

## Recut, Reframe, Recycle



[1] When college kids make mashups of Hollywood movies, are they violating the law? Not necessarily, according to the latest [study \(PDF\)](#) [2] on copyright and creativity from the Center and American University's Washington College of Law.

The study, **Recut, Reframe, Recycle: Quoting Copyrighted Material in User-Generated Video**, by Center director Pat Aufderheide and Peter Jaszi, co-director of the law school's Program on Information Justice and Intellectual Property, shows that many uses of copyrighted material in today's online videos are eligible for fair use consideration. The study points to a wide variety of practices—satire, parody, negative and positive commentary, discussion-triggers, illustration, diaries, archiving and of course, pastiche or collage (remixes and mashups)—all of which could be legal in some circumstances.

Check out this video from Chronicle.com:

Fair use is the part of copyright law that permits new makers, in some situations, to quote copyrighted material without asking permission or paying the owners. The courts tell us that fair use should be "transformative"--adding value to what they take and using it for a purpose different from the original work. So when makers mash up several works--say, **The Ten Commandments** , **Ben-Hur** and **10 Things I Hate about You** , making **Ten Things I Hate about Commandments** --they aren't necessarily stealing. They are quoting in order to make a new commentary on popular culture, and creating a new piece of popular culture.

Unfortunately, this emerging, participatory media culture is at risk, with new industry practices to control piracy. Large content holders such as NBC Universal and Viacom, and online platforms such as MySpace and Veoh are already crafting agreements on removing copyrighted material from the online sites. Legal as well as illegal copying could all too easily disappear. Worse still, a new generation of media makers could grow up with a deformed and truncated notion of their rights as creators.

The study recommends the development of a blue-ribbon committee of scholars, makers and lawyers to develop best-practices principles. Such principles, similar to ones documentary filmmakers developed in [the Documentary Filmmakers' Statement of Best Practices in Fair Use](#) [3] can help new creators and online providers decide what's legal, and assure that the Internet remains a safe space for new forms of self-expression.

The study is part of [a larger Participatory Media project](#) [4], funded by the Ford Foundation as part of the Center for Social Media's Future of Public Media Project.

[For a more extensive database of videos consulted by our researchers, click here.](#) [5]

## Researcher's Top Five Videos in Each Category

### Satire and Parody

- [Baby Got Book](#) [6]
- [Bush vs. The Zombies](#) [7]
- [George Bush Don't Like Black People](#) [8]
- [The Soprano Wars](#) [9]
- [Victory in Iraq](#) [10]

### Negative or Critical Commentary

- [Metallica Sucks](#) [11]
- [Grandpa Fred: Do you really have this kind of time to waste?](#) [12]
- [Fox News Edits a Democrat to Make Him Look Worse](#) [13]
- [Clint Eastwood's The Office](#) [14]
- [Coffee with Chou: First Paris Hilton Interview After Jail!](#) [15]

### Positive Commentary

- [Internet People](#) [16]
- [7 Minute Sopranos](#) [17]
- [Steve Irwin Fan Tribute](#) [18]
- [Ain't No Other Man](#) [19]
- [Not So Innocent: A New Approach to Animaniacs](#) [20]

### Quoting in Order to Start a Discussion

- [Abstinence PSA on Feministing](#) [21]
- [She Wants It on Feministing](#) [22]
- [Daily Kos Open Thread: Ron Paul](#) [23]
- [Swing State Project: Worst Political Ads](#) [24]
- [Worst Music Video Ever](#) [25]

### Illustration or Example

- [Evolution of Dance](#) [26]
- [What the Buck? To Oprah with Love](#) [27]
- [Internet People](#) [16]
- [The 10 Most Ridiculous Things About the Beyonce Experience](#) [28]
- [Britney Spears is Bald Song](#) [29]

### Incidental Use

- [Prisoners Dance to Thriller](#) [30]
- [Let's Go Crazy](#) [31]
- [Fat Cat watching TV SITTING on the couch](#) [32]
- [My Birthday Party/Moonbounce Documentary](#) [33]
- [Loud Neighbors](#) [34]

### Personal Reportage/Diaries

- [Me Onstage with U2...AGAIN!!!](#) [35]

- [Arcade Fire - Wake Up pt. 2 - Porchester - 01/02/07](#) [36]
- [I Was on American Idol](#) [37]
- [Me on Letterman!](#) [38]
- [Me and Madonna](#) [39]

## Archiving of Vulnerable or Revealing Materials

- [The Power of Nightmares](#) [40]
- [Stephen Colbert's speech at the Whitehouse Correspondence Dinner](#) [41]
- [Bush Doesn't Care About Black People](#) [42]
- [Bush Gives the Finger](#) [43]
- [The Trap](#) [44]

## Pastiche or Collage

- [Dax Flame's Hollow's Eye](#) [45]
- [Me Singing "Unwritten" by Natasha Bedingfield](#) [46]
- [Daft Hands](#) [47]
- [Apple Commercial](#) [48]
- [Crazy Indian Video... Buffalaxed!](#) [49]

Tags:

- [Online Video](#) [50]
- [Copyright and Fair Use](#) [51]

**Source URL:** <http://www.centerforsocialmedia.org/fair-use/best-practices/online-video/recut-reframe-recycle>

### Links:

- [1] [http://sites/default/files/documents/Recut\\_Reframe\\_Recycle\\_text.pdf](http://sites/default/files/documents/Recut_Reframe_Recycle_text.pdf)
- [2] [http://www.centerforsocialmedia.org/sites/default/files/CSM\\_Recut\\_Reframe\\_Recycle\\_report.pdf](http://www.centerforsocialmedia.org/sites/default/files/CSM_Recut_Reframe_Recycle_report.pdf)
- [3] <http://www.centerforsocialmedia.org/fair-use/best-practices/documentary/documentary-filmmakers-statement-best-practices-fair-use>
- [4] <http://www.centerforsocialmedia.org/press/releases/american-university-launches-copyright-and-fair-use-participatory-media-project>
- [5] [http://www.centerforsocialmedia.org/sites/default/files/Recut\\_Reframe\\_Recycle\\_Excel\\_Database\\_0.xls](http://www.centerforsocialmedia.org/sites/default/files/Recut_Reframe_Recycle_Excel_Database_0.xls)
- [6] [http://www.godtube.com/view\\_video.php?viewkey=97759aa27a0c99bff671](http://www.godtube.com/view_video.php?viewkey=97759aa27a0c99bff671)
- [7] <http://www.youtube.com/watch?v=loXgRtDysLY>
- [8] <http://revver.com/video/71633/george-bush-dont-like-black-people>
- [9] <http://www.livevideo.com/video/gmoney/00DAF7613CC94CFB9F18B3B006053AB5/popsicle-politics-episode-2-.aspx>
- [10] <http://revver.com/video/79501/victory-in-iraq>
- [11] <http://www.youtube.com/watch?v=0YgcbINUnG0>
- [12] <http://www.dailykos.com/storyonly/2007/10/12/122438/24>
- [13] <http://www.youtube.com/watch?v=oGqPxn7njqM>
- [14] [http://www.youtube.com/watch?v=gPwmG3VuO\\_E](http://www.youtube.com/watch?v=gPwmG3VuO_E)
- [15] <http://revver.com/video/315227/coffee-with-chou-first-paris-hilton-interview-after-jail/>
- [16] [http://www.channelfrederator.com/methminute39/episode/TMM\\_20070906](http://www.channelfrederator.com/methminute39/episode/TMM_20070906)
- [17] [http://youtube.com/watch?v=Tz\\_Ees\\_-kE4](http://youtube.com/watch?v=Tz_Ees_-kE4)
- [18] <http://youtube.com/watch?v=QgsE95Q1iCA>
- [19] <http://youtube.com/watch?v=d-FZ3Ax7Ril>
- [20] <http://bebo.com/FlashBox.jsp?FlashBoxId=4826169293&MID=3611618707>
- [21] <http://feministing.com/archives/007878.html>
- [22] <http://feministing.com/archives/007956.html>

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- [23] <http://www.dailykos.com/storyonly/2007/10/22/82335/326>
  - [24] <http://www.swingstateproject.com/showDiary.do?diaryId=923>
  - [25] <http://youtube.com/watch?v=YPnGPIMUnus>
  - [26] <http://www.youtube.com/watch?v=dMH0bHeiRNq>
  - [27] <http://youtube.com/watch?v=K3UQ0OuQLhs>
  - [28] <http://youtube.com/watch?v=1FYNLBQLkvw>
  - [29] <http://revver.com/video/177240/britney-spears-is-bald-song/>
  - [30] <http://www.youtube.com/watch?v=hMnk7lh9M3o>
  - [31] <http://www.youtube.com/watch?v=N1KfjHFWlhQ>
  - [32] <http://youtube.com/watch?v=qXkw3L7oxwk>
  - [33] <http://www.youtube.com/watch?v=VDblI7nyhxg>
  - [34] <http://www.youtube.com/watch?v=P2OPrlGmbA4>
  - [35] <http://www.youtube.com/watch?v=YKgJa7HnyLk>
  - [36] <http://www.youtube.com/watch?v=ugp0NhduUV0>
  - [37] <http://www.youtube.com/watch?v=OGna-ONuIIA>
  - [38] [http://youtube.com/watch?v=goAplv6\\_y7Y](http://youtube.com/watch?v=goAplv6_y7Y)
  - [39] [http://youtube.com/watch?v=lle\\_wj\\_umsc](http://youtube.com/watch?v=lle_wj_umsc)
  - [40] <http://video.google.com/videoplay?docid=881321004838285177>
  - [41] <http://vidsearch.myspace.com/index.cfm?fuseaction=vids.individual&videoid=6385362>
  - [42] <http://www.youtube.com/watch?v=zlUzLpO1kxl>
  - [43] <http://youtube.com/watch?v=lutUDZ7Dq0s>
  - [44] <http://video.google.com/videoplay?docid=8349032228301471543&q=The+Trap%3A+What+Happened+to+Our+Dream+of+Freedom&total=54&start=0&num=10&so=0&type=search&plindex=0>
  - [45] <http://youtube.com/watch?v=DJ9wY5yBS34>
  - [46] <http://www.youtube.com/watch?v=cndPHeBiM3s>
  - [47] <http://www.youtube.com/watch?v=K2cYWfq--Nw>
  - [48] <http://blog.wired.com/business/2007/10/apple-fan-goes-.html>
  - [49] <http://www.youtube.com/watch?v=ZA1NoOOaANw>
  - [50] <http://www.centerforsocialmedia.org/taxonomy/term/7>
  - [51] <http://www.centerforsocialmedia.org/tags/copyright-and-fair-use-0>