

Class 21: Fair Use Part Two

Administrative

Next Time: 822-33;
857-58 (note 7 only);
868-74; and Supplemental Perfect 10
Material on Website

Changes to BOTH assignments for next week

See website

EFF/RIAA debate one week from yesterday

Wednesday, 4/9, 5:30 - 7pm, ATLAS Auditorium

Four More Classes


Review Sessions


Thursday, 4/24, 1pm
(date of last class)


Tuesday, 4/29, 10am

Office Hours end at 2:50pm today.

News

Superman and Terminations of Transfer 

Two judges rule on question of whether "making available" songs in a p2p network constitutes "distribution" 

Tennessee Legislation proposed to cut school funding unless networks monitored for copyright infringement 

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Harper & Row v. Nation Enterprises

Basic Facts

Gerald Ford wrote an autobiography after leaving office.

Lots of "newsworthy" tidbits, most importantly his telling of the events leading up to the pardon of Nixon.

Time magazine entered into contract with Ford & publishers to publish excerpts from the book one week before release date.

Two payments. Second was supposed to be for \$12,500.

Two to three weeks before release, someone stole a copy of the manuscript and gave it to the editor of The Nation

Editor of The Nation (Navasky) worked quickly to excerpt passages in his magazine to scoop Time.

Time canceled second payment (\$12.5k)

Held

Reasoning

Four Factors

1. Purpose of the Use
2. Nature of the Copyrighted work.
3. Amount and Substantiality of Portion Used
4. Effect on the market.

Other questions

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Castle Rock v. Carol Publishing

