As Rights Clash on YouTube, Some Music Vanishes

By TIM ARANGO
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In early December, Juliet Weybret, a high school sophomore and aspiring rock star from Lodi, Calif., recorded a video of herself playing the piano and singing “Winter Wonderland,” and she posted it on YouTube.

Weeks later, she received an e-mail message from YouTube: her video was being removed “as a result of a third-party notification by the Warner Music Group,” which owns the copyright to the Christmas carol.

Hers is not an isolated case. Countless other amateurs have been ensnared in a dispute between Warner Music and YouTube, which is owned by Google. The conflict centers on how much Warner should be paid for the use of its copyrighted works — its music videos — but has grown to include other material produced by amateurs that may also run afoul of copyright law.

“Thousands of videos disappeared,” said Fred von Lohmann, staff lawyer for the Electronic Frontier Foundation, an Internet civil liberties group that asked affected YouTube users to contact it. “Either they turned off the audio, or they pulled the video.”

A spokesman for Warner Music said that YouTube’s system for identifying copyrighted material does not distinguish between professionally made music videos and amateur material that may include copyrighted works.

“We and our artists share the user community’s frustration when content is unavailable. YouTube generates revenues from content posted by fans, which typically requires licenses from rights holders. Under the current process, we make YouTube aware of WMG content. Their content ID tool then takes down all...
unlicensed tracks, regardless of how they are used," said Will Tanous, a spokesman for Warner Music.

In addition to Ms. Weybret's video, family home videos that included a portion of a song playing in the background have been removed, as have any number of videos that use music in goofy ways, from montages to mash-ups.

When a man posted a video of himself using music to teach sign language, the audio was switched off because he lacked the proper copyright clearance to use Foreigner's 1980s song "Waiting for a Girl Like You."

More broadly, however, the takedown notices are a glaring example of the rising tensions between Internet sites that distribute content free and owners of copyrighted material.

In late December, Warner and YouTube failed to agree to terms on a new licensing deal that would have paid Warner a cut of advertising revenue in exchange for permission to stream the music company's videos. Warner then began having its music videos removed from YouTube. The site has licensing deals with the other major music companies, and had a deal with Warner for two years before the recent impasse.

The situation with Warner has created a double-barreled risk for YouTube. Professionally produced music videos are some of its most-watched material — six of the top 10 most popular videos of all time are music videos, and the most-watched video ever on YouTube is not a bulldog on a skateboard, but an Avril Lavigne video, with more than 117 million views. (The skateboarding bulldog, by contrast, has almost 6.8 million views.)

YouTube more recently began blocking music videos from all companies from its site in Britain after failing to reach terms with PRS for Music, a group that collects royalties on behalf of singers and songwriters.

Keeping a steady supply of music videos on its site is important to YouTube's effort to increase the flow of advertising dollars. At the same time, the site's cachet relies on being a place where users like Ms. Weybret can freely display their own material. Google does not disclose advertising revenue for YouTube, and estimates among analysts range widely, from $200 million to $500 million a year.

Ms. Weybret says she has been hesitant lately to use YouTube as an outlet for her musical talents. "I'm kind of nervous now about putting up covers," said Ms. Weybret, 15, who plays in a band with her friends called the Knockouts.

The question for the two sides is, who will users blame — YouTube or the record label, in this case Warner?

"I feel like the public's perception of the record labels is so hostile that YouTube will be able to deflect any complaints," said Phil Leigh, a new media analyst who runs Inside Digital Media, a consulting firm.

Chris Dale, a spokesman for YouTube, said, "While we work with music labels to keep music on the site, sometimes our negotiations don't pan out, and we understand that this can be a big disappointment to our community."

Mr. Dale said that YouTube offers users the chance to dispute a copyright claim, or use a feature of the site to swap in a new track to replace the offending song.

The situation has raised anew questions about the meaning of fair use under copyright.
law in the context of the digital age, when anyone can easily excerpt copyrighted works and distribute the result in a manner that is sometimes hard to identify as being a commercial product.

Last year Dustin McLean, who works as an animator on Current TV's comedy show “Super News,” posted a video of A-Ha's 1980s hit “Take On Me.” But it was Mr. McLean singing, not the real lyrics but about what was actually happening in the video. He got two million views in three months, and a new genre was born, called “literal videos.”

“It was just a silly idea,” he said. When the video was removed, he said, “fans started e-mailing me and asking, 'why did you take down your video?'”

His videos can now been seen on funnyordie.com or his own site, dustfilms.com, and so far he has been free from the copyright police.

The law provides a four-point test for the fair use of copyrighted works, taking into account things like the purpose, the size of an excerpt and the effect the use might have on the commercial value of the actual work.

The body of law is ever-evolving, and each era and technology seems to force new interpretations. In the 1960s, for example, the Zapruder film, the home movie that captured the Kennedy assassination, was bought and copyrighted by Time magazine. But a judge denied that it could be a copyrighted work because of its value to the public interest.

Many of the offending videos of the user-generated variety like Ms. Weybret’s — as opposed to copies of music videos produced by Warner and its artists — would fall under fair use, according to Mr. von Lohmann, because they are noncommercial and include original material produced by the user.

Others, including Warner Music's lawyers, might argue that the videos, while themselves created for noncommercial purposes, are nevertheless being shown on YouTube, which is a moneymaking enterprise.

Referring to Ms. Weybret, Ben Sheffner, a copyright lawyer in Los Angeles who has worked on antipiracy at the 20th Century Fox movie studio, said, “From her perspective it's completely noncommercial because she's not making a dime. But from another perspective it's entirely commercial because Google is trying to make money off it.”

Users have the right to dispute a takedown. But few have.

“People are somewhat intimidated by the possibility of being sued by one of the music companies, even if they have a free lawyer, like us,” Mr. von Lohmann said.
As Rights Clash on YouTube, Some Music Vanishes

Some videos on YouTube are disappearing in a disagreement over fees for Warner Music’s copyrighted works.

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1. March 23, 2009 7:53 am

What is the difference between the Taliban banning music from public live and Warner’s bean counters suppressing a teenager singing a well-known song? Much of this copy-right copy-wrong gestapo behavior amounts to oppression of culture.

— Reiner Wilhelms, Western Massachusetts

Recommend Recommended by 7 Readers

2. March 23, 2009 7:53 am

Copyright should be enforced when the person who infringes on it does it to make money.

Amateurs expressing themselves live in the world of social interaction, which is in another universe from the world of money where fat cats live.

That Google has a lot of money and is therefore a natural target for lawyers and other who want to extort some it puts a finer point on the question, but the right of high school kids to sing songs they like on the Internet would trump all others if this were not the United States of America.

— Bill Appledorf, San Francisco

Recommend Recommended by 3 Readers

3. March 23, 2009 7:53 am

If you don’t own the rights to it you can’t use it. Oh man, I can hear the whining start already. "It should be free!” "Who are we hurting??" And the creme de la creme argument of the kids today: "But we’re just having FUN!!"

— markjay1, New York City

Recommend Recommended by 0 Readers

4. March 23, 2009 7:53 am

The solution is to limit the term of copyright, perhaps to one year. Nearly all sales occur within the first year of publication, so the cost to publishers and authors would be slight, but it would open up a vast field of work to public use (and put a lot of lawyers out of business).

— Jonathan Katz, St. Louis

Recommend Recommended by 3 Readers

5. March 23, 2009 7:53 am

Once again, a major record label, in this case Warner Bros., proves it is absolutely incompetent and irrelevant in the digital age. The market for physical
CDs is disappearing, while outlets like radio and television become increasingly
generic. So how do you reach people these days, especially with your older
catalog? You do it through the web, with sites like YouTube and by letting the
music fans spread the word and do the work of your former advertising
department.

Unless, of course, you are Warner Bros. In their case, you stifle your fans,
prevent your music from ever being heard, and go hide under a rock (or in your
aging limo) praying that you will come up with a new revenue source.

Well it's right in front of you, Warner! Let YouTube and sites like that spread the
word, and let people link to iTunes/Amazon etc to purchase the high-quality
download of the song they are enjoying! It's obvious to everyone except the
crusty old record execs who still think it's 1967.

— JJ, Brooklyn

Do artists (musicians, directors, painters, etc.) create their work for the purpose
of profit or for the purpose of self and collective expressions? For any artists for
which the latter is the case, their should be no law that privatizes their work. The
work should be accessible to the public free of charge depending on the type of
art (film, painting, etc.). To prevent the artist from not being able to have the
"money" or means to sustain themselves, the government of the people should
provide them with the means to subsist if their work is intended for all public
viewing. The government of the people must be providing adequate means of
subsistence. Could be similar to the successful federal art project (FPA) that was
not shut down on ideological grounds (please don't state them, I already know
everything you are going to say). How does this relate to youtube? Music videos,
music, film, etc. (art essentially) is created for public viewing unless the artist
chooses to keep it for himself or herself without letting any part of the public see
it. If the latter is not the case, then the artist or the patron should not have the
right to infringe on the free public viewing of their work. If the artist intention is
purely to make a profit, then this does not apply to him or her. However, the
artists creating a work must make it clear what their goal is: to make a profit or
have the people learn and/or enjoy something.

— Seiya, Dominican Republic

YouTube has been doing this for a while... last month it was in the UK. If rights
holders file the proper paperwork, YouTube doesn't have much choice.

— billso, Honolulu

I understand the music companies' complaint, but I have no sympathy. Their
refusal to acknowledge the new age we live in has brought them to the brink of
collapse. Something like this will be the final nail.

— Chris, New York

This is not right. I realize record companies have been flailing about, trying to
come to terms with the new digital age, but this is just one more piece of
evidence to support the case that they still have no idea how to do it. They are
alienating most of their consumers with this.

— kilgore, Seattle, WA

Welcome to america's draconian and pointless convrieh law. thanks Disney Inc.
As Rights Clash on YouTube, Some Music Vanishes – Readers’ Comments – NYTimes.com

11. March 23, 2009 7:53 am

Great. Next we'll be kissing all the "Happy Birthday To You" videos goodbye, too. That ditty is copyrighted (Summy-Birchard, part of AOL Time Warner). What's next? The hokey-pokey? Is that's what it's all about?

— juliana, cleveland

Recommended by 4 Readers

12. March 23, 2009 7:53 am

In addition to music videos being muted or deleted from youtube, I have noticed major music labels no longer allow embedding videos. I always viewed the ability to embed a video as a free way for the music companies/artists to get more of an audience. I think the record labels are only hurting themselves with this behavior.

— DeniceMM, Phoenix, Arizona

Recommended by 2 Readers

13. All Editors’ Selections »

Why not allow Warners some free ad space in exchange for music rights on YouTube...

— TJ Colatrella, Boiceville NY

Recommended by 2 Readers

14. March 23, 2009 7:53 am

Here's what I understand:

When a movie is to be made and a score is requested, he who writes the score is often asked to make the music SOUND LIKE, for instance, a known classical work, but deviate from it enough to not be seen as blatant theft. If you're one who enjoys the classical music genre your ears are often tweaked when experiencing a movie that's been scored even by some of the very best known film music composers.

So this is the way the film industry evades copyright laws. Wouldn't it be fun if some of the more adventurous YouTube musicians followed a similar path with songs that major studios claim as theirs.

I wonder to what degree one must deviate from the copyrighted work for it to fall in the category of legal, or at least questionably legal. Some of those movie scores come amazingly close to the referenced classical work.

— KenJr, New Mexico

Recommended by 0 Readers

15. March 23, 2009 7:53 am

YouTube is acting correctly and professionally. It's clear that presenting copyrighted music on a commercial Internet site without permission is illegal, and for very good reasons. Just a few years ago recorded music was being downloaded free of charge and without professional artists and copyright owners receiving a dime. Now the public has to be educated all over again. If amateurs want their 90 seconds of worldwide fame, let them pay for the privilege directly. I can't think of a cheaper way to publicize oneself.

— Linda R., Italy

Recommended by 3 Readers

16. March 23, 2009 7:53 am

I'm not sure what's worse - having the video pulled or getting a banner "This
video is not available in your country”. That's what happens if I select the most viewed of all time. No - I am sure. It's much more annoying to be denied something that is readily available elsewhere. Surely WMG can see that YouTube does a pretty effective job of popularising many artists? Ultimately, they still make money. And quite likely more than they would get from YouTube royalties.

— Lance Andrewes, New Zealand

leave it to the lawyers to spoil our fun...

— Don, Madrid

Let's consider what copyright, and the right to intellectual property in general, is. I offer the following parallel example which will, I hope, make it clear: In the early 1990's I worked for a gardener who, among other contracts, had the job of preparing graves in a very densely used cemetery. Thus, I personally hand dug and then refilled and landscaped a number of memorials for deceased people. More accurately, I did this work for the families and friends of the deceased people as well as for other visitors to the cemetery who seek a beautiful and contemplative atmosphere in which to remember and meditate. By the logic of intellectual property law, I am due a royalty or payment in consideration of the work that I once did every time someone goes to that cemetery and particularly to the graves that I dug. This is only fair since it was by my own intelligence and contribution that the graves were realized; why should I be robbed of my interests in the use of those grave sites? By the logic now applied to intellectual property, I have been denied my due natural right to compensation as a consequence of others receiving benefits from my personal and individual labor. In other words, they are benefiting from my work, but are not paying me anything for the benefit they receive. That is a theft of my services. This is, by the logic of intellectual property, patently unfair.

I can think of many other examples of work that I have done in the past from which people continue to reap benefits and for which I receive no compensation whatsoever. This is outrageous. Why should I not be able to sit at home and continue to be paid for work that I once did, over and over again? Nobody else has ever done the work that I did, for it was I who did that work. Society should be grateful, society should continue to pay me royalties for all the work I have ever done in the past for the duration of my life and for an additional 70 years thereafter. I want my money for nothin' and I want it now! Gimme, gimmme, gimmme! It's only fair.

The argument is often made that intellectual property law provides incentive for creativity. There is little empirical evidence, however, that people will only be creative if they are promised continual pay for work they do once. There is no empirical evidence that this strategy is the only one that successfully stimulates creativity. There is, however, considerable evidence that doing so incurs social burdens and barriers to creativity; the pulling of creative videos from Youtube is one such piece of evidence.

— OldStone50, Stratford, NH

If these videos are amateur, it mostly likely would depend on the laws of the individual states where the concert was held/ or venue, ticket small print, date of video production etc.... but i think Warner has a right to protect it's intellectual property and it's distribution. People do not own songs, companies do. however such companies will have to merge to survive.

— oliver null, chicago
I disputed two takedowns, with the same rationale—the songs I used were heavily edited. One was successful, the other not. I suppose the difference was that one song was longer than the other, but that doesn't seem to jive with the other stories with people having mere snatches of song, or even plain covers they sing themselves, removed. Now, one out of two is a 50% success rate for disputation, so I wouldn't shy away from trying it.

— Nix, Philippines

21. March 23, 2009 7:53 am

I live in Europe. Recently when I try to use YouTube I get a box saying this video is not available in your area! Has YouTube suddenly cut off service outside of USA? Videos that were available last year are no longer shown. Anybody have any ideas on this? Any way to get around this blockade of service?

— inedal, New York

22. March 23, 2009 8:36 am

I think the removal of music from YouTube is totally appropriate. The rule is pretty simple: if you didn't create it from scratch, you have to get permission from the person who did the creative work for you. Jeez, how hard is that to understand? What could be more fair? And what kind of delusions of entitlement do the "borrowers" have, anyway? If you want to publish it -- create it. Or get permission.

Yeah, there are a tiny number of exceptions to the rule. Just like there are a tiny number of exceptions that will let you off the hook if you kill somebody. But they are exceptions. Overall, the rule is really simple, and really fair.

— Ken K, New York, NY

23. March 23, 2009 8:36 am

This is another instance of YouTube hiding behind the number of posts it receives as a way of not bothering to obey the law. Most of these folks would likely be covered by fair use by YouTube, like Google overall, is not even remotely about "the free exchange of ideas on the web... blah blah blah." Google is all about the money, just like Time Warner and every other copyright holder. Google
doesn’t want to pay someone (several dozen someones, most likely) to review posts and protect content that someone else owns. Doing so would eat into their profits. Please... “free content.” We should believe that business model because so many other things in this world are available whenever we want at no cost.

— Paula, Penllyn, PA

WMG, here’s a proposal.

Google’s Content ID tool should identify potentially offending tracks but then simply flag them internally, not remove them. When a video reaches a predetermined benchmark (e.g., total views and/or exponential growth), it notifies the label so someone can take a look. If it’s girl playing a cover on a webcam, make sure the Content ID system is overlaying a link to your artist’s iTunes and Amazon page like it should, then contact her and send her and a friend a free concert ticket, because she’s generating enormous interest in and referral linkage to your artist. The last thing you should do is have a video like that removed from YouTube.

If it’s a slideshow that someone used as an excuse to post the full song, yes, take the song down. (But recognize that you probably have the full song on your own official YouTube video anyway, and if you don’t, maybe you should, and your audience just did you a favor. Use the Content ID system to automatically overlay links to iTunes and AmazonMP3 and move on.)

Instead of removing flagrant violations, why not have the system limit the video to 30 seconds like imeem does?

And if the response is, "we don’t have time for this", then you don’t have time to run your business.

— Robbie, Brooklyn, NY

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As Rights Clash on YouTube, Some Music Vanishes – Readers’ Comments – NYTimes.com

26. March 23, 2009 8:58 am

Link

this is why people HATE record companies now. many, many people make it a POINT not to pay record companies for ANYTHING anymore, even if it means simply forgoing anything they can’t find a digital archive of. how the heck is anybody still allowed to charge fees for a song that was published in 1934 anyway? corporate greed and bs copyright legislation is completely out of control.

— kjarsenal, new york

Recommend Recommended by 0 Readers

27. March 23, 2009 8:58 am

Link

Another short-sighted, greed-motivated move by the record companies.

People sharing the music they love by performing it seems to be no longer allowed.

YouTube will be the one that suffers the most I guess. Other than the odd clip really worth watching, there’s no reason for this viewer to go there if music covers get taken down.

Of course, I don’t buy CDs anymore either. The individual songs on iTunes are all I need.

— Rick A, Panama City, FL

Recommend Recommended by 0 Readers

28. March 23, 2009 8:58 am

Link

Facebook is also removing content. In my case a 1 minute montage of baby pictures with a background track. No commercial purpose on my part, but the experience of having facebook send me a threatening letter led me to stop using the site. This is very ugly.

One other thing unmentioned in the article is how powerful media companies have expanded copyright via laws and bullying over the years. And meanwhile they’ve also made it harder to get permission. There is no central repository of who owns what work and you’d need lawyers to figure things. Why bother.

— Mattnad, nj

Recommend Recommended by 0 Readers

29. March 23, 2009 8:58 am

Link

It’s not just Warner Music. Several years ago, I made a video for my class about Pearl Harbour Day. The video consisted of photos and live radio broadcast of the attack followed by a photo of FDR and audio of his “day of infamy” speech, all of which was presumably in the public domain. The effort came out pretty well, so I uploaded it to YouTube, where it’s been since.

When I referred a student to it recently, I was shocked to discover that all audio had been removed due to “copyright violations”. I’d gathered the media from “free content” sources - there should have been no problems.

YouTube’s dispute process consists of pushing an “I dispute this” button - no explanation or discussion allowed. But I disputed the finding anyway. A couple days later, I recieved a notice stating that somebody (no word on who) had re-reviewed my video and confirmed the violation, so the entire video was removed from YouTube. Once again, no further explanation and no chance to respond.

Unless Warner Music now owns the rights to presidential speeches and 70-year old news broadcasts, my video was removed unfairly. The fact that YouTube’s appeal process is a sham doesn’t help matters. Once again, in their zeal to over-protect media, record companies and their cronies are attacking and alienating...
As Rights Clash on YouTube, Some Music Vanishes – Readers' Comments – NYTimes.com

30. March 23, 2009 8:58 am
This is why the behemoth record companies are dying. Greedy and no vision. Bad combo.

— avatar, hudson valley ny

31. March 23, 2009 8:58 am
On the one hand I respect the rights of musicians and composers. They deserve compensation for their efforts. On the other hand I do dearly love to watch and listen to vids on youtube. There must be a way to satisfy both.

— samdon, n.j.

32. March 23, 2009 8:58 am
I don’t see how there’s a clash of “rights” -- copyright owners are the only ones with “rights,” and others have “desires,” “wishes,” and “complaints.”

The others also have a realistic understanding of where the profits and commerce of music can be found. So copyright owners ignore those wishes at their peril.

But “rights” aren’t in conflict here. . . .

— muleboy, Washington DC

33. March 23, 2009 8:58 am
I've answered questions from many a you-tube commenter asking "What is that song? I want to buy it". It's hard to believe that you-tube isn't helping music sales.

— T, East Lyme, CT

34. March 23, 2009 8:58 am
I find those videos of amateur artists singing to the camera so obnoxious and off-putting . . . I think their removal is a great thing.

— Taylor, Boston

35. March 23, 2009 8:58 am
How good is the algorithm? I wonder if it will detect the song if I sing it completely off-tune.

Somebody please correct me on this but I believe that song samples 30 seconds or shorter are still permitted, right? Anyone who had a shorter than 30 second clip that got taken down?

Thanks.

— Kushal H, Marshall, Texas

36. March 23, 2009 8:58 am
I have made many videos over the years using Apple's very easy to use software. I've taken raw material I have personally shot and/or used photos provided by others. I then chose popular music for my soundtracks. I'm sure what I have
done is exactly what Apple had in mind when it first popularized the idea of amateurs making their own videos with relative ease. My videos are somewhat sophisticated, require a lot of work & I enjoy showing them to friends. Very recently I had videos removed from my Facebook page for the very reasons your article cited. Only my friends were allowed to view my videos and I don’t sell them for profit. I don’t see how anyone benefits by the actions taken by Facebook. If anything, the songwriters are getting some more exposure their work. In any event, perhaps Facebook, YouTube and similar sites could make some arrangement with the labels to pay some kind of broad, general copyright fee which would allow users like me to post my work. It is the these web sites which receive the advertising revenue after all. It seems everybody would benefit. The web sites would have more interesting & entertaining material to post. The copyright owners would make a buck. The songwriters would have their music played & appreciated in another venue. Finally, people like me could continue making videos for fun, but not profit. Sounds like a solution to me.

— Leo Dymkoski, Carriacou, The Grenadines

Copyright and other intellectual property rights are not natural rights. They're legal rights created by legislature. Those rights must be reexamined and if necessary revised to meet the needs of a changing culture.

— Blues Rider, Gotham

So Eric Clapton plays with the Allman Bros. Band at the Beacon Theatre in New York City on March 19, 2009, and technology being what it is today, there are dozens of recordings going up over the weekend on YouTube. I did not go and could only watch it on YouTube. Little Wing brought tears to my eyes. Any person who wants to commoditize that.....Art is priceless.

— TJHillgardner, Jamaica NY

Warner has a right to protect its music. However, Warner must also realize that it is a dinosaur in a new media age.

Warner must adapt its business model to meet the demands of tech savvy customers and understand that file/peer sharing is here to stay.

— Linus, Mt. Hope, Trinidad & Tobago

While new editions of classical scores may have copyrights slapped on them, most of the music itself (at least of the 19th century and earlier) is long out of copyright.

One fact about the Electronic Frontier Foundation would have been worth mentioning: It has offered to help at least some of those who would “like to counternotice but are afraid of getting sued.” They seem to be looking for test cases rather than offering to help all comers, but still, they might be of use to victims of this spat.

— Andrew Slayman, Denver, CO
41. March 23, 2009 8:56 am
Stealing is stealing no matter how you dress it up and "giving music back to the people" is just hot air coming from the wrong end

— Ariel, Boston

42. March 23, 2009 8:58 am
#1. The answer is simple: one is a faction controlling the population in efforts to maintain cultural purity; the other is an organization fighting to retain lawful rights to their property.

To infer music copyright holders are Taliban is part of the issue, as is the "Music is free and for the people." It's not free, and copyright holders are not Taliban. (Perhaps it'll be more clear should you ever be in a position to copyright a work.)

There are any number of solutions to this problem. Some are enumerated here. However, this particular issue seems to smack of two giants flexing their muscles - new media battling old - for their stake in the future of entertainment.

— Tone, NY

43. March 23, 2009 8:59 am
If the video performer bought the sheet music, he or she paid the copyright fee to the owner and can sing it whenever and wherever they want.

— Jim Ball, Chicago

44. March 23, 2009 9:26 am
As #18 aptly points out, giving someone a copyright for their lifetime plus 70 years is ridiculous. Is there any area other than creative endeavors which gives such protection. The answer is no, and there is no place in the world besides the USA that gives such protection. The consequence is most often that the creators work is not heard. The reason for the extensive protection here is that the record, film manufacturers demanded it of a Congress that they had bought and paid for. The really sad thing is that they have effectively limited their market by overcharging for everything that they produce. At one time music was affordable to any purchaser, but with the advent of cds and dvds the prices went through the roof and the number of recordings, etc., purchased plummeted.

Creative expression of genius will not disappear no matter how many free recordings there are; the old chestnut is true, "Talent does what it can, genius does what it must."

We need to legislate changes in our copyright laws now. If you are a genius, you will produce product continually, so it will be unnecessary to keep paying you for your entire lifetime. As to your estate, 70 years of societal largess is ridiculous.

— Joel L. Friedlander, Plainview, New York

45. March 23, 2009 9:26 am
I remember in 1985--this is a true story--in 1985 a promoter for Warner/Electra/Atlantic in my town told me "rap music is a fad it will never last" and he had been in the business for about 10 years.

I see they still think that way over there...

— Mike W, Cleveland, Ohio
These laws are highly uneven. When Beck, for instance, samples from little-known artists, he gets a free pass, because he is taking something that is generating no money and making it profitable for the people who influence these laws, the major record labels.

A little girl singing a Christmas carol and posting it for free viewing makes a funny target when we think that bands cover well-known songs all of the time and charge a fee to see them perform them live. Is Warner Music going to start visiting bars and clubs to make sure that local nobodies sing only their own music?

I think a nobody should team up with a radicalized, signed pop group, post the nobody's song to be sampled or otherwise used by the radicalized pop stars and see how far prosecution of copyright laws will take that nobody. My guess is that a large sum would be offered to shut them up and make the law unenforceable when it comes to protecting the nobodies.

— liz, U.S.