Student notes for Student Press Law Center’s Media Law Presentation: Copyright Law

SPLC’s phone number: *703 807-1904*

SPLC’s website: *splc.org*

Slide 4: Copyright infringement is using someone else’s *original* work without obtaining the copyright owner’s *permission*.

Slide 5: Copyright allows authors and artists the exclusive right to *benefit* from their creations.

Slide 6: Copyright is a *exclusive/property* right. It’s like owning a *car*.

Slide 7: The five rights protected by copyright are:

• *reproduction*

• *adaptation*

• *distribution*

• *public performance*

• *public display*

Slide 9: Copyright is recognized in the *U.S Constitution*

Slide 10: Copyright encourages progress through advancement of arts and sciences and *reward creative* efforts.

Slide 11:

It also promotes societal knowledge. Which means what?

*(allows us to learn from one another through discussion or critique without violating copyright)*

Slide 12:

The types of intellectual property are

• *copyright*

• *patent*

• *trademark*

Slide 13:

You do not violate a patent by publishing information or explaining it in an *article*.

Slide 14:

*Trademark* law is usually only a problem when a it’s used in a way that would confuse a potential customer.

18:

Copyright protects material on the *Internet*.

19:

List three examples of what can be protected by copyright:

*• answers could include: photos, stories, illustrations, cartoons, advertisements and wallpaper*

20-22:

List four things copyright does not protect:

*• answers could include: ideas, facts, most federal government records, some state and local government records -- and could be from the odds and ends list on slide 24.*

27

Could you publish the complete works of Shakespeare? *yes*

30:

List MythBuster 1 rule:

*Since 1989, a copyright notice has been optional and its inclusion or omission on a work does not affect the validity of a copyright.*

31:

List MythBuster 2 rule:

*Formal registration of a copyright is not required.*

34:

A good rule of thumb is that if you didn’t create it *and/or you don’t own the copyright, you must get permission to use it.*

35:

MythBuster 3:

*The law requires actual permission from the copyright owner, not just attribution.*

38:

The best way to avoid copyright hassles is to get *written* permission from the *copyright* holder.

41:

One exception to the rule is *Fair Use*.

42-48:

The four factors of Fair Use are

• *What is the purpose and character of the use?*

• *What is the nature of the copyright-protected work?*

• *How much of the original work is used?*

• *What is the effect of the use on the potential market value of the original work?*

49-53:

MythBuster 4:

Provide two examples of Fair Use:

• *answers will vary.*

•

53:

Copyright allows for *parody* of original work.

54:

Threats and lawsuits are rare in student media, but copyright infringements could cause several problems including:

• *actual damages*

• *statutory damages*

• *injunctive relief*