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**FROM THE OFFICES OF LESLEY ELLEN HARRIS**

Copyright, New Media Law & E-Commerce News

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Contents:

1. Studies, Legislation and Conventions
    - U.S. IP Enforcement Annual Report
    - Canadian Copyright Reform Bill C-32 Update
  2. Legal Cases:
    - Australian ISPs' Responsibility for its Users
    - Photobucket Protected by DMCA
    - Google Books Settlement Rejected
  3. Of Interest:
    - WIPO Director on Future of Copyright
    - Copyright Law Myths and Facts
    - World Intellectual Property Day
    - Twitter @Copyrightlaws
  4. Seminars and Publications:
    - Copyright Newsletter 2011
    - Education Opportunities
- 
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## 1. STUDIES, LEGISLATION AND CONVENTIONS:

U.S. IP ENFORCEMENT ANNUAL REPORT - The 2010 U.S. Intellectual Property Enforcement Coordinator Annual Report on Intellectual Property Enforcement is now available. See [www.whitehouse.gov/sites/default/files/omb/IPEC/ipec\\_annual\\_report\\_feb2011.pdf](http://www.whitehouse.gov/sites/default/files/omb/IPEC/ipec_annual_report_feb2011.pdf).

CANADIAN COPYRIGHT REFORM BILL C-32 UPDATE – Bill C-32, An Act to amend the Copyright Act, which was introduced into the Canadian House of Commons on 2 June 2010, has now died. This bill updated the 1924 Canadian Copyright Act and aimed to modernize Canadian copyright law and bring it up to the minimum standards in the two WIPO digital copyright treaties.

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## 2. LEGAL CASES:

AUSTRALIAN ISPS' RESPONSIBILITY FOR ITS USERS - In the recent appeal decision in Roadshow Films Pty Ltd. v iiNet Limited [2011] FCAFC 23, the Full Federal Court (Australia) did not find iiNet liable for copyright infringement. The main question posed by this case was whether an ISP (iiNet) could be found liable for its users' copyright infringements. Two guiding principles came out of this decision. First, ISPs do not have an absolute defense against being held liable for its users' infringing copyright. Second, 2. ISPs will have to take reasonable actions, including suspending a customer's account, when presented with clear evidence of copyright infringement.

PHOTOBUCKET PROTECTED BY DMCA - In Wolk v. Eastman Kodak et al., visual artist Sheila Wolk sued Photobucket and its partner Kodak alleging that her illustrations were uploaded to the photo-sharing network without her permission. The court found that Photobucket was immune from liability under the "safe harbor" of the U.S. Digital Millennium Copyright Act (DMCA).

GOOGLE BOOKS SETTLEMENT REJECTED – A long awaited decision by a New York federal district court has now rejected the controversial settlement stemming from a lawsuit against Google Books by the Authors Guild et al. Decision at <http://www.scribd.com/doc/51327711/google-books-settlement>.

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### 3. OF INTEREST:

WIPO DIRECTOR ON FUTURE OF COPYRIGHT - WIPO Director General Francis Gurry recently spoke of the challenges facing copyright as it tries to find a balance between the availability and accessibility (e.g., at affordable prices) of cultural works for users while ensuring adequate economic remuneration to creators and performers. See [www.wipo.int/pressroom/en/articles/2011/article\\_0005.html](http://www.wipo.int/pressroom/en/articles/2011/article_0005.html).

COPYRIGHT LAW MYTHS AND FACTS – A new quiz that tests your knowledge about what is truth and what is a myth with respect to copyright law. See <http://www.copyrightlaws.com/international/copyright-law-myths-and-facts-test-your-copyright-knowledge/>.

WORLD INTELLECTUAL PROPERTY DAY – A worldwide celebration of intellectual property is planned each year by WIPO. The date this year is 26 April 2011 – a poster, postcard and bookmark may be downloaded from [www.wipo.org](http://www.wipo.org) and used to help educate and raise copyright awareness.

TWITTER @COPYRIGHTLAWS – Lesley Ellen Harris recently began tweeting @copyrightlaws. In 140 characters or less...Copyright info in plain English, education, training, management, books, articles and more. Just trying to make copyright accessible and fun! See <http://twitter.com/#!/copyrightlaws>.

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### 4. SEMINARS AND PUBLICATIONS:

COPYRIGHT NEWSLETTER 2011 - *The Copyright & New Media Law Newsletter* is entering its 15th year of publication in 2011. This quarterly is published in April, June, September and November. April 2011 issue includes articles on Copyright and Ethics, Copyright and For-Profit Colleges (by Donna L. Ferullo), Digital Rights Management for Museums (by David Green), and the 112<sup>th</sup> U.S. Congress and Copyright (by Anthony J. Roda.) Free sample copy at <http://www.copyrightlaws.com/the-copyright-new-media-law-newsletter/>.

EDUCATION OPPORTUNITIES – 1. Beginning 6 April 2011, online course on Library and Special Library Issues. 2. Beginning 3 May 2011, online course on Copyright Law Principles in a Global Information Society. 3. From 23 – 27 May 2011, The Copyright & Licensing Institute at Catholic University of America (CUA) in the SLIS program. 4. Self-paced online courses on digital licensing and licensing electronic courses available year-round through American Library Association. See <http://www.copyrightlaws.com/courses/>.

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This newsletter is prepared by Copyright Lawyer Lesley Ellen Harris. Lesley is the author of the books Canadian Copyright Law, 3<sup>rd</sup> ed. (McGraw-Hill), Digital Property: Currency of the 21<sup>st</sup> Century (McGraw-Hill), Licensing Digital Content: A Practical Guide for Librarians, 2<sup>nd</sup> ed. (ALA Editions), and A Canadian Museum's Guide to Developing a Licensing Strategy (Canadian Heritage Information Network). Lesley edits the print newsletter, The Copyright & New Media Law Newsletter. Lesley may be reached at [www.copyrightlaws.com](http://www.copyrightlaws.com).

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If you are looking for further topical and practical information about copyright law, obtain a sample copy of the quarterly newsletter, The Copyright & New Media Law Newsletter, from [editor@copyrightlaws.com](mailto:editor@copyrightlaws.com).