“Intellectual Property in the Digital Age”

What is Intellectual Property and how has our technology infused word impacted our understanding of it?

Adam Cottle, MIS
Nikki Rech, MLIS
# Workshop Schedule

## Academic Research and the Ethics of Writing Series

**Fall 2014 Schedule**

**All sessions at the Library, Room 207**

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When you leave this workshop, you will be able to...

• Summarize a brief definition of Intellectual Property

• Identify how the internet has changed the issues surrounding Intellectual Property

• Summarize the original purpose of basic Intellectual Property Laws
Definition:

**Intellectual Property** refers to creations of the mind: inventions; literary and artistic works; and symbols, names and images used in commerce.

-- World Intellectual Property Organization (WIPO)
Did you Know?

• That there is a World Intellectual Property Organization. (WIPO)
• There are different types of IP
  • Copyright-- ©
  • Patents-- PATENTED
  • Trademarks-- TM
  • Industrial Designs
  • Geographical Indications--
• April 26 is World Intellectual Property Day
Importance of IP

- Paris Convention for the Protection of Industrial Property (1883)
- Berne Convention for the Protection of Literary & Artistic Works (1886)

“Intellectual Property Rights allow creators of works to benefit from their own work or investment in a creation.”

--WIPO, What is Intellectual Property
Introducing the Internet
The World Goes Crazy!

- Creates Questions/Issues Never encountered
  - Who/What actually owns
  - How can you establish ownership
  - How can you keep track of creation
- Suddenly it’s easy to share/find/locate!
- How can **CONTROL** be established?!
David & Goliath
Samsung vs Apple

• In 2011, Apple sued Samsung, claiming that their Galaxy products copied the look and feel of the iPhone and iPad products.

• From the filing: "Rather than innovate and develop its own technology and a unique Samsung style for its smartphone products and computer tablets, Samsung chose to copy Apple's technology, user interface and innovative style in these infringing products,"

David & Goliath
Samsung vs Apple

Later in 2011, Samsung counter-sued Apple, claiming that technology used in certain Apple products violated patents held by Samsung.

David & Goliath

Samsung vs Apple

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<td>iPhone 3G</td>
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<td>PATENTS '087, '577 Ornamental design of the iPhone</td>
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<td>iPod Touch</td>
<td><strong>PATENT ‘305 Rounded square icons on interface</strong></td>
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<tr>
<td><strong>PATENT 711</strong> A method allowing multi-tasking while playing music on the phone</td>
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<tr>
<td><strong>PATENT ‘400</strong> Taking and emailing pictures using a scroll action</td>
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<td><strong>PATENT ‘895</strong> Switching between pictures in a gallery and the camera</td>
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<td><strong>PATENT ‘63</strong> Enlarging documents by tapping the screen</td>
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<tr>
<td><strong>PATENT ‘915</strong> Distinguishes between single-touch and multi-touch gestures</td>
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<td><strong>PATENT ‘81</strong> ‘Bounce-back’ feature when scrolling beyond the edge of a page</td>
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Captivate Continuum
Droid Charge
Epic 4G
Exhibit 4G
Fascinate
Galaxy Ace
Galaxy Preval
Galaxy S
Galaxy S 4S
Galaxy S II (AT&T)
Galaxy S II (T-Mobile)
Galaxy S III (Epic 4G)
Galaxy S II (Skyrocket)
Galaxy S Showcase
Galaxy Tab
Galaxy Tab 10.1 (WIFI)
Galaxy Tab 10.1 (4G LTE)
Gum
Indulge
Infuse 4G
Intercept
Mesmerize
Nexus S 4G
Repplenish
Transform
Vibrant

Photos: El Tiempo/Zuma Press (Galaxy S); Apple (Phone 4)
The Wall Street Journal Source: WSJ research

**David & Goliath**

**Samsung vs Apple**

- In May 2014, California courts awarded Apple $119 million out of $2 billion sought in damages.
- Apple and Samsung have decided to end patent litigation outside of the U.S., but the battles continue here.
- As recently as last week, Apple appealed a California court decision that refused a sales ban on copyright-infringing Samsung products.

Your Dream Team
Fantasy Football under Fire

http://espnmediazone.com/us/files/2012/08/ESPN_FantasyFootball_Logo_1.png
Your Dream Team

Fantasy Football under Fire

• Fantasy Sports Trade Association (2006): 15-18 million players, $100 million in revenue, growth rate of 7-10%
• Do the players’ names, likenesses, etc, belong to the league? The players? The public?
• Does the First Amendment apply?
• Ultimately, courts decided that the information used in fantasy leagues is based on facts and cannot be copyrighted.
Navigating Blurred Lines

Image courtesy theguardian.com
Navigating Blurred Lines

http://cp91279.biography.com/BIO_Mini-Bios_o_Marvin-Gaye_150549_SF_HD_768x432-16x9.jpg
Navigating Blurred Lines

Electric Piano

Cowbell/Percussion


http://www.percussionclinic.com/images/instruments/latin/cowbell.jpg
Sampling: A Pop Music Tradition

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http://upload.wikimedia.org/wikipedia/commons/a/a8/Joe_cocker_1970.JPG
Sampling: A Pop Music Tradition

http://www.mtv.com/crop-images/2013/08/01/the_notorious_big.jpg
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Akai MPC

E-mu SP 1200


Sampling: A Pop Music Tradition

FL Studio

Ableton Live


Sampling: A Pop Music Tradition

• How can these artists use someone else’s music and call it their own?

• Answer: Sample clearance.

• In the process of sample clearance, the sampling artist must file an application to the original song’s copyright holder.

• The owner of the original song’s copyright decides whether or not to allow the sample and how much of a fee will be charged (on a case by case basis).
Important Concept: Attribution

- **Attribute (verb)**
  - To explain (something) as being the result of something else
    - (Definition from merriam-webster.com)

- Through attribution, proper acknowledgement is given where credit is due.
- When attribution is practiced, the doctrine of intellectual property is upheld.
Sampling: A Pop Music Tradition

Sampling: A Pop Music Tradition

- “Funky Drummer” sampled in 875 songs.
- This drum break is so heavily sampled because it is versatile in a musical context.
- Sampling artists include Dr. Dre, Nas, Public Enemy, Mos Def, LL Cool J, Jay Z, and Nicki Minaj.
Sampling: A Pop Music Tradition

Sampling: A Pop Music Tradition


• Stubblefield: “People use my drum patterns on a lot of these songs,” he said. “They never gave me credit, never paid me. It didn’t bug me or disturb me, but I think it’s disrespectful not to pay people for what they use.”

• A bit of Georgia history: James Brown hired Clyde Stubblefield after seeing him play a gig in Macon in 1965.

Other Domino Effects

Impacting Established Institutions


• Streaming Media and Libraries
  • Big Debate
  • Content Licensing
• Publishers have more power
• Who/How will these materials be Preserved/Accessed?

What if...?

Tell Them You Rise with Good Morning Coffee.
Whoa!

It's a lot to wrap your brain around!

• Some Thoughts...

• What does ALL of this mean to **YOU** as a Student?
  • Paper Mills
  • You Tube Videos
  • Images, Images, & MORE Images
  • Sound Bites

• Turn-It-In
  • Professors will check!
  • **You** have the chance to check too!
Questions?/Thoughts?

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  • 912-358-4324
  • Txt:  912-226-2479
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Resources