Internet piracy and other copyright issues

By Bill Frazier ©2013

I have made the comment in past installments of these articles – and it’s not original with me – that the internet is the biggest copy machine in the world. Anything posted on any of the social networks, such as Facebook, for example, becomes public information. The individual posting the information may not intend it to be public, but that is the practical effect.

Posting is a form of broadcast or publica
tion in the legal sense. Much of it applies to the content of websites. Certainly, one may copy the images and the site itself, but once the content enters the ether of the internet, it is gone.

I have listened to different web-masters explain how the images are protected, but I have yet to see a site that cannot be copied or hacked.

Internet piracy is a tremendous problem for artists posting their images on the internet, either on their own websites or those of gal-
leries. I sometimes think artists do not realize that once something is posted on the internet, it goes all over the world instantly. This includes many countries that do not honor our laws and treaties and civilized concepts of intellectual property rights. Of course, it will come as no surprise to such countries are the primary villains in the pirate of internet images.

The best I can advise is that if you have particular images that you absolutely do not want anyone else using, keep them off webs-
ites. At the same time, I do realize that the internet is a major marketing tool for many artists. I understand that some artists are not concerned by the threat of piracy and copyright infringement.

There is pending in the U.S. House of Representatives the “Stop Online Piracy Act” (SOPA) H.B. 3261. It has not yet passed. It is designed to bolster the Digital Millennium Copyright Act passed in 1996 and provide additional law enforcement powers to govern-
ment agencies in addressing piracy of intellec-
tual property.

While there is much support for the bill’s passage, there are also many opposed who believe that it will violate First Amendment rights. In any case, the issue is before Congress.

The U.S. Copyright Office has added a link on internet piracy on its website (www. copyright.gov) and there is much information, pro and con, to be found on the internet about both of the above acts. I recommend also the Copyright Office website for much useful information on copyright issues generally, especially the frequently-asked-questions sec-

ion. It even tells how to protect evidence of your sighting of Elvis!

More scams

Scams directed at artists and other busi-

ness people continue to develop. A new one appears to come from London, seeks to share financial data for some unarticulated reason, and seems to be an attempt at money launder-
ing. Another one, directed at art galleries and

other nonprofit organizations, is from a woman

seeking financial information to enable her to make donations to charitable organizations in the community. Again this appears to be an attempt at money laundering in a com-

mercial nefarious activity. I doubt there is a legitimate intent to donate to charitable organizations. I continue to encourage people to look at these solicitations from the standpoint of com-

mon sense and good judgment. As so many have cautioned over the years, if it sounds too good to be true, then it probably is.

When in doubt, don’t copy

At nearly every seminar I teach, a partici-

pant will argue with me that he is entitled to use a certain percentage of another’s work without it being an infringement, and that there is a formula allowing this use. That is not the case and there is no such formula as I have explained so many times in these articles.

I quote from the Copyright Office explana-
tions: “Under the fair use doctrine of the U.S. copyright statute, it is permissible to use lim-

ited portions of a work, including quotes, for purposes such as commentary, criticism, news reporting, and scholarly reports. There are no legal rules permitting the use of a specific number of words, a certain number of musical notes, or a percentage of a work’s day. In other words, particular uses qualify as fair use depending on all of the circumstances.

• The nature of the copyrighted work;

• The amount and substantiality of the por-
tion used in relation to the copyrighted work as a whole;

• The effect of the use upon the potential market for, or value of, the original copy-
righ
ted work;

• Perhaps I am more sensitive to the issue than the casual viewer, but I see so many cop-
ties of other work in art galleries and shows. Simply changing the color of a horse in a composition or substituting one Indian head-

dress for another, or changing the color of a garment is not acceptable.

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able term as chairman of the Montana Arts Council. He’s in private practice in Big Timber, and can be reached at 406-932-5453 or art.fo	m@touch.net. MAC thanks, Art of the West for permission to reprint this series.

You will be able to deal with tax struc-
tures in different states and countries and different shipping methods. And with other plug-ins, you can accept subscriptions with recurring payments, interface directly with UPS and FedEx for shipping options, and more.

In addition to the WooCommerce plug-
in, you will also need a payment proces-
sor that can handle credit and debit-card transac-
tions for you. But that can be one of many online companies that offer such services for a cut of the transaction amount, like PayPal and Google Wallet. Or ask your local bank if they offer third-party web pay-
ment systems.

Yes, learning an e-commerce system can be simple. But there is lots of help avail-
able in the forums at wordpress.org/support. And for WooCommerce products, go to www.

woothemes.com/support.

The bottom line is that with some work to get set up and with the help of WordPress and WooCommerce, you will be able to market, sell and ship your own artwork to anyone right from your website.

Next Issue: Selling art-inspired “branded” products on the web

Tech Talk: Got a website? Now for e-marketing

By Mark Raltride

Over the last three issues, I covered the steps of working with a Content Manage-
ment System called Word-

press in order to start a free – or inexpensive – website for yourself as an artist or for an arts organization.

Providing information about yourself or your organization on the web is, of course, the main reason for a website. Every year, the world becomes more and more technologically centric, and in order to keep up, you need to be on the web. Making sure those providing information is another important reason many artists make the move to the web to market and sell artwork.

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