

Class 26: Formalities

Admin

- Next Time: Review Session — Send Questions
- Review Sessions — Thursday, 4/24, 1pm
Wednesday, 4/30, 10am (Rm 207)
- Mind Maps — About the plusses
- News — Cindy McCain and FoodTV 🌍
More Harry Potter coverage 🌍
- FCQs at 2pm

Formalities

- Publication — Today, Publication Determines
 - Ability to recover statutory damages and attorney's fees.
 - Duration of copyright for works for hire
 - Termination of transfer window for grants for right of publication
- Notice
 - Not as important post-Berne Act
 - But still a good idea — Changes weight of arguments for innocent infringement (which can reduce statutory damages)
 - Form of notice on page 405.
- Registration and Deposit
 - Not like Patent application/grant.
 - Deposit no longer a requirement for protection
 - But incentives remain
 - Availability of statutory damages and attorneys' fees only if registration pre-dated infringement
 - Also, if within 5 years of publication, can result in prima facie presumption of validity of the copyright
 - No lawsuit at all until registration (but registration can post-date infringement)
 - Page 424, Form TX (for nondramatic literary works) — \$45

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Terminations of Transfer

