

“Copyrights must amend”

Brett Díaz¹

Copyright laws contradict commonly held ideas concerning intellectual property-- for instance: rather than protecting a recording artist, they protect record company investments. An instance of a loophole in copyright law or its enforcement, as seen in the history of the Amen Break, demonstrates contradictions in such truisms as "intellectual property" and "copyright infringement." Works on poetry and philosophy support this argument. Furthermore, there are alternatives to the present copyright system; this article presents several. *[Article copies available for a fee from The Transformative Studies Institute. E-mail address: journal@transformativestudies.org Website: <http://www.transformativestudies.org> ©2012 by The Transformative Studies Institute. All rights reserved.]*

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Despite outward claims to the contrary, copyright law does not protect artists in the music industry. Two examples present how this is the case:

Multi-billion dollar corporations are often at fault in copyright lawsuits that the musicians and artists cannot afford. In these instances, those exploiting the artistic creation of others are at an even greater advantage: copyrights law states that the artist is responsible for discovering instances of stolen work. This means the lawsuit never happens, most artists cannot afford the expenses associated with a lawsuit, and they receive no payment and no credit. Artists need more protection than an invisible shield, especially those whose very arts form assume copyright laws to be obsolete, like musicians creating live sample-based music.

¹ Address correspondence to: Brett Díaz, Faculty Librarian, University of Puerto Rico in Ponce Calle 6 B-2 Urb. Alturas del Río Bayamón, P.R. 00959; tel: 352-575-0822; e-mail: brettdiaz@gmail.com. **Acknowledgements:** I would like to thank Suzette Cortes, Missy Clapp, Patrick Reakes, Safraz Sattaur, and my former employer the University of Florida and their travel planning committee for their assistance in making this article possible.