

COPYRIGHT LAW OVERVIEW

Presented by:
Roy H. Henley

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WHAT DOES THE



MEAN?

WHAT DOES COPYRIGHT LAW PROTECT?

- Original, creative works
- Fixed in a tangible medium
- Not in the public domain



**ASSERTION OF RIGHTS
TO THE WORK**

- Work is owned by an individual or company
- Rights protected under U.S. Copyright law



COPYRIGHT OWNER CAN ...

- Reproduce the work
- Prepare derivative works
- Distribute the work
- Perform the work (if possible)
- Display the work
- License the work



FAIR USE?

- Purpose and character of the use
- The nature of the work
- The portion used in relation to the whole
- The effect of the use on the potential market or work's value

ONE LOUSY TEST QUESTION

U.S. Copyright Office Circular 21



**INTERNAL USE OF
COPYRIGHTED MUSIC**

Okay if:

- (1) No transmission to the public
- (2) Not used commercially
- (3) No fees to promoters
- (4) No direct or indirect admission charge



**CLASSROOM USE OF
COMMERCIAL VIDEO OR FILM**

- (1) Use of lawfully obtained copy
- (2) In the course of face-to-face teaching activities
- (3) In the classroom (or like place)

“FAMILY MOVIE NIGHT”

- Home use rights?
- Public performance rights?
- Licensing services.



**VIDEOS USED IN DISTANCE
LEARNING**

- (1) Non-dramatic literary or musical work
- (2) Regular part of instructional activities
- (3) Directly relate to instruction
- (4) Materially assist instructors in duties
- (5) Transmitted to classrooms or similar places

THE CHAFEE AMENDMENT

17 USC § 121(a)
(or: Going to Extremes)

WHAT DOES IT ALLOW?

“Authorized entity” may

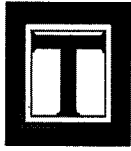
- (1) Reproduce or distribute
- (2) Previously published nondramatic literary works
- (3) In specialized formats
- (4) Exclusively for the use of the blind or other persons with disabilities

PROBLEMS

- (1) What’s an “authorized entity?”
- (2) What’s a “specialized format?”
- (3) What’s the “exclusivity” stuff?
- (4) What about redisclosure problems?

SOLUTIONS?

- (1) NIMAS/NIMAC
- (2) Practical (non-legal) ideas



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