LRC Research Training

Entertainment Law Research
Spring 2020

LRC Reference Desk:
(619) 260-4612
lrcrefer@sandiego.edu
What we will cover

- Finding a paper topic: Entertainment Law resources
  - Entertainment law journals
  - News
  - Practice-specific blogs/websites/listservs
  - “Open questions”

- Conducting a thorough literature review
  - Evaluating sources
  - Books & articles
  - Law and other disciplines
  - USD and other libraries

- Note-taking tools and techniques
- Citation style and perma.cc
News Sources

News

- Google News, LexisNexis, Factiva

Blogs & practice-subject websites or listservs

- [http://www.trademarkandcopyrightlawblog.com/](http://www.trademarkandcopyrightlawblog.com/)

Current news by practice area

- Bloomberg  Westlaw  Lexis
First-time users must create a login and password at www.bloomberglaw.com (must use @sandiego.edu email address for law student access)

- Tech and Telecom News
- IP News
“Open questions”

- Sample terms and connectors searches
  - “beyond the scope” /s note or article or comment
  - interesting or open /s question or issue

- Filter by date to get only the most recent hits (last 6 months or last year)

- Search within results to find a particular subject/term
LITERATURE REVIEW
Literature Review

- A survey of books, scholarly articles, and any other sources relevant to a particular issue, area of research, or theory
- Helps you formulate your thesis and locate your arguments within the larger field of study
Reliable Sources

• Evaluate sources for:
  • **Authority** – author is identified, reputable, credentialed
  • **Objectivity** (fairness, lack of bias)
  • **Accuracy** – provides references to sources, verifiable
  • **Scope** (relevance to your topic)
  • **Currency**
Looseleaf: Lindey on Entertainment

- 8 volume set, frequent updates
- In print (LRC Reading Room KF4290 .L562)
- On Westlaw
Search Suggestions

Cases argued by Linden, Carrie
Cases argued by Linder, Craig
Cases argued by Linder, Gary
Cases argued by Linder, Jason
Cases argued by Linden, Jason

Content Pages

Linsey on Entertainment, Publishing & the Arts

Practical Law
Regulations
Administrative Decisions & Guidance
Arbitration Materials

Key Numbers
Proposed & Adopted Regulations
Proposed & Enacted Legislation
Trial Court Documents
Linney on Entertainment, Publishing & the Arts

- Chapter 1. Copyright
- Chapter 2. Trademarks and Unfair Competition
- Chapter 3. The Rights of Privacy and Publicity
- Chapter 4. The First Amendment
- Chapter 5. Books
- Chapter 6. Motion Pictures
- Chapter 7. Television and Radio
- Chapter 8. Music
- Chapter 9. Sound Recordings
- Chapter 10. Music Video
- Chapter 11. Plays
- Chapter 12. Photographs
- Chapter 13. Advertising
- Chapter 13A. Commercial Exploitation: Merchandising
- Chapter 14. Newspapers
- Chapter 15. Magazines
- Chapter 16. Art Work
- Chapter 17. Tax Considerations
- Chapter 18. Agency Agreements
- Chapter 19. Computers
- Chapter 20. Miscellaneous Agreements
- Chapter 21. Miscellaneous General Clauses
- Appendix A. Copyright Statutes
- Appendix B. Trademark Statutes
1. § 5:2. Copyright—Legislation
Lindey on Entertainment, Publishing and the Arts, 3d — LINDEY § 5:2

Congress was very active in parsing copyright legislation in the latter years of the 20th century. Four laws were enacted that have the effect, individually to some extent, and collectively to a great extent of either delaying the time that works will fall into the public domain or actually removing works from the public domain. By passing the...

...source that distributed public domain literary works from its vast digital library of such works argued that the extension violated the "limited...

2. § 1:31.70. Educational mass digitization
Lindey on Entertainment, Publishing and the Arts, 3d — LINDEY § 1:31.70

An important case is Authors Guild, Inc. v. HathiTrust, for it contains a holding that could have widespread importance for all of the mass digitization cases. In HathiTrust, several universities made an arrangement with Google, in which Google would digitize their entire libraries. After digitization, Google retains a copy of the digital book that...

...the universities then “contribute” these digital copies to the HathiTrust Digital Library (“HDL”). The HathiTrust partnership is in the process of creating...

3. § 5:10.30. Fair use: Mass digitization of books
Lindey on Entertainment, Publishing and the Arts, 3d — LINDEY § 5:10.30

In Author's Guild, Inc. v. HathiTrust, the Second Circuit addressed several fair use issues. The HathiTrust Digital Library (HDL) is a collection of about 10 million electronically scanned works, created by Google with the help of a number of universities, including the University of Michigan. The works are stored on four different servers, three...

...Second Circuit addressed several fair use issues. [1] The HathiTrust Digital Library (HDL) is a collection of about 10 million electronically scanned...
BOOKS
USD’s online catalog finds items located in the LRC and also in the Copley Library collection.

- Remember that the catalog can be used to find not just materials in our print collection, but it also provides direct access to materials in our subscription databases.

- You can search USD’s online catalog from LRC’s homepage.
Faculty Publication Services
The LRC offers cite-checking, proofreading, and other support for faculty scholarship.

Printing at the LRC
Everything you need to know about mobile printing in the library.

Want to work at the LRC?
For more details stop by the Circulation Desk.

Helpful links for incoming students
- West Study Aids
- CALI code
- Reserving study rooms
- Printing
- Phone chargers and laptops are available at circulation
- Course reserves

Search LRC
Search Catalog  Databases A-Z  By Subject

Library Account | Classic Catalog | Find Legal Journals | Course Reserves | Past Exams
Searching the Circuit

Circuit Catalog:

• USD is a member of a library consortium, the Circuit
• The Circuit allows you to borrow materials from SDSU, UCSD, and the San Diego County Library.
• Greatly increases the universe of materials that are accessible to you!
• Delivered to LRC in 24–48 hrs (pick up at Circulation desk)

Access:

• Via USD catalog (click on hyperlinked Circuit logo)
• Directly at http://circuit.sdsu.edu
Understanding copyright: intellectual property in the digital age /
Bethany Klein, Giles Moss, Lee Edwards.

HOLDINGS FOR San Diego Circuit CENTRAL DATABASE

San Diego State Library
San Diego State Library
San Diego State Library
San Diego State Library 4th Floor Books
U of San Diego

Shelving Location
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Call Number and Serial Holdings
K1485 .K54 2015
K1485 .K54 2015

Request Status
AVAILABLE
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Details
Published
Los Angeles, California : SAGE, 2015.

Description
vi, 152 pages : Illustrations ; 24 cm

Content Type
text

Format
volume

How cultural property is created, governed, protected, circulated and accessed raises serious questions for individuals, activists and governments. Taking a rounded view of the debates and perspectives that have emerged as essential to the struggle over copyright in the digital age, this book: “ Looks across a broad range of industries including music, television and film to consider the issues of media power and policy. “ Is packed with gripping examples and case studies, including pirate bay, Google books, Metallica v Napster, Aaron Swartz/JSTOR and megaupload.com “ Features boxed case studies and guided further reading lists. Edited with authority and insight, this book offers students and scholars of cultural and media industries, new media and social media a comprehensive overview of the contemporary issues surrounding intellectual property.
Choose Your Institution

Requesting Understanding copyright: intellectual property in the digital age / Bethany Klein, Giles Moss, Lee E

With which institution are you affiliated?

U of San Diego

Submit above information
Interlibrary Loan (ILL):

- If you can’t find an item at USD or through the Circuit, we may be able to get it from another library via ILL.
- Check [http://www.worldcat.org](http://www.worldcat.org) or come ask a reference librarian.
- Delivered to LRC anywhere from 3 days to 3 weeks—make your request early!

LAW ARTICLES
Law articles

- Lexis
- Westlaw
- Google Scholar

Unpublished or forthcoming
- SSRN
- Bepress
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Secondary Sources (1,043)

Filtered Publications - Law Reviews & Journals

1 - 100

- ABA Environment, Energy & Resources Law: The Year in Review
- ABA Journal
- ABA Journal eReport
- ABA Journal of Labor & Employment Law
- ABA SciTech Lawyer
- ABA Trends
- ACC Docket
- Accord, A Legal Journal for Practitioners
- ACTEC Law Journal
Distribution of date elements and its relationship to the types of digital libraries: Analysing aggregated metadata of a Polish large-scale distributed system

V Osinska, KK Matusiek, M Kowalska...

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Introduction to the focused issue on the 20th International Conference on Theory and Practice of Digital Libraries (TPDL 2016)

N Fuhr, I Kovacs, T Risse, W Nejdl...

The multidimensional nature of digital libraries evaluation domain and the amount of scientific production that is published in the... network analysis in combination with citation and altmetrics analysis on a corpus consisting of the digital library evaluation...

“Copyright in the Digital Age”: ACRL/ARL Nashville preconference


ACRL has added “Copyright in the Digital Age: A Leadership Workshop for Librarians” to the preconferences being offered at the ACRL 8th National Conference in Nashville (see C&RL News, November 1996). Sponsored by the Association of Research Libraries (ARL), the...

Impact of New Technologies in the Digital Libraries

NN Bansode, MG Shinde - Journal of Advancements in Library... 2019 - researchgate.net

... ISSN IN DIGITAL LIBRARIES Key issues include the following: i) Copyright: It is very easy to copy, replicate, massage and distribute digital information enforcing copyright in digital environment is a major issue. ii) Software...


M Niqresh - International Education Studies, 2019 - ERIC

... In a study conducted by Al-Omran (2010) entitled Digital Library and Protection of Copyright...
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You can subscribe to our newsletter here.
1. FinTech, RegTech and the Reconceptualization of Financial Regulation

Northwestern Journal of International Law & Business, Forthcoming, University of Hong Kong Faculty of Law Research Paper No. 2016/035

Number of pages: 51  Posted: 05 Oct 2016  Last Revised: 26 Oct 2016

Douglas W. Arner, Janos Nathan Barberis and Ross P. Buckley

The University of Hong Kong - Faculty of Law, The University of Hong Kong - Faculty of Law and University of New South Wales (UNSW) - Faculty of Law

Keywords: FinTech, RegTech, Global Financial Crisis, Financial Regulation, Technology, Financial Technology, ...

2. Copyright and Cultural Institutions: Guidelines for Digitization for U.S. Libraries, Archives, and Museums


Number of pages: 275  Posted: 20 Dec 2019  Last Revised: 20 Dec 2019

Peter B. Hirtle, Emily Hudson and Andrew T. Kenyon

Harvard University - Berkman Klein Center for Internet & Society, King's College London – The Dickson Poon School of Law and University of Melbourne Law School

Keywords: copyright, cultural institutions, public access, online exhibitions, copyright and digitization
Full-Text Articles in Law

Dancing On The Grave Of Copyright?, Anupam Chander, Madhavi Sunder

The Past And Future Of The Internet: A Symposium For John Perry Barlow

Dancing On The Grave Of Copyright?, Anupam Chander, Madhavi Sunder

"Distinctive Sounds": A Critique Of The Transformative Fair Use Test In Practice And The Need For A New Music Fair Use Exception, Kristin Bateman

Copyright'S Mercantilist Turn, Glynn S. Lunney Jr

Who's Afraid Of Swiss Cheese? Resolving The Copyright Claims Of Non-Coauthors, D. Sean West

Fair Use And First Amendment: Without Fair Use, What Would You Freely Speak About?, Adam Blaier

Set Your Settings On Private? Copyright In Era Of Social Media Usage, Maddie Wagner

http://network.bepress.com/law/
Search strategies

• Use multiple search techniques
  • Keyword (natural language & Boolean)
  • Subject
  • Browse

• Build from the sources you’ve already found
  • Look at sources cited by those sources
  • Use a citator (Shepard’s or KeyCite) to find sources that have cited to sources you’ve already found

• Ask a librarian!
ABUSIVE TRADEMARK LITIGATION AND THE INCREDIBLE SHRINKING CONFUSION DOCTRINE—TRADEMARK ABUSE IN THE CONTEXT OF ENTERTAINMENT MEDIA AND CYBERSPACE

I. THEORETICAL UNDERPINNINGS OF IP PROTECTION 615
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      1. Labor/Investment Rationales 615
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<td>I. The Revolution in Consumer Activism: 65 A. The Nexus Between Consumer Dissatisfaction and the Creation of Gripe Sites. 66 B. Cyberspace is the New Medium by Which Consumers...</td>
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<td><strong>2. TRADEMARK LAW, ICANN, AND DOMAIN NAME EXPIRATION</strong></td>
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<td>Law Review</td>
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<td>36 AIPLA Q. J. 311, 342</td>
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<td>I. L2-4,T4Introduction 313 II. L2-4,T4Anatomy of Domain Names and Websites 316 A. L3-4,T4Domain Names and Websites Generally 316. B. L3-4,T4Ways Internet Users Find Desired Sites...</td>
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ARTICLES FROM OTHER DISCIPLINES
The Copley Library renovation is underway! Starting on June 3rd, the temporary entrance will be through the Camino Hall entrance closest to the library.
The Copley Library renovation is underway! Starting on June 3rd the temporary entrance will be through the Camino Hall entrance closest to the library.

Search Copley

Catalog  Catalog Plus  Databases  Digital USD  Journals  Reserves

Find databases by title or keywords

Browse by Subject | Browse Alphabetically by Title: ABCDEFGHJKLMNOPQRSTUVWXYZ
Results

- Anthropology
- Art, Architecture & Applied Arts
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- Business & Economics
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- Engineering & Computer Science
- Ethnic Studies
- History

- Languages & Literatures
- Law
- Library Science
- Music, Dance & Theatre
- News
- Nursing & Health Sciences
- Philosophy
- Politics & Government
- Psychology
- Reference
- Sociology
- Theology & Religious Studies
A few relevant databases

- Academic Search Premier
- JSTOR
- Music Index Online
- Oxford Music Online
- Performing Arts Periodicals Database
Using other libraries’ databases

• You may be able to access subscription databases available at other libraries by visiting campus
Industry Links

• MPAA - https://www.mpaa.org/
• SAG-AFTRA - http://www.sagaftra.org/
• International Documentary Association - https://www.documentary.org/
• ASCAP - https://www.ascap.com/
• NAB - https://www.ascap.com/
NOTE-TAKING TOOLS & TECHNIQUES
Why good note-taking is important

- Bolster your argument
- Avoid inadvertent plagiarism
- Save yourself time and trouble when creating citations
Reference and citation managers

- Reference manager
- Citation support
- Organization and annotation of PDFs and other digital content
- A tool that fits your research style
- You do not have to use an app—can create your own system using folders
A few useful tools

- Evernote
- Google Drive
- Microsoft OneNote
- Dropbox
- Box
Tools for both document and citation management

Typical features include:
- Free or premium upgrade
- Web, client, mobile apps
- PDF storage & annotation
- Cloud & local storage
- Web content capture
- Citation style ("bibliographic utility")
Finding the right tool

Comparing reference managers:

- https://www.library.wisc.edu/services/citation-managers/comparison-chart
- http://guides.ll.georgetown.edu/citation_tools
Note-taking tips

If you cut & paste text from another source to look at later, \textit{immediately} mark it as copied text & include citation info
Research log

- Keep a log of where you’ve searched and what search terms you used (not just what you found)
- This will save you time later
Summarizing & paraphrasing

• Try to do it without looking at the source material
• Not enough to change a few words around, or substitute synonyms
• You have to rewrite the material using your own words

"If you can't explain it simply, you don't understand it well enough."
Albert Einstein
Citing the best source

• Don’t rely on Source A to tell you what Source B says – go back to the original
  • Don’t cite Scholar A to tell your reader what Scholar B argued
  • Don’t cite a book or an article to tell your reader what a case held
  • Don’t cite a case to tell you what the statute says
Citation style

• Bluebook 20\textsuperscript{th} Edition. Use “white pages” for law journal papers.

• Consider using Perma.cc to preserve any citations to Internet sources, particularly if you hope to publish your paper.
  
  • 10 free links per month
  • Unlimited links if you connect your account to LRC
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- Su noon–4pm

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eparker-10@sandiego.edu