Remixing Media

This lesson is part of USE, UNDERSTAND & CREATE: A Digital Literacy Framework for Canadian Schools: http://mediasmarts.ca/teacher-resources/digital-literacy-framework.

Overview

In this lesson, students examine different types of remixes – from works created by editing a single text to ones that draw inspiration from existing texts – in order to develop a definition of "remix." They learn about the legal considerations in making remixes under the *Copyright Act*, consider ethical issues around remixing, and develop a code of best practices for remixing. Students will also consider the differences between remixes that are primarily *creative* versus those that are done for purposes of *criticism*, and create their own *critical remix*.

Learning Outcomes

Students will:

- Consider how artists and critics draw on existing texts in their work
- Learn and apply legal terms and concepts relating to intellectual property and media creation
- Consider ethical issues around use of intellectual property and develop a code of ethics for its use in remixes
- Analyze different *types* of remixes
- Analyze different *purposes* of remixes
- Create a media text that draws on their learning about remixes and serves as a critical work on a social or political issue
- Write an expository text that explains their thought and process in creating their media text

Preparation and Materials

Prepare to project or arrange for students to view the MediaSmarts video *What is a Remix?* (http://mediasmarts.ca/sites/mediasmarts/files/videos/remix-lesson-video.mp4).

Photocopy the following handouts:

- *What is a Remix?*
- *Copyright Basics*
- *Critical Remix Assignment*
- *Remix Tools*

Review the backgrounders What is a Remix? – Teacher's Version and Copyright Basics – Teacher's Version

Procedure

Activity 1: What is a remix?

Begin the lesson by asking students what they think the word "remix" means. Let students suggest possible meanings (most will relate to music) and then show them the video *What is a Remix?* (If you are not able to show the video in class, assign viewing of the video as homework the day before.)

Once students have seen the video, distribute the handout *What is a Remix?* and divide the class into small groups. Have each group go through the handout and identify the differences between the types of remixes that are listed. When the groups have finished, have them share their definitions with the class and develop a consensus definition for each type of remix. (You can use the backgrounder *What is a Remix? – Teacher's Version* to help steer your students in the right direction and ensure that their final definitions are correct.)

Based on the types and examples they've examined, return to the original question: What is a remix? You should be able to come to a definition that is basically the same as this one: *a remix is an original work that draws on one or more existing works*.

Point out that the examples in the video are featured in order of how much they rely on pre-existing works, from *Edits* such as "Garfield Minus Garfield" (made entirely from one existing work) to *Mosaics* such as "Star Wars" (which draw on elements from many different works, but do not use any directly.) Point out that the more a remix uses existing works, the more it has to *change them in a meaningful way* to make a new work. For instance, removing a minor character from a story probably wouldn't change it enough to really make it new, but taking out one of the main characters – as in "Garfield Minus Garfield" – changes it significantly.

Activity 2: What is legal and ethical in remixing?

Ask students whether or not they think it's legal or ethical to do a remix without getting permission from the owners of the existing works. Again, let students share their opinions but don't give any definitive answers. Most will probably feel that a *Mosaic* is legal and ethical in most cases (though some may be surprised at how directly Lucas lifted some of the shots in "Star Wars"), while opinions will likely differ about the legal and ethical status of the other categories.

Distribute the handout *Copyright Basics* and have students go through it and answer the questions. (This may also be assigned as homework.) Once this is completed, have students pair with a partner to share their answers to question 10, then brainstorm other possible "best practices" of ethical remixing.

Take up the questions using the *Copyright Basics – Teacher's Version* backgrounder. Use your students' answers to question 10 to develop a master list of "Best Practices for Ethical Remixing" which you write on the board and have students record in their notebooks. (Remind them that these best practices are *in addition to* their legal obligations under the Copyright Act.)

Activity 3: What is a critical remix?

On the board, list the remix examples from the video in two columns:

Garfield Without Garfield	Buffy Versus Edward
Hercules	Wes Anderson, the Substance of Style
Nightwing: The Series	McDonald's Ads Versus the Real Thing
Star Wars	

Ask students: What is the difference between the examples in the first column and the examples in the second?

If students don't identify the difference, point out that the examples in the second column were all made to make a *critical point* about the texts being used: "Buffy Versus Edward" uses the remix to compare how the two texts portray gender and relationships; "Wes Anderson, the Substance of Style" uses the opening sequence of *The Royal Tenenbaums*, as well as other films, to examine the director's style; and "McDonald's Ads Versus the Real Thing" uses footage from McDonald's ads and original footage to show the unrealistic portrayal of McDonald's food in its ads.

On the other hand, "Garfield Without Garfield," "Hercules," "Nightwing: The Series" and "Star Wars" do not use their original texts in a *critical* way but as platforms for the remixer's *creativity*.

Point out that whether a remix is creative or critical does not relate to the kind of remix it is: edits, reboots, fan-made media and mosaics can all be critical if they have some kind of critical purpose, either critiquing the works they're based on (many fan-made works do this by shifting the focus to under-represented characters) or using the works to do social or political commentary. Write the heading "Creative Remix" over the first column and "Critical Remix" over the second column.

Assessment/Evaluation Task: Critical remix

Distribute the assignment sheet *Critical Remix Assignment* and the handout *Remix Tools*. (Note that all of the tools in the handout have been selected because they do not involve bypassing technological protection measures.) Go through the assignment and explain to students that they will be creating a *critical remix* (you may decide whether they are to work individually or in groups). Make sure they understand that their final product does not necessarily have to be critical in the sense of being negative, or be critical specifically of the work(s) they're using – it just has to use existing works to make a critical point.

What is a Remix?

With your group, describe each type of remix based on the example given. Pay particular attention to the differences between each example.

<u>Edit</u>

Example: "Garfield Minus Garfield." This video is taken from "Garfield" comic strips where the main character has been erased, leaving only his owner.

Definition:

<u>Mashup</u>

Example: "Buffy Versus Edward". This video was made using footage of the TV series "Buffy the Vampire Slayer" and the films in the "Twilight" series in order to explore how the portrayals of relationships and gender are different in the two works.

Definition:

<u>Annotation</u>

Example: "Wes Anderson, The Substance of Style Part 5: The Prologue to The Royal Tenenbaums (Annotated)." This video uses text, narration and images to analyze the opening scene of the film "The Royal Tenenbaums."

Definition:

<u>Collage</u>

Example: "McDonald's Ads Versus the Real Thing." This video uses McDonald's ads and film shot by the video-makers to compare how McDonald's food looks in ads and in real life.

Definition:

<u>Reboot</u>

Example: "Hercules." This film retells the story of the ancient Greek hero Hercules with a modern twist.

Definition:

Fan-Made

Example: "Nightwing: The Series" (trailer). This unauthorized fan movie tells the story of Batman's sidekick Robin after he becomes Nightwing.

Definition:

Mosaic

Example: "Star Wars". This film shows how George Lucas draws on elements and ideas from many different sources to create an original story.

Definition:

What is a Remix? – Teacher's Version

With your group, describe each type of remix based on the example given. Pay particular attention to the differences between each example.

Edit

Example: "Garfield Minus Garfield." This video is taken from "Garfield" comic strips where the main character has been erased, leaving only his owner.

Definition: This type of remix is created by removing or rearranging elements of a single text.

Mashup

Example: "Buffy Versus Edward". This video was made using footage of the TV series "Buffy the Vampire Slayer" and the films in the "Twilight" series.

Definition: This type of remix is created by mixing elements of two or more texts.

Annotation

Example: "Wes Anderson, The Substance of Style Part 5: The Prologue to The Royal Tenenbaums (Annotated)." This video uses text, narration and images to analyze the opening scene of the film "The Royal Tenenbaums."

Definition: This type of remix is created by adding commentary to selections from one or more texts.

Collage

Example: "McDonald's Ads Versus the Real Thing." This video uses McDonald's ads and film shot by the video-makers to compare how McDonald's food looks in ads and in real life.

Definition: This type of remix is created by adding original content to selections from one or more texts.

Reboot

Example: "Hercules." This film retells the story of the ancient Greek hero Hercules with a modern sensibility.

Definition: This type of remix is created by re-telling an existing story, using the overall structure and characters but little or none of the original text.

Fan-Made

Example: "Nightwing: The Series" (trailer). This unauthorized fan movie tells the story of Batman's sidekick Robin after he becomes Nightwing.

Definition: This type of remix involves creating entirely new stories based on characters and settings taken from existing texts, but using little or none of those texts directly.

Mosaic

Example: "Star Wars". This film draws on elements and ideas from many different sources to create an original story.

Definition: This type of remix involves creating an entirely new story with new characters that draws on elements from existing texts but does not use any of them in their original form.

Copyright Basics

Copyright

Copyright lets an owner of intellectual property control how that property is copied, altered, sold, etc. In most countries you don't have to register copyright, but your work must be (mostly) finished – you can't copyright ideas. Copyright works by granting certain rights—the right to reproduce, distribute, broadcast, or make something based on someone else's work (as well as the right to give other people permission to do any of these)—to the holder of the copyright. Basically, copyright protects the rights of people who have either created a work, paid for it to be created or purchased the copyright from a previous copyright owner. In Canada, regulations for copyright are set out in the Copyright Act.

Derivative works

Derivative works are things that are created using a large part of a copyrighted work (like a movie that's been adapted from a book). Owning the copyright to something includes controlling the creation of derivative works.

Intellectual property

Intellectual property covers anything that has been invented or created. When an intellectual property is something tangible (like a painting), it is possible to own the object, but not the intellectual rights. For instance, even though you own a painting, you may not have the right to make copies of it (which would be an intellectual property right.)

Licence

Licenses set out the terms by which the copyright owner lets you use a work. For instance, when you buy music you are buying a licence to *listen* to it for your own enjoyment, but if you want to use it in something you are making or play it at a public event or use it in a soundtrack you have to pay for additional licences. Some works are offered under a *Creative Commons* licence, which automatically gives users extra rights that they wouldn't normally have. (You can learn more about Creative Commons here: http://sarafhawkins.com/creative-commons-licenses-explained-plain-english.)

Public domain

Intellectual property that has no copyright is in the **public domain**. This means that anyone can copy, alter, sell or make works based on it without permission or payment. Material created before the development of copyright law is in the public domain; property also moves into the public domain after a certain amount of time has passed (but the length of time and specific conditions varies from country to country.)

User rights

These rights cover what you can do with a copyrighted work when you don't own the copyright or have a specific licence to use it. In Canada, user rights are defined by the Copyright Act. The most important user rights for remixing are *Fair Dealing* and *User-Generated Content*. Fair dealing lets you use copyrighted work for:

- education

- criticism

- research

- private study

- parody

- satire

- review

- and news reporting

For a use to be fair dealing it also has to:

- use as little of the copyrighted work as possible

- can't have an unreasonably negative impact on the value of the original work

- and it should only be done if there is no other way to make a new work without using copyrighted content

The User-Generated Content (UGC) exception lets people create a new work based on a copyrighted work and share or let others share what they've created (for instance, posting it on YouTube) so long as:

- the use or distribution of the new work is for non-commercial purposes

- if possible, the source (and, if given in the source, the name of the author or creator) of the copyrighted work that was used, is mentioned

- the original work that the UGC was based on was accessed legally

- the UGC has no "substantial adverse effect, financial or otherwise" on the copyrighted work

Technological Protective Measures (TPM)

There is a section of the Copyright Act that bans "circumvent[ing] a technological protection measure." This means that you can't break any digital locks on material, including technologies that restrict access or the ability to make copies. You cannot, for example, attempt to get around things like paywalls without subscribing to the service or try to download material that is only intended to be streamed (like Netflix shows). Even uses that are legal under fair dealing or UGC are illegal if you need to get around TPMs to use them.

Questions

1. Give one example of real property and one of intellectual property not listed in the article.

2. Give two examples of derivative works not listed in the article.

3. Give two examples not listed in the article of works that are in the public domain.

4.   Give an example not listed in the article of a common activity that is considered fair dealing.

5.   How is whether a work is in the *public domain* relevant to remixing?

6.   How are *Creative Commons licences* relevant to remixing?

7.   How is *fair dealing* relevant to remixing?

8.   How is the *user-generated content exception* relevant to remixing?

9.   How are the rules on *technological protection measures* relevant to remixing?

10.   What do you think would be the best rules to make sure that remixing is *ethical* in how it treats the original work(s) and their creators? (For something to be *ethical* it has to be *right* as well as *legal*. For example, taking a work in the public domain and claiming you wrote it would not be *illegal*, but it would definitely be *unethical*.)

Copyright Basics – Teacher's Version

Questions

1. Give one example of real property and one of intellectual property not listed in the article.

    Examples of real property: food, clothes, cars, electronics, etc.

    Examples of intellectual property: music, the content of a book, a film, a video game, etc.

2. Give two examples of derivative works not listed in the article.

    Examples: a sequel or prequel to a story; a remix of a song; a toy of a copyrighted character; any adaptation of a work to another medium.

3. Give two examples of works that are in the public domain.

    Examples: Shakespeare and other pre-modern playwrights; most folk and classical music; stories and characters from mythology. However: a new translation or adaptation of any of these could be copyrighted, and a new recording of folk or classical music would be copyrighted. (Also, some folk and "classical" music does have known authors and is under copyright. Don't assume it's in the public domain!)

4. Give an example not listed in the article of a common activity that is considered fair dealing.

    Examples: quoting from a work in an essay; using quotes or clips in a review; creating a parody of a work (such as in Mad magazine – though many parody artists, such as Weird Al Yankovic, do get permission from the copyright owners); reading aloud from a copyrighted work, performing a copyrighted play, or creating a dance set to copyrighted music within a classroom (not for an audience).

5. How is whether a work is in the *public domain* relevant to remixing?

    Works in the public domain are not under copyright, so you can do anything you like with them. For example, anyone can do a "reboot" of the story of Hercules using all the elements that were in the original Greek myths, but anything that was created for the Disney movie is under copyright.

6. How are *Creative Commons licences* relevant to remixing?

    Many (but not all) Creative Commons licences allow you to use content for remixing purposes under certain limitations.

7. How is *fair dealing* relevant to remixing?

    Remixing may be considered fair dealing if the remix serves a purpose of education, criticism, satire or parody. For example, "Wes Anderson, The Substance of Style Part 5: The Prologue to The Royal Tenenbaums (Annotated)" could be considered as education if it's used to teach students about film-making, or as criticism (since it's a critical examination of a particular director's style – "criticism" does not have to be negative.) "Garfield Minus Garfield" could be considered a parody of the original "Garfield" comics.

8. How is the *user-generated content exception* relevant to remixing?

    The UGC exception allows a wide range of remixes so long as they follow the four rules set out in the Copyright Act (non-commercial purpose; source is given; legally available work; does not compete with copyrighted work.) For example, the "Nightwing: the Series" video probably would not be considered fair dealing, but would likely be considered as protected UGC so long as it wasn't taking money away from DC Comics/Warner Brothers.

9. How are the rules on *technological protection measures* relevant to remixing?

    The precise meaning of the TPM rules has not yet been established in court. A conservative interpretation, however, would say that users can't use any tools not available in the original platform to make a remix, even if that remix was fair dealing or UGC. Because YouTube does not have a "record" or "download" function, for example, creating a mashup or collage such as "Buffy Vs. Edward" and "McDonald's Ads Versus the Real Thing" might not be legal.

10. What do you think would be the best rules to make sure that remixing is *ethical* in how it treats the original work(s) and their creators? (For something to be *ethical* it has to be *right* as well as *legal*. For example, taking a work in the public domain and claiming you wrote it would not be *illegal*, but it would definitely be *unethical*.)

    Examples of "best practices" include:

    Use public domain, licensed or Creative Commons material where possible

    Give credit to the sources, creators and owners

    Don't misrepresent

    Don't use more than you have to

    Don't share with more people than you need to

    Do something meaningful (using a song as a soundtrack because you like it isn't a meaningful remix) and original (your remix should be distinct from the works you used)

Critical Remix Assignment

For this assignment, you will create a *critical remix* using one or more existing works to create a new work. This new work will make a *critical commentary* either about a social or political issue, about one or more of the original works used, or both. Your remix can be any one of the kinds of remix studied (edit, mashup, annotation, collage, reboot, fan-made or mosaic.) Make sure to follow the list of best practices for ethical remixing that we developed as a class.

Consult the handout *Remix Tools* for suggested tools for creating your remix. However, you are not limited to these tools, and you do not have to do a remix using digital technology: you can do "low-tech" remixes as well (physically cutting and pasting from newspaper or magazines, writing stories or drawing comics, making videos, etc.)

Along with your remix you will write a short paper (minimum 500 words) that will answer the following questions:

1) What type of remix did you choose? Why did you choose that type?

2) What work(s) did you use? Why did you choose them?

3) What critical commentary does your remix make? How is it communicated?

4) Does your remix fall under fair dealing? Why or why not?

5) Does your remix fall under the user-generated content exception? Why or why not?

6) What other ethical issues did you have to consider in creating your remix? What decisions did you make and why?

Remix Tools

Easy

- YouDubber
  http://www.youdubber.com/
  Lets you mix the video and audio from any videos on YouTube.

Medium

- VideoANT
  http://dml.wikis.bgc.bard.edu/videoant
  Lets you create annotations for a video.
  See more information here: https://nathanghall.wordpress.com/2013/05/29/videoant-online-video-annotation-and-commenting/
- AdMaker
  http://www.livingroomcandidate.org/admaker
  Lets you mix audio and video from U.S. election ads to create your own.
- Glogster
  http://edu.glogster.com/
  Lets you create multimedia posters with your own and existing media.
- Crayon
  http://crayon.net/
  Lets you create your own newspaper.

Expert

- NewsJack
  http://newsjack.in/
  Lets you create your own custom version of any website.
- Popcorn.js
  http://popcornjs.org/
  Lets you connect videos to different kinds of Web content.
  See more information here: http://www.rebelliouspixels.com/2011/html5-dynamic-video-remix-using-popcornjs
- PowToon and Wideo
  http://www.powtoon.com/
  http://wideo.co/
  Lets you create animated slideshow videos using images, music and sound that you upload or that are taken from their library.

Media Sources

- The Internet Archive
  http://www.archive.org
  This non-profit site pulls together collections of free cultural works from across the web, including books, videos, music, software, and more. Many works are available for download in a variety of formats and when they're in the public domain or published under a Creative Commons licence the allowed uses are clearly marked.

eBooks & Texts

- Project Gutenburg
  https://www.gutenberg.org/
  A collection of public domain texts available to read online and for download in a variety of formats, frequently including audiobooks.

Video

- Moving Image Archive
  https://archive.org/details/movies
  Video files uploaded by users under a Creative Commons licence.

- Vidsplay
  http://vidsplay.com
  A collection of free HD video stock footage, free for any use with attribution.

- XStockvideo
  http://www.xstockvideo.com/
  A resource for stock video footage which is available free for any non-commercial use.

Audio

- Freesound
  http://www.freesound.org/
  A collaborative database of Creative Commons licensed audio (sound effects and music) available for download and use.

- SoundBible
  http://soundbible.com/
  A frequently updated collection of sound effects which are available under various Creative Commons licences, all of which can be used for non-commercial projects.

- Vimeo
  https://vimeo.com/musicstore
  A huge library of music; although some is for sale, much of it is available for free under various Creative Commons licences and the site allows you to search by licence type.

Images

- morgueFile
  http://www.morguefile.com/
  Free high resolution stock photos available for free for any creative purposes—that is, they must be used in the creation of a new work.

- Pics4Learning
  http://www.pics4learning.com/
  An image library created specifically for educators and students, the images are uploaded by copyright holders for any uses serving an educational purpose, including use in multimedia projects, websites, videos, etc.

- Openclipart
  https://openclipart.org/
  A collection of free vector clip art in the public domain.

- Flickr
  https://www.flickr.com/creativecommons/
  A huge collection of photos in the public domain or licensed under various Creative Commons licences. You can search Flickr images by licence type.

Task Assessment Rubric: Critical Remix Assignment

	Learning Expectations	*Achievement*
Use Skills and competencies that fall under "use" range from basic technical know-how – using computer programs such as word processors, web browsers, email, and other communication tools – to the more sophisticated abilities for accessing and using knowledge resources, such as search engines and online databases, and emerging technologies such as cloud computing.	*Ethics and Empathy:* understands the legal and ethical dimensions of respecting creative work *Community Engagement:* advocates and practices safe, legal, and responsible use of information and technology *Finding and Verifying:* locates, organizes, analyzes, evaluates, synthesizes, and ethically uses information from a variety of sources and media	Insufficient (R) Beginning (1) Developing (2) Competent (3) Confident (4)
Understand "Understand" includes recognizing how networked technology affects our behaviour and our perceptions, beliefs, and feelings about the world around us. "Understand" also prepares us for a knowledge economy as we develop information management skills for finding, evaluating, and effectively using information to communicate, collaborate, and solve problems.	*Ethics and Empathy:* demonstrates understanding of the concepts of ethical behaviour and online ethics understands the different ways of licensing intellectual property production, understands differences between using copyright, public domain, "Copyleft" and/or creative commons licences *Community Engagement:* understands how meaning is produced through multimedia (text, images, audio, video) and how culture is produced through the Internet and social media in particular *Finding and Verifying:* understands the different purposes and contexts of digital image editing	Insufficient (R) Beginning (1) Developing (2) Competent (3) Confident (4)

	Learning Expectations	*Achievement*
Create "Create" is the ability to produce content and effectively communicate through a variety of digital media tools. It includes being able to adapt what we produce for various contexts and audiences; to create and communicate using rich media such as images, video, and sound; and to effectively and responsibly engage with user-generated content such as blogs and discussion forums, video and photo sharing, social gaming, and other forms of social media. The ability to create using digital media ensures that Canadians are active contributors to digital society.	*Ethics and Empathy:* creates digital content that respects Canadian copyright law and reflects best practices for ethical content creation *Community Engagement:* creates digital content that demonstrates critical thought and engages with a social or political issue *Creating and Remixing:* interacts, collaborates, co-constructs content, and publishes with peers, experts, or others employing a variety of digital environments and media communicates information and ideas effectively to multiple audiences using a variety of media and formats contributes to project teams to produce original works or solve problems	Insufficient (R) Beginning (1) Developing (2) Competent (3) Confident (4)