

LP203-15 Media and Intellectual Property

21/22

Department

SCAPVC - Centre for Cultural and Media Policy Studies

Level

Undergraduate Level 2

Module leader

Ruth Leary

Credit value

15

Module duration

10 weeks

Assessment

100% coursework

Study location

University of Warwick main campus, Coventry

Description

Introductory description

The creative and media industries are frequently described as the copyright industries. This module will establish the relationship between creative production and IP law and examine IP law's relevance and application within specific areas of creative practice. What are the legal frameworks in which media practitioners operate? What are the implications of authorship, ownership, protection, licensing and distribution for media production? How do they connect with the broader aesthetic, economic, technical and philosophical questions that inform contemporary production practices?

Module aims

This module aims to:

- establish the relationship between creative production and IP law and examine IP law's relevance and application within specific areas of creative practice.
- support and complement students learning on the Media Lab and Industry placement modules, equipping them with both theoretical and practical understanding of the legal frameworks in which they operate as media practitioners.

- consider the legal implications of authorship, ownership, distribution and control in the production and distribution of creative works.
- examine the aesthetic, economic, technological and philosophical challenges that characterise debates about contemporary cultural practices and IP law.

Outline syllabus

This is an indicative module outline only to give an indication of the sort of topics that may be covered. Actual sessions held may differ.

The module is structured around the following themes:

- 1: Mapping the Media and IP Law Landscape: Introducing and identifying the areas of law which are most applicable to media production from IP to Privacy law. Founding principles and justifications for IP law.
- 2: Copyright Law Foundations: understanding the legal and philosophical principles of copyright law and how they relate to the creator, creative industries and audiences/the public
- 3: Creative Works: understanding how creative works are defined and protected in copyright law including performance, software, audio-visual works, video games and broadcast media.
- 4: Ownership and Control: understanding copyright ownership, exclusive and moral rights
- 5: Parody & Pardon: fair dealing v fair use, exceptions
- 6: Deal-making in the Creative and Media Industries: contracts and licensing, model releases, NDAs, collecting societies, synchronisation, territories, windowing and holdbacks, rights clearance and good practice
- 7: Everything is a Remix: Creative Commons, DIY creativity, fan culture, copyright cavaliers (e.g. Google), open source
- 8: Faces & Places: image, publicity and privacy rights, locations, public space and Freedom of Panorama, ownership and user rights on social media platforms
- 9: Signature Styles: inspiration v infringement, appropriation, creative methods/techniques, branding, trade marks, 'signature styles', design rights and fashion
- 10: Copyright, Freedom of Expression & Censorship

Learning outcomes

By the end of the module, students should be able to:

- Interrogate the relationship between regulation, creativity and production practices
- Apply their understanding in the production of practical digital and media projects in compliance with legal and good practice guidelines
- Identify and understand the key areas of law and the legal frameworks that relate to production practices within the creative and media industries
- Understand the underlying principles and purpose of IP law and copyright law in particular
- Demonstrate practical understanding of licensing practices and the need thereof within the creative and media industries

Indicative reading list

Cooper, E. (2018) Art and Modern Copyright: The Contested Image (Cambridge: Cambridge University Press)

Cvetkovski, Trajce (2013): Copyright and Popular Media: Liberal Villains and Technological Change (Basingstoke: Palgrave MacMillan)

Frederiksson, Martin (2014) 'Copyright Culture and Pirate Politics' Cultural Studies 28:5-6, pp. 1022-1047

Lessig, Lawrence (2008): Re-Mix – Making Art and Commerce Thrive in the Hybrid Economy (Bloomsbury)

McIntyre, Phillip (2012): Creativity and Cultural Production: issues for media practice (New York: Palgrave Macmillan) (e-book)

Rahmatian, Andreas (2011) Copyright and Creativity: the making of property rights in creative works (Cheltenham: Edward Elgar)

Seiter, Bill, and Ellen Seiter (2012) The Creative Artist's Legal Guide : Copyright, Trademark and Contracts in Film and Digital Media Production, (Yale University Press)

Subject specific skills

Understanding of relevant legal principles, concepts, rights, ownership and regulation in relation to media practice and IP law. Practical understanding of compliance and good practice in the production of creative and media projects. Ability to understand and draft simple contracts and model releases.

Transferable skills

Communication, writing, teamwork and presentation skills.

Study

Study time

Type	Required
Seminars	10 sessions of 2 hours (13%)
Tutorials	3 sessions of 30 minutes (1%)
Private study	128 hours 30 minutes (85%)
Total	150 hours

Private study description

desk research

Costs

No further costs have been identified for this module.

Assessment

You must pass all assessment components to pass the module.

Assessment group A

Assessment component	Weighting	Study time	Eligible for self-certification
Written Assignment	50%		Yes (extension)

Reassessment component is the same

Assessment component	Weighting	Study time	Eligible for self-certification
Written report to accompany practical Media Lab project	50%		Yes (extension)

Reassessment component is the same

Feedback on assessment

Formative verbal feedback on assignment plans in tutorials. Summative written feedback on written assessment. Summative written feedback on written report.

Availability

Courses

This module is Core for:

- Year 2 of ULPA-P301 Undergraduate Media and Creative Industries