**561**

St. Colmcille, who was regarded as one of Ireland’s most well known patron saints, visited his teacher’s house to borrow a book. It was a religious book, and Colmcille created a handwritten copy of it. However, his teacher was not so pleased about this because he considered it theft of his book, even though he still had his own copy. He was so upset about it that he brought the case over to Diarmaid, the High King of Ireland. The King sided with Finnian (the teacher) under the principle that no man could copy another man’s property. The exact words used were “to every cow belongs its calf, to every book, its copy”. Colmcille was adamant that he should be allowed to copy the book, and so a battle ensued. The king’s army was defeated and Colmcille won, meaning that he was allowed to keep his copy of the book that he had made.

**1710**

Copyright law first comes into existence in England. This occurred when British publishing companies found out that competing companies in Ireland and Scotland were copying their authors’ manuscripts, reprinting them, and then selling them for lower prices. The British publishers thought this was unfair because they felt that the works belonged to them, and because these works had value, they should be sold for what they are worth. In other words, groups who have no right to print them should not be able to sell them for a lower price. The public sentiment of the British was on the side of their own publishers. They thought that certain piracy laws needed to be enacted in order to protect their publishers and books. The laws that were drafted gave authors the sole right to make copies of their work for fourteen years after the first copy was published. After that period, their right would be relinquished, the work would enter the Public Domain, and anyone would be free to make and sell copies of it. This gave the publishing companies an economic incentive to keep publishing books. If anyone could make copies, there would be no reason for anyone to buy books made by the publishing company as opposed to any vendor who was selling them. It is important to note that the period that the authors had the sole right to copy their own books was only fourteen years. In modern times, one generation is typically considered to be thirty years, so it is interesting how little time these authors had the rights to their books. Perhaps it was because lifetimes and generations were shorter in those days, or maybe the British government did not realize that fourteen years was a short time until those years were up.

**1791**

The First Amendment to the United States Constitution is adopted. It permits freedom of speech and freedom of the press. This allows participatory cultures and virtual communities on the Internet to develop and flourish in the form of forums, blogs, social networks, apps, and fan sites.

**1906**

John Philip Sousa, one of America’s favorite musical composers, went to the Library of Congress in Washington to testify about America’s copyright laws. At the time, the copyright system in the United States was relatively relaxed. Sousa wanted Congress to fix what he considered to be a serious defect in the copyright laws. Under the current rules, manufactures and vendors of phonograph records could create and sell copies of Sousa’s records for their own profit. They earned all of the money from the sale of these copies without having to pay him a single cent. To him, this was a form of piracy. The copyrights on his work gave him an exclusive right to control the public performance of his work, any copies of sheet music for his work, and any documents created from his work. Some of his income came from these copyrights as well. Sousa’s concerns were not unreasonable, however. During the turn of the 20th century, many new technologies emerged for creating and distributing music, such as the piano and the phonograph. The significance of these new inventions was that the average person, as long as they could afford these mechanisms, could easily replicate Sousa’s songs in their own homes. In prior times, only members of the elite had this privilege. The copyright laws at the time did not provide guidelines for how replication of music through modern technology should be handled. Sousa was not only concerned about music being replicated for free- he was concerned about the quality of the music that would be played in public. He was used to people singing songs rather than playing them, and he worried that with the new technology, this art would be lost. As people learned how to play these new instruments, most people would want to listen to a select few play them rather than attempt to play or create new music of their own. He worried that because of this, musical creativity would be lost and everyone would gather to hear certain people play his songs on these instruments. Also, he would not earn any money from these playings.

**1928**

The Walt Disney Company uses synchronized sound in their Mickey Mouse cartoons. Technically, they took the technology from the movie The Jazz Singer. Mickey Mouse himself was based off of another character called Steamboat Willie. Many of Disney’s movies, which came out in various later decades, took concepts and ideas from each other as well.

**1933-1954**

In December 1933, Edwin Howard Armstrong was issued four patents for frequency-modulated (FM) radio. Prior to this, most Americans listened to amplitude-modulated (AM) radio. Armstrong discovered that, in a wide band of spectrum, FM radio could produce an astonishing sound. In November 1935, he demonstrated the new technology at a meeting of the Institute of Radio Engineers in New York’s Empire State Building. The audience was able to hear a broadcast from Yonkers, which is 17 miles away from the city. They were astonished that they could hear such clear sound from so far away. There was an issue with Armstrong inventing this technology, however. At the time he invented it, he was working for RCA, which was the nation’s leading provider of AM radio. David Sarnoff, the CEO of RCA, was originally excited about FM radio because he thought that Armstrong had just invented a way to remove static from AM radio. However, when he found out that Armstrong’s new technology had the potential to compete with AM radio, he was very displeased. If RCA started losing customers to FM radio, not only would they lose revenue; they would lose the virtual monopoly they had over the industry. In other words, RCA believed that they had the “right” to the industry, and they were mad that someone “copied” or created a variation of AM radio. They eventually got the government involved, and in 1936, the FCC began to “castrate” FM radio. FM could no longer be broadcast from one part of the nation to another. Armstrong, in defense of his technology, resisted RCA’s efforts. In response, RCA resisted his patents. Although they incorporated FM technology into television, they declared his patents for the technology to be invalid. They refused to pay him royalties, and Armstrong fought in the courts in defense of his patents for six years. In the early 1950s, his patents expired, and RCA offered him a settlement so low that it did not even cover his lawyers’ fees. Defeated and broke, Armstrong jumped to his death in 1954.

**1945**

Two North Carolina farmers, Thomas Lee and Tinie Causby, became angry when their chickens started dying because they were afraid of the airplanes flying over their property. The question that arose in the Supreme Court was this- did the farmers have a right to the air space above their land? Could they restrict airplanes from flying over their farm? The answer, to both questions, was no: the air is a public space, and they only had the right to the land, not the space above it.

**1995**

In the Supreme Court case McIntyre Vs. Ohio Elections Commission, which protected the right to engage in anonymous political leafleting, the Court said “an author’s decision to remain anonymous, like other decisions concerning omissions or additions to the content of a publication, is an aspect of the freedom of speech protected by the First Amendment”. This means that the Court believes that authors of content have a right to privacy in the sense that they can remain anonymous in their publications.

**1997**

In the Supreme Court case Reno vs. ACLU, the Court described the Internet as a “new marketplace of ideas” in defense of striking down a federal law that regulated sexually explicit content on the Internet, which was still emerging at the time. This may seem surprising, considering that the material is deemed inappropriate by most, but the Court believed that people had the freedom to spread their ideas on the Internet, given that these ideas were not dangerous.

**1999**

SilviaO, a Colombian singer, donated an a cappella track that she sung to a remixing website. Another user remixed the song to the point where the words had no meaning, and the original song was barely recognizable. The point of the website was to create new music from material that already existed, and it was completely legal. It was a reflection of the new way that music was being created during this time period.

**2000-2007**

Greg Gillis created the band Girl Talk in 2000. Some of the band’s music included mash-ups from famous and licensed artists such as Elton John, The Notorious BIG, and Destiny’s Child. All of the music samples in his remixes were obtained without permission. Technically, what Gillis is doing is considered a crime, but he has not been prosecuted for his acts.

**2007**

In February, a woman named Stephanie Lenz posted a video of her 18-month-old son on YouTube. During the video, he was dancing to a Prince song, whose copyrights are owned by Universal Music Group. In order to defend itself against copyright piracy, the company wanted to threaten Lenz. It sent out a letter to YouTube ordering that the video be taken down because it was an “unauthorized performance” of Prince’s music. Although the quality of the video was terrible, and it was very unlikely that anyone would actually download the music from that video. In other words, there was no way that Prince or Universal would be harmed by an innocent woman posting a video of her baby dancing on the Internet. When Lenz discovered that her video had been taken down from YouTube, she wondered what she had done wrong. She asked that question to the Electronic Frontier Foundation, who handles many cases like this. Were the time and the money for Universal to hold a legal meeting in order to discuss this truly necessary? Although it seemed harmless, Lenz could have been charged with a $150,000 fine if the video had not been taken down. Because YouTube removed it, she was not charged, but she could not view the video online anymore.

**2007**

An art museum in London had an exhibit that displayed twenty-five people singing an entire John Lennon album from 1970. The exhibit was on display for the entire summer. Similar exhibits existed in Jamaica, Germany, and Italy. Their singing abilities were average at best, but the emotion in their voices were very strong, as they idolized the singer. Candice Breitz, who created the exhibit, set out to secure permission from the copyright holders of the album to use it in her exhibit. She was told that the image of Lennon could not be used in this project, but she corrected the lawyers and stated that she only wanted to display ordinary people singing his music. Breitz and the lawyers spent months negotiating over this, but the arguing was not worth the time. As of the publication of Lessig’s “Remix”, no final argument has been reached.