

# Copyright: A Limited, Statutory Monopoly



## Exclusive Rights

Copyright is a "bundle of rights" created by Congress that grants the copyright holder the sole right to use a work in particular ways

### **Reproduction:**

Make copies of the work

### **Distribution:**

Make publicly available for sale or other transfer of ownership, or by rental, lease, etc.

### **Preparation of Derivative Works:**

Create a new work based on the original, ex. language translations

### **Public Performance:**

Screen a film, perform a play, dance a ballet, play music, etc. at a place open to the public or transmitted to the public

### **Public Display:**

Show a work to the public, ex. art slides, maps, graphs etc. in the classroom

### **Digital Sound Performance:**

Transmit a digital audio transmission (cable, wireless, over the Internet)



## Limitations

Limitations ensure that copyright law does not become so rigid that it thwarts the purpose of the law; limitations temper the copyright monopoly

### **Fair Use (Section 107):**

Use of copyrighted work in ways that would ordinarily be infringing; these are unauthorized yet legal uses. Socially beneficial and transformative uses favored, and determined on a case-by-case basis using the four factors of fair use:

- (1) purpose of the use
- (2) nature of the publication
- (3) amount being used and
- (4) effect on the market for the work

### **Reproductions by Libraries and Archives (Section 108):**

Libraries and archives can make reproductions for preservation, replacement, and additional copies for library users

### **First Sale (Section 109):**

User can sell, give away a lawfully acquired copyrighted work; enables a secondary market; allows libraries to lend books and other resources

### **Limitation to Public Performances and Displays (Section 110):**

Under certain conditions, non-profit, educational institutions can perform or display works in the classroom

### **Computer Programs (Section 117):**

Owner of a lawfully acquired computer program can make a back-up copy