What is © Copyright ©?

- The right to copy
- The owner of © has the right to produce or reproduce the work – or give permission
- Applies to works, not ideas (Patents)
- Works are original literary, dramatic, musical or artistic work fixed in a material form
- Words/Moving Images/Still Images/Music
Phase III Amendments

- Deliberations currently underway – no timetable
- Will deal with Net/Digital issues
- Amendments will probably mirror to some degree the US Digital Millennium Copyright Act and new Database Protection legislation
- Also some pressure to get in line with Europe
© On The Web Any Different?

- © law should be technology neutral/friendly
- “Neither webmasters nor surfers can exercise any of the exclusive rights of the author or owner of the copyrighted words, images or music without the author or owner's consent.”

*FACE - http://www.csusa.org/face/softint/basics.htm
Web Copyright Myths

- If it’s on my webpage it’s in public domain
- No financial benefit from webpage so is OK
- But I gave credit where credit was due!
- © makes restrictions too great – negates great advantages of the Web so nobody will mind
- Current © law does not work on Web

*Brad Templeton - http://www.templetons.com/brad/copymyth.html*
“The source of this conundrum is as simple as its solution is complex. Digital technology is detaching information from the physical plane, where property law of all sorts has always found definition.”

The Web Makes It Different...

- Web’s greatest strength (distributing info) is it’s greatest weakness (pirating info)
  - Makes anyone a publisher
  - The act of viewing becomes an act of copying
  - Replication/modification/transmission is easy
Anyone Can Publish

- Only publisher/author/librarian worried about ©
- Web makes it simple to publish information
- Also makes it easy to incorporate someone else’s work (by linking or copying)
- Issues of © are now much more universal
- More people are creators and consumers
Act of Viewing

- Would give author exclusive right to view a work
- For a work to be viewed on the Web a copy must be made in the local computer’s memory/storage
- Objects are almost always loaded in a cache (except when browsing in a “terminal” environment)
- Impossible to distinguish view/copy/print
Replicate/Modify/Transmit

- Technology of the Web makes Replication, Modification and Transmission child’s play.
- Ability to infringe on copyright and moral rights with a keystroke.
- Easy to modify ©’d piece or to create exact copy.
- Much harder to detect infringement.
Issues - Framing

- Frames are contentious when 3rd party content is surrounded by someone else’s advertising
- Many guilty – Microsoft & Ticketmaster on down
- Vendors most common example, but anyone who makes money from advertising guilty
  - AskJeeves - Birth Control
  - My example
- Framing also hides source URL from user
Issues - Linking

- Possible to link to virtually anything on the Web
  - Exceptions are common (dynamic database links)
  - Difference between copying a graphic to display on my page and linking to a graphic for my page?
- Does © holder retain some control over links?
  - Touches both economic and moral rights
  - How do they control use/abuse?
Issues – Ease of Editing

- It is easy to take a digital image and edit it so it is unrecognizable
  - How can creator protect their property/livelihood?
- Concept of Vactors interesting example of how new technology can muddy the © waters
  - Is the “idea” of an actor protected?
  - It will be…
Example - Napster

● Music club on the web
  – Allows members to search for and trade MP3 files on their own hard drives
  – Collection is over 500 GB of music
  – Napster just created the app and gets users together, does not actually store the music
  – Music industry currently trying to have it declared illegal for contravening copyright
Example – Third Voice

- Plugin application for browser
- Allows private & public notes to be added
  - Notes are related to individual bits of text
  - Creator has no control
  - Some creators not even aware notes there
- Impact on moral rights? Economic rights?
- Power of tool in educational/community setting
Welcome to the White House

President Clinton's Trip to South Asia

Women's History Month

The President & Vice President:
Their accomplishments, their families, and how to send them electronic mail --

Commonly Requested Federal Services:
Direct access to Federal Services
- Census 2000
- Twenty Things You Can Do and Learn on U.S. Government Web Sites
AGGREGATED NOTES

- The "Character" Thing
- hehe
- Depleted Uranium
- someone call this mmc (the mos
- Hi Billy!
- the pres
- Their accomplishments, their f
- Re: Lonely Guy?
- abba zabba zoo
- Re: oxymoron: us morality

more...

- Re: oxymoron: US morality
- Re: oxymoron: us morality
- Everyone!
- re: oxymoron: us morality
- re: oxymoron: us morality
- Re: oxymoron: us morality
Welcome to The White House — Internet Explorer provided by @Home...

File Edit View Favorites Tools Help

Back Forward Stop Refresh Home Favorites History Print SurfSaver Radio

Address [http://www.whitehouse.gov/]

Mak's History Month

The President & Vice President:

The "Character" Thing
by petert

Can you think of one thing or ideal for which Bill would willingly sacrifice is life? Certainly not his wife, his office, his party or his country. Not his religious beliefs or in defense of some principle. Do you think maybe for Chelsea?

Like this note? Email it to a friend.

Commonly Requested Federal Services:
Direct access to Federal Services
- Census 2000
- Twenty Things You Can Do and Learn on U.S. Government Web Sites

What's New:
What's happening at the White House
- Restoring Natural Quiet to the Grand Canyon
- Education and Sharing Day Proclamation
- Taking Action to Strengthen America's Energy Security

Tours:
Past Presidents and First Families,
Importance of Economic Rights

- Fair Dealing/Use is more difficult to control on the Web, so some argue that it should go.
- More important than ever for © law to focus on market-destructive acts rather than fair-use.
- Inhibiting access to ideas in a non-commercial environment (e.g. education) hurts both sides.
  - Fox and Simpson/Buffy sites.
Importance of Moral Rights

- Moral rights increasingly important in this environment for controlling © infringement

  - *moral right of paternity*
    - right of a creator to be associated with his or her work, or the right to remain anonymous

  - *moral right of integrity*
    - prevent a creator's work from being distorted, mutilated or modified if the effect is to prejudice the creator's honour or reputation
Some Solutions?

- Intellectual Property Engine
  - Digital Identifier System
  - Encryption System (remember Clipper Chip?)
  - Electronic Rights Management System
  - E-Cash

- Innopac E-Reserves, Adobe PDF Merchant

- Failing that, how about Barney Dolls?
What Can I Do Now?

- Get Permission – the Web makes it just as easy to do this as it does to get the IP
  - Most people are happy to give permission – often only want to be given credit
- Use royalty-free content
  - www.corbis.com (contrast with www.mira.com)
- Indicate rights for using your own IP
IP In the 21st Century

- Creators receive $ each time works accessed
- Publishers will receive $ royalty as well
- Appropriate micro-payment infrastructure will credit creators’ accounts, debit consumer’s
- Publishers add value - not a necessity
- Once all this in place, © unnecessary
- Does away with inherent conflict between IP rights and freedom of speech
“Humankind is either on its way to the stars, or hurtling out of a high-rise window to the street and mumbling, ‘So far, so good.’”

Good Sites

- CLA (www.cla.ca/resources/copyright.htm)
- Negativland (www.negativland.com)
- Copyright Clearance Center (www.copyright.com)
- Electronic Frontier Foundation (www.eff.org/)
- FACE (Friends of Active Copyright Education) (www.csusa.org/face/home.htm)