

## Class 5: Authorship

### Administrative

#### Next Time:

Monday: NO CLASS

Wednesday, Feb. 3

#### SHORTENED ASSIGNMENT

New assignment: 153-169;  
177-182; Supp. 368

Skim 202, 203, 302, 303, 304(a)-(d)

Do NOT read 169-177 (Renewals)

#### Administrative

#### Changes to Syllabus

Monday, February 8th

Monday, April 19th

New Assignments posted on  
website (with new syllabus)

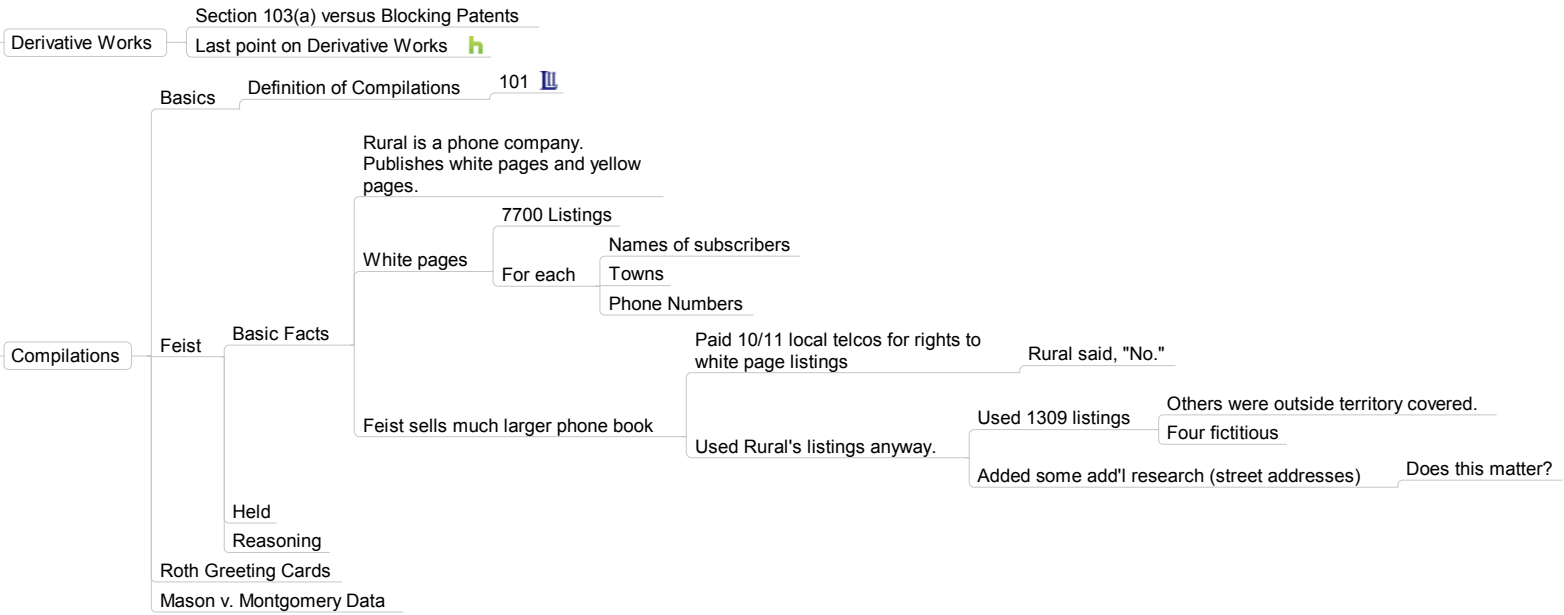
#### News Wednesdays

From \$2 Million to \$54,000 for using p2p **TW**

The Apple Tablet 

Class 5: Authorship

Last Time



## Class 5: Authorship

### Who is an Author?

#### Authorship Basics

##### Sources

Constitution

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

Copyright Act

Section 201 [II](#)

With sole authors, usually not hard to identify

The "Romantic Author"

Definition [II](#) [III](#)

Stakes: What do Joint Authors get?

Example

CCNV?

Must each author contribute something separately copyrightable?

Intent of co-authors

#### Joint Works

Definition 



Class 5: Authorship

Works for Hire

"Employee"

CCNV v. Reid

Basic Facts

In support of CCNV

Mitch Snyder (member and trustee of CCNV) and others conceived of idea.

Two adults, one infant. Black.  
Life-sized

Pedestal  
Grate  
Real "steam"

CCNV Contributions During development of idea

Suggested reclining poses.  
Many visits to check on his progress.  
Built the pedestal and base.  
Rejected shopping bags, suitcases in lieu of cart.

In support of Reid

Selected material to use (given funding constraints)

Several sketches made.  
Sculptor: Skilled occupation.  
Own tools

Distant from CCNV (Baltimore)  
Less than two months  
Absolute freedom as to schedule  
Discretion as to assistants.  
No taxes, benefits, etc.

Oddity in the case

Held

Reasoning

"Scope of his or her employment"

101(2): Specially Ordered or Commissioned works