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### LSCI 210Y.50: Who Owns Culture? An Introduction to Copyright.

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# Syllabus

Site: Moodle

Course: **Who Owns Culture?** (Sect: 01, 74389, Fall 2022)

Book: Syllabus

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## Description

The syllabus goes over general class expectations, content and assignments for each week.

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### Class summary, learning objectives, and office hours

This class will explore the question of “Who owns culture?” through the lens of legal realities and creative conflicts. Students will study contemporary and historical accounts of how Western society has perceived and practiced “ownership” of culture—from music to art and general literature. Currently this system of legal “ownership” is called copyright law. This class will introduce students to the basics of copyright law in the United States using real world examples of students’ own works of authorship along with uses of others’ works of authorship.

This is a general education course that satisfies the “Democracy and Citizenship” requirement. Here are the learning objectives of this course as they relate to those required by this general education designation:

1. Students will demonstrate a layperson’s informed and reasoned understanding of how copyright as an institution of a democratic society affects their uses of others’ works as well as creation of their own works.
2. Students will analyze multiple case studies to evaluate the significance and complexities of copyright as it applies to being an engaged citizen.
3. Students will articulate the causes and consequences of key historical and/or contemporary struggles within the United States by connecting copyright’s origins, current laws, and court cases to issues of freedom of expression and fair remuneration of authors.

My office hours (both in-person and virtual) will be held via Zoom on Wednesdays from 12:30-1:30p. Please e-mail me in advance if you'd like to virtually meet with me during this time; you'll then get the pertinent information to attend. I'm also on the reference desk at the Mansfield Library on Mondays and Wednesdays from 2p-4p Mountain Time. You can call the reference desk at 406-243-6866 or you can use the chat feature on the Mansfield Library's web site (On lower right hand corner) to ask me questions about class-related--or research-related matters.

## Expectations for this course

The following sub-chapters outline expectations for how to conduct yourself in this course. As an online student, please know that you are still held to the same conduct standards as you would be in a face-to-face course. Please be sure to familiarize or to re-familiarize yourself with these expectations.

## Mental health resources

At UM, we value every student's wellbeing and believe that taking care of yourself is imperative to your success as a student. College students often experience issues that may interfere with academic success such as academic stress, sleep problems, juggling responsibilities, life events, relationship concerns, or feelings of anxiety, hopelessness, or depression. If you or a friend is struggling, we strongly encourage seeking support. Helpful, effective resources are available on campus.

- If you are struggling with this class, please visit during office hours or contact me by email at [tammy.ravas@umontana.edu](mailto:tammy.ravas@umontana.edu).
- Check-in with your academic advisor if you are struggling in multiple classes, unsure whether you are making the most of your time at the University of Montana.
- Reach out for Counseling Support at Curry Health Center Counseling. To make a counseling appointment call 406-243-4712 or go online to the Curry Health Portal to schedule an appointment.
- If you feel you need accommodations for a mental health concern, reach out to the Office of Disability Equity (ODE) at 406-243-2243
- If you feel that you would benefit from general wellness skills to support your overall stress reach out to CHC-Wellness at 406-243-2809
- If you have experienced sexual assault, relationship violence, bullying, intimidation, or discrimination contact the Student Advocacy Resource Center (SARC) 406-243-4429 \*24/7 support line 406-243-6559
- If you are experiencing a mental health crisis and seeking immediate help, call 911, go to the nearest hospital emergency room or call Campus Safety at 406-243-4000.

## Other mental health resources:

- 24/7 National Suicide Prevention Lifeline/Crisis Counseling: 1-800-273-TALK(8255)
- 24/7 Community Resource line, text 211 or go to: <https://montana211.org/>
- The Strong Hearts Native Helpline: (844) 762-8483
- National Crisis Text line, text "HOME" to 741741
- STUDENTS OF COLOR, text "STEVE" to 741741
- LGBTQIA2S+ Students, text "START" to 678678

- 24/7 Trevor Lifeline - for LGBTQIA2S+ folks in Crisis: (866) 488-7386, <https://www.thetrevorproject.org/>

#### Student conduct code

Although this is an online course, the University of Montana Student Conduct Code is still applicable. Please read the Code here.

#### UM non-discrimination policy

Below is an excerpt from UM's nondiscrimination policy:

"The University of Montana is committed to providing an environment that emphasizes the dignity and worth of every member of its community and that is free from harassment and discrimination based upon race, color, religion, national origin, creed, service in the uniformed services (as defined in state and federal law), veteran status, sex, age, political ideas, marital or family status, pregnancy, physical or mental disability, genetic information, gender identity, gender expression, or sexual orientation. Such an environment is necessary to a healthy learning, working, and living atmosphere because discrimination and harassment undermine human dignity and the positive connection among all people at our University."

(University of Montana Office of Equal Opportunity and Affirmative Action, Nondiscrimination Statement and Title IX Coordinator Notice)

Should you engage in harassing or discriminatory behavior in this class you will be warned, or subject to disciplinary procedures as outlined in the Student Conduct Code.

#### Class communication

Class communication and announcements will take place through the Moodle page for this course. Please use your University of Montana e-mail account! Otherwise you will miss distribution of class assignments and announcements.

#### Standards of academic conduct

Please refer to The Student Conduct Code for information on unacceptable practices such as plagiarism, cheating on exams, etc. PLAGIARISM and CHEATING are NOT TOLERATED whatsoever in this class. If I discover that you have plagiarized your assignments in whole or in part (for example, cutting and pasting someone else's words into our own paper without proper citation) you will receive zero points on that assignment. The same thing will happen on exams or quizzes that are not "open book."

#### Accommodations for disabilities

Please let me know as soon as possible if you require accommodation for a disability. I will work with you as appropriate.

## Grading and course content

This portion of the syllabus summarizes the types of assignments and course activities you can expect in this course.

### Grading policy

Assignments are graded on a 0-100 point scale. I do not assign a weight to any graded activity; that includes the final exam. In other words, each assignment, quiz, and exam counts equally.

My default policy on assignments that are turned in late is that I will not accept them. However, I do realize that difficult circumstances can arise from time to time. Should something be preventing you from turning in your assignment on time, you must contact me prior to the due date so that we can discuss potential alternatives.

Here is how the percent scale translates into letter grades:

- 94-100 = A
- 89-93 = A-
- 84-88 = B
- 80-83 = B-
- 74-79 = C
- 70-73 = C-
- 64-69 = D
- 60-63 = D-
- 59 and below = F

### Types of assignments

Your assignments will consist of readings, viewing or listening to media, online discussion (both written and in video) of class content, brief essays, brief presentations, quizzes, hypothetical exercises, as well as interactive presentations of course content (Moodle calls these "lessons").

Assignments are given when I release the unit material; each assignment is typically due on Mondays at 11:59p unless I've stated otherwise. I will release next unit on Wednesday prior to start of the subsequent week to give people a head start.

Please be sure to view the grading rubrics for video reactions, essays, online discussion forum participation, and presentations.

There may be newsworthy copyright-related materials that pop up from time to time and I may give you an assignment about them.

Lastly, please note that some of the content that I teach can be considered controversial or possibly upsetting. Feel free to contact me if you have any questions or concerns.

## Grading rubrics

I use rubrics to grade assignments outside of short-answer questions or multiple choice questions you may encounter in quizzes or lessons. Rubrics are evaluation tools that show you the expected indicators or behaviors needed to achieve a certain number of points on an assignment. They are typically set up as a grid or spreadsheet with the assignment's requirements written down in the first column, the number of points one can possibly earn in the first row, and related indicators in the rows below them. You can find the rubrics by scrolling down to the very bottom of the "Welcome" page.

## Week 1: Introduction

### Objectives:

1. Review syllabus
2. Review class expectations
3. Take copyright pre-test
4. Review class format
5. Introductions

### Assignments that are due at 11:59 pm on Monday, September 5th:

1. Take copyright pre-test that will be open from midnight, August 29th through 11:59 pm on September 5th. You will receive 100 percent for taking the pre-test and 0 percent if you do not take the test by August 26th.
2. There is an advanced forum in Moodle labelled "Please Introduce Yourself." Please give your name, major, and year along with why you decided to take the course by September 5th to receive 100 percent on this assignment.

## Week 2: Unit 1- What is Intellectual Property?

### Objectives:

1. Define general concept of patents.
2. Define general concept of trademark.
3. Define general concept of trade secrets.
4. Define general concept of right of publicity.
5. Define general concept of copyright.
6. Define general concept of academic honesty.
7. Differentiate between the above concepts.

Assignments that are due at 11:59 pm on Monday, September 12th:

1. Take all of the lessons given below and correctly answer all questions. You can re-take the lessons as many times as you need before the due date.
2. Post a video reaction that answers the following question: Teach your classmates about a prior misconception you may have had about intellectual property in five minutes. In your 5-minute lesson, you must use material from both the reading and the lessons on how this misconception was dispelled.

### Week 3: Unit 2- History of Copyright, Part I

Objectives:

1. Explain changes in the concept of authorship from antiquity to the present day.
2. Discuss the history of copyright from antiquity until the middle ages.
3. Discuss the history of copyright from the renaissance until the 18th Century in England and Europe.

Assignments that are due at 11:59 pm on Monday, September 19th:

1. Please watch and take notes on this week's two videos.
2. Please read the article by Carla Hesse that summarizes the history of copyright from antiquity until 2000.
3. Utilizing the video content as well as the article, please write a one-paragraph brief essay that describes a 21st Century American author's travels to a specific time and place in pre-18th Century Europe. Please read the assignment description in Moodle for further requirements.

### Week 4: Unit 3- History of Copyright in America

Objectives:

1. Discuss the early history of American copyright from colonial times until the 1900s.
2. Discuss the modern history of American copyright from the 1900s until today.
3. Identify kinds of works currently protected by copyright.
4. State the exclusive rights currently given to copyright holders in the U.S.

Assignments that are due at 11:59 pm on Monday, September 26th:

1. Please watch the video that presents this unit's notes.
2. Please complete one of the posted readings. The first one is "Early American Printing Privileges" by Oren Bracha which starts on p. 89 and ends on p. 114 of the book, *Privilege and Property* posted for this unit. My apologies for posting the entire book, you only need to read that one chapter if this is the one you choose! This reading is



about the evolution of copyright from the time of the British colonies in America until slightly after the Revolution. The second one is chapter 10, "International Copyright Relations" by Edward Samuels from the book, [The Illustrated Story of Copyright](#). This reading documents foreign authors' encounters with American copyright law from 1790 until the end of the 20th Century.

3. Please view the tutorial on registering a work with the United States Copyright Office.
4. Please complete the open-book quiz on this unit.

### Week 5: Unit 4- I found a publisher! Now what?

Objectives:

1. Discuss the process by which an author registers for copyright.
2. Explain how copyright is a bundle of rights given to an author and how those rights may be transferred to others.

Assignments that are due at 11:59 pm on Monday, October 3rd:

1. Please view the video lecture below.
2. Complete one of three reading assignments as listed in the video reaction below. You'll have a choice of the following: A. Analyze one of two sample contracts. B. Discuss one of two articles related to recording contracts and how they can be used to take advantage of recording artists. C. Or, read a summary of a case related to the "works for hire" concept and answer questions.
3. Create a video reaction based on the lecture and reading you chose; please see this unit's online discussion forum below for detailed instructions. Your posts/responses will be due on Monday, October 3rd at 11:59 pm.

### Week 6: Unit 5- Copyright should last 'forever minus one day.' - Mary Bono

Objectives:

1. Review what cannot be copyrighted.
2. Define the concept of public domain and explain basic determination of when copyrighted material falls into the public domain.
3. Identify sources of public domain materials that can be used in the United States.
4. Explain why there are no sound recordings in the public domain in the United States.

Assignments due at 11:59 pm on Monday, October 10th

1. Skim the content in the library guide: [Public Domain and Creative Commons: A Guide to Works You Can Use Freely](#).

2. Take the lessons on aspects of the public domain. Like with the Intellectual Property lessons in Unit 1, you'll need to correctly answer all questions and you'll have unlimited attempts to do this.

## Week 7: Unit 6- Creative Commons

### Objectives:

1. Define concept of Creative Commons
2. Identify types of Creative Commons licenses.
3. Discuss advantages and disadvantages to using and creating Creative Commons Licensed material for different purposes.
4. Review for mid-term that will be given next week.

### Assignments due by 11:59 pm on Monday, October 17th:

1. Take lesson on Creative Commons.
2. Create an online discussion forum post that addresses the following question: Choose a work that you have previously created in the last three years and assign a CC-license to it. Describe the work. What kind of license did you assign? Name at least three reasons why you chose that license for your work?

## Week 8: Unit 7- Theft, borrowing, or influence?

### Objectives:

1. Define copyright infringement.
2. Explain penalties for infringing copyright.
3. Compare and contrast at least two court cases where a defendant was found guilty of infringement.

### Assignments due by 11:59 pm on October 24th:

1. Please take the lesson entitled, "Copyright Infringement". You will have one true or false question at the end that you must get right before it will be marked "Complete." You need to take the lesson before Monday, October 24th at 11:59 pm.
2. View the film, Copyright Criminals.
3. As part of this unit you'll be posting in an online discussion forum regarding this week's course materials. The required questions and specific instructions are posted below. Your posts along with any responses to classmates' posts are due on Monday, October 24th at 11:59 pm.

## Week 9: Unit 8- Basics of fair use

### Objectives:

1. Define the Doctrine of Fair Use.
2. Articulate the importance of Fair Use to the democratic ideals of free speech and free expression.
3. State the four factors of Fair Use from 17 U.S.C. Sec. 107.
4. Discuss how fair use allows authors and creators to use copyrighted works within their own works without the need for permission from rights holders.

Assignment due at 11:59 pm on October 31st:

1. Lesson on the basics of fair use.

## Week 10: Unit 9- Fair use tools

### Objectives:

1. Identify and use tools that will help you make fair use determinations.
2. Discuss cases where artists or authors have used fair use as a defense and whether or not they were successful.

Assignments due at 11:59 pm on Monday, November 7th:

1. Please have a look at this week's brief video lecture that summarizes this unit's content.
2. Please read the documents and view the media posted in the file folder for this unit.
3. You will be creating an online discussion forum post which will utilize this unit's content.

## Week 11: Unit 10- You didn't buy it, you're renting it!

### Objectives:

1. Define the Doctrine of First Sale and apply it to everyday things you do as a consumer and student.
2. Discuss difficulties with Doctrine of First Sale within an online world.
3. Explain the role of contracts and licenses within copyright and how that affects your use of such materials as a consumer and a student.

Assignments due at 11:59 pm on November 14th

1. This week's content is a lesson.
2. There are linked readings and media included within the lesson.
3. There are also three short answer questions within the lesson that you will need to answer.

4. You need to write a pertinent answer to these questions in order to receive full credit. In other words, your responses need to reflect that you've read and listened to the content. I'm only asking for a couple of sentences for each question.
5. The lesson will be due on Monday November 14th at 11:59 pm.

### Week 12: Unit 11- DMCA

#### Objectives:

1. Explain circumvention of copyright protection systems provision in the Digital Millennium Copyright Act (DMCA) on DVDs, CDs, and computer software.
2. Explain how the DMCA may affect your ability to use such items as a consumer, student, or a potential classroom instructor.

#### Assignments due at 11:59 pm on Monday, November 21st:

1. Take lesson on DMCA
2. Take open book quiz on DMCA

### Week 13: Thanksgiving week

No course content or assignments due for the following Monday (November 28th). Have a safe and Happy Thanksgiving!

### Week 14: Unit 12 and 13- Classroom instruction exceptions and getting permission

#### Objectives:

1. Define the exceptions given to classroom instructors in Section 110 (1) and (2) on using media materials.
2. Explain when permission would be needed from a rights holder to use their copyrighted materials.
3. Define the process of obtaining permission from a copyright holder to use a copyrighted item.

#### Assignments due 11:59 pm on December 5th

1. Take lesson on classroom instructor exceptions.
2. View video on getting permission.

### Week 15: Prepare for final exam

Please see this week's course content to prepare for the final exam.

## Final exam

Final exam will be open on Monday, November 28th and will close at 11:59 pm on December 12th.