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Making Copy Right for All



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By [Kendra Mayfield](#) | [Also](#) by this reporter

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Less than five years ago, Disney's copyright on Mickey Mouse was set to expire.



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But rather than let Mickey go free and enter the public domain, Disney campaigned with other Hollywood studios and major record labels to press Congress to pass the 1998 Sonny Bono Copyright Term Extension Act (CTEA), a law that extended copyright protection for another 20 years.

But recent copyright extension laws such as the [CTEA](#) are too restrictive, leaving fewer creative works

in the public domain, critics say.

That's why a group of legal scholars and Web publishers are launching a nonprofit intellectual property conservancy to help artists, writers, musicians and scientists share their intellectual works with the public on generous terms.

The details for the [Creative Commons](#) were unveiled at the [O'Reilly Emerging Technology Conference](#) in Santa Clara, California, on Thursday.

"Our tools will make it easier for artists and authors to make some or all of their rights available to the public for free," Stanford law professor and Creative Commons chairman Lawrence Lessig said in a statement.

In addition to Lessig, the roster of luminaries directing the effort includes MIT computer science professor Hal Abelson; Duke Law School intellectual property professor James Boyle; Villanova Law School assistant professor Michael Carroll; Web publisher Eric Eldred; and Eric Saltzman, executive director of the Berkman Center for Internet and Society at Harvard Law School.

Inspired in part by the [Free Software Foundation](#)'s General Public License (GPL), Creative Commons is developing a Web application that will be launched this fall to help reduce legal barriers to creativity.

Under current copyright law, creative works are automatically copyrighted, with no notice or registration required.

"(In traditional licensing) there isn't a culture for allowing limited copying in a more relaxed way," Saltzman said. "But there are lots of creators who would like to see their work used in an open and generous way."

"Copyright is about balance," said Glenn Brown, assistant director of Creative Commons. "The Constitution guarantees that balance, but too often public debate and public policy give it short shrift. We hope Creative Commons, among other efforts out there, helps put copyright balance back in vogue."

With the Creative Commons, creators will have alternatives to this "copyright by default."

This alternative may benefit upstart bands, political activists or lesser-known artists who might want to reach the widest possible audience through unlimited copying.

Creators will be able to go to the Creative Commons website to choose from a set of custom licenses that will allow them to indicate, in a machine-readable format, how others may use their intellectual works.

They can use these licenses to set up copying and distribution terms on everything from personal websites to music, film, literature and photography. So an artist can indicate whether their work may be used for commercial or non-commercial purposes or with just attribution, for example.

"This enables huge flexibility for people with creative works," Saltzman said.

The licenses will have machine-readable tags, or [metadata](#), so search engines, file-sharing applications, digital rights management tools and other emerging technologies will easily recognize creators' licensing terms.

Directors hope that the project will also empower end-users of creative works.

"Right now it's almost impossible to know what out there is free to use and what's not," Brown said. "Even if there's no copyright notice on a work, chances are it's copyrighted."

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