

Class 11: Joint And Collective Works

Administrative

Next Time:  
Let me know in advance if you'll miss both the 4/9 debate and 3/4

435-37; 445-55; 479-89; sections 106 (1,3), 108, 109, 101 (relevant terms)

Start focusing closely on provisions, particularly sections 108 to 122 (when assigned) (But not really for 108)

Joint Works

Again, what are the stakes?

Note 15: Joint Owners are not the same thing as Co-owners of work of Joint Authorship

Note 16: Tenants in Common

No infringement for own use.  
Right to use or to license the work as he/she wishes  
Obligation to Account  
No destruction of value of work.

Childress v. Taylor

Basic Facts

Play about "Moms" Mabley

Defendant: Clarice Taylor

Veteran Actress  
First had idea to do play about Mabley  
Did bulk of research

Plaintiff: Alice Childress

Award-winning playwright.  
Approached by D to write play.

The collaboration

Taylor handed over all research.  
D: discussed specific scenes and characters to include.  
Both spoke on regular basis.  
Taylor's contributions listed on 272-73.

Negotiations broke down.

Taylor hired Caldwell to write another play.  
Confusion in Advertising about connection to earlier version.

Held (2d Cir. 1991)

