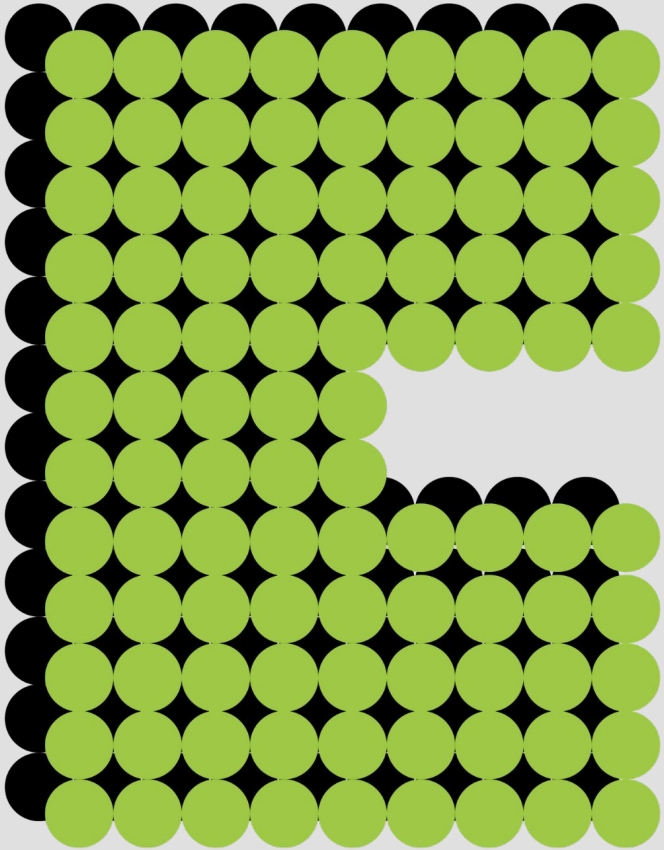
Photos by Sebastiaan ter Burg licensed with CC BY 2.0.





Keeping the Internet Human

25 Years of Creative Commons



This year, Creative Commons marks 25 years of powering the world's sharing—a quarter century of building the legal, technical, and social infrastructure that enables open knowledge, creativity, and collaboration worldwide. Today, as AI reshapes how we create, connect, and communicate, a new challenge faces us: how to keep the internet human, to reclaim humanity in our digital future.

AI, Copyright, and the Commons

Shanna Hollich
Sr. Manager, Learning and Training

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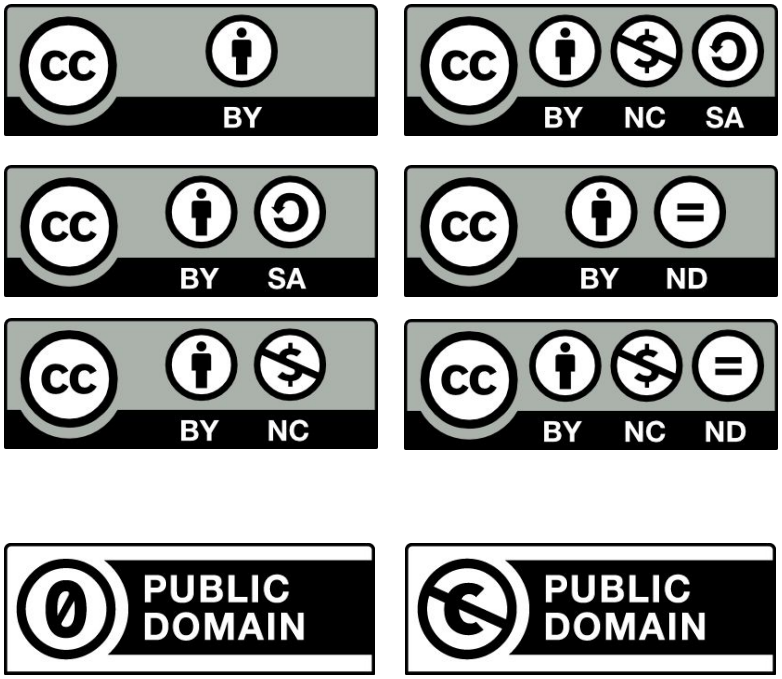


“Antarctica 2006 082” by Horacio Lyon, CC BY-NC-ND 2.0.

Creative Commons

An international nonprofit organization, founded in 2001, dedicated to building a world where education, culture, and science are equitably shared as a means to benefit humanity.

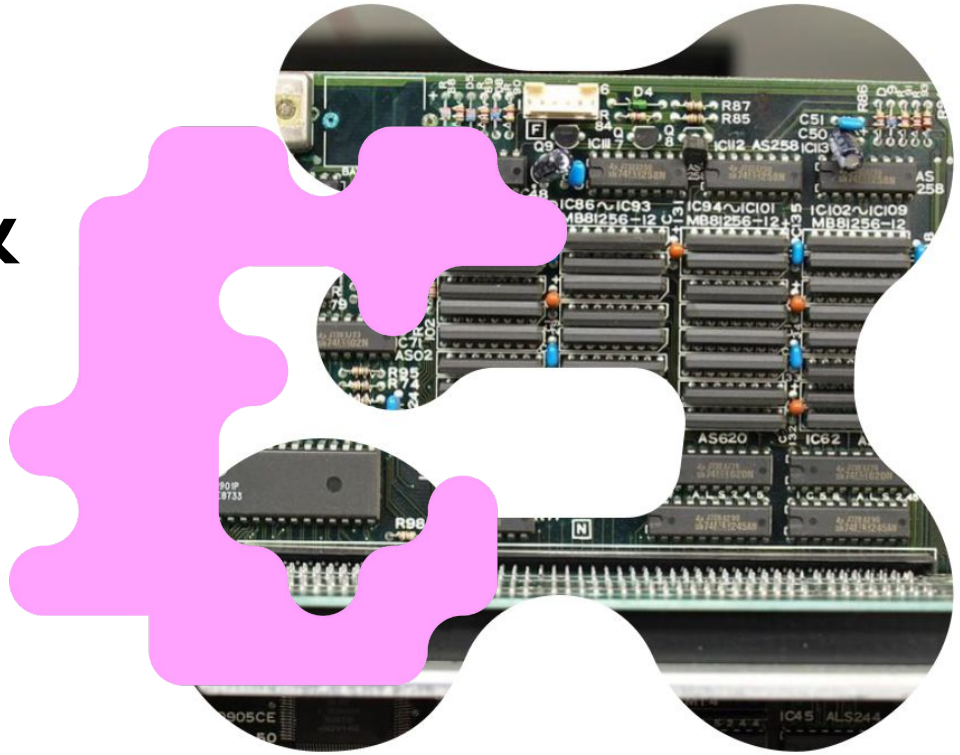
CC Licenses and Public Domain Tools



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Copyright & AI

Overview



"Sharp X68000 Personal Computer Teardown" by eevblog, CC BY 2.0, Openverse.

Outputs

Questions of infringement and authorship/copyrightability



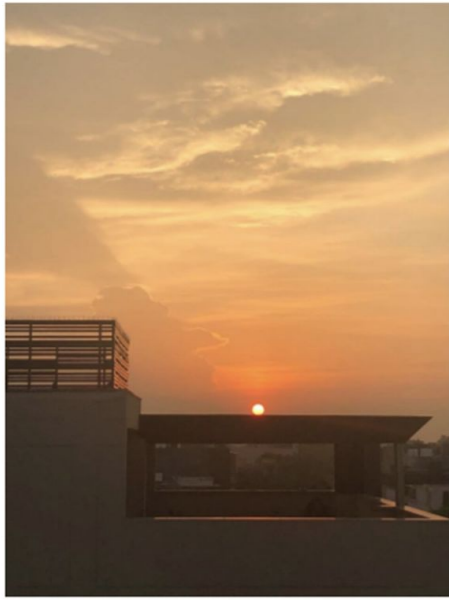
“Mist” by Edu Aguilera, CC BY-NC 4.0, Flickr.



How much “human” is “enough” to make something “original”?

The *Suryast* Example

Images provided by the US Copyright Office



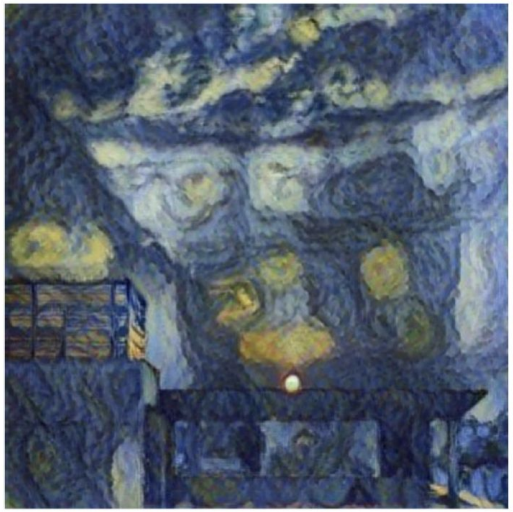
Ankit Sahni's original photograph

Base image



***The Starry Night,* Vincent Van Gogh**

Style image



The work, *Suryast*

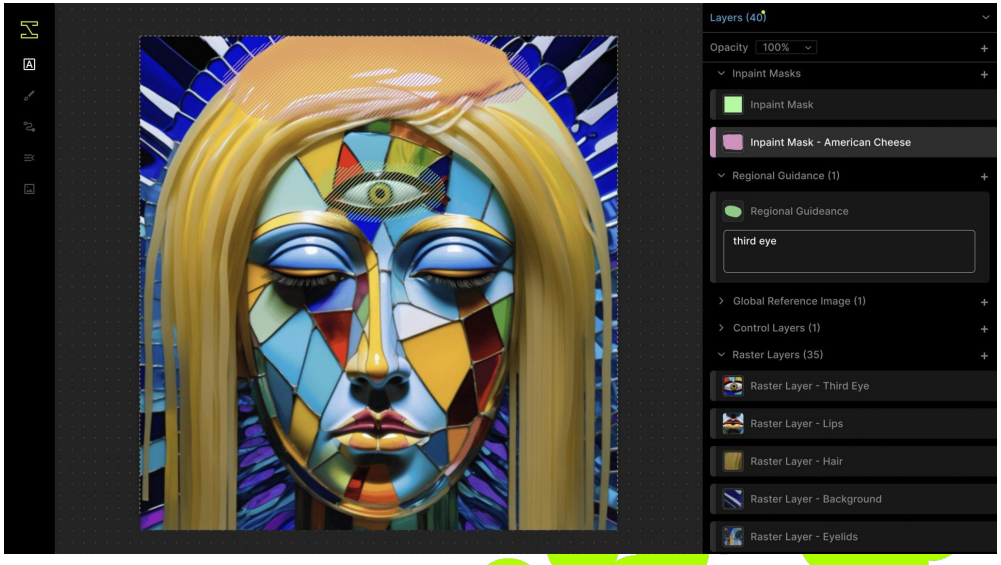
Output

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US Copyright Office Copyrightability Guidelines

Human authorship matters, but copyrightability of an AI-assisted work is determined on a case-by-case basis.

This AI-assisted image was the first to be granted copyright protection in the US.



Kent Keirsey, *A Single Piece of American Cheese* (2024) Screenshot of the Invoke control panel. Photo courtesy of Invoke.

Inputs

Training and ingestion



“Mist” by Edu Aguilera, CC BY-NC 4.0, Flickr.

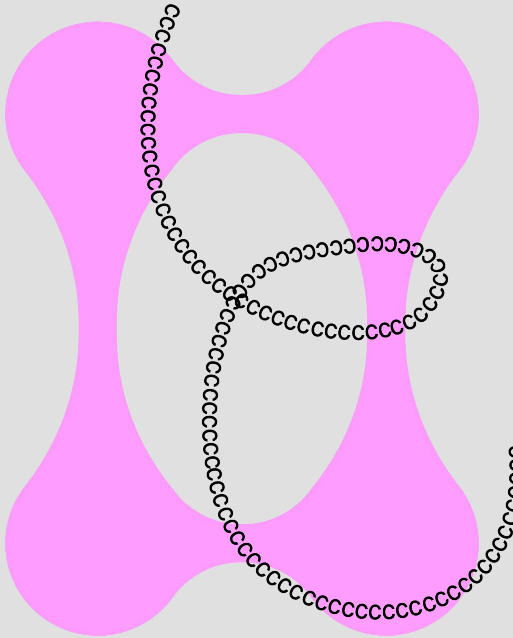
Is AI training permissible under copyright? Questions to consider:

- Was the work used in a way that actually implicates copyright? If so, was the use lawful?
- Is the model deriving uncopyrightable or copyrightable material?
- How was the data acquired and stored?
- What is the purpose of the tool?
- Are there guardrails against memorization and regurgitation, or other communication of copyrighted material to users?

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Recent decisions and outcomes (Fair Use/Dealing)

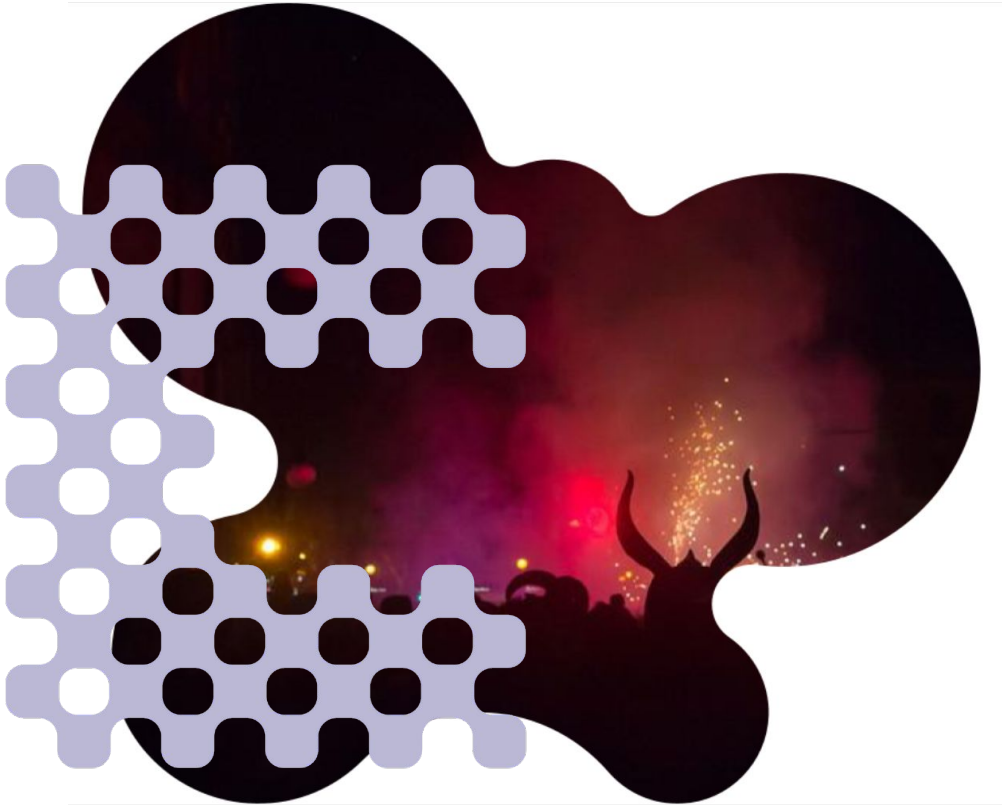
- **Bartz v. Anthropic (USA)**
  - Training is fair use
  - **Carreyrou v Anthropic**: new case
- **Thomson Reuters v. Ross (USA)**
  - Training is not fair use
- **ANI Media v. OpenAI (India)**
  - Training is fair dealing



Recent decisions and outcomes (TDM)

- **Robert Kneschke v. LAION e.V. (Germany)**
  - Non-profit research bodies can lawfully scrape works to build AI training datasets.
- **Getty Images v. Stability AI (UK)**
  - Stable Diffusion is not an infringing copy because it does not store copies of works.
- **GEMA v. OpenAI (Germany)**
  - ChatGPT infringed by a) storing lyrics in model and b) reproducing lyrics in output.
- **Like Company v. Google (EU)**
  - Training is allowed under TDM, outputs may be infringement.

CC Licenses and AI



“Dimonis” by Masterdreams, CC BY-NC-SA 2.0, Flickr.

Can I apply a CC license to work created by generative AI?

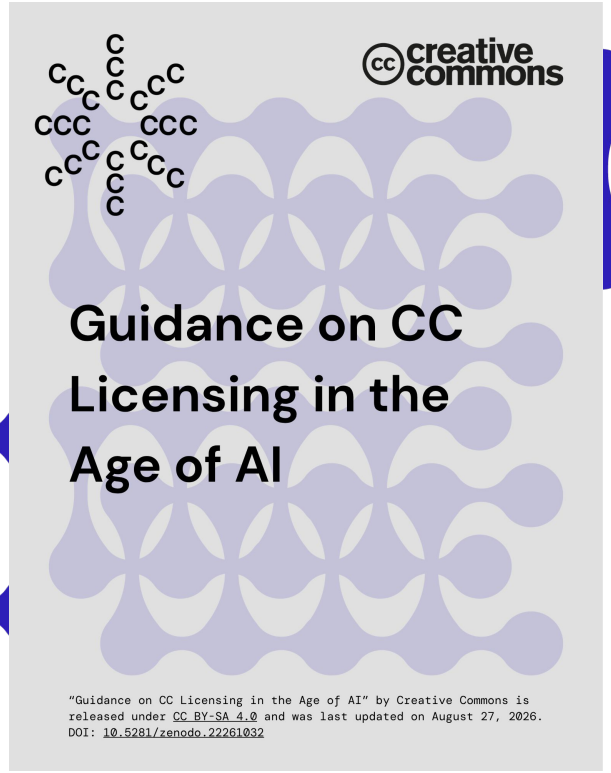
- Is the material copyrightable?
- Do I own this material / did I create it?

Remember:

Your copyright (and, in turn, your CC license) only apply to your own contributions to a work. When adapting someone else's work, for example, your copyright only extends to *your new and original work*.

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Licensing Guidance

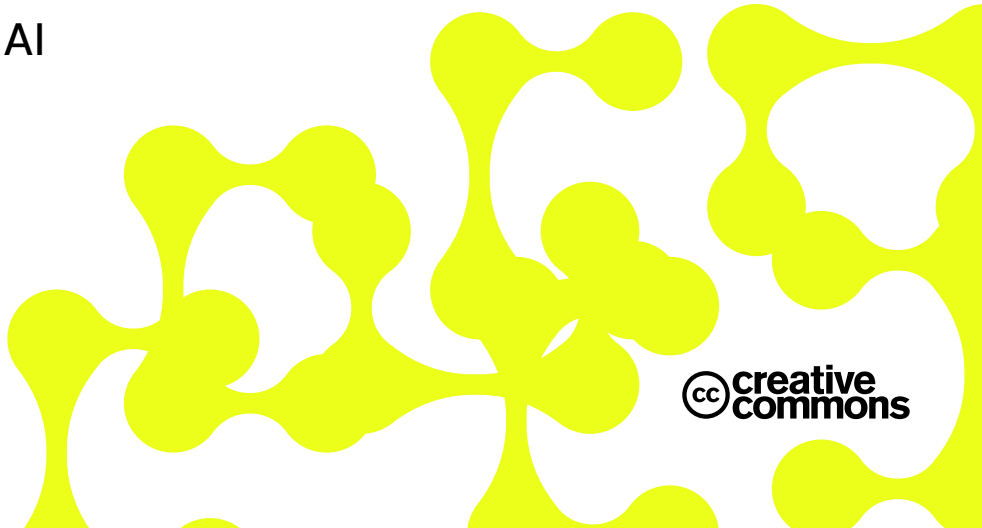


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Executive Summary

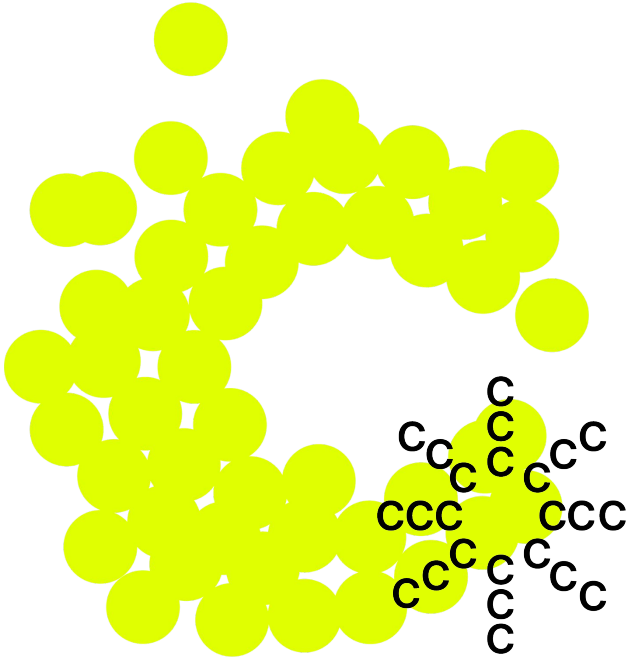
Our general guidance is to:

- Use the most permissive and flexible CC license that meets your goals for sharing the work.
- Understand that more restrictive CC licenses may limit the usability of your work, including (and especially) for human reusers, while doing little to prevent AI usage.
- Mark your work clearly with a full and complete licensing statement that clarifies the title, author, source, and license for the work.

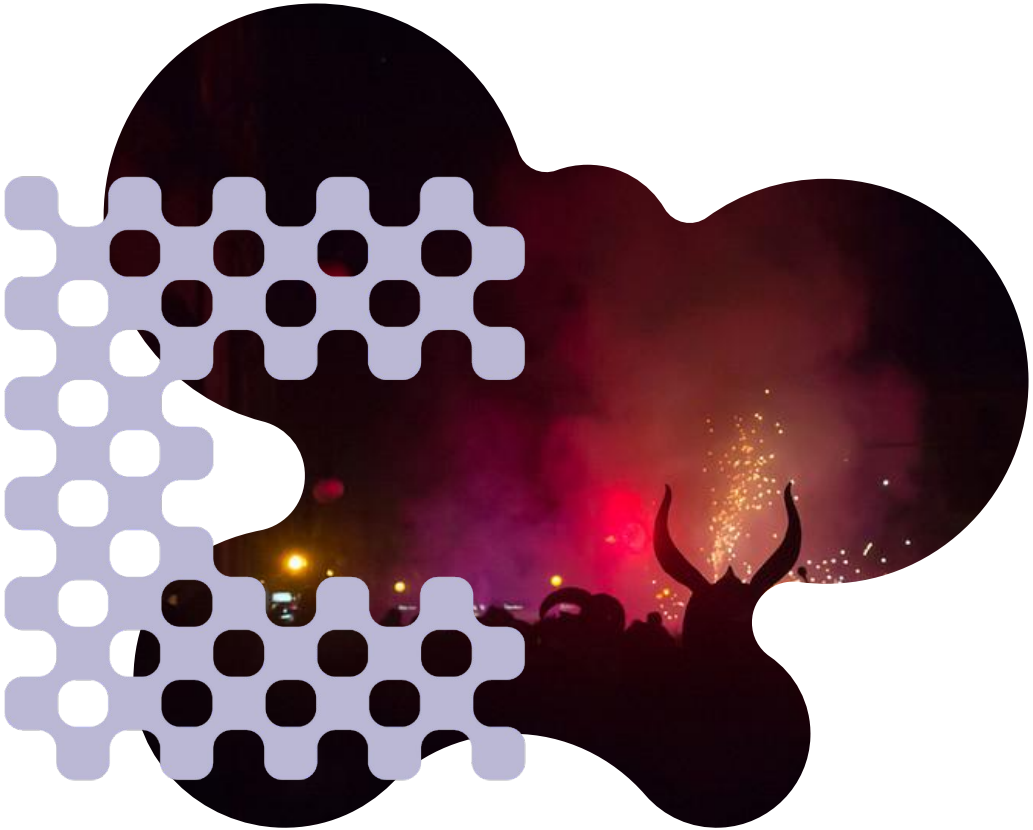


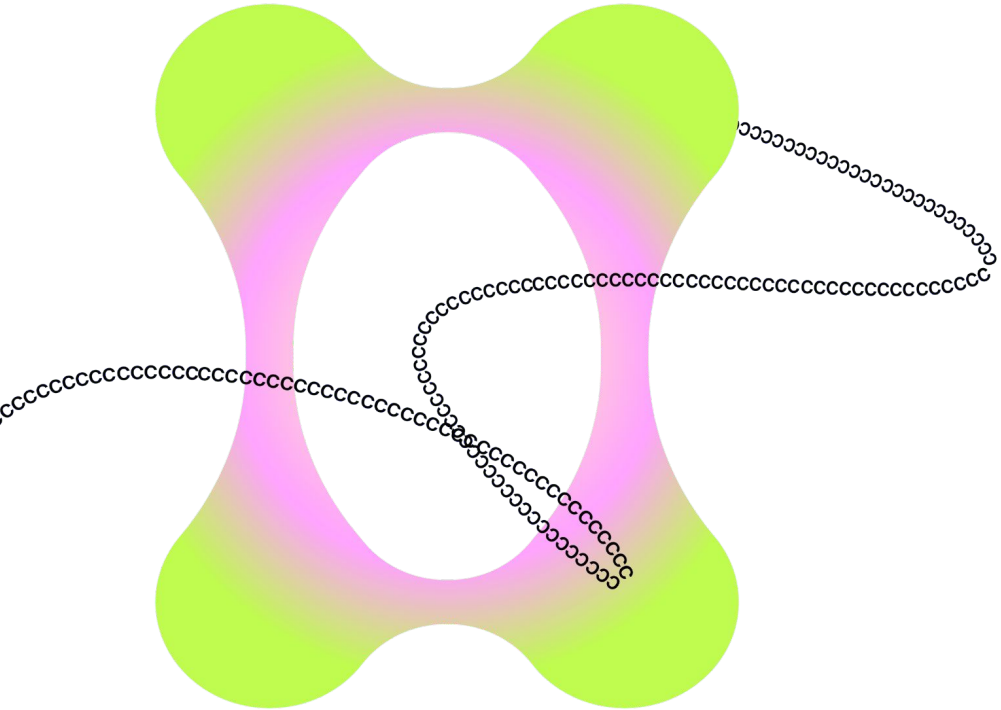
Key Takeaway

We encourage people to **share openly** using CC licenses and tools to help **achieve their goals and values**, rather than viewing the use of particular CC licenses as a way to impede AI use.



Creative Commons and AI: What's Next





CC Signals

CC is developing a framework of legal tools and guiding norms to encourage reciprocity and help sustain a thriving commons in the age of AI.

The status quo is unsustainable.

Why CC Signals?

The commons needs both access and reciprocity.

- AI developers benefit from vast collections of openly shared knowledge.
- Large-scale automated access places unsustainable demand on the infrastructure that makes shared knowledge available
- Without reciprocity, we risk weakening the systems that make sharing possible.

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Balancing openness with agency

CC Signals, a framework of legal tools and guiding norms to encourage reciprocity in the age of AI.

- **Norms and best practices**
  - Engaging with IETF AI Preferences and related efforts
  - Diving deep into attribution and metadata in AI contexts
  - Building transparency and reciprocity norms to sources
- **Legally enforceable tools**
  - Developing contract for bulk access to collections
  - Establishing conditions for AI developers
  - Preserving open licenses and public-interest access

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Introducing SourceConnection

Building on attribution as a form of reciprocity

- Traditional attribution connects identifiable works to their creators. But with AI training, we generally cannot reliably trace individual works to specific generated responses.

- SourceConnection aims to make connections to sources more transparent

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Where we're starting

Who: Initially, stewards of CC-licensed and public domain materials; however CC Signals could be used by any organization providing bulk access, regardless of how the underlying content is licensed.

How: A standardized contract for AI developers agreeing to bulk access through APIs, dataset downloads, or other services.

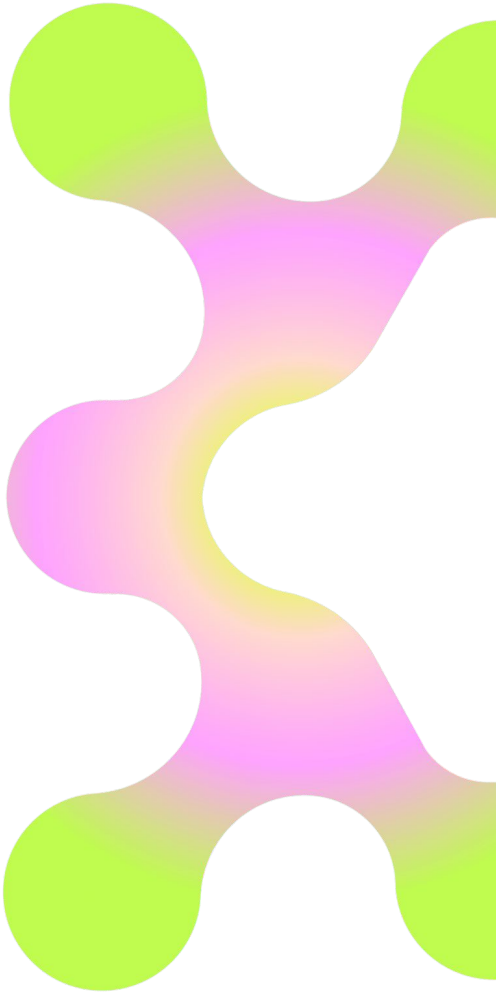
Why: Test and refine the approach, understand its impacts, and apply what we learn more broadly

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What’s next?

Moving toward public alpha testing in early 2027

- Completed the first phase of a needs assessment with bulk collection stewards.
- Engaged experts and potential early adopters through London and Chicago convenings.
- Inviting organizations for public alpha testing.
    - If interested, email info@creativecommons.org







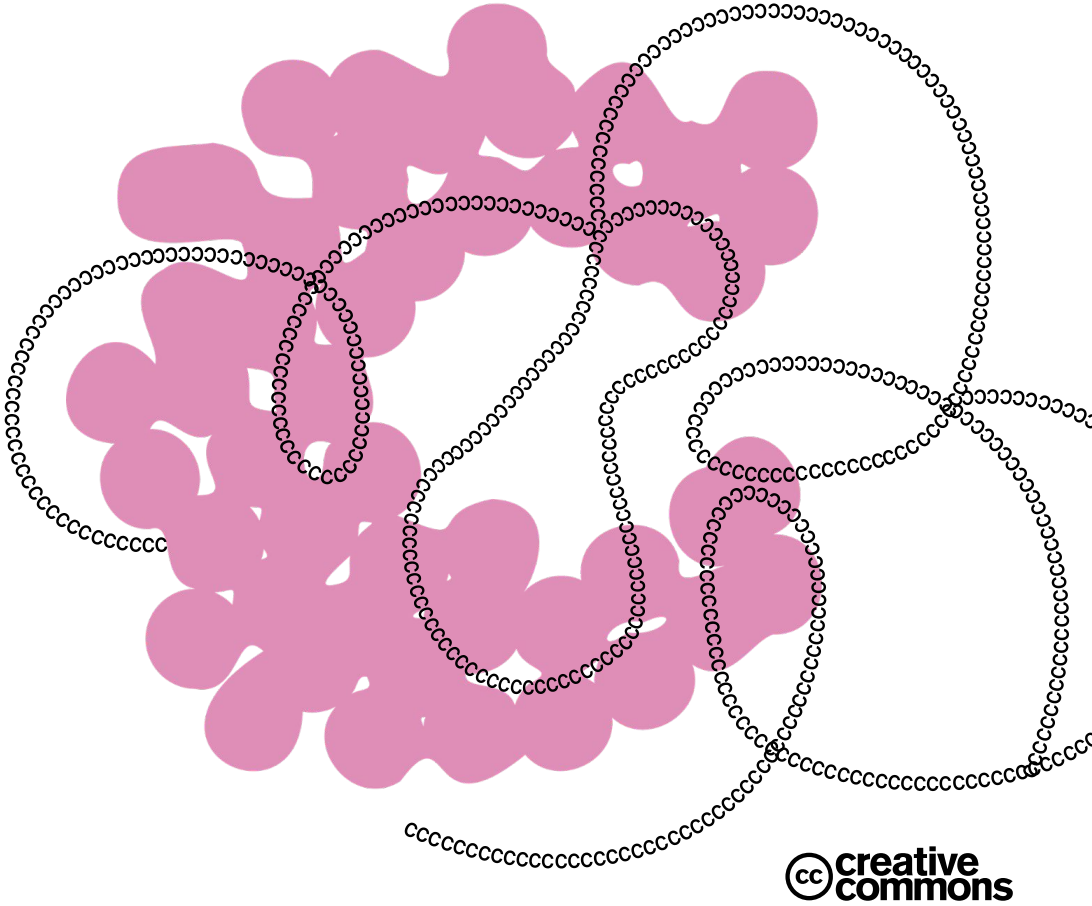
Questions?

Images by Miguel Discart & Kiri Karma and pom, CC BY-NC-SA 4.0, Flickr.

Learn about the infrastructure CC builds and maintains and the ways in which those tools are put into practice at creativecommons.org.

Then join us in the work ahead.

Thank you!



Give a donation



See future events



Join the CC Community



Celebrate with CC!

creativecommons.org/25th-anniversary

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