

Class 26: Remedies

Administrative

Next Time

No Next Time

Review Session

Saturday, April 24, 2010

1:00 - 3:30ish PM

This room

BOTH review sessions will be held
in one 2-3 hour block

Q&A (send questions!)

Reviewing Spring 2008 Exam

Final Exam Procedures

Cindy will send you exam around
8am via email

Due six hours later

Don't use Internet except for our
class website

Word limits

If you've rescheduled, same rules
on a different day

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Last Time

New Uses

Boosey & Hawkes v. Disney

Facts

Stravinsky's Rite of Spring and Disney's Fantasia

Rite of Spring not under copyright in US, but Disney wanted foreign distribution

1939 K More

1991: Video release

Held

Reasoning

Random House v. Rosetta Books

Facts

William Styron, Kurt Vonnegut, Robert B. Parker all enter publishing Ks with Random House (or predecessors) in pre-digital age

1961: Styron's K

1967: Vonnegut's K

2000-01: Rosetta Books K with same authors to publish ebook versions of same books

Random House sues Rosetta Books

Copyright infringement

Tortious interference with K

Held

Reasoning

Summing Up Both Preemption and Contract

Open Source Software and Creative Commons

What can a copyright owner do if he/she wants his/her work made widely available for public use?

Just abandon the copyright?

OSS

GNU Public License (GPL) is most famous

GNU/Linux distributed under it.

Others may use, modify, and redistribute the program and create and distribute new programs based on GPL'd programs.

Catch: All derivative works must be distributed under same GNU GPL

"Viral"

Also: Must redistribute all source code

"Copyleft"

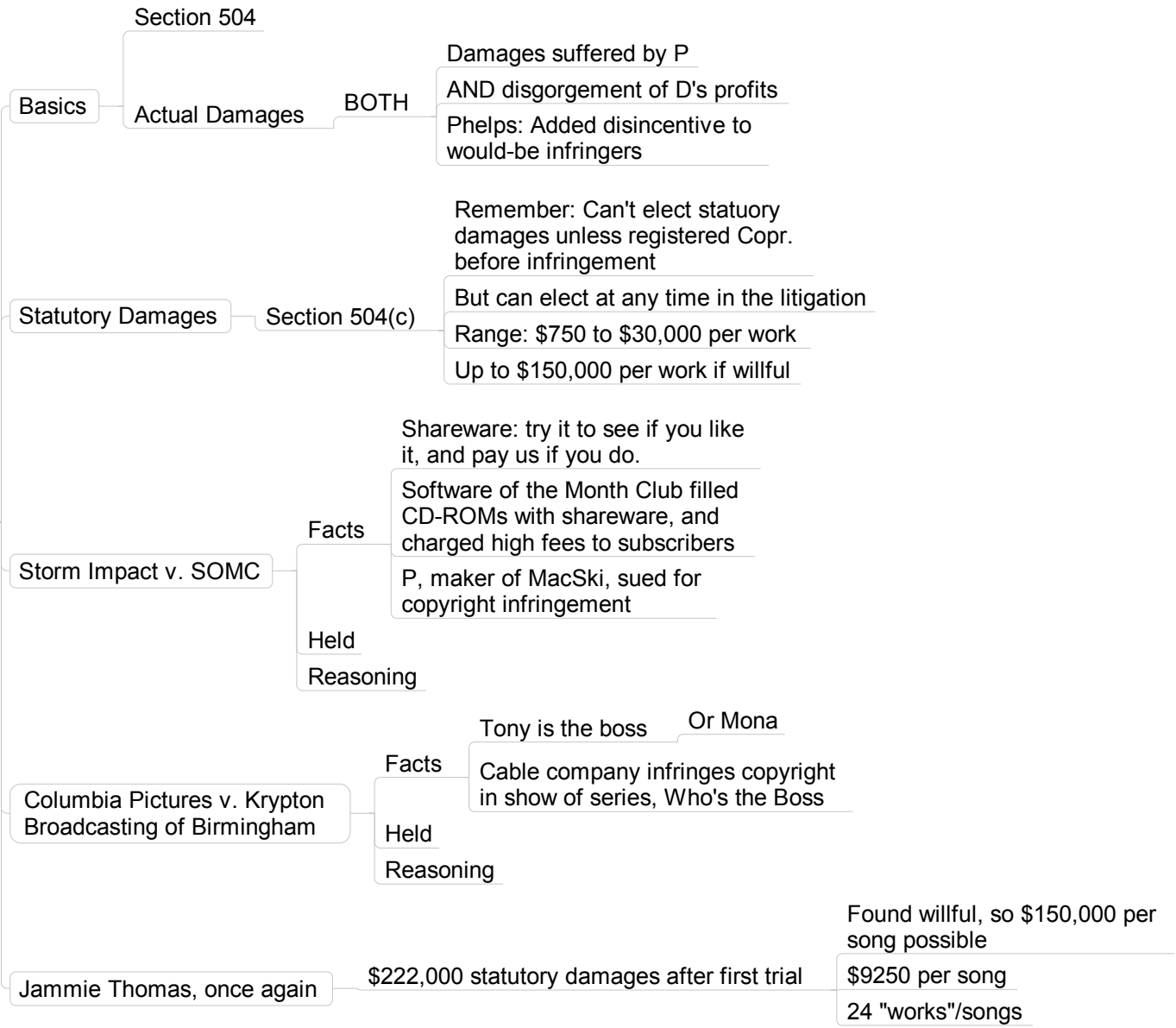
Creative Commons

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Enforceable?

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Damages



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Injunctions

