Copyright For Kids: What Do You Tell Them?
Co-Authoring a Book with a Ten-Year Old

Dr. Elizabeth Townsend Gard
Glazer Professor of Social Entrepreneurship
Associate Professor
Tulane University Law School

AND

Sidne Katherine Gard (ten-year old)

In the Spring 2013, I was handed a royalty check by a colleague for an Introduction I had written for a public domain work for a little over $100. It would have been a non-event had not my then-nine-year old been at my side. She asked why Alan had handed me money. I explained how copyright works, and how sometimes authors got money when people bought their book. An entrepreneur from the start, she kind of lingered in Alan’s office, almost like it was magical, that maybe more royalty checks would somehow appear. Then, she asks, could we write a book, so that she too could get royalty checks? “How about a book on copyright for kids?” The beginning of this book then, epitomized the essence of 1.8.8 – exclusive rights were motivating the kid to put her Lockean labor into a book. How could I or Alan say no? And so, we began writing together a book, “Copyright for Kids (and Parents too),” which now also will include a full website too.

We did our research on what other texts were available. Surprisingly not that many. We also started to get our angle—what the book would look like—it would be in two fonts, with two voices, one, the grown up explaining the concept, and then the kid voice, interpreting. We started the first chapter. Everything was going swimmingly. And then it hit me – what did we really want the 9-12 year old crowd to know about copyright? We wanted to the book to be a real reflect of what they did, particularly online. This project suddenly got a lot harder than I had originally thought….

We added one more layer—we started to look into the world of the 9-12 years olds—the You Tube videos they make, the chord progression for One Direction songs they search for, the remaking of cartoon stills into something else, and even the school projects they are asked to do. (She was required to download various pictures of Barbara Jordon as part of her cover for a presentation, and then do an online, public version of the website as well). Everything I was teaching her about copyright contradicted her experiences everyday.

How do we reconcile law with culture? How do we teach this to our children? The presentation will demonstrate and give insight into the 9-12 year old world—and will hopefully lead to discussion of what we should be teaching our children but also what our children can teach us. Culture seems to be outweighing law at the moment.
In the end, we are starting to think about a book that has two parts—one version is the law, explained and interpreted for 9-12 year olds. Then, you flip the book—the other side is culture—what people are doing now, how the law interacts and the questions that it leaves. In the middle, will be a worksheet/diary of where a kid can decide where they sit on certain questions as well as a quiz on understanding the basics of both law and culture in the early 21st century.

We will present examples of what 9-12 year olds do. We will then discuss the disconnect between law and culture. We hope part of our time will be a discussion—of what we should include and how we should approach specific issues touching the lives of the 9-12 year old crowd. We have also started to think that this book might be an edited collection of essays, where experts from various aspects of copyright and trademark work together with a 9-12 year old to think about these questions. This project will lead to both a book as well as a law review article. We are also interviewing copyright policy people at Google (next week) and in the content industry as well to better understand their approach to the use of works by kids within an Internet context.