

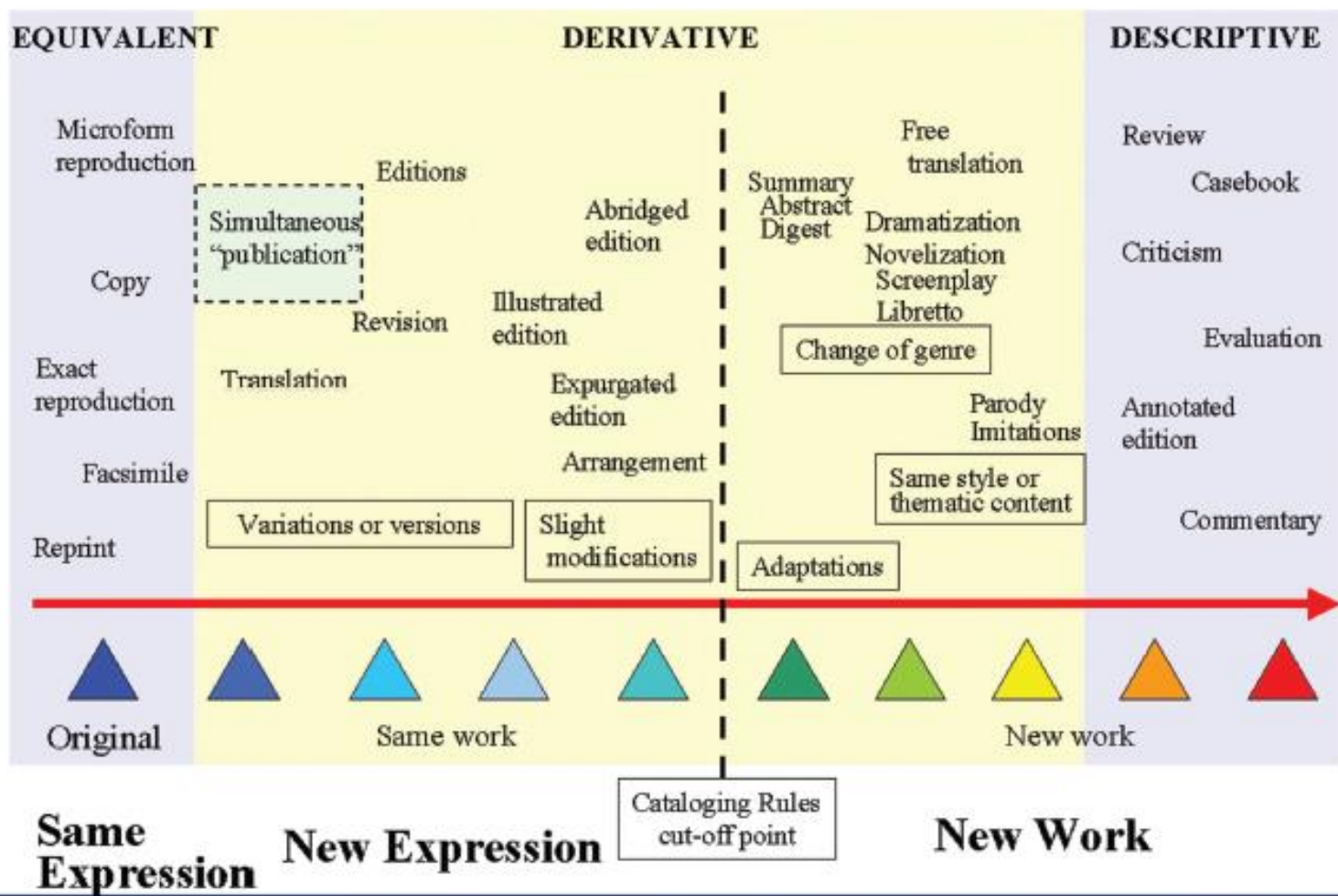
Copyright Issues in Derivative Work: An Analysis of Translation, Abstract and Parody

Presented by Izzy Zhang
at NLS9 Symposium on 6 July 2019

Introduction

- ▶ Dr. Barbara Tillett - analysing cataloguing rules
- ▶ Identified seven types of bibliographic relationships - foundational relationship in FRBR
- ▶ Among them, the equivalent, derivative and descriptive relationships - content relationships

FAMILY OF WORKS



- ▶ First published in *Relationships in the Organization of Knowledge* (2001), p. 23 “Bibliographic Relationships” by Barbara B. Tillett, Figure 2 © 2001 Kluwer Academic Publishers Boston.
- ▶ Reprinted in *What is FRBR? : A conceptual model for the bibliographic universe* by Barbara Tillett, Library of Congress Cataloguing Distribution Service

Copyright Issues in Translation

- ▶ Should not be carried out unless authorized by the copyright owner
- ▶ May be eligible for its own copyright, but not fully independent
- ▶ Work for hire
- ▶ Negotiate their rights to royalties
- ▶ Computer-generated translations

Translate a work in public domain

This translation first published in the United States of America by Viking Penguin,
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Published in Penguin Classics 2009

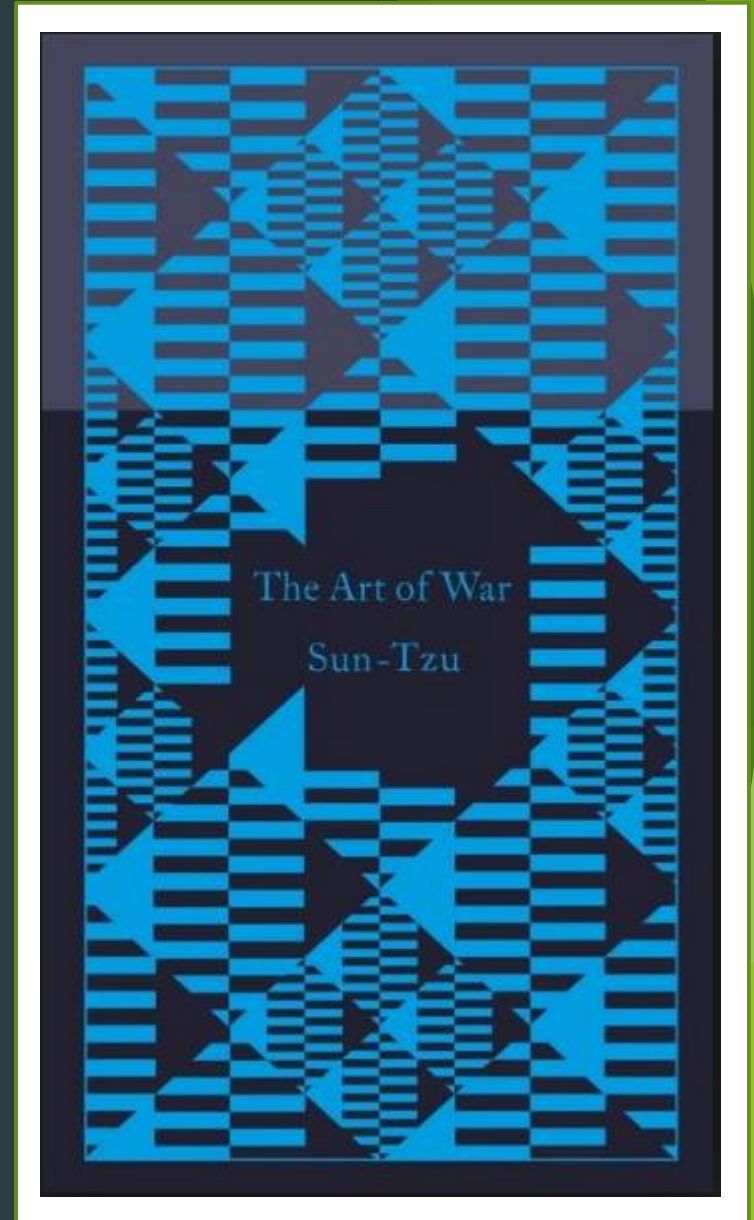
This edition first published in Penguin Classics 2014

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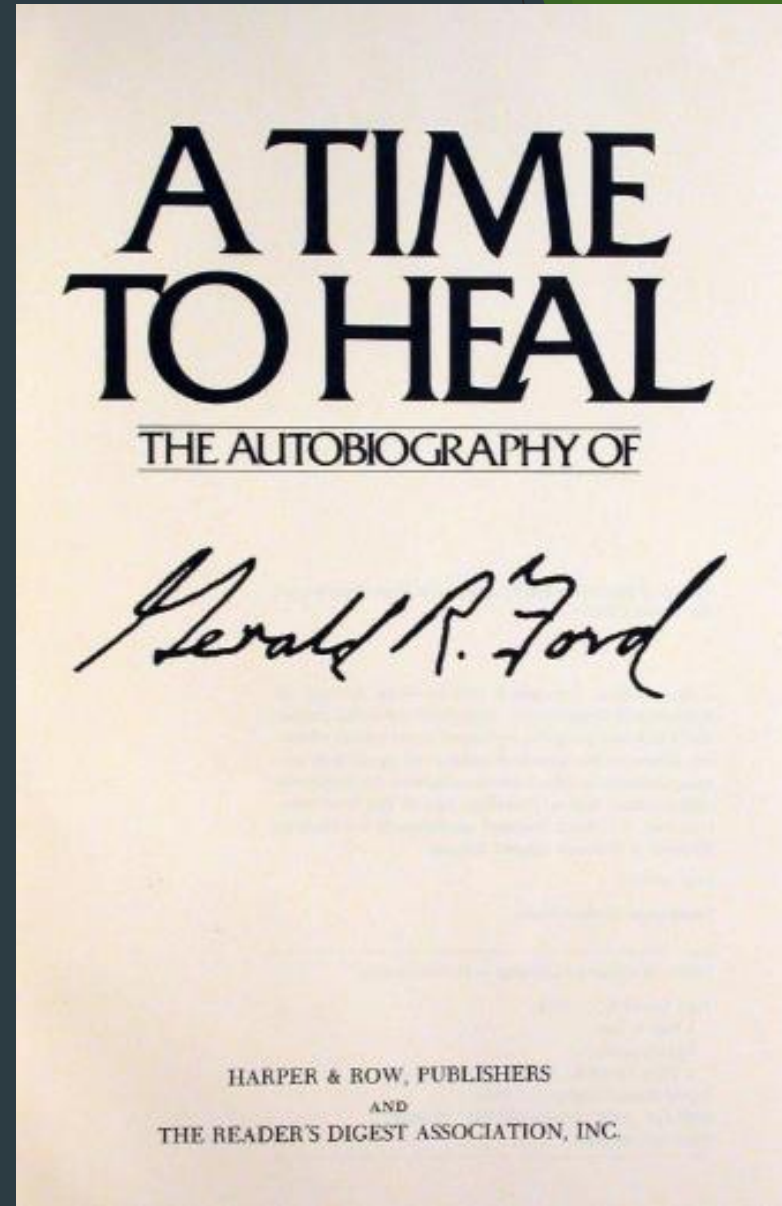
The moral right of the translator has been asserted



Copyright Issues in Summary/Abstract

- ▶ Created by the author of the original work
- ▶ Created by a third party
- ▶ Strategies to defend fair use, if a summary or abstract was created by a third party

Harper & Row v. Nation Enterprises



Copyright Issues in Parody

- ▶ Hot debate
- ▶ Has to contain significant amount of copyrighted material
- ▶ Hard to get the permission

Campbell v. Acuff-Rose Music Inc



Legislation regarding Parody

- ▶ United States
- ▶ Australia
- ▶ New Zealand

- ▶ Copy,
- ▶ Reprint,
- ▶ Exact reproduction
- ▶ Facsimile
- ▶ Microform reproduction
- ▶ Digital reproduction

- ▶ Simultaneous Publication
- ▶ Translation
- ▶ Edition & Revision

- ▶ Abridged Edition
- ▶ Illustrated Edition
- ▶ Expurgated edition
- ▶ Annotated edition

- ▶ Summary & Abstract
- ▶ Dramatization, Novelization, & Screenplay

- ▶ Free translation
- ▶ Parody & Imitations
- ▶ Review, Criticism, Evaluation & Commentary

▶ Original

▶ Variation & versions

▶ Slightly modification

▶ Adaptations & Change of Genre

▶ New work