



Harry Potter and the Order of the Court: The J.K. Rowling Copyright Case and the Question of Fair Use

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The adventures of wizard-in-training Harry Potter may have ended but the drama continues, most recently in federal court in Manhattan, where a decision has recently been handed down in the much-publicized copyright case brought by J.K. Rowling seeking to prevent the publication of a Harry Potter encyclopedia.

The case is of interest to Harry Potter fans and the general public. It deals with current copyright issues of particular interest to writers and bloggers. It also deals with the creative process behind the Potter series.

Harry Potter & the Order of the Court discusses the court's decision and its broader implications for those who write, both online and in print.

The case was highlighted by Ms. Rowling taking the witness stand in her first courtroom appearance. Her dramatic testimony -- offering insights into her creative process and her emotional attachment to the Harry Potter series -- is included, both direct and cross-examination.

Beyond the star presence of Ms. Rowling, the case is of general interest as it involves an important but little understood aspect of copyright law: the doctrine of "fair use." Fair use refers to situations where one is allowed to use material from a copyrighted work without seeking permission from the author, such as a book critic quoting from a novel or a music critic using a short clip of a song.

Fair use applies whether you write on paper or online. But the doctrine has taken on added importance in the Internet Age where almost all of us "publish" in one form or another, be it through creating websites, writing blogs or uploading content. And as authors or publishers, we often feel the need to quote, closely paraphrase, or otherwise use material others have created. This is where fair use comes in.

Harry Potter & the Order of the Court discusses fair use as it relates to the J.K. Rowling case and in terms of the broader application of the doctrine, offering many specific examples as to what likely does, and does not, constitute fair use.

In addition to Ms. Rowling's testimony, we have included selected court documents filed in the litigation, including the court decision. Perhaps because the case involves one of the most popular fictional series of all time, these court documents make for fairly compelling reading, rather like a novel one cannot put down.

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