CLASS 1:
INTRODUCTION
CLASS OUTLINE

• Welcome!
• Subject Matter of Copyright
• Sources of Copyright Law
• Theoretical Frameworks
17 USC § 102 – Subject Matter of Copyright

(a) Copyright protection subsists…in original works of authorship fixed in any tangible medium of expression, now known or later developed, from which they can be perceived, reproduced, or otherwise communicated, either directly or with the aid of a machine or device. Works of authorship include the following categories: (1) literary works; (2) musical works, including any accompanying words; (3) dramatic works, including any accompanying music; (4) pantomimes and choreographic works; (5) pictorial, graphic, and sculptural works; (6) motion pictures and other audiovisual works; (7) sound recordings; and (8) architectural works.

(b) In no case does copyright protection for an original work of authorship extend to any idea, procedure, process, system, method of operation, concept, principle, or discovery, regardless of the form in which it is described, explained, illustrated, or embodied in such work.
“The Congress shall have Power … To promote the Progress of Science and the useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries.”
Theories of Copyright Law

1. Utilitarian/Incentive Theory/Instrumental Theory
2. Lockean Labor/Natural Rights
3. Personality/Artists’ Rights
Alternate Means of Protecting Artistic Works

• Contract

• Copying Technology (e.g. cassette tape v. MP3)

• Technological Protections (e.g., DRM)

• (Unprotected or “fair” uses)
ROLLING STONES: *SHAKE YOUR HIPS*
MISSISSIPPI FRED MCDOWELL: WHAT'S THE MATTER NOW?