

Copyrights and Wrongs- Mad Men

Directions

Read the instructions on this page. Complete the rest of the handout in pairs, and be prepared to share your findings with the class.

You will be “mad men” in this activity. (The term “mad men” is shorthand for “Madison Avenue ad men,” who were advertising executives who worked on Madison Avenue in New York City during the 1950s and 1960s. It is also the name of a popular television show that began running in 2007.) As “mad men,” you will have to decide on a photo to use for an advertising campaign.

Since advertising is a commercial purpose, fair use does not apply. In order for advertising executives to use a photograph, they need to do one of the following things:

- They can use a photograph for which they already own the copyright.
- They can get permission from the copyright holder to use that photo for commercial purposes (and pay any fee the copyright holder might charge).
- They can use a photo that is in the public domain.

In addition to considering the copyright status of the photo, you also need to consider the original intent of the creator and the effectiveness of the photo for your ad campaign.

You will need to first analyze and answer the questions about each photo before you make a decision. You will need to defend your choices. You will have approximately 10 minutes to review your options and reach a consensus.

You will present your findings to the class. Be able to describe why you chose your photos.

Big, Little, and Small Advertising Agency
10 Madison Avenue
New York, New York

Hi there, B.L.S. creative teams.
It's Frida from the photo department.

The Vegetable Farmers of America (VFA) have hired us to create print and billboard ads that encourage people to become vegetarians. These ads will be used in magazines and billboards nationwide.

We have gone through hundreds of images for them and have decided on five. It is your job to make the final decision on which of the five images to use. The photos, along with their source information, are in this packet.

Choose a photo that you believe will encourage someone to become a vegetarian, but be sure to also consider how the photo was originally used and how it is copyrighted.

For each photo, we need you to answer the following questions:

1. Who owns the photo? Who holds the copyright for the photo (if anyone), and who gets paid for its use? Is it protected by copyright, available for free public use via Creative Commons, in the public domain, or some other way? In other words, what do we need to do to use the photo legally?
2. Who created the photo? What was it originally used for, and what does it show? How do you think the creator might feel about having us use the photo in our ad campaign?
3. Is the photo right for our ad campaign? To answer this question, you need to think about how the VFA might feel about having us use the photo in their ad campaign, and how the public might respond to an ad that uses this photo.

See you in the cafeteria,
Frida Miko
Director, B.L.S. Photo Department

PHOTO BOOK

For Creative Team's Eyes Only

Photo 1: Cattle Show, Flickr

Owner and copyright status: _____

Creator and original context: _____

Right for the ad campaign? _____

Why or why not? _____



Okay, Frida. Photo 1 comes to us from Flickr, the photo-sharing site on the web. This photo is in a public album, created by a member of the Future Farmers of America, and is copyrighted through Creative Commons, a license that allows free use of materials by others. Some are allowed to be used for commercial purposes and some aren't. But don't worry, this one is okay to use for commercial purposes. However, we don't really know if this young farmer is aware that her photo from the local cattle show is available for commercial use.

Photo 2: Hindu Temple, Stock

Owner and copyright status: _____

Creator and original context: _____

Right for the ad campaign? _____

Why or why not? _____



We can buy some images called stock photos. Well, technically, we buy permission to use it for a fee. But we can't forget to credit them! That's part of the deal. This photo comes from Pronto Pictures. It would cost \$1,500 to use in our advertising campaign. The image shows a Sri Mariamman Hindu Temple in Singapore. The cows are statues. Keep in mind that for Hindus, cows hold special significance as religious icons.

Photo 3: Dairy Cow, Owned by B.L.S.

Owner and copyright status: _____

Creator and original context: _____

Right for the ad campaign?

Why or why not? _____



This photo takes me back to my days on the dairy farm. It's by one of our in-house photographers, Duncan. This means that we own the copyright. If someone else wanted to use this photo of Bessie, we would license the photo to them for a fee, depending on the use. But we can use it for free. Look at those big cow eyes.

Photo 4: Flank Steak, Flickr

Owner and copyright status: _____

Creator and original context: _____

Right for the ad campaign? Why or why not? _____



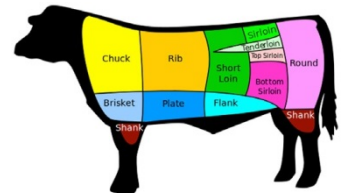
Photo 4 looks yummy! It's also from a public album on Flickr, one on how to prepare flank steak. The photo was taken and posted by a local chef, and it is listed for commercial use under Creative Commons. One thing this particular Creative Commons license allows us to do is alter or change the image.

Photo 5: Cuts of Beef, Public Domain

Owner and copyright status: _____

Creator and original context: _____

Right for the ad campaign? Why or why not? _____



So, do you know your cuts of beef? This photo is in the public domain, meaning that it's available for public use or alteration for any purpose. There's no author we need to get permission from to use it, and no one will come knocking to claim their "cut."