

Sunday, March 23, 2008

### **When the Recording industry sues for copyright infringement.**

The Bill of Rights. (From the public domain.)Â Copyright infringement brings the risk of significant money damages and, sometimes, criminal prosecution. The First Amendment fanatic that I am, I feel very comfortable defending people accused of copyright infringement. As much as great music and great musicians are near and dear to my heart, my First Amendment concerns win out in my deciding which side I would represent for such litigation. Â Here are some resources to help sharpen one's teeth in defending against copyright litigation: Â - Nimmer on Copyright - With its price tag over \$1500, I wonder how many people infringe on Nimmer's own copyright. By the way, the author, Melville Nimmer, successfully argued to the Supreme Court to overturn the conviction of a man who walked into a courthouse with a t-shirt proclaiming "F\*ck the Draft". Cohen v. California, 403 U.S. 15 (1971). Â - Here is an overview of the fair use doctrine, from the U.S. Copyright Office's website. Â - Here is an apparently standard type of copyright complaint for allegedly unlawfuil Kazaa-type downloading. Â - Recording Industry v. The People blog presents itself as being "[a]bout the RIAA's attempt to monopolize digital music by redefining copyright law, through the commencement of tens of thousands of extortionate lawsuits against ordinary working people."Â - Pike & Fischer publishes Internet Law & Regulation. Most of its articles apparently require a subscription. Â - ArsTechnica.com covers copyright infringement lawsuits. Â - Here is the website of the Recording Industry Association of America.Â Jon Katz.Â

Posted by Jon Katz in First Amendment at 00:00