



Welcome to Creative Commons International

CCi

We are very pleased to welcome you to the international license project of Creative Commons!

Thank you for volunteering to be an Creative Commons International Project Lead. We are excited to make Creative Commons a truly global organization, and your help is indispensable in helping us reach this goal. This document provides orientation to the process and a few pointers on running things smoothly.

For further questions please do not hesitate to contact the Creative Commons International Team:

Christiane, Executive Director CC

✉ christiane@creativecommons.org

Eva, Executive Assistant

✉ eva@creativecommons.org

Tessi, Project Associate

✉ tessi@creativecommons.org

CCi Office:

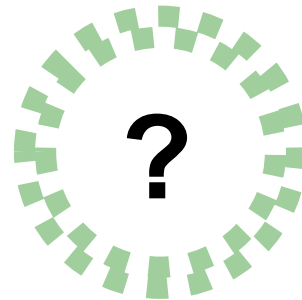
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The porting process includes several steps that eventually lead to the launch of CC licenses in your country. The following overview offers a description of the steps involved.

- Affiliate Institution and Project Lead chosen



- Project Lead produces first draft



- Public Discussion



- Project Lead produces second draft



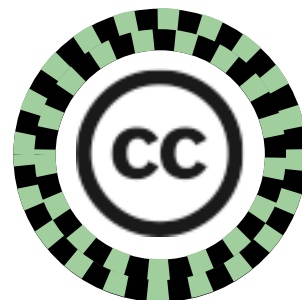
- Creative Commons reviews draft



- Project Lead arranges technical requirements



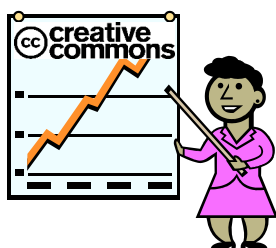
- Launch of the national version of the licenses



Creative Commons identifies the Legal Project Lead and the Affiliate Institution for license porting. Our decision to begin drafting a license for a particular country depends entirely on **identifying a Legal Project Lead and an Affiliate institution/law firm** for that country.

The Project Lead

Selection criteria for these practitioners and academics include:



- ✓ Professional legal credentials and reputation, generally
- ✓ Reputation among copyright and intellectual property experts
- ✓ Enthusiasm for the project
- ✓ Willingness to work within the framework described in these Guidelines;
- ✓ Ability to communicate in English and
- ✓ Willingness to establish contacts and to collaborate with experts in the technology field

The Legal Project Lead will head up the particular country's drafting effort for licenses. These people will be in charge of soliciting and filtering comments from their community of lawyers and ultimately drafting the final changes. It is best to have this responsibility centralized, even if the peer review process is diffuse.

The Affiliate Institution

In making the decision about which institution should be the lead in porting the licenses, the following criteria may be useful in evaluating the appropriateness of different organisations:

- ✓ **Locally run, owned, managed**
Buy-in from local organisations may be more successful if the host organisation has a strong local network and is based within the country in concern. It is also useful for the host institution to have some international links so that the project is set within both a local and global context of ideas.
- ✓ **Mandate of host institution and potential for independence of CC project**
It is important that the cc national project is not hindered by institutional policies that may conflict with CC goals. This may be related to the advocacy role of the institution in relation to cc's present and future activities.
- ✓ **Copyright/Internet law expertise**
The institution should have a good track record or at least knowledge and interest in the national and international Internet law and policy sector.
- ✓ **Professional network**
The institution should be well placed within a local, regional and global network of professionals who will implement CC ideas after the licenses have been formulated.
- ✓ **Prestige**
Institutional prestige within the field of Internet law, copyright and progressive ICT policies is a plus because it allows the subject of CC licenses to be discussed within a legitimate organisation.
- ✓ **Willingness to collaborate**
The institution should have, in informal discussions, expressed support for the project and willingness to donate resources (of time and/or funds) to support CC.
- ✓ **Capacity**
The institution should have the human capacity to initiate discussions and at least do some work on licenses before/if funding is sought for additional activities.

Creative Commons and Legal Project Lead/Affiliate Institution sign a Memorandum of Understanding.

While we may in some cases facilitate informal discussion about a country's participation in CCI before a Legal Project Lead is identified, we will not announce or draw attention to such discussions as "active" CCI countries until Creative Commons determines who this Legal Project Lead will be and the two parties sign a Memorandum of Understanding.

Please get in touch with the CCI team (cci@creativecommons.org) for the document and for further information about the practical handling.

Community of Legal Leads

News and updates are published on the CCI mailing list for Legal Project Leads.

Legal issues and questions of interest are also being discussed on the CCI mailing list. To subscribe to the list please visit <http://lists.ibiblio.org/mailman/listinfo/cci>

Further information on the porting process, CCI working groups, contact details of national Project Leads and other useful information is at www.iteamspace.com



Legal Project Lead establishes timeline of activities with CCI Team.

At the outset, the Legal Project Lead is to set out expected dates for completing steps in the Phase of license porting process. (Suggested timeframes are included with the steps that follow.)

During the drafting process, serious problems should be called to the attention of the CCI Team when they become apparent.

Possible dates for the license launch should be coordinated with the CCI Team.

	Suggested Timeframe
Legal Project Lead produces first draft	1 Month
Draft is released for Public Discussion	1 Month
Legal Project Lead produces second draft	2 Weeks
Creative Commons reviews second draft	1 Month
Legal Project Lead sees to it that final licenses are re-translated into English	1 Month
Legal Project Lead arranges the necessary translation and customization of the Commons Deed, the FAQ's and other website content for the launch of the licenses.	1 to 2 Month
Ported licenses are posted on creativecommons.org	1 Week
The launch is celebrated.	

Legal Project Lead produces first draft.



Suggested Timeframe: 1 Month

With the MOU signed, Creative Commons hands the controls over to the Legal Project Lead, who is to begin by producing a first draft of the new license.

Here's how that drafting process should work:

- ✓ Review the license. The license you'll be working from is the newest version of Attribution-Noncommercial-ShareAlike license, found here <http://creativecommons.org/licenses/by-nc-sa/2.5/legalcode>. You should use this license as a basis for your draft because it is the most comprehensive Creative Commons license: every provision that you will need to transpose for the 6 generic licenses appears in this license.
- ✓ Translate the license (if applicable). Literally translate the license verbatim into your country's first language
- ✓ Analyze and alter the license. With the basic license literally translated into your country's first language, it is time for you to begin the real challenge: analysis of the license for provisions that must be changed in order to comport with your country's laws, and revision of those provisions. Note that the original license is drafted to comport with U.S. law, whereas copyright law might be quite different in your country. (For example, your jurisdiction may provide for neighboring rights and moral rights and differ from the United States on "fair use".) Also, you may want to add provisions on governing law and governing language clauses, and look at other, more conceptual issues.
- ✓ Prepare a list of any substantial legal changes in the generic license that occur in the first draft.
- ✓ Translate the changed license back to English and send it to the CCi team. This step is tedious, yes, but it helps us keep up with your changes and progress. Thank you for being patient with us on this point - it demonstrates why your help is crucial to CCi's success!



Draft is released for Public Discussion



Suggested Timeframe: 1 Month

With the first draft, the English translation and the list of substantial legal changes ready for comment, Creative Commons announces the addition of a new CCi country on the CC worldwide homepage and establishes an email list for public feedback on the license drafts.

The Legal Project Lead, with guidance from CCi Director Christiane, encourages comment and criticism. The language in which this discussion takes place as a rule will be the language of the jurisdiction concerned. If you need help with the administrative handling of a mailing list please contact CCi Assistant Eva: eva@creativecommons.org

Conducting a vibrant public discussion after the first draft of licenses has been produced is critical to the success and buy-in of the project at the national level. Here are some tips on creating a successful collaborative effort:



Before the list starts:

- ✓ Discuss with team members whom to invite, how to ensure maximum involvement among local stakeholders, how to structure the discussions
- ✓ Send personal invitations to key stakeholders in relevant sectors (education, government, law, academia, artistic and creative etc) to ensure their involvement.
- ✓ Develop a summary of the list, as well as welcome and goodbye notes on the ibiblio administrative interface.

When the list starts:

- ✓ Introduce the background to the licenses, what the relevance of Creative Commons is in the country's copyright context, how the host institution was chosen, the need for participation and partnerships with other organisations/individuals
- ✓ Outline a brief structure of how you'd like discussions to proceed e.g. whether you want to look at specific legal issues separately, whether you want to look at application and implementation in the last week of discussions etc.
- ✓ Highlight specific issues from the discussion on your country page on the Creative Commons website by quoting members of the list - this will lead to an enhanced sense of buy-in and community and will ensure that you have summaries of the most important issues that were brought up at this important stage

At the end of the list:

Thank individual members personally and invite them to participate in the next stage of implementation in various sectors

Legal Project Lead produces Second Draft



Suggested Timeframe: 2 Weeks

The Legal Project Lead revises the first draft in response to the discussion group's suggestions. The re-draft should incorporate necessary changes to the licenses themselves and to their explanations (e.g., FAQs, disclaimers, human-readable "Commons Deeds"). Please collect all the arguments of the mailing list and integrate them into the second draft, if necessary.

Here again, we would ask that you please provide an English translation of this second draft!

The CCI Director Christiane also requires information from the Project Lead about any changes that were made to the licenses.

We recommend that you follow this outline:

- Brief history of the origins of copyright and intellectual property rights law in your country
- Outline and links to major legislation and international treaties that affect copyright and intellectual property rights in your country
- How Creative Commons fits into current local legislation
- Changes that were made to the licenses to accommodate local legislation and policy
- Any other interesting info?



Do not hesitate to ask Christiane and her team, if you have any questions.

Creative Commons reviews Second Draft



Suggested Timeframe: 1 Month

In some cases, we might do this "review" on the public email list; in others, offline.

Either way, Christiane will work with the Legal Project Lead to produce a suitable final version. In some cases, this process may be intense, given the amount of translation that may need to occur during the revision process.

Please contact Christiane for review: christiane@creativecommons.org

Legal Project Lead finalizes the licenses, arranges the necessary translation and customization of the Commons Deed, the FAQs and other website content for the launch.



Suggested Timeframe: 1 - 2 Month

This stage will include cooperative work with the technological staff of Creative Commons to prepare the license engine page.

- ☞ After CCI Director has approved of draft Project Lead finalizes the license.
- ☞ The final English version of the license should then be send as a word-document without any formats and footnotes to CCI Director Christiane <mailto:christiane@creativecommons.org> and to CTO Mike <mailto:ml@creativecommons.org> as a check-up.
- ☞ Transform the Attribution-Non-Commercial-Share Alike license into the possible six different licenses.
- ☞ Legal Project Lead conducts the translation and customization of the Commons Deed and other necessary web content (i.e. trademark and other policies, disclaimer etc.). For the translation of the Commons Deed and the “Choose license” page, please use the translation tool at <http://a2.creativecommons.org:9000/istr/>.
- ☞ If necessary, the Legal Project lead will translate the FAQs of Creative Commons and add country specific FAQs to guide people’s proper use of the licenses. The translation can be done on the public wiki page at <http://wiki.creativecommons.org/FAQ> and <http://wiki.creativecommons.org/CcWiki:About#Translate>

Translation of strings required for „Choose License“ and deeds should proceed weeks if not months prior to expected launch

- ☞ All ported licenses must be provided to Creative Commons as UTF8-encoded XHTML. The XHTML must be modelled after the XHTML used in other Creative Commons licenses, including using the same stylesheet. The XHTML provided must be [valid](#) according to the [W3C Markup Validator](#).

Do not attempt to generate license HTML from Microsoft Word. It produces junk HTML, which will be returned to you and you’ll have to redo.

- ☞ License files must be named according to the following convention: `{license-code}_{version}_{country-code}.html`
In other words, Austria would provide the following six files:
 - by-nc-nd_2.5_at.html
 - by-nc-sa_2.5_at.html
 - by-nc_2.5_at.html
 - by-nd_2.5_at.html
 - by-sa_2.5_at.html
 - by_2.5_at.html

Please validate using the W3C service before sending to Creative Commons tech staff

Please note that no further changes will be possible once they have been published



Now the ported licenses are posted on the “worldwide” homepage of creativecommons.org.

Creative Commons places the full final licenses as well as the Commons Deeds on its Web site in the national language of the new participant country.



10. Launch the license

The Launch is celebrated!

Whether the Launch will be in the form of a party, a convention, a television program, a press conference, or all of the above will be the decision of the Legal Project Lead and his local project team.

The event should attract the kind of publicity we need to make sure that people will know where to turn for “creative work available for others to create upon and share”.

CCi will draft a press release for the launch. Please contact the team in Berlin. eva@creativecommons.org or tessi@creativecommons.org

After the launch the Legal Project Lead and Christiane discuss if the Affiliate Institution is interested to become a longterm Legal Advisor for the particular jurisdiction. If this should not be the case the Project Lead suggests other potential Affiliate Institutions for this position.



**Creative Commons will:**

- ✓ Name the Legal Project Lead/Affiliate Institution and sign an MOU with that party;
- ✓ Work with the Legal Project Lead to establish an appropriate timeline and form the Legal Advisory Board (optional);
- ✓ For the Public Discussion, set up an email mailing list (and Wiki for drafting, if necessary), offer help running the list, and archive the list;
- ✓ Participate on occasion in public discussion of the project to promote the project lead's efforts on our Web site and through press announcements at the launch and close of the license development;
- ✓ Answer questions about U.S. law and the policy of licenses (it should be noted though that Creative Commons does not provide legal advice);
- ✓ Review the proposed final draft and decide to implement it - or seek further public discussion or legal research.

The Legal Project Lead will:

- ✓ Sign an MOU with Creative Commons;
- ✓ Propose a timeline for the license porting process;
- ✓ Produce the first draft and an English translation of it;
- ✓ Drive discussion on the public mailing list;
- ✓ Decide which issues raised on the discussion list warrant a change to the first draft;
- ✓ Produce a second draft and an English translation;
- ✓ Propose the re-draft to Creative Commons;
- ✓ Lead a short second round of public discussion if necessary;
- ✓ See to it that the licenses are translated back into English;
- ✓ Translate and customize the Commons Deeds and 'Choose License' web pages and other related important contents for the launch;
- ✓ Prepare the licenses in XHTML code;
- ✓ Prepare the country specific FAQ; and
- ✓ Organize the events surrounding the launch of the licenses.