

Creativity in the Online World: Copyright Basics Our Roles as Creators and Consumers

PURPOSE

- To help students identify and understand their roles as ethical creators and consumers online.
- To introduce students to the basic rights and limitations of copyright.

PREPARATION

- Prepare computer/screen to show videos.
- Read through the lesson and preview the slides at:
www.copyrightandcreativity.org/Lesson-A
- Read through the dialogues provided until you are comfortable allowing the students to respond to your questions.
- Consider printing and displaying the two infographics to reinforce key concepts as you teach.
 - Infographic: "Free Speech, Copyright, and Fair Use"
 - Infographic: "10 Things You Should Know About Copyright"



- Preview all videos in the lesson, including the Independent Learning Videos to ensure they are appropriate for your class. Where possible, download videos, rather than stream. View YouTube links in ViewPure.com for more secure viewing.

IN-CLASS VIDEOS

Available at www.copyrightandcreativity.org/Lesson-A

HS-1	NatGeo, "T.Rex Autopsy—Stomach Like a Bird"	3:04	https://drive.google.com/open?id=1rxaIMJp8YtSWnxYP0kykXY_mzLMvLsLj
HS-2	NatGeo, "Behind the Scenes of T. rex Autopsy"	2:43	https://drive.google.com/open?id=1vEfKCElW6rYSgpmhoevrvmuzUI7j-ET
HS-3	"What's Up with Copyright Anyway?—A Brief (Very Brief) History and Copyright Basics"	5:24	https://drive.google.com/open?id=1xIPjXdmy4xtHtQML09p1m5HV7EWv0FJ5
A.2 (optional)	"Why Should I Care About Copyright?" (COMBINED: "Autopsy of a T. Rex" and "Behind the Scenes")	5:00	https://drive.google.com/open?id=1TclUKjkvNIPm3WK_OOH9lPhn0aUTxSew
HS-4	"Dude Perfect on Jimmy Kimmel"	2:00	https://drive.google.com/open?id=1o3vwYEqDfjHF37VQg1MOgr6xkRLAoVde

INDEPENDENT LEARNING VIDEOS

Available at: www.copyrightandcreativity.org/students or

YouTube Playlist: https://www.youtube.com/playlist?list=PLm8a9mXz_9Y6IfeguCKD6ljlw2s9Mltjq

A.1	Creators and Consumers of Media Online	2:08	https://youtu.be/GPNWvU_lphU
A.2	Why Should I Care About Copyright? (NatGeo: Autopsy of a T. Rex)	5:11	https://youtu.be/2s-ilQ-Dn_E
A.3	What's Up with Copyright Anyway?— A Brief (Very Brief) History and Copyright Basics	7:01	https://youtu.be/ItPwFSyK9UE
A.4	Permission NOT Required—The Limitations of Copyright: Facts & Ideas, Fair Use, and Time (Public Domain)	8:30	https://youtu.be/NtNpZShUxIk
A.5	Copyright in the Real World— Dude Perfect, Taylor Swift, Wu Tang Clan	4:30	https://youtu.be/ITASCsxnBqw

IN-CLASS INTRODUCTION

Time Required: 20-25 minutes

Gathering Conversation – We are all creators and consumers of creative work.

WE ARE ALL CREATORS

Did you know, you are a creator/artist/ writer/photographer? Have you ever thought of yourself as an artist or creator when you're creating things to put online?

What have you posted online lately? Give some examples.

[Accept responses.] When you:

- *make a video, you are a creator—an artist, a movie maker.*
- *post a photo to Instagram, Facebook, or Twitter, you're a creator—a photographer.*
- *write a blog post, online review, tweet, poem, song lyrics—you're a writer.*
- *paint or draw a piece of art—you're an artist.*
- *build a video game—you're a programmer.*

WE ARE ALL CONSUMERS

Did you know, you are also a consumer online? We hear this word a lot—what is a “consumer”?

[Accept responses: Someone who buys or uses goods or services. This includes online goods and services.]

- We are all consumers when we buy our food or go to the movies. We're consumers when we buy new clothes or use a service like seeing a doctor or having our carpets cleaned.
- Online, we are consumers when we watch, listen to, or read content that someone else has created. Whenever you enjoy a creative work online (movie, music, game, books, etc.), you're a consumer. Sometimes we pay for content, such as movie streaming from Netflix or Amazon. Sometimes it's free, such as free music streaming on Spotify or watching videos on YouTube or Vimeo. In these situations, the artists get paid through ads or other arrangements.

ACTIVITY: Making and Sharing Creative Work

Ask students to spend three minutes to make a quick drawing or take a photo with their phone or tablet. [You may also use a previously completed art project or assignment that applies to your curriculum. An original story, poem, song, etc., will also work.]

DISCUSSION

What are the ways you can share this with others? Who might you want to share it with? Or, would you choose NOT to share?

Invite students to discuss their sharing ideas with the class.

Did any of you choose not to share your drawing or limit it to a small group of people? Why? [Accept responses.]

What if someone else shared it for you? Without your permission? What do you think about that? [Accept responses.]

What if it took you more than five minutes to make? What if it took you six months or a year, working many hours each day? [Accept responses.]

What if it cost a lot to make, for example if you had to travel to a faraway place or use special equipment that was very expensive? [Accept responses.]

What if you're a professional and this is your livelihood? Would that make a difference? [Accept responses.]

Think about these questions while we watch a short clip about a really unusual video project—*National Geographic, T. Rex Autopsy*. Prepare yourselves to be grossed out.

[NOTE: The following section—including the two video clips “Autopsy of a T.Rex” and “Behind the Scenes of Autopsy of a T. Rex,”—may be replaced with Independent Learning Video A.2 “Why Should I Care About Copyright? (NatGeo, Autopsy of a T. Rex).”]

PLAY VIDEO: The following clip shows a fictionalized documentary of what an autopsy on a T.Rex would look like:

HS-1	NatGeo, "T.Rex Autopsy–Stomach Like a Bird"	3:04	https://drive.google.com/open?id=1rxalMJp8YtSWnxYP0kykXY_mzLMvLsLj
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PLAY VIDEO: The follow-up clip details the intense creation process for these videos:

HS-2	NatGeo, "Behind the Scenes of T. rex Autopsy"	2:43	https://drive.google.com/open?id=1vEfKCeIW6rYSgpmhoevrvgmuzUI7i-ET
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Discussion:

- Did you see how many people had to work to make a realistic dinosaur from the inside out, so even the guts and the eyeballs and blood look real? How many people do you think it took?
 - Light controllers
 - 8 Cameramen
 - T.Rex model makers for the autopsy

- Medical Team (endoscopes and x-rays)
- Clean up team
- Think about the drawing you created in five minutes. Now imagine you spent all day perfecting it. Or imagine it's a project that you worked on for a year and had to hire experts to consult with you. What would motivate you to devote this much labor and expense to a project?
- How important would it be to you to have others recognize that you get to decide how it's going to be shared and whether or not it will get posted online for free or sold?

DISCUSSION: Purpose of Copyright

- Think about your drawings *[art project]* again. It may have only taken you five minutes, but did you know you just created something with legal protection? It's a copyrighted work.
- There's a really interesting idea written into the Constitution that allows creators and inventors to have some control over how their work is shared and distributed. The following video explains.
- **PLAY VIDEO:**

HS-3	"What's Up with Copyright Anyway?—A Brief (Very Brief) History and Copyright Basics"	5:24	https://drive.google.com/open?id=1xIPiXdmy4xtHtQML09p1m5HV7EWv0FJ5
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HOMEWORK ASSIGNMENT

The independent learning videos explain the basics of copyright as well as its limitations. For our next class, be prepared to discuss one of the artists from Video A.5, “Copyright in the Real World—Dude Perfect, Taylor Swift, or Wu Tang Clan.”

Assign students to view videos A.4 and A.5 from the Independent Learning Videos.

NOTE: Information in videos A.1, A.2, and A.3 was covered during the class instruction, but all of the Lesson A videos may be assigned as review.)

INDEPENDENT LEARNING VIDEOS

Found here: www.copyrightandcreativity.org/students or

YouTube Playlist: https://www.youtube.com/playlist?list=PLm8a9mXz_9Y6lfeguCKD6ljlw2s9Mltjq

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Discuss the case studies watched by the students as part of the homework.

What did you think of the case study videos? *If time permits, play one or more of the videos and discuss:*

Dude Perfect

How did Dude Perfect start making money from their crazy work?

[Accept responses: They decided to make their videos free and available to everyone, but they still own them and their copyrights. They get to decide which websites they appear on. Other people don't get to post them. This control over their videos made it possible for them to gather a large online following which, in turn, provided more opportunity for them to make more creative works.]

- Book deal: *Go Big*
- Appearance on Jimmy Kimmel:

HS-4	"Dude Perfect on Jimmy Kimmel"	2:00	https://drive.google.com/open?id=1o3vwYEgDfjHF37VQg1MOgr6xkRLAoVde
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Can you think of other examples of this? Do you know other artists or entertainers who got their start on YouTube? *[Accept responses: Justin Bieber, Psy, Gotye]*

Wu Tang Clan

In contrast to Dude Perfect, Wu Tang Clan chose to do the opposite with their album, *The Wu – Once Upon A Time In Shaolin*. *[Invite a student to summarize the video. See summary below.]*

Wu Tang Clan created only a single copy of their album *The Wu–Once Upon a Time in Shaolin*, and kept it under strict security. The group planned to exhibit the album in a museum, so the only way to hear it would be to tour the museum. Their plans changed, however, and eventually they sold the album to a private collector for \$2 million. This is a very unusual distribution scenario, but copyright gives them the choice to experiment with new and different ways to share their music. RZA explained some of their motivation: "The idea that music is art has been something we advocated for years. . . And yet it doesn't receive the same treatment as art in the sense of the value of what it is, especially nowadays when it's been devalued and diminished to almost the point that it has to be given away for free."

ASK:

- What if they didn't have this control?
- What if anyone could copy and post it wherever they wanted? Would their plan to play the album as a piece in an art gallery work?
- Copyright gives them the right to decide to only make one copy and not allow any other copies to be made. Would this work without copyright?

Taylor Swift

What do you think motivated Taylor Swift to take her music down from Spotify? Was it just the money?

What are the other factors affecting her choice to take down her songs? *[If students struggle for an answer, have them review the Taylor Swift quote:]*

"Why did you leave Spotify? I'm in an office of people who are upset that they can't stream your music."

"Well, they can still listen to my music if they get it on iTunes. I think there should be an inherent value placed on art. I didn't see that happening, perception-wise, when I put my music on

Spotify . . . With Beats Music and Rhapsody you have to pay for a premium package in order to access my albums. And that places a perception of value on what I've created. On Spotify, they don't have any settings, or any kind of qualifications for who gets what music. I think that people should feel that there is a value to what musicians have created. . . ¹

" . . I'm not willing to contribute my life's work to an experiment that I don't feel fairly compensates the writers, producers, artists, and creators of this music. And I just don't agree with perpetuating the perception that music has no value and should be free. . . . Also, a lot of people were suggesting to me that I try putting new music on Spotify . . . I felt like I was saying to my fans, 'If you create music someday, if you create a painting someday, someone can just walk into a museum, take it off the wall, rip off a corner off it, and it's theirs now and they don't have to pay for it.' I didn't like the perception that it was putting forth. And so I decided to change the way I was doing things."²]

ASK:

- Is this reasonable? Is it fair that she can make that decision? Do you see why the law gives her that choice? *[Accept responses: "Yes, it's fair, because it's her music. She owns it."*
NOTE: If students express a sentiment that it's NOT fair to themselves that they can't get her music on Spotify, ask them to consider why the law gives the artist the right to decide about how his/her own work is distributed. The purpose of the law is to encourage more creative endeavors by giving certain rights to people who invest the time, money, and creativity to produce something. This includes the right to decide for themselves where their work will be available. Swift has chosen to distribute her music through outlets such as: iTunes and Amazon.]
- How does copyright protect her as an artist? *[Accept responses, and follow up with the explanation below.]* Copyright gives her control over how her music will be distributed, so she is entitled to put her music on Spotify and then take it down if she wants.
- Do you think the ability to make that decision promotes creativity? *[Accept responses. Allow students to explore how ownership provides incentives to the artist to continue to create.]*
- What would happen to artists if they didn't have protection for how their work is distributed? What if anyone could post it wherever they wanted? Would they still be able to make money? *[Accept responses: Artists would lose the ability to make money from their work. Copyright gives them this control.]*

We've been talking about control over artistic work, and how copyright allows artists to make choices over their work. Control is important to artists, but it's also important to limit that control. You saw in the video, "**Permission NOT Required—The Limitations of Copyright: Facts & Ideas, Fair Use, and Time (Public Domain)**" that the **limitations** of copyright also impact creativity. For example:

¹ "Taylor Swift on 1989, Spotify, Her Next Tour and Female Role Models," Jack Dicky. *Time Magazine*, (Nov 2014).
<http://time.com/3578249/taylor-swift-interview/>

² Exclusive: Taylor Swift on Being Pop's Instantly Platinum Wonder... And Why She's Paddling Against the Streams" Chris Willman. Yahoo News (November 6, 2014).

1. Not everything gets copyright protection. Facts and ideas, non-creative lists, and US Government documents can not be copyrighted. Everyone is free to use those.
2. Fair use is an important part of copyright that allows limited use of copyrighted work without permission for purposes such as commentary, criticism, parody, teaching, and works that are “transformative.” Fair use promotes creativity and innovation.
3. Lastly, copyright expires. All copyrighted works eventually fall into the public domain where they are free for everyone to use.

We’ll talk more in **Lesson C** about these limitations and fair use situations.

If time permits, do a quick review of copyright concepts by walking through the Infographic, “10 Things You Should Know About Copyright,” available at: www.copyrightandcreativity.org/Lesson-A.



END: Copyright aims to benefit us both as creators of our own work and as consumers of the creativity of others. Copyright encourages new speech and creativity by giving incentives to produce work, writing, and art that takes time and labor to produce. It also has limits, so that today’s creativity can help fuel more creativity in the future.

END

NOTE: Preparing for Lesson B

Lesson B asks students to document and consider their own media use. At the conclusion of teaching Lesson A (or one week prior to teaching Lesson B), distribute the “Media Log Worksheet” found in Lesson B. The data they collect in the log will inform the next lesson.

If you are using these resources in the classroom, please let us know!

www.copyrightandcreativity.org/feedback



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