

CONTESTED CULTURE



THE IMAGE, THE VOICE, AND THE LAW
JANE M. GAINES

Contested Culture The Image The Voice And The Law

Jonathan Auerbach



Contested Culture The Image The Voice And The Law:

Contested Culture Jane Gaines,1991 Jane M Gaines examines the phenomenon of images as property focusing on the legal status of mechanically produced visual and audio images from popular culture Bridging the fields of critical legal studies and cultural studies she analyzes copyright tr **Contested Culture: The Image, the Voice, and the Law**,1999

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Cultural Analysis, Cultural Studies, and the Law Austin D. Sarat,Jonathan Simon,2003-07-03 This interdisciplinary collection demonstrates the purchase of cultural studies frameworks for thinking about legal questions beyond the reach of the Law Economics framework **The Cultural Life of Intellectual Properties** Rosemary J. Coombe,1998-10-13 An ethnography of intellectual property discussing the uses made of items of intellectual property by various cultural groups for purposes of identity solidarity resistance and so forth The Commercial Appropriation of Personality Huw Beverley-Smith,2002-08-15 Commercial exploitation of attributes of an individual's personality such as name voice and likeness forms a mainstay of modern advertising and marketing Such indicia also represent an important aspect of an individual's dignity which is often offended by unauthorized commercial appropriation This volume provides a framework for analysing the disparate aspects of the problem of commercial appropriation of personality and traces in detail the discrete patterns of development in the major common law systems It also considers whether a coherent justification for a remedy may be identified from a range of competing theories The considerable variation in substantive legal protection reflects more fundamental differences in the law's responsiveness to commercial practices and different attitudes towards the proper scope and limits of intangible property rights *Copyright and Fundamental Rights in the Digital Age* Oreste Pollicino,Giovanni M. Riccio,Marco Bassini,2020-10-30 This timely and thought provoking book explores how the protection of copyright in the digital age requires a reconsideration of how this is balanced with other fundamental rights and freedoms Analysing the impact of the rise of digital technologies and the internet on copyright regimes it particularly focuses on the effects of recent reforms to the EU's legal framework for the protection and enforcement of copyright **Truth and Lives on Film** John T. Aquino,2022-06-17 As early as the Silent Era movie studios were sued over depictions of real people and events Filmmakers have always altered the details of true stories and actual persons living or dead to make narratives more workable and characters more compelling When truth and fantasy become inextricably mixed the effect on people's lives can be significant even devastating This expanded second edition presents an updated history of legal issues surrounding the on screen embellishment of reality with a focus on important court decisions and the use of disclaimers Seventeen courtroom

dramas are given fact versus fiction analyses and the *The Perfect Storm* 1991 is covered in extensive detail A concluding chapter is devoted to actors who became so identified with fictionalized characters that they sought exclusive rights to those personas

Body Shots Jonathan Auerbach, 2007-10-09 Auerbach places the body at the center of cinema's first decade of emergence and challenges the idea that for early audiences the new medium's fascination rested on visual spectacle for its own sake

Intellectual Property Law Lionel Bently, Brad Sherman, 2014 Intellectual Property Law is the definitive textbook on this subject It clearly sets out the law in relation to copyright patents trade marks passing off and confidentiality whilst enlivening the text with illustrations and diagrams

Circulation and Control Marie-Stéphanie Delamaire, Will Slauter, 2021-10-08 The nineteenth century witnessed a series of revolutions in the production and circulation of images From lithographs and engraved reproductions of paintings to daguerreotypes stereoscopic views and mass produced sculptures works of visual art became available in a wider range of media than ever before But the circulation and reproduction of artworks also raised new questions about the legal rights of painters sculptors engravers photographers architects collectors publishers and subjects of representation such as sitters in paintings or photographs Copyright and patent laws tussled with informal cultural norms and business strategies as individuals and groups attempted to exert some degree of control over these visual creations With contributions by art historians legal scholars historians of publishing and specialists of painting photography sculpture and graphic arts this rich collection of essays explores the relationship between intellectual property laws and the cultural economic and technological factors that transformed the pictorial landscape during the nineteenth century This book will be valuable reading for historians of art and visual culture legal scholars who work on the history of copyright and patent law and literary scholars and historians who work in the field of book history It will also resonate with anyone interested in current debates about the circulation and control of images in our digital age

Law in the Domains of Culture Austin Sarat, Thomas R. Kearns, 2009-11-10 Explores the relationship between culture and law

Introduction to Managing Digital Assets Diane M. Zorich, 1999-06-10 As the use of electronic networks becomes more ubiquitous in the cultural and educational community issues of management communication and distribution increase in complexity Within this digital environment options and strategies regarding an institution's intellectual and cultural property take on critical importance *Introduction to Managing Digital Assets* reviews the traditions of rights administration and content distribution in various creative sectors and identifies common structures and functions within these organizations The book explores the relationships among the provider the rightsholder and the user highlighting issues of particular relevance to cultural and educational communities The *Introduction to* series acquaints professionals and students with the complex issues and technologies in the production management and dissemination of cultural heritage information resources

Authors in Court Mark Rose, 2016-06-06 Mark Rose uses case studies to show how gender and gentility have influenced the self presentation of authors in court and how the personal styles public personas and histories of novelists

dramatists poets photographers and cartoonists have influenced the development of legal doctrine around issues of copyright

Star Authors Joe Moran, 2000-02-20 In America authors are as likely to be seen on television talk shows or magazine covers as in the more traditional settings of literary festivals or book signings Is this literary celebrity just another result of dumbing down Yet another example of the mass media turning everything into entertainment Or is it a much more unstable complex phenomenon And what does the American experience tell us about the future of British literary celebrity In *Star Authors* Joe Moran shows how publishers the media and authors themselves create and disseminate literary celebrity He looks at such famous contemporary authors as Toni Morrison J D Salinger Thomas Pynchon Don DeLillo John Updike Philip Roth Kathy Acker Nicholson Baker Paul Auster and Jay McInerney Through an examination of their own work biographical information media representations and promotional material Moran illustrates the nature of modern literary celebrity He argues that authors actively negotiate their own celebrity rather than simply having it imposed upon them from reclusive authors such as Salinger and Pynchon famed for their very lack of public engagement to media friendly authors such as Updike and McInerney *Star Authors* analyses literary celebrity in the context of the historical links between literature advertising and publicity in America the economics of literary production and the cultural capital involved in the marketing and consumption of books and authors

Modernism and Copyright Paul K. Saint-Amour, 2011 How was modernism shaped from its beginning by intellectual property law What role did the law's imperial and transatlantic asymmetries play in modernism's dissemination How did various modernists exploit reform and evade copyright And how is the study of modernism today being affected by expanding copyright regimes *Modernism and Copyright* is the first book to take up these questions A truly multi disciplinary study it brings together essays by scholars of literature theater cinema music and law as well as by practicing lawyers and caretakers of modernist literary estates Its contributors methods are as diverse as the works they discuss Ezra Pound's copyright statute and Charlie Parker's bebop compositions feature here as do early Chaplin films *EverQuest* and the Madison Avenue memo As our portrait of modernism expands and fragments *Modernism and Copyright* locates works such as these on one of the few landscapes they all clearly share the uneven terrain of intellectual property law

Technological Economy Don Slater, Andrew Barry, 2005-07-15 In this major new collection leading experts explore the multidisciplinary connections between technology and economy drawing on new convergences between economic sociology and science and technology studies Through theoretical and empirical studies the authors investigate economics and economic knowledges as technologies the economies as socio technical arrangements the nature of innovation the role of technological mediations in representing and performing economies This revealing book ideal for those with an interest in contemporary social theory interrogates the evidence for the contemporary claims about the emergence of the new economy and knowledge based economies and sheds new light on the relationship between economy and culture

Popular Music Simon Frith, 2004 Popular music studies is a rapidly expanding field with changing emphases and agendas The music

industry has changed in recent years as has governmental involvement in popular music schemes as part of the culture industry. The distinction between the major record labels and the outsider independents has become blurred over time. Popular music as part of this umbrella of the culture industry has been progressively globalized and globalizing. The tensions within popular music are now no longer between national cultural identity and popular music but between the local and the global. This four volume collection examines the changing status of popular music against this background. Simon Frith examines the heritage of popular music and how technology has changed not only the production but the reception of this brand of sound. The collection examines how the traditional genres of rock pop and soul have broken down and what has replaced them as well as showing how this proliferation of musical styles has also splintered the audience of popular music.

The Color of Creatorship Anjali Vats, 2020-09-29. *The Color of Creatorship* examines how copyright trademark and patent discourses work together to form American ideals around race citizenship and property. Working through key moments in intellectual property history since 1790, Anjali Vats reveals that even as they have seemingly evolved, American understandings of who is a creator and who is an infringer have remained remarkably racially conservative and consistent over time. Vats examines archival legal political and popular culture texts to demonstrate how intellectual properties developed alongside definitions of the good citizen, bad citizen and intellectual labor in racialized ways. Offering readers a theory of critical race intellectual property, Vats historicizes the figure of the citizen creator, the white male maker who was incorporated into the national ideology as a key contributor to the nation's moral and economic development. She also traces the emergence of racial panics around infringement, arguing that the post-racial creator exists in opposition to the figure of the hyper-racial infringer, a national enemy who is the opposite of the hardworking innovative American creator. *The Color of Creatorship* contributes to a rapidly developing conversation in critical race intellectual property. Vats argues that once anti-racist activists grapple with the underlying racial structures of intellectual property law, they can better advocate for strategies that resist the underlying drivers of racially disparate copyright, patent and trademark policy.

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