Cinema Studies, Tisch School of the Arts
New York University
CINE-GT.1804: Copyright, Legal Issues, and Policy
Instructor: Greg Cram
Fall 2022

Syllabus

Time and Place
721 Broadway, Room 670
New York, NY 10003
Wednesdays from 6:30-9:30 PM

Instructor Contact Information
The New York Public Library
Stephen A. Schwarzman Building
476 Fifth Avenue
New York, NY 10018
Telephone: 212.621.0262
Email: Greg.Cram@nyu.edu (always preferable to telephone)
Gchat: GregCram@nypl.org

Office Hours
By appointment. Send me an email to schedule a time. Most office hour appointments will happen Zoom or Google Hangouts.

Course Description
With the advent of new technologies, film producers, distributors and managers of film and video collections are faced with myriad legal and ethical issues concerning the use of their works or the works found in various collections. The answers to legal questions are not always apparent and can be complex, particularly where different types of media are encompassed in one production. When the law remains unclear, a risk assessment, often fraught with ethical considerations, is required to determine whether a production can be reproduced, distributed or exhibited without infringing the rights of others. What are the various legal rights that may encumber moving image material? What are the complex layers of rights and who holds them? Does one have to clear before attempting to preserve or restore a work? How do these rights affect downstream exhibition and distribution of a preserved work? And finally, what steps can be taken in managing moving image collections so that decisions affecting copyrights can be taken consistently? This course will help students make intelligent decisions and develop appropriate policies for their institution.

Course Learning Objectives
Upon completion of the course, the students will:
- Be able to identify the types of content protected by copyright, trademark and patent law
- Gain a firm grounding in the theory and language that underlies copyright law that affects preservation, restoration, exhibition and repurposing of works
- Understand potential copyright reforms from different points of view
• Be able to research and make high-confidence determinations of the copyright status of items in collections
• Be able to make well-reasoned arguments as to whether a particular use is a fair use
• Be able to make well-reasoned arguments as to whether a particular use falls within some other exception granted to users of copyrighted works
• Comprehend copyright management as a function of collections management

Evaluation and Assessment
Students will be assigned three exercises and an intellectual property audit project to test their grasp of topics taught in class and covered in the readings. Technical aspects, logic, and demonstrations of critical thinking of these written assignments will be evaluated. For full credit, all assignments must be submitted in a timely manner and in a professionally appropriate form. All assignments should be submitted electronically through Brightspace. All assignments are due at the start of the class indicated on the syllabus.

Regular attendance is required and class participation is expected. This is an interactive class and students will be asked to regularly share their thoughts and contribute to classroom discussion. Because critical thinking and analytical reasoning are essential skills to future employment, students will also be asked to take and defend positions on copyright issues in class discussions.

There may be times during class where you will be asked to respond to a question by sending a text message or accessing a website. Although a cell phone is not required for this class, you are encouraged to bring one if you have one already. Other than the times where your responses are requested, there should be no active communication using computers or mobile devices during class. Interruptions will affect participation grades.

Exercises, the audit project and class participation will be weighed as follows:

<table>
<thead>
<tr>
<th>Assignment</th>
<th>Weight</th>
</tr>
</thead>
<tbody>
<tr>
<td>Three copyright assignments/exercises</td>
<td>45%</td>
</tr>
<tr>
<td>Audit Project oral presentation</td>
<td>10%</td>
</tr>
<tr>
<td>Audit Project written report</td>
<td>25%</td>
</tr>
<tr>
<td>Class participation</td>
<td>20%</td>
</tr>
<tr>
<td>Total</td>
<td>100%</td>
</tr>
</tbody>
</table>

Course Credits
This is a four-credit course.

Attendance
Regular attendance is expected. Excused absences are those that are due to a) religious holidays; b) health reasons, justified by appropriate medical note; and c) mandatory court attendance and mandatory jury duty, justified by appropriate court clerk note. In the case of an excused absence, a student is expected to do the required coursework for the class(es) missed. In case a student has had, or expects to have, an excused absence, the student should notify the instructor as soon as possible. The instructor will assign the work the student must do in order to fulfill class participation credits for the missed class. Too many overall absences (more than 1/3 of total classes missed in a course for whatever reason) may lead to a failing grade.
Late Assignment Policy
All work is expected to be completed on time. Assignments turned in late (unless excused) are subject to a five percent (5%) penalty for every three days an assignment is late. The last day assignments will be accepted is 5:00 PM on December 21, 2022. Failure to submit an assignment by 5:00 PM on December 21, 2022, will result in a forfeiture of credit for that assignment.

Assignment Submission
Assignments should be submitted through Brightspace. Written comments will be delivered to students no later than three weeks after the assignment has been turned in.

Incompletes
Incomplete will only be given in the case of a dire emergency and only then if the majority of the class is completed and completed successfully. The awarding of a grade of incomplete is at the discretion of the instructor and not guaranteed. Before the last class meeting, the student must meet with the professor and MIAP staff to discuss the proposed incomplete grade.

Grading Rubric
Written assignments in this class will be graded according to the following guidelines:

<table>
<thead>
<tr>
<th>Letter Grade</th>
<th>GPA</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>4.0</td>
<td>Outstanding achievement. Student performance demonstrates full command of the course materials and shows a high level of originality and/or creativity that far surpasses course expectations; grammatical errors, misspellings, and typos are minimal or non-existent.</td>
</tr>
<tr>
<td>A-</td>
<td>3.7</td>
<td>Very good work. Student performance demonstrates thorough knowledge of the course materials and exceeds course expectations by completing all requirements in a superior manner; grammatical errors, misspellings, and typos are minimal (average one-two per page) or non-existent.</td>
</tr>
<tr>
<td>B+</td>
<td>3.3</td>
<td>Good work. Student performance demonstrates above-average comprehension of the course materials and exceeds course expectations on all tasks as defined in the course syllabus; grammatical errors, misspellings, and typos are present (average two-three per page).</td>
</tr>
<tr>
<td>B</td>
<td>3.0</td>
<td>Adequate work. Student performance meets designated course expectations, demonstrates understanding of the course materials, and is at an acceptable level; grammatical errors, misspellings, and typos are present (average four-five per page).</td>
</tr>
<tr>
<td>B-</td>
<td>2.7</td>
<td>Marginal work. Student performance demonstrates incomplete understanding of course materials; grammatical errors, misspellings, and typos are frequent (average six-ten per page).</td>
</tr>
<tr>
<td>C+</td>
<td>2.3</td>
<td>Unsatisfactory work. Student performance demonstrates incomplete and inadequate understanding of course materials; grammatical errors, misspellings, and typos are very frequent (average 11-14 per page) and adversely affect the structure and flow of the narrative.</td>
</tr>
<tr>
<td>C</td>
<td>2.0</td>
<td>Unacceptable work. Student performance demonstrates incomplete and inadequate understanding of course materials; grammatical errors, misspellings, and typos are ubiquitous (average 15 or more per page) and adversely affect the structure and flow of the narrative.</td>
</tr>
<tr>
<td>F</td>
<td>0.0</td>
<td>Failing. Student failed to turn in assignments or plagiarized.</td>
</tr>
</tbody>
</table>

Required Texts
In addition, a supplemental list of readings is included for each class. Please come to class having read all readings assigned for that class. Judicial opinions are particularly important because they will be the foundation of classroom discussion.

**Citation Style**
There is no one preferred citation format for this class. You should feel free to select one of the major formats you are most comfortable with (e.g., APA, MLA, Chicago, or Bluebook). However, once you have selected a format, you must continue to use that style throughout the class.

If you have questions about grammar or want to ensure that your style is clear, effective, and readable, see William Strunk, Jr.’s *The Elements of Style*, online through [http://www.bartleby.com/141/](http://www.bartleby.com/141/). This succinct work is available cheaply in used copies at many used bookstores or online.

**Digital Archive of Student Work**
All student projects are to be collected and made accessible on the Student Work page of the MIAP website (https://tisch.nyu.edu/cinema-studies/miap/student-work). Certain types of assignments will be password-protected and made accessible only to MIAP students and faculty. Students are required to submit all of their work for each class to their professor in a digital format (.pdf is encouraged for cross-platform compatibility) via email or other available digital medium.

As a primary goal of NYU’s MIAP Program is to be useful to the archival field, the default status of student works will be public (with the exception of internship reports and thesis proposals). Students, in consultation with their instructor, can make a case for why a particular assignment should be restricted to internal use. Proprietary information, confidential information, or copyright issues may lead to this decision, but not a general unwillingness to make work public.

When students submit digital files of their work, the file names should conform to MIAP’s standard format, with f used to indicate fall semester and s used to indicate spring semester: YYsemester_course number_author’s last name_a[assignment#].file extension. Here is an example of a student with the surname Smith, submitting the first assignment in the fall 2022 course CINE-GT 1800: 22f_1800_Smith_a1.pdf.

For multiple authors, the two initials of each author will be used, separated from each other by underscores. An underscore and the assignment number will follow this. Assignment numbers are determined by the order in which the assignments are given. They begin with an “a,” followed by a number between one and ten. For assignments with multiple files, a letter can be added after the number. Thus, one could have “a1b,” meaning that this is the second of multiple files from one student for one particular assignment. In the case of a restricted file that should not be made public, the student should add an “x” to the end of the file name indicating the file’s restricted status: 18f_1800_Smith_a1_x.pdf. Otherwise, permission shall be implicitly granted for the student’s work to be posted on the MIAP website.

**Important Policies and Resources**

**Tisch Policy on Academic Integrity**
The core of the educational experience at the Tisch School of the Arts is the creation of original work by students for the critical review of faculty members. Any attempt to evade that essential
transaction through plagiarism or cheating is educationally self-defeating and a grave violation of Tisch’s community standards. Plagiarism is presenting someone else’s original work as if it were your own; cheating is an attempt to deceive a faculty member into believing that your mastery of a subject or discipline is greater than it really is. Penalties for violations of Tisch’s Academic Integrity Policy may range from being required to redo an assignment to dismissal from the School. For more information on the policy—including academic integrity resources, investigation procedures, and penalties—please refer to the Policies and Procedures Handbook (tisch.nyu.edu/student-affairs/important-resources/tisch-policies-and-handbooks) on the website of the Tisch Office of Student Affairs.

Health & Wellness Resources
Your health and safety are a priority at NYU. If you experience any health or mental health issues during this course, we encourage you to utilize the support services of the 24/7 NYU Wellness Exchange: contact 212-443-9999 or via their website. Also, all students who may require academic accommodation due to a qualified disability, physical or mental, please register with the Moses Center for Student Accessibility (CSA): contact 212-998-4980 or via their website. Please let your instructor know if you need help connecting to these resources. Students may also contact MIAP Director Juana Suárez (juana@nyu.edu) and/or Academic Program Manager, Jess Cayer (jess.cayer@nyu.edu) for help connecting to resources.

Sexual Misconduct, Relationship Violence, Stalking Policy & Reporting Procedures
New York University (NYU) is committed to providing a safe environment for its Students. Sexual Misconduct, Relationship Violence, and Stalking are emotionally and physically traumatic, and are a violation of one’s rights. There are many on-campus and community support services and resources available to help Students. Students are encouraged to consult the online Sexual Misconduct, Relationship Violence, and Stalking Resource Guide for Students (nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/sexual-misconduct--relationship-violence--and-stalking-resource-.html) for detailed information about on-campus and community support services, resources, and reporting procedures. Questions about if this policy applies to your case should be directed to the Assistant Vice President of the Office of Equal Opportunity & Title IX Coordinator at 212-998-2370. Students are also welcome to report any concerns to MIAP Director Juana Suárez (juana@nyu.edu) and/or Academic Program Manager, Jess Cayer (jess.cayer@nyu.edu).

NYU Title IX Policy
New York University (NYU) is committed to complying with Title IX and related laws and guidance, enforcing University policies prohibiting discrimination, and maintaining a safe learning, living, and working environment. To that end, the responsibilities of NYU’s Office of Equal Opportunity (OEO) include managing the University’s response to reports of discrimination, including alleged violations of NYU’s Sexual Misconduct, Relationship Violence, and Stalking Policy (Sexual Misconduct Policy). Detailed information regarding these laws and related NYU policies and the resources that are available to students through the Title IX office can be found by using this link. Questions about if this policy applies to your case should be directed to the Mary Signor, Assistant Vice President of the Office of Equal Opportunity & Title IX Coordinator at 212-998-2370 or mary.signor@nyu.edu. https://www.nyu.edu/about/policies-guidelines-compliance/equal-opportunity/title9.html
Non-Discrimination and Anti-Harassment Policy & Reporting Procedures
New York University is committed to equal treatment and opportunity for its students; to maintaining an environment that is free of bias, prejudice, discrimination, harassment, and retaliation; and to establishing complaint procedures for allegations involving students. This policy demonstrates the University’s strong commitment to prevent discrimination and harassment against students on the bases of several protected characteristics as set forth below. This policy applies regardless of whether the alleged wrongdoer is a student. This policy applies when the conduct occurs on NYU premises, in the context of an NYU program or activity (including but not limited to NYU-sponsored study abroad, research, or internship program), or the conduct occurs outside the context of an NYU program or activity but (i) has continuing adverse effects on NYU premises or in any NYU program or activity or (ii) occurs in close proximity to NYU premises and is connected to violative conduct on NYU premises. NYU strongly encourages all members of the University community who have been victims of prohibited discrimination, prohibited harassment, or retaliation to report the conduct. In the case of incidents of prohibited discrimination and prohibited harassment alleged to have been committed against students, the student complainant or other reporting party may make a report to anyone listed on this website: Non-Discrimination and Anti-Harassment Policy and Complaint Procedures (nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/non-discrimination-and-anti-harassment-policy-and-complaint-proc.html) which also has detailed information about on-campus and community support services, resources, and reporting procedures.

MIAP students may make such reports to MIAP Director Juana Suárez (juana@nyu.edu) and/or Academic Program Manager, Jess Cayer (jess.cayer@nyu.edu). Questions about if this policy applies to your case should be directed to the Mary Signor, Assistant Vice President of the Office of Equal Opportunity & Title IX Coordinator at 212-998-2370 or mary.signor@nyu.edu. https://www.nyu.edu/about/policies-guidelines-compliance/equal-opportunity/title9.html

NYU Guidelines for Compliance with the Family Educational Rights and Privacy Act (FERPA)
The Family Educational Rights and Privacy Act of 1974 (FERPA) was enacted to protect the privacy of students’ education records, to establish the rights of students to inspect and review their education records, and to provide students with an opportunity to have inaccurate or misleading information in their education records corrected. In general, personally identifiable information from a student’s education records, including grades, may not be shared without a student's written consent. However, such consent is not needed for disclosure of such information between school officials with legitimate educational interests, which includes any University employee acting within the scope of their University employment. See here (nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/FERPA.html) for full policy guidelines.

NYU Student Religious Observance Policy
See here for the University Calendar Policy on Religious Holidays.

NYU Academic Support Services
NYU offers a wide range of academic support services to help students with research, writing, study skills, learning disability accommodation, and more. Here is a brief summary:

NYU Libraries
Main Site: library.nyu.edu; Ask A Librarian: library.nyu.edu/ask
70 Washington Square S, New York, NY 10012
Staff at NYU Libraries has prepared a guide (http://guides.nyu.edu/c.php?g=276579&p=1844806) covering services and resources of particular relevance to graduate students. These include research services and guides by topic area, subject specialists, library classes, individual consultations, data services, and more. There’s also a range of study spaces, collaborative work spaces, and media rooms at Bobst, the library’s main branch.

The Writing Center
nyu.mywconline.com
411 Lafayette, 4th Floor, 212-998-8860, writingcenter@nyu.edu
The Writing Center is open to all NYU students. There, students can meet with a faculty writing consultant or a senior peer tutor at any stage of the writing process, about any piece of writing (except exams). Appointments can be scheduled in person and online. Most appointments will be in-person in the fall, although some online appointments will also be available.

The University Learning Center (ULC)
nyu.edu/ulc; Academic Resource Center (18 Washington Pl, 212-998-8085) or University Hall (110 East 14th St, 212-998-9047)
The University Learning Center (ULC) aims to help students meet the challenge of the College’s rigorous academic standards, to guide students in their adjustment to the college learning environment, and to prepare them for a lifetime of self-sufficient learning. On the website you can find sign-ups for free one on one peer tutoring, group review workshops, academic skills workshops, and more.

Moses Center for Students with Disabilities
https://www.nyu.edu/students/communities-and-groups/student-accessibility.html
726 Broadway, 3rd Floor, 212-998-4980, mosescsd@nyu.edu
New York University is committed to providing equal educational opportunity and participation for all students. The Moses Center for Student Accessibility (CSA) works with NYU students to determine and implement appropriate and reasonable accommodations as well as access available programs and resources to support equal access to a world-class education.

MIAP Resources for Current Students
More resources for current MIAP students can be found here: https://tisch.nyu.edu/cinema-studies/miap/current-students including the Program Contacts, links to the NYU MIAP Student Handbook, Academic Policies, Important Dates, and additional information for current MIAP students.

Syllabus Subject to Revision
Because of the ever-changing nature of copyright law and the COVID-19 health crisis, this syllabus is subject to revision during the semester. Please check Brightspace for the most recent version.
Overview of Class Schedule
September 7 (Class 1): Overview of Intellectual Property; Copyright Background

September 14 (Class 2): Scope of Copyright Protection

September 21 (Class 3): Exclusive Rights Granted by Copyright Law; Copyright Ownership
Assignment 1 (Copyright Registration) Due

September 28 (Class 4): Ownership (cont’d); Contracts Introduction; Duration

TBD (Class 5): WNET Audit Project Introduction

October 5 (Class 6): Duration (cont’d); Advanced Copyright Issues

October 12 (Class 7): First Sale; Public Broadcasting Music Exception

October 19 (Class 8): Section 108—The Library Exceptions
Assignment 2 (Copyright Reform) Due

October 26 (Class 9): Section 107—Fair Use

November 2 (Class 10): Section 107—Fair Use (cont’d); Orphan Works

November 9 (Class 11): Licensing and Donor Agreements
Assignment 3 (Fair Use in the News) Due

November 16 (Class 12): International Copyright Issues

November 23: *No Class: Thanksgiving*

November 30 (Class 13): Class Presentations of WNET Audit Project (Group 1); DMCA
Assignment 4 (WNET Audit Project Written) Due

December 7: *No Class: AMIA Conference*

December 14 (Class 14): Class Presentations of WNET Audit Project (Group 2); IP Policy for
Libraries, Archives and Museums
Class Schedule

September 7 (Class 1): Overview of Intellectual Property; Copyright Background

Topics
Why copyright is important to libraries
What is intellectual property? What is a copyright? Trademark? Patent?
When do you infringe a copyright, trademark or patent?
What are the damages for infringement?
Right of publicity and how it can impact digitization
Purpose of copyright
Major changes in copyright law over time

Readings (to be read in advance of class)
1. HIRTEL, 173-191.
2. HIRTEL, 1-38.
3. Right of Publicity of Internet Law Treatise, ELECTRONIC FRONTIER FOUND.,
https://itr.eff.org/Right_of_Publicity.html (last modified April 7, 2010).
5. William Fisher, Introduction to Copyright for Librarians, BERKMAN CTR FOR INTERNET & SOC’Y,
Optional: Browse Chillingeffects.org for copyright, trademark and patent cease and desist letters.

September 14 (Class 2): Scope of Copyright Protection

Topics
Scope of copyright protection
What is a “work”?
Does a work need to be published to receive protection?
Types of works protected by copyright
Examples of works that are at the edge of protection, including fragrances, choreography, fashion, mixed drinks and software code

Readings (to be read in advance of class)


7. MAI Systems Corp. v. Peak Computer, Inc., 991 F.2d 511 (9th Cir. 1993). An abridged version will be made available on Brightspace.


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**September 21 (Class 3): Exclusive Rights Granted by Copyright Law; Copyright Ownership**

**Topics**

What are the exclusive rights granted by copyright law?

Infringement of copyright

Who owns the exclusive rights?

Work for hire doctrine

**Assignment 1 (Copyright Registration) Due**

**Readings (to be read in advance of class)**


3. HIRTHLE, 67-86.


5. HIRTHLE, 55–65.


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**September 28 (Class 4): Copyright Ownership (cont’d); Contracts Introduction; Duration**

**Topics**

Joint works in film

Fundamentals to contracts and agreements

Common elements of an agreement

Common terms found in agreements

Complex works that have multiple layers of copyrights (e.g., movies, dramatic works, music)

Duration of copyright protection

Comparing term of published and unpublished works

Copyright formalities and the impact of failure to follow formalities

Copyright renewal under 1909 Copyright Act
Readings (to be read in advance of class)
1. Garcia v. Google, Inc., 786 F.3d 733 (9th Cir. 2015) (en banc). An abridged version will be made available on Brightspace.
2. HIRTLE, 39-54.
   Optional: Garcia v. Google, Inc., 766 F.3d 929 (9th Cir. 2014). An abridged version will be made available on Brightspace.

TBD (Class 5): WNET Audit Project Introduction
Zoom Call with WNET

Readings (to be read in advance of class)

October 5 (Class 6): Duration (cont’d); Advanced Copyright Issues

Topics
Researching copyright status of published works using available information/databases
How international works fit into US copyright law
Federal copyright protection of sound recordings
Music Modernization Act
Section 109—First Sale Doctrine
What is the first sale doctrine?

Readings (to be read in advance of class)
3. Estate of Martin Luther King, Jr., Inc. v. CBS, Inc., 194 F.3d 1211 (11th Cir. 1999). An abridged version will be made available on Brightspace.


October 12 (Class 7): First Sale; Public Broadcasting Music Exceptions

Topics
How does the first sale doctrine protect library lending?
How does the first sale doctrine function with digital objects?
Special exception for public broadcasters for music
Exceptions for classroom teaching
Exceptions for readers with print disabilities

Readings (to be read in advance of class)
October 19 (Class 8): Section 108–The Library Exceptions

Topics
What is section 108?
What does it cover?
What rules are set forth in section 108 regarding the making copies in response to patron requests?
What rules are set forth in section 108 regarding personal photography in reading rooms?
How does section 108 enable cultural institutions to make copies for preservation purposes?
Potential issues with section 108

Assignment 2 (Copyright Reform) Due

Readings (to be read in advance of class)
2. HIRTLE, 107-128.

October 26 (Class 9): Section 107–Fair Use

Topics
Historical background of the principal of fair use
Discuss the four statutory factors of fair use
Discuss disputes that highlight each fair use factor
How fair use can help libraries and cultural institutions satisfy their mission

Readings (to be read in advance of class)
2. HIRTLE, 87-102.
November 2 (Class 10): Section 107—Fair Use (cont’d); Orphan Works

Topics
Continue fair use review
Specific fair use cases relevant to libraries and archives, including course packs and reserves
Fair use guidelines over time—from 1976 classroom guidelines to today’s “Best Practices” documents
Fair use best practices for documentary filmmakers
What are orphan works?
What are some potential solutions to the orphan works problems?
If no exceptions or limitations protect our desired use, what’s next?

Readings (to be read in advance of class)
2. Castle Rock Entertainment, Inc. v. Carol Publishing Group, 150 F.3d 132 (2d Cir.1998). An abridged copy will be made available on Brightspace.
7. The Authors Guild, Inc. v. Hathitrust, 755 F.3d 87 (2d Cir. 2014). An abridged version will be made available on Brightspace.
10. HIRTLE, 129-172.
Optional: Mary Minow, How I Learned to Love Fair Use, COPYRIGHT AND FAIR USE (July 6, 2003), http://fairuse.stanford.edu/2003/07/06/how_i_learned_to_love_fair_use.

November 9 (Class 11): Licensing and Donor Agreements

Topics
Deeds of gift
Major collective rights organizations (ARS, CCC, Sound Exchange, ASCAP, etc.)
How Creative Commons licenses can be used to solve copyright problems
Assignment 3 (Fair Use in the News) Due

Readings (to be read in advance of class)
1. Sample deeds of gift from NYPL, available on Brightspace.


Optional: Welcome to the LIBLICENSE Project, CTR. FOR RESEARCH LIBRARIES, http://liblicense.crl.edu (last visited Sept. 8, 2021). You should poke around this site, especially the “Resources” section.

November 16 (Class 12): International Copyright Issues

Topics
Calculating copyright status of works outside United States
Section 104A, the restoration of certain foreign works
Moral rights
Resale rights
International copyright agreements and their effect on domestic copyright law

November 23: *No Class: Thanksgiving*

November 30 (Class 13): Class Presentations of WNET Audit Project (Group 1); DMCA

Topics
Class presentations of WNET Audit Project
DMCA and patron-generated content
DMCA prohibition of content protection systems
DMCA notice and takedown safe harbors for user-generated content

Assignment 4 (WNET Audit Project Written) Due

Readings (to be read in advance of class)
December 7: *No Class: AMLA Conference*

**December 14 (Class 14): Class Presentations of WNET Audit Project; IP Policy for Libraries, Archives and Museums**

Complete class presentations of WNET Audit Project
Licensing practices and commercialization of collections
Closing Thoughts

**Readings (to be read in advance of class)**
   Skim the Section III to get a sense of the exceptions requested.
6. HIRTLE, 193-212
Objective
Understand copyright issues from different points of view
Work collaboratively with peers to solve problems
Refine public speaking skills necessary to become a leader

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Excellent (3)</th>
<th>Competent (2)</th>
<th>Needs Work (1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Frequency</td>
<td>Plays an active role in discussions.</td>
<td>Participates in some discussions.</td>
<td>Participates in few or no class discussions.</td>
</tr>
<tr>
<td>Content Contribution (x 2, max of 6 points)</td>
<td>Discussion contributions are factually correct, clear, reflective, and substantive; advances discussion.</td>
<td>Discussion contributions are factually correct and clear but sometimes lack full development of concept or thought.</td>
<td>Discussion contributions are frequently off-topic, incorrect, or irrelevant.</td>
</tr>
<tr>
<td>Level of Preparation</td>
<td>Arrives fully prepared at every session.</td>
<td>Arrives mostly, if not fully, prepared.</td>
<td>Preparation, and therefore level of participation, are both inconsistent.</td>
</tr>
<tr>
<td>Peer Interaction and Level of Discussion</td>
<td>Actively supports, engages and listens to peers; group dynamic and level of discussion are often better because of the student’s presence.</td>
<td>Makes a sincere effort to interact with peers; group dynamic and level of discussion are occasionally better (never worse) because of the student’s presence.</td>
<td>Virtually no interaction with peers; group dynamic and level of discussion are harmed by the student’s presence.</td>
</tr>
</tbody>
</table>
Written Assignments/Exercises Overview

1) Copyright Registration. To familiarize students with copyright ownership and the terms commonly used in copyright registrations, students will describe a work they have created. Students will also locate the copyright registration of a film created after 1978.

3) Copyright Reform. To encourage students to think critically about copyright law and reforms, students will write a short 3-4 page paper arguing for a particular reform to copyright law of the students’ choosing.

2) Fair Use in the News. To encourage students to stay current on copyright issues, students will research a current fair use dispute and write a 3-5 page summary of the situation, including arguments supporting each side.

4) WNET Audit Report. To measure the result of student learning throughout the semester, students will be required to submit an audit report of a WNET item. The audit report will demonstrate an understanding of copyright law based on the fields of information selected by the students in the spreadsheet and in the written summary submitted to WNET.