

The Internet and Alternative Copyright: YouTube as a Starting Point

RESEARCH FOCUS

There has, for a very long time, existed a tension between those who own copyrighted materials, and those who consume them. Today, copyright policy tends to favour the interests of massive media conglomerates like Disney and Viacom, over the interests of average consumers. Online, where creative content is easily shared and distributed between users for free, copyright policy is becoming ever more restrictive. This poses a threat to the freedoms of Internet users to engage with, learn from, and share creative content. My research considers the restrictiveness of Internet copyright, and attempts to uncover alternative methods of protecting intellectual property that will balance the interests of corporations and consumers more fairly. YouTube is used as a case study, in that it approaches something close to this balance. YouTube is, therefore, thought of as an appropriate starting point for developing online copyright policy in the future.

APPROACH

As a case study, YouTube's copyright policies were investigated and compared with current trends in online copyright protection. The Government of Canada's legal provisions for "Copyright" and "Fair Dealing" were used as definitions. Furthermore, the history of legal actions taken against new media by corporations was investigated.

FINDINGS

The YouTube model of copyright protection attempts to balance the interests of both content owners, and consumers. YouTube equipped with video identification technology that can identify videos that contain copyright protected content. YouTube will inform a content owner of any possible infringement, and give them the option to monetize, block, or track the video. (Sturgeon, 2012). By monetizing a video, a content owner lets YouTube place advertisements alongside their video, and revenue is split between YouTube and the content owner (YouTube, n.d.). By blocking a video, the content owner renders the video inaccessible. By tracking a video, a content owner can view up-to-date statistics on their video's traffic before deciding to monetize or block it. In addition, consumers and amateur producers are able to submit counterclaims to any alleged infringement.



[Above: A timeline of new media that have been targeted by creative industries over copyright infringement.]

The corporate anxiety that has been focused on Internet piracy in recent years is part of a historical trajectory. New Media are typically seen as the enemies of creative industry. Sharing capabilities of media like the mix-tape, and the VCR are seen as a threat to culture industry moguls like Disney and Viacom. Ironically, the ability to share creative content often fosters more consumption: where videocassettes produced a culture of merchandise consumption among children, the mix-tape stimulated music sales through the mass diffusion of musical tastes. With restrictive copyright, the revenue streams that Internet sharing might offer become obscured and inaccessible.

CONSIDERING THE BENEFITS RESULTS: AND DRAWBACKS OF YOUTUBE'S POLICY

BENEFITS

- By appeasing the economic interests of content owners, YouTube avoids the outright removal of amateur content due to copyright infringement, and instead allows it to remain.
- The ability to submit counterclaims marks a more democratic form of virtual copyright, in which users are given a voice.
- Privately owned material is allowed to remain on YouTube, thus, there is more incentive for presence of professionally generated content. Means that there is, overall, better quality content than before.

DRAWBACKS

- Unfortunately, videos that are tagged by YouTube's video identification technology for copyright infringement are blocked instantly, regardless of whether they abide by YouTube's fair use policy. Only until a user successfully disputes an infringement claim will their video be reinstated.
- YouTube's reliance on ads to monetize a video could quickly effect the quality of YouTube as an entertainment service.
- Despite the innovations in YouTube's copyright policy, many media corporations opt for legal action instead of video monetization (Kim, 2012).



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