

# OER, the 5Rs, and Creative Commons

The Shortest Possible Introduction

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# Overview

- Open Educational Resources are materials that are either (1) in the public domain or (2) licensed in a manner that provides everyone with free and perpetual permission to engage in the 5R activities.
- The 5R activities are retain, revise, remix, reuse, and redistribute.
- Creative Commons licenses help copyright holders grant others free and perpetual permission to engage in the 5R activities with their work, under certain conditions.

# Open Educational Resources

Open Educational Resources (OER) are teaching, learning, and research materials that are either (1) in the public domain or (2) licensed in a manner that provides everyone with free and perpetual permission to engage in the 5R activities.

# What Are The 5R Activities?

The 5Rs are shorthand way of remembering the activities a license must permit you to engage in with regard to an educational resource for that resource to be properly considered an Open Educational Resource (OER).

# The 5R Activities

<b>Retain</b>	make, own, and control a copy of the resource (e.g., download and keep your own copy)
<b>Revise</b>	edit, adapt, and modify your copy of the resource (e.g., translate into another language)
<b>Remix</b>	combine your original or revised copy of the resource with other existing material to create something new (e.g., make a mashup)
<b>Reuse</b>	use your original, revised, or remixed copy of the resource publicly (e.g., on a website, in a presentation, in a class)
<b>Redistribute</b>	share copies of your original, revised, or remixed copy of the resource with others (e.g., post a copy online or give one to a friend)

# Creative Commons

CC is the author and steward of a family of copyright licenses that provide a free and easy mechanism for a copyright holder to:

- (1) provide everyone in the world with permission to engage in a specific set of activities (like the 5Rs),
- (2) given that they abide by specific conditions.

# Creative Commons

Creative Commons licenses are the global standard for openly sharing creative works.

As of 2017, 1.4 billion works had been licensed with one of the Creative Commons licenses.


# CC Licenses - Families of Conditions

- (1) All licenses require the user to provide attribution
- (2) The licenses provide three options around the creation and distribution of derivative works
- (3) The licenses provide two options around commercial use



# CC License Conditions - Attribution

When exercising any of the rights granted you under a CC license, you are required to provide attribution to anyone designated by the licensor (could be one or more creators, organizations, etc.)

This condition, represented by the  icon and shortened to “BY”, is present in all six Creative Commons licenses

# CC License Conditions - Derivative Works



A derivative work is a new work based on an existing, copyrighted work that is sufficiently creative to deserve its own copyright

Clear examples: Making a book into a movie, translating an essay into another language

Clear non-examples: Correcting punctuation or spelling, converting an essay from PDF to HTML

# CC License Conditions - Derivative Works

The 3 options

1. No mention / no icon - derivative works can be created and shared
2. ShareAlike  (SA) - if derivatives are shared, they must be shared under the same license as the original work
3. NoDerivatives  (ND) - derivatives can be created but not shared (changes that don't result in derivatives can be shared)

# CC License Conditions - Commercial Use

Commercial use is defined as “primarily intended for or directed towards commercial advantage or monetary compensation”

This definition is written in an intentionally vague manner in order to encourage over-compliance

Commercial use is always defined in terms of how the resource is used and never defined in terms of who the user is (e.g., a for-profit or non-profit)







# CC License Conditions - Commercial Use

The 2 options

No mention / no icon - commercial use is allowed







Noncommercial  (NC) - commercial use is not allowed

# The Six Creative Commons Licenses

	<u>Derivatives</u> Can Be Shared	<u>Derivatives</u> Can Be Shared ONLY IF You Share Alike	<u>Derivatives</u> CANNOT Be Shared
<u>Commercial Use</u> Allowed	 CC BY	 CC BY SA	 CC BY ND
<u>Commercial Use</u> NOT Allowed	 CC BY NC	 CC BY NC SA	 CC BY NC ND

All Licenses Require Attribution







# The CC Licenses & The 5R Activities

						
<b>Retain</b>	✓	✓	✓	✓	✓	✓
<b>Revise</b>	✓	✓	✓	✓	✗	✗
<b>Remix</b>	✓	✓	✓	✓	✗	✗
<b>Reuse</b>	✓	✓	??	??	✓	??
<b>Redistribute</b>	✓	✓	??	??	✓	??

✓ Definitely Allowed

✗ Definitely Not Allowed

?? Possibly Allowed

	Is this OER?	Is it safe to use in my OER work?
	Yes	Yes
	Yes	Yes
	Yes*	<p><b>Maybe.</b> What are the odds that the licensor will interpret your use as commercial? Are you willing to take that risk?</p>
	Yes*	<p><b>Maybe.</b> What are the odds that the licensor will interpret your use as commercial? Are you willing to take that risk?</p>
	No	No
	No	No



# CC Legal Tools - CC Zero

You use CC0 to dedicate a work to the public domain by waiving all of your copyright (and neighboring rights, if any) in a work, to the fullest extent permitted by law.

If the waiver isn't effective for any reason, then CC0 acts as a license from the affirmer granting the public an unconditional, irrevocable, non exclusive, royalty free license to use the work for any purpose.



# CC Legal Tools - Public Domain Mark

Using the Public Domain Mark, you can mark a work that is free of known copyright restrictions and clearly convey that status. When applied properly, the PDM allows the work to be easily discovered, and provides valuable information about the work.

