

Copyright from Scratch

Wendy Seltzer,
Berkman Center for Internet & Society
Founder, ChillingEffects.org



July 24-26, 2008

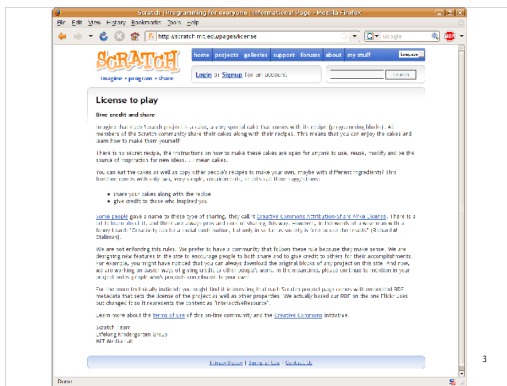
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Copyright Clause

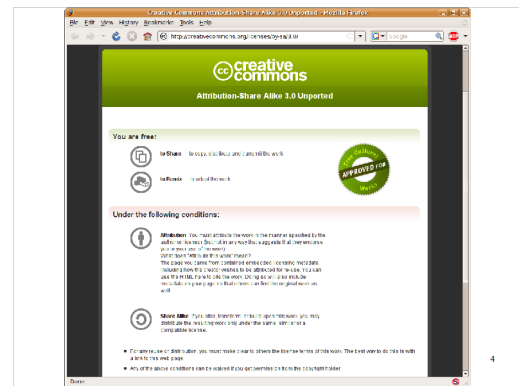
[Congress shall have the power ...] To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors exclusive Right to their respective Writings and Discoveries.

U.S. Constitution -- Article I, section 8, clause 8

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Big Bubble by h.koppdelaney

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Copyright Infringement != Plagiarism

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to plagiarize:

to steal and pass off as one's own (the ideas or words of another)
use (a created production)
without crediting the source

Webster's Third New International Dictionary

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Copyright Infringement

to steal ~~and pass off as one's own~~
(the ~~ideas or~~ words of another)
use (a created production)
~~without crediting the source-~~
without authorization

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17 U.S.C. § 106: Exclusive rights

- reproduction
- preparation of derivative works
- distribution
- public performance
- public display
- digital transmission of sound recordings

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17 U.S.C. § 102: Subject matter

(a) Copyright protection subsists, in accordance with this title, in original works of authorship fixed in any tangible medium of expression, now known or later developed, from which they can be perceived, reproduced, or otherwise communicated, either directly or with the aid of a machine or device. Works of authorship include the following categories:

- (1) literary works;
- (2) musical works, including any accompanying words;
- (3) dramatic works, including any accompanying music;
- (4) pantomimes and choreographic works;
- (5) pictorial, graphic, and sculptural works;
- (6) motion pictures and other audiovisual works;
- (7) sound recordings; and
- (8) architectural works.

(b) In no case does copyright protection for an original work of authorship extend to any idea, procedure, process, system, method of operation, concept, principle, or discovery, regardless of the form in which it is described, explained, illustrated, or embodied in such work.

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17 U.S.C. § 107: Fair Use

Notwithstanding the provisions of sections 106 and 106A, the fair use of a copyrighted work, including such use by reproduction in copies or phonorecords or by any other means specified by that section, for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship, or research, is not an infringement of copyright. In determining whether the use made of a work in any particular case is a fair use the factors to be considered shall include -

- (1) the purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes;
- (2) the nature of the copyrighted work;
- (3) the amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
- (4) the effect of the use upon the potential market for or value of the copyrighted work. The fact that a work is unpublished shall not itself bar a finding of fair use if such finding is made upon consideration of all the above factors.

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17 U.S.C. § 107: Fair Use

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- (2) the nature of the copyrighted work;
- (3) the amount and substantiality used;
- (4) the effect on the market

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