

# Fair Use and Shia LaBeouf

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The medium that I chose to define fair use is a YouTube video, via a combination of copyrighted media and a voice over. Using a video allows viewers to follow the definitional text with low effort. I hope to make the definitional text both persuasive and effective in defining fair use, while maintaining an element of humour. A video format allows for an exhibition of what can be considered fair use with regard to Shia LaBeouf's career.

Since video consumption has increasingly become commonplace, a focus on what is fair use with regards to video is most relevant and relevant to today's society. A strong trend of media consumption moving toward video can be seen by the rise in popularity of Youtube, Vine, and Snapchat. Furthermore, this sentiment is further realized when looking at declining sales in the newspaper, magazine, and books industry. This shift in the method of media consumption is ever more prevalent in the younger generations, who will undoubtedly shape the future debate of fair use. Therefore, a video is used for the definitional text in order to reach an audience that is bent on using advancing technology to create content.

Because copyright and fair use laws are constantly evolving trying to keep up with technology, it is logical to use Youtube as a platform to define video related fair use because the legal implications are inherently the most contentious in a newly developed industry. The law is always in a game of catchup when it comes to regulating the private sector and technology.

I will first explain, "a definition of fair use and why it is needed?", by editing parts of a Crash Course video on fair use. This will be done to illustrate the subjectivity and intricate qualities of fair use. The dilemma of defining fair use is highlighted through the use of historical context because after all of these years, there is still not a concrete way of defining fair use. The guidelines to determine what is fair use is not only fluid to time and technological advancement

but also to individual judges and courts. This section of the video will also provide some examples of what has been historically considered fair use. Nonetheless, by using Crash Course's content for the purpose of non profit education, I am showcasing a working model of the merits of fair use.

While some general assumptions of fair use are present the more debated and fuzzy distinction of fair use is derived from extraneous situations. Consequently, a case study of Shia LaBeouf is useful in defining fair use because he is a masterful artist who has tried to push the boundaries of what can be considered fair use. Going through a brief biography of Shia will be useful because of his fame and notoriety among the younger generation. Since Shia is relevant in contemporary pop culture, his challenge of fair will demonstrate the importance and prevalence of the issue. Many of the things that Shia has done, whether that be through satire or for performance art, he has pushed the envelope of what can be considered fair use.

The three primary examples of Shia's artistic challenges to fair use is derived from his plagiarism scandal, the motivational, "just do it", video, and Shia watches Shia. The first plagiarism scandal that shrouded Shia may have been accidental and resulted from a careless mistake. His response may have been a middle finger to the film industry or a brilliant piece of social commentary. Nevertheless, by plagiarising an apology of plagiarism Shia LaBeouf pushed the boundaries of fair use. There were numerous articles contesting, if this double plagiarism was a violation of copyrighted material or if it was a genuine exercise of fair use. The whole scandal seemed to push Shia away from traditional acting roles and inspired him to become a larger influence on the internet. A little later, Shia LaBeouf released a video of him acting out a motivational speech in front of a green screen. Shia LaBeouf transitioned from questioning what

can be considered fair use to becoming a diplomat of fair use. Shia knowingly filmed in front of a green screen because he knew the video was going to be copied and altered on the internet. The various videos and GIFs that were made demonstrate Shia's belief that an encouragement of lenient fair use can be powerful and culturally impactful. Finally, Shia watches Shia is ambiguous on its stance on fair use. In this instance Shia doesn't include any video or sound from the films that he has starred in, which tends to indicate a reasonable respect for copyright law and that fair use shouldn't be too flexible.

Throughout the video I will have taken derived a vast majority of my content from copyrighted materials. Whether it be Crash Course's video explaining fair use to the very many Shia LaBeouf related video/gifs, the definitional text will be a perfect example of how and why fair use exists. Because I have edited the audio and video to organize the media to create something new and informative, the definitional text becomes an exemplar of what it tries to define.