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Comic book about copyright?

BY PAUL BONNER : The Herald-Sun
pbonner@heraldsun.com
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DURHAM -- Will a spiky-haired, camera-toting super-heroine vanquish the monster of copyright greed and restore decency and common sense to the world of creative endeavor?

Tune in next month, when the tireless trio of Keith Aoki, James Boyle and Jennifer Jenkins unleash what they believe is the first-ever comic book to explicate a vexing area of law for filmmakers.

"Bound by Law?" is drawn by Aoki and co-written with Duke Law School professors Boyle and Jenkins. Jenkins is the director of Duke Law's Center for the Study of the Public Domain, and Boyle is a faculty co-director.

The 66-page book is aimed at helping documentary filmmakers navigate the treacherous waters of copyright law, especially its fair-use doctrine, under which excerpts of copyrighted works may be used without permission in limited circumstances.

Often working on a shoestring budget, documentary filmmakers often incidentally capture music or an image with copyrighted material. Increasingly, Jenkins said, the holder of that copyright, is likely to expect thousands of dollars in licensing fees -- fair use notwithstanding.

The comic book format puts what could be a dry legal discussion into a quick and humorous format that is itself a work of art, she said. The book itself exercises the fair-use doctrine in a romp through popular culture.

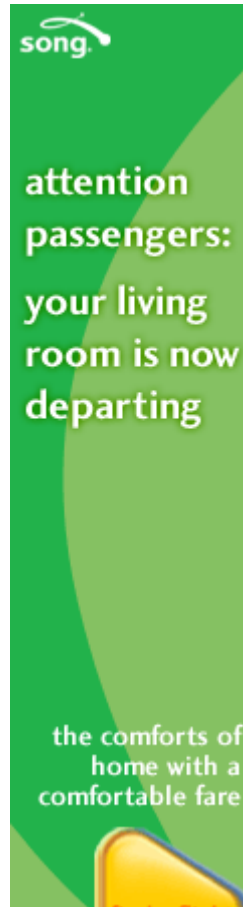


The Herald-Sun/Kevin Seifert Jennifer Jenkins, director of Duke Law's Center for the Study of the Public Domain, holds a copy of "Bound by Law?," a comic book that helps filmmakers navigate the dangers of copyright law.

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Bound by Law? comic book





"It really does turn out to be well-suited to the subject matter we're addressing and to the audience we're targeting," Jenkins said.

Plus, it's a healthy discipline for lawyers accustomed to writing extensively footnoted tomes, to have to explain themselves in two or three lines of a speech balloon, she said.

For readers who just have to have them, footnotes are available separately.

The book will be released in mid-March through Amazon.com for \$5.95 and on the center's Web site for free.

The idea for "Bound by Law" was born nearly two years ago, as the center focused on fair use and filmmaking. It also addresses the more trendy issue of copyright protection of music versus file sharing, plus the more esoteric one of scientific patents.

"One of our major concerns was that the new generation of young artists sees copyright law as merely an impediment or a nuisance, a source of incomprehensible demands for payment, cease-and-desist letters and legal transactions costs," Jenkins said. "This is really a shame, because copyright can be a valuable tool for artists and creators of all kinds."

Jenkins and Boyle co-wrote the script and enlisted Aoki, a formerly struggling cartoonist who now teaches copyright law at the University of Oregon. The work was funded by a grant from the Rockefeller Foundation.

They told the story through Akiko, a woman who wants to film a day in the life of New York City but quickly discovers that the cityscape is saturated with copyrighted works.

Even the song "Happy Birthday" could get a filmmaker into trouble, she learns. The rights, currently held by a subsidiary of Time Warner, don't expire until 2030.

The book may also help persuade overzealous owners of rights to stand down from what Jenkins calls a "permissions arms race."

Christopher Sims, a staff member of the Duke-affiliated Center for Documentary Studies, decided to edit out a few stray seconds of the movie "Shrek" during filming for his two-minute film about Army recruiting rather than risk trouble.

"Certainly, if there are two scenes that are otherwise equal, and one has a copyrighted image in it, I think most people, especially if they don't have the money, would chose the other image," Sims said.

The Duke Law team already is working on another comic book, about music, Jenkins said.

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