

Dr. Kimberlianne Podlas

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I am available after class *or email to schedule a meeting*

MST 407 develops “legal literacy” about the laws and regulations impacting the creation, consumption, and distribution of media. Upon successful completion of this course, students will be able to:

- Identify, articulate, and differentiate relevant laws and regulations
- Apply legal rules to and analyze factual scenarios
- Demonstrate the above proficiencies through analytical writing and oral communication

Most readings and materials referenced below are on Canvas (under Modules). Most exercises (including SI exercises) will be distributed only in class.

Often, you can complete reading assignments *after my introductory lecture*, but there are times you must read *before class* (especially when participating in and “earning credit” for SI activities – there is a document on Canvas that explains earning credit for in-class SI exercises).

Topical Outline and Calendar

Week of Aug 15

Rights in Identity: Commercial Misappropriation (Misappropriation and Right of Publicity)

When do I need permission to use a person’s image or identity?

Read: Misappropriation & Privacy, Privacy Outline + Q Guide (bring w/ you)

Week of Aug 22

Invasion of Privacy: “in private” v. “in public”; Privately-owned places (trespass)

Hidden cameras, Surreptitious recording; consent v. waiver

Which “invasions of privacy” are actionable?

Read: Aronson (Sicko) (for class), Candelaria (for class)

Week of Aug 29

Finish privacy: **private info v. personal info** ... *continue SI exercises*

Trademark: consumer recognition of and legal protection of commercial brands or services

What can be trademarked? What uses of a TM infringe?

Read: Trademark (Louis Vuitton, Tam for class)

Sept 5 (Tu)

Trademark cont’d

Sept 7 (Th): NO CLASS . . . catch up on reading

Weeks of Sept 12 and 19

The FCC and Regulation of Telecommunications

Read: FCC Reg & FCC Decision, FCC Analytic Outline (bring w/ you)

Content Regulation: Indecency and constitutional limitations

Read: FCC Saving Private Ryan (for class), FCC Spring 2014 (ex) (for class)

Written assignment #1 will be on Canvas by Sat Sept 23, 3 pm. **It is DUE Tu, Sept 26 (12 pm).**
(It's *remotely* possible that I'll change the posting of the assignment to 9/25 and the due date to 9/28).

TYPE your paper. Hand it in at the end of class OR by 12:00 in my mailbox; I will not accept papers by email. (The re-do will be posted after I return the papers).

Week of Sept 26

Tu: Written assignment #1 DUE 12pm

Agency Regulation (FTC), Private Organizations (MPAA, SAG/AFTRA), Contracts

Read: Other Regulations and Laws

Tue Oct 3: no class (I will be at a conference)

Thu Oct 5: Regulation cont'd; Personal injury lawsuits against media creators

Fall Break

Thur Oct 12 and

Weeks of Oct 17 and 24

Constitutional Protection of Speech: The First Amendment

What does the 1st Amend' protect? To whom does it apply?

Read: 1st Amendment chapter (bring w/ you: IT HAS BLANKS to fill in)

Read: IMDB 1st Cases (for class)

When can I be silenced or punished for speech?

Do journalists have a 1st Amendment right to *not* disclose their sources?

Defamation; Public Figures and "Actual Malice"

When is the media or an individual liable for lies or mistakes?

Read: 1st Amend examples (bring w/ you),
Defamation section

Week of Oct 31-Nov 2

Copyright: encouraging creation, protecting creative works, advancing society's interests in the arts and sciences

The Rights of a Copyright Owner

Read: Copyright Lecture_intro

Weeks of Nov 7 and 14

Infringement

Defenses and Fair Use

Nov 21: No Class (b/c you're not coming anyways, and I don't want to be lonely).

Nov 23-26: Thanksgiving Recess = carbo-load for finals

Nov 28: Last Day of T/Th classes

Cc'rt cont'd; mysteries of the world revealed

(Reading Day = 11/30)

Written Assignment #2 (the final assignment) will be on Canvas by Sun 12/3, 3 pm.

IT IS DUE TU 12/5, 1 pm. TYPE your paper. Deliver it to my mailbox (or office: 209 Brown); I will not accept papers by email. Late papers lose 1/3 point per ½ hr BUT won't be accepted after 2:01 (you'll get F).

Assignments & Opportunities for Grading

Written Assignment #1 (legal analysis)= 35% (due 9/26, 12 pm)

Assignment #1 has a “Do-over” option: After I return Assignment #1, I will post a “Do-over” Assignment. Students may opt to do the “Do-over” and receive whichever grade is *higher*. (You must staple your original Assignment #1 to your Do Over, or are capped at a “B”).

Written Assignment #2 (legal analysis)= 35% (There is no Final Exam, only Assignment #2 due 12/5, 1 pm)

In-class Formal Speaking-Intensive Exercises = 30% (examples are in SI Rubric document). **There will be no SI activities after Nov 16.**

You earn points for participating in Formal SI Activities, as follows:

20 points = SI Analytic Sequence

13 points = Correctly articulates content (corrects, clarifies rule, facts), or otherwise assists in completion of (someone else’s) SIA; Adds relevant content (identifies cf/ contrast, pertinent present issue)

2 points = is in the room during Formal SI Exercise (must be in room during the entire exercise)

Points accumulated correspond to UNCG’s 4.0 (A-F) scale (Ex: 40 points = 4 [A] .. 10 points = 1.0 [D])

In order for this course to count toward the MST major, you must receive a “C” or better.

Attendance

I do not enforce the Departmental Attendance Penalty, **BUT if you miss class, you do so at your peril.**

FIRST, the Speaking Intensive aspects of this class occur *entirely during* (and are assigned in) *class*. Therefore, if you do not attend, you will miss the exercises (and opportunity to earn credit toward that portion of your grade).

SECOND, to encourage you to attend, some materials (including assignments, sample answers, and handouts) are available *only* in class – they will not be on Canvas or “re-taught” during office hours. Therefore, if you choose not to attend, you knowingly choose to miss material. (If you have a personal issue and notify me in advance, or within a reasonable amount of time of a missed class, we can attempt to negotiate an accommodation. *If you have a prolonged illness or personal issue, you should contact the Dean of Students/ Office of Student Affairs as soon as possible and ask them to intercede on your behalf.*)

POLICY ON ACADEMIC INTEGRITY

Students must familiarize themselves with UNCG’s Policy on Academic Integrity, available at:

<http://studentconduct.uncg.edu/policy/academicintegrity>. On written work, students must affirm that: “My words and actions will reflect Academic Integrity. I will not cheat or lie or steal in academic matters. I will promote integrity in the UNCG community.”

In THIS class it is deemed academically dishonest to allow a colleague to read your written assignments (#1, #2) as well as to copy from a colleague’s work. (You *may* discuss with colleagues your answers and analyses, but you may not write answers together, copy a colleague’s answer, provide your written answer/ draft, or engage in similar acts). It is also academically dishonest to forge or fake documents (e.g., University documents, doctor’s notes, police reports, obituaries) in order to obtain a benefit, an excuse from, or extension on written work/ tests.

At the minimum, students violating academic integrity standards receive a 0 for the assignment (with no opportunity to rewrite OR opt for the original grade) and lose all extra credit, rewrites, and/ or grade-related benefits available in the class. At the instructor’s discretion, the incident may be forwarded to the relevant academic integrity board(s).