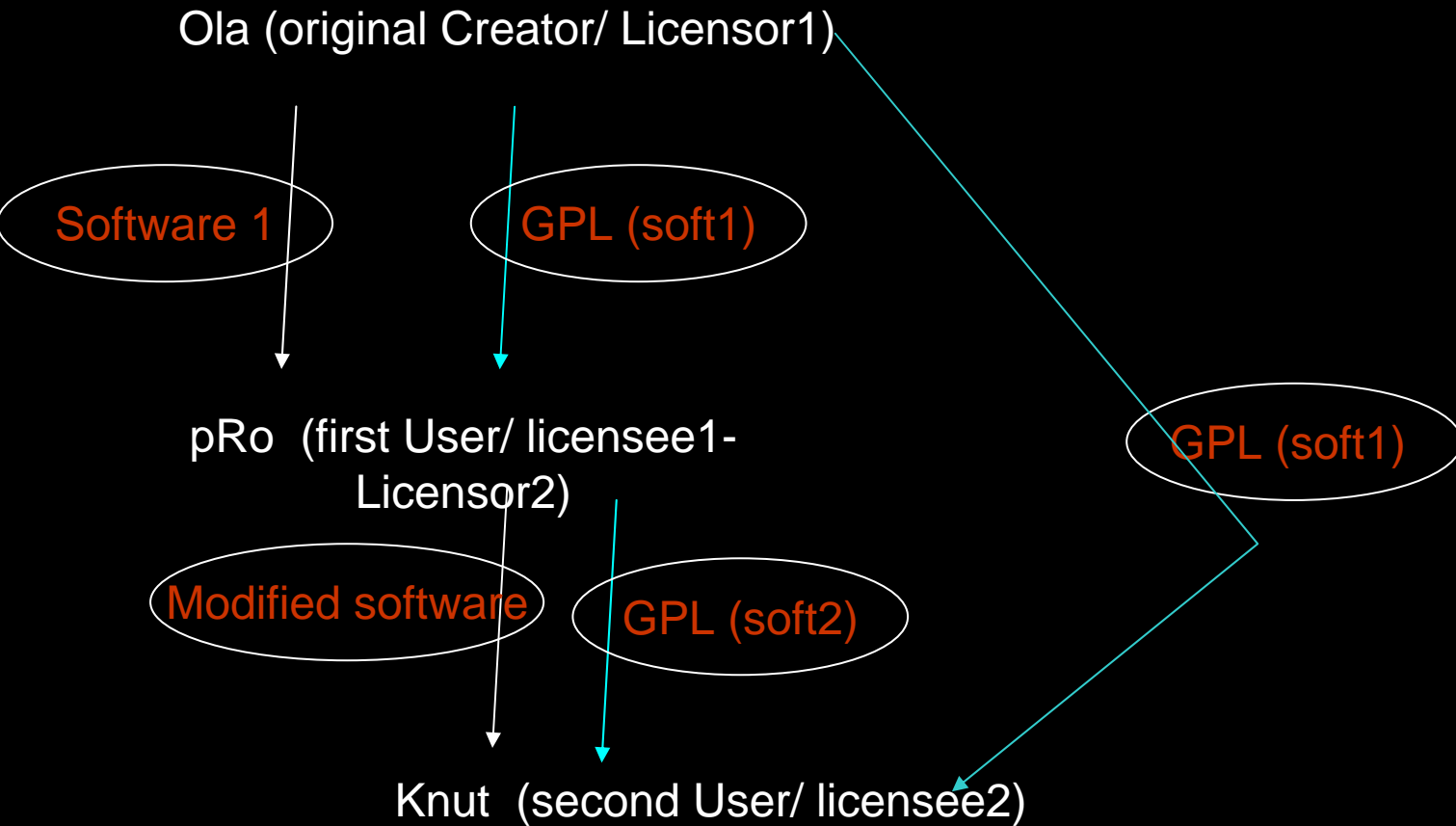
Rights

Services

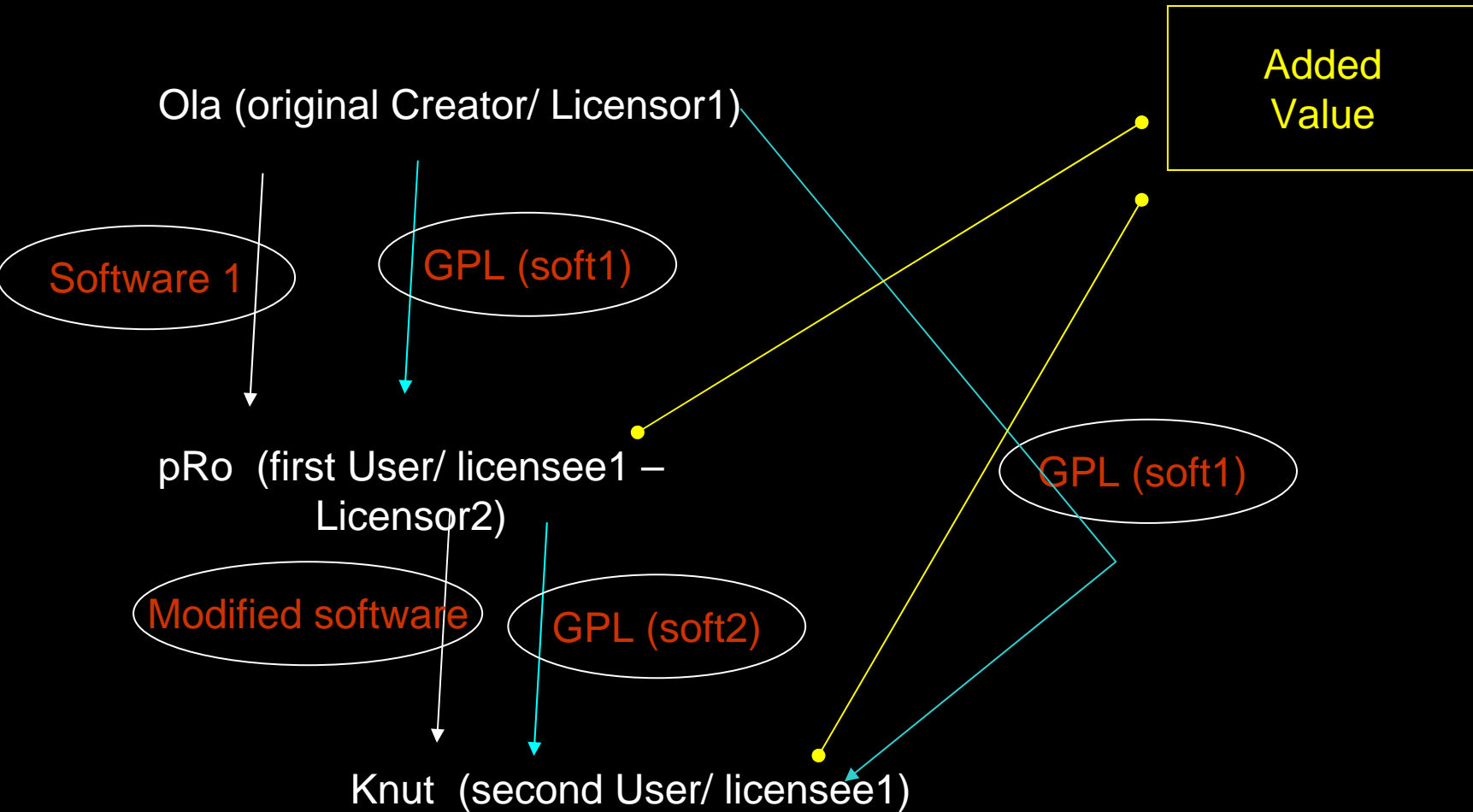
An open source/ content copy/ distribution scenario



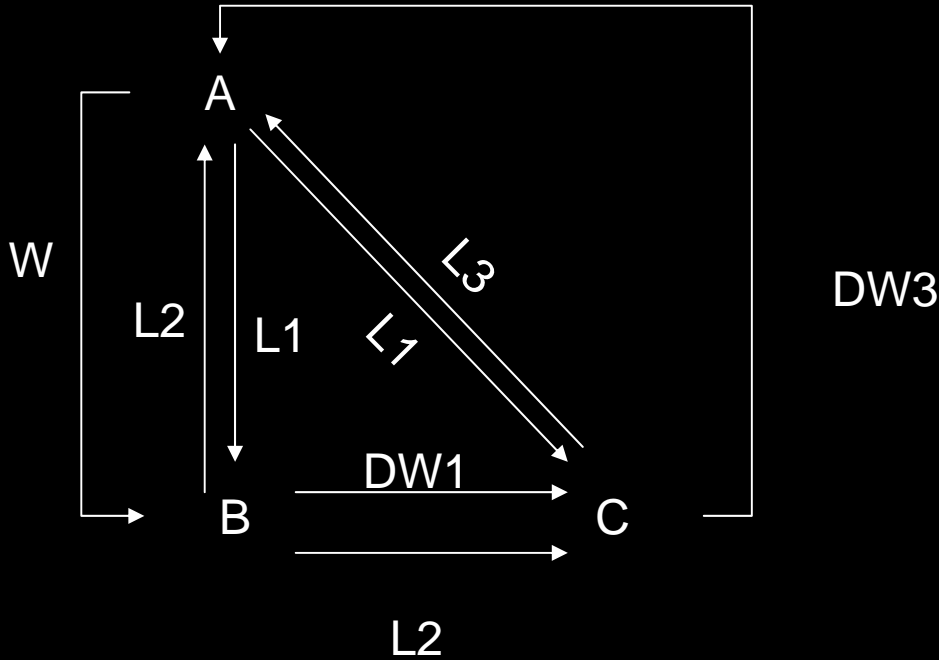
An open source/ content modification scenario



Value?



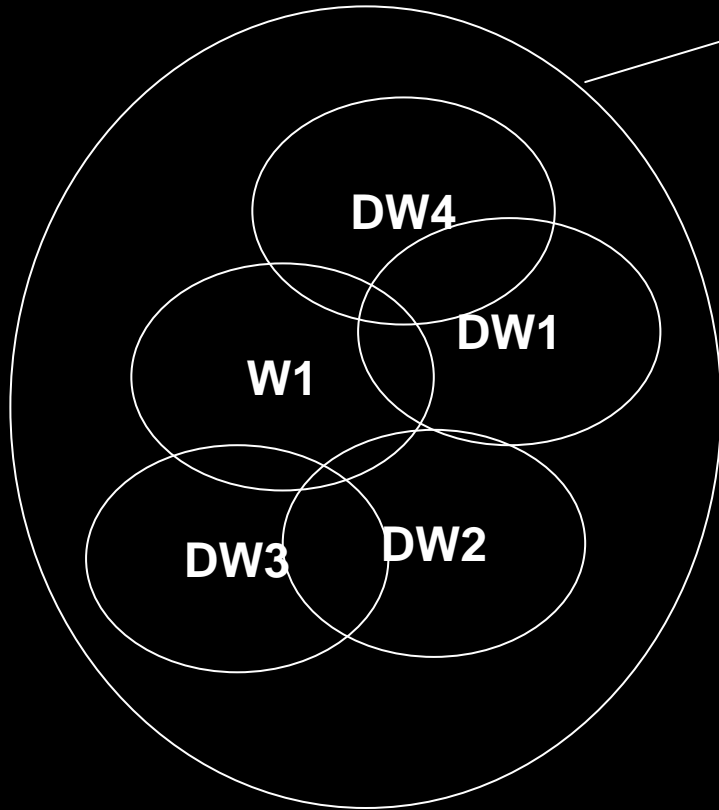
A diagrammatic presentation of the licensing relationships in a 3 person GPL scenario



- A: licensor of original work
- B,C: licensees regarding original work
- C (L1/L2), A (L2/L3): licensees for the Derivative works (different licences)
- W: Work
- DW1, DW2, DW3: Derivative Works
- L1, L2, L3: Different GPL licences

In each GPL transaction the creator of a work or the contributor becomes a licensor and the recipient of the work a licensee. The licensee becomes a licensor with respect to any subsequent contribution. The subsequent derivative works are thus constantly re-licensed in what we may describe as a *licensing mash*.

A diagrammatic presentation of a GPL based
derivative work development



The constantly
expanding
derivative work

- W: the original work
- DW1, DW2, DW3, DW4:
derivative works based
on the original work
and each other

The Creative Commons project

[six]

Founded 2001

1st Project: December 2002

Initiation: Berkman/ Harvard

Housed @ Stanford Law School

[chronicle]

By:

James Boyle

Michael Carroll

Lawrence Lessig

Hal Abelson

Eric Saltzman

Eric Eldred

2estabilsh middle ground

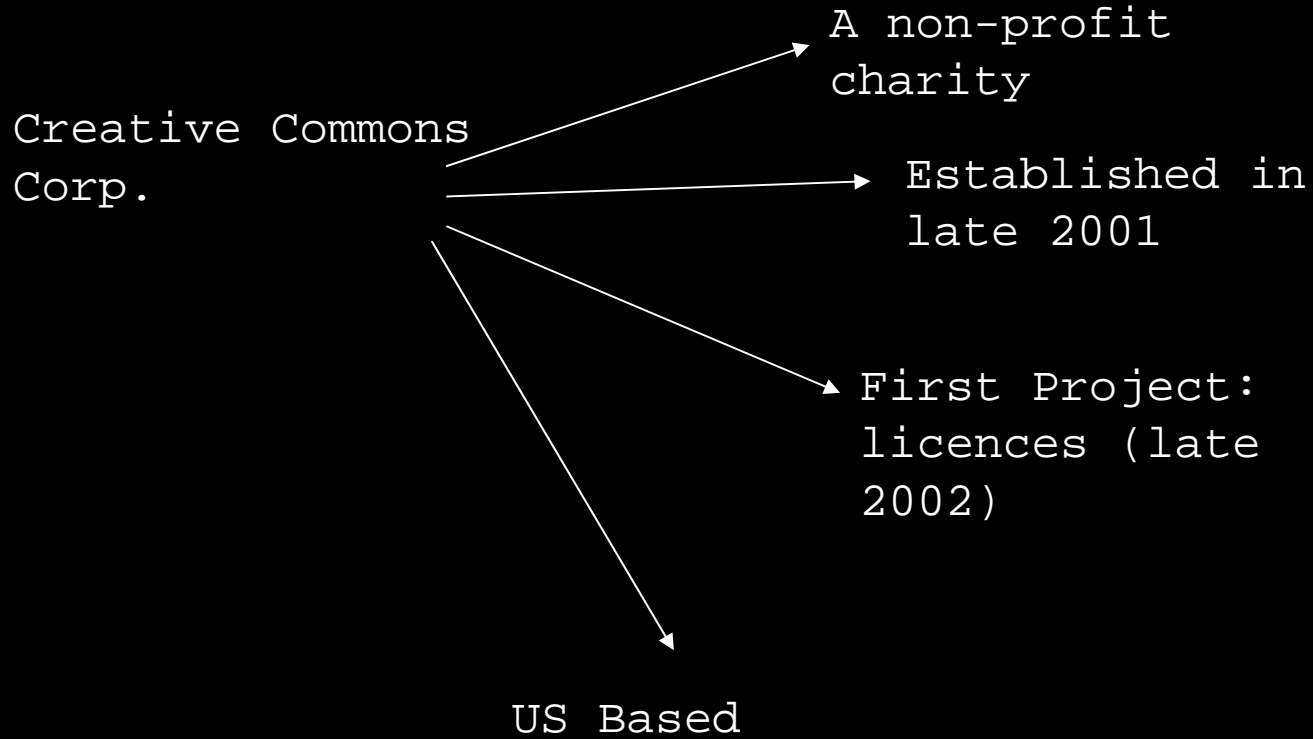
[objective]

copyright extremism

between

copyright anarchy

What is Creative Commons?



The CC Organizational Web

Project: international variations of the original licences

Creative Commons

International

Creative Commons

CC Mixer

Project: storing/ mixing of audio content

Science Commons

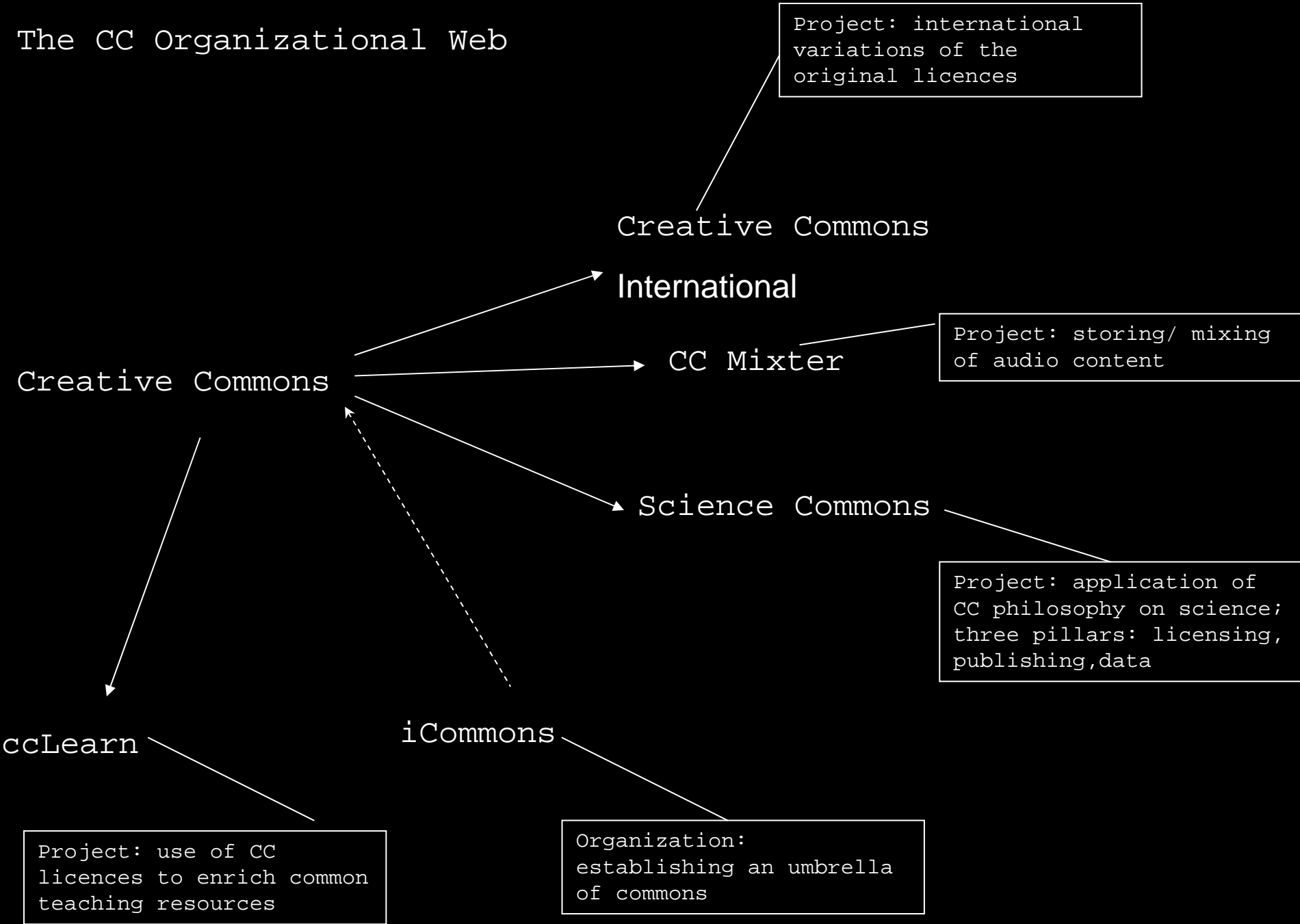
Project: application of CC philosophy on science; three pillars: licensing, publishing, data

ccLearn

Project: use of CC licences to enrich common teaching resources

iCommons

Organization: establishing an umbrella of commons



Licence Species

Six Basic
licences based on
the combination
of three licence
elements

Creative Commons
Licences

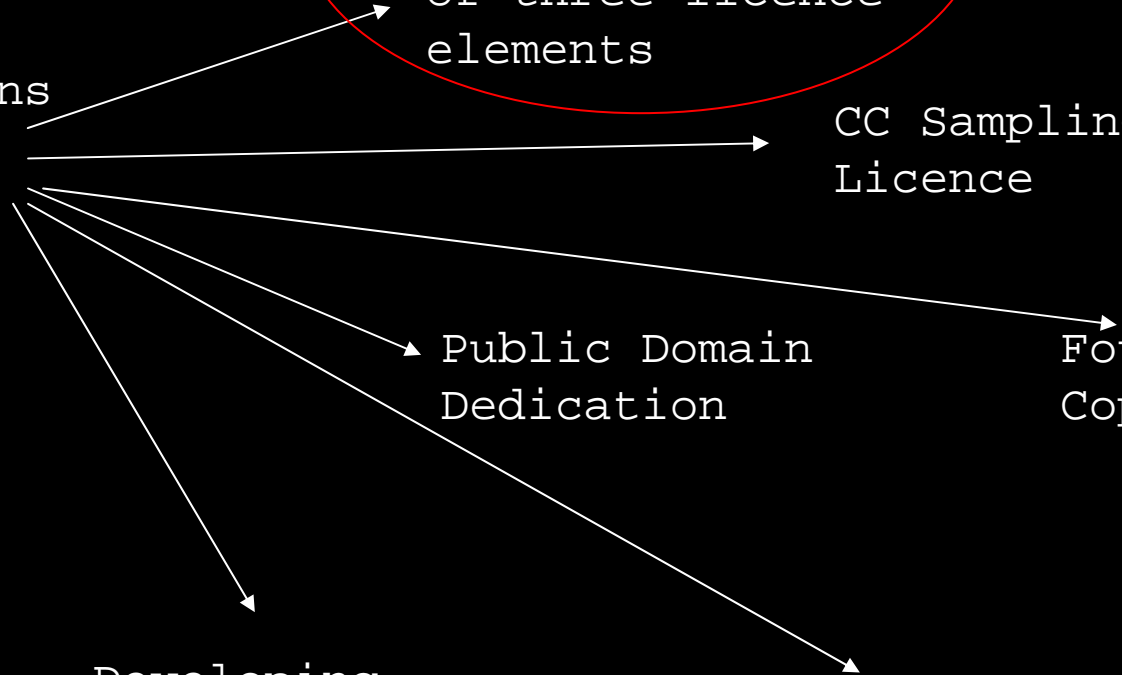
CC Sampling
Licence

Public Domain
Dedication

Founders'
Copyright

Developing
Nations Licence

Music Sharing



The General Public Licence
[Free/Open Source Software]:

ShareAlike

Derivative

Other

Remix

[hybrid]

Shareware

No Commercial Use

[1]

Human-Readable: Commons Deed

[2]

Lawyer-Readable: Legal Code

[three expressions]

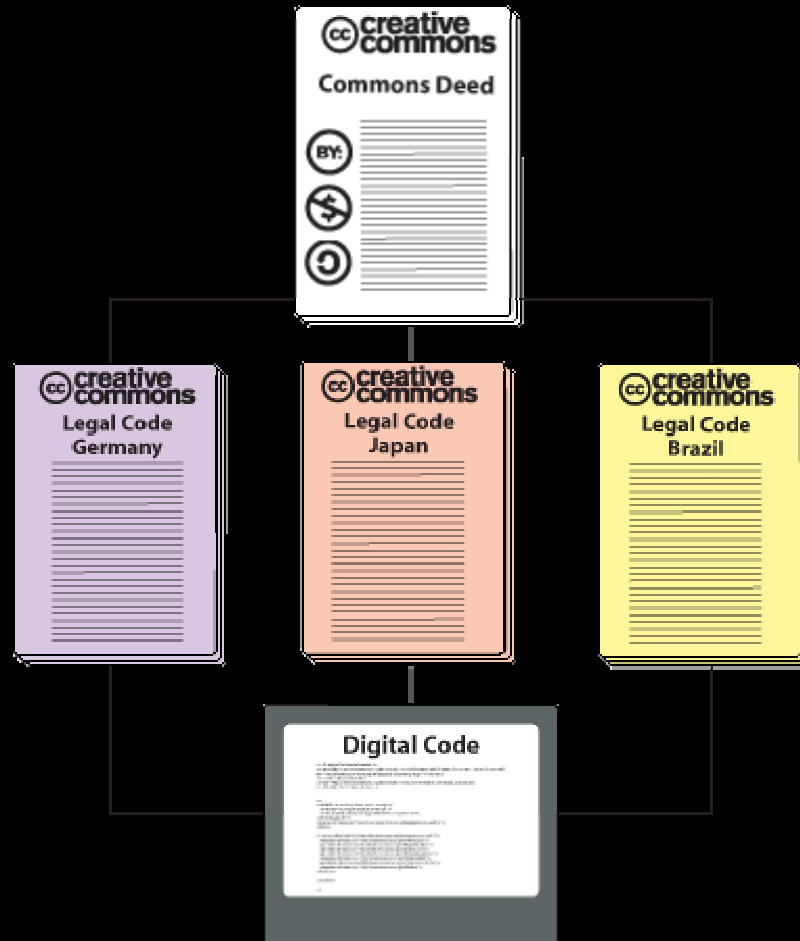


Logo + Link

[3]

Machine-Readable: Meta Data

schematic



logos



Attribution



No Commercial Use

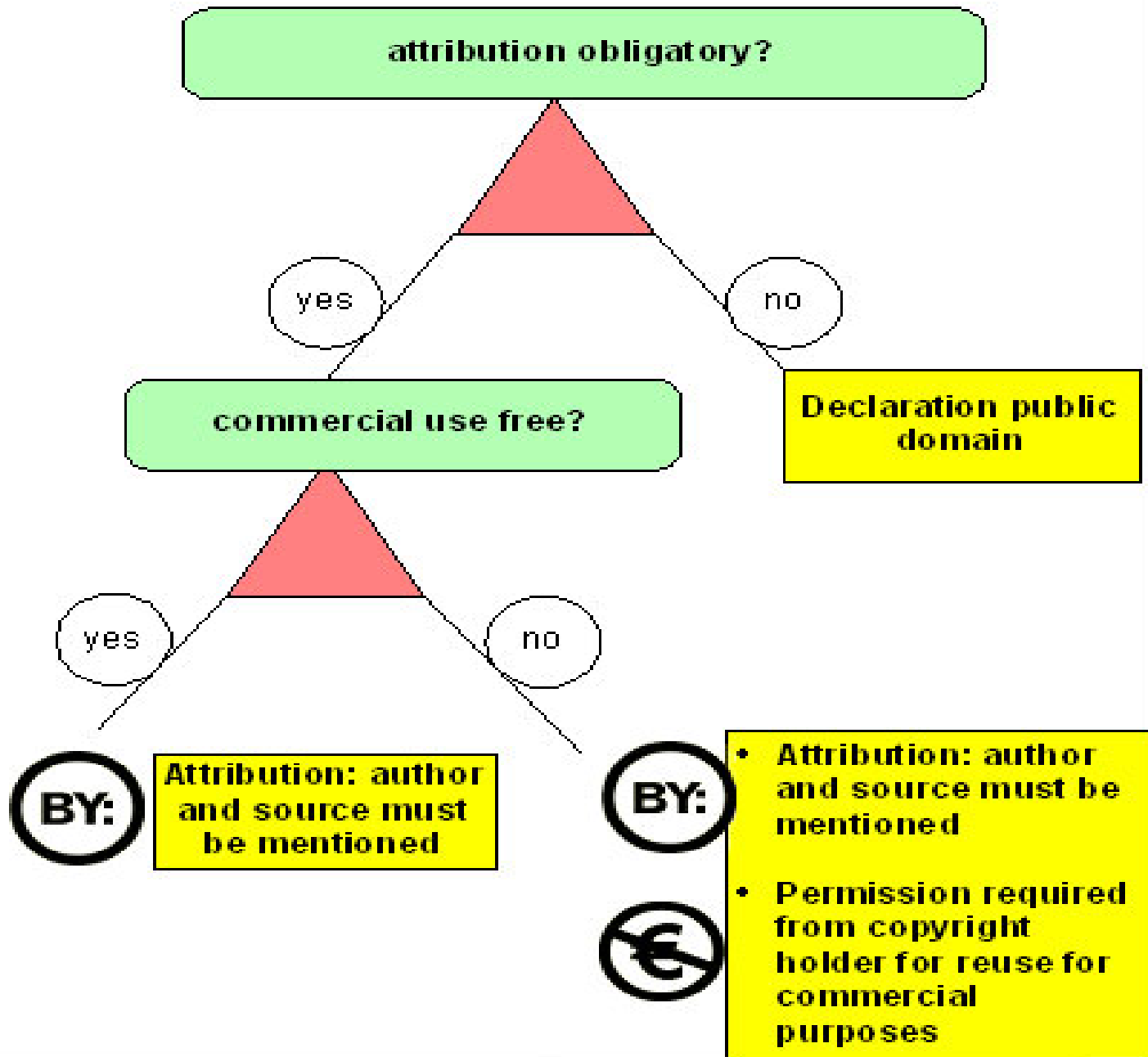


No Derivative Works



Share Alike

Decision tree Creative Commons licenses

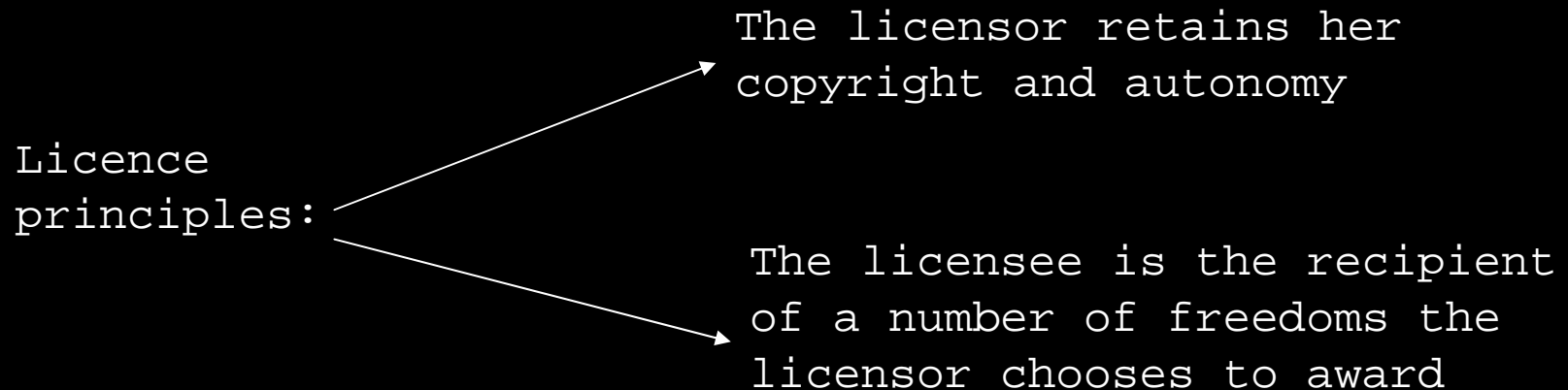
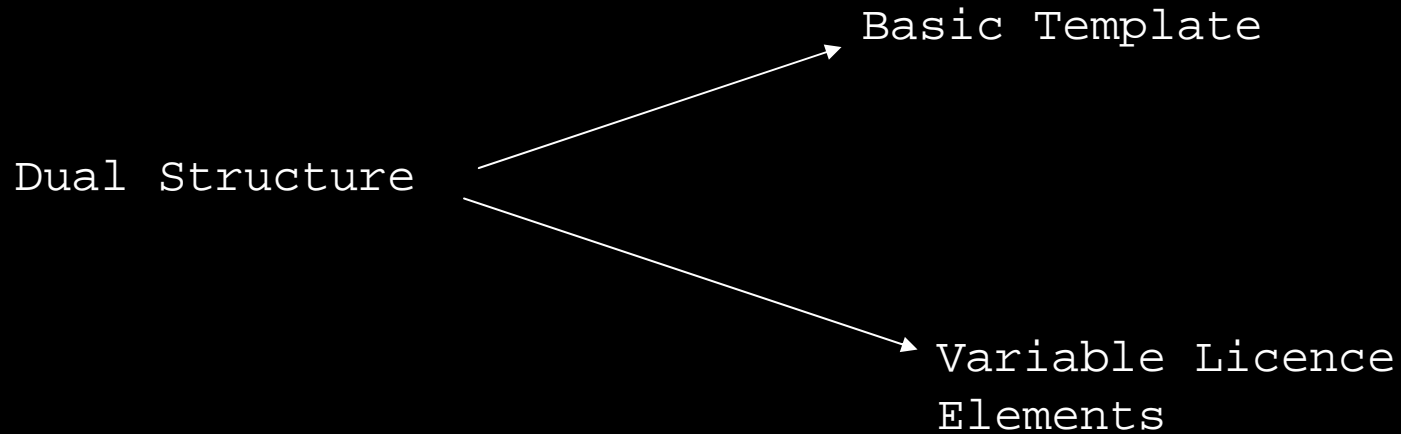


Source: Esther Hoorn (2005) Repositories, Copyright and Creative Commons for Scholarly Communication, <http://www.ariadne.ac.uk/issue45/hoorn/#11>

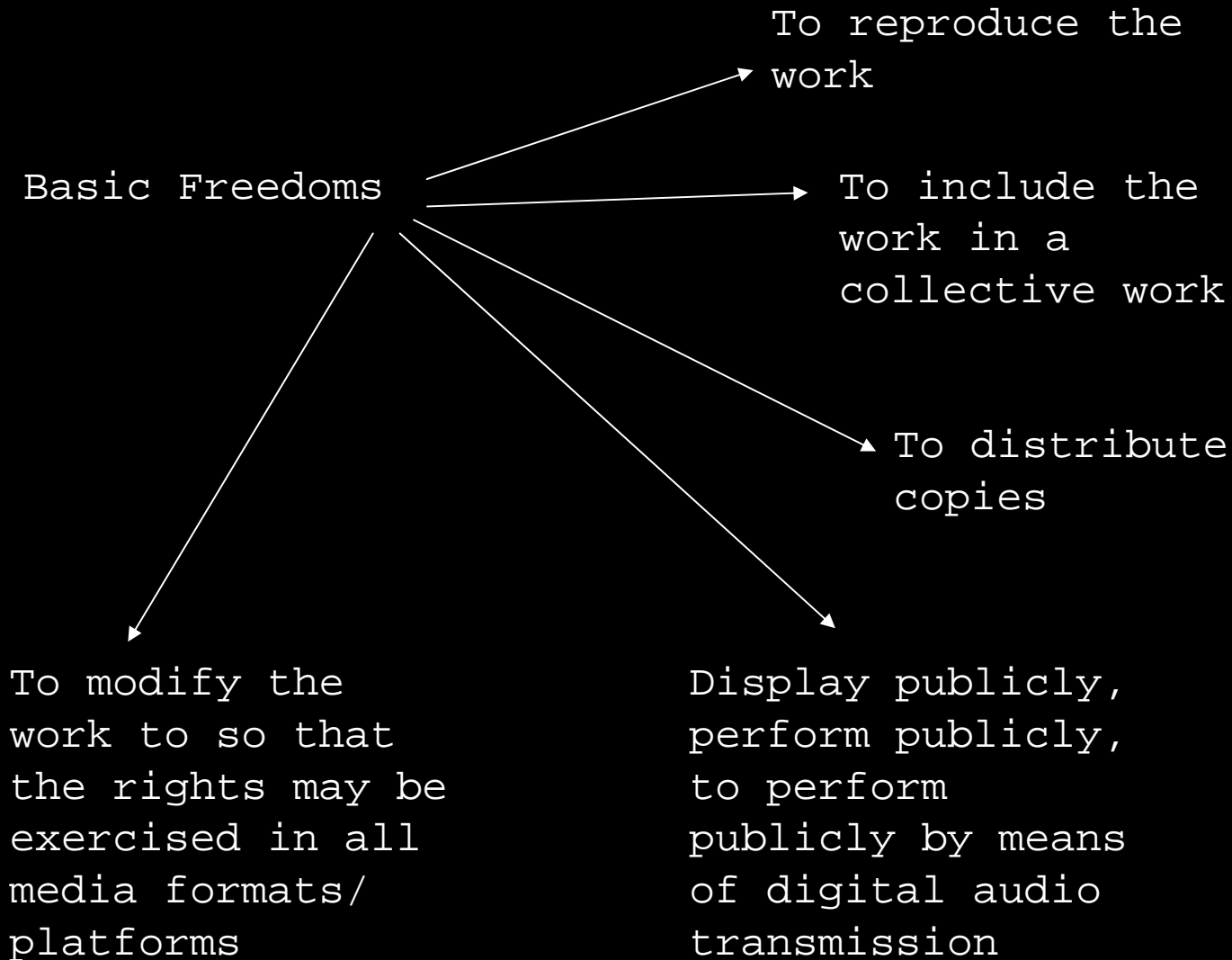
Creative Common licensing operation

[seven]

Understanding the operation of the licences



The operation of the basic
template I (freedoms)



The operation of the basic
template II (licensor's
autonomy)

The Licensor may
license the work
under different
terms and
conditions

The licensor
retains autonomy/
control

Licensor reserves
all rights not
explicitly
granted

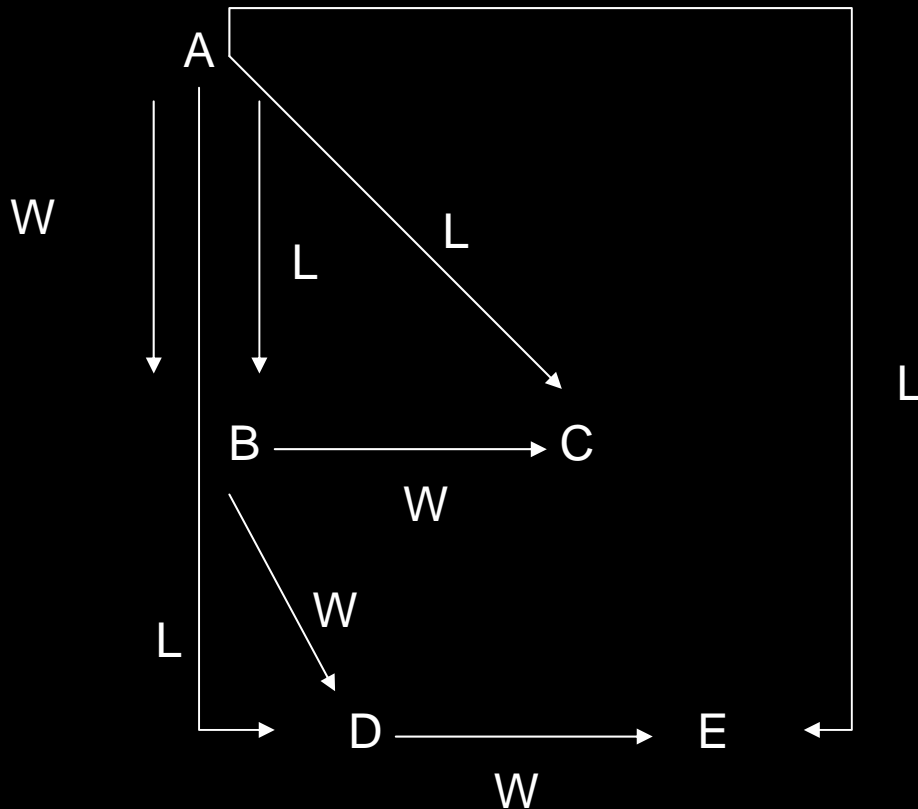
No sublicensing
is allowed

The licensee is
obliged to carry
all notices
regarding the
copyright of the
licensor

The licensee cannot
impose any additional
legal restriction or
obstruct the
dissemination of the work
(e.g. using Digital
Rights Management)

The licensee is
obliged to
attribute the
original author

A diagrammatic presentation of the operation of the licence's basic template



- A: licensor
- B, C, D, E: licensees
- W: Work
- L: A CC licence

The CC licence is always awarded directly from the Licensor to the recipient of the work. NOT through any of the licensees that merely operate as carriers of the work

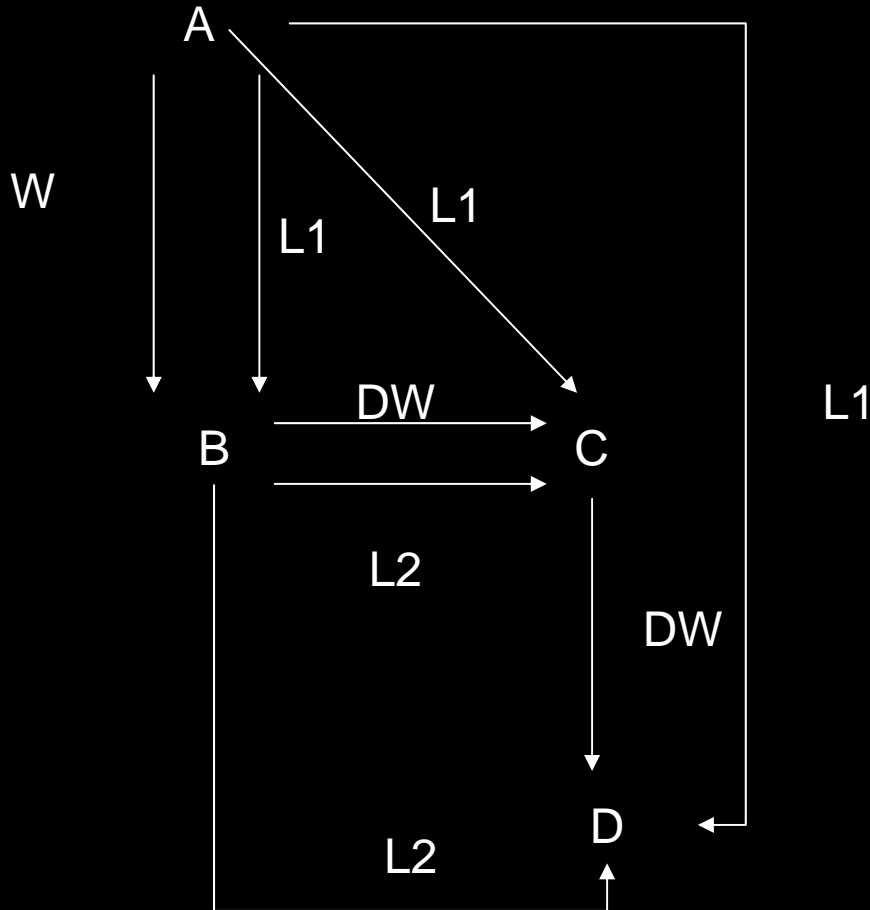
The ShareAlike element



Share Alike

- It refers to the derivative works
- When the licensor creates a derivative work, she has to further license it under the same terms and conditions as the work it was based upon
- Particularly relevant when multiple authors create a work in a virtual environment (e.g. wikis, sampling sites)

A diagrammatic presentation of the operation of the Share Alike element



- A: licensor for original work
- B, C, D, E: licensees for original work
- C, D: licensees for the Derivative work
- W: Work
- DW: Derivative Work
- L1, L2: CC_SA licences

The creator of the derivative work (DW) becomes a licensor with respect to the DW and the same licensing structure as the one described in the basic template applies. The original work is always licensed with the DW and still links with the original author.

Two CC Case
studies

[seven]

(a)wide and shallow DW: Sampling sites.

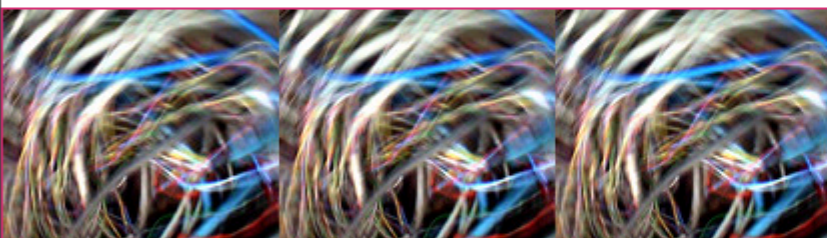
Tate d_cultuRe : d0wnloAd_saMple+cuT-uP: cultuRe

ccMixer

Online Events

TATE

Technology from BT

Search Site: Tate Online together with [home](#) [support us](#) [feedback](#) [tickets](#) [shop online](#)[Programme](#) [Talks](#) [Symposia](#) [Sound & Performance](#) [Help](#)**d_cultuRe : d0wnloAd _saMple + cuT - uP : cultuRe****29 January - 23 March 2005**

New form in context of copyleft and copy rights. **d_cultuRe** is focused on audio production, distribution and discussion, seeking to explore the boundary between sound and music composition, in a cultural and political landscape.

- [Online Panel Discussion Outline](#)
- [Public Forum Outline](#)
- [Forum Resources, Downloads and Archives](#)
- [Associated Live Events and Archives](#)

Running hand in hand with the 'do it yourself' punk movement was the underground

Online Events

[Programme](#)[Live](#)[Archive](#)[Forums](#)[Newsletter](#)[Collections](#)[Research Services](#)[Tate Britain](#)[Tate Modern](#)[Tate Liverpool](#)[Tate St Ives](#)[Tate Connections](#)



ccMixer
Download, Sample, Cut-up, Share.

Advanced search
Search

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Sick as a Dog (bs...
sevenhundredbeats
All_I_Heed_feat...
Brilliant
See all picks...

New Remixes
The Better Evil
Tanto Ruido (Dark...
Tanto Ruido (mini...
Rin
Tanto Ruido (Ilu J...

Recent Reviewers
Gurdonark
stefsax
demir
norelpref
J.Lang
More reviews...

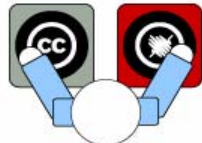


XML Syndicate

Welcome to ccMixer

Sampling, Mashing, Sharing

This is a community music site featuring remixes licensed under **Creative Commons**, where you can listen to, sample, mash-up, or interact with music in whatever way you want.



Remixers If you're into sampling, remixing and mash-ups grab the **sample packs** and a **cappellas** for download and you can upload your version back into ccMixer, for others to enjoy and re-sample. All legal.

Podcasters, directors and music lovers If you're into music, browse this site to hear some of the **great remixes** people have built from sampling music on this site, all licensed for use under Creative Commons license.

Fort Minor Contest Winner!

Congratulations to **marc kaschke** our Fort Minor Remix Contest Grand Prize Winner for his remix "**Remember the Name (Kaschke & Mauer Remix)**"



marc will be awarded a new Technics SL-1200MK5 turntable, courtesy of Warner Bros. Records and Machine Shop Recordings.

[More information about the Fort Minor contest...](#)

Crammed Discs

Crammed Discs artists Cibelle, DJ Dolores, and Apollo Nove are offering some of their new music under a CC BY-NC 2.5 license, so that producers worldwide can use the tracks in remixes and new compositions. Nine winning remixes will appear on a Crammed/ccMixer remix compilation, to be sold online through digital music stores.



[More information about the Crammed Discs contest...](#)



ccMixer has teamed up with the **freesound project** to share information about freesound's **20,000 samples** and track remixes across the two sites. It's all part of the Creative Commons Sample Pool and therefore available to all remixers, safe, legal and sane.

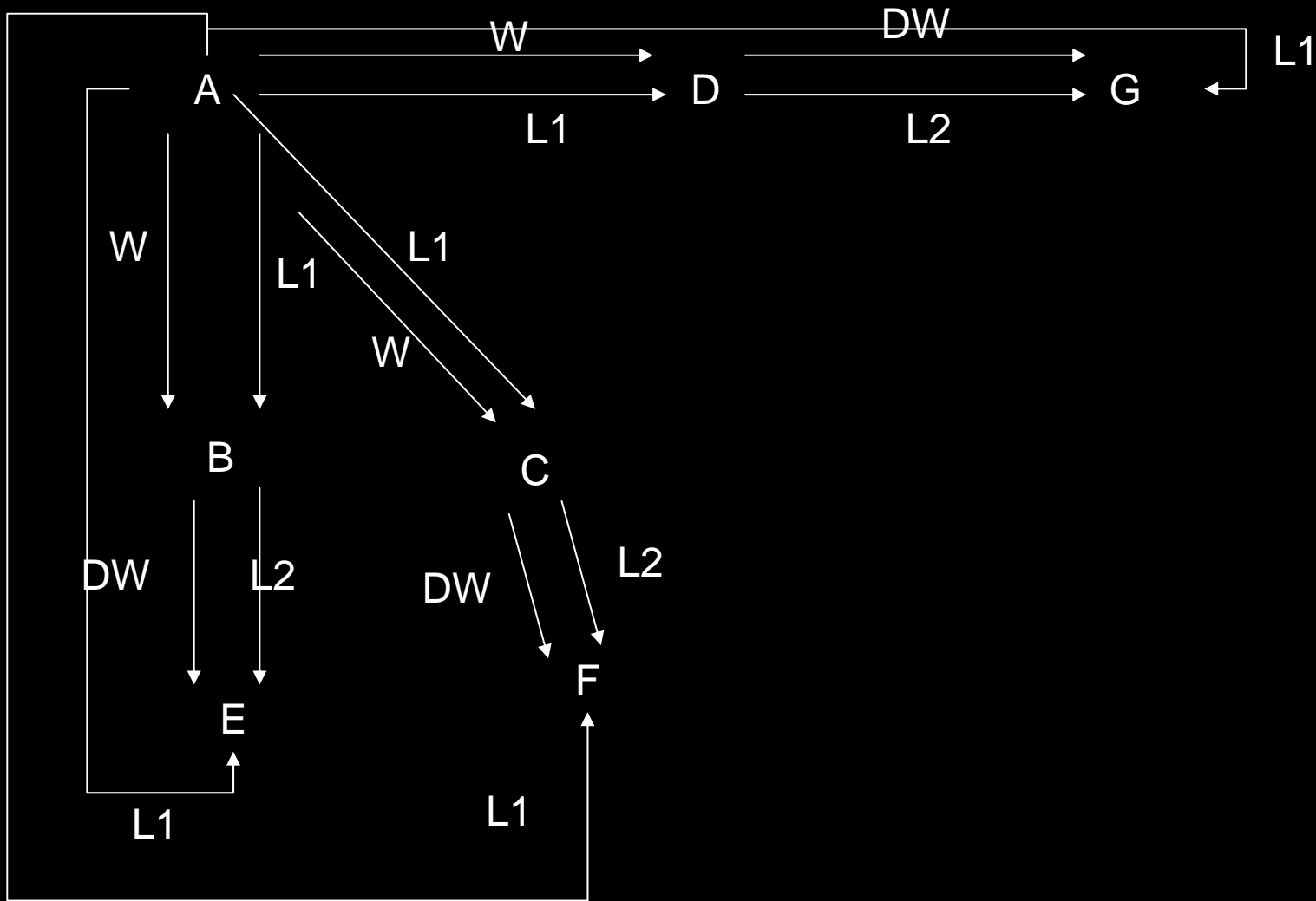
Check out our freesound support, *new sample packs* and the *new samples browser* that makes it easy to find all the CC licensed samples by the Beastie Boys, Fort Minor, Chuck D., My Morning Jacket, Theivery Corp., DJ Dolores and Cibelle and hundreds more...

[All about samples at ccMixer...](#)

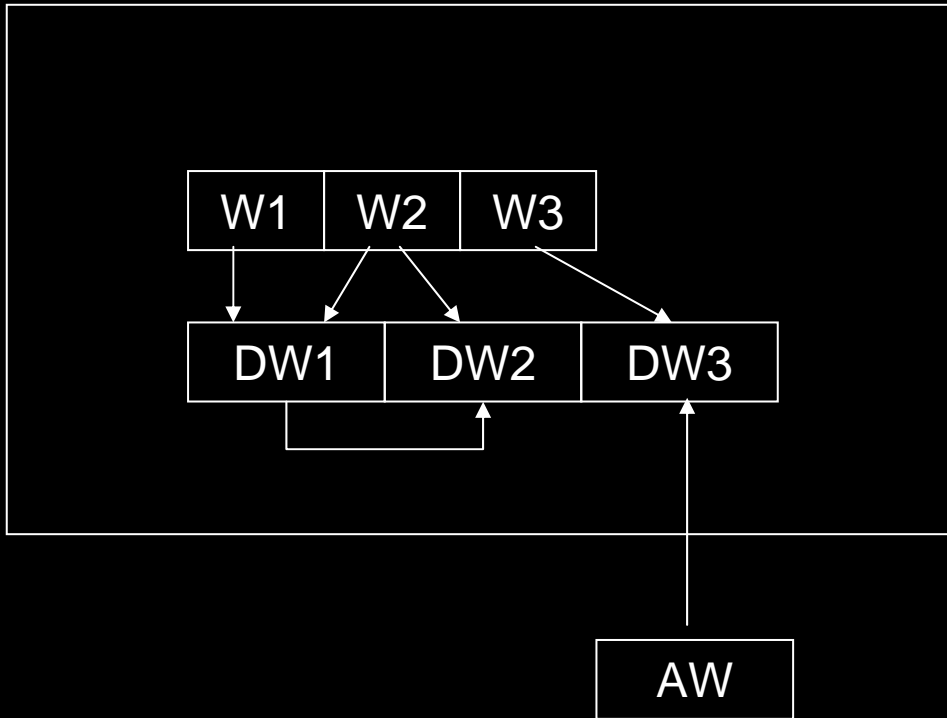
Case study abstraction

- Multiple creators contribute **distinct** works in a common repository
- The works are used to produce derivative works that are also contributed to the repository
- There are **few cycles** of derivative works (average: up to three cycles)
[shallow]
- The **same work** is being used by many authors to produce **multiple different** derivative works [wide]

A diagrammatic presentation of the Wide and Shallow DW model (creator focused)



A diagrammatic presentation of the Wide and Narrow DW model (work focused)



- W1, W2, W3: works included in the sampling site.
- DW1, DW2, DW3: derivative works
- AW: Alien Work, i.e. not included in the sampling site but used together with one of the works included in the site to produce a DW that will be included in the site

(b) Narrow and deep DW: Wiki sites.

WikiTravel

toolbox

- What links here
- Related changes
- Upload file
- Special pages
- Printable version
- Permanent link

in other languages

- de: Hauptseite
- eo: Ĉefpaĝo
- es: Portada
- fr: Accueil
- hu: Kezdőlap
- it: Pagina principale
- ja: ??????
- nl: Hoofdpagina
- pl: Strona główna
- pt: Página principal
- ro: Portal
- sv: Huvudsida

other sites

- World66
- Wikipedia
- Open Directory

Yogyakarta is a bustling town of some 500,000 people and the most popular tourist destination on the island of Java, Indonesia. Not only is it close to the stunning temples of Borobudur and Prambanan, but the town is a center of art and education, offers some good shopping and has a wide range of tourist facilities. [\(more...\)](#)



Hinchinbrook Island, approximately 150 km south of Cairns in Queensland, Australia is a National Park worth visiting for its lovely beaches. Access to the park is strictly limited and this has kept the island's natural beauty intact. The best time to visit is from May to October, the Australian winter. [\(more...\)](#)



Discover

- Since Congress never set a date for **Ohio's** admission into the Union, in **1953** it took the step of retroactively declaring that Ohio had **officially become a state on March 03, 1803**.
- If you get hungry on your trip to **Montreal**, drop by the **Montreal Insectarium**; they might offer you a chance to sample **insect-based dishes from around the world**.
- San Jose (California)** hosts an annual convention dedicated to "filking" -- **folk singing with a science-fiction theme**.

Travel news

Earthquakes in Hawaii
15 October 2006
 A strong earthquake measuring 6.6 shook Hawaii at 18:07 (UTC). Honolulu International Airport has canceled departing flights, however, was still accepting incoming flights. A tsunami is not expected to follow. [\(more...\)](#)

Haze in Malaysia, Indonesia, Singapore
7 October 2006
 Severe haze is affecting parts of [Indonesia](#) (Sumatra and Borneo), [Malaysia](#), [Singapore](#) and even southern [Thailand](#). People with respiratory ailments are advised to stay indoors and avoid vigorous activity. [\(more...\)](#)

All flights to new Bangkok airport
28 September 2006
 Starting today, *all flights* to and from the [Thai](#) capital [Bangkok](#) move to the new Suvarnabhumi Airport. The first day was relatively smooth, but allow extra time and avoid check-in baggage if possible. [\(more...\)](#)

Featured Articles

- Collaboration of the Week**
- Newcastle (New South Wales)
- Newest "Star" Articles**
- Singapore
 - Lausanne
 - Isle Royale National Park
 - Penticton
 - Paris/1st arrondissement
 - Paris/4th arrondissement

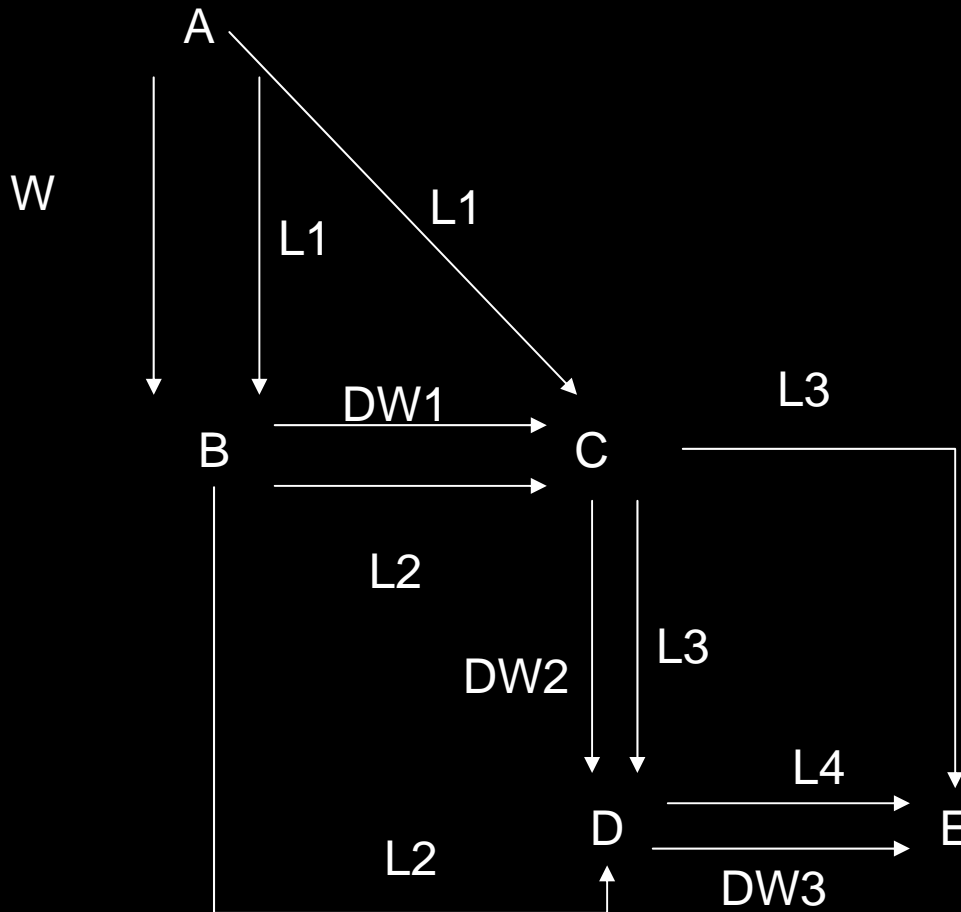
Other languages

More than 1000 articles [Deutsch](#) (German), [Italiano](#) (Italian), [Français](#) (French), [??? \(Japanese\)](#)
 Bubbling under [Esperanto](#), [Español](#) (Spanish), [Magyar](#) (Hungarian), [Nederlands](#) (Dutch), [Polski](#) (Polish), [Português](#) (Portuguese), [Română](#) (Romanian), [Svenska](#) (Swedish)

Case study abstraction

- Multiple creators offer multiple **contribution** that often cannot be identified as a distinct works towards the completion of a single work The works are used to produce derivative works that are also contributed to the repository
- There are **many cycles** of change that lead to a single work; the work is produced through multiple successive contributions to a single item [deep]
- Variations (derivative works) of the **single** initial work are constantly updated to produce the end result [narrow]

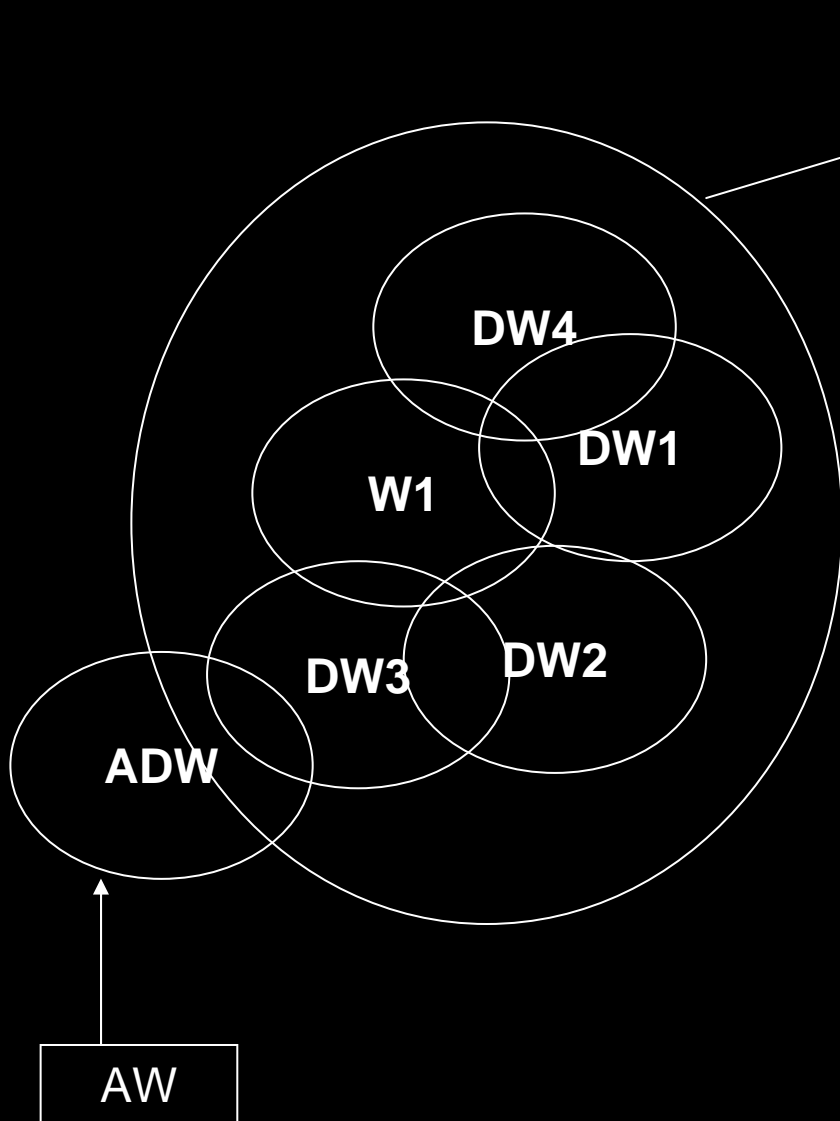
A diagrammatic presentation of the Deep and Narrow DW model (creator focused)



- A: licensor for original work
- B,C: licensees for original work
- C (L1/L2), D (L2/L3), E (L3/L4): licensees for the Derivative works (different licences)
- W: Work
- DW1, DW2, DW3: Derivative Works
- L1, L2, L3, L4: CC_SA licences with the same licence elements

The creator of the derivative work (DW) becomes a licensor with respect to the DW and the same licensing structure as the one described in the basic template applies. The original work is always licensed with the DW and still links with the original author. As we move down the chain of derivative works the mechanism is replicated.

A diagrammatic presentation of the Deep and Narrow DW model (work focused)



The constantly expanding derivative work

- W: the original work
- DW1, DW2, DW3, DW4: derivative works based on the original work and each other
- AW: Alien work, outside the boundaries of the wiki
- ADW: Alien Derivative work deriving from the DW of the wiki and the AW taken outside the boundaries of the wiki

[closing remarks]

The Open Knowledge definition I (definition)

The term knowledge is taken to include:

- 1. Content such as music, films, books**
- 2. Data be it scientific, historical, geographic or otherwise**
- 3. Government and other administrative information**

<http://opendefinition.org/1.0/>

The Open Knowledge definition II (conditions)

- 1. Access**
- 2. Redistribution**
- 3. Reuse**
- 4. Absence of Technological Restrictions**
- 5. Attribution**
- 6. Integrity**
- 7. No discrimination against persons or groups**
- 8. Distribution of licence**
- 9. Package specific licence**
- 10. Licence must not restrict the distribution of other works**

<http://opendefinition.org/1.0/>

The Open Service definition I (definition)

The Open Service Definition provides a definition of 'open' applicable to Software as a Service (SaaS):

"a software application delivery model where a software vendor develops a web-native software application and hosts and operates (either independently or through a third-party) the application for use by its customers over the Internet. Customers do not pay for owning the software itself but rather for using it. They use it through an API accessible over the Web and often written using Web Services or REST."

<http://opendefinition.org/osd>

The Open Service definition II (conditions)

An open service is one:

1. **Whose data is open as defined by the open knowledge definition (<http://opendefinition.org/1.0/>) with the exception that where the data is personal in nature the data need only be made available to the user (i.e. the owner of that account).**

2. **Whose source code is:**
 - **Free/Open Source Software (that is available under a license in the OSI or FSF approved list -- see note 3).**
 - **Made publicly available.**

<http://opendefinition.org/osd>

</start>

[contact me!]

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