

**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 10 – Introduction to topic Professor Dan Streible

September 17 and 24 no classes with classes to be made up from October 8

October 1 – Visit to WNET to discuss television archive

Below Classes start October 8 with class schedule to follow depending on scheduling 2 make-up classes

Class 1 October 8 - Introduction to Copyright: The US Constitution, First Amendment and Article 11 that constitutes the Social Contract – an examination of ownership, control and progress

Class 2 - Introduction to Copyright: a bundle of rights and a handful of rights holders - Examining the layers of copyright in film, video, film ephemera and electronic media

Class 3 - 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.

Class 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

Class 5 - 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.

Class 6 - DRMs and TPMs: What are They, Do They Work and Can Archives Benefit From?

Class 7 - The Value Added – Value-Based Decision Making in Managing Copyrights as Part of a Collection. Rachelle Browne, Assistant General Counsel, Smithsonian Institution, will be joining us for our discussion on the topic.

Class 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/>

Class 9 - 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

Class 10 - Student Audit Project Presentations