



Advantages and disadvantages of CC license elements

Preliminary remark

The modular CC license structure consists of four basic *license elements*: BY, SA, NC, ND¹. These elements form the basis of a license suite that provides six standard licenses. The table gives a simplified overview of the general advantages and disadvantages of the four license elements when used for Open Educational Resources (OER) and Open Access publications².


	
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Pro	Contra
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<ul style="list-style-type: none"> Non-discriminatory, unhindered downstream use permitted No <i>per se</i> exclusion of user groups No <i>per se</i> exclusion of purposes of use Suitable for Wikipedia Due to the "vaccination effect", <i>de facto</i> protection against commercial reuse in the proper sense³ Ensures the freedom of the material in all its iterations Prevents commercial appropriation 	<ul style="list-style-type: none"> No individual control of specific uses (such as commercial uses) possible SA and attribution duties can be tricky in borderline cases Difficulties in interpretation lead to legal uncertainty Legal uncertainty may prevent users from use License is incompatible with most other licenses

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² The figure shows the basic modules BY, SA, NC and ND. The BY module is included in every license. Licenses with multiple elements (such as CC BY-NC-ND) have all the advantages and disadvantages of the included modules when accumulated and are therefore not explained separately.

³ When SA content is mixed or modified with other content, the modifications may only be distributed as Open Content. Thus, combinations of own and other content and other modifications may be shared/published only as open content. Traditional commercial users such as publishers or labels are therefore generally reluctant to use SA material without further arrangements and individual agreements. As a result, they will try to "buy their way out" of the SA obligation. In this way, the individual contact is established, and the licensor is put in a position to ask for further conditions such as license fees.

	
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<p>Pro</p> <ul style="list-style-type: none"> • Creates options for individual decisions on commercial use 	<p>Contra</p> <ul style="list-style-type: none"> • Leads to interpretation difficulties • NC interpretation often unclear or difficult • Difficulties in interpretation lead to legal uncertainty • Legal uncertainty may prevent users from use • Reservation of noncommercial rights excludes desired uses • Broad definition is mostly excessive; many uses are unintentionally excluded • Due to legal uncertainty and further license restrictions, license is often blacklisted • Not compatible with BY-SA, unsuitable for Wikipedia • Excludes important multipliers and intermediaries, thereby hindering reusability and distribution (openness) • Reservation of rights only makes sense with a marketing plan and a willingness to enforce the law

	
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<p>Pro</p> <ul style="list-style-type: none"> • Integrity of the material is legally ensured by reservation of rights • No <i>per se</i> exclusion of user groups or purposes 	<p>Contra</p> <ul style="list-style-type: none"> • Leads to interpretation difficulties • Interpretation of ND often unclear and/or difficult, especially in combinations of material • Difficulties in interpretation lead to legal uncertainty • Legal uncertainty may prevent users from use • Reservation of modification rights excludes desired uses • Especially in a teaching and learning context, adaptations are usually necessary and essential for subsequent use • Reuse of excerpts or parts in other contexts (mixing, combining) excluded or legally uncertain • License not compatible with BY-SA, unsuitable for Wikipedia