



## **Copyright Enforcement and Defenses**

### **Course Description**

This course focuses on enforcement of copyrights and explains when the holder lacks the ability to enforce copyrights. This course is a complement to our course on Acquiring Copyright Protection and looks at the ways a copyright is protected, how to build on a copyrighted work, the transfer and licensing of copyrights, and copyright infringement.

### **Course Learning Outcomes**

At the completion of this course, students will be able to:

- Discuss the ways in which a copyright is protected;
- Explain how to build on a copyrighted work in a permissible way;
- Articulate how the law allows for the transfer and licensing of copyrights;
- Identify which actions could constitute copyright infringement and what a copyright owner must prove to prevent illegal use of their copyright;
- Discuss the defenses an alleged copyright infringer can raise in response to a claim of copyright infringement.

### **Recommended Prerequisite**

*Acquiring Copyright Protection*

### **Final Exam**

Grades and credit recommendations are based solely on a final exam. When students are ready to take the final exam, they should register for a LawShelf account (or simply log in, for those with existing accounts). Go to the video-course page and click "Take the Final Exam" and pay the exam fee, where applicable. Students will be given instructions on how to take the exam. All exams are proctored by the Voice Proctor® proctoring system. An overview of the system is [provided here](#) and it requires no training or learning curve. Grades of 70% or above are considered passing grades and qualify for recommended transfer credit.

The final exam is based on the video course modules. Additional resources detailed in this syllabus are helpful for background and for building greater understanding of the

course materials. Inquiries can be made through the LawShelf Contact form on our website by clicking the “email us” button that appears at the bottom of most LawShelf pages. Transcripts can be ordered via Parchment, as detailed on our website.

## **Case Studies**

Many LawShelf video courses include case studies. These do not necessarily teach new material but are meant to demonstrate how the materials covered in the course are applied by various courts. Concepts covered in the case studies are covered on the final exam, so make sure to watch the case studies before taking the exam. However, it is unnecessary to memorize the facts and details of the cases covered in these case studies.

## **Self-Quizzes**

Video-course modules and case studies feature self-quizzes that consist of practice questions on the materials covered in the videos. These questions are presented for the benefit of the student and are **important to review before taking the final exam** because they are similar in style and substance to the questions on the final exam. These quizzes are not graded or monitored and there is no record of how students answer these questions. Students may answer these questions as many times as they like and are encouraged to keep re-taking the quizzes until they have mastered all the questions.

# **Study Guide**

## **Introductory Video**

This video provides a background to help students better understand the main parts of the course, which are the video-course modules below.

**Copyright Protection: What Can Be Protected and What Cannot Be Protected**  
<https://lawshelf.com/shortvideoscontentview/copyright-protection-what-can-be-protected-and-what-cannot-be-protected/>

## **Courseware Readings**

These courseware readings provide background to help students better understand the main parts of the course, which are the video-course modules below.

Read the following sections of “Foundations of Law” courseware:

### **Patents, Trademarks & Copyrights**

#### **Introduction to Intellectual Property**

- **What is Intellectual Property**

- **The Scope of Protection Offered by Intellectual Property Law**
- **History and Sources of Intellectual Property Law**
- **Governing Law, Courts and Agencies**
- **Jurisdiction and Venue in Cases of Intellectual Property and Remedies Available**

#### **Copyrights Part 1**

- **The Concept & History of Copyright and Sources of Law**
- **Distinguishing Copyrights from Rights in Other Property**
- **What Can be Copyrighted?**
- **Initial Ownership and Section 201**

#### **Copyrights Part 2**

- **Logistics of Ownership & Registered Copyrights**
- **Music, Movies and Computer Software Copyrights**
- **Exclusive Rights Granted Under Title 17, Section 106**
- **Copyright Infringement & Remedies (Title 17, Chapter 5)**
- **Licensing & Assignment Agreements**
- **Fair Use Doctrine (Title 17, Section 107)**

### **Video Course Modules**

These videos constitute the main part of the course and are they sources of the questions on the final exam.

**Copyright Enforcement and Defenses Course Overview Video**

<https://lawshelf.com/videocoursescontentview/copyright-enforcement>

**Work Made for Hire Doctrine - Module 1 of 5**

<https://lawshelf.com/videocoursesmoduleview/work-made-for-hire-doctrine--module-1-of-5>

**Building on Copyrighted Works - Module 2 of 5**

<https://lawshelf.com/videocoursesmoduleview/building-on-copyrighted-works--module-2-of-5>

**Fair Use and the Public Domain - Module 3 of 5**

<https://lawshelf.com/videocoursesmoduleview/fair-use-and-the-public-domain--module-3-of-5>

**Transferring, Licensing, and Registering Copyrights - Module 4 of 5**

<https://lawshelf.com/videocoursesmoduleview/transferring-licensing-and-registering-copyrights--module-4-of-5>

**Copyright Enforcement - Module 5 of 5**

<https://lawshelf.com/videocoursesmoduleview/copyright-enforcement--module-5-of-5>

## **Supplemental Suggested Readings**

These materials enable students to achieve a deeper understanding of the course materials and in applying the course to real-life situations.

*Exceptions & Defenses to Copyright Infringement*, **University of North Texas**  
<https://clear.unt.edu/teaching-resources/copyright-guide/exceptions-defenses-copyright-infringement>

*What You and Your Business Need to Know About Copyright Law and Infringement*, **The National Law Review**  
<https://www.natlawreview.com/article/what-you-and-your-business-need-to-know-about-copyright-law-and-infringement>

*An Odyssey Through Copyright's Vicarious Defenses*, **NYU Law Review**  
<https://www.nyulawreview.org/wp-content/uploads/2018/08/NYULawReview-73-1-Nimmer.pdf>