

## Free, Advanced, Unambiguous Licensing for the Tabletop (FAULT) Version 1

Ostravia's something that I've been working on for a while now, and while I plan for it to be relatively freely released, it's also something that I want to look at from the perspective of someone who is severely dissatisfied with the way that licensing works. FAULT is my answer to a couple major problems, and attempts to freely and openly satisfy the various intricacies of copyright law.

First, FAULT takes a more varied approach to copyright law than does Creative Commons, being a licensing scheme manager if one wills to call it that. FAULT is compatible with any other license, but also adds additional provisions. For instance, Creative Commons allows the retention of moral rights (heads up: the US doesn't have these), but also doesn't really like people to modify its licenses for risk of running into violations (copyright law is notoriously complex, and CC interprets it in as close to a universal method as possible).

It has only one additional requirement; a work must be split into separate files in a FAULT disambiguation package, should different licenses be applied to different parts of the work. Items that are not released freely under FAULT, whether under a ND license of the CC or kept with full rights reserved, are not included, as the FAULT distributions are explicitly intended to provide a clear disambiguation. FAULT also includes a disambiguated license format that includes more than just commercial licenses; it looks at authorship, commercial licensing (covered by CC), moral rights, country of origin, work legal status (mostly for the US), and the dates of publication, to quickly provide all the information that is needed to determine the actual usability of the work. The general FAULT template also includes an "additional notes/restrictions" section, which is not necessarily legally binding but provides additional information as needed.

FAULT allows for both legal and practical licensing. Because it's possible to organize files further for disambiguation, items that are under CC-BY can be separated from those under CC-BY-SA, or so forth. This means that I could redistribute the text of Ostravia under CC-BY, but the art under CC-BY-SA. The simple reason for this is that I don't necessarily want to stifle certain forms of expression. If someone wants to build upon Ostravia and create a third-party supplement or addition, I have no qualms with this, but I'd rather not have the art that I paid for get in any way, shape, or form, cut off from the Creative Commons license that it pertains to. FAULT is an alternative to an overly-broad general license, an actual template to make things a little easier. It doesn't solve too many problems, namely the fact that international copyright law doesn't typically play well together, but it does mean that those that use it can more clearly specify what's going on.

The major downside of FAULT is that it is more difficult than just stamping a single label on anything. As it involves a little more detail, users must know what exactly is possible under copyright law, something that a little research can easily uncover. A core component of FAULT is to provide additional disambiguation for when things can and cannot be used; I'm not a lawyer, though I am in a graduate-level copyright law course right now, so I can't verify that I can explain everything, but I do have a decent amount of know-how (and know who to ask if I'm stumped) and am available to answer questions through my e-mail at [admin@homoeoteleuton.com](mailto:admin@homoeoteleuton.com). Understand that my open offer of assistance with understanding FAULT and copyright law does not convey any legal advice, and is given without warranty or guarantee.

The content of the FAULT Release Version 1 (example below), and its accompanying blog post (originally located at <http://blog.homoeoteleuton.com/?p=1318> and reproduced above in its entirety), is released under the following terms:

Authorship: Kyle Willey  
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Moral Rights: Retained (US)  
Country of Origin: United States of America  
Legal Status: Standard copyrighted work\*.  
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Additional Notes: The FAULT form itself is likely to be considered to fall under the auspices of the “blank form doctrine”, and as such is likely not protectable under copyright. The alternative to a standard copyrighted work in the United States would be if it were a “work made for hire”, which is treated differently from standard copyright laws. Theoretically, I could terminate the rights on FAULT in a few decades, since the termination right is fully irrevocable (hence “fullest extent of the law” in my public domain release), but it is likely to not contain anything truly capable of being copyrighted (my blog post, however, does). Interestingly, I retain my moral rights. In the US, this is basically limited to “if you trash it up and make it utterly horrible, you can't slander me by saying that 'this is what Kyle Willey' made in an attempt to create a free license”, but in other jurisdictions moral rights vary, and VARA provides more protections for very few works. For more information about FAULT and its purposes, feel free to contact me at [admin@homoeoteleuton.com](mailto:admin@homoeoteleuton.com).

Appropriate Licenses:

Public Domain release: The aforementioned essay on the merits and rationale behind FAULT, and the FAULT Release Version 1 are released wholly and unambiguously into the public domain, with no restrictions on their use, and are presented without warranty, or guarantee. This release is irrevocable to the fullest extent of the law.