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Creativity and innovation rely on a rich heritage of prior intellectual endeavor. We stand on the shoulders of giants by revisiting, reusing, and transforming the ideas and works of our peers and predecessors. Digital communications promise a new explosion of this kind of collaborative creative activity.

But at the same time, expanding intellectual property protection leaves fewer and fewer creative works in the “public domain” — the body of creative material unfettered by law and, to quote Supreme Court Justice Louis Brandeis, “free as the air to common use.”

The “tragedy of the commons” is the familiar notion that widespread public use of a commons leads to its inevitable depletion. But some resources, once created, cannot be depleted. In the words of Thomas Jefferson, “He who receives an idea from me, receives instruction himself without lessening mine; as he who lights his taper at mine receives light without darkening me.” An idea is not diminished when more people use it. Creative Commons aspires to cultivate a commons in which people can feel free to reuse not only ideas, but also words, images, and music without asking permission — because permission has already been granted to everyone.

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