Openness: Open Licensing



This is a short, simple tutorial to acquire the skills necessary to decipher Creative Commons rights and permissions.

Contents

What is Open Licensing?	2
Creative Commons Licence Options	3
Deep Dive – Licence Nuances	4
Attribution: CC BY	4
Attribution ShareAlike: CC BY-SA	5
Attribution-NoDerivs - CC BY-ND	6
Attribution-NonCommercial - CC BY-NC	6
Attribution-NonCommercial-ShareAlike - CC BY-NC-SA	7
Attribution-NonCommercial-NoDerivs - CC BY-NC-ND	8
Creative Commons Zero - CC0	9
Sharing	9
Activity: Quick Quiz	10
Create an Open Licence	13
When is a CC licence really open?	13
Create an open CC licence	14
Summary	17
Attribution, references and licences	17

What is Open Licensing?



How do we know when a resource is 'open' and how is it different from any other educational resource?

AfLIA

We know when educational content is 'open' because these resources display an **open licence**. Open licences reserve specific rights and relax others making it easier for educators and course designers to use the resources. A basic knowledge of the specific rights open licences reserve (or not) is important if we want to access, copy, or adapt open content.

Read the video transcript below - this video considers the most popular open licensing system: **Creative Commons.**

Video Transcript: U of G Library. (2019). What are Creative Commons Licences? (CC BY-NC-SA)

This video will introduce you to Creative Commons licences, which makes copyright easier to understand.

Let's say you create something. This thing could be creative, like a picture of your cat, or scholarly, like an essay about cats. Because you are the creator of this picture or this essay, copyright allows you to decide what people can do with your creation. [Dialogue bubble appears on screen: X is okay but you shouldn't do Y with my work.]

When you are the copyright holder, people have to ask you for permission before putting your cat picture into a PowerPoint or adapting your cat essay into a movie. Getting permission can be time consuming and complicated for both the creator and the user. [The following dialogue bubbles appear on screen: Who has copyright? How do I contact them?! I need to know if I can use this ASAP (as soon as possible)!]

This is where Creative Commons can help. Creative Commons exists to make permissions explicit and straightforward. Creative Commons licences use icons and simple language so that creators can make their intentions clear and users can be certain that their use of a work is legal. [Sample Creative Commons license displayed. The Attribution-ShareAlike 3.0 Unported license has icons above the title. Below the title is the simple language section detailing what "You are free to" do in terms of sharing and adapting under this license]

These different licences help people understand if and how they can use, share, or build on a work. [The six different Creative Common licenses are displayed on screen]

This icon [Noncommercial] means that only non-commercial uses are permitted, so no one can profit from using your picture. [Noncommercial icon has a dollar sign with a circle around it and a slash through it]

This icon [No Derivatives] means that no one can make changes to the original work, such as photoshopping a dog into your cat picture. [No Derivatives icon is an equal sign with a circle around it]

This icon [Share Alike] means that someone can change your work, but their version must be shared under the same license as yours. [Share Alike icon is a circle with an opening on the left side, the top side of the opening has an arrow pointing down to the where the circle begins again]

All Creative Commons licences give credit to the original creator, preserving your reputation as a creative genius while the world engages with your work. [Creative Commons licence is displayed on screen with emphasis on the BY icon (which is a the silhouette of a person with a circle around it)]

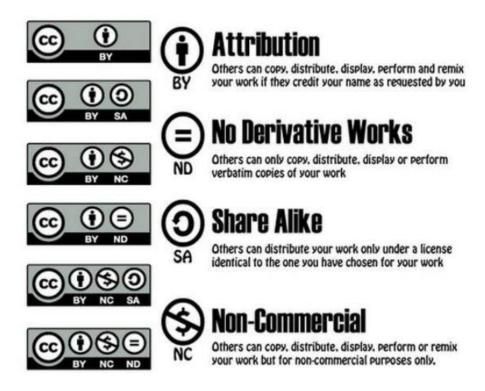
Licences can be attached to most things, including blog posts, images, artworks, journal articles, and more! To learn more about Creative Commons licences, visit the Creative Commons website or check out some of the other videos in our series.

The video link below, which does not have a Creative Commons licence, explains Creative Commons Licences.

https://youtu.be/gZMPRymQsBw

Creative Commons Licence Options

When searching for educational resources that can be used and adapted in lessons and courses, look out for these Creative Common licence combinations:



Deep Dive – Licence Nuances

Need to know more? Review each licence below to see details and examples from the Creative Commons website.

Attribution: CC BY



This licence lets others **distribute**, **remix**, **tweak**, and **build upon** your work, even **commercially**, as long as they credit you for the original creation. This is the most accommodating of licences

offered. Recommended for maximum dissemination and use of licensed materials.

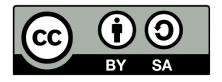
Examples:

PLOS: In 2003, the Public Library of Science (PLOS) launched a nonprofit scientific and medical publishing venture that provides scientists and physicians with high-quality, high-profile journals in which to publish their most important work. Under the Open Access model, PLOS journals are immediately available online, with no charges for access and no restrictions on subsequent redistribution or use, as long as the author(s) and source are cited, as specified by the Creative Commons Attribution License. PLOS publishes approximately 50,000 CC BY articles every year. Says former PLOS CEO Peter Jerram, "The work of Creative Commons ensures that [other projects] can use the papers we publish without requiring the additional time and cost that asking special permissions would require."

- Chris Zabriskie: Chris Zabriskie is an artist who specializes in cinematic soundscapes, ambient piano compositions, and minimal synth music.

 Originally a user of the the CC Attribution-Noncommercial license, Chris decided to drop the Noncommercial clause from his work, opting for CC BY. He explains his reasoning: "There are 48 hours of new video being uploaded just to YouTube every minute. Somebody, somewhere, always needs music for their project. Let people do what they want with your music, and they'll promote you." Zabriskie describes how his decision paid off in ways he never expected: "I've scored several feature films, a number of shorts, and am doing a bunch of other contract work for people and projects all around the world." His inbox was flooded with requests from fellow creators, and he keeps a list of clients that includes the Cartoon Network, New York Public Library, Gizmodo, and Mashable alongside independent feature films and shorts. See Jason Sigal on Chris Zabriskie
- Adapted from Creative Commons
 https://creativecommons.org/share-your-work/licensing-types-examples/licensing-examples/#by

Attribution ShareAlike: CC BY-SA



This licence lets others **remix**, **tweak**, and **build upon** your work even for **commercial** purposes, as long as they credit you and license their new creations under the **identical terms**. This licence is often

compared to "copyleft" free and open source software licences. All new works based on yours will carry the same licence, so any derivatives will also allow commercial use. This is the licence used by Wikipedia, and is recommended for materials that would benefit from incorporating content from Wikipedia and similarly licensed projects.

Examples:

- Wikipedia and Wikimedia Commons sites allow content to legally flow in and out with ease, enabling one of the great cultural resources of the digital revolution to legally interact with an endless array of works from similar cultural institutions. Says Wikipedia founder Jimmy Wales, "Creative Commons is about building infrastructure for a new kind of culture one that is both a folk culture, and wildly more sophisticated than anything before it." Much of the media that accompanies Wikipedia articles, such as photos and illustrations, are also licensed under CC BY-SA or a more liberal license.
- **P2PU**: The Peer 2 Peer University (P2PU) is a grassroots open education project that organizes learning outside of institutional walls and gives learners recognition for their achievements. By leveraging the Internet and open

educational resources (OER), P2PU creates a model for lifelong learning while enabling high-quality, low-cost education opportunities — in everything from web programming to copyright for educators. The P2PU community chose CC BY-SA as the default license for its platform in order to enable maximum reusability and simultaneously encourage participation and contributions back to the community. P2PU produced a report on its community process and reasoning for choosing the CC BY-SA license.

Adapted from Creative Commons https://creativecommons.org/share-your-work/licensing-types-examples/licensing-examples/#by

Attribution-NoDerivs-CC BY-ND



This licence allows for **redistribution**, commercial and non-commercial, as long as it is passed along **unchanged** and in whole, with credit to you.

Examples

- Drupal Security Report: Drupal, a free and open source software package for
 publishing and sharing content, released its security report under a CC BY-ND
 license. The report is written by experts in Drupal security and "handles the
 important task of maintaining security in systems that are built to take input
 from a variety of sources." Drupal cites several reasons for choosing BY-ND,
 including protecting the credit of its sponsors and maintaining the appropriate
 context for the security report.
- **GNU** and **FSF**: The Free Software Foundation (FSF) is dedicated to promoting computer users' right to use, study, copy, modify, and redistribute computer programs. The FSF promotes the development and use of free software, in particular the GNU operating system and its GNU/Linux variants, and free documentation for free software. The FSF also helps to spread awareness of the ethical and political issues of freedom in the use of software, and its websites (fsf.org and gnu.org) are an important source of information about GNU/Linux. The FSF licenses both websites under the CC BY-ND license, particularly recommending this license for its works of opinion.
- Adapted from Creative Commons https://creativecommons.org/share-your-work/licensing-types-examples/licensing-examples/#by

Attribution-NonCommercial-CC BY-NC



This licence lets others **remix**, **tweak**, and **build upon** your work **non-commercially**, and although their new works must also acknowledge you and be non-

commercial, they don't have to license their derivative works on the same terms.

Examples:

- Brooklyn Museum: The Brooklyn Museum is a major contributor to the commons on Flickr and licenses its online image collection under a CC Attribution-NonCommerical licence. According to chief of technology Shelley Bernstein, "We had started with [the] CC-BY-NC-ND [license] back in 2004 and having had a good experience, wanted to open it up a bit more. CC allows us to change as we grow and that's very valuable it means we can take small steps toward larger goals and do so as the institution feels comfortable."
- Jonathan Coulton: Jonathan Coulton is an independent singer-songwriter who started sharing his music for free online under a CC BY-NC licence. Jonathan wanted to reserve the commercial rights to his work, but thought it important to allow all other uses and remixes. According to JoCo, "Someone who's never heard my music before gets a free mp3 (or twenty) and likes it, chances are they're going to pass it along to some friends, blog about it, maybe even make a video for it. Each one of those outcomes means more exposure, more fans, and more chances for people to pay me something that wouldn't have happened as easily if the music was all locked up with DRM and the full battery of copyright restrictions."
- Adapted from Creative Commons https://creativecommons.org/share-your-work/licensing-types-examples/licensing-examples/#by

Attribution-NonCommercial-ShareAlike- CC BY-NC-SA



This licence lets others **remix**, **tweak**, and **build upon** your work **non-commercially**, as long as they credit you and license their new creations under the identical terms.

Examples:

- MIT Open CourseWare: MIT OpenCourseWare has been releasing its materials

 web versions of virtually all MIT course content under a CC BY-NC-SA licence since 2004. Today, MIT OCW has over 2000 courses available freely and openly online for anyone, anywhere to adapt, translate, and redistribute. MIT OCW have been translated into at least 10 languages, including Spanish, Portuguese, Chinese, French, German, Vietnamese, and Ukrainian. In 2011, MIT OCW celebrated its 10th anniversary, having reached 100 million individuals, and announced MITx, an initiative to provide certification for completion of its courses. The OpenCourseWare concept has now spread to hundreds of universities worldwide.
- **Cory Doctorow**: Boing Boing editor Cory Doctorow is a writer, blogger, and science fiction author with a vast amount of work under his name. As an early

adopter of Creative Commons, Cory has produced many publications under CC licences since 2003, including Little Brother under CC BY-NC-SA which spent 4 weeks on the NYTimes bestseller list. In Cory's words , "I use CC for my speeches, for my articles and op-eds, and for articles and stories that I write for 'straight' magazines from Forbes to Radar. My co-editors and I use CC licences for our popular blog, Boing Boing , one of the most widely read blogs in the world. These licences have allowed my work to spread far and wide, into corners of the world I never could have reached."

Adapted from Creative Commons https://creativecommons.org/share-your-work/licensing-types-examples/licensing-examples/#by

Attribution-NonCommercial-NoDerivs- CC BY-NC-ND



This licence is the **most restrictive** of our six main licences, only allowing others to download your works and share them with others as long as they credit you, but they **can't change them** in any way or use them

commercially.

Examples:

- **TED Talks videos**: The popular TED Talks are licensed under the CC BY-NC-ND licence, which allows them to be redistributed unmodified for noncommercial purposes. Says TED Media's Executive Producer June Cohen, "Creative Commons was the most efficient way to empower the growth of our product and free us from conversations about what could or couldn't be done with our videos." Though TED doesn't allow remixes of its videos without its consent and the consent of the speaker, TED does encourage translations through its Open Translation Project. Since releasing videos under CC, TED Talks have been viewed over 200 million times. See The Power of Open: TED Talks.
- Propublica: Propublica is a Pulitzer Prize—winning, independent, nonprofit newsroom that produces investigative journalism in the public interest. Propublica encourages users to "steal" its stories, urging other sites to distribute stories under the CC BY-NC-ND licence, which means no editing or selling the articles. According to General Manager Richard Tofel, "We knew that the more people who saw our stories the better off we would be, and the better we would fulfill our mission... [CC licensing] has worked very well and saves us an enormous amount of time." The CC BY-NC-ND licence provides the ability for others to republish ProPublica stories under clear terms and without negotiation." See The Power of Open: ProPublica
- Adapted from Creative Commons https://creativecommons.org/share-your-work/licensing-types-examples/licensing-examples/#by

Creative Commons Zero-CCO



CCO is the "no copyright reserved" option in the Creative Commons toolkit - it effectively means relinquishing all copyright and similar rights that you hold in a work and dedicating those rights to the public

domain.

CCO is a single purpose tool, designed to take on the dedication function of the former, deprecated **Public Domain** Dedication and Certification.

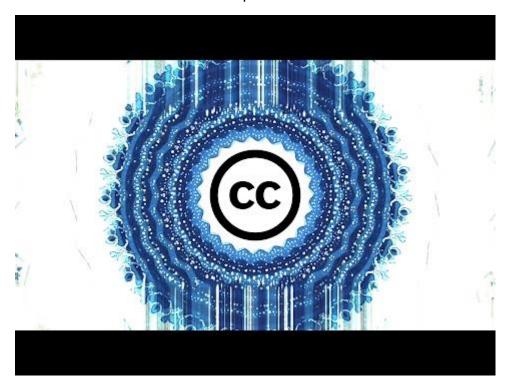
How effectively CCO works will depend on the legal regime in which the work is used, but the tool is intended to effectively release rights even in jurisdictions where it is difficult to do so.

• From Creative Commons Wiki CC BY

Sharing

Besides using open resources shared by others, Creative Commons encourages you to release your best work with an open licence.

Watch the video below which explores what Creative Commons is.



Reflection



Photo: andryn2006 (CC BY-SA)

Reflection Feedback



Most educators appreciate the value proposition of open content. Yet, many are inherently conservative and struggle to 'let go' of their resources. Consequently, educators new to OER tend to select restrictive CC licences for their work.

The reality, however, is almost none are in a position to police the

implementation of the licence. It therefore makes more sense to release the resource with as little restriction as possible.

Activity: Quick Quiz

Let's see if you have the Creative Commons licences under your belt. Answer these ten questions! The answers will be on the last page of these course notes.

1) What can you do with MIT's open courseware (OCW)?

MIT OpenCourseWare makes the materials used in the teaching of almost all of MIT's subjects available on the Web, free of charge. With more than 2,400 courses available, OCW is delivering on the promise of open sharing of knowledge. Learn more >

Massachusetts

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Nestigate of OPEN EDUCATION









Your use of the MIT OpenCourseWare site and materials is subject to our Creative Commons License and other terms of use

- \Box Use components of their course as resources in a traditionally published textbook $\ensuremath{\mathbb{C}}$
- \square Adapt course materials for use in your classes
- $\hfill\square$ Use to create a 'for-profit' course
- \square Use without asking MIT permission

②) Which statement best describes the ND right? □ Users cannot make any copies □ Users cannot change the resource □ Users can change only the images in the resources □ Users can make only one copy of the original
 3) Which statement best describes the SA right? Users must ask permission to use the resource Use the same licence as the original resource Users cannot change the resource Users cannot make a profit from the resource
4) True or false? When you create a piece of work it is automatically copyrighted with an open licence.
□ True□ False
5) Identify the most 'open' licence A CC ① ① © ② ② D

 \square B (CC BY-SA)

☐ E (CC BY-ND)

E



6) Which Creative Commons right is reserved with this symbol?

- ☐ No Derivatives
- ☐ Non-Commercial
- ☐ Attribution
- ☐ Share-Alike



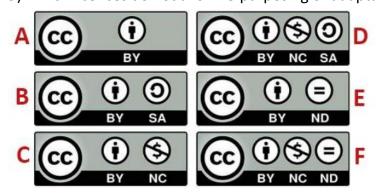
7) Identify which right the author as reserved when using this symbol.

- ☐ Share-Alike
- ☐ Non-Commercial
- ☐ Attribution
- ☐ No Derivatives



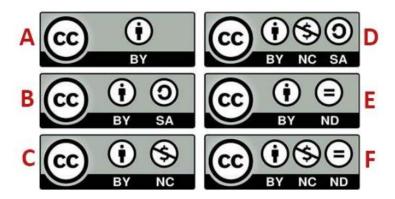
8) Creative Commons Zero Licence is equivalent to:

- ☐ CC BY
- ☐ GNU
- ☐ Full copyright
- ☐ Public domain
- 9) Which licences do not allow re-purposing or adaptation?



- □ D & F
- □ E & F
- □ C & F
- □ A & B

10) Which licenses prohibit the use of the resource in new works that will be fully copyrighted?

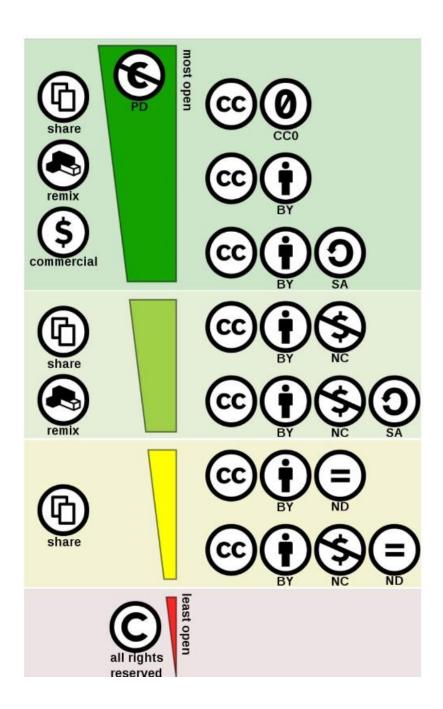


- □ B & D
- □ C & F
- □ B & F
- □ D & F

Create an Open Licence

When is a CC licence really open?

While the Creative Commons (CC) licences are more open that fully copyrighted materials, not all CC licences are equally open. Some combination of CC rights encourage users to do more. Also some combinations can be very restrictive, and not much more useful than full copyright! Consider this chart below:



Create an open CC licence

By now you probably have a good grasp of the different CC licences, so let us make our own CC licence for a new piece of work.

Make sure that the content you have chosen to license as an Open Educational Resource (OER) is unique, and that no fully copyrighted materials are embedded in the resource. Now read the video transcript below and follow these instructions:

Video Transcript: Moore, AJ. (2023). Create an Open Licence (CC BY)

Welcome to the short video on choosing Creative Commons licenses. This video will run through the process of choosing an open licence for a new resource using the Creative Commons licence generator.

Have you seen those Creative Commons licence plates that appear at the bottom of open courseware pages? As an example here is MIT's Open Courseware page and if we scroll down to the bottom you'll see in the bottom right hand corner the Creative Commons licence plate, in this case CC BY-NC-SA. We are going to work out how to create these licence plates.

The first step is to navigate to the Creative Commons website: https://creativecommons.org and once the page is loaded look at the menu bar across the top and look for 'Share your work'. On this particular page you'll see there is an option to 'Choose a licence' and it gives you a basic 'How-to Guide', click on 'Get Started'.

Once the licence page appears, access the first panel entitled 'Licence Features' and consider the first of two questions. Question one asks 'Allow adaptations of your work to be shared?' In other words, can the user take and change or adapt your work so that it better suits a different context? Can they translate it, tweak the language, add images etc?

There are in fact three potential answers: 'Yes', 'No' and 'Yes, as long as others share alike'. This last option means that the derivative work, i.e the new version of your resource, must carry the same licence.

The second question: 'Allow commercial uses of your work?' means that you don't mind if the user sells either your original resource or the new version based on your work. Select either 'Yes' or 'No'.

The panel on the right entitled 'Selected Licence' immediately reflects the consequences of your decisions by assigning the appropriate icons that make up the licence. Feel free to adjust your choices until you're satisfied.

Notice that the message 'This is a Free Culture Licence!' appears when you have selected a non-restrictive licence. This means that the combination of 'Rights you have reserved' are truly open in nature and this will encourage others to use it for a multitude of different applications.

In the bottom left-hand panel you are required to provide specific details about the resource so that it can be attributed when used by others. The first field 'Title of work' is descriptive enough. Provide your resource with a name or a title. In the second field insert the author, creator or institutional name that needs to be attributed. The third field 'Attribute work to URL' provides you with an opportunity to insert the web address of where that resource will reside. Should you have used an OER and adapted it in this new derivative, then you can insert the URL of the original source material.

In the fourth field, the field entitled 'Format of work' allows you to identify what format the resource is. Is it audio, video, image, text, a data set or perhaps it's interactive. Should it be a combination? Then you'd use multiple formats.

The final field 'License Mark', asks if you want the licence for a web page, HTML or for an offline document such as a word processor file that will be printed out. In the bottom right panel is a tool that generates the final licence.

In our example we're going to choose an HTML licence. You'll notice that the HTML code or the markup language is now available on the right panel. We simply click it, 'Select' and 'Copy'. Then we move to our web application where we're going to use this code. In this example we are using a blogging tool and in the edit screen you'll see there's an HTML button. We click on HTML and this is where we can paste in the code.

If we have a look at it now we should see that there is a particular licence available in the blog and when we push the 'Update' button then we can actually see what it looks like on the final product.

Alternatively, if you just want to put your licence in a productivity suite application like MS Word or PowerPoint, then it's even easier! The easiest way to keep all the links still interactive in your application is to simply copy the licence 'Ctrl+C' for copy, go across to your application in this case it is MS PowerPoint and 'Ctrl+V' to paste it straight in. Now you might want to do a little bit of cleaning up to make sure that it looks nice but the idea is you've still got all these hyperlinks that are active and then you can save your document.

Assignment

- 1. Identify a locally designed and produced digital training resource, perhaps one procured from within your institution
- 2. Use the CC licence generator to create an appropriate licence plate for the resources and then embed it into the resource
- 3. Upload the licenced resource inside Moodle using the assignment tool

- 4. Prepare a justification for your choice of CC licence. Why did you choose that combination of CC rights?
- 5. Be ready to show case your resource, licence and justification in the next online session. (Zoom)



Summary

You have reached the end of this tutorial! Ideally you should:

- Know how Creative Commons (CC) licensing is different from 'Full Copyright -All Rights Reserved'
- 2. Know what is permissible under each CC right: BY-NC-ND-SA
- 3. Know the six common combinations of CC rights and what they mean
- 4. Use the CC licence generator to create an open licence for a new resource and embed it into the resource

That's it! We hope this tutorial proved useful!

Attribution, references and licences

The following videos were used as part of the tutorial and are listed here for your reference:

- 1. AfLIA. (2023). *Create an Open Licence*. Available on YouTube at https://youtu.be/m_dHmlJY-OA (CC BY).
- 2. CensiCLICK. (2018). *Creative Commons Licenses, Explained*. Available on YouTube at https://youtu.be/gZMPRymQsBw (Std YouTube Licence).
- 3. U of G. (2019). What are Creative Commons Licenses? Available on YouTube at https://youtu.be/srVPLrmlBJY (CC BY-NC-SA)
- 4. Wikimedia Foundation. (2017). **What is Creative Commons?** Available on YouTube at https://youtu.be/dPZTh2NKTm4. (CC BY)

The following OER were consulted and / or adapted to create this learning pathway:

- 1. Creative Commons. (2019). **Licenses and Examples**. Available on Creative Commons at https://creativecommons.org/share-your-work/licensing-types-examples (CC BY)
- 2. International Librarians Network. (2015). **Copyright, Creative Commons and Open Access**. Available on WordPress at https://ilnetwork.wordpress.com/2015/11/03/copyright-creative-commons-and-open-access/. (CC BY-NC)
- 3. OER Africa. (2019). **Find Open Content**. Learning pathway is available at OER Africa at https://www.oerafrica.org/communication/find-open-content/index.html#/ (CC BY)

Quiz Answers

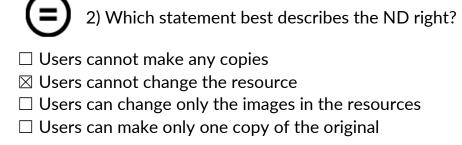
1) What can you do with MIT's open courseware (OCW)?

MIT OpenCourseWare makes the materials used in the teaching of almost all of MIT's subjects available on the Web, free of charge. With more than 2,400 courses available, OCW is delivering on the promise of open sharing of knowledge. Learn more >

| Massachusetts | Institute of Technology | DIGITAL LEARNING | CONSORTIUM | Technology | Technol

Feedback

Keep in mind that MIT's OCW is licensed as **CC BY-NC-SA**. This licence lets others remix, tweak, and build upon their work, non-commercially, and as long as you credit MIT and licence any new creations under the identical terms: CC BY-NC-SA



Feedback

No Derivatives (ND): You let others copy, distribute, display, and perform only original copies of your work. If they want to modify your work, they must get your permission first.

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	/

3) Which statement best describes the SA right?

☐ Users must ask permission to use the resource

☑ Use the same licence as the original resource

☐ Users cannot change the resource

☐ Users cannot make a profit from the resource

Feedback

Share Alike (SA): You let others copy, distribute, display, perform, and modify your work, as long as they distribute any modified work on the same terms. If they want to distribute modified works under other terms, they must get your permission first.

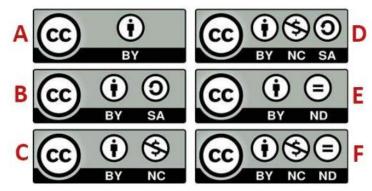
4) True or false? When you create a piece of work it is automatically copyrighted with an open licence.

☐ True

Feedback

The statement is false and in fact the truth is the other way around. When you create a piece of work it is automatically fully copyrighted as 'All Rights Reserved'.

5) Identify the most 'open' licence



 \boxtimes A (CC BY)

☐ C (CC BY-NC)

☐ B (CC BY-SA)

☐ E (CC BY-ND)

*	6) Which Creative Commons right is reserved with this symbol?
	erivatives
⊠ Non-0	Commercial
☐ Attrib	ution
☐ Share	-Alike

Feedback

Possibly never seen in Africa, but any currency symbol, including the Yen, can be used to depict 'Non-Commercial'. The dollar, '\$', is possibly the most commonly used.



7) Identify which right the author as reserved when using this symbol.

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- □ Non-Commercial
- ☐ No Derivatives

Feedback

All CC licences require that others who use your work in any way must give you credit (attribution) the way you request, but not in a way that suggests you endorse them or their use. If they want to use your work without giving you credit, or for endorsement purposes, they must get your permission first.



8) Creative Commons Zero Licence is equivalent to:

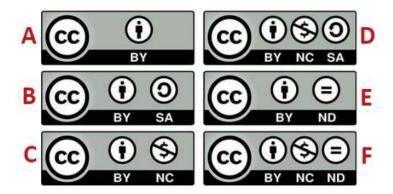
\square CC BY

- ☐ GNU
- ☐ Full copyright
- □ Public domain

Feedback

CCO: The work is in the public domain. The author has waived all of his or her rights to the work worldwide under copyright law.

9) Which licences do not allow re-purposing or adaptation?

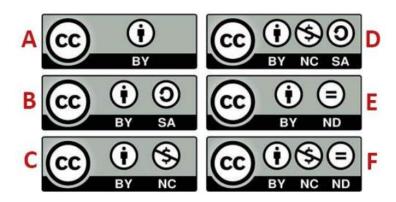


- □ D & F
- **⊠ E & F**
- □ C & F
- □ A & B

Feedback

Remember that licences that contain **ND** (No Derivatives) do not permit modifications to the original resource.

10) Which licenses prohibit the use of the resource in new works that will be fully copyrighted?



- ⊠ B & D
- □ C & F
- □ B & F
- □ D & F

Feedback

Remember that licences that contain **SA** (Share-Alike) require the new work, or derivative, to have exactly the same licence. A published fully copyrighted work would need to change the licence.