0. True or False?
Copyright status is only granted to well-known authors and filmmakers?

**False.** Copyright is granted to anyone who records an original creative work in a fixed, tangible form.
Sam buys a new band's CD but decides he doesn't like the singer, so he resells the CD on eBay. That's legal?

**True.** Reselling a CD that you bought is legal according to the First Sale Doctrine.
The sole purpose of copyright is to make authors money and protect them from getting their works stolen?

**False.** Copyright was established to encourage the growth of science, education, and the arts.
Amy uses a peer-to-peer (P2P) file-sharing program to upload photographs she took at camp so her friend can download them. That's copyright infringement?

**False.** Sharing your own original work using peer-to-peer file-sharing technology is legal.
Amy’s Friend uses a peer-to-peer file-sharing program to download Amy's pictures. That's copyright infringement.

**False.** Amy took the pictures, so she's the copyright holder, and she's given her friend permission to download?
Jason copies the entire last chapter from the final Harry Potter book to his commercial blog without any additional commentary. Since he only used part of the work, Jason would be protected by fair (use) dealing?

False. Fair dealing is limited to the following purposes: research and private study (both must be non-commercial), criticism, review, and news reporting.
Kathy downloaded a few photos from Flickr.com's Creative Commons (CC) pool. She follows the rules the photographer's specific CC license states and uses them in her digital video. That's OK?

**True.** Kathy can legally use the photos as long as she follows the rules of the license.
True. According to the MPAA, they've trained two black Labradors named "Lucky" and "Flo" to sniff out DVD piracy.
Dave finds a peer-to-peer (P2P) network that offers free music downloads. He owns all but one of his favourite band's CDs, and he finds that particular CD on the network. He downloads the songs. He's not committing copyright infringement?

**False.** Unless Dave has permission from the copyright holders (band/publisher/songwriter etc.) it would be copyright infringement.
Paula read an interesting article about the making of the film Titanic and wants to use a quote in her cinema review paper for journalism class. That's copyright infringement?

**False.** Since she's using a quotation for the purpose of scholastic commentary, it would be fair dealing.
Justin downloaded the horror classic Night of the Living Dead and decided to mix an audio sample from the film into one of his original songs. That's copyright infringement?

**False.** The copyright for Night of the Living Dead has expired and is now part of public domain. Justin is free to be as creative as he wants.
Richard forgot to register his screenplay before he sent it out for review, he's no longer eligible to copyright it?

**False.** Copyright protection is automatic once your original work is in a fixed, tangible form.
1. Terms
Copyright

What do you think it is?

The law gives the creators of literary, dramatic, musical, artistic works, sound recordings, broadcasts, films and typographical arrangement of published editions, rights to control the ways in which their material may be used.
Plagiarism

What do you think it is?

we will come back to this one, to pass others work off as your own
What do you think it is?

Freedom of speech is the freedom to speak freely without censorship or limitation.
What do you think it is?

Fair Use

Contrary to the often stated view, the provisions of section 29 of the CDPA do not restrict the amount of a literary, dramatic, musical or artistic work that may be copied for the purposes of non-commercial research or private study to a "reasonable proportion" of the work or to single copies of the work, where the copies are made by the researcher or student himself. Such restrictions only apply to copies made by or on behalf of a librarian (by virtue of s. 40), or by a person, other than the researcher or student himself, who knows or has reason to believe that "it will result in copies of substantially the same material being provided to more than one person at substantially the same time and for substantially the same purpose" (by virtue of parag. s. 29(3)b).

For copying beyond the boundaries of fair dealing, universities and schools in the UK obtain licences from a national copyright collective, the UK Copyright Licensing Agency (CLA). Under these licences, multiple copies of portions of copyrighted works can be made for educational purposes.
Public Domain

What do you think it is?

After 1774, the public domain was born. For the first time in Anglo-American history, the legal control over creative works expired, and the greatest works in English history—including those of Shakespeare, Bacon, Milton, Johnson, and Bunyan—were free of legal restraint.

Works are in the public domain if they are not covered by intellectual property rights at all, if the intellectual property rights have expired,[1] and/or if the intellectual property rights are forfeited.

http://www.archive.org/
File Sharing
P2P peer to peer software
software NOT illegal – as long as you are the rights holder or the rights are waived
the best way to distributed films, sound etc over the web
Piracy

well the MPAA would have you believe it is...
Anti piracy advert at the start of DVDS you cant skip :D
what we are interested in is how this term is used in conjunction with copyright law
2. History

http://www.free-culture.cc/freecontent/
Monopoly

Tuesday, 6 November 12
monarch to grant monopolies over particular industries to skilled

Act was introduced in the reign of James I in response to abuse of the previous system whereby the king could grant of arbitrary monopolies for the production of particular goods or the provision of particular services by letters patent to the detriment of commerce. The act attempted ineffectively to mitigate the many previous grants of monopolies of trade.

favourite insiders - buying rights
Statute of Monopolies

King Henry VIII granted a patent to print the Bible and a monopoly to Darcy to print playing cards.

In 1656, it passed the Statute of Monopolies, limiting monopolies to patents for new inventions.

Many believed the power the booksellers exercised over the spread of knowledge was harming that spread, just at the time the Enlightenment was teaching the importance of education and knowledge spread generally. The idea that knowledge should be free was a hallmark of the time, and these powerful commercial interests were interfering with that idea.

**monopolies where about granting patents to guilds by the crown or government to control – printing for example**

The last law regulating publishers, the Licensing Act of 1662, had expired in 1695. That law gave publishers a monopoly over publishing, as a way to make it easier for the Crown to control what was published. But after it expired, there was no positive law that said that the publishers, or “Stationers,” had an exclusive right to print books.
Statute of Anne

Bought in to sort out the monopolies - for copyright

1710, the year that the British Parliament adopted the first “copyright” act
copyright term of fourteen years, renewable once if the author was alive, and that all works already published by 1710 would get a single term of twenty-one additional years.
Tuesday, 6 November 12
1710, the year that the British Parliament adopted the first “copyright” act
copyright term of fourteen years, renewable once if the author was alive, and that all works already published by 1710 would get a single term of twenty-one additional years.

Incentive to create - after 14 years entered the public domain so others could use it, build on it
created a healthy public domain
3. Copyright Law today

http://www.free-culture.cc/freecontent/

1909 – onwards
1962 – extended existing works
1976 – life +50
1998 – sonny bonny – mickey mouse protection work (95 for existing works)

11 times in 40 years
Copyright, Designs and Patents Act 1988

life + 70 in most cases

life + 50 (across Europe)
copyright – is all wrapped up in these other laws!
Rather confusing
Copyright is automatic

One of the important changes was effected by the Duration of Copyright and Rights in Performances Regulations 1995 which implemented Directive 93/98/EEC (with the exception of Article 4) on the duration of copyright and related rights in the UK. This harmonised the term of protection for copyright throughout the EU.

incentive for revenue - no - long copyright does not pan out for creators
4. Myths

http://www.copyrightservice.co.uk/copyright/copyright_myths

beware – answers are from the UK copyright service
Copyright can protect my ideas

1. Copyright can protect my ideas
Copyright applies to a recorded work, it cannot apply to something as intangible as an idea. Within certain fields, (such as inventions) it may be possible to apply for a patent.
Because copyright applies to the actual recorded work – documents, music, artwork, etc., if a competitor used your copyright work, (i.e. copied or adapted your promotional literature or stole content from your website to promote their own product), this would be an infringement and you could certainly take action, but there is little you can do to prevent someone else creating their own work based on a similar idea as long as they are not copying your work to do so.
I can simply post a copy to myself as proof of copyright

3. I can simply post a copy to myself as proof of copyright
This method (sometimes called ‘poor man’s copyright’), may help in some cases, but it is extremely poor evidence as it is very easy to fake – for example by replacing the actual materials inside at a later date.
The main problem if you send your work to yourself via courier or the postal service (including recorded/tracked and signed for services) or use any other system which requires you to store the work yourself, is that there is no verifiable evidence to say that the contents have not been swapped.
For more on this, our page dealing with poor man's copyright and other ‘alternatives’ may be worth a look.
Everything on the Internet ‘public domain’ and free to use

This highlights a common misunderstanding about what is meant by ‘public domain' when referring to copyright work. A work will fall into the public domain once copyright expires, this will typically be many years after the author’s death. While work published on the Internet may be publicly accessible, it is certainly not in the public domain.
Anything without a copyright notice is not protected

Copyright will apply whether there is a copyright notice or not.
In the US, a notice was required to retain copyright on works published before January 1st 1978, but this was the exception not the norm, and is certainly no longer the case. Also, once the US signed up to the Berne convention, US law was amended, and the use of copyright notices became optional on work published from March 1st 1989.
Having said this, it is still certainly worth placing a copyright notice on your work. A copyright notice reminds others that copyright exists, and may therefore help to deter infringement.
Further reading: Copyright notice fact sheet
If I change someone else’s work I can claim it as my own

6. If I change someone else’s work I can claim it as my own
The act of copying or adapting someone else’s work is a breach of copyright. Also any adaptation will be legally regarded as a derived work; so if you simply adapt the work of others, it will still be their work, and they have every right to object, (and are also entitled to any money you make from their work).
The only safe option is to create something that is not copied or adapted from the work of others. – this is a joke??
There is nothing to stop you being inspired by the work of others, but when it comes to your own work, start with a blank sheet and do not try to copy what others have done.
I can legally copy 10% without it being infringement

This is not the case. Unless it is explicitly allowed under fair use or fair dealing rules, any unauthorised use of copyright work can potentially lead to legal action. When using quotes or extracts, there is no magic figure or percentage that can be applied as each case must be viewed on its own merit. In cases that have come to trial what is clear is that it is the perceived importance of the copied content rather than simply the quantity that counts. Our advice would always be to seek permission before you use the work of others.
It’s OK to use copy or publish other peoples work if I don't make any money out of it
It’s hard to prove copyright infringement

This is not the case, copyright law is principally civil not criminal law. Civil law requires a lower burden of proof, actually making it easier to prove infringement. In a criminal case, the defendant is innocent until proven guilty beyond any reasonable doubt. However, in a civil case, the plaintiff must simply convince the court or tribunal that their claim is valid, and that on balance of probability it is likely that the defendant is guilty.
5. How is the law used today?

to promote innovation?? nope
copyright law is for the corporations. to make money
Example - Music Industry

copyright law is for the corporations. to make money
Rip – A remix manifesto clip http://www.opensourcecinema.org

The verve sued and sold to Nike
But history shows the rolling stones build on the past (stapel sistors)

Whole Lotta love – led Zeppelin & Muddy waters etc
Men at Work - Down Under - Official Music Video

http://www.youtube.com/watch?v=xhnn6yb4Mmc
Sydney Olympics
national anthem
Copyright law as we see it enacted today is not interested in creativity or creative technical development but it is used to lock up creative works for large periods of time in order to maximise profits from exclusive rights and in fact obstructing creativity. Those using copyright law most 'effectively' are corporations supposedly 'protecting' the artist.

Let's take one recent example. In 1983 Men at Work penned the hit 'Down Under' which reached number 1 in the Australian, UK and US charts in the 1980s and was played at the closing ceremony of the 2000 Sydney Olympics. It could be considered as an unofficial Australian anthem. However in Feb a federal court in Sydney ruled that the group plagiarised a campfire song 'The Kookaburra', written more than 70 years ago (1935) by the late Marion Sinclair, a teacher and girl guide leader. In 1990 Larrikin Music bought the rights to the song.

The Judges verdict - 'I have come to the view that the flute riff in 'Down Under' replicates in material form a substantial part of Ms Sinclair's work.'

Are we really to think that Marion Sinclair would have wanted to go to court against another national icon? Its worth noting that during the time she was alive no action was taken (you would have thought she would have been the first to notice) yet the action came a decade after her death by a corporation, and it was only when the Men at Work song was wrongly identified during a quiz show in 2008 that Larrikin Music even took action.

This should never have gone to court and if the need was there the ruling should have been 'Fair use'.

When asked how much money they wished to claim from Men At Work, Larrikin's solicitor replied, 'Obviously the more the better.'
Hold onto the old business model

nothing to do with the artists
touring is now coming back etc

- Business model may not be the same in 2009
- Touring. What tech give it takes away.
3. Why?

doi need to know all this ???

http://www.free-culture.cc/freecontent/
Culture always builds on the past
“If I have seen further it is only by standing on the shoulders of giants”

- Sir Isaac Newton
Rip – A remix manifesto clip http://www.opensourcecinema.org
Walt Disney took the classic tales and repackaged them for new generation
after his death the Walt Disney corporation ensured that the same could not happen to them
and not lose anymore
Mickey mouse has special discompensation never out of copyright
Warner Chappel own Happy Birthday – makes the millions of dollars a year

in america culture is owned by around 6 companies in total on which the Anti Piracy companies (2) look after MPAA and RIAA
also from Lawrence Lessig's final talk on Free Culture. http://blip.tv/file/680481/
© law is **bad** for creativity

not telling you to break the law but to think about what you are using and how you want to exercise your copyright.

copyright is not being used to promote innovation, create a healthy public domain

no filtering process, life + 70 is a huge timeframe.
Seek permission first – all barriers to innovation
Locks works up

its not about anti corporations but people forget the reach of copyright

film lost
no restoration or preserve – incase copyright holder come out
by the time the copyright extension has ended the film had turned to DUST.

half of pre (50%) 1950 features lost
80% of work before 1929

its everything that is wrapped up in copyright
Amateur culture?

CONTROL! just like the printing press! monopoly!!

NOT amateurish – democratisation
Copyright law does not promote, encourage

Copyright law is woefully out of date in the 21st Century digital era and needs a rewrite. The corporations who explicitly aim to "exploit" current copyright law are actually criminalising creativity.

We now have the ability to Share and Create like never before, this should be driving creativity and innovation yet copyright law designed to encourage further creativity and development is doing the complete opposite. Many will still argue that current copyright is the best way to protect rights and that the digital world of easy sharing is cutting into profits. Is this actually the case? As we noted earlier the figures from corporations are completely fictitious.
the remix

you can't sample! not allowed
You cant create things like this

http://www.youtube.com/watch?v=rNpoS6jOty4
George Bush Tony Blair – My Endless Love
not the technique

but what better way to say something to comment that video says more about the special relationship UK and US supposedly have than any journalism article

made by mikecozza69
democratisation

but you can say something
a cheap computer
writing for the 21st century
but you can say something
a cheap computer
writing for the 21st century
but you can say something
a cheap computer
writing for the 21st century
4. What can we learn from the Fashion Industry?
Fashions *dirty* little secret
Apparel design too utilitarian
designed to be useful or practical rather than attractive.

only Trademark
In the European Union’s Community Design System, apparel is protected, with a less stringent novelty standard than Japan. But despite a very strong “fast fashion” industry in the EU, including H&M and Zara, very few designers register their garments or take their cases to court. In turns out that the problem in the EU is that the novelty standard is too low. All a copyist needs to do is make a minute change to a registered design and then they can register it as their own.

Democratization of fashion • Faster establishment of global trends • Induced obsolescence • Acceleration in creative innovation

The last thing that fashion designers need is to become dependent on the same crutch that has crippled the media industries.
Democratisation of fashion

Faster establishment of global trends

Acceleration in creative innovation

Apparel design too utilitarian
designed to be useful or practical rather than attractive.

only Trademark

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The last thing that fashion designers need is to become dependent on the same crutch that has crippled the media industries.
food - recipes are instructions
furniture
Magic tricks
Hair Styles
Tatoos
Fireworks
rules of games
perfume
open Source software
5. What can we do?
Unlikely to change law…

so what can we do? digital rights bill etc etc
Gordon Brown– Fergal Sharkey meeting on luxury boats etc etc

google could not started in this country (fair dealing) Cameron says he will look at law but

Prior to its publication, the Hargreaves Report had been referred to as the 'Google review', after the search giant claimed that it could never have been founded in the UK because of outdated copyright laws.

Corporation’s lobby hard to keep long copyright as it makes them lots & lots of money
Changing law for start up and innovation seems last on the agenda.
Format Shifting and Remix

Tuesday, 6 November 12

Format shifting has been implemented in all European countries apart from the UK, the Republic of Ireland and Malta," said Susan Hall, media specialist at law firm Cobbets LLP.

The proposal will allow organisations, such as the BBC and British Film Institute, to use archive material that would previously not have been permitted to be shown because of doubt about ownership and will allow much freer creation of parodies, remixes and other spin-off works," said Ms Hall.

http://www.bbc.co.uk/news/technology-13429217
http://www.bbc.co.uk/news/uk-politics-11695416
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The review, which will report next April, will recommend changes to UK law, as well as long-term goals to be pursued by the British government on the international stage

The Digital Economy Bill was rushed into law in the dying days of the Labour government but has yet to be enacted

Hargreaves report
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The proposal will allow organisations, such as the BBC and British Film Institute, to use archive material that would previously not have been permitted to be shown because of doubt about ownership and will allow much freer creation of parodies, remixes and other spin-off works," said Ms Hall.
Do not break the law
Creative commons builds on copyright – lets you give permission first and find works that you can use, build upon and remix

as artists/designers we can take control of our works...

radiohead

nin

sita sings the blues

http://creativecommons.org/videos/a-shared-culture
http://creativecommons.org
http://wiki.creativecommons.org/Case_Studies
Questions?
6. And Finally
What is Plagiarism?

There are many definitions of what constitutes plagiarism, for example, the Oxford Online Dictionary defines plagiarism as:
"The action or practice of plagiarising; the wrongful appropriation or purloining, and publication as one's own, of the ideas, or the expression of the ideas (literary, artistic, musical, mechanical, etc.) of another."

Quick checklist

To be certain to acknowledge sources fairly and avoid plagiarising, review this checklist before beginning to write your essay and again after you have completed your first draft.

1. What type of source are you using: your own independent material, common knowledge, or someone else's independent material?
2. If you are quoting someone else's material, is the quotation exact? Have you used quotation marks for quotations run into the text? Have you set off block quotes with an extra space before and after the quote, single spacing within the quote, and left indenting of all lines of the block quote? Are omissions shown with ellipses and additions with square brackets?
3. If you are paraphrasing someone else's material, have you rewritten it in your own words and sentence structures? Does your paraphrase employ quotation marks when you resort to the author's exact language? Have you represented the author's meaning without distortion?
4. Have you acknowledged each use of someone else's material?
5. Do all references contain complete and accurate information on the sources you have cited?

Common Knowledge

The dates of Charlemagne's rule as emperor of Rome (800-814) and the fact that his reign was accompanied by a revival of learning — both facts available in many reference books — do not need to be acknowledged, even if you have to look up the information.
Plagiarism of...

writing

Tuesday, 6 November 12

turn it in software used to check every essay - so identify your sources correctly

harvard referencing

the practice of taking someone else's work or ideas and passing them off as one's own.

The University's regulations define plagiarism as: 'the reproduction or paraphrasing, without acknowledgement, from public or private (i.e. unpublished) material attributable to, or which is the intellectual property of another, including the work of students'.

footnotes or endnotes to identify your sources, whether internet sites, books, articles, scores, or anything else.


Quick checklist

(Reproduced with permission of Dr Stephen Morgan, Faculty of Economics and Commerce)

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Common Knowledge The dates of Charlemagne's rule as emperor of Rome (800-814) and the fact that his reign was accompanied by a revival of learning — both facts available in many reference books – do not need to be acknowledged, even if you have to look up the information.
Requirements for single file upload:

- File must be less than 20 MB
- The maximum paper length is 400 pages.
- File Types allowed: MS Word, WordPerfect, PostScript, PDF, HTML, RTF and plain text.

If your file exceeds 20 MB, read suggestions to meet requirements.
student

Blackboard

Turnitin

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wings of desire was a fantastic film directed by Wim Wenders and was later made in the rubbish holiday film City of Angels. The film is about invisible, immortal angels who populate Berlin and listen to the thoughts of the human inhabitants and comfort those who are in distress. One of the angel tires of overseeing human activity and wishes to become human when he falls in love with a mortal.

"He meets a circus acrobat and finds in her the fulfillment of all his mortal desires. He also discovers that he is not alone in making this cross over, and that a purely spiritual experience is not enough to satisfy anyone." Nell Rehn

The film is shot in black and white with Peter Falk the unlikely Angel turned human. The film is wonderfully paced and even stars Nick Cave. This could not be a better film and one that you should all own. Damiel (Bruno Ganz) and Cassiel (Otto Sander) are angels who watch over the city of Berlin, it is 2 hour's 10 minutes in length.

It is a remarkable modern fairy tale about the nature of being alive. The angels witness the all of human emotions, and they experience the luxury of simple pleasures a cup of coffee, a cigarette as ones who've never known them.
development methodology. Despite literature review for the study is described with justification in chapter three. Selection of the search terms, use of different databases with their description and critiquing appraisal tools are described in the methods chapter. Chapter five would be the results chapter in this, the first part of this chapter will provide a short summary of each selected paper and then the main part of this chapter will provide a summary critique of the research methods used in these papers. Detailed analyses of the critically appraised paper are given in chapter six of analysis with the mind map and thematic analysis of the study. Chapter seven is designed for the detailed discussion of the themes with comparisons to the literature reviewed in the earlier chapter of preliminary literature review and the implications of the study. Recommendations form the study are given in chapter eight and chapter nine consist of the detailed conclusion of study.

1.5

RESEARCH QUESTION: What role leadership has played in the development of Western health care systems? CHAPTER: 2 BACKGROUND / LITERATURE REVIEW

The purpose of this chapter is to provide an overview of leadership, leadership approaches and leadership development strategies of health care adopted by the Western countries to improve the health care management system. Main sections of this study are different leadership approaches in which different approaches and styles are discussed in accordance with the current leadership styles and approaches of the managers of health care system of developing countries especially of Pakistan, leadership in healthcare development which determines the current development of leadership in developed countries and continuous professional development (CPD) programs and curriculum for the leadership development adopted by the Western countries. 2.1 LEADERSHIP: "Leadership is a process whereby an individual influences a group of individuals to achieve a common goal" (Northouse 2007, p.4). It can be defined as the process in which many components are involved those are: group of people having same aims, power of influencing other peoples by the unique ideas and having best objectives.
Wings of Desire was a fantastic film directed by Wim Wenders and was later made in the rubbish holiday film City of Angels. The film is about invisible, immortal angels who populate Berlin and listen to the thoughts of the human inhabitants and comfort those who are in distress. One of the angel tries to overcome human activity and what to do next. As he watches her, Daniel makes a decision: he wants to be human, and he wants to be with Marion, to lift her spirits and, if need be, to share her pain. Wim Wenders’ Wings of Desire is a remarkable modern fairy tale about the nature of being alive. The angels witness the gamut of human emotions, and they experience the luxury of simple pleasures (even a cup of coffee and a cigarette) as ones who've never known them. From the angels’ viewpoint, Berlin is seen in gorgeous black-and-white -- strikingly beautiful but unreal; when they join the humains, the image shifts to rough but natural-looking color, and the wa

It is a remarkable modern fairy tale about the nature of being alive. The angels witness the all of human emotions, and they experience the luxury of simple pleasures a cup of coffee, a cigarette as ones who’ve never known them.

It is both intangible and elusive but this is what makes it such a wonderful film.
Referencing is a two part process:
1. Citing in the text
2. References at the end of the work

In the Harvard System all cited publications are referred to in the main body of text by giving the author’s surname and the year of publication. Each cited publication must have a corresponding full reference in the list of references at the end of your work. The references are listed in alphabetical order by author name.

style guidelines from Southampton University for bibliography / footnotes - which need to be in the Harvard format. [http://www.southampton.ac.uk/library/infoskills/references](http://www.southampton.ac.uk/library/infoskills/references)
Plagiarism of...

media (images, video, etc)

oh dear :( as we have just discussed using images and video is not so easy as just citing.
for essays any image need to be referenced.
but if you are making artwork you need to seek permission first

1 short film I made too 1 year to seek permission for the soundtrack (1 song) just so I could screen it in film festivals
7. Task
Find 3 potential connections of appropriation and discuss:

- building
- inspired
- remixing
- satire
- commentary
* to note the magnificent 7 is a remake of Seven Samurai

seven samurai – inspirers – star wars – inspires remixs


“This pair of early rescue masks, shown above, dates from between the mid-1800s and World War I," he explained. "They look a bit familiar, right? Almost a 100 years [sic] before Darth Vader and C-3PO hit the big screen in *Star Wars* in 1977, these two smoke helmets were worn by firefighters carrying our [sic] rescues in smoke-logged buildings."
Like the – Darth Blues – http://www.youtube.com/watch?v=3eZBevXohCl