Copyright Issues

Tyler Peterson, Rolando Coto
Translating Popular Media. CoLang 2018
- Copyright Laws
- Patents
- Indigenous Copyright Issues
- Restrictions on The Commons
- Open licenses
- Fair use
- Distribution of videos
Components of Copyright

Moral rights:
  Attribution

Related ("connected") rights:
  Reproduction
  Derivative works
  Distribution
  Public performance
Retains moral rights (attribution) but not the related rights. It belongs to the public domain.
Components of Copyright

Moral rights:
  Attribution

Related ("connected") rights:
  Reproduction
  Derivative works
  Distribution
  Public performance
Lego Movie Star Wars Scene >>
Components of Copyright

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Duration of Copyright

Copyright Duration and the Mickey Mouse Curve

Year Copyright Term Began

Duration of Basic Copyright Term (years)

- Sonny Bono Act
- 1976 Act
- 1962-74 Acts
- 1909 Act
- 1831 Act
- 1790 Act

Projected expiration

Expiration line
Apple's filing describes an NFC-equipped iPhone that would be able to control a variety of devices throughout the home, including other Apple products with NFC functionality like an iMac or iPod, as well as third-party accessories such as a PlayStation controller, television set or cable box.
Patents
- Novelty
- Usefulness
- Non-obvious (inventive)
- Eligible ("tangible")
Indigenous Copyright Issues

Communal property can include:
- Designs
- Ceremonies
- Performing arts
- Artwork, literature
- Knowledge about nature (TEK)

Different communities have different about ownership of stories.

e.g. Stories can’t be told by everyone, or at any time of year
Allemansrätten
"Right of Public Access"
The Commons
(Land, water, air)

that even the rainwater was privatized.
The Commons
(Land, water, air)
BIOPROSPECTING, BIOPIRACY, AND THE FATE OF INDIGENOUS KNOWLEDGE
THE BATTLE OF COPYRIGHT
Open licenses

Creative Commons

GPL
CREATIVE COMMONS WANTS TO HELP DEFINE THE SPECTRUM OF POSSIBILITIES BETWEEN FULL COPYRIGHT -- ALL RIGHTS RESERVED -- AND THE PUBLIC DOMAIN -- NO RIGHTS RESERVED. OUR LICENSES HELP YOU RETAIN YOUR COPYRIGHT WHILE ALLOWING CERTAIN USES OF YOUR WORK. THEY HELP YOU OFFER YOUR CREATIVE WORK WITH SOME RIGHTS RESERVED.
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Fair Use (Copyright Act of 1976, 17 U.S.C. § 107)
Fair Use (Copyright Act of 1976, 17 U.S.C. § 107)

Notwithstanding the provisions of sections 17 U.S.C. § 106 and 17 U.S.C. § 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. [3]
Fair Use (Copyright Act of 1976, 17 U.S.C. § 107)

- 10% or one chapter (for materials with potential marketability)
- Transformative use

Satire and news reporting

Last Week Tonight: The Most Patient Man on Television
Last Week Tonight: Bud Light
Fair Use (Copyright Act of 1976, 17 U.S.C. § 107)

- 10% or one chapter (for materials with potential marketability)
- Transformative use

Real transformative use
What we are doing!

Pretend transformative use
Cosmos in a frame and with voice at lower frequency
Cosmos with a bright spot in the middle
Star Trek TNG with a partial frame
How to get movies and how to distribute the translations?

Engage.
How to get the video

Contact the studio, get the originals

Buy the DVD (rip it, translate)

Borrow the DVD (rip it, translate)

Download it from YouTube

Grab it from a paid Internet service (Netflix)

Download it from the Internet (torrents)

Copy a DVD, keep it, and translate from there

Buy a pirated DVD on the street, translate from there
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How are we affecting the marketability of the product?
How to distribute the video

[ + legal ]

Contact the studio, distribute with their support, negotiate royalties if any

Show it to your friends and students, do not charge any fees

Upload a short clip onto Facebook, share it without charging fees

Upload a short clip onto YouTube, share it without charging fees

Upload the whole movie onto the Internet so people can watch it for free

Offer to share it with friends and people close to you, but charge a fee for it

[ - legal ]

Sell the product publicly, charging for it
How to distribute the video

[ + legal ]

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[ - legal ]

- Sell the product publicly, charging for it

How are we affecting the marketability of the original product?