CREATIVE COMMONS & JURISDICTION TEAMS

This document provides an overview of Creative Commons, the porting process and the Jurisdiction Teams that handle this process. The purpose of the document is to provide information for those are interested in learning more about Creative Commons' international work but who are not interested in serving on a CC Jurisdiction Team. There is a separate document that includes a self assessment tool for those who are interested in potentially serving on a CC Jurisdiction Team.

CREATIVE COMMONS

Creative Commons (CC) is a nonprofit corporation that provides free licenses and other legal tools to mark creative work with the freedom the creator wants it to carry. This makes it easier for people to share and build upon the work of others, consistent with the rules of copyright. There are five different CC licenses, based on four core elements. These elements are attribution (author requires credit), share alike (author allows sharing as long as derivative works carry the same license), noncommercial (author does not allow commercial works) and no derivative works (author only allows reuse in original form).

attribution   share alike   noncommercial   no derivative works

CC licenses are applicable to anything to which copyright applies and are used by a variety of entities around the world, including Al Jazeera, Google, Nine Inch Nails, OER Africa, and the White House. While CC's headquarters is based in the United States, the organization is international. The licenses are 'ported' or adapted to match the local copyright legislation of a country. Currently, there are over 50 ported jurisdictions, with several more in process. The jurisdictional porting processes are headed by local CC Jurisdiction Teams.

CC JURISDICTION TEAMS

The goal of CC Jurisdiction Teams is three-fold: to adapt the CC licenses to local copyright laws; to bring together people who want to share their works into a community and to help this community use the licenses; and to generally promote legal sharing. The team does this in partnership with one or more local Affiliate Institutions.

CC Jurisdiction Teams have a wide range of responsibilities, including building community, adapting the CC licenses, translating materials, and maintaining resources for CC users. There are five standard pieces to a successful Jurisdiction Team. These pieces are explained below in terms of individuals who each encompass exactly one piece. This does not need to be the case for any particular team. Teams can have single members who do many jobs or have several members who cover one job. Teams can also have affiliation with more than one institution.

COMMUNITY

Community building is coordinated by the Public Lead. Public Leads are the face of the project, and in charge of organizing the official launch of the licenses and any other events the team does as part of the

project. They work with the entire team to build a CC community. The process for this is different in every country. CC HQ and the other CC jurisdictions are here for support and ideas if desired.

Community building team members should have experience with the following: organizing, networking and fundraising. The Public Lead must have experience with all three and be fluent in English. Community building is one of the most important jobs the team has, because the licenses do not have value if there is no community to use them.

LEGAL

Legal team members work under the Legal Lead to adapt the CC license suite to local copyright law. Because of its legal nature, the porting process has a strict outline and procedure, which the legal team members must follow. Members prepare a first draft of one of the licenses and submit it to CC HQ for review. (There is a helpful procedural guide for this step.) After CC's approval, the draft is submitted to the local community for public review. The legal lead considers the input from the community and develops a second draft. The second draft is submitted to CC HQ for approval. This process should take about 7 -8 months.

All legal team members much have legal training and knowledge of copyright law. It is ok to have more than one person with legal training and for the Legal Lead to have assistance in porting the licenses. It is important for the country's licenses to be properly ported so that they are legitimate and valid for use.

TECH

Tech team members' duties depend on the level of skill of the members. The tech members are responsible for maintaining a webpage for the jurisdiction. Based on the team's tech experience, the team can use this space for blogging about CC events or can adapt it in other ways to best match the desires of the Jurisdiction Team at large. The site will be used throughout the project for promoting CC and the team's events and should have a well maintained Frequently Asked Questions section. Throughout the project, the tech members will also work closely with the language members, adding translations to the various CC materials. Once the legal part of the team completes the licenses and CC HQ approves them, the tech part of the team will be in charge of preparing the new ported licenses for CC HQ to post on the CC site.

Tech team members should have general computer tech skills and must be able to do basic work with HTML.

LANGUAGE

Language team members are responsible for translating the ported CC licenses and the library of CC resources. The Jurisdiction Team as a whole should decide how many and in which languages the licenses and resources should be available. The licenses and the FAQ must be translated before the licenses can officially launch.

Language team members must be fluent in English and at least one of the languages desired by the Jurisdiction Team. It is sometimes a good idea to have more than one team member familiar with each language in order to discuss difficult translation points. Having the licenses and resources available in

common local languages is important because it gives the general public access to the CC community and a sense of ownership.

AFFILIATE INSTITUTION

Affiliate Institutions provide the local infrastructure for the Jurisdiction Team and serve as the official house of the CC project in the jurisdiction. Jurisdiction Teams partner with an institution, for a number of reasons. One of the main reasons is credibility. Because the Jurisdiction Teams are part of the international CC group, they cannot incorporate locally as a separate non-profit. With an institution supporting them, Jurisdiction Teams are viewed as legitimate and do not need to deal with the suspicion. Affiliate Institutions give the Jurisdiction Team a path through which funding can travel if the team seeks grants, as well as providing a location and partner for various programs and workshops the Jurisdiction Team might wish to conduct.

Affiliate Institutions have a short-term and a long-term role. The short-term role is to provide support during the porting process, offering legal expertise from within the institution to assist the legal lead in adapting the licenses and providing feedback on the drafts of the ported licenses. This can include providing feedback to CC headquarters about suggestions for changes to consider for the next version of the licenses, as well as assistance with translating the licenses into the languages considered appropriate by the Jurisdiction Team.

The long-term role is to serve as legal affiliate for the Jurisdiction Team. The institution works with the team to advance public education, access to knowledge and the use and reuse of culture by maintaining the Creative Commons licenses, and by explaining the licenses, tools and Creative Commons mission. This includes updating the Frequently Asked Questions page of the country's webpage and maintaining the country's CC email discussion list. The institution also keeps track of who is serving on the Jurisdiction Team and informs CC headquarters of any changes to the team, as well as communicating with headquarters about legal issues and developments that arise in-country.

As part of the Affiliate Institution, an individual's role is whatever he or she makes it. If he wants to oversee the institutions involvement, he could do that. If he did not have the time for that type of involvement, he could suggest someone else who might be perfect for that type of work. Often times, Affiliate Institutions use students (with proper oversight) to help with the work.

As ideal Affiliate Institution is locally run, owned and managed. It has prestige and a professional network that includes copyright and internet law expertise. The institution must also have a willingness to collaborate and the capacity to house the CC project. The institution should be available for support and whatever the team needs throughout the project. The most successful Affiliate Institutions are usually local universities with a strong law department.

OTHER CONSIDERATIONS

Working with Creative Commons and CC Jurisdiction Teams is entirely voluntary, and volunteers do what they are able. However, it is important that the Jurisdiction Team and CC headquarters know what each volunteer is willing to do in order to make sure the Jurisdiction Team is a complete and active team. A successful team is comprised of dedicated people with a desire to see CC grow in their country. All team members, including the Affiliate Institutions are part of the international CC network.

MEMORANDUMS OF UNDERSTANDING AND AFFILIATE AGREEMENTS

The relationship between CC and its affiliates is described in the Memorandum of Understanding (MOU) and Affiliate Agreements. The MOU is signed when the Affiliate Institution agrees to become part of the project. At the conclusion of the porting process, CC asks the Affiliate Institution to consider whether it wishes to continue with the project and, if so, to then sign an Affiliate Agreement for longer-term work on behalf of CC. More often than not, the institution who has signed the MOU will decide to continue with the project after porting is complete. In either case, the institution must make an affirmative choice about its relationship with CC.

Examples of the documents can be found on our website at:

http://wiki.creativecommons.org/images/9/9f/CCMOU.pdf.
http://wiki.creativecommons.org/images/c/cb/Legal_Affiliate.pdf
http://wiki.creativecommons.org/images/1/1d/Public_Affiliate_Agreement.pdf

MORE INFORMATION

If you would like more information about the porting process or building a Jurisdiction Team, please visit: http://wiki.creativecommons.org/Worldwide_Overview.

If you would like more information about Creative Commons in general, please visit: http://creativecommons.org.