

**YEAR 1
SEMESTER 1**

Syllabus for Course

Copyright, Legal Issues and Policy H72.1804001

(4 hours per week for 15 weeks)

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

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 9- 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 16 - Week 2: Introduction to Copyright: a bundle of rights and a handful of rights holders

September 23 - Week 3: Examining the layers of copyright in film, video, film ephemera and electronic media – examples given to illustrate problematic copyright issues in the creative process

September 30 - 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 7 –Week 5: Visit to WNET Archives re: Audit Project hosted by Winter Shanck, Archivist WNET

October 14 - Week 6: 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.

October 21 Week 7: 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 28– Week 8: DRMs and TPMs: What are They and Do they work? Examining sections 1201 and 512 of the DMCA, and related case law

November 4 – Week 9: The Value Added – Value-Based Decision Making in Managing Copyright as Part of a Collection. Speaker to be confirmed

November 11 – Week 10: the Historic Context: History of advocacy surrounding copyright, the Internet and digital content creation- 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 at the inception of the Internet.

November 18 - Week 11: AMIA Conference – No Class

November 25 - Week 12: Thanksgiving – no class

December 2 - Week 13: The practical effects of consistent copyright management – looking at the management of film collections through the lens of repurposing content. Speaker Nick Trotta from MLB Productions will be our guest speaker.

December 9 – Week 14 – Social media, digital resources, copyright, privacy, preservation and access – legal issues especially complex in developing, maintaining and even preserving online interactive spaces

December 16 - Week 15: Student Audit Project Presentations