

# Is there a case for fair use? Lessons from the US

Wednesday 2nd July 2014

5.15-6.15pm

Monash University Law Chambers,  
555 Lonsdale Street, Melbourne

The Australian Law Reform Commission recently recommended that a “fair use” defence to infringement should be introduced into the Copyright Act in place of the current “fair dealing” defences. The new defence would be based on principles recognised in the U.S., where fair use has been part of the copyright landscape for a long time. Judgments in a series of recent fair use cases in the US, the Google Books case being notable, suggest that the doctrine there is developing and that its scope may be extending. The Attorney-General has indicated that his government is unlikely to implement the recommendation, but fair use proponents are maintaining their campaign. Professor Scott will lead the panel in considering the development and practical application of fair use in the U.S. and the potential lessons that recent experience there might hold for copyright owners, users and lawyers in Australia.

## PRESENTERS

- **Geoffrey Scott** is a Professor of Law at the Penn State University School of Law in the United States. His area of concentration is intellectual property. He teaches courses in copyrights; trademarks; the Licensing of IP; and the Law of Creative Persons and Property. He is also the Director of the Art, Sports and Entertainment Law Clinic at Penn State. The clinic provides pro bono services to athletes, artists and entertainers and was born of his experiences while in practice. Scott recently completed a book entitled "Entertainment Law of a Global Stage" to be published by West Academic Publishing. Professor Scott is teaching "International Entertainment Law" in the Monash Law Masters at its city chambers from 26 June - 1 July 2014.
- **Paul Noonan** is a partner at Thomson Geer where he practises in intellectual property and technology law. His clients include creators, users and communicators of copyright material. In 2013, Paul assisted a peak performing arts body to prepare its submission to the ALRC inquiry into Copyright and the Digital Economy. Paul is also a professional musician.
- **David Lindsay** is an Associate Professor at Monash Law School, where he teaches Copyright, Law of the Internet and Trusts. He is an expert on copyright, privacy and internet law and has published widely in those areas. David is General Editor of the Australian Intellectual Property Journal and was a member of the expert Advisory Committee for the ALRC reference on Copyright and the Digital Economy.

**RSVP:** Wednesday 25<sup>th</sup> June, 2014 to [meli.voursoukis@monash.edu](mailto:meli.voursoukis@monash.edu) Please note, places are limited.  
<http://www.law.monash.edu/centres/commercial-law-group/>

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