



COPYRIGHT, CONTRACTS, CREATORS

New Media, New Rules



Giuseppina D'Agostino

Copyright Contracts Creators New Media New Rules

Graeme B. Dinwoodie



Copyright Contracts Creators New Media New Rules:

Copyright, Contracts, Creators Giuseppina D'Agostino, 2010-01-01 Copyright Contracts Creators provides a new and original analysis on the relationship between owners and creators and recommendations for legislative change to re balance the relationship It is a must read for the intellectual property legal community and anyone interested in the promotion of creative works Marshall Rothstein Justice of the Supreme Court of Canada Dr Giuseppina D Agostino is a protector of the arts and her work on intellectual property is designed not only to bring law and order to our digital universe but to bring hope to the artists poets and writers whose only hope of pursuing their artistry is to earn income for their craft A wonderful book by one of the most wonderful and forward thinking minds in this subject area Tony Chapman Founder and CEO Capital C Canada Dr D Agostino has produced an important carefully documented and courageous study that deserves to be widely read and discussed and dare one say even to have its message heeded David Vaver University of Oxford UK Copyright Contracts Creators evaluates the efficacy of current copyright law to address the contracting and use of creative works It looks in particular at freelance works and argues that their copyright treatment on a national and international level is inadequate to resolve ambiguities in the contracting and uses of the work Giuseppina D Agostino discusses how historically laws and courts were more sympathetic to creators and how the Internet revolution has shifted the scales to favour owners Consequently creators often find themselves at opposing ends with copyright owners and in a disproportionately weaker bargaining position that places tremendous strain on their livelihoods She argues that this predicament puts society at risk of losing its most valued asset professional creators The author calls for a new framework to justify legislative provisions and resolve ambiguities while suggesting principles and mechanisms to address the inadequate treatment of freelance work

What if we could reimagine copyright? Rebecca Giblin, Kimberlee Weatherall, 2017-01-09 What if we could start with a blank slate and write ourselves a brand new copyright system What if we could design a law from scratch unconstrained by existing treaty obligations business models and questions of political feasibility Would we opt for radical overhaul or would we keep our current fundamentals Which parts of the system would we jettison Which would we keep In short what might a copyright system designed to further the public interest in the current legal and sociological environment actually look like Taking this thought experiment as their starting point the leading international thinkers represented in this collection reconsider copyright s fundamental questions the subject matter that should be protected the ideal scope and duration of those rights and how it should be enforced Tackling the biggest challenges affecting the current law their essays provocatively explore how the law could better secure to creators the fruits of their labours ensure better outcomes for the world s more marginalised populations and solve orphan works And while the result is a collection of impossible ideas it also tells us much about what copyright could be and what prescriptive treaty obligations currently force us to give up The book shows that reimagined copyright could serve creators and the broader public far better than it currently does and exposes

intriguing new directions for achievable reform The Copyright Pentalogy Michael Geist, 2013-04-27 In the summer of 2012 the Supreme Court of Canada issued rulings on five copyright cases in a single day The cases represent a seismic shift in Canadian copyright law with the Court providing an unequivocal affirmation that copyright exceptions such as fair dealing should be treated as users rights while emphasizing the need for a technology neutral approach to copyright law The Court's decisions which were quickly dubbed the copyright pentalogy included no fees for song previews on services such as iTunes no additional payment for music included in downloaded video games and that copying materials for instructional purposes may qualify as fair dealing The Canadian copyright community soon looked beyond the cases and their litigants and began to debate the larger implications of the decisions Several issues quickly emerged This book represents an effort by some of Canada's leading copyright scholars to begin the process of examining the long term implications of the copyright pentalogy The diversity of contributors ensures an equally diverse view on these five cases contributions are grouped into five parts Part 1 features three chapters on the standard of review in the courts Part 2 examines the fair dealing implications of the copyright pentalogy with five chapters on the evolution of fair dealing and its likely interpretation in the years ahead Part 3 contains two chapters on technological neutrality which the Court established as a foundational principle of copyright law The scope of copyright is assessed in Part 4 with two chapters that canvas the exclusive rights under the copyright and the establishment of new right associated with user generated content Part 5 features two chapters on copyright collective management and its future in the aftermath of the Court's decisions This volume represents the first comprehensive scholarly analysis of the five rulings Edited by Professor Michael Geist the Canada Research Chair in Internet and E commerce Law at the University of Ottawa the volume includes contributions from experts across Canada This indispensable volume identifies the key aspects of the Court's decisions and considers the implications for the future of copyright law in Canada Writers' Rights Nicole S. Cohen, 2016-11-01 A timely study of freelance journalists working conditions and what is at stake for the future of journalism in precarious times *Multi-sided Music Platforms and the Law* Chijioke Ifeoma Okorie, 2019-10-28 Multi Sided Music Platforms and the Law explores the legal and regulatory frameworks surrounding copyright protection competition and privacy concerns arising from the way multi sided platforms use copyright protected content in digital advertising This book suggests how stakeholders in Africa and their advisors may ingenuously reform and apply various legal and regulatory frameworks to address these issues which arise from the manner in which multi sided platforms use copyright protected content in digital advertising The book critically engages with the regulatory efforts in other jurisdictions particularly the EU with a view to bringing an African perspective to the debate and practice It undertakes a consideration of this issue by asking how multi sided platforms may be deployed in a manner that continues innovative uses of copyright content while protecting the economic freedom of African copyright owners as small businesses Providing the first pro Africa approach to the regulation of multi sided platforms particularly with reference to music this book focuses on

key aspects of digital commercial activity and highlights the main challenges and opportunities for its regulation It will be of interest to lawyers policymakers and students across Nigeria South Africa and internationally among the African Union European Union and beyond **Intellectual Property Law** Lionel Bently,Brad Sherman,Dev Gangjee,Phillip Johnson,2022 Intellectual Property Law is the definitive textbook on this subject an all embracing and detailed guide to intellectual property law It clearly sets out the law in relation to copyright patents trade marks passing off and confidentiality whilst enlivening the text with illustrations and diagrams *Marx and the Political Economy of the Media* ,2015-09-29 More than 130 years after Karl Marx s death and 150 years after the publication of his opus magnum Capital Critique of Political Economy capitalism keeps being haunted by period crises The most recent capitalist crisis has brought back attention to Marx s works This volume presents 18 contributions that show how Marx s analyses of capitalism the commodity class labour work exploitation surplus value dialectics crises ideology class struggles and communism help us to understand media cultural and communications in 21st century informational capitalism Marx is back This book is a key resource on the foundations of Marxist Media Cultural and Communication Studies Intellectual Property and General Legal Principles Graeme B. Dinwoodie,2015-02-27 The rule of *lex specialis* serves as an interpretative method to determine which of two contesting norms should be used to govern In this book the *lex specialis* label is broadly applied to intellectual property and connects a series of questions What *Performing Copyright* Luke McDonagh,2021-06-17 Based on empirical research this innovative book explores issues of performativity and authorship in the theatre world under copyright law and addresses several inter connected questions who is the author and first owner of a dramatic work Who gets the credit and the licensing rights What rights do the performers of the work have Given the nature of theatre as a medium reliant on the re use of prior existing works tropes themes and plots what happens if an allegation of copyright infringement is made against a playwright Furthermore who possesses moral rights over the work To evaluate these questions in the context of theatre the first part of the book examines the history of the dramatic work both as text and as performative work The second part explores the notions of authorship and joint authorship under copyright law as they apply to the actual process of creating plays referring to legal and theatrical literature as well as empirical research The third part looks at the notion of copyright infringement in the context of theatre noting that cases of alleged theatrical infringement reach the courts comparatively rarely in comparison with music cases and assessing the reasons for this with respect to empirical research The fourth part examines the way moral rights of attribution and integrity work in the context of theatre The book concludes with a prescriptive comment on how law should respond to the challenges provided by the theatrical context and how theatre should respond to law Very original and innovative this book proposes a ground breaking empirical approach to study the implications of copyright law in society and makes a wonderful case for the need to consider the reciprocal influence between law and practice *The Screenplay Business* Peter Bloore,2013 The development of a film script is a long and complex process

initially creatively driven by the writer but managed by a producer or development executive This text examines the process and considers how to create the best processes and environments for developing stories and concepts for film

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