



***COPYRIGHT LICENSING FOR
LEARNING OBJECTS***



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Information wants to be free. Information also wants to be expensive. Information wants to be free because it has become so cheap to distribute, copy, and recombine - too cheap to meter. It wants to be expensive because it can be immeasurably valuable to the recipient. That tension will not go away.

- Stewart Brand, "In The Media Lab: Inventing the Future at MIT" (Viking Penguin: 1987) at 202.



**Adelphi Charter
on creativity,
innovation and
intellectual property**

adelphicharter.org

The Adelphi Charter on Creativity, Innovation and Intellectual Property responds to one of the most profound challenges of the 21st century:

How to ensure that everyone has access to ideas and knowledge, and that intellectual property laws do not become too restrictive?

The Charter has been written by an international group of artists, scientists, lawyers, politicians, economists, academics and business experts.

Humanity's capacity to generate new ideas and knowledge is its greatest asset. It is the source of art, science, innovation and economic development. Without it, individuals and societies stagnate.

This creative imagination requires access to the ideas, learning and culture of others, past and present.

Creativity builds on the past.

Play movie

Learning object: Any entity, digital or non-digital, that can be used, re-used or referenced during technology-supported learning.

A learning object can be a single lesson, a module of lessons or a course. Learning objects are capable of re-use by being combined together with other objects for different learning purposes.

Are learning objects covered by
copyright law?

Yes. While names, facts, and short combinations of words are not covered under copyright, learning objects - when taken as a whole - are largely protect under copyright law. However, ideas can NOT be protected by copyright. It is only the expression of ideas that are protected by copyright law, provided the expression is fixed (in time and space) and sufficiently original.

Copyright Licensing for Learning Objects

Copyright licences set out the terms and conditions for different types of use while guaranteeing certain property rights.

Copyright is automatic

The default setting for the Canadian copyright regime is: **all rights reserved**. That is, copyright is automatic upon creation of an original fixed work – the creator is vested with the sole right to copy, distribute, display, or perform the work – whether or not the work is marked with the universal copyright symbol ©. In other words, no one can **use, copy or distribute** the work unless they have a legal right to do so or have obtained express permission from the creator.

Obstacles

This can be problematic for two reasons: (1) both creators and users often do not possess a working understanding of copyright law; (2) the copyright paradigm is shifting, particularly in the online environment, to a gift-culture where creators openly share their work, eg. in the hope of accruing future value. More and more creators working with electronic media have embraced an open approach by **choosing to contribute their works to the commons.**

Obstacles

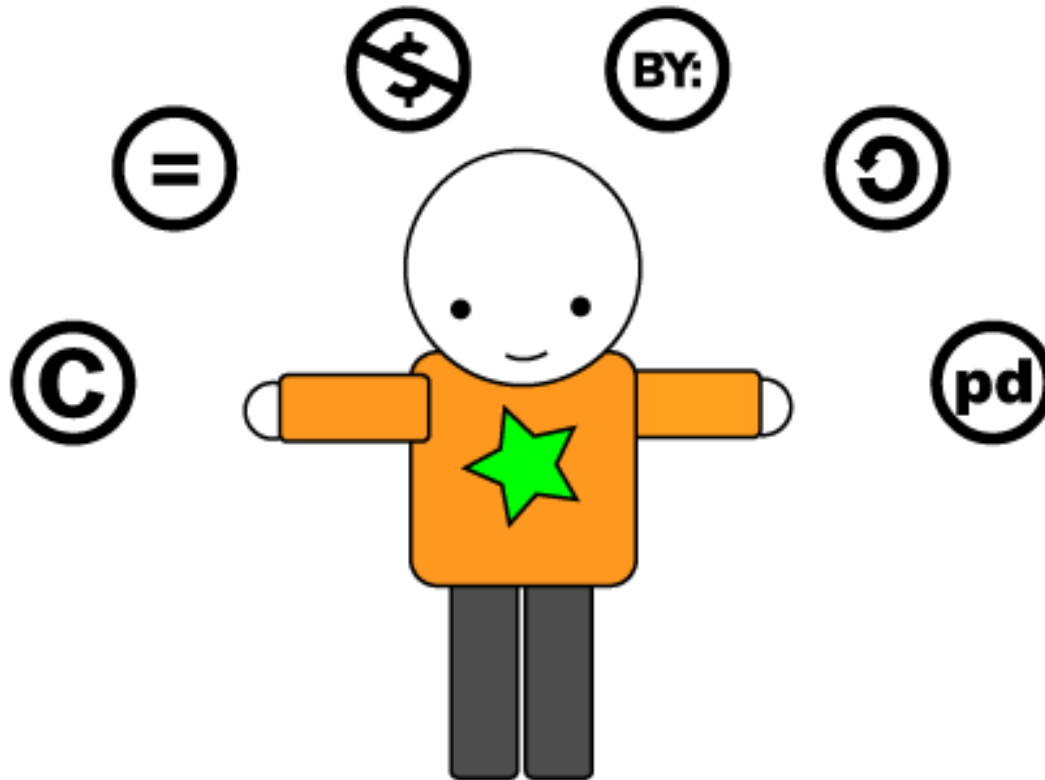
However, artists and authors wishing to make their works more freely available may lack the time and expertise to handle the legal details of drafting an appropriate copyright licence and can seldom access or afford professional legal advice. As a result, many creative works are left with a restrictive default copyright in place: all rights reserved. **Creativity is restricted.**

Solutions

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Example: Cynthia, in Halifax, has just assembled a lesson plan for an undergraduate course in botany. She publishes her course with an Attribution license, because she wants the world to use her lessons provided that they give her credit. Bob, in Vancouver, finds her course materials online and wants to use them for a graduate seminar. Bob uses the materials, and clearly indicates Cynthia's authorship on the lesson outline.

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Example: Gus publishes original artwork on his website with a Noncommercial licence. Camille prints Gus' drawings to use in her history class. Camille is not allowed to sell the prints without Gus's permission or use them for any business application.

No Derivatives

You let others copy, distribute, display, and perform only verbatim copies of your work, not derivative works based upon it.

Example: Sara licenses her innovative first aid course under a No Derivative Works licence. He would like to cut-out Sara's images and create a pocket-size version of the course. He cannot do this without Sara's permission.


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Which CC licence would be best for learning objects?


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