

From: Cyrus Namazi cyrus.namazi@icann.org 
Subject: Re: ICANN legal thoughts - Creative Commons Licencing
Date: 19 November 2015 at 9:27 AM
To: Don Hollander don.hollander@icann.org
Cc: Gwen Carlson gwen.carlson@icann.org, Ram Mohan ram.mohan@icann.org

CN

Hi Don,

I apologize for the late response. I finally managed to get a response from our Legal team.

With respect to the Steering Group's question on making the UASG Logo and all UASG documentation available under a Creative Commons (CC) License, the issue is how the group intends to use the logo and the documentation and what rights the group wants to maintain in the logo and documentation.

In order to further advise on this issue, we need additional information to the following:

- What type of documentation(s) is the group proposing to be protected under a CC License?*
- What specifically in the documentation do they want to protect?*
- What rights in the documentation do they want to maintain?*
- With respect to the logo, what rights in the documentation do they want to maintain and how do they envision allowing people to use the logo?*

A few things to consider:

A CC License will not protect the rights in the logo. A CC License will not prevent people from using the UASG Logo in any manner they see fit and UASG Steering Group will lose any rights they have in the logo.

With respect to the protection of the group's documentation, whether a CC License is the right mechanism to protect the work depends on the answers to the questions above. Generally, ICANN permits the use of copyrighted materials published on its website with the conditions:

- 1. Provide attribution to the source;*
- 2. Use the materials in context; and*
- 3. Do not use the materials in a way that implies ICANN sponsorship or approval of the Requester's work. This includes not reproducing the ICANN logo separate from where it may appear within the materials.*

A CC License is not needed for such use. However, if the Steering Group envisions a different level of protection, then a CC License or a click-through agreement may be more appropriate. Again, this will depend on the answers to the questions above.

Cyrus

From: Don Hollander <don.hollander@icann.org>
Date: Wednesday, October 28, 2015 at 9:04 PM
To: Cyrus Namazi <cyrus.namazi@icann.org>
Cc: "ram.mohan@icann.org" <ram.mohan@icann.org>
Subject: ICANN legal thoughts - Creative Commons Licencing

Cyrus.

The UASG asked for thoughts from ICANN Legal on making the UASG Logo and all UASG documentation available under a creative commons licence.

Can you facilitate this?

Are there any downsides from doing this?

And, in other news...

The group decided not to pursue a trademark registration
The group decided not to pursue licensing of Asana.

Don