

Role-play scenarios

Several hypotheticals that might implicate copyright law are given below. Working in with a partner, determine whether the actions described below would be permitted by fair use. If there are facts missing that would change your analysis, talk about what they are and what impact they would have.

Scenario #1:

You are a graduate student writing a dissertation about the architecture of Chicago's neighborhoods. Some of the buildings you are writing about have been demolished or renovated, so you must rely on photographs to know how they looked in the past. You anticipate finding such photographs in a variety of locations: in historical photograph collections on museum and library websites, in digitized or microfilmed historical newspapers, and in physical format in various local archives. Some of these photographs are of the buildings only; others are photographs of people and events that happen to have the demolished buildings in the background. You would like to keep a digital copy of each photograph you find, so that you can refer to it later. You would also like to include copies of some of the photographs in your dissertation. You plan to publish your dissertation in an academic journal after you have completed your degree.

Scenario #2:

You are a special collections librarian. Your library has recently received, as a bequest from an anthropology professor, a set of American folk tales collected in the 1950s and 1960s. The professor collected the tales herself, initially recording them in shorthand and then transcribing them into longhand. As part of the bequest, the professor transferred to the library any copyrights she had in the collection. No permission has been sought or granted from the individuals who told the tales to the professor. You would like to digitize the collection, both for preservation purposes and to provide access to the collection on your library's website.

Scenario #3:

You are an undergraduate in a course on documentary film. For a class project, your professor has asked you to make a short biographical film. For your subject, you have chosen your roommate, who has given you his permission to make the film. He leads a choral group on campus, and you would like to include footage from the choral group's rehearsals, during which they sing several popular songs. You would also like to include footage of your roommate's conversation with another friend, captured while they watched *House of Cards* together. Finally, you would like to include a shot in which you pan the camera over your roommate's bedroom wall, on which several posters and a few printed snapshots hang.

Scenario #4:

You are a professor teaching a survey course on music history. You would like to scan three articles from an encyclopedia of music history and the introduction to a biography of Mozart, all of which are assigned reading for your course. You then plan to post the scanned copies on your course's password-protected website. Access to your course website is limited to you, the other course teaching staff, enrolled students, and registered auditors.