Disney, Fanart, and Copyright

VEDA 2013
https://youtube.com/watch?v=ObQbXc4pVpc
https://nerdfighteria.info/v/ObQbXc4pVpc

Hello, welcome back to Vlog Every Day in April; today we're going to be talking about copyright, and Disney mostly, and fanart, also. So I'm wearing right now a Potter Puppet Pals t-shirt... this is a complete coincidence; I just put this shirt on this morning. But, Potter Puppet Pals is an example of a fan creation of a copyrighted work. This shirt - I shouldn't even be wearing it and showing it off, because it's not technically allowed. Because it has Harry and Snape, and it's clear that it's Harry and Snape. And that's owned... and Ron and Hermione. And that's owned by Warner Brothers. But less and less are companies like Warner Brothers actually enforcing that. In fact, you might say that nowadays, they're actually encouraging it. Certainly, Doctor Who encourages this, a lot of Disney properties are not enforced in this way, and so it's basically, now... there's an unwritten rule that it's okay to create fanart, as long as you're not selling it at Hot Topic or trying to make millions of dollars with it. So that's an interesting reality that we have come upon, and I am happy about this reality; I like that artists can create things that they are excited about, and then sell them and make money off of that, because other people are also excited about that, and people get more excited about the things that they're excited about; they buy more DVDs and shirts that are licensed for Warner Brothers and whatever; it's all... it's a virtuous circle. Every... no one gets hurt; it's all great. This, though, that I discovered today, is worse, is an artist named Katie Woodger, and she made a piece of art based on Alice in Wonderland. Disney then took that Alice in Wonderland art that she created directly, desaturated it a little bit, and put it on a makeup bag, and sold it. They're selling it; Disney is selling this thing. DISNEY DOESN'T OWN THE RIGHTS TO ALICE IN WONDERLAND! Alice in Wonderland was written in 1856 by Lewis Carroll, and they never purchased the rights; it came into the public domain, and then Disney made a movie of it in 1951. Disney doesn't own Alice in Wonderland! They may own certain illustrations, they certainly own the movie, but they do not own the idea of Alice in Wonderland, who is a blond girl in a blue dress, with an apron. It's in the public domain. Anyone can make Alice in Wonderland anything! Now that they've done this, they're in a situation where Katie could sue them. She's not going to, because who has the money to sue Disney, that's no fun. But Disney is clearly in a situation where they have now infringed upon the rights of an artist, and they should make up for that somehow. They should say, "Yes, we apologize, and here's some money." Like, that's what makes sense to me. And there's no legal ramifications to admitting being in the wrong here, as long as you just do like a... write up a quick contract and have it be a recursive... licensing agreement for a standard license, which is like 7% of retail. That seems to me like a great solution, that probably won't happen because Disney probably... their lawyers will say, "Do not admit that you are in the wrong here, until a lawsuit comes in the door and you settle," because that's what lawyers say. I would prefer they keep selling the bag and give Katie the money. I don't know how Katie feels, but I think that would be the correct agreement. That's all I wanted to talk about today! I was a little bit flustered there for a little while. I'm doing better now. Bye!