Data and Society

Lecture 8: Digital Rights

3/24/17
Announcements 3/24

• Class on March 29. Starts at 8 a.m.

• Paper draft back today at end of class.

• **Pecha Kucha March 31. PechaKucha speakers:**
  Please send TK your presentations by midnight, Wednesday March 29.

• No class April 5 and April 7.

• Don’t need April 26 Wednesday class as everyone should have their 2 presentations by then.
<table>
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<tr>
<th>Wednesday Section</th>
<th>Friday lecture</th>
<th>First Half of Class</th>
<th>Second Half of Class</th>
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<td>January 25: NO class</td>
<td>January 27</td>
<td>L2: Big data applications / Data and the election; Data and Target; Discussion</td>
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<td>February 1: 6 presentations</td>
<td>February 3</td>
<td>L3: Data and Health / PDB, Precision Medicine; Discussion</td>
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<td>L4: Data and Science / Earthquakes, LHC; Paper Instructions</td>
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<td>L5: Data Cyberinfrastructure; Discussion</td>
<td>4 Presentations / Op-Ed Draft Back</td>
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<td>February 22: 6 presentations</td>
<td>February 24</td>
<td>L6: Data Stewardship and Data Preservation; Discussion</td>
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<td>March 8: 6 presentations</td>
<td>March 10</td>
<td>L7: Data Futures – Internet of Things; Discussion</td>
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<td>March 15: Spring Break</td>
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<td>L8: Data rights and policy / U.S. and EU</td>
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<td>March 29: 6 presentations</td>
<td>March 31</td>
<td>Op-Ed Pecha-Kucha</td>
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<td>April 28</td>
<td>Paper Pecha-Kucha</td>
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Today (4/14/17)

• Lecture 9: Digital Rights
  – Data Rights in the U.S.
  – Data Rights in the EU
  – Copyright: DMCA and CC

• 4 Student Presentations
Lecture 9: Digital Rights
Data and the Law

- **Wikipedia:** “Law is a system of rules that are enforced through social institutions to govern behavior. ... The law shapes politics, economics, history and society in various ways and serves as a mediator of relations between people.”

- In a digital society, laws around ownership, rights and the use of data are critical to help society create a framework for digitally-enabled efforts.

- **The ubiquity and replicability of digital content makes the development of this framework extremely complex**
  - Many players involved
  - Great potential for distinct interpretations, conflict between distinct laws, unintended consequences
  - Benefits, value, usefulness relative to various stakeholders
Digital Rights in the U.S.

Image by Addicted04 - Own work with Natural Earth Data. This vector image was created with Inkscape., CC BY-SA 3.0, https://commons.wikimedia.org/w/index.php?curid=16937043
U.S. Laws and Personal Data

- No single, comprehensive federal U.S. law regulating the collection and use of personal data.

- **US has a patchwork system of federal and state laws**, and regulations that can sometimes overlap, dovetail and contradict one another. Also government agency guidelines that are considered “best practices”.

- The combination of an increase in interstate and cross-border data flow, together with the increased enactment of data protection-related statutes **heightens the risk of privacy violations and creates a significant challenge for a data controller** to negotiate the onerous and often inconsistent requirements for each state, when operating at a national level.
U.S. Data Privacy Laws -- Timeline

The following are some of the laws, regulations and directives related to the protection of information systems and private information in the U.S. up to 2002:

- 1970 U.S. Fair Credit Reporting Act
- 1970 U.S. Racketeer Influenced and Corrupt Organization (RICO) Act
- 1974 U.S. Privacy Act
- 1974 Family Educational Rights and Privacy Act (FERPA)
- 1980 Organization for Economic Cooperation and Development (OECD) Guidelines
- 1984 U.S. Medical Computer Crime Act
- 1986 U.S. Electronic Communications Privacy Act (ECPA)
- 1988 U.S. Video Privacy Protection Act
- 1990 United Kingdom Computer Misuse Act
- 1992 OECD Guidelines to Serve as a Total Security Framework
- 1994 Communications Assistance for Law Enforcement Act
- 1996 U.S. Economic and Protection of Proprietary Information Act
- 1996 Health Insurance Portability and Accountability Act (HIPAA) (requirement added in December 2000)
- 1998 U.S. Digital Millennium Copyright Act (DMCA)
- 1999 U.S. Uniform Computer Information Transactions Act (UCITA)
- 2000 U.S. Congress Electronic Signatures in Global National Commerce Act ("E-SIGN")
- 2001 U.S. Provide Appropriate Tools Required to Intercept and Obstruct Terrorism (PATRIOT) Act
- 2002 Homeland Security Act (HSA)
U.S. Data Privacy Laws -- HIPAA

Health Insurance Portability and Accountability Act (HIPAA) (42 U.S.C. §1301 et seq.) Regulates medical information. Can apply broadly to health care providers, data processors, pharmacies and other entities that come into contact with medical information.


• HIPAA enacted by Congress in 1996.

• Basic idea of HIPAA is that an individual who is a subject of individually identifiable health information should have:
  - Established procedures for the exercise of individual health information privacy rights.
  - The use and disclosure of individual health information should be authorized or required.

• Challenges:
  - Consent is problematic under HIPAA, because the medical providers simply make care contingent upon agreeing to the privacy standards in practice.
  - There must be a mechanism to authenticate the patient who demands access to his/her HIPAA data. As a result, medical facilities have begun to ask for Social Security Numbers from patients, thus arguably decreasing privacy by simplifying the act of correlating health records with other records.
Transparency in Government – the Digital Accountability and Transparency Act (DATA) of 2014

• DATA Act is a law that aims to make information on federal expenditures more easily accessible and more transparent.

• Law requires U.S. Department of Treasury to
  – establish common standards for financial data provided by all government agencies and
  – expand the amount of data that agencies must provide to the government website, USASpending.
Data Act Facts

https://www.usaspending.gov/Pages/Default.aspx

• Bill signed into law in May, 2014. 2 year pilot program to develop recommendations. In 2017, Treasury Secretary accountable for ensuring information is posted on-line.

• Provisions of the bill:
  – Expand the Federal Funding Accountability and Transparency Act of 2006 by disclosing federal agency expenditures and linking federal contract, loan, and grant spending to federal programs
  – Establish government-wide data standards for financial data and make it searchable on USASPending.gov
  – Simplify reporting for entities receiving federal funds
  – Improve the quality of data submitted to USASpending.gov by holding federal agencies accountable
  – Apply approaches developed by the Recovery Accountability and Transparency Board to spending across the federal government
Bill directs Treasury Secretary and OMB to establish government-wide financial standards for federal funds and entities receiving federal funds:

- Incorporate widely accepted common data elements in searchable, computer-readable format
- Include government-wide universal identifiers
- Be updatable
- Produce consistent and comparable data
- Establish standard methods of reporting

**Costs and Challenges:**

- Congressional Budget Office (CBO) estimates that implementing the bill would cost $300M over 2014-2018.
- Developing standards is hard ...
  - Need to find agreement on metadata, formats, etc.
  - To make agencies programs and expenditures comparable, need to harmonize different kinds of data with different kinds of purposes
- Need to develop privacy / openness guidelines
  - Ensuring security / integrity of data critical
- Need to develop useful discovery, access, visualization and other kinds of SW tools and systems to make the data most useful
State Privacy Laws

• There are many laws at state level that regulate the collection and use of personal data, and the number grows each year.
  – Some federal privacy laws pre-empt state privacy laws on the same topic. Companies may find themselves in the position of complying with both.

• Most states have enacted some form of privacy legislation, however California leads the way in the privacy arena, having enacted multiple privacy laws, some of which have far-reaching effects at a national level. Unlike many federal privacy laws in the US, California's privacy laws resemble the European approach to privacy protection.
  – California is one of only a handful of states to create an Office of Privacy Protection (www.privacy.ca.gov).
California Privacy Laws

• **Shine the Light law (Cal. Civil Code. §§1798.83-1798.84)** Requires companies to disclose details of the third parties with whom they have shared their personal information.

• **Data security law (Cal. Civil Code §1798.81.5)** Requires businesses to implement and maintain reasonable security procedures to protect personal information from unauthorized access, destruction, use, modification, or disclosure.

• **Security Breach Notification law (California Civil Code §1798.82)** Requires any person or business that owns or licenses computerized data that includes personal information to disclose any breach of the security of the system to all California residents whose unencrypted personal information was acquired by an unauthorized person.
  
  – California was also the first state to enact this
  
  – Most of the early state security breach notification laws mirrored California's law, and tended to be reactive, that is, they established requirements for responding to a security breach. More recently, a handful of state laws were enacted that are prescriptive and preventative, that is, these laws are more stringent and actually establish requirements to avoid a security breach.
  
  – The best example of a preventative-type of law is the Massachusetts Regulation (201 CMR 17.00), which prescribes in detail an extensive list of technical, physical and administrative security protocols aimed at protecting personal information that affected companies must implement into their security architecture, and describe in a comprehensive written information security program.
Digital Rights in Europe

Code of EU Online Rights

Consumers have rights when using online services, buying goods online, and in case of conflict with their providers. In December 2012, the Commission published the Code of EU Online Rights describing the basic consumers rights in EU legislation related to the digital environment.

Download the full code in your language: BG | CS | DA | DE | EL | EN | ES | ET | FI | FR | HU | IT | LT | LV | MT | NL | PL | PT | RO | SK | SL | SV

From 13th June 2014, there are new consumer rights also applicable online. You can find out more about these and other consumer rights in the EU.

See also your online rights in the EU.

Basic Summary of Your Rights

SECTION 1: Rights & Principles applicable when you access and use online services

Chapter 1: Access to electronic communications networks and services
European Union (EU) Digital Agenda

• Overall aim is to deliver sustainable economic and social benefits to Europeans from information and communication technologies.

  – Europe perceives itself as lagging behind in terms of use and deployment if IT

• EU launched Europe 2020 strategy in March 2010. Digital Agenda for Europe one of the 7 flagship initiatives of the Europe 2020 Strategy.
EU Data Challenges

• Fragmented digital markets
  – 27 countries in EU, much variation between content, services, and infrastructure across boarders; unification difficult

• Lack of interoperability
  – “weaknesses in standard setting”, difficulty in coordination

• Rising cybercrime and low risk of trust in networks

• Lack of investment in networks

• Insufficient research and innovation efforts

• Lack of digital literacy and skills

• Missed opportunities in addressing societal challenges
EU Digital Agenda Action Areas 1

• Single digital market
  – Want to unify telecom, services, rules, and content
  – Rights and protection for consumers and businesses when doing business on-line

• Interoperability and Standards

• Trust and security
  – “Europeans will not embrace technology they do not trust – the digital age is neither ‘big brother’ nor ‘cyber wild west’.” (Digital Agenda for Europe, COM(2010) 245, 19.05.2010)
EU Digital Agenda Action Areas 2

• Fast and ultra fast internet access
  – Universal broadband coverage, open and neutral internet

• Research and Innovation
  – Leverage private investment and accelerate innovation
  – Increase digital literacy, skills and services

• ICT-enabled benefits for EU society
  – ICT-enabled energy, environment, health care, independent living, cultural diversity / arts, e-government, transportation.
Code of EU on-line rights

• Rights and Principles applicable when you access and use online services
  – “Universal” access to electronic communication networks and services
  – Access to services and applications of your choice
  – Non-discrimination when accessing services provided online
  – Privacy, protection of personal data and security

• Rights and Principles applicable when you buy goods or services online
  – Information prior to the conclusion of a contract
  – Timely, clear and complete contractual information
  – Fair contract terms & conditions
  – Protection against unfair practices
  – Delivery of goods and services without defects and in good time
  – Withdrawal from a contract

• Rights and Principles protecting you in case of conflict
  – Access to justice and dispute resolution
Individual EU rights

• “The right to data protection and the right to privacy are two distinct human rights recognized in the Charter of Fundamental Rights of the European Union, the Treaty on the Functioning of the EU (TFEU), and in two legal instruments of the Council of Europe, to which all the EU Member States are parties.”

• New rights proposed in 2012:
  – Right of portability (can access and transfer data easily from one service provider to another)
  – Right to be forgotten (can access, object, correct, erase) – upheld in 2014
  – New provisions on profiling
  – Requirement that data controllers notify individuals in the event of a security breach in order to avoid identity fraud
  – Enhancement of privacy rights of children and their right to personal data protection -- draft regulation prohibits the processing of personal data of a child below 13 without the consent of a parent or guardian.

• Proposal beefs up enforcement powers of Data Protection Authorities.

Safe Harbor

- [Wikipedia] **Safe harbor** is a “provision of a statute or a regulation that specifies that certain conduct will be deemed not to violate a given rule”. Two important kinds:
  - “**International Safe Harbor Privacy Principles**, a process for U.S. companies to comply with the EU Directive on the protection of personal data
  - **DMCA safe harbor**, which shields online service providers from liability for facilitating their users’ copyright infringement as long as they comply with certain requirements such as accepting “take down” notices.”
International Safe Harbor Privacy Principles – in flux

• Previously, Safe Harbor allowed U.S. companies to comply with privacy laws protecting EU and Swiss citizens. U.S. companies storing customer data would self-certify that they adhere to principles of EU Data Protection Directive and Swiss requirements.

• Safe Harbor struck down in October 2015, in part as a result of the “Europe vs. Facebook” case

• New framework for transatlantic data flows established in February 2016 known as the EU-US Privacy Shield

• Privacy Shield goal is still to enforce EU privacy protections but still contested. Among specifics are that America will establish data ombudsperson and European will have access to judicial redress. Deal will be reviewed every year. Many concerns and still in flux.
Copyright
What is copyright?

- **Wikipedia**: “Copyright is a **legal right** created by the law of a country that **grants the creator of an original work exclusive rights to its use and distribution, usually for a limited time**, with the intention of enabling the creator to receive **compensation** for their intellectual effort.

- The exclusive rights are, however, **not absolute** and do not **give the creator total control** of their works because they are limited by limitations and exceptions to the copyright law.”
What is copyright?

- **Copyright is a form of intellectual property.**
  - Can be shared among multiple authors, each of whom holds a set of rights to use or license the work.
  - “Rights” include reproduction, control over derivative works, distribution, public performance, and “moral rights” (e.g. attribution)

- Copyright came about with the invention of the printing press and wider literacy. Its legal origins were in Britain at the beginning of the 18th century.

- **U.S. Constitution provides for the protection of copyrights** “to promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries” (1787)
  - Modern intent of copyright is to promote the creation of new works by giving authors control of and profit from them

- **Copyrights are “territorial”** – do not extend beyond the territory of a specific jurisdiction unless that jurisdiction is party to an international agreement
  - Many aspects of copyright standardized internationally but each country’s copyright laws have unique features

- Once copyright expires, the work enters the public domain and can be freely used or exploited by anyone.
Copyright in the U.S. and around the world

• For most of the world, the duration of copyright generally the whole life of the creator + 50-70 years from the creator’s death (or a finite period for anonymous or corporate creations)
  – Original length of copyright in U.S. was 14 years and it had to be explicitly applied for. Afterwards, work was in the public domain

• Some jurisdictions have required formalities to establishing copyright, most recognize copyright in any completed work without formal registration.

• Copyright covers form and manner that ideas are expressed but not the ideas themselves.
  – E.g.: Copyright of Mickey Mouse cartoon restricts others from making copies of the cartoon or creating derivative works of MM. MM is not copyrighted because characters cannot be copyrighted.
  – Patents and trademarks used in areas that copyright doesn’t cover

• 1989 Berne Convention Implementation Act amended U.S. 1976 Copyright Act to conform to most of the provisions of the Berne Convention
  – Berne Convention provides for recognition of copyright among sovereign nations, rather than bilaterally
  – Copyright is automatic and does not require registration. Foreign authors treated equivalently to domestic authors in any country signed onto the Convention
Fair Use (in the U.S.)

• *Wikipedia:* Fair use is a limitation and exception to the exclusive right granted by copyright law to the author of a creative work.
  – Fair use permits **limited use of copyrighted material without acquiring permission** from the rights holders.

• Fair use is one of the traditional safety valves intended to balance the public's interest in open access with the property interests of copyright holders.

• **Fair use of a copyrighted work for purposes such as criticism, comment, news reporting, teaching, scholarship, or research, is not an infringement of copyright.**

• In determining whether the use made of a work in any particular case is a fair use the factors to be considered shall include:
  – the **purpose and character of the use**, including whether such use is of a commercial nature or is for nonprofit educational purposes;
  – the **nature of the copyrighted work**;
  – the **amount** and substantiality of the portion used in relation to the copyrighted work as a whole; and
  – the **effect of the use** upon the potential market for or value of the copyrighted work.
Copyright infringement

Prince sued for copyright infringement after releasing Judith Hill album for free download

Legendary musician is facing legal action for the same practices he's long battled against

Nike sued for copyright infringement over Air Jordan logo

By Joe Hall

Air Jordan, Nike’s successful basketball brand, could be brought crashing back to earth by a lawsuit which claims its iconic logo is guilty of copyright infringement.

The silhouetted image of Michael Jordan stretching for a slam dunk has been the most prominent logo of Nike’s basketball merchandise which generated $3.9bn (£2.3bn) in revenue in the financial year ended 32 May 2014.

But photographer Jacobus Revreimüller claims the Air Jordan’s logo has become identical with Nike basketball.

Aston Martin Sues Fisker Over Thunderbolt Copyright Infringement

News

In a peculiar turn of events, Aston Martin has filed suit against Henrik Fisker, alleging that Fisker copied a number of design elements on the Thunderbolt, which is the Tesla Roadster

Artist Michel Leah Keck Sues FX for Copyright Infringement for Using Her Paintings on Archer

Eileen Kinsella, Wednesday, March 18, 2015

In brief

ARTIST MICHEL LEAH KECK SUES FX FOR COPYRIGHT INFRINGEMENT FOR USING HER PAINTINGS ON ARCHER
Copyright Infringement – Political Campaigns

Candidates may be subject to lawsuits when they play music without copyright permission

Groups objecting to candidates using their music: (excerpt from https://fivethirtyeight.com/datalab/the-long-history-of-musicians-telling-republicans-to-stop-playing-their-music/)

• Reagan also got dinged in 1984 by John Cougar Mellencamp for “Pink Houses.”
• Bobby McFerrin objected to George H.W. Bush using the song “Don’t Worry, Be Happy” in 1988.
• Springsteen objected to Dole using “Born in the U.S.A.” in 1996.
• Tom Petty objected to Bush using the song “I Won’t Back Down” in 2000.
• John Hall of the band Orleans objected to Bush using the song “Still the One” during his re-election campaign in 2004.
• Boston objected to Mike Huckabee using “More Than a Feeling” in 2008.
• The Foo Fighters stopped McCain from playing “My Hero.”
• Sam Moore of Sam & Dave objected to Barack Obama using “Hold On, I’m Coming” during the 2008 election.
• Survivor objected to Newt Gingrich using the song “Eye of the Tiger” in 2012.
• Survivor objected to Romney using “Eye of the Tiger.”
• Katrina and the Waves objected to Michele Bachmann playing “Walking on Sunshine.”
• Neil Young complained bout Donald Trump’s use of “Rockin’ in the Free World.”
• Etc., etc.,

“[I]f the campaign wants to use a song as its theme, they should contact the management for the artists and/or songwriters of the song in question and obtain their permission.” [ASCAP]


Extending copyright to digital content -- 1998 Digital Millennium Copyright Act (DMCA)

• DMCA is U.S. copyright law that implements two 1996 treaties of the World Intellectual Property Organization (WIPO).

• DMCA
  – Criminalizes production and dissemination of technology, devices or services intended to circumvent digital rights management (DRM) measures that control access to copyrighted works.
  – Criminalizes the act of circumventing an access control (even if there is no infringement of the copyright itself)
  – Heightens penalties for copyright infringement on the Internet.

• DMCA amended Title 17 of the U.S. code to extend the reach of copyright while limiting the liability of online service providers and other intermediaries for copyright infringement by their users
DMCA -- Motivation and Complexity

• DMCA bill was heavily supported by the content industries—Hollywood, the music business and book publishers—during its legislative journey through the U.S. Senate and House of Representatives.

• DMCA was written in order to strengthen existing federal copyright protections against new threats posed by the Internet and by the democratization of high technology.

  – Key provision was an enterprise version of “safe harbor”, granting companies operating platforms for user-contributed content protection from liability for acts of copyright infringement by those users.

  – It was this provision that the operators of file-sharing platforms like Napster tried to leverage during their unsuccessful attempts to defend themselves against DMCA-inspired litigation in the early 2000s.

More info at
https://en.wikipedia.org/wiki/Online_Copyright_Infringement_Liability_Limitation_Act
Copyright Infringement: Viacom v. YouTube, Google Inc.

- March 13, 2007: Viacom files a lawsuit against YouTube and its corporate parent Google for copyright infringement, seeking $1B in damages.

- Viacom (owner of Paramount, Dreamworks, some cable channels) claimed that YouTube was engaging in “massive intentional copyright infringement” for making available 160,000 unauthorized clips of Viacom’s entertainment program.
  - Viacom: “"YouTube appropriates the value of creative content on a massive scale for YouTube's benefit without payment or license.""

- Google claimed that the DMCA’s safe harbor provision shielded them from liability.
Different perspectives

- **Viacom**: "YouTube has deliberately chosen not to take reasonable precautions to deter the rampant infringement on its site," ... "Because YouTube directly profits from the availability of popular infringing works on its site, it has decided to shift the burden entirely onto copyright owners to monitor the YouTube site on a daily or hourly basis to detect infringing videos."

- **Google**: Google relying on 1998 DMCA to shield the company from liability. One provision of that statute generally says companies are off the hook if they remove copyrighted content promptly when it is brought to their attention.

- **Google**: Internet services benefit from "safe harbor" if they also meet a four-pronged test. Conditions include not being "aware of facts or circumstances from which infringing activity is apparent" and not receiving "financial benefit directly attributable to the infringing activity."

- **Viacom source**: "More and more of the company's resources are going to this," the source said. "The company basically is paying for an entire new department to watch YouTube."

- **Counsel for YouTube / Google**: confident their actions were on solid legal ground. "We meet those requirements and go above and beyond them in helping content providers identify copyright infringements."
Legal trajectory

- Case originally filed in March, 2007 in the District Court for the Southern District of New York.

  - Court held that YouTube is protected by the safe harbor of the DMCA.
  - Viacom appealed to the U.S. Court of Appeals for the Second Circuit.

- On April 5, 2012, the federal Second Circuit Court of Appeals vacated Judge Louis Stanton's ruling, and instead ruled that Viacom had presented enough evidence against YouTube to warrant a trial, and the case should not have been thrown out in summary judgement.

- Court did uphold the ruling that YouTube could not be held liable based on "general knowledge" that users on its site were infringing copyright.

- Case was sent back to the District Court in New York

- On April 18, 2013, Judge Stanton issued another order granting summary judgment in favor of YouTube.

- Case is now over; no money changed hands.
Rights and Licensing: The Creative Commons (CC)

• Wikipedia: “Creative Commons (CC) is a non-profit organization devoted to expanding the range of creative works available for others to build upon legally and to share.”

• CC has released several copyright-licenses known free of charge to the public. The licenses allow creators to communicate which rights they reserve, and which rights they waive for the benefit of recipients or other creators.

• CC licenses do not replace copyright, but are based upon it. They replace individual negotiations for specific rights between copyright owner (licensor) and licensee, which are necessary under an "all rights reserved" copyright management, with a "some rights reserved" management employing standardized licenses for re-use cases where no commercial compensation is sought by the copyright owner.
  – Result is an agile, low-overhead and low-cost copyright-management regime, profiting both copyright owners and licensees.

• The organization was founded in 2001 by Lawrence Lessig, Hal Abelson, and Eric Eldred

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- Work licensed under a Creative Commons license is governed by applicable copyright law. This allows Creative Commons licenses to be applied to all work falling under copyright, including: books, plays, movies, music, articles, photographs, blogs, and websites.
  - Creative Commons does not recommend the use of Creative Commons licenses for software

- CC provides a number of copyright options to the public, free of charge.
  - Licenses allow copyright holders to define conditions under which others may use a work and to specify what types of use are acceptable.
  - Creative Commons licenses are non-exclusive and non-revocable. Any work or copies of the work obtained under a Creative Commons license may continue to be used under that license

- As of November 2014 there were an estimated 880 million works licensed under the various Creative Commons licenses.
  - As of March 2015, Flickr alone hosts over 306 million Creative Commons licensed photos.
CC licenses

• **Wikipedia:** Mixing and matching these conditions produces sixteen possible combinations, of which eleven are valid Creative Commons licenses and five are not. Of the five invalid combinations, four include both the "nd" and "sa" clauses, which are mutually exclusive; and one includes none of the clauses. Of the eleven valid combinations, the five that lack the "by" clause have been retired because 98% of licensors requested attribution, though they do remain available for reference on the website.”

• This leaves six regularly used licenses:

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<th>Icon</th>
<th>Description</th>
<th>Acronym</th>
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</table>

A free cultural work is one which has no significant legal restriction on people’s freedom:

- to use the content and benefit from using it,
- to study the content and apply what is learned,
- to make and distribute copies of the content,
- to change and improve the content and distribute these derivative works

*Similar to “open content”*

Table from Wikipedia, [http://en.wikipedia.org/wiki/Creative_Commons_license](http://en.wikipedia.org/wiki/Creative_Commons_license)
# Common CC licenses

## Seven regularly used licenses

<table>
<thead>
<tr>
<th>Icon</th>
<th>Description</th>
<th>Acronym</th>
<th>Allows Remix culture</th>
<th>Allows commercial use</th>
<th>Allows Free Cultural Works</th>
<th>Meets ‘Open Definition’</th>
</tr>
</thead>
<tbody>
<tr>
<td><img src="https://en.wikipedia.org/wiki/File:Creative_Commons_license_types.svg" alt="CC0" /></td>
<td>Freeing content globally without restrictions</td>
<td>CC0</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
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<tr>
<td><img src="https://en.wikipedia.org/wiki/File:Creative_Commons_license_types.svg" alt="BY" /></td>
<td>Attribution alone</td>
<td>BY</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td><img src="https://en.wikipedia.org/wiki/File:Creative_Commons_license_types.svg" alt="BY-SA" /></td>
<td>Attribution + ShareAlike</td>
<td>BY-SA</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
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<tr>
<td><img src="https://en.wikipedia.org/wiki/File:Creative_Commons_license_types.svg" alt="BY-NC" /></td>
<td>Attribution + Noncommercial</td>
<td>BY-NC</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td><img src="https://en.wikipedia.org/wiki/File:Creative_Commons_license_types.svg" alt="BY-ND" /></td>
<td>Attribution + NoDerivatives</td>
<td>BY-ND</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td><img src="https://en.wikipedia.org/wiki/File:Creative_Commons_license_types.svg" alt="BY-NC-SA" /></td>
<td>Attribution + Noncommercial + ShareAlike</td>
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<td>Yes</td>
<td>No</td>
<td>No</td>
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</tr>
<tr>
<td><img src="https://en.wikipedia.org/wiki/File:Creative_Commons_license_types.svg" alt="BY-NC-ND" /></td>
<td>Attribution + Noncommercial + NoDerivatives</td>
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</tr>
</tbody>
</table>

From [https://en.wikipedia.org/wiki/Creative_Commons_license](https://en.wikipedia.org/wiki/Creative_Commons_license)
CC in their own words

https://creativecommons.org/about/videos/a-shared-culture/
Lecture 8 Sources (not already on slides)

- “Unintended Consequences – Twelve years under the DMCA” Electronic Frontier Foundation, [https://www.eff.org/wp/unintended-consequences-under-dmca](https://www.eff.org/wp/unintended-consequences-under-dmca)
- Creative Commons website, [http://creativecommons.org](http://creativecommons.org)
- Wikipedia entries on copyright, fair use, digital millennium copyright act, safe harbor, Creative Commons, Creative Commons licenses, DATA Act of 2014, information privacy law.
- Electronic Frontier Foundation website [https://www.eff.org](https://www.eff.org)
Estimated Overall Grades (out of what you’ve done – 16 or 31 points left to do)

Paper Draft Grades (out of 16)
Paper Final Draft Due April 14

• Theme: “Data has transformed X”
• Demonstrate that data has made a transformative difference:
  – New outcomes
  – Better outcomes
  – New approaches / ways of doing things
  not just that data has the potential to change things
• Writing should be polished and in a more objective (vs. opinionated) style
• **Turn in final paper + draft like before**
• If you want to double your draft score (i.e. not turn in the final), let Fran know **before** April 14
Paper Draft Grades (out of 16)

# of students

- 10: 1
- 11: 2
- 12: 4
- 12.5: 2
- 13: 5
- 14: 9
- 14.5: 4
- 15: 8
- 16: 2
Estimated Overall Grades (out of what you’ve done – 16 or 31 points left to do)

# of students
Presentations
Presentations for March 24

- **March 24 (Digital rights)**
Presentations for March 29

- March 29 (data and rights in the US and internationally)
• April 12 (data privacy)


Presentations for April 14

• April 14 (data analysis)