

Lawyers For The Talent

Entertainment Law

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First Amendment - Indecency

Just as we get comfortable with the notion of categories, and the notion that speech is either protected or unprotected under the First Amendment, along comes a category of speech the Federal Communications Commission wishes to REGULATE but not BAN.

Please listen to [George Carlin's 7 Dirty Words routine](#), which is the subject of the litigation in *FCC v. Pacifica*.

Then read these two cases in their entirety. Keep your eye on the ball: Is George Carlin's routine protected speech? When U2's Bono says, "This is really really fucking brilliant" during a prime time TV broadcast at the 2003 Golden Globe awards, is that obscene?

FCC v. Pacifica Foundation

U.S. Supreme Court (1978)

- [case at Google Scholar](#)
- [case at Westlaw](#)
- [case at Wikipedia](#)

FCC v. Fox Television Stations (Fox II)

- [case at Google Scholar](#)
- [case at Westlaw](#)
- [case at Wikipedia](#).

20-Jan-2018 - As I mentioned in class, just read about *Fox II*, so you know what happened, and we'll briefly discuss. No need to consume the entire opinion.

The main lessons are found in *Pacifica*.