
HOW AND WHY TO USE COPYLEFT LICENCES

 XABIER BARANDIARAN

Autonomía Situada. Independent Research Centre
autonomiasituada@sindominio.net

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This is a short guide to some of the licences available for free documents—also known as Copyleft licences—and how to use them.

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What is copyleft?

Unless the rights to a document are explicitly transferred to the public, it is implicitly understood that “all rights are reserved” by the author, and none are transferred to the user. The same is true of any document without copyright: by default, all rights are reserved unless otherwise stated. Paradoxically, then, the free circulation of works has to be defended using a form of copyright (which we call copyleft) and NOT by refusing to make it explicit (as in the case of “anticopyright”).

Under current legislation, in other words, if anyone wants to guarantee that the public has the right to copy (and alter and redistribute) their work, the rightsholder must explicitly say so. That is what makes copyleft.

The strategy of copyleft, then, is to use the legislation to turn copyright on its head by explicitly stating the terms of the copyright in the form of free dissemination, copying and alteration; in other words, by inverting the rights that are typically protected by restrictive copyright. To put it another way, copyleft is a legal mechanism whereby copyright legislation is utilised to defend and establish a community of free exchange of knowledge and techniques, information and art. Members of Sindominio's copyleft mailing list discuss aspects related to the copyleft community in the Spanish-speaking world. You can consult the group to obtain more information or clear up any queries you may have on the community.

How do I make a document copyleft?

It might not seem it, but using copyleft licences is actually very simple. You just have to add the following text to the document you want to licence under copyleft:

Copyright (c) year author's_name. Licence_note.

Where “year” is the year of publication of the document, “author's_name” is the name of the author of the document and “licence note” is the note that sets out the terms of the copyleft licence (it is a good idea to add a link to the complete, legally valid, licence—if there is one).

Just by adding this text, you will automatically be making the document copyleft (provided the licence note meets the standards of the copyleft community).

Some types of copyleft licence

You can choose from a wide range of wordings for your copyleft licence, offering different amounts of liberty in different ways. However certain licences, developed by groups and organisations working to promote and defend the copyleft community and free software, have become widely used standard models thanks to their recognition and good legal design. Some of these licences are briefly presented and described below:

Creative Commons

Led by American jurist and copyleft defender, Lawrence Lessig, *Creative Commons* is an association working to publicise and offer legal assistance on the free dissemination of knowledge and collective intellectual production. Creative Commons has drawn up a series of licences that allows authors to choose which rights they want to reserve and how they want to go about it. Using a very simple mechanism, you can choose the four essential characteristics of the licence and the website will automatically create a legally valid licence matching these characteristics. In *Autonomía Situada* we have chosen Creative Commons' *Attribution -- NonCommercial-ShareAlike* licence, which requires acknowledgement of authorship, allows free non-profit copying and distribution of the original work and derived works provided the same licence is maintained.

The *Creative Commons* website gives a very informative explanation of the licences and of the rights of collective creation and collaboration in intellectual production. These licences will soon be translated and adapted to local legal contexts. The licences currently offered by Creative Commons are not designed for any particular legislation although they are sufficiently detailed to be applicable in the legislative sphere of any country.

GPL (General Public Licence) y GFDL (GNU Free Documentation Licence)

The GNU project (GNU Is Not Unix) and the FSF (Free Software Foundation) are the standard bearers of the promotion and defence of free software and especially the GPL (General Public Licence—used for software) and the GFDL (GNU Free Documentation Licence—developed for documentation for free software). The two licences allow free distribution and copying of the work (software or documentation) for commercial or other purposes and also allow derived works provided an identical licence is used. These are the licences most frequently used for free software, but the documentation licence (the GFDL) is not always best suited for other types of documents (artistic documents, opinion, etc.). The licences page of the FSF/GNU offers a large amount of detailed information on the licences. GUGS (the *sindominio gnu users group*) offers various translations (unofficial—the FSF does not take any legal responsibility for the translated versions) of the GPL and the GFDL.

GNU and the FSF recommend enclosing the complete licence in each of the texts licensed with copyleft and do not recommend giving links to the online version of the licence (because of the instability of the information on the Internet and possible future changes).

In *Autonomía Situada* we only use free software under a GPL licence or similar and we are committed to the free circulation and collective development of the computer programmes we use. In keeping with this policy, we have decided to license the programmes we produce under the GPL licence.

Art-libre

The Art-libre licence has been devised for production of an artistic nature. It is slightly different to the other licences mentioned here but it is entirely copyleft. It was first developed in France (from the “copyleft attitude” project) and there is a version of the licence translated into Spanish.