

Copyright Outline

A copyright infringement suit requires that:

- 1) the original work was protected by copyright;
- 2) the defendant had access to the work;
- 3) the defendant took from the work.

Aggregation should:

- 1) add value through combinations of pieces, commentary, etc.
- 2) give credit to the original work.
- 3) link back to it.

MGM v. Grokster (2005)

Supreme Court held makers of file-sharing software liable for copyright infringement

Fair use, which allows you to use a copyrighted work without consent of the owner, is determined by:

- 1) purpose of the use (commercial, educational, artistic);
- 2) amount and substantiality of the portion used;
- 3) effect on the market.
- 4) transformative nature of the work