

Class 21: Fair Use II

Administrative

- Next Time 580-603
- Shortened reading for final two classes
- Will post 4/15 DMCA reading by this Monday
- News Wednesdays
 - The day the music spied
 - Hill v. Prince

Campbell v. Acuff-Rose

- Basic Facts
- Held (Supreme Ct. 1994)
- Parody or Satire?
 - Office Time Machine
 - The cartoonist has no idea...
 - Saved by the Bell Hooks
 - Musicless Musicvideos
 - Speechless speeches

Castle Rock

- Facts
 - Previously discussed
 - Seinfeld Aptitude Test
 - 643 Trivia questions
- Recap of earlier holding
 - Summary Judgment for copyright infringement affirmed
 - Substantial Similarity
 - But just simple Quantitative/Qualitative prongs
 - We contrasted this with different approach from JK Rowling case
- Held

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Nunez v. Caribbean International News Corp.

Facts

- Professional photographer hired by Joyce Giraud for use as a modeling portfolio
- Some nude
- Giraud wins Miss Puerto Rico Universe 1997
- Photos become newsworthy
- Shown on TV
- Newspaper runs three photos
- Photographer sues Newspaper

Held

P is professional photographer, creator of book depicting Rastafarians in Jamaica

Cariou v. Prince

Facts

- D is well-known "appropriation artist" (and galleries)
- D creates "Canal Zone" series based on P's "Yes Rasta" book
- 25/30 significantly altered
 - e.g. "James Brown Disco Ball"
 - pinned to plywood
 - "lozenges"
 - much larger (10x-100x)
- 5/30 closer case e.g. "Graduation"
- May have lost chance at gallery show because owner mistaken about P cutting deal with D

Held