

**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 11 - 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 18 - Week 2: Introduction to Copyright: a bundle of rights and a handful of rights holders

September 25 - Week 3: Examining the layers of copyright in film, video, film ephemera and electronic media – examples given to illustrate copyright layers

October 2 - 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 9 –Week 5: How to manage IP in a collecting institution: performing the copyright audit and developing the copyright policy– examples of audit sheets and policies to be examined in the context of collections management. Winter Shanck, Archivist WNET will be joining us to discuss the Audit Project.

October 16 - 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, contracts and legal instruments used in film and television production.

October 23 Week 7: The practical effects of inconsistent copyright management – looking at film collections through the lens of repurposing content. Howard Weinberg, film and television producer, will be joining us to discuss his experiences. See <http://www.howardweinberg.net/background/biography.html>

October 30– Week 8: 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. We will be showing the documentary film RIP A Remix Manifesto. See <http://films.nfb.ca/rip-a-remix-manifesto/>

November 6 - Week 9: AMIA Conference – No Class

November 13 – Week 10: DRMs and TPMs: What are They, Do They Work and Can Archives Benefit From?

November 20 – Week 11: The Value Added – Value-Based Decision Making in Managing Copyrights as Part of a Collection. Rachele Browne, Assistant General Counsel, Smithsonian Institution, will be joining us for our discussion on the topic.

November 27 - Week 12: Thanksgiving – no class

December 4 - Week 13: International Copyright Policy Development and New Initiatives for Cultural Heritage Organizations – a Report back from the International Council of Museums and the World Intellectual Property Organization – possible speaker TBA

December 11 – Week 14: Student Audit Project Presentations