



NMS509/ENG409 Special Topic: **Writing & Intellectual Property in the Digital Age** w/ Shaun Slattery

Winter 2008

Wednesday, 5:45-9pm, 143 McGaw Hall ([campus map](#))

Course website on Blackboard <<http://oll.depaul.edu/>>

Instructor:

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Course Overview & Goals

In “Writing & Intellectual Property in the Digital Age” we will examine practices of knowledge production, dissemination, use, and protection in the age of digital technology and culture of remix. In particular, we’ll explore intellectual property (IP) as both a legal term and social construct that differs across social contexts and the role of technology in generating, accessing, and using intellectual property in ethical ways. Students will also explore related concepts such as fair use, plagiarism, piracy, public domain, file-sharing, digital rights management software, and new alternatives to full copyrighting (e.g. Creative Commons). This examination will happen through readings from differing perspectives and actual practice in producing, remixing, and copyrighting material.

Required Materials

We will make extensive use of the Blackboard course management system <<http://oll.depaul.edu/>>. Assigned readings and all other course materials will be available on the Internet or from the course site (usually in .PDF format, so have a recent version of [Adobe Acrobat Reader](#)). Because of this, regular access to the Internet and campus computing labs is necessary. (If you have no access from home and plan only to come to campus for class, this course may prove difficult.)

Assignment Overview

Reading Responses

Course readings will form the major “information” for the course and much class time will be

devoted to class discussion of the readings. For each assigned reading, you should post a thoughtful, detailed response to the Discussion Board on Blackboard. These responses should demonstrate your engagement with the concepts presented in the readings and serve to jump-start class conversation.

Topic Activity

After selecting an IP topic of particular interest to you, you will work with a partner to determine an in-class activity to help inform your classmates about the topic while raising awareness of the ethical dilemma surrounding the topic. Activities should take between 15 minutes to half an hour.

Copyright & CC your work

You will mimic the process (fill out and submit to me the forms) of copyrighting your work and releasing it with a Creative Commons permission.

Personal IP statement

You will create a personal statement of your attitudes and behaviors as a creator and (re)user of IP.

IP Use & Rationale

You will submit work that uses content produced by another. You must make decisions about whether/how to cite the work and write a rationale of your decisions to accompany your submission.

IP Policy Letter to a Decision Maker

You will write a letter about an IP policy that directly affects you to someone in a position to do something about it. This letter must both inform and persuade.

Course Policies

The majority of my course policies are based upon professional courtesy -- treating one another as professionals in the workplace.

Attendance & Participation Policy

As a graduate class, your regular attendance, contribution to discussions, and attentive participation in in-class activities will directly contribute to the value of the course for you and your peers. Likewise, I understand that we are adults with multiple responsibilities and must prioritize accordingly. However, your participation and in-class activities comprise a significant portion of your final grade. Perfect attendance will be rewarded with 2 bonus points added to your final grade in the class. If you know you will miss a class, please extend me the professional courtesy of emailing me ahead of time.

Assignment Policies

Because we meet only 10 times, having work ready to submit and discuss on time will be very important. On the day an assignment is due, please upload your file to Blackboard's Digital Drop Box. I am able to open most Microsoft file types as well as other standard formats (.rtf, .html, .pdf). Because we will often discuss assignments you submit, make a version available to view in class to facilitate discussion. I will respond to work with comments via email, either summative or by inserting commentary in the document and returning it to you.

Grading

Minor homework and in-class assignments will be evaluated holistically on a 4-point scale: check plus, check, check minus, or 0. Graded assignments will be evaluated based upon clearly-stated criteria.

Assignments

Reading Responses	20%
Topic Activity	15%
Copyright & CC your work	10%
Personal IP statement	15%
Remix with statement	15%
Letter to a decision maker	15%
Participation	10%

Academic Integrity

The DePaul Student Handbook <<http://studentaffairs.depaul.edu/homehandbook.html>> defines your responsibilities as a student. You are responsible for familiarizing yourself with these policies. Of particular concern in any writing course is the issue of plagiarism. We will discuss plagiarism explicitly: what it is and when, how, and why to cite others' work. The student handbook defines plagiarism here (section B.2): <http://studentaffairs.depaul.edu/handbook/code16.html>

For this class, the penalty for plagiarism will be a failing grade. Academic Integrity Disciplinary Procedures are outlined here: <http://studentaffairs.depaul.edu/handbook/code17.html>

Other Policies

Working with Peers

A great deal of your work will be shared with your classmates in order to 1) generate the best ideas possible through collaboration and 2) hold you to a high standard of performance because others will see your work. You will also be allowed to work collaboratively with peers on projects.

Learning Disabilities

Students with a documented learning disability should notify me so we may make academic accommodations.

Completing the Course

This course is structured to enable successful completion of assignments in the time allotted. I will not consider issuing an "Incomplete" for this class except in the most extreme circumstances.

#	Date	Subject	Due
1	Jan 9	course overview, self-introductions, activity	nil
2	Jan 16	Exigency: Infringement nation	<p>reading response:</p> <ul style="list-style-type: none"> • Tehranian, John. 2007. Infringement nation: Copyright reform and the Law/Norm Gap. Utah Law Review, 3, 537-549. (BoingBoing post introduction; full PDF: http://www.turnergreen.com/publications/Tehranian_Infringement_Nation.pdf) • "Copyright Basics" US Copyright Office: <http://www.copyright.gov/circs/circ1.html> • <i>Skim</i> the full law (2.5 Mb .PDF) <http://www.copyright.gov/title17/circ92.pdf> • <i>Optional:</i> Wikipedia Article "Copyright" <http://en.wikipedia.org/wiki/Copyright> <p>homework:</p> <ul style="list-style-type: none"> • Visit the many links on this schedule and the Topics list (available under Class Notes) to get ideas for Special Topic Interest areas. Come to class with any additional topic areas you're interested in. • Read "Infringement Nation" and begin keeping track of examples of infringements you perform for discussion in class.
3	Jan 23	Intro/Overview: Copyright law and practice	<p>reading response:</p> <ul style="list-style-type: none"> • Aoki, Keith, James Boyle, and Jennifer Jenkins. 2004. <i>Tales from the Public Domain: BOUND BY LAW?</i> Durham, NC: Duke Law School. <http://www.law.duke.edu/cspd/comics/digital.php> • Wikipedia Article "Fair use" <http://en.wikipedia.org/wiki/Fair_Use> • Wikipedia Article "Public domain" <http://en.wikipedia.org/wiki/Public_domain> <p>homework:</p> <ul style="list-style-type: none"> • Email your top three "topics" choices (#1, #2, #3)
4	Jan 30	Class visit: Mark Schultz! Digital IP	<p>about Mark:</p> <ul style="list-style-type: none"> • SIU Faculty Profile: http://www.law.siu.edu/fac_staff/schultz/index.htm • Fair Use Blog (Mark co-authors): http://thefairuseblog.typepad.com/ • Author of "Copynorms" reading for next week <p>reading response:</p> <ul style="list-style-type: none"> • Wikipedia Article "Digital Millennium Copyright Act" <http://en.wikipedia.org/wiki/Digital_Millennium_Copyright_Act> • U.S. Copyright Office summary of the DMCA: <http://www.copyright.gov/legislation/dmca.pdf> <p>assignment 1: Copyright & CC your work</p>
5	Feb 6	Society/Culture and IP Practice	<p>reading response:</p> <ul style="list-style-type: none"> • Schultz, Mark F. 2006. Copynorms: Copyright law and social norms. In Peter Yu, ed., Intellectual property and information wealth. Greenwood. [download .PDF here: http://ssrn.com/abstract=933656] <p>in-class activities: tba</p>
6	Feb 13	Society/Culture and IP Practice	<p>reading response:</p> <ul style="list-style-type: none"> • Signal/Noise 2k5 Creative Revolution? Briefing Book. Harvard University, 2005. <http://cyber.law.harvard.edu/events/SignalNoiseBBFINAL.pdf>

			<p>in-class activities: tba</p> <p>assignment 2: Personal IP Statement</p>
7	Feb 20	Implications/Directions of IP Practice	<p>reading response:</p> <ul style="list-style-type: none"> Chapter 10 "Property" (p.116-173) from: Lessig, Lawrence. 2004. <i>Free Culture</i>. New York: Penguin Press. <http://www.free-culture.cc/freeculture.pdf> <p>in-class activities: writer's strike, tattoos</p>
8	Feb 27	Authorship & Plagiarism	<p>reading response:</p> <ul style="list-style-type: none"> Intro & Chapter's 1 & 2 of: The Construction of Authorship: Textual Appropriation in Law and Literature (.PDFs under Class Notes) For introduction/overview, read Wikipedia "Plagiarism" http://en.wikipedia.org/wiki/Plagiarism (sections 1 Sanctions - 3 Organizational publications) and browse DePaul's Academic Integrity page http://academicintegrity.depaul.edu/ particularly the definition of plagiarism http://academicintegrity.depaul.edu/Resources/Students/index.html#aiDefinitions <p>in-class activities: anxiety of influence, plagiarism</p> <p>assignment 3: IP Use & Rationale</p>
9	March 5	Piracy, File-sharing, DRM	<p>reading response:</p> <ul style="list-style-type: none"> Steal This Film <http://video.google.com/videoplay?docid=3636669624532830059> (44:43) Wikipedia Article "Copyright infringement" <http://en.wikipedia.org/wiki/Copyright_infringement> Wikipedia Article "Digital rights management" <http://en.wikipedia.org/wiki/Digital_rights_management> <p>in-class activities: music, DRM</p>
10	March 12	last day wrap up formal course eval	<p>assignment: IP Policy Letter to a Decision Maker</p>

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Assignment 1:



Goal

To learn the process of exercising your rights to protect and/or release your work for use by others.

What to Do

- Choose an original work of yours to C & CC (written, visual, or audio)
- Fill out the necessary Copyright Registration forms: <http://www.copyright.gov/register/>
- Read about the Creative Commons licensing options and choose one: <http://creativecommons.org/license/>
- Bring to class:
 - Your completed copyright forms
 - Two printed versions of a portion of the work (cover page, website post, etc.) identifying both copyright and CC licensing

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Assignment 2: Personal IP Statement

Goal

To articulate your personal IP ethic -- how you intend to use the work of other and how you would have others use your work.

Think of this document as a mild manifesto / code of ethics identifying your attitudes toward IP. This blog post inspired the assignment, but is not a model (scroll to 2nd article, excuse questionable content):

<http://blog.nataliedee.com/journal.php?user=natalie&id=400&readcomment=1>

What to Produce

- 1 full, single-spaced page with 2 main sections (other sections ok)
 - Your thoughts on using others work
 - Your thoughts on others using your work

Depending on the kind of work you use or produce (creative writing, websites, digital art, etc.), include discussion of several of the issues we've addressed in class (e.g. public domain, fair use, attribution, C and/or CC, derivative/transformative work, etc.).

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Assignment 3: IP Use & Rationale

This assignment asks you to use others' intellectual property and make decisions about whether and how to acknowledge the original sources. For this assignment, you must:

Create an Artifact that Uses Another's IP:

You should **select or create an artifact** (written, visual, audio, or video) that **includes content from another source** (ranging in scope from derivative work to brief allusion).

You might use **significant portions** of another's work by producing a derivative work, collage, pastiche, [remix](#) or [mashup](#) ([in any medium](#)), **OR only a small amount** in the form of quotes, samples, or allusions as part of another rhetorical goal (e.g. a review, blog post, lesson plan, etc.).

The submitted artifact should be **modest in scope** (so either a portion of a longer work or shorter entire works -- a page or so if written or visual; a few minutes in length if audio or video).

The artifact **may acknowledge source content** (through mention, "according to Smith"; citation, "[Smith, 2006]"; indication, "Image from Smith.org"; etc.) **OR NOT**. If the artifact would typically include some meta-commentary (e.g. an "artist's statement", text on a webpage that contains the work, or the "About this Video" sidebar to a YouTube video) that might include acknowledgement of source content, you should submit that also.

Write a Cover Memo:

In a 1-2 page, single-spaced memo to me, you should **identify the sources** of content you used and **provide a rationale for whether and/or how you acknowledged sources**. This rationale should be framed in terms of your Personal IP Statement, conventions of the genre of your remix, copynorms of the producer/user populations, as well as the ethicality/legality of your decisions. For example, if you've produced a parody that is protected under "fair use" explain how non-acknowledgement is appropriate; if you've produced a journalistic article, explain why mentioning the source ("according to Smith") is appropriate. [[Memo Format](#)].

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Assignment 4: Letter to a Decision Maker

To practice participating in the making of IP policy, you will write a letter to someone involved in the process. For this assignment, you must:

Identify an IP Policy: The IP policy might be as large as [Canada's DMCA](#) or small as a local organization's guidelines on [logo use](#) ([academic integrity](#) statements are ok, too). Look within your [workplace](#) or [profession](#) for IP policies.

Identify an Issue, Take a Stance, Articulate What's at Stake: You should identify a portion of that policy that affects or interests you. You may challenge or support the policy's stance on the issue. Your letter will need to articulate your stake in the issue, identify how your concerns figure into the policy's broader context, and persuade the reader of the consequences of the policy (and therefore, persuade them to action).

Identify a Decision Maker: To increase the likelihood of your bringing about change, you should address your letter to someone who is in a position to influence that policy.

Write a 1-2 page, single-spaced [business letter](#) that:

- Identifies the policy you're writing about
- Clearly states what portion of the policy you approve or disapprove of *AND WHY*
- Suggests an action for the decision-maker should take (change policy, endorse policy, vote pro/con, etc.)

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Assignment X: Topic Activity

After being assigned to your topic group and activity due date, exchange email address with your team members. You will work together to create an in-class activity that meets the following criteria:

- Lasts no more than 1/2 hour
- Briefly introduces the topic
- Introduces us to a case, example, or situation that exemplifies an IP problem or challenge in the topic area
- Asks the class, either in groups or individually, to engage in an activity that requires us to struggle with and/or reason through the problem or challenge
- Includes a handout with:
 - the brief topic intro
 - the statement of the problem/challenge
 - a brief description of the activity
 - a list of resources for further investigation

(your handout may include other info as well)

Tips:

- Your introduction (of the topic and/or example) can be facilitated by handouts PowerPoint
- There are only enough computers for us to work in groups of 2-3