



## **More Jokes on Copyright on Copyright in Jokes**

August 3, 2010 by Bob Tarantino

Further to an earlier posting here at the Signal (Copyright In Jokes), Nathan Fan, writing at IPilogue, has penned a thoughtful piece on topic: Whose line is it anyway? IP Norms in Stand-Up Comedy. Fan's piece also does a nice job of summarizing some of the norms identified in Dotan Oliar and Christopher Sprigman's "There's No Free Laugh (Anymore): The Emergence of Intellectual Property Norms and the Transformation of Stand-Up Comedy" (citation: 94 Va. L. Rev. 1787 (2008)). Fan's final paragraph is particularly thought-provoking:

As communication technology continues to advance, there is a growing fear of having one's perfectly crafted joke stolen. First, the radio and television allowed a joke to be broadcast across a nation. Now with the use of YouTube and Twitter, a comic's first performance could be posted to millions on the internet by the following morning. It seems that the stand-up community's ability to self-police was at least partially due to its tribal, communal nature. All of the major acts know each other and cross each other's paths. But with the ability of a joke to easily cross borders and cross oceans, such a self-policed system becomes much more difficult to employ. However, stand-up's normative system has some hope of surviving as it could foreseeably utilize the Internet itself for its sanctioning purposes (e.g. YouTube is rife with videos alleging joke-thievery). Nonetheless, the stand-up comedy community has put a spotlight on the fact that some creative communities are being better served by informal normative regimes than by the traditional legal system. Perhaps other creative communities can learn a thing or two from stand-up comedy.

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