

**YEAR 1
SEMESTER 1**

Syllabus for Course

Copyright, Legal Issues and Policy H72.1804001

(4 hours per week for 14 weeks)

Faculty: Rina Elster Pantalony, Principal Legal Counsel to the Library and Archives of Canada, Department of Justice, Canada, New York, NY.

Educational Objectives:

- Basic conceptual understanding of copyright law.
- Knowledge of copyright issues affecting preservation, restoration, exhibition, and repurposing.
- Familiarity with both professional and legal rights and responsibilities around preservation and restoration.
- Comprehension of copyright management as a function of collections management
- Understanding of the kind of policy and intellectual property management issues facing moving image repositories.

Grade based on research paper and group copyright audit and risk assessment project:

- Class participation 10%
- Paper (at least 5 thousand words) on topic 50%
- Audit Project oral presentation and written report 40%

Course Syllabus:

September 5 - Week 1: Introduction to Copyright: The US Constitution, First Amendment and Article 11 that constitutes the Social Contract – an examination of ownership, control and progress

September 12 - Week 2: Introduction to Copyright: a bundle of rights and a handful of rights holders

September 19 - Week 3: Examining the layers of copyright in film, video, film ephemera and electronic media – examples given to illustrate copyright layers

September 26 - Week 4: Exceptions to Copyright, and Fair Use – What are copyright exceptions, how do they work? What is fair use? An examination of case law and policy surrounding the availability of fair use for the purposes of preservation and access to collections

October 3 –Week 5: How to manage IP in a collecting institution: performing the copyright audit – examples of audit sheets to be examined in the context of collections management.

October 10 - Week 6: Obtaining the IP clearances necessary to carry out preservation, restoration, exhibition and repurposing of film, video, ephemera and new media content – an examination of sample clauses – Guest Speaker

October 17 - Week 7: The value-added, values-based decision making in managing copyright as part of an audio-visual collection - Guest Speaker

October 24– Week 8: DRMs and TPMs: What are they and do they work and can archives benefit from them or are they simply a barrier towards access?

October 31 - Week 9: History of advocacy surrounding copyright, the Internet and digital content - copyright, creativity, education and access – examination of town hall meeting reports, multimedia presentations, print material and other innovative communication tools used to advocate about copyright

Week of November 7 –trip to Washington DC with students - TBD

November 7 – Week 10: Review of the use of the judicial system and the development of the US Copyright Office directive decision making process to advocate positions in copyright law reform respecting access and education

November 14 – Week 11: AMIA Conference – no class

November 21 – Week 12: Copyright policy development and implementation in collecting institutions – an examination of sample policies and the means to develop the policy in collecting institutions – Guest Speaker

November 28 - Week 13: Thanksgiving – no class

December 7 - Week 14: Student audit project presentations –