

Copyright Infringement Assignment

1. List Z. Sailor's rights in a suit against V. Climber by code section.

Z. Sailor reserves the rights to protect his literary works (§102), claim authorship for his works (§106A), prevent unfair use of his works (§107), bring suits against copyright infringements (§501).

2. Using the facts, explain how the rights support or do not support Z. Sailor's side of the case.

Sailor is the author of an original work that is protected by a registered copyright.

Sailor hired Climber to produce a derivative work, making him the owner of the derivative work.

Climber did not give due credit to Sailor.

3. List Z. Sailor's rights in a suit against National Magazine by code section.

Z. Sailor reserves the right to claim/receive proper credit for authored/owned works.
(§106A)

3. Using the facts, explain how the rights support or do not support Z. Sailor's side of the case.

National Magazine unknowingly attributed false credit to V. Climber.

4. List V. Climber's rights by code section.

Allowance for derivative works (§103). Fair use (§107).

5. Using the facts, explain how the rights support or do not support V. Climber's side of the case.

§103, as well as Sailor's hiring of Climber, give the ability to create derivative works. Plus, §107 permits the public to use a protected work in a fair manner.

- **Explain the remedies available to Z. Sailor if he succeeds in the lawsuit against V. Climber.**

Z. Sailor can take legal action against an infringer (§501), seize and dispose of (through the courts) any materials that contain the infringements (§503), recover the damages suffered as a result of the infringement/ the related profits of the infringer (§504), and be compensated for legal/attorney fees (§505).

- **Explain if rights have been transferred to V. Climber for production of the play.**

Transfers must be documented in some form of memorandum (§204). Receiving a copy of a work does not denote a transfer of copyright ownership (§202). Any of the protected rights could have been transferred separately (§201).

- **Explain if Z. Sailor succeed in a lawsuit against National Magazine.**

Z. Sailor could sue National Magazine for failing to attribute proper credit. If this case was won by Sailor, the magazine company would likely seek to blame Climber in a lawsuit of their own.