



Panel to discuss fair use of copyrighted music

BY PETE ROSENBERY, SIUC University Communications

CARBONDALE -- A panel of music industry experts will explore the fair use of copyrighted music and digital rights management next week at Southern Illinois University Carbondale.

The symposium, "Do You Mind If I Use That?" begins at 4:30 p.m., Monday, Feb. 23, in Kleinau Theater in the Communications Building. SIUC's Global Media Research Center and Digital Dog Records is sponsoring the discussion. The symposium is free, and the public is welcome.

Several copyright-related issues divide the public and music industry, said Todd Herreman, an assistant instructor in the Department of Radio-Television. Herreman is serving as panel moderator.

The panel discussion topics include a look at whether interpretations of existing copyright laws favor the original creators and don't accommodate applications of new technologies, thereby chilling creation of new work that incorporates existing protected material, Herreman said. That includes the use of music samples and other works derived from an existing work, and whether current laws "stifle the very creativity that the Constitution intended to encourage."

An example of creating a derivative work from a copyrighted work is taking a Beatles' song, adding a verse and changing the melody, while using most of their original, and copyright-protected, lyrics. Creating a derivative work of a protected work outside public domain requires permission under existing copyright codes, Herreman said.

Herreman notes there is a pending lawsuit that involves Prince over the use of copyrighted material. Using barely audible and distorted music, a woman posted a 30-second video of her toddler running around the kitchen to Prince's "Lets Go Crazy" video on YouTube. Citing unauthorized use of his work, Prince ordered YouTube to remove the video. The woman responded with a counter notice and the video returned to the Web site. The Electronic Frontier Foundation is representing the woman in the lawsuit on claims the video contains no commercial value for the woman.

The panel discussion will provide additional insight to the public on how copyright laws apply, Herreman said.



“The idea is to further illuminate the conversation that these are issues that affect all of us,” he said.

The panelists, with biographical information provided by event organizers, are:

Steve Albini: an engineer, singer, songwriter, guitarist and music journalist, and a member of the Chicago-based rock band, “Shellac.” The founder of Electrical Audio recording studio complex, Albini has been involved with more than 1,000 bands on more than 1,000 records, including Cheap Trick, Nirvana, Pixies, Page and Plant, and Neurosis.

Rand Bishop: a Grammy-nominated, BMI, award-winning million-play songwriter with more than 200 cuts to his credit by artists including Tim McGraw, David Ball, Lorrie Morgan, The Beach Boys, Cheap Trick, Indigo Girls, Richie Havens and Vanilla Fudge. His nearly 40-year career in the music industry includes recording artist, session vocalist, producer, and artist and repertoire searching and developing new talent. His book, “Makin’ Stuff Up: Secrets of Song-Craft and Survival in the Music Biz,” was published in December.

Patrick Burkart: an assistant professor of communication at Texas A&M. He researches and writes on the music industry, digital distribution and technologies. His book, “Music and Cyberliberties,” looks at hacking, culture jamming and radical media.

Chris Castle: a managing partner with the law firm, Christian L. Castle, Attorneys, whose firm represents artists, producers, songwriters, record labels, music publishers, film studios and technology companies. Castle is also a managing member of the Digital Media Policy Group, a private consulting company. Prior to law school, he worked with artists including Long John Baldry and Yvonne Elliman as a professional musician. Castle earned his MBA/JD from the Anderson Graduate School of Management and the UCLA School of Law.

Christine A. Pepe: director of legal affairs at the American Society of Composers, Authors and Publishers (ASCAP). She represents the performance rights society on numerous licensing and litigation matters, including those involving new media -- Internet portals, social networking sites, and wireless platforms. She earned her law degree from Boston University School of Law.