

Class 2: Fixation

Administrative

Next Time: 80-101;
sections 101 and 102(a)

A Little More on the Syllabus

No Class Tuesday, 3/4

Instead: Must attend Noon
debate between RIAA and EFF
To be rescheduled (NOT
Wednesday 3/5)
Syllabus mistakenly says "We
will not meet on Tuesday March
3rd" in one spot

Office Hours: TuTh 2:30pm
- 3:30pm (immediately
after class), Room 433

Additional Books/
Resources

News Thursday

- Scrabble v. Scrabulous 🌐
- Scientology and Tom
Cruise send C&Ds 🌐

Fixation

Chapter 1 of Title 17:
General Overview 🌐

- Section 101: Definitions
- Section 102: What is
Protected ⊕
- Section 103: Compilations
and Derivative Works
- Section 106: What rights does the
Copyright holder possess? ⊕
- Sections 107-122: Defenses,
Exceptions, Specific Rules ⊕

Class 2: Fixation

Fixation

The Rules (Hypotheticals)

- 0 { A teenager's diary.
MLK's "I Have a Dream" Speech { Assume it was never recorded.
but broadcast live
- "102(a)" { fixed { copy { fixed
- 1 { Are my lectures protected by copyright?
- 2 { Are my mind maps protected by copyright?
- 3 { At the talent show, four students form a band and compose and perform the greatest single song in the history of the entire world.

Policy: Why do we have this requirement?

Evidentiary justification

Fixation and New Technology

Compare White-Smith Music and Midway

- White-Smith Music { New Technology: Player Piano Rolls
Held: These were not "copies" (case under pre-09 version of act.)
- Midway { New Technology: Computer Games
Held
- Note 4: Things held in computer RAM

Allowing new technology to be automatically covered by Copyright makes sense ⊕

Bootlegging and section 1101

- Statute { Three possible violations ("Or'd") { Fixes or reproduces
Transmits
Sells