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## Press Release

### **‘Leaders of the Free World’ finally able to sing “Happy Birthday to You” to the Free Culture Movement after rights to the song cleared**

**San Francisco, USA, June 21, 2005:**

Creative Commons, a nonprofit organization that provides flexible copyright licenses for authors and artists released today its long-awaited present to the Free Culture Movement, represented primarily by FreeCulture.org, which celebrated its first birthday on April 23, 2005. The present is a recording of “Happy Birthday to You” by some of the “leaders of the free world”—meaning some of the leaders in the free culture, free software and open source software movements. The present is now offered to the world from Creative Commons’ site in exchange for donations to pay the licensing fees of 8.5 cents per download, with the rest of the donations going to support the Free Culture Movement.

The Free Culture Movement was formed at Swarthmore College, Swarthmore, PA, by more than 100 students. These students were organized by a group who sued Diebold and won, after Diebold sent a cease and desist letter to the Swarthmore university administrator alleging violations of the Digital Millennium Copyright Act. Faced with such grave accusations, the university administrator shut down the students’ website—that is, until they won the right to have it reinstated. A year later, there are nine chapters across the country, and more brewing around the world.

In keeping with tradition, Creative Commons wanted to sing “Happy Birthday” to the Free Culture Movement and help the Free Culture Movement on its way with donations by those supportive of its cause. Because “Happy Birthday” is still under copyright, however, to do so, Creative Commons needed to get a license.

The American Composers, Authors and Publishers directed Creative Commons—because it wished to only make a single download—to Warner Chappell Music. Warner, after discussing license terms and quoting an applicable license fee, refused to grant a license and directed Creative Commons to Harry Fox. Finally, through Harry Fox, Creative Commons was able to obtain a license and sing “Happy Birthday” in public to the Free Culture Movement, somewhat belatedly given the delay in securing the necessary rights.

The song is now available for download and donations are welcome to help cover the licensing fees and to assist the Free Culture Movement at <http://mirrors.creativecommons.org/happybirthday/>. Performing the song are



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the designated ‘leaders of the free world’ –The Staff of EFF, Mitch Kapor, Dan Gillmor, Brian Behlendorf, Ian Clarke, Jimmy Wales, Brewster Kahle, and Gigi Sohn.

### **About Creative Commons**

A nonprofit corporation founded in 2001, Creative Commons promotes the creative re-use of intellectual and artistic works—whether owned or in the public domain—by empowering authors and audiences. It is sustained by the generous support of the Center for the Public Domain, the John D. and Catherine T. MacArthur Foundation, the Omidyar Network Fund, and the Hewlett Foundation.

For general information, visit <http://creativecommons.org>

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### **Press Kit**

<http://creativecommons.org/presskit>