

Transcript for Timothy R. Amidon, Les Hutchinson, TyAnna Herrington, and Jessica Reyman's IP Cast 6: AV ex rel. v. iParadigms, LLC., in "Copyright, Content, and Control: Student Authorship Across Educational Technology Platforms," published in Kairos: Rhetoric, Technology, Pedagogy (XX.X), available at <http://kairos.technorhetoric.net/XX.X/topoi/amidon-et-al/turnitin.html>

00:01 [IP Casts music, a soft harmonic resonance, builds to a crescendo]

00:06 Les: You're listening to IP Casts.

00:13 [IP Casts music fades out]

00:14 Tim: In Vanderhye one of the things that appeared to fail was the students sued iParadigms rather than thinking about the role of the institution or the instructors in compelling them to submit their IP to the system in the first place. Can you say a little more about that.

00:35 Tyanna: They're clearly suing, well they sued iParadigms, eventually it was iParadigms, in suing iParadigms they did sue the end users of their work and the user that was gaining huge economic benefit from using their work. So it wasn't that the suit itself was improper, but it was they missed the first level because beyond iParadigms infringing on their copyrighted work or their rights to protect their own copyrighted work. They missed that the university infringed on that work or potentially. You can never say absolutely anything when it comes to law it's potentially this likely this like that but of course the outcome the likely infringement by iParadigms you have to say that until you're actually arguing in your closing arguments well and of course you're making your case... but in any case, the earlier instance of potential infringement was the university or the professor who said I'm forcing you to submit this document that you created in class for pedagogical purposes, but you're submitting it to be tested for plagiarism. So not only are you treated guilty before you've been found guilty of plagiarizing which of course is not a legal structure but you're been treated that you have been a plagiarist before you've even been determined to be plagiarizing. You've also been forced to submit your copyrighted work without having.. nobody's asked for permissions. Nobody's given you any benefit for this other than you're part of a class, but being part of a class that this will help you get through that class. But being part of that class shouldn't imply that you are forced to give up all your rights in your copyrighted works. And that's there so you have the potential infringement that's strong by the university or from the professor that forces it and then you have the second potential infringement that comes from iParadigms from the PDS of whatever kind that uses that work down the line so you have two layers.

03:08-03:20 [IP Casts music, a soft harmonic resonance, builds to a crescendo, then begins to fade out]