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Translation and localization of Creative Commons licenses

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TRANSLATION AND LOCALIZATION OF CREATIVE COMMONS LICENSES

Creative Commons is a set of legal rules and licenses for smoothing the flow of creative work. Ease of legal adoption in local jurisdictions goes far beyond mere translation from one language to another. It also calls for building a community of experts throughout the world.

Original article in English.



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MÉLANIE DULONG

LICENSES
OF COMMONS
AND LOCALIZATION
AND LOCALIZATION
AND LOCALIZATION

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Originally, the legal code was drafted according to US copyright law, as the organization is based in this jurisdiction. It has later been drafted in reference to international conventions. Licenses are being translated in over fifty languages and seventy countries. This process called international porting goes beyond a mere translation. For instance, the definitions are expected to be extracted from copyright legislations in each jurisdiction.

² <http://creativecommons.org/choose>

The purpose of having local licenses is to provide a linguistic and legal translation, as well as to increase access, acceptability and understanding by users and judges who need to interpret the licenses in their jurisdiction. The internationalisation process also provides local teams of affiliates who are expert in copyright and open content licensing. Beyond ensuring the translation and porting of the legal code, jurisdictions project leads work with local user communities and governments to explain the licenses and facilitate their adoption³. Jurisdiction teams also collaborate with cc headquarters staff to perform research, provide suggestions to improve the licensing system, report on users' questions, use cases and issues arising in their jurisdiction. They translate and create educational material and constitute a network advising on questions affecting user communities around the world.

However, the legal porting process comes with a caveat due to the lack of harmonisation among copyright legislations. As copyright law varies among countries, licenses do not exactly cover the same scope of rights. As cc licenses are declared compatible among themselves⁴, an author is expected to consent that future adaptations of her work be licensed under unidentified terms, which can be a problem in contract law. The legal porting process has been a useful constitutional event for the development of an international network, and ported versions facilitate understanding and adaptation in diverse legal cultures and systems. But it is a time-consuming task in a complex international law environment. In any case, linguistic translations improve access, acceptability and understanding by non-native English speakers. The license's human-readable translations, summarising the legal text in a few sentences written in plain, non-legalese language, are making it clear to all creators that works can be reused.

Translation is not only a matter of local language, it is also a question of making concepts accessible to non-specialised audiences, and Creative Commons licenses are providing a means of accessibility to legal knowledge, towards access to knowledge and creativity in general.

3 Hala Essalmawi, *Partage de la création et de la culture : les licences Creative Commons dans le monde arabe*, in: *Libres Savoirs, les biens communs de la connaissance*, C&F éditions 2012, p. 145-155.

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