

Syllabus for Copyright Law

Professor James Kurka

Adjunct Professor

Fall 2026 • Monday/Wednesday 7:30 PM – 9 PM

Law 5379 – Section 19258

Classroom – TBD

I. Required Course Materials

The required text for this course is Jeanne C. Fromer and Christopher Jon Sprigman, [Copyright Law: Cases and Materials](http://www.copyrightbook.org) (7d, 2025) (www.copyrightbook.org).

II. Instructor Information

- *Email:* jlkurka@cougarnet.uh.edu
- *Office:* Will meet over Zoom or Teams
- *Phone number:* (713) 385-8724
- *Office hours:* Use email or text to schedule appointments.

III. Course Objectives and Learning Outcomes

By the end of this course, you will be able to:

1. **Understand the Fundamentals of Copyright Law:** Learn the basic principles, history, and purpose of copyright law.
2. **Identify Copyrightable Works:** Recognize what types of works can be protected under copyright law.
3. **Analyze Copyright Ownership and Rights:** Understand who owns copyright and what exclusive rights are granted to copyright holders.
4. **Understand a Copyright Owner's Exclusive Right:** Learn the exclusive rights conferred on a copyright owner under 35 U.S.C. § 106.
5. **Explore Copyright Infringement:** Identify what constitutes copyright infringement and the legal consequences.
6. **Examine Fair Use Doctrine:** Understand the concept of fair use and how it applies.
7. **Apply Copyright Law in Digital Media:** Analyze how copyright law applies to digital content, including software, websites, and social media.

IV. Reading Assignments

Reading Assignments include pages from the casebook and the additional readings below:

Week	Date	Topics	Readings
1	24-Aug	Introduction / Fixation	CB 1-29; R1
	26-Aug	Originality / Idea-Expression	CB 29-44, 59-74; R2
2	31-Aug	Derivative Works / Compilation	CB 44-59; R3
	2-Sep	Subject Matter / Useful Articles	CB 75-99
3	7-Sep	Labor Day, no class	
	9-Sep	Subject Matter	CB 100-134; R4
4	14-Sep	Authorship and Ownership	CB 135-170
	16-Sep	Duration	CB 185-208
5	21-Sep	Formalities / Renewals / Terminations	CB 171-184, 209-220
	23-Sep	Copying in Fact and Law	CB 222-238, 243-247; R5
6	28-Sep	Copying in Law	CB 247-278; R6
	30-Sep	Exclusive Rights	CB 279-318
7	5-Oct	Exclusive Rights	CB 319-349; R7
	7-Oct	Exclusive Rights	CB 349-374
8	12-Oct	Fair Use / First Amendment	CB 399-429; R8
	14-Oct	Fair Use	CB 430-451
9	19-Oct	Fair Use	CB 451-493
	21-Oct	Fair Use	R9
10	26-Oct	Direct Liability	CB 529-536
	28-Oct	Secondary Liability	CB 537-577
11	2-Nov	Secondary Liability	CB 577-598
	4-Nov	Remedies	CB 599-638
12	9-Nov	AHRA / DMCA	CB 639-666
	11-Nov	Copyright Issues in Music	CB 374-398
13	16-Nov	Copyright and AI	R10
	18-Nov	Pre-emption / Open-Source	CB 667-end
14	23-Nov	International Copyright Laws	R11
	25-Nov	Thanksgiving, no class	
15	30-Nov	Exam Review and Questions	

Additional Readings:

Reading	Citation
R1	<i>Cartoon Network v. CSC Holdings</i> 536 F.3d 121 (2d Cir. 2008) (read entire case, not just CB version)
R2	<i>Nash v. CBS</i> 899 F.2d 1537 (7th Cir. 1990) <i>Nichols v. Universal Pictures Corp.</i> 45 F.2d 119 (2nd Cir. 1930)
R3	<i>Anderson v. Stallone</i> 11 U.S.P.Q.2d 1161 (C.D. Cal. 1989) <i>Gracen v. Bradford Exchange</i> 698 F.2d 300 (7th Cir. 1983) (optional)
R4	<i>Apple Computer v. Franklin Computer Corp.</i> 714 F.2d 1240 (3d Cir. 1983) (optional)
R5	<i>Baxter v. MCA, Inc.</i> 812 F.2d 421 (9th Cir. 1987) <i>Gaste v. Kaiserman</i> 863 F.2d 1061 (2nd Cir. 1988) <i>Skidmore v. Led Zeppelin</i> 952 F.3d 1051 (9th Cir. 2020)
R6	<i>Sedlik v. Von Drachenberg</i> 163 F.4th 667 (9th Cir. 2026) (concurring opinions)
R7	<i>Anderson v. Stallone</i> 11 U.S.P.Q.2d 1161 (C.D. Cal. 1989)
R8	<i>Fulsom v. Marsh</i> 9 F.Cas. 342 (D. Mass. 1841) Toward a Fair Use Standard 103 Harv. L. Rev. 1105 (1990)

R9	<i>Romanova v. Amilus, Inc.</i> 138 F.4th 104 (2d Cir. 2025) <i>Warhol Foundation v. Goldsmith</i> 598 U.S. 508 (2023) (full case)
R10	<i>Thaler v. Perlmutter</i> 130 F.4th 1039 (D.C. Cir. 2025) <i>Kadrey v. Meta Platforms, Inc.</i> 2025 WL 1752484 (N.D. Cal. 2025) <i>Thomson Reuters v. Ross Intelligence, Inc.</i> 765 F.Supp.3d 382 (D. Del. 2025) Copyright and Artificial Intelligence, Part 3, pp. 32–75 (https://www.copyright.gov/ai/Copyright-and-Artificial-Intelligence-Part-3-Generative-AI-Training-Report-Pre-Publication-Version.pdf)
R11	<i>Berne Convention</i> https://www.wipo.int/wipolex/en/text/283693 TRIPS https://www.wto.org/english/docs_e/legal_e/27-trips.pdf Handout

V. Class Preparation and Participation

Please be prepared for in-class discussions. Students may be called on randomly, and students are expected to contribute to the discussion.

VI. Attendance Requirements

The Law Center requires students attend a minimum of 80% of the scheduled classes. For Copyright Law, that means you must attend at least 23 of the 28 scheduled classes. Consult the Student Handbook for further information.

VII. Professionalism

A. In the Classroom

During class discussions, I expect participants in the class to be respectful, civil to each other, incorporate constructive comments, and not dominate the discussion. This does not mean students cannot express disagreement in a significant way, but students should do so using the sort of language they might use in court and in a way that displays respect for other people in the class. In essence, students should argue in class as if they were arguing before a judge to engender the good will of the judge yet working to state their case as persuasively as possible.

B. Tardiness

I respect your time and education by doing my best to start and end our class meetings on time. Please be on time, seated, and ready to go before I begin class.

VIII. The Use of Artificial Intelligence Is Prohibited in the Course

The use of artificial intelligence (AI) is prohibited in this course. Thus, using AI or AI-generated text for formal assessments (such as your midterm or final exams), informal assessments (such as drafting essay answers to hypothetical problems), extra credit assignments, or group or individual exercises and activities is not permitted. This prohibition includes any work product created for this course that is submitted to the instructor, a tutor, or presented in a class session. This prohibition applies whether the material is to be graded or ungraded. This prohibition applies whether the assessment, assignment, exercise, or activity is prepared in or outside of class. Your writings for this course are to be your own work composed without the aid of AI.

IX. Honor Code

The [UHLC Honor Code](#) applies to all aspects of this course. You are responsible for knowing all Honor Code provisions and for complying with the Honor Code. Please inquire if you have any questions regarding how the Honor Code's provisions apply to specific activities or situations related to this course. Your continuing enrollment in this course is deemed to be a pledge by you under the Honor Code to comply with the Honor Code in relation to this course and to comply with the instructions in this course syllabus.

Please note the Honor Code's plagiarism policy and its prohibition against receiving unauthorized aid or using unauthorized materials. Your continuing enrollment in this course is deemed to be your pledge under the Honor Code that, among other things, your work product in this course is without any contribution from AI or AI-generated text. Accordingly, pursuant to the Honor Code, you may not submit any work generated by an AI program as your own. The use of AI-generated text will be treated as engaging in plagiarism in violation of the Honor Code.

X. Grading

Your course grade will be based on a final examination. The final will be a closed-book exam comprised of short and long essays. The final exam is scheduled for December ____ (check with the UH calendar). I will provide you with more information later this semester.

XI. Recording of Classes Not Permitted

Students may not record all or part of class, livestream all or part of class, or make or distribute screen captures without the advanced written consent of the instructor. If you have or think you may have a disability such that you need to record class-related activities, please contact the Student Accessibility Center. If you have an accommodation to record class-related activities, those recordings may not be shared with any other student, whether in this course or not, or with any other person or on any other platform. The instructor may record classes. Students may use the instructor's recordings for their own studying and notetaking. Instructor's recordings are not authorized to be shared with anyone without the prior written approval of the instructor. Failure to comply with requirements regarding recordings will result in a disciplinary referral to the Dean of Students Office and may result in disciplinary action.

XII. Mental Health and Wellness Resources:

The University of Houston has a number of resources to support students' mental health and overall wellness, including CoogsCARE and the UH Go App. UH Counseling and Psychological Services (CAPS) offers 24/7 mental health support for all students, addressing various concerns like stress, college adjustment and sadness. CAPS provides individual and couples counseling, group therapy, workshops and connections to other support services on and off-campus. For assistance visit uh.edu/caps, call 713-743-5454, or visit a Let's Talk location in-person or virtually. Let's Talk are daily, informal confidential consultations with CAPS therapists where no appointment or paperwork is needed.

Need Support Now? - If you or someone you know is struggling or in crisis, help is available. Call CAPS crisis support 24/7 at 713-743-5454, or the National Suicide and Crisis Lifeline: call or text 988, or chat 988lifeline.org.

XIII. Title IX/Sexual Misconduct:

Per the UHS Sexual Misconduct Policy, your instructor is a "responsible employee" for reporting purposes under Title IX regulations and state law and must report incidents of sexual misconduct (sexual harassment, non-consensual sexual contact, sexual assault, sexual exploitation, sexual intimidation, intimate partner violence, or stalking) about which they become aware to the Title IX office. Please know there are places on campus where you can make a report in confidence. You can find more information about resources on the Title IX website at <https://uh.edu/equal-opportunity/title-ix-sexual-misconduct/resources/>.

XIV. Reasonable Academic Adjustments/Auxiliary Aids:

The University of Houston is committed to providing an academic environment and educational programs that are accessible for its students. Any student with a disability who is experiencing barriers to learning, assessment or participation is encouraged to contact the Justin Dart, Jr. Student Accessibility Center (Dart Center) to learn more about academic accommodations and support that may be available to them. Students seeking academic accommodations will need to register with the Dart Center as soon as possible to ensure timely implementation of approved accommodations. Please contact the Dart Center by visiting the website: <https://uh.edu/accessibility/> calling (713) 743-5400, or emailing jdcenter@Central.UH.EDU.

The Student Health Center offers a Psychiatry Clinic for enrolled UH students. Call 713-743-5149 during clinic hours, Monday through Friday 8 a.m. - 4:30 p.m. to schedule an appointment.

The A.D. Bruce Religion Center offers spiritual support and a variety of programs centered on well-being.

The Center for Student Advocacy and Community (CSAC) is where you can go if you need help but don't know where to start. CSAC is a "home away from home" and serves as a resource hub to help you get the resources needed to support academic and personal success. Through our Cougar Cupboard, all students can get up to 30 lbs of FREE groceries a week. Additionally, we provide 1:1 appointments to get you connected to on- and off-campus resources related to essential needs, safety and advocacy, and more. The Cougar Closet is a registered student organization advised by our office and offers free clothes to students so that all Coogs can feel good in their fit. We also host a series of cultural and community-based events that fosters social connection and helps the cougar community come closer together. Visit the CSAC homepage or follow us on Instagram: @uh_CSAC and @uhcupbrd. YOU belong here.

XV. Women and Gender Resource Center:

The mission of the WGRC is to advance the University of Houston and promote the success of all students, faculty, and staff through educating, empowering, and supporting the UH community. The WGRC suite is open to you. Stop by the office for a study space, to take a break, grab a snack, or check out one of the WGRC programs or resources. Stop by Student Center South room B12 (Basement floor near Starbucks and down the hall from Creation Station) from 9 am to 5 pm Monday through Friday.

XVI. Resources for Online Learning:

The University of Houston is committed to student success, and provides information to optimize the online learning experience through our Power-On website (<https://uh.edu/power-on/learning/>). Please visit this website for a comprehensive set of resources, tools, and tips including: obtaining access to the internet, AccessUH, Blackboard, and Canvas; using your smartphone as a webcam; and downloading Microsoft Office 365 at no cost. For questions or assistance contact UHOnline@uh.edu.

XVII. UH Email:

Please check and use your CougarNet email for communications related to this course. Faculty use the CougarNet email to respond to course-related inquiries such as grade queries or progress reports for reasons of FERPA. To access your CougarNet email, login to your Microsoft 365 account with your CougarNet credentials. Visit University Information Technology (UIT) for instructions on how to connect your CougarNet e-mail on a mobile device.

XVIII. Webcams:

Access to a webcam is required for students participating remotely in this course. Webcams must be turned on (state when webcams are required to be on and the academic basis for requiring them to be on). (Example: Webcams must be turned on during exams to ensure the academic integrity of exam administration.)

XIX. Security Escorts and Cougar Ride:

UHPD continually works with the University community to make the campus a safe place to learn, work, and live. The security escort service is designed for the community members who have safety concerns and would like to have a Security Officer walk with them, for their safety, as they make their way across campus. Based on availability either a UHPD Security Officer or Police Officer will escort students, faculty, and staff to locations beginning and ending on campus. If you feel that you need a Security Officer to walk with you for your safety, please call 713-743-3333. Arrangements may be made for special needs.

Parking and Transportation Services also offers a late-night, on-demand shuttle service called "Cougar Ride" that provides rides to and from all on-campus shuttle stops, as well as the MD Anderson Library, Cougar Village/Moody Towers and the UH Technology Bridge. Rides can be requested through the UH Go app. Days and hours of operation can be found at <https://uh.edu/af-university-services/parking/cougar-ride/>.

XX. Online Exams and Proctoring:

If you are going to use online proctoring applications that require an environmental scan, you should make sure students are made aware in advance that an environmental scan may be conducted as a part of an online exam and also made aware that:

(1) students are permitted to take their online tests or quizzes in a computer lab or other available space;

(2) students need to be aware if you are using online proctoring software, and the student should consequently choose an environment with as little background noise and additional movement as possible to avoid the software flagging their exam for potential academic dishonesty; and

(3) there is no requirement that a student use their own personal computer or that they complete exams and quizzes in any specific location (e.g., their home).

XXI. Syllabus Changes:

Please note that the instructor may need to make modifications to the course syllabus. Notice of such changes will be announced as quickly as possible in class and by email.