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AUTHORS' RIGHTS AS A LIMIT TO COPYRIGHT CONTROL

ABSTRACT:

The critiques of copyright are manifold. Author's rights are often seen by critics as part of the problem. Authors' rights pose threats to recoders, or remixers of prior works. While copyright is intended to support the production of creative works, it threatens to restrict that production where the creative works depend upon previous works. By contrast, this paper will argue that authors' rights can be part of the solution to copyright's excesses. Recoders are themselves authors. Giving full recognition to authors' rights will deepen the protection that must be given to recoders for their expression. Strengthening authors' rights will aid the author in a conflict against a copyright owner. Authors' rights also will aid the recoder in a conflict against the copyright owner, and against the 'primary' author.