



IP ITeasers 030:

Social media myths

As an IP lawyer, I never cease to be surprised by the extent to which copyright infringement is misunderstood by the general public. Copyright myths which claim to absolve copyists from infringing have been around for many years and seem to show no sign of abating. The most pervasive myths I see are perhaps "there is no infringement if the copying is for non-commercial purposes", "so long as you change five things there won't be infringement", and "if it's on the Internet it's in the public domain"

As it becomes easier and easier to infringe copyright, which can now be done by the click of a "repost" button, copyright myths seem only to be becoming more perplexing. I have recently seen a number of social media posts where posters seem to believe that so long as they state that the content isn't owned and no copyright "is claimed" then there is no infringement. An alarming number of these can be brought up on Instagram by searching "copyright notice".

My personal favourite is the inventive and emphatic:

"Copyright notice:

ALL CREDIT GOES TO THE ORIGINAL OWNER OF THE VISUALS. I DO NOT MEAN TO STEAL.
THIS IS ONLY FOR ENTERTAINING PURPOSES"

How have things gone so wrong? Should Instagram be doing more to educate users about copyright law or is it down to the individual? Instagram makes clear that users must not

infringe intellectual property and actually includes a fairly detailed explanation of copyright law on its "help" page: <https://bit.ly/3b7iRHZ>. This includes a strong warning that the only way to ensure content won't infringe is if it is created by the user personally. However, this has to be searched for on the Instagram webpage and is not found on the app in the normal course of use. A pop-up to a link to this page triggered by the use of the words "copyright notice" may go some way to assisting users issuing the sort of notices above.

Do you think more should be done to educate social media users in copyright? Do you have any favourite copyright myths?