



Frequently Asked Questions about Creative Commons licences

For definitions of terms used here please see the *OER IPR Support Creative Commons Terminology Guide*

Which is the best Creative Commons licence?

The best licence is the one that is most appropriate for your intended use. The licence is a set of permissions you provide to the licensee, and you have to decide which permissions are best suited to your situation. At the same time you also have to ensure that the CC Licence you select is consistent with JISC's Terms and Conditions of funding which require that all OER are reusable and repurposable. This means that if you select any CC Licence with a "NC" or "ND" restriction, you should talk to your Strand Manager.

You can find [an overview of the Creative Commons licenses here](#) as well a link to the chart developed by the OER IPR Support Project which can help you select the most suitable licence.

Does "NonCommercial" mean that the work cannot be used commercially?

The Non-commercial Licence Element means that the licensee cannot use the work commercially unless she receives an additional permission from the licensor. However, because CC Licences are non-exclusive, the Non Commercial Licence Element would allow the Licensor to themselves commercially exploit the work, and grant licences to others to be able to use the work for commercial purposes.

What does the Creative Commons "Some Rights Reserved" button mean?

The key concept of the Creative Commons licences is that they allow the user to perform a set of acts that would otherwise not be permitted. For instance, all Creative Commons licences allow the end user to create unaltered copies of the work. At the same time, all licences oblige the licensee to attribute the original author and contain non-endorsement provisions. In other words, contrary to the normal copyright notices, where all rights are reserved by the rights owner, in the case of the Creative Commons licences, only *some* rights are reserved. The Some Rights Reserved button and related icons are expressions of the kinds of rights that are reserved with each CC licence.

A comprehensive list and explanation of the CC licences can be found at <http://creativecommons.org/licenses/>

Do Creative Commons licences require Copyright registration?

No. Creative Commons licences may be applied without any copyright registration. The only thing you need is to use the Creative Commons Select A Licence tool (<http://creativecommons.org/choose>) in order to place a "Some Rights Reserved" (or "No Rights Reserved" in the case of works dedicated to or certified to be in the public domain with one of our [public domain tools](#)) notice and to attach to your work the most appropriate licence.

Creative Commons does not keep track of or a register of which creative works have been licensed under a Creative Commons licence. There are however third party registration services such as <http://www.safecreative.org/> or <http://www.registeredcommons.org/>



Are Creative Commons licences enforceable in a court of law?

Yes. The Creative Commons Legal Code has been drafted so that CC licences are enforceable in a court of law. There is case law in Spain, the Netherlands, Belgium, Israel, the US and Germany that indicates that CC licences are enforceable. The CC licences contain "severability" clauses, meaning that, if a certain provision is found to be unenforceable in a particular country, that provision and only that provision drops out of the licence, leaving the rest of the agreement intact.

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