

# CREATIVE COMMONS IN EDUCATIONAL CONTEXT

Luciano Seta and Antonia Zelia Pia Vitrano

## Abstract

*In this paper we analyze whether the Creative Commons' license schema can be applied to educational materials. The Creative Commons (CC) initiative has been widely publicized in the last few years in an attempt to open up the space of the public domain for sharing and using proprietary digital contents on the Web. We consider the implications of Web-based Distance Learning (e-learning) and highlight the fact that the traditional concept of the "author" and his rights needs to be modified in this context. In fact, Distance Learning is often based on collaborative works, where it is more difficult to identify each individual contribution. This kind of cooperative work evolves over time and involves a number of professional figures who collaborate to create didactic materials. So this scenario imposes a lot of juridical problems connected to the traditional vision of the intellectual property (IP) and copyright laws; in this respect we think that the CC licenses do not provide an all purpose solution.*

*We analyze the real intention of the CC licenses and in particular whether they are more directed at guaranteeing the moral rights of the author or rather the spread of the knowledge. So we shall refer to a Dutch sentence (the first European sentence recognizing that the CC license applied to the content licensed under it) to underline some difficulties connected to CC.*

*In summary, we propose the following questions: are the CC licenses an effective innovation in the copyright field? Or are they a repetition of the intellectual property laws? Are they just exceptions respect to the juridical system?*

*Finally, are they useful in educational context? We begin by analyzing the structure characterizing digital documents: this study permits us to identify some problems in applying the IP laws in force at the present time. Next we list some possible solutions and, finally we illustrate the CC license schema and we show that these appear to be only a partial solution, applicable in particular situations which are often of little importance in e-learning context.*

## Keywords

Distance Learning, e-Learning, Creative Commons, Copyright, Intellectual Property