

Practice Copyright Questions

Question 1

A playwright has written a play about two women characters. One of the women is trying to work through the death of her husband. The play contains a scene in which the widow explains that she was cleaning out a closet and found an old beach ball. She couldn't bring herself to deflate it because it held her husband's breath. The play is performed off-Broadway in New York City for six months.

The year after the play closes, a popular television series about police officers in New York airs an episode in which one of the detectives is dealing with his wife's death. He tells a male colleague that he was cleaning out a closet and found an old beach ball. He couldn't deflate it because it held his wife's breath.

The playwright comes to you wishing to sue the writers of the television series. Discuss.

Question 2

"Tanya Grotter and the Stone Philosopher" is a book that features a young orphan girl with no magical powers who lives among magicians and has to use technology to survive.

"Harry Potter and the Philosopher's Stone" is a best selling children's book by J.K. Rowling featuring an orphan boy with magical powers who grows up amid mere mortals until he discovers that he is a wizard and moves to a school in the magical world.

The copyright holder for the Harry Potter books has sued the author of the Grotter book for copyright infringement. You represent the accused author. Your client wants you to defend on all possible grounds, including Parody. Analyze the issues so that you can advise your client how to proceed.

All information you need to know is in the question. In other words, you do not need to know anything more about the Harry Potter stories.