

A Fair(Y) Use Tale: Copyright and Fair Use

Intro: Federal law *allows* citizens to reproduce, distribute, or exhibit portions of copyrighted motion pictures, video tapes, or video discs under certain circumstances without authorization of the copyright holder.

This infringement of copyright is called “Fair Use” and is allowed for purposes of criticism, news reporting, teaching, and parody.

CHAPTER 1: Copyright definition.

What the heck is COPYRIGHT ? What?

What the heck is COPYRIGHT ?

(to the right, to the right, right, right, right , right)

It’s that’s law. That’s the problem. You know the law.

That Stupid Law. What the heck is COPYRIGHT? I’ll tell ya....

Copyright is a permanently fixed original work . What?

A permanently fixed original work in some form that can

be seen or heard...hm ..Now listen, this is important

Only the copyright owner has the right to use their work

It’s mine How can that be? That’s not fair!

It’s forbidden to use a copyright work without permission granted by the copyright owner and ...

Anybody who’s foolish enough to threaten our copyright has broken the law!

Aren’t we forgetting one tinsy winsy but ever so crucial little tiny detail ?

You better be able to pay for that copyright permission.

We haven’t discussed the subject of payment.

You can’t get something for nothing you know.

But I don’t have any

I’m not asking much, just a token really, a trifle.

Hold up. Back up – Are you saying – This is about money

I’m sorry sir, I don’t have any money

– It’s extortion – I prefer the term capitalist

Hear that sound.

It’s the sound of your freedom fluttering out the window

CHAPTER 2: What things can be copyrighted?

Well there’s thing like.....BOOKS – PLAYS – MUSIC – DANCE –MOVIES and PICTURES

No, no, no wait. Listen carefully --

You CAN’T COPYRIGHT an IDEA -- Yes, I can –

You CAN’T - CAN - CAN’T CAN’T CAN’T -- but why?

The culture thought it would be unwise to limit the power of a “great idea”

So we can only copyright the FORM an idea takes

Why – what does that have to do with anything.

No, no, he’s got a point.

CHAPTER 3: Copyright duration and PUBLIC DOMAIN

The law says copyright only lasts for a fixed amount of time

--For example copyright used to last just 14 years.

WHAT? Copyright used to last only **14 years**. We know.

I know – you know – I know .. I got it, I got the concept.

The culture thought that was long enough for a copyright owner to make money from their work. Oh.

After just 14 years that work fell into the Public Domain, so anyone could use that work. But what the heck is the

Public Domain Anyone(cough)

It’s a disgrace to the forces of evil. What are you saying exactly?

A work in the in the **public domain** is **FREE** for anyone to use. Can you do that? Yes.

It is essential because our culture created new ideas by building on earlier works. Ah, so the public domain is

necessary for a living thriving society. Duh

Unfortunately copyright keeps getting longer, and there seems to be no limitation on how long copyright lasts.

It’s called a cruel irony.

For example, **copyright** now lasts a **lifetime, plus 70 years**, and for a company, copyright lasts **over 100 years**.

So copyright lasts for like forever. Well this is.... It’s just.

So Gilbert will you please explain how ridiculous this is.

It’s totally preposterous.

CHAPTER 4: Fair Use

What the heck is FAIR USE? Run that by me again.

What the heck is FAIR USE? This might sound crazy, but there are limitations on copyright. OHHH Is it possible?

Yes. Copyright may be broken, but, it’s slippery.

You can borrow a small amount of a copyright work to

TEACH - -NEWS REPORTING-- PARODY--CRITICAL

COMMENT But how will I know if it’s Fair Use?

There are certain rules that demonstrate Fair Use.

OK, first of all it’s the NATURE of the work borrowed.

Second of all it’s the AMOUNT you borrowed.

Oh, and there is one more thing. COMMERCIAL IMPACT It has to be something that does not the original work’s value in the market place.

Pay attention everyone. This is important.

It’s like I always say. Fair Use is a right. But, what is it?

Fair Use is only a legal, defensible position.

And this is not Fair!

CHAPTER 5: Why use Disney cartoons?

Because this company, company, company company company is intimidating!

Anybody who takes a copyright work...

If you’re going to threaten me, do it properly.

The point is, if fair use actually works,

then movies like this one will have legal protection.

And, that concludes our broadcast day.

What was that? I have no idea.