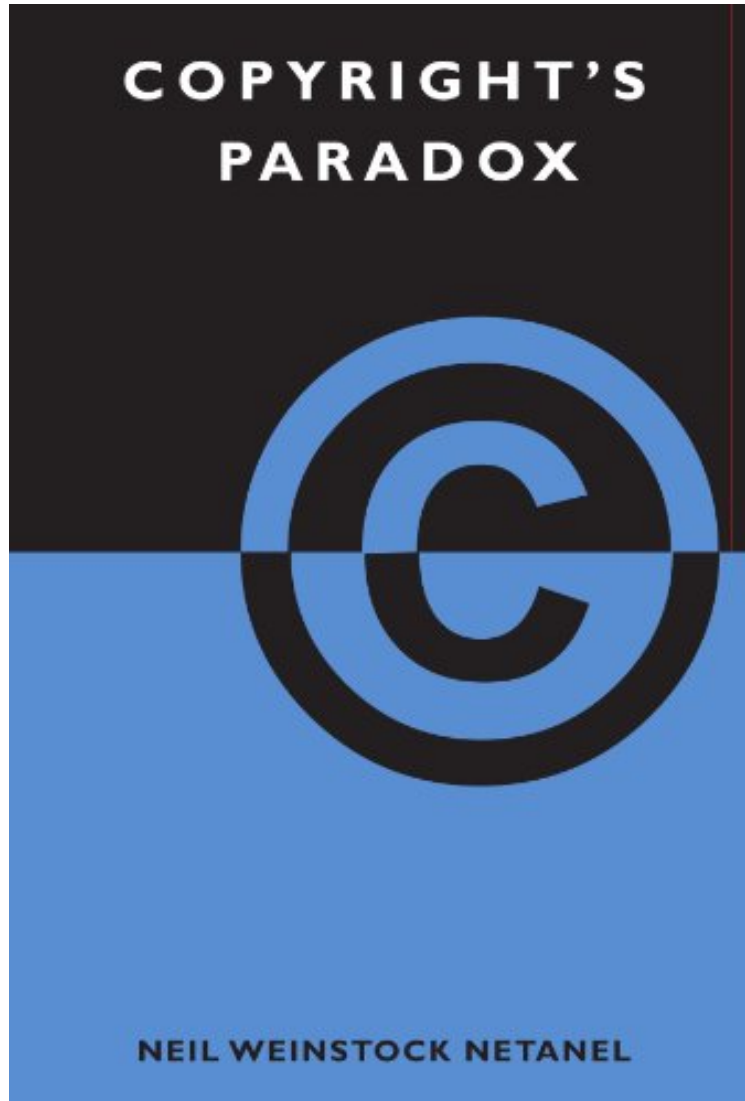


[Download] Copyright's Paradox

Copyright's Paradox

Neil Weinstock Netanel

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#2245487 in Books Neil Weinstock Netanel Netanel Neil Weinstock 2010-04-23Original language:EnglishPDF # 1 6.10 x .60 x 9.10l, .89 #File Name: 0199735220288 pagesCopyright s Paradox | File size: 16.Mb

Neil Weinstock Netanel : Copyright's Paradox before purchasing it in order to gage whether or not it would be worth my time, and all praised Copyright's Paradox:

11 of 11 people found the following review helpful. What's Wrong with CopyrightBy doomsdayer520As the title indicates, this book examines the great paradox of modern copyright law in America. Copyright was meant to encourage and protect creativity, but is now used to restrict that same expression. For the layperson, copyright law may seem to be a guarantee of compensation for an artist's expressive works for a limited time, after which that

expression enters the public domain for the benefit of all Americans. But in the real world (that is, the modern legal and business environment), corporations have hijacked copyright law for ensuring profits and suppressing contrarian speakers, and have heavily lobbied courts and lawmakers to accept this fractured anti-speech and anti-market definition of "expression." In another paradox, media industries complain about how new computerized tools damage their profits and beg lawmakers to stop the proliferation of those tools, while at the same time using that very same technology to gain rights and market power far beyond what copyright allows. Thus, today's legal landscape for copyright is a severe mutation of the law's original intent (from the Founding Fathers) as an engine to promote speech and the progress of knowledge. As an academic researcher on this subject, I have seen many commentators bemoan these modern problems with copyright law in a variety of settings. But with this book, Netanel has created the most authoritative and concise study yet of the un-American mutation of copyright law into a vehicle for unfettered media industry profits, while it inexorably drifts away from its origins as an incentive for creativity and an engine of free expression. Netanel concludes the book with highly plausible (though overly ambitious, politically speaking) solutions that could just get copyright law back where it belongs - in the creative minds of the people. [~doomsdayer520~]4 of 4 people found the following review helpful. A must read for those who are interested in copyright and how it interact with first amendmentBy T.J. HuangAnyone who are interested in or have read Benkler's book The wealth of Networks should read this book. There are many insights of this book, such as the structural function of copyright and the concept and importance of diversity. In a word, Netanel elegantly shows us how copyright enhances(past tense though) and burdens free speech, and he proposes a remaking of copyright base on what he called Free Speech Principle.

Providing a vital economic incentive for much of society's music, art, and literature, copyright is widely considered "the engine of free expression"--but it is also used to stifle news reporting, political commentary, historical scholarship, and even artistic expression. In *Copyright's Paradox*, Neil Weinstock Netanel explores the tensions between copyright law and free speech, revealing the unacceptable burdens on expression that copyright can impose. Tracing the conflict across both traditional and digital media, Netanel examines the remix and copying culture at the heart of current controversies related to the Google Book Search litigation, YouTube and MySpace, hip-hop music, and digital sampling. The author juxtaposes the dramatic expansion of copyright holders' proprietary control against the individual's newly found ability to digitally cut, paste, edit, remix, and distribute sound recordings, movies, TV programs, graphics, and texts the world over. He tests whether, in light of these and other developments, copyright still serves as a vital engine of free expression and assesses how copyright does--and does not--burden free speech. Taking First Amendment values as his lodestar, Netanel offers a crucial, timely call to redefine the limits of copyright so it can most effectively promote robust debate and expressive diversity--and he presents a definitive blueprint for how this can be accomplished.

From BooklistWhy must a documentary filmmaker pay a \$10,000 licensing fee for an image of Homer Simpson that appears briefly in the background? Netanel poses this real-life question as part of his compelling argument that an American copyright law originally intended to foster creativity now stifles it. Though he acknowledges that writers and artists need legal protection from piracy, Netanel shows that such protection has grown so broad that it threatens the free speech enshrined in the First Amendment. Particularly troubling are the new proprietary rights that hamstring those trying to use new technologies to recast works into parody, to fuse them into startling new combinations, or to inject into them the leavening of hostile critique. Specific cases make it troublingly clear that even traditional fair use exemptions to copyright law are disappearing as courts endorse the copyright holders broadest claims and so squelch free speech. To restore cherished freedoms, Netanel urges Americans to enact a specific set of copyright reforms, outlined in his conclusion. A balanced and cogent argument. --Bryce Christensen "*Copyright's Paradox* fluently examines an array of recent copyright controversies, highlighting the problematic free speech implications of an ever-expanding copyright regime...Netanel's incisive examination of his subject through a First Amendment lens helps illuminate some of the issue's critical cultural and constitutional dimensions."--Harvard Law "Neil Netanel is rightly hailed as one of the most important writers and thinkers in the field... his latest book, *Copyright's Paradox*, cements that reputation...Best of all, *Copyright's Paradox* offers solutions, a set of simple legislative recommendations that are both realistic and promising--solutions that will end the copyright wars without destroying the public interest or the fortunes of artists."--Cory Doctorow, BoingBoing.net "Timely and topical...Netanel's well-researched, informative and eminently readable book is a thoughtful and important contribution to the debate, and should be read by those seeking practical solutions to a problem that will not go away with wishful thinking."--New Jersey Lawyer"*Copyright's Paradox* is a major book by a major thinker, and a must read for all."--William Patry, The Patry Copyright Blog"Netanel makes an original and creative argument that copyright is in the end about speech. *Copyright's Paradox* should be on the list of required reading for anyone concerned with the inner workings of the copyright system, and those interested in issues of institutional or regulatory design as they relate to public policy goals."--Yale Law Journal About the AuthorNeil Weinstock Netanel is Professor of Law at the University of California, Los Angeles. He writes

and teaches in the areas of copyright, international intellectual property, and media and telecommunications.