

**MBU 3520: Intellectual Property
Reading/Discussion Assignment**

Topic: Introduction to Copyright

Introduction: Read the article [Beatles for Sale: Rappers, Brands Turn to Fab 4](#) which discusses some recent licensed uses of Beatles songs. The Beatles catalog of songs as well as the recorded versions ([sound recordings](#)) of those songs constitute some of the most valuable [copyrights](#) in the world. Since we're just beginning this course, this article is a good starting point and is intended to introduce you to some key concepts of copyright law. As you've read the article, think about the following questions which will be discussed in class (and possibly an online discussion forum where you can post responses, opinions and questions). As you can see, I've provided links to important terms and concepts to help you in thinking about and answering the questions.

Discussion Questions:

1. Copyright owners have certain [exclusive rights](#) which can be licensed to others. Licensing (giving someone the right to use a copyrighted work, usually in return for a fee or [royalty](#)) is the main way copyright owners make money from their copyrights. Which of the exclusive rights are involved when someone such as Wu Tang Clan or Ja Rule wants to use part of a Beatles song in their recording of a new song?
2. Many different [types of creative works](#) can be copyrighted. According to the article, Sony which owns the copyrights to the Beatles songs has been willing to issue licenses for others to make their own recordings of the songs (or portions of the songs) in some cases. However, it is very rare that you will find an actual recording by the Beatles used in a song by any other artist. Why is this?
3. Many creators like to create something new by using famous, highly recognizable works of the past (such as Beatles songs). Usually, this requires a [license](#) although in rare cases, it may be allowed under the INK "http://en.wikipedia.org/wiki/Fair_use" [fair use](#) doctrine of copyright law (not discussed in the article). Often, [sampling](#) (of songs and recordings) is done with permission (under licenses), but sometimes artists sample other artists' recordings without permission. Should sampling of copyrighted works be allowed without permission in any circumstances? Should it matter how long or short the sample is?
4. The article mentions that although Sony/ATV is not contractually required to obtain approval by Yoko Ono or by Paul McCartney before licensing Beatles songs, Martin Bandier (president of Sony/ATV) believes there is a "moral obligation" to talk to them before licensing the songs. Many countries copyright laws protect so-called "[moral rights](#)" of authors such as the right to receive credit as an author and the right to prevent mutilation or distortion of a work. These rights apply to the author regardless of who owns the copyright in the work. U.S. copyright law does not protect moral rights (except for certain visual works of art) and instead focuses solely on economic rights. Do you think moral rights are important and should be included as part of copyright law? Why or why not?
5. Notice the [copyright notice](#) (and trademark notice) at the bottom of the article. What purpose do these notices serve?