Another Success: The Fourth Annual Copyright Conference at Ball State Well Received and Earns Continuing Legal Education Credits

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Speakers at the Fourth Annual Copyright Conference, held April 11, 2007, combined copyright with a classic theme from the popular television series *Star Trek* to make the subject of the U.S. Copyright Law educational, understandable, and entertaining. According to comments from the 114 attendees, the six

speakers succeeded in boldly exploring copyright in teaching and learning.

A central focus of the conference was to explore Fair Use and how it can be used in both face-to-face and distance education classrooms. To accomplish this, five nationally-known copyright experts and one internationally known intellectual property expert, both from academe and the private



sector, spoke about how to use another person's intellectual property through Fair Use and the TEACH Act, among other alternatives.

"This was one of the most worthwhile conferences I've been to," said Kevin Roe, Supervisor of Media Processing for Fort Wayne Community Schools. "The conference is such a valuable resource for those of us who deal with the questions and problems of copyright at work."

The Conference began with a welcoming address from H. O'Neal Smitherman, Ph.D., Ball State University's Vice President of Information Technology and Executive Assistant to the President, to the 114 attendees, some of whom traveled from Arkansas, Illinois, Iowa, Kentucky, Michigan, Missouri, Ohio, Pennsylvania, New York, and Texas to attend. Conference Chairperson Dr. Fritz Dolak then framed the larger discussion about copyright and intellectual property that set

the tone for the day's conference. In order of their presentations, the speakers were:

• Donna L. Ferullo, J.D., Director of the Copyright Office, Purdue University: "Digital Fair Use Trek: Section 107"

Ms. Ferullo covered the Four Factors of Fair Use: Purpose, Nature, Amount, and Effect. She discussed relevant court cases on Fair Use, including derivative works, transformative use, and parodies.

• Dwayne K. Buttler, J.D., Professor and Evelyn J. Schneider Endowed Chair for Scholarly Communication, University of Louisville: "Live Long and Prosper:" A warp speed view of library copying with phasers on stun for the TEACH Act

Mr. Buttler delved into Section 108, Library Copying, of the Copyright Law, as well as Section 110(2), which addresses how to use someone else's intellectual property in the classroom without walls. He covered the many ins and outs, and the vagaries for both of these sections in the Copyright Law.

• Michelle L. Cooper, J.D., Bose McKinney & Evans LLP, Education Law Group: "The Menagerie:" Practical digital legal advice

Ms. Cooper concentrated on intellectual property ownership issues, including the exclusive, oftentimes overlooked, rights that students have in the intellectual property they create for classes. She used several real-life situations that upheld and verified student rights and that also enhanced the work-for-hire doctrine.

• James R. Williams, J. D., DeFur Voran LLP, Ball State University's Legal Counsel for Education Law: "Subspace Education:" iTunes U

Mr. Williams discussed the uses of a new, free, 365/24 technology for the classroom, i.e., the Apple iPod-oriented, iTunes U. He also discussed

problematic issues including the uploading of course content without permission to YouTube, etc., and the potential abuse of embedded copyrighted materials in iTunes U's approach for educating today's students.



- Kenneth D. Crews, Ph.D.,
- J.D., Samuel R. Rosen II Professor, Indiana University School of Law (Indianapolis), Indiana University School of Library and Information Science; Associate Dean of the Faculties for Copyright Management; Director, IUPUI Copyright Management Center: "The Way to Eden:" Current issues & updates in copyright including the Google challenge Dr. Crews' discourse was a duality of today's copyright issues and future issues via a unique, time warp interview with himself: "Google eventually uploaded the universe," he said. Dr. Crews opined that the Constitution's original role in
- Carl M. Johnson, Director of the University Copyright Licensing Office, Brigham Young University: "The City on the Edge of Forever:" Inside the scenes at a University Copyright Office

copyright is being overplayed by the Congress to the detriment of education.

Mr. Johnson shared some of his practical experiences that call for the administration at one's institution to be involved in intellectual property issues, including crafting a copyright policy, and directing copyright education. He discussed his approach to Fair Use analysis and how this effects a given

decision. Mr. Johnson provided a comprehensive intellectual property resource list in his handout.

Conference Breakout Session

The conference included a breakout session on using various types of materials under the concept of Fair Use. The attendees were divided into four groups and each was given a Fair Use scenario. One of the Conference experts was available to each group as a resource for determining what digital uses could and could not be invoked for educational Fair Use.

Conference Blogged Live by Chadwick Seagraves

This year, there was a unique perspective for the Conference since it was blogged live by Chadwick Seagraves, Information Technology Librarian, Marian College, Indianapolis. His blog on Digital Trek can be viewed at: http://technorati.com/tag/copyright?from=http://infosciphi.info.

Copyright Conference Awarded Continuing Legal Education Credits
Again this year, the Indiana Supreme Court's Commission for Continuing Legal
Education granted 5.7 Continuing Legal Education credits for Indiana attorneys
who attended the Conference. As was done last year, a petition was been sent to
the Ohio Supreme Court for CLE credits for those Ohio lawyers who attended
this year's conference as well.

Conclusion

For the attendees, Digital Trek was a successful, one-day, concentrated *tour de force* through a plethora of intellectual property and copyright issues. The skills, legal proficiencies and professionalism of the presenters -- Dwayne K. Buttler, J.D.; Michelle L. Cooper, J.D.; Kenny D. Crews, J.D., Ph.D.; Donna L. Ferullo, J.D.; Carl M. Johnson; and James R. Williams, J.D. -- made the Fourth Annual Copyright Conference at Ball State University an educational and worthwhile Digital Trek!