

A large, light-colored watermark of the University of Chicago shield is centered in the background. It features a book with the Latin motto 'Crescat Scientia Excolatur Latine' and a laurel wreath at the bottom.

COPYRIGHT FORMALITIES AS COSTLY SCREENS

Jonathan Masur

BCLT/BTLJ Symposium:
Reform(aliz)ing Copyright for
the Internet Age
April 18, 2013

Social and Private Value of Copyrights by Class

	High Social Value	Low Social Value
High Private Value		
Low Private Value		

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Social and Private Value of Copyrights by Class

	High Social Value	Low Social Value
High Private Value	Commercially successful works of authorship: will be copyrighted regardless	<i>Essentially none</i>
Low Private Value	Thinly copyrighted or influential but non-lucrative works: <i>screens can be significant</i>	Insignificant and/or inadvertently protected works: copyright is irrelevant

Different Levels and Timing of Formalities

	High Cost Formalities	Low Cost Formalities
Ex Ante		
Ex Post		

Different Levels and Timing of Formalities

	High Cost Formalities	Low Cost Formalities
Ex Ante	Significant reduction in transaction costs/ Significant impact on production?	
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Different Levels and Timing of Formalities

	High Cost Formalities	Low Cost Formalities
Ex Ante	Significant reduction in transaction costs/ Significant impact on production?	Moderate reduction in transaction costs/ Moderate impact on production? (photos?)
Ex Post		

Different Levels and Timing of Formalities

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Different Levels and Timing of Formalities

	High Cost Formalities	Low Cost Formalities
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Ex Post	Significant reduction in transaction costs/ Moderate impact on production? (academic publishing?)	Moderate reduction in transaction costs/ Small (if any) impact on production