

Copyright Against Modern Times

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What is copyright? Copyright is an intellectual property that grants an entity the rights of the work whether this is a video, artwork, or a quote. Copyright is important because if there was no law governing copyright then everyone would steal others artwork, movies, and coding examples. This would decrease economic activity meaning our economy would decline. But further on copyright and its importance especially in the artistic world. Copyright itself is the ownership of a person's work. This also follows being a copyright holder. Barret J best describes copyright holders as "A copyright holder in a qualifying work has the exclusive right to issue copies of the work to the public:23 examples are provided by a novelist, who earns royalties from sales of their books, and a composer, who permits paid performances or recordings of their songs." To elaborate this means a person owns a piece of work. Even though this is the case there is massive downfalls or flaws in our system. For digital art the flaws are even more intensely flawed. This is causing a multitude of issues.

Copyright is important in the artistic world. Especially when we start dealing with digital art. Digital art has gotten popular due to resources like iPad. So, how do can the world fix this? Introducing blockchain technology, best depicted by FISHER, K. (2019), "Blockchain technology is best described as a database maintained by a distributed network of computers." From an artistic standpoint that sounds irrelevant, but blockchain technology is the building block for digital proof of rightful ownership. For example, you produce artwork then embed it in a decentralized database. Everyone on a network can see the statistics of who and when the artwork was uploaded. The artwork has embedded an IPFS (Interplanetary File System) which is a peer-to-peer file storage network. Each file has a special link and hash. Since its peer-to-peer, the network keeps a log of who uploads what and when. This crucial part plays a huge role in

NFTs and the building blocks for the future of copyright. In a small point of view that is how NFTs were made.

The act of downloading and uploading files using the BitTorrent network is known as torrenting. Torrenting includes downloading files from other users' devices on the network rather than from a central server. "Torrenting is basically a peer-to-peer (P2PP2P) or for easy understanding people-to-people file sharing system, where people upload and people download but from within the computer (& not from the server) via internet using a ".torrent" file." Kumar Roy, G. (2015). For a variety of devices, such software is available for free download. Torrenting isn't illegal in and of itself, but downloading unlicensed copyrighted content is. It's not always clear which content is permissible to torrent and which is not. Some fall in a gray area, so you may find yourself unwittingly on the wrong side of the law. "But those files (songs, games, software) which are uploaded on the internet with cracks & patches are illegal, and downloading those cracked games & software (which costs money) using the torrent network is illegal. If we are sharing copyrighted content with other people, that is considered illegal." Kumar Roy, G (2015). But, with that being said because of the possibility of being able to easy download this material along with no governed laws this makes torrenting unethical.

Piracy is impacting musicians and artists around the globe. The impact of piracy on established artists is often cited because it's easier to put a number to it. "For example, Hollywood studios have the financial backing to track illegal downloads and streams, and with those numbers I have estimated losses in the hundreds of millions of dollars. But the less documented damage extends far beyond the "red carpet", to emerging artists, especially those who are on the verge of making it," Granados, N. (2016).

Next, what is an NFT? Well, Lewis, L., et. al (2021), best describes NFTs as, “An NFT is a cryptographic tool using a suitable blockchain, most commonly Ethereum, to create a unique, non-fungible digital asset. The blockchain keeps an immutable ledger of ownership of the NFT.” This follows copyright because of this statement by Lewis, L., Owen, J., Fraser, H., & Dighe, R. (2021), “The smart contract that governs an NFT could specify how proprietary rights, including copyright, are transferred upon sale of the NFT.” Although some may argue that you can copy NFTs from the internet, the idea that keeps them alive and special is how they have an embedded receipt in the code. This represents how to keep art alive to its true owner. You can download NFTs from “The NFT Bay” but since we want to preserve the rights of ownership the file sizes embedded in the NFT are up to twenty tebibytes if not more.

Now let us talk about the benefits for artists and the copyright community. NFTs are sold in places such as OpenSea for Ethereum. Rogers, R (2022) depicts this as being easy by stating “To put an existing NFT on the market, go to your **Profile** and click on the desired NFT. Then select the blue **Sell** button at the top right of the screen. Pick **Fixed Price** if you would like to sell it for a specific amount, or pick **Timed Auction** if you want people to bid on your NFT.” This is crucial since the idea of NFTs are so new. Brandom, R. 2022, “The open blockchain makes it easy to track the company’s growth — and one chart assembled by Chen paints a particularly startling picture. In January 2020, OpenSea brought in just over \$65,000 in total fees (a combination of OpenSea’s 2.5 percent commission and any commission charged by third-party sellers).” This is a great way for artists to know their platform since everything is open on a blockchain. Buying and selling is also very easy. “Now you’re prepared to browse through the marketplace and potentially make a purchase. Certain listings will feature a **Buy Now** option, while others allow you to place an offer to the owner. If you click **Make Offer**, choose the

amount you are willing to pay and an expiration date. After the exchange is complete, the NFT is transferred into your wallet and appears under the **Collected** tab on your profile page.” Rogers, R. (2022). Security is also very important by openSea. Rogers, R (2022) states “User safety within these marketplaces is important to address, but it’s only part of the equation. OpenSea is grappling with artist safety and not allowing copied artwork to be sold.”

Now how does everything tie itself together? Well, the downfalls and flaws of copyright is obvious especially in a growing world. The power of NFTs recording their records in a decentralized manner in which everyone has the power to view is powerful for the future of copyright. Now everyone can see who is trying to copy and who is the owner. In this growing technological world this is a must because the copyright laws need to be updated for modern today's standards. But with the knowledge of copyright laws and the new opportunities such as NFTs this provides the world a solid structure to build upon for future of copyright protection.

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