

Why does all this
copyright reform stuff
matter, anyway?
what's at stake?

[Technology](#)



" Why does all this copyright reform stuff matter, anyway? What's at stake?" (Doctorow, 2008). With reference to arguments from those for and against copyright reform attempt to answer Doctorow's question.

This assignment will cover the question that Doctorow has asked, " Why does all this copyright reform stuff matter, anyway? What's at stake?" to try and answer this question I will look upon a few different examples and look at examples of people protecting and people breaking copyright law.

What is Copyright?

The Copyright, Designs and Patents Act 1988, is the current UK copyright law. This law is there so that people who create media texts have the right to control how their work is used. The rights that the creator has are, copying adapting, issuing, renting and lending copies to the public. Also usually the creator will have the right to be known as the author of the work. There is duration on the time that the work has a copyright, and there are some provisos on how long the media text is protected. Underneath is a table of duration of copyright. (The UK Copyright Service)

For literary, dramatic, musical or artistic works

70 years from the end of the calendar year in which the last remaining author of the work dies, or the work is made available to the public, by authorised performance, broadcast, exhibition, etc.

The Copyright (Computer Programs) Regulations 1992 extended the rules covering literary works to include computer programs.

Sound Recordings and broadcasts

50 years from the end of the calendar year in which the last remaining author of the work dies, or the work is made available to the public, by authorised release, performance, broadcast, etc.

Films

70 years from the end of the calendar year in which the last principal director, author or composer dies, or the work is made available to the public, by authorised performance, broadcast, exhibition, etc.

Typographical arrangement of published editions

25 years from the end of the calendar year in which the work was first published.

Firstly looking at an online article by the BBC it says that most consumers of media texts are confused by the copyright laws, talking about this issue first means that even though authors of media texts are getting upset with the unauthorized uses of their work nothing much is being done to stop it because most of the UK public don't even know they are breaking a law. In this article they talk about how "copyright law was outdated and millions of people were unaware they were breaking laws." (BBC) and how many people did not know that copying a music file or similar media text to a separate music playing device was illegal and is called format shifting. Similarly when the use of video players became more abundant it was illegal to record a TV show and then watch it later on but the law was then amended. So again with the creation of more technological advancements should the copyright law be amended?

To begin to talk and respond to this question, firstly we will look at some examples of people for the use of copyright law and why they are so adamant that the use and enforcement of the copyright law is a good thing.

Looking as an example at the debate against Lars Ulrich and Chuck D on the show Charlie Rose, this was a show debating the use of their music being distributed on the internet (predominantly Napster) for free. To begin the debate Ulrich basically sets up the debate by telling the audience that he feels that he owns the right to his music and he should have the right to copy, distribute, adapt and lend like the copyright law now states but also a big part of his argument is that he feels like he is losing control, also he states that this is what is at stake and linking to what I have said earlier he talks about how the stake changes with the development of technology.

Now the second half of the debate Chuck D is talking about how that it is too late and the power has now gone back to the people, and he also talks about how the internet and file sharing is beneficial to the industry " it is the only way some artists have a chance to reaching an audience" he talks about how the industrialization of music has stopped the little artists from participating in the music business.

Now looking at this debate from an outsider, from Lars Ulrich's point of view it seems that all he is trying to do is control the use of his work and how they will have a legal battle with companies that try to stop the creators having control over their work.

In May 2000 Metallica filed a lawsuit against the website Napster and the court ruled against napster who said that they weren't responsible for what

the users of the software did and they complied with Metallica's requests and Napster banned 300, 000 users. Later other music artists agreed with Metallica's decision to file a law suit and Napster was taken to court again because music artists were providing a means so that its users could infringe copyright laws, later that year Napster was shutdown.

This is an example of the music wars at the beginning and the technological development in copying and sharing files just weren't advanced enough to stop people acting and fighting for their rights to copyright. Now as technology has advanced and the introduction of new file sharing technologies such as torrent software where people can easily distribute and download copyrighted material it is now impossible to sue or shutdown these sites.

In the beginning of the lives of these sorts of websites and software the authorities tried to shut down just like the case of Napster but this time it was a little different; in the case of napster the technology just wasn't advanced enough to stop being shut down but now a few years later and the invention of trackers even if one site got shut down the software would just get the file from some other site because the main advantage of using torrents is that the file is downloaded in parts from different sources. So in essence there is now no way to shut down file sharing and copyright infringement without the regulation of the internet providers who are the last factor in the fight against copyright.

In America they use the 'Fair Use' copyright policy and this gives a person limited uses of a media text under the terms of its policies (commentary, criticism, news reporting, research, teaching or scholarship.) I have found an <https://assignbuster.com/why-does-all-this-copyright-reform-stuff-matter-anyway-whats-at-stake/>

example where it is not music but an image that has been under scrutiny for copyright infringement, in an article by the BBC I have found it talks about the use of a picture of Barack Obama.

Fig 1. Barack Obama Image Alteration.

This image was altered by a street artist and then sold and published, the image has become a massive iconic picture for Obama. The picture was originally taken by a photographer for the Associated Press and they are claiming compensation because they weren't credited for the use of the image and the defense was that it was complying with Fair Use policy.

Talking about what's at stake with reference to the original question what does it all matter any way, what's at stake? Here is an example of people using copyright infringement to the positive development of society and culture.

Remix Culture, is a term adopted by the copyright activist Lawrence Lessig, and is talking about the use of copyrighted work being 'remixed' into something else and sometimes the result is more popular than the original work.

Remix Culture is a big thing and Lessig argues that the adaptation or 'remix' of an author's original work is beneficiary to the development of a text. But most authors don't agree with Lessig's explanation of the copyright infringement what is really taking place. Remix culture in the early days were things that just took a media text and altered them very slightly like lip syncing a song, this is taking a media text and adding your image to it

altering the original copyrighted music video. (example, numa numa guy) then more and more people started to evolve peoples original media text.

Another remix that is really popular and has now become a viral remix video is the film Downfall this is a German film where people have taken it and added their own subtitles over a specific scene where Hitler gets mad and people have added funny subtitles according to the mood of the scene. But most of these adaptations to copyrighted work will go unnoticed because it would cost more to enforce the laws in copyright than what the authors of the media text would be losing.

But not all authors are that concerned about copyright laws and some even encourage the adaptation of their media text, this is where Creative Commons comes into play. This is a website that allows the author of a media text to partially copyright their work and is a big part and help in the remix culture that is now present today. People just visit their website and add the details of their work to the website and they give them a license and they can put a CC next to their work instead of the usual C. also they have a section on their website where you can look though different search engines and look at free work that can be used without copyright infringement.

To sum up this essay I would like to say that the use of copyrighted material back in the late 90's early 00's would have been more punished but the introduction of new technologies has made it impossible to control the use of your work. Even if copyright becomes extinct people would still benefit from the social development in changing and getting more out of a media text.

References

<https://assignbuster.com/why-does-all-this-copyright-reform-stuff-matter-anyway-whats-at-stake/>

The UK Copyright Service (2000) UK Copyright Law: Summary [WWW]

Available from: [http://www.copyrightservice.co.](http://www.copyrightservice.co.uk/copyright/uk_law_summary)

[uk/copyright/uk_law_summary](http://www.copyrightservice.co.uk/copyright/uk_law_summary) (Acceded on 23/02/10)

BBC (2009) Copyright battle over Obama image [WWW] Available from:

<http://news.bbc.co.uk/1/hi/world/americas/7872253.stm> (Acceded on 23/02/10)

BBC (2009) Barack Obama Image. In BBC (2009) Copyright battle over

Obama image Available from: [http://news.bbc.co.](http://news.bbc.co.uk/1/hi/world/americas/7872253.stm)

[uk/1/hi/world/americas/7872253.stm](http://news.bbc.co.uk/1/hi/world/americas/7872253.stm) (Acceded on 23/02/10)

Brabazon, T. (2008) The Revolution Will Not be Downloaded. Oxford:

Chandos Publishing

Palfrey, J, Gasser, U. (2008) Born Digital. New York: Basic Books