

DISTINGUISHED VISITOR IN INTELLECTUAL PROPERTY LECTURE

Fair Use in the United States: Transformed, Deformed, Reformed?

Professor Jane C. Ginsburg

Morton L. Janklow Professor of Literary and Artistic Property Law
Columbia University School of Law

Chairperson: Professor David Tan
Vice Dean (Academic Affairs), NUS Law

TUESDAY, 12 NOVEMBER 2019

6.30 PM - 8.00 PM

AUDITORIUM, BLOCK B LEVEL 3, NUS LAW (BUKIT TIMAH CAMPUS)

Since the US Supreme Court's 1994 adoption of "transformative use" as a criterion for evaluating the first statutory fair use factor ("nature and purpose of the use"), "transformative use" analysis has engulfed all of fair use, becoming transformed, and perhaps deformed, in the process.

First deployed to assess whether the challenged use resulted in a work that transformed the copied material with "new meaning or message," transformative use evolved into transformative purpose, enabling a variety of technological fair uses that copied entire works without accompanying commentary, criticism or other substantive intervention in the work's content. Lately, however, the fair use pendulum's outward swing may have arrested, as courts express greater skepticism concerning what uses actually "transform" content copied into new works or repurposed into copyright-voracious systems.

This lecture will examine the flow and eddy of the US fair use trajectory, and will consider whether the US experience might offer useful guidance (or cautionary tales) to other jurisdictions, notably Singapore, which are considering adopting or expanding fair use-type copyright exceptions.



ABOUT THE SPEAKER

Jane C. Ginsburg is the Morton L. Janklow Professor of Literary and Artistic Property Law at Columbia University School of Law, and Faculty Director of its Kernochan Center for Law, Media and the Arts. She teaches Legal Methods, Copyright Law, International Copyright Law, and Trademarks Law, and is the author or co-author of casebooks in all four subjects, as well as of many articles and book chapters on domestic and international copyright and trademark law. A graduate of the University of Chicago (BA 1976, MA 1977), Professor Ginsburg received a JD in 1980 from Harvard, where she was an editor of the Harvard Law Review, and a Diplôme d'études approfondies (1985) and a Doctorate of Law (1995) from the University of Paris II. She is a Corresponding Fellow

of the British Academy, a Member of the American Philosophical Society, a Member of the American Academy of Arts and Sciences, and an Honorary Fellow of Emmanuel College, University of Cambridge.

PROGRAMME

- 6.00pm : Registration
- 6.30pm : Introduction & Welcome
- 6.45pm : Lecture & Q&A
- 8.00pm : Dinner Reception

REGISTRATION

There is no registration fee for this lecture but seats are limited.

Visit <https://nus.edu/2NbbjWt> or Scan the QR Code below to register by 31 October 2019 (Monday) 5.00 PM



CONTACT PERSON

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Public CPD Point: 1 (TBC)
Practice Area: Intellectual Property
Training Level: Foundation

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