

Copyright and New Technology: A Comparative Approach for Meeting the Challenges of Drones, Three-D Printing and Computer Hacking

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From photography, to films, to the Internet, copyright law has continually evolved in the face of new technologies for creating/delivering media content. In the global digital environment of the 21st Century, copyright law must adapt current policies to new technologies, such as drone photography, 3-D printing and global hacking, which demand a reconfiguration of the balance between protection, access and enforcement.

From beautiful cinematography to paparazzi snapshots, drone photography promises to recreate media in new and unexpected ways. The current focus on regulating drones as aerial devices ignores both their creative uses and their undeniable potential as surveillance devices. These uses demand new considerations of the nature of cinematographic works, the rights of performers and enforcement mechanisms that include consideration of the privacy rights implicated in digital distribution of such works and performances.

Similar to the impact of digital piracy, 3-D reproductive technologies are eroding the viability of current enforcement methods. Although digital piracy largely affects audiovisual, textual and musical works, 3-D printing challenges the protection of three-dimensional works, including commercial sculptures and fashion design. This raises new issues regarding the scope of protection afforded applied works and “useful” articles, including enforcement measures.

Although computer hacking has largely been seen as an issue of information security, it has also become the new method for securing unauthorized access to unpublished works. These works often include unreleased motion pictures. Present regulatory efforts, focusing on cybersecurity, are inadequate to meet the special needs of copyright owners. Instead, an interdisciplinary approach must be used that includes copyright values.

We must deal with these complex issues now to assure more rational policies in the future.