

Class 5: Six Categories From Section 102

Administrative

Next Time: 167-89; section 101 (PGS and "useful article"), 102 (a), 113(a-c)

Tuesday: Most likely a new assignment altogether.

I'll decide this afternoon and post to website and announce next time.

Literary Works

Section 102(a)

Specific categories of works of authorship.
 Specific but nonexclusive "Including"
 Four defined: literary works, PGS, motion pictures and AV works, sound recordings
 Three undefined: musical works, dramatic works, pantomines and choreographic

Miller v. Universal City Studios

Basic Facts
 District Court
 Held
 Reasoning

Miami Herald reporter worked with kidnapping victim to write book about story
 Scriptwriter produced script based on book.
 Result: Made-for-TV movie.
 License attempted but never agreed.

Lots of research involved.

Hoehling v. Universal City Studios (Internal to Miller)

Basic to Facts
 Held (2d Cir. 1980)
 Reasoning

Actually, three books about Hindenburg disaster
 Universal produced a movie and H sued.

Hoehling's book (Plaintiff's)
 Mooney's book (licensed to Univer-
 Titler's book.

