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Understanding Copyright Law

SEVENTH EDITION

Marshall A. Leaffer

DISTINGUISHED SCHOLAR IN INTELLECTUAL PROPERTY LAW
AND UNIVERSITY FELLOW
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Contents

Preface	xxv
Chapter 1 · Introduction to Copyright and Intellectual Property Law	3
Introduction	3
§ 1.01 Introduction and Chapter Overview	3
Part I. Historical Overview of Copyright	5
§ 1.02 From the Beginnings to the Statute of Anne (1710)	5
§ 1.03 From the Constitution to the Copyright Act of 1909	7
§ 1.04 The 1909 Act	9
[A] General Provisions of the 1909 Act	9
[B] United States' Exclusion from the Berne Convention	9
[C] Legislative Attempts to Re-tool the 1909 Act	10
§ 1.05 The Copyright Act of 1976	11
[A] Important Changes in the 1976 Act	11
[B] The Berne Convention Implementation Act of 1988	13
[C] Amendments to the Copyright Since 1978	14
[D] The Continuing Importance of the 1909 Act and the 1976 Act as Originally Enacted	15
[E] Copyright Legislation in Perspective	16
Part II. Philosophical Justifications for Copyright Law	17
§ 1.06 Generally	17
§ 1.07 The Natural Law Justification	18
[A] Natural Law and the Author	18
[B] Locke and the Labor Model	18
[C] Hegel and the Personality Model	20
§ 1.08 The Utilitarian Conception of Copyright Law	21
[A] The Economic Rationale of the Copyright Clause	21
[B] Why Should Property Rights Be Created for Information?	22
§ 1.09 The Future of Copyright and the Digital Challenge	25
[A] From Gutenberg to the Internet	25
[B] The Digital Challenge and Copyright Law	27
[C] The Future of Copyright	29
Part III. Copyright, Patent, Trademark, and Trade Secret Compared	31
§ 1.10 Generally	31
§ 1.11 Patent Law	31
[A] Generally	31
[B] Procedures for Obtaining a Patent	32
[C] Types of Patents	33
[D] Utility Patents: Requirements for Validity	33
[E] Patent Infringement	35
§ 1.12 Trademark Law	35

[A] Generally	35
[B] Federal Registration of Trademarks	36
[C] Federal Unfair Competition Law: Section 43(a) of the Lanham Act	37
[D] Trademark Infringement	38
[E] Trademark Dilution	38
§ 1.13 Trade Secrets	39
§ 1.14 Chart Comparing Copyright, Patent, Trademark, and Trade Secret	40
§ 1.15 State Intellectual Property Law	42
[A] State Trade Secret Law	42
[B] Unfair Competition Law	42
[C] Common Law Copyright	43
[D] The Right of Publicity	43
[E] Misappropriation	45
Chapter 2 · Subject Matter of Copyright: General Standards	47
§ 2.01 Introduction and Chapter Overview	47
Part I. Fixation	48
§ 2.02 Fixation and the Distinction Between the Material Object and the Copyright	48
§ 2.03 Tangible Medium of Expression	49
[A] The Fixation Requirement: Generally	49
[B] “Fixed Under the Authority of the Author”	50
[C] Perception by Machine or Device	51
[D] Fixation and the Digital Challenge: RAM Copies and Videogames	51
[1] RAM Copies	51
[2] Videogames and Fixation	52
§ 2.04 The Anti-Bootleg Provisions: An Exception to the Fixation Requirement?	53
§ 2.05 Works Not Fixed in a Tangible Medium of Expression: Common Law Copyright	55
Part II. Originality and Authorship	56
§ 2.06 Original and Creative Authorship	56
[A] Authorship	56
[B] Independent Creation	57
[C] The Quantum of Originality: Creative Authorship	58
Part III. Compilations and Derivative Works	60
§ 2.07 Compilations and Derivative Works	60
§ 2.08 Derivative Works	61
[A] Originality in Derivative Works	61
[B] Originality in Derivative Works: Reproductions of Works of Art	62
[C] Digital Processes and Creative Authorship: The Colorization Controversy	65
§ 2.09 Other Issues in the Scope of Protection of Derivative Works	66
[A] The Lawful Use Requirement	66
[B] Use of Derivative Works in the Public Domain	68
§ 2.10 Compilations: Generally	69
§ 2.11 Originality in Compilations	69
[A] Originality in Compilations: An Overview	69
[B] The <i>Feist</i> Case and the Demise of the Industrious Effort Doctrine	70
[C] Originality in Selection and Arrangement After <i>Feist</i>	72

[1] From the White Pages to the Yellow Pages	72
[2] Originality in Selection	73
[3] Originality in Arrangement	74
[D] Computer Databases	74
[E] Protection of Databases Outside Copyright Law: Should There Be a <i>Sui Generis</i> Federal Right?	76
§ 2.12 Collective Works	78
Part IV. Non-Copyrightable Subject Matter	79
§ 2.13 Ideas and Systems Under § 102(b)	79
[A] Generally	79
[B] Idea and Expression: The Doctrine of <i>Baker v. Selden</i>	82
[1] The Nature of Functional Works: Patent Policy and Copyright Law	82
[2] The Use/Explanation Dichotomy and the Merger Doctrine	83
[3] Functionality and Standardization: Graphical User Interfaces, Menu Hierarchies, and the Merger Doctrine	85
[4] The Merger Doctrine and <i>Scènes à Faire</i>	87
[C] Fictional Literary Characters	88
[1] Elements of Protection	88
[2] Literary Characters and the Public Domain	90
[D] Historical Research	90
§ 2.14 Other Issues on Non-Copyrightable Subject Matter	93
[A] Copyright in Immoral, Illegal, and Obscene Works and Other Works of Negative Utility	93
[B] Government Works	94
[1] Works of the United States Government	94
[2] Works of State Governments	95
Chapter 3 · Works of Authorship: Categories of Copyrightable Subject Matter	97
§ 3.01 Introduction and Chapter Overview	97
Part I. Works of Authorship: Overview	97
§ 3.02 The Eight Categories	97
[A] Generally	97
[B] Excluded Writings	98
[C] Copyrightable Subject Matter: The 1909 and 1976 Acts Compared	99
[D] Importance of How a Work Is Categorized	100
Part II. Literary Works	101
§ 3.03 Generally	101
§ 3.04 Computer Programs (Software)	101
[A] Historical Background: CONTU	101
[B] Copyrightability of Programs: Initial Doubts	102
§ 3.05 Computer Technology	103
[A] Computer Hardware: The Basics	103
[B] Computer Software: Development Stages	104
[C] Application and Operating System Programs	104
§ 3.06 Computer Programs in the Courts: <i>Apple Computer, Inc. v. Franklin Computer Corp.</i>	105
[A] <i>Apple Computer, Inc. v. Franklin Computer Corp.</i> : The Issues Involved	105

[B] First Issue: Copyright in a Program Expressed in Object Code	105
[C] Second Issue: Copyrightability of a Program Embedded in a ROM	106
[D] Third Issue: Copyrightability of Operating Systems	106
§ 3.07 Computer-Generated Works	108
§ 3.08 Other Forms of Intellectual Property Protection for Computer Software	110
[A] Trade Secret Protection for Computer Software	110
[B] Patent Law Protection for Computer Software	110
[C] State Contract Law	113
[D] Protecting Technological Safeguards: The Digital Millennium Copyright Act	113
§ 3.09 Semiconductor Chips	114
[A] The Technological Background, the Economic Stakes, and the Legal Dilemma	114
[B] The Semiconductor Chip Act: Statutory Overview	115
Part III. Pictorial, Graphic, and Sculptural Works: The Utilitarian Object	117
§ 3.10 Generally	117
§ 3.11 Works of Applied Art and the Design of Useful Objects	117
§ 3.12 Useful Articles and Industrial Design Under the 1976 Act	119
[A] Pictorial and Graphic Works and the Separability Doctrine	119
[B] The Separability Doctrine in the Case Law Before <i>Star Athletica</i>	120
[1] Physical Separability	120
[2] Conceptual Separability	121
§ 3.13 The Separability Doctrine Redefined by the Supreme Court: <i>Star Athletica v. Varsity Designs</i>	123
§ 3.14 Other Forms of Protection for Works of Applied Art: Vessel Hull Designs, Design Patent, and Proposed Design Legislation	125
[A] Design Patent	125
[B] Design Legislation	126
[C] Protection of Design Under Trademark and Unfair Competition Law	127
[D] The <i>Sui Generis</i> Protection of Vessel Hull Designs	128
§ 3.15 Architectural Works	130
[A] Generally	130
[B] Architectural Works Constructed Before December 1, 1990	130
[1] Architectural Structures	130
[2] Architectural Plans, Models, and Drawings	131
[C] The Architectural Works Protection Act of 1990	132
[1] Scope of Protection	132
[2] Limitations on the Exclusive Rights of an Architectural Work	134
§ 3.16 Maps	135
Part IV. Other Categories of Copyrightable Subject Matter	137
§ 3.17 Musical Works	137
§ 3.18 Sound Recordings	137
[A] Distinguishing the Sound Recording from Other Works of Authorship and the Phonorecord	137
[B] Originality in Sound Recordings	138
[C] Federal Protection for Pre-1972 Sound Recordings	139

§ 3.19	Dramatic Works	140
§ 3.20	Pantomimes and Choreographic Works	140
§ 3.21	Motion Pictures and Other Audiovisual Works	141
Chapter 4	· Publication, Notice, and Other Formalities	145
§ 4.01	Introduction and Chapter Overview	145
	Part I. Publication	147
§ 4.02	Publication: Its Role in Copyright Law	147
	[A] Generally	147
	[B] Historical Overview of the Publication Doctrine	147
	[C] Justification of the Publication Doctrine	148
§ 4.03	“Publication” Defined	149
§ 4.04	Publication Under the 1909 Act: Its Continuing Importance	150
§ 4.05	Two Court-Made Efforts to Ameliorate the Publication Requirement’s Harsh Effect Under the 1909 Act	151
	[A] Generally	151
	[B] Divestive and Investive Publication	151
	[C] Limited versus General Publication	152
§ 4.06	The Importance of Publication Under the 1976 Act	154
	[A] Generally	154
	[B] Publication and Compliance with Formalities	155
	[C] Publication and International Copyright	155
	[D] Publication: Durational Consequences	155
§ 4.07	Special Publication Contexts: 1909 and 1976 Acts Compared	156
	[A] Performance as Publication	156
	[B] Publication by Display	156
	[C] The Distribution of Phonorecords as Publication of the Sound Recording and the Musical Work	157
	[D] Publication of a Derivative Work	159
	Part II. Notice	160
§ 4.08	Generally: Justification for Notice Requirement	160
	[A] The Background	160
	[B] Abrogation of the Notice Requirement: The Berne Convention Implementation Act of 1988	161
	[C] Chart: Notice Provisions for Published Works Under the 1909, 1976, and Berne Convention Implementation Acts	162
§ 4.09	Notice Requirements Under the 1976 Act Before the Berne Convention Implementation Act of 1988 Amendments	163
§ 4.10	Form and Position of Notice Under the 1976 Act	164
	[A] Form of Notice on Copies	164
	[B] Form of Notice on Phonorecords for Sound Recordings	165
	[C] Year Date	165
	[D] Name of Copyright Owner	165
	[E] Location of the Notice	166
§ 4.11	Omission of Notice	166
	[A] Generally	166
	[B] Omission of Notice and Forfeiture of Copyright	167
	[C] Omission of Notice: The Savings Provision	168
	[D] Discovery of Omission	169

[E] Reasonable Efforts to Cure Omitted Notice	170
[F] Discovery of Omitted Notice After the Berne Convention Implementation Act	171
[G] Omitted Notice and Innocent Infringement	172
§ 4.12 Error in Name and Date	172
[A] Generally	172
[B] Error in Name	173
[C] Error in Date	173
[D] Omission of Name or Date	174
§ 4.13 Special Notice Subsections	174
[A] Notice for Publications Containing Government Works	174
[B] Notice for Contribution to Collective Works	175
§ 4.14 Notice Under the 1909 Act	176
[A] Generally	176
[B] Form of Notice	177
[C] Location of Notice	177
[D] Year Date	178
[E] Omission of Notice	178
[F] U.S. Works First Published Outside the United States	179
Part III. The Manufacturing Clause	180
§ 4.15 The Demise but Continuing Importance of the Manufacturing Clause	180
§ 4.16 The Manufacturing Clause Under the 1976 Act	181
[A] Generally	181
[B] The “Preponderantly” Requirement	181
[C] Exceptions to the Manufacturing Provisions	182
[D] Effect of Non-Compliance Under the 1976 Act	182
§ 4.17 The Manufacturing Clause Under the 1909 Act	183
[A] Generally	183
[B] <i>Ad Interim</i> Protection	183
[C] Forfeiture by False Affidavit and General Non-Compliance	183
Chapter 5 · Ownership of Copyright	185
§ 5.01 Introduction and Chapter Overview	185
Part I. Initial Ownership: Works Made for Hire and Joint Works	186
§ 5.02 Works Made for Hire	186
[A] Generally	186
[B] Works Made for Hire: An Overview of the Basic Standards	187
§ 5.03 Distinguishing Between Employers and Independent Contractors	189
[A] Clarifying the Categories: <i>Community for Creative Non-Violence v. Reid</i>	189
[B] Who is an “Employee”: Applying the <i>Restatement of Agency Criteria After CCNV</i>	191
[C] <i>CCNV</i> in Perspective: Will It Help the Independent Contractor?	192
§ 5.04 Works Prepared Within the Scope of Employment	193
§ 5.05 Works Made for Hire Under the 1909 Act	195
§ 5.06 Joint Works Under the 1976 Act	196
[A] Generally	196
[B] Intent to Create a Joint Work	196

[C] Joint Work Authorship: Copyrightability and Ownership of Individual Contributions	199
[D] Joint Works Created by Non-Collaborative Means	201
[E] Consequences of Joint Ownership	201
[F] Joint Works and Derivative Works Compared	202
§ 5.07 Joint Ownership Under the 1909 Act	202
§ 5.08 Ownership of Contributions to Collective Works	204
[A] Distinguishing Between Copyright in the Collective Work and Copyright in a Contribution to the Collective Work	204
[B] The Collective Works and the Revision Right in the Digital Environment	205
§ 5.09 Ownership of Copyright as Distinguished from Ownership of the Material Object: The <i>Pushman</i> Doctrine	207
Part II. Transfers of Copyright Interests	208
§ 5.10 Divisibility of Copyright	208
[A] Generally	208
[B] Consequences of Divisibility: Standing to Sue	208
[C] Does an Exclusive Licensee Have the Right to Sublicense the Copyrighted Work?	209
§ 5.11 Indivisibility of Ownership Under the 1909 Act	210
§ 5.12 Drafting and Construing Licenses	211
[A] In General	211
[B] The Problem of New Media	212
§ 5.13 Transfers of Copyright: The Writing Requirement	214
[A] The 1976 Act	214
[B] The Writing Requirement Under the 1909 Act	216
§ 5.14 Recordation	216
[A] Generally: The Importance of Recordation	216
[B] What Should Be Recorded?	217
[C] Recordation: Priority Between Conflicting Transfers (Assignments and Exclusive Licenses)	218
[D] Priority Between a Transferee and a Non-Exclusive Licensee	219
[E] Reliance on Copyright Office Records: Practical Limitations	219
[F] Recordation Under the 1909 Act	220
§ 5.15 Involuntary Transfers	220
§ 5.16 Orphan Works: Works Whose Copyright Owners Cannot Be Found	221
[A] The Orphan Works Dilemma	221
[B] Orphan Works Legislation	221
Chapter 6 · Duration, Renewal, Termination of Transfers, and Restoration of Copyright	223
§ 6.01 Introduction and Chapter Overview	223
Part I. Duration	224
§ 6.02 Generally: The 1909 and 1976 Acts Compared	224
§ 6.03 The Copyright Term Extension Act of 1998: Its History and Justification	226
[A] From Life-Plus-Fifty to Life-Plus-Seventy	226
[B] The Constitutional Challenge: <i>Eldred v. Ashcroft</i> and Beyond	227

§ 6.04 The Mechanics of Duration Under the 1976 Act	229
[A] All Terms Run to the End of the Calendar Year	229
[B] The Basic Term: Life of the Author Plus Seventy Years	229
[C] Anonymous and Pseudonymous Works and Works Made for Hire	229
[D] Joint Works	230
[E] Duration of Pre and Post 1972 Sound Recordings	230
[F] Death Records	231
[G] Works Created but Not Published or Copyrighted Before January 1, 1978	231
Part II. Renewal	232
§ 6.05 Works Published or Copyrighted Before January 1, 1978:	
An Overview	232
[A] Generally	232
[B] The Renewal Registration Requirement Under the 1976 Act	232
[C] Works in Their Second Term as of January 1, 1978	233
[D] Summary Chart: Duration Under the 1976 Act	234
§ 6.06 Renewal: Copyrights in the First Term as of 1978	235
[A] Generally: The Continuation of the Renewal System Under the 1976 Act	235
[B] Renewal Claimants	236
§ 6.07 Exceptions to the Author's Right to the Renewal Term	237
[A] Generally	237
[B] Posthumous Works	237
[C] Composite Works and Corporate Works	238
[D] Employer of a Work Made for Hire	238
§ 6.08 Transfers of the Renewal Term: <i>Fisher v. Witmark</i>	239
§ 6.09 Automatic Renewal for Copyrights Originally Secured Between January 1, 1964 and December 31, 1977	240
[A] Generally	240
[B] How Automatic Renewal Works	240
[1] Permissive Renewal	240
[2] Clarifying the Vesting Problem	241
[C] Continuing Incentives to Register	241
§ 6.10 The Renewal Term and Derivative Works	242
[A] Generally	242
[B] <i>Stewart v. Abend</i> : Demise of the New Property Theory of Derivative Works	244
[C] <i>Stewart v. Abend</i> Reassessed	244
Part III. Termination of Transfers	245
§ 6.11 Termination Generally	245
[A] Sections 304(c), 304(d) and 203 Distinguished	245
[B] "Agreements to the Contrary"	247
§ 6.12 Termination of the Extended Renewal Term Under §§ 304(c) and 304(d)	248
[A] Termination of the Extended Renewal Term	248
[B] The Mechanics of § 304(c) and 304(d)	250
§ 6.13 Termination Formalities	252
§ 6.14 Termination of Transfer Under § 203	253
§ 6.15 Sections 304(c) and 203 Compared	254

§ 6.16	Some Works Enjoy No Termination Right, and Other Works Have Both Termination and Renewal Rights	255
	[A] Certain Grants Subject to No Termination	256
	[B] Grants Subject to Both Termination and Renewal	256
§ 6.17	Termination of Transfers and Derivative Works Exception	256
	Part IV. Restoration of Copyright in Works Previously in the Public Domain	258
§ 6.18	Retroactivity Under Article 18 of the Berne Convention and the Constitutional Dilemma	258
§ 6.19	Restoration of Copyright in Certain Foreign Public Domain Works Under Section 104a: From NAFTA to the Uruguay Round Agreements Act	259
	[A] The North American Free Trade Agreement Act	259
	[B] The Uruguay Round Agreements Act	260
	[1] Requirements for Restoration	260
	[2] The Special Case of Reliance Parties	262
	[C] The Constitutionality of Restoration: <i>Golan v. Holder</i>	263
Chapter 7	· Copyright Registration and Deposit	265
§ 7.01	Introduction and Chapter Overview	265
	Part I. Registration	265
§ 7.02	The Copyright Office	265
§ 7.03	Why a Registration System?	267
§ 7.04	Registration of Copyright: An Overview	269
§ 7.05	Registration Procedures	270
	[A] Generally	270
	[B] Who Can File for Registration?	270
	[C] Expediting and Streamlining the Process: Special Handling, Pre-Registration Procedures	271
	[D] Copyright Application Forms and Deposit Copies	272
	[E] Examination of a Claim to Copyright	272
§ 7.06	The Importance of Registration	273
	[A] Prerequisite to Bringing Suit for Infringement	273
	[B] The Date When Registration “Has Been Made”	274
	[C] The Registration Exception for Berne Works	276
	[D] Registration as <i>Prima Facie</i> Evidence of Validity	276
	[E] Registration as a Prerequisite for Obtaining Statutory Damages and Attorney’s Fees	277
	[F] The Interplay of Registration and Recordation	278
§ 7.07	Registration of Derivative Works and Individual Components of Collective Works	278
	[A] The Importance of Registration	278
	[B] Derivative Works and the Registration Requirement	279
	[C] Registration of Collective Works and Their Individual Components	279
§ 7.08	Refusal of Registration: § 411(a)	280
§ 7.09	Registration Under the 1909 Act: The “Prompt” Deposit and Registration Requirement	281
§ 7.10	Summary Chart: Registration Provisions for Published Works Under the 1909, 1976, and Berne Convention Implementation Acts	282
	Part II. Deposit	282

§ 7.11 Generally	282
§ 7.12 Mandatory Deposit for the Library of Congress	283
§ 7.13 Failure to Comply with Deposit Requirements	283
§ 7.14 Mechanics of Deposit	284
§ 7.15 Mandatory Deposit Under § 407 and the Deposit Requirement for Registration Under § 408 Compared	284
§ 7.16 Summary Chart: Deposit Provisions for Published Works Under the 1909, 1976, and Berne Convention Implementation Acts	285
§ 7.17 The Future of the Copyright Office	286
Chapter 8 • The Exclusive Rights and Their Limitations	289
§ 8.01 Introduction and Chapter Overview	289
Part I. Exclusive Rights, Limitations, and Compulsory Licenses	290
§ 8.02 Introduction to the Exclusive Rights and Their Limitations	290
§ 8.03 The Compulsory Licenses and Their Administration	291
[A] What Is a Compulsory License?	291
[B] Are the Compulsory Licenses Justifiable?	292
[C] Administering the Compulsory Licenses; From the Copyright Royalty Tribunal to Copyright Arbitration Panels	293
[D] The Current System: The Copyright Royalty Board (Copyright Royalty Judges)	295
Part II. The Reproduction and Adaptation Rights and Their Limitations	297
§ 8.04 The Reproduction Right: Generally	297
[A] Fixation in a Copy or Phonorecord: Material and Temporal Requirements	297
[B] The Reproduction Right and the Fixation Requirement	298
[C] The Reproduction Right and the Digital Challenge: The RAM Copy Doctrine	298
§ 8.05 The Right to Prepare Derivative Works	300
[A] The Adaptation Right: Generally	300
[B] The Adaptation Right and Cross Media Infringement	301
[C] Infringement of the Adaptation Right: Fixation and Computer Enhancements	301
[D] The Adaptation Right and Authorial Control	303
§ 8.06 Library Photocopying Under § 108	304
§ 8.07 Limitations to the Reproduction and Adaptation Rights: Ephemeral Recordings, § 112	306
§ 8.08 Limitations to the Reproduction and Adaptation Rights: Reproduction of Pictorial, Graphic, and Sculptural Works in Useful Articles, § 113	308
§ 8.09 Limitations to the Reproduction and Adaptation Rights: Sound Recordings, § 114	309
[A] The Independent Fixation Limitation	309
[B] Sampling	310
[C] Certain Noncommercial Uses of Pre-1972 Sound Recordings	311
§ 8.10 Limitations to the Reproduction and Adaptation Rights: The Compulsory License for Making and Distributing Phonorecords (The Mechanical License), § 115	311
[A] The “Mechanical Compulsory License”	311
[1] Generally	311

[2] How the Compulsory License Works	312
[3] Where the Compulsory License Does Not Apply	313
[4] Procedures to Obtain the Compulsory License for <i>Physical</i> Phonorecord Deliveries	314
[B] The Compulsory License for Digital Phonorecord Deliveries	314
[1] Digital Phonorecord Deliveries Before the Music Modernization Act	314
[2] The Mechanical Compulsory License Under the Music Modernization Act of 2018	315
§ 8.11 Limitations to the Reproduction and Adaptation Rights: Computer Uses, § 117	318
§ 8.12 Limitations to the Reproduction and Adaptation Rights: Architectural Works, § 120	321
§ 8.13 Limitations to the Reproduction and Adaptation Rights: Reproduction for the Blind or Other People with Disabilities	322
[A] Section 121: Exceptions for to the Reproduction and Adaptation Rights for the Visually Impaired	322
[B] § 121A Limitations on Exclusive Rights: Reproduction for Blind or Other People with Disabilities in Marrakesh Treaty Countries	323
Part III. The Distribution Right and Its Limitations	323
§ 8.14 The Distribution Right: Generally	323
§ 8.15 Limitations on the Distribution Right: The First Sale Doctrine	325
[A] Generally	325
[B] Should There Be a Digital First Sale Doctrine?	328
§ 8.16 Modifications and Exceptions to the First Sale Doctrine	329
[A] Record Rental	329
[B] Software Rental	330
[C] Importation of Copies and Phonorecords	331
[D] Imported Copies Legally Obtained Abroad: The Gray Market	332
[E] The Right to Dispose of Copies or Phonorecords of a Restored Work	335
[F] The Resale Royalty Right (<i>Droit de Suite</i>)	335
[1] In General	335
[2] Rise and Demise of the California Resale Royalties Act	336
[G] The Public Lending Right	337
Part IV. The Performance and Display Rights and Their Limitations	338
§ 8.17 The Performance Right: Generally	338
§ 8.18 What Is a Public Performance or Display?	338
[A] Generally	338
[B] Performances in Places Open to the Public	339
[C] The Size and Composition of a Public Audience	340
[D] Transmission of a Work to the Public	340
[1] Early Interpretations Under the 1976 Act	340
[2] Performances by Transmission and Emerging Digital Technologies: <i>ABC, Inc. v. Aereo, Inc.</i>	341
§ 8.19 Nonprofit and Other Exemptions to the Performance Right, § 110	343
[A] Generally	343
[B] Face to Face Teaching, § 110(1)	343
[C] Transmissions of Instructional Activities, § 110(2)	344
[D] Religious Services, § 110(3)	346

[E] Exemption for Certain Non-Profit Performances, § 110(4)	346
[F] Incidental Public Reception and the Multiple Performance Doctrine, § 110(5)	348
[1] From the 1909 Act to the Fairness in Music Licensing Act of 1998	348
[2] The Multiple Performance Doctrine: The 1909 Act Background	348
[3] Incidental Public Reception under the 1976 Act as Originally Passed, § 110(5)	350
[4] The § 110(5) Exemption in the Courts: Ambiguity and Uncertainty	351
[5] The Fairness in Music Licensing Act of 1998	352
[G] Agricultural and Horticultural Fairs, § 110(6)	354
[H] Retail Sales of Sheet Music and Phonorecords, § 110(7)	355
[I] Exemption for Transmissions of Nondramatic Literary Works to the Handicapped, § 110(8)	355
[J] Transmissions of Dramatic Works to the Handicapped, § 110(9)	355
[K] Veterans and Fraternal Organizations, § 110(10)	356
[L] Muting and Skipping of Motion Picture Content for Private Home Viewing § 110(11)	356
§ 8.20 Secondary Transmissions, § 111	357
[A] Generally	357
[B] Overall Structure of § 111	357
[C] General Exemptions, § 111(a)	358
[1] Clause (1): Retransmissions to Private Lodgings	358
[2] Clause (2): Instructional Transmissions	358
[3] Clause (3): The Passive Carrier Exemption	358
[4] Clause (4): The Secondary Transmitter Exemption	359
[D] The Compulsory License for Cable Systems, § 111(c)	359
[E] Reporting Requirements and Royalty Fees for Cable Systems, § 111(d)	360
[F] The Computation and Distribution of Royalty Fees	360
[G] Afterthoughts: Is § 111 an Anachronism?	362
§ 8.21 Satellite Retransmissions	363
[A] Satellite Retransmissions for Private Home Viewing: § 119 Statutory License	363
[B] Satellite Retransmissions Within Local Markets: § 122	366
§ 8.22 The Jukebox License § 116	367
[A] The Rise and Fall of the Compulsory Jukebox License	367
[B] The Jukebox Licensing Procedure: A Voluntarily Negotiated License	367
§ 8.23 Performing Rights Societies	368
[A] Why They Are Needed: Capturing the Valuable But Elusive Performance Right	368
[B] How They Operate: The ASCAP Model	369
[C] Performing Rights Societies and Antitrust Regulation	370
[1] The Blanket License Controversy	370
[2] The Rate Setting Oversight Process	371
[D] Dramatic (Grand Rights) and Non-Dramatic (Small Rights)	371
[E] Synchronization Rights	372
[F] Digital Network Transmissions	372

§ 8.24	The Compulsory License for Public Broadcasting, § 118	374
§ 8.25	Performance Rights in Sound Recordings (<i>Neighboring Rights</i>)	375
§ 8.26	The Digital Performance Right in Sound Recordings	376
	[A] Introduction	376
	[B] Highlights of the Digital Performance Right for Sound Recordings Act	378
	[1] The Digital Audio Transmission Right of § 106(6)	378
	[2] The § 114 Amendments: Exemptions to the Right	378
	[3] Compulsory Licensing Provisions	378
	[4] Protective Provisions	380
§ 8.27	The Right of Public Display, § 106(5)	381
§ 8.28	Limitations on the Display Right	382
	[A] Public Display of an Owned Copy, § 109(c)	382
	[B] Other Exemptions to the Display Right	383
	Part V. Beyond Conventional Copyright Protection: The Moral Right	384
§ 8.29	The Moral Right	384
	[A] Generally	384
	[B] Analogs of the Moral Right in State and Federal Law	385
	[C] State Art Preservation Acts	387
§ 8.30	Copyright Protection of Moral Rights: The Visual Artists Rights Act of 1990 (“VARA”)	388
	[A] Generally	388
	[B] Summary of the Provisions of VARA	389
	[1] Works Protected	389
	[2] The Rights of Attribution and Integrity	390
	[3] Exceptions to the Attribution and Integrity Rights	391
	[C] VARA Applied: <i>Carter v. Helmsley-Spear</i>	393
	[D] Beyond Moral Rights for Visual Artists?	394
	Part VI. Rights Beyond Copyright in the Digital Age: The Audio Home Recording Act of 1992 and the Digital Millennium Copyright Act of 1998	395
§ 8.31	The Audio Home Recording Act of 1992	395
	[A] The Challenge of Digital Recording Technology	395
	[B] Provisions of the Audio Home Recording Act of 1992	396
	[C] The Audio Home Recording Act and Digital Hardware Devices	398
§ 8.32	Copyright Protection Systems and Copyright Management Information Under the Digital Millennium Copyright Act: The Background	399
§ 8.33	Section 1201: The Prohibition Against Manufacture and Use of Devices to Defeat Copyright Protection Systems	400
§ 8.34	Technological Controls on Access: Circumvention by Conduct	402
§ 8.35	Technological Controls on Access: Circumvention by Technology or Device	403
	[A] Technologies and Devices Covered by § 1201(a)(2)	403
	[B] The Developing Case Law	403
	[1] Constitutional Issues	403
	[2] The Anticircumvention Provisions and the Protection of Durable Goods Markets	404
§ 8.36	Circumvention of Technological Measures Protecting Rights of a Copyright Owner	406

§ 8.37	Exceptions to the Prohibition on Circumvention	407
§ 8.38	The Basic Provisions of § 1201: A Schematic Diagram	409
§ 8.39	The Protection of Copyright Management Information (“CMI”)	409
	[A] The Integrity of Copyright Management Information	409
	[B] Exemptions and Limitations	411
§ 8.40	Civil Remedies and Criminal Penalties	412
Chapter 9 · Infringement and Remedies		413
§ 9.01	Introduction and Chapter Overview	413
	Part I. Infringement: Substantive Issues	413
§ 9.02	The Elements: Ownership, Copying, and Improper Appropriation	413
§ 9.03	Circumstantial Proof of Copying: Access and Probative Similarity	414
	[A] Access	415
	[B] Probative Similarity	417
§ 9.04	Improper Appropriation	418
	[A] The Requirement of Substantial Similarity	418
	[B] Verbatim Similarity and Pattern Similarity Compared	418
	[C] Verbatim Similarity	419
	[D] Pattern Similarity	419
	[E] Determining Pattern Similarity: The Learned Hand Abstractions Test	420
	[F] Applying the Abstractions Test to Computer Programs: From <i>Whelan Associates</i> to <i>Computer Associates (Altai)</i>	421
	[G] <i>De Minimis</i> Copying	424
§ 9.05	Improper Appropriation in the Litigation Process	424
	[A] Generally	424
	[B] The Ordinary Observer or Audience Test	425
	[C] Bifurcated Tests: <i>Arnstein</i> and <i>Krofft</i>	427
§ 9.06	Improper Appropriation and Judicial Control Over the Litigation Process	429
	Part II. Third Party Liability (Contributory Infringement and Vicarious Liability) Including the Liability of Online Service Providers Under the Digital Millennium Copyright Act	431
§ 9.07	Related Defendants: Contributory Infringement and Vicarious Liability	431
	[A] Generally	431
	[B] Contributory Infringement: Causing, Contributing, or Inducing the Direct Infringer	432
	[C] Applying <i>Sony</i> : Third Party Liability and Peer-to-Peer Filing Sharing	434
	[1] The P2P Challenge	434
	[2] From <i>Napster</i> to <i>Aimster</i> : Differing Views on the <i>Sony</i> Rule	435
	[3] <i>Metro-Goldwyn-Mayer Studios, Inc. v. Grokster, Ltd.</i> : Active Inducement of Infringement	436
	[4] The Future of P2P and the <i>Sony</i> Doctrine	436
	[D] Vicarious Liability: The Right to Supervise and a Financial Interest	437
§ 9.08	Liability for the Activities of Online Services	439
	[A] Background to Title II of the Digital Millennium Copyright Act	439
	[B] Who Are Online Service Providers?	440
	[C] Eligibility for the OSP Exemption: Threshold Conditions	440
	[D] Safe Harbors	441

[1] Transitory Digital Network Communications: § 512 (a)	441
[2] System Caching: § 512(b)	441
[3] Information Residing on Systems or Networks at Direction of Users: § 512(c)	442
[4] Information Location Tools: § 512(d)	445
[E] Subpoena to Identify Infringers: § 512(h)	445
Part III. Remedies	446
§ 9.09 Injunctive and Other Coercive Relief	446
[A] In General	446
[B] Preliminary Injunctions	447
[C] Permanent Injunctions	449
[D] Impounding and Disposition of Infringing Articles	450
§ 9.10 Damages and Profits: Generally	451
§ 9.11 Actual Damages and Profits	451
§ 9.12 Recovery of Profits	452
[A] Advantages to Claiming Lost Profits	452
[B] Costs Defendant May Deduct	452
[C] Apportionment of Profits to Infringing Activity	453
[D] Indirect Profits	454
§ 9.13 Statutory Damages	455
[A] Overview of the Statutory Damage Remedy	455
[B] Computing Statutory Damages: Statutory Maxima and Minima	456
[C] Multiple Works	457
[D] Multiple Plaintiffs and Defendants	459
[E] The Timing of the Election to Recover Statutory Damages	459
§ 9.14 Costs and Attorney's Fees	460
[A] In General	460
[B] Attorney's Fees	460
[C] Costs	462
[D] No Punitive Damages	463
§ 9.15 Criminal Penalties	464
[A] Generally	464
[B] Willful Infringement for Commercial Advantage and Private Financial Gain	465
[C] Criminal Liability Without a Profit Motive: No Electronic Theft Act	465
[D] Criminal Liability for the Unauthorized Distribution of Prerelease Commercial Works	466
[E] Other Criminal Penalties and Offenses	466
[F] Criminal Penalties for Unauthorized Recording of Motion Pictures in Theaters	466
Part IV. Infringement: Procedural Matters	467
§ 9.16 Jurisdiction	467
[A] "Arising Under" Jurisdiction	467
[B] Supplemental Jurisdiction	468
[C] Personal Jurisdiction	470
§ 9.17 Pleading, Proof, Jury Trials	471
[A] Pleading	471
[B] Burden of Proof	472
[C] Venue	473
[D] Cases Involving Both Patents and Copyright	473

[E] Jury Trial	474
[1] Right to Trial by Jury: Legal, Equitable, and Mixed Relief	474
[2] The Special Problem of Statutory Damages	474
§ 9.18 Parties to Suit: Plaintiff's Standing	475
§ 9.19 Standing to Sue Federal and State Governments	476
[A] Federal Government	476
[B] State Government: The Eleventh Amendment Issue	477
Chapter 10 · Fair Use and Other Defenses to Copyright Infringement	479
§ 10.01 Introduction and Chapter Overview	479
Part I. Fair Use: The Background	479
§ 10.02 Generally	479
§ 10.03 Historical Origin of Fair Use: <i>Folsom v. Marsh</i>	480
§ 10.04 Section 107 of the 1976 Act: Generally	481
§ 10.05 The Preamble to § 107	481
[A] In General	481
[B] Fair Use as Transformative Use	482
[C] Fair Use and Market Failure	485
§ 10.06 The Four Criteria	486
Part II. The Four Factors Individually Examined	487
§ 10.07 First Factor: The Purpose and Character of the Use	487
§ 10.08 Second Factor: Nature of the Copyrighted Work	489
§ 10.09 Third Factor: The Amount and Substantiality of the Portion Used in Relation to the Copyrighted Work as a Whole	492
§ 10.10 Fourth Factor: The Effect of the Use upon the Potential Market for, or Value of, the Copyrighted Work	493
Part III. Special Applications of Fair Use Analysis: New Technologies, Parody, and the First Amendment	495
§ 10.11 Fair Use and the New Reproductive Technologies: Videotaping, Photocopying, Internet File Sharing	495
[A] Copyright and the New Reproductive Technologies: Generally	495
[B] Videotaping: The <i>Betamax</i> Case	496
[C] Photocopying: <i>Williams & Wilkins</i>	497
[D] Internet File Sharing: <i>A & M Records, Inc. v. Napster, Inc.</i>	498
[E] Walking the Fair Use Tightrope: Case by Case Litigation Versus Industry-Wide Resolution	500
§ 10.12 Avoiding Fair Use Determinations: Industry-Wide Resolution of the Photocopying Dilemma	501
[A] Library Photocopying Under § 108	501
[B] Multiple Copies for Classroom Use	501
[C] A Private Collecting Agency: The Copyright Clearance Center	503
§ 10.13 Reverse Engineering of Computer Software: <i>Sega Enterprises Ltd. v. Accolade, Inc.</i>	504
§ 10.14 The Problem of Parody	507
[A] Generally	507
[B] Parody and the Four Factors: <i>Campbell v. Acuff-Rose</i>	508
[C] How Much Can the Parody Take from the Original?	509
[D] Parody and the Fourth Fair-Use Factor: Market Effect	510
[E] Does the Parody Have to Target the Copyrighted Work?	511
§ 10.15 Fair Use and the First Amendment	512

[A] Generally: No Irreconcilable Tension	512
[B] The Merger of Idea and Expression	514
§ 10.16 Fair Use: A Synthesis	516
Part IV. The Future of Fair Use	517
§ 10.17 Fair Use in the Digital Network Environment	517
[A] The Background	517
[B] Fair Use and Technological Safeguards	518
[C] Fair Use and the Digital Millennium Copyright Act	519
[D] Mass Digitization and Fair Use: The Google Book Search Project	520
§ 10.18 Fair Use in Comparative Perspective	522
§ 10.19 International Treaties and the Future of Fair Use	523
[A] The Berne Convention Challenge: The Tripartite Test of Article 9(2)	523
[B] The TRIPS Challenge: Article 13 of the Agreement	524
Part V. Other Affirmative Copyright Defenses	525
§ 10.20 Generally	525
§ 10.21 Legal and Equitable Defenses	526
[A] Statute of Limitations	526
[B] Laches and Estoppel	527
[C] Abandonment or Forfeiture of Copyright	529
[D] Misuse of Copyright	529
[1] The Misuse Doctrine: Its Patent Law Origins	529
[2] Copyright Misuse: The Developing Case Law	530
[3] Copyright Misuse Reconsidered	531
[E] Fraud on the Copyright Office	532
[F] Innocent Intent	533
Chapter 11 · Copyright Law in a Federal System: Preemption of State Law	535
§ 11.01 Introduction and Chapter Overview	535
Part I. Preemption Before the 1976 Act	537
§ 11.02 The Misappropriation Doctrine and Other State Attempts to Protect Intellectual Property: The 1909 Act Background	537
[A] Two Divergent Tendencies	537
[B] The Classic Statement: The <i>INS</i> Case	537
§ 11.03 Preemption Reborn: <i>Sears</i> and <i>Compco</i>	539
§ 11.04 The Aftermath of <i>Sears</i> and <i>Compco</i>	540
Part II. Preemption Under § 301 of the 1976 Act	542
§ 11.05 Section 301: Generally	542
§ 11.06 Rights Equivalent: The Language of the Statute and the Legislative History	543
[A] Rights Equivalent: The Peculiar Structure of § 301	543
[B] The Legislative Odyssey of § 301	544
§ 11.07 Rights Equivalent: The Case Law Applying § 301	545
[A] The Extra Elements Approach	545
[B] Preemption of State Contract Law	549
[C] Reconciling § 301(a) and the Supremacy Clause	551
§ 11.08 The Necessary Return to Traditional Preemption Analysis: Four Examples	552
[A] State Anti-Blind-Bidding Statutes	552
[B] State Law Conferring Broader or Narrower Rights	552
[C] Are Rights Equivalent to Those Provided Under §§ 107–121?	553

[D] The California Resale Royalty Act	554
[E] State Misappropriation Law and the “Partial Preemption Doctrine”: <i>NBA v. Motorola</i>	555
§ 11.09 Subject Matter: The Second Requirement for Preemption of State Law	556
[A] Non-Original Works and Works in the Public Domain or Excluded by § 102(b)	557
[B] Subject Matter Which Congress Could Have, But Did Not, Include	558
§ 11.10 Non-Preempted Works	558
§ 11.11 Other Preemption Provisions of the Copyright Act	559
[A] The Visual Artists Rights Act of 1990: § 301(f)	559
[B] The Architectural Works Protection Act of 1990: § 301(b)(4)	559
[C] Pre-1972 Sound Recordings	560
Chapter 12 · An Overview of International Copyright	561
§ 12.01 Introduction and Chapter Overview	561
Part I. The Major International Treaties Involving Copyright	562
§ 12.02 Generally	562
§ 12.03 The Universal Copyright Convention (“U.C.C.”)	563
[A] Generally	563
[B] Basic Provisions of the U.C.C.	563
[1] General Obligations	564
[2] Basis of Protection	564
[3] Formalities	564
[4] Minimum Term of Protection	564
[5] Exclusive Rights	564
[6] Berne Safeguard Clause	564
[C] The Paris Revision of the U.C.C.	565
§ 12.04 The Berne Convention	565
[A] Generally	565
[B] Berne Convention: Summary of Its Basic Provisions	566
[1] Subject Matter	566
[2] Basis of Protection	566
[3] Preclusion of Formalities	567
[4] Minimum Term of Protection	567
[5] Exclusive Rights	567
§ 12.05 U.S. Entry into Berne	568
[A] Generally	568
[B] The Berne Convention Implementation Act of 1988	569
[1] Formalities	570
[2] Architectural Works	571
[3] Jukebox Compulsory License	571
[4] Works in the Public Domain: Retroactivity	572
[5] Copyright Infringement Remedies	572
[C] Benefits to American Authors and Copyright Owners from Berne Membership	573
§ 12.06 Updating the Berne Convention: WIPO Copyright Treaties	573
[A] From the Berne Protocol to the New WIPO Treaties	573
[B] Overview of the WIPO Copyright Treaty and the WIPO Performances and Phonograms Treaty	573

[C] U.S. Participation in the New Order	574
§ 12.07 Other Copyright-Related Conventions	575
[A] Convention for the Protection of Producers of Phonograms Against Unauthorized Duplication of Their Phonograms (The Geneva Phonograms Convention)	575
[B] Brussels Satellite Convention	575
[C] Marrakesh Treaty for the Blind and Print Disabled	576
[D] Copyright in the Americas: Buenos Aires Convention	577
Part II. Foreign Authors and Conflicts of Law in International Copyright	577
§ 12.08 Foreign Authors	577
[A] Unpublished Works	577
[B] Published Works: The Five Bases for Protection in § 104(b)	578
§ 12.09 The Extraterritorial Application of U.S. Law to Foreign Infringing Acts	579
§ 12.10 Choice of Forum and Choice Law in International Copyright	581
[A] Choice of Forum and the Application of Foreign Copyright Law by U.S. Courts	581
[B] Choice of Law Rules in International Copyright Conflicts	582
[1] Choice of Law Rules and National Treatment	582
[2] Choice of Laws Regarding Issues of Ownership and Infringement	583
[3] Choice of Law Rules Governing Contracts and Choice of Law Clauses	584
[4] The Public Policy of the Forum and Its Effect on Choice of Law Rules: <i>Huston v. La Cinq</i>	584
§ 12.11 Recognition and Enforcement of Foreign Judgments	585
Part III. Trade Regulation Affecting International Copyright Matters	586
§ 12.12 Infringing Importation of Copies or Phonorecords	586
[A] Sections 602 and 603 of the 1976 Copyright Act	586
[B] Section 337 of the Tariff Act of 1930: The U.S. International Trade Commission	587
[C] Broad Based Trade Legislation	589
Part IV. Multilateral and Regional Approaches to International Copyright Protection	590
§ 12.13 Beyond the International Treaties: A WTO Solution	590
[A] The Shortcoming of the International Treaties	590
[B] From the GATT to the World Trade Organization	591
[C] Intellectual Property Under the WTO: The TRIPS Agreement	592
[D] TRIPS and the Berne Convention	593
§ 12.14 Regional Integration and Copyright Law: The European Union and NAFTA	594
[A] The European Union (“EU”)	594
[B] The North American Free Trade Agreement (“NAFTA”)	596
Table of Cases	599
Index	615

Preface

For each of the seven editions of *Understanding Copyright Law* spanning thirty years, the Congress has tried to complicate my life with a major overhaul of copyright law on eve of publication. In past editions, for example, they bedeviled my existence with the 1988 Berne amendments and the 1998 DMCA revisions. For this edition, in typical fashion, they made me contend with the Music Modernization Act of 2018, a statute of dazzling complexity that overhauled, among other important matters, copyright regulation covering digital downloading and streaming of music. The MMA also conferred for the first time federal protection of pre-1972 sound recordings, a long-awaited necessary change to copyright. I confess this was not an easy task, but a necessary one, involving sleep deprivation, and punctuated by moments of intense frustration. In addition to the MMA, this edition reflects the continuing case law developments in other aspects of copyright such as fair use (and yes, what is transformative use?), the digital first sale doctrine (its rejection), and the Supreme Court's decision in *Fourth Estate Pub. Benefit Corp. v. Wall-Street.Com, LLC*, specifying the date when "registration has been made."

For this edition, I was fortunate to have the stellar support of my secretary Cassie Fitzwater, the excellent research assistance of Maurer Law student Rita Zia, and the superb editorial skills of Keith Moore at Carolina Academic Press. Thanks as well to my students at Indiana University Maurer, School of Law, who keep me more young, alert, and honest about what I know and, most importantly, do not.

Marshall Leaffer
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