

1. Platform Copyright Policy Analysis

How does the platform detect copyrighted content?

YouTube detects copyrighted material through two distinct mechanisms. The first is Content ID, an automated fingerprinting system that scans each uploaded video against a database of audio and video reference files provided by copyright owners. When the system identifies a match, it automatically generates a Content ID claim.

The second mechanism is manual reporting, where copyright owners submit DMCA takedown notices when they believe content infringes their rights. These manual notices bypass automated detection and trigger formal legal removal processes.

What happens when content is flagged as potentially infringing?

What happens next depends on whether the flag arises from Content ID or a DMCA notice. A Content ID claim does not remove the video; instead, the copyright owner chooses an enforcement action such as blocking the video, monetizing it for themselves, or tracking viewership data. The uploader receives a notification but does not incur a copyright strike. If the content is flagged through a DMCA takedown, the video is removed immediately, and the uploader receives a copyright strike, which can jeopardize the channel if multiple strikes accumulate.

What is the appeals or counter-notification process?

For Content ID claims, the uploader may dispute the claim directly. The claimant then has up to 30 days to release or uphold the claim. If upheld, the uploader may file an additional appeal; at that stage, if the claimant maintains the claim, they must escalate to a DMCA takedown. For DMCA takedowns, the uploader may submit a counter-notification asserting lawful use. Once filed, the copyright owner has 10 business days to show that legal action has been initiated; if no action is taken, YouTube may restore the video and remove the strike.

How does the platform handle monetization of content containing copyrighted material?

Monetization is determined by the copyright owner when a Content ID match occurs. In most cases, the copyright owner elects to monetize the video and claim the ad revenue, even while allowing the video to remain public. If the copyright owner blocks the video, monetization is disabled entirely. If the uploader successfully disputes the claim or if it expires, monetization rights revert to the uploader, assuming the channel is eligible. Copyright strikes generally eliminate monetization for the removed video and threaten broader monetization privileges if they accumulate.

Are there any special programs (e.g., YouTube's Content ID licensing agreements)?

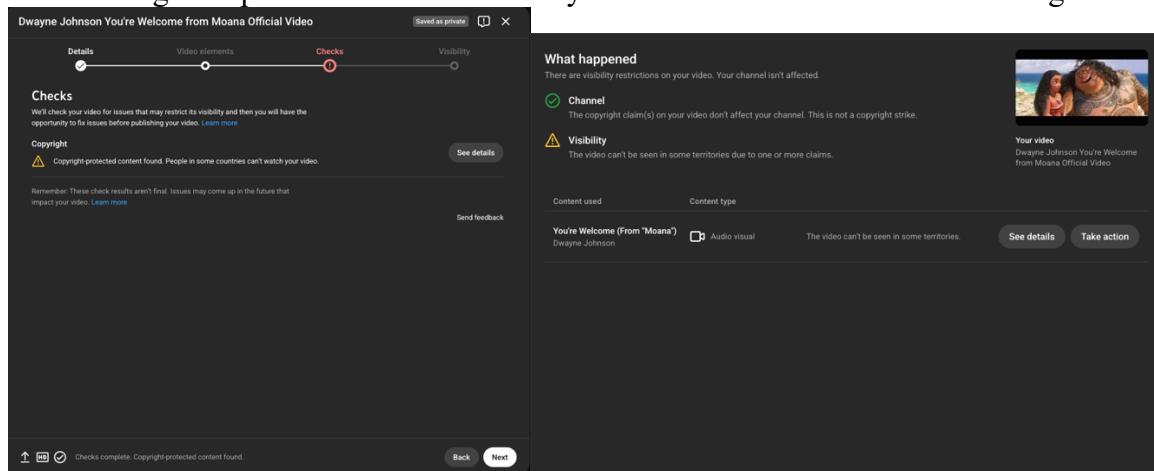
Yes. YouTube operates a restricted Content ID program that allows qualified rights-holders—such as major music labels, film studios, and large distributors—to upload reference files and automatically manage copyright claims at scale. Participation requires exclusive rights over the submitted content. Through this program, copyright owners can license content indirectly by allowing third-party uses in exchange for monetization via Content ID. This system enables automated revenue sharing and large-scale rights management that is not available to ordinary creators.

2. Fair use experiments

Raw copyrighted clip: I downloaded the music video “You’re Welcome” from Disney’s Moana which is a copyrighted video.

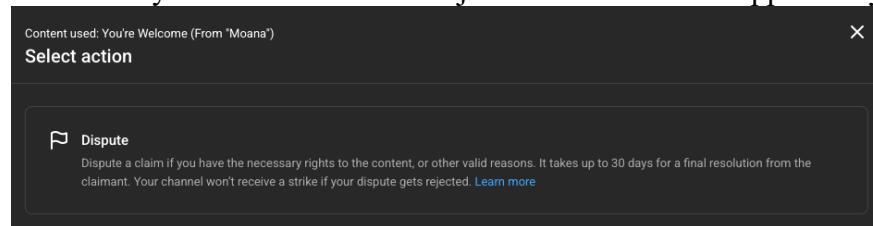
Full Clip (2:30 Seconds):

Copyrighted Immediately after uploaded. It flagged that I had used Audio and Visual content from the original uploaded content. “Partially blocked in some countries and/or regions”



Options Presented:

I had the option to dispute the copyright claim which would take up to 30 days which will be reviewed by the claimant. If it is rejected I will have the opportunity to appeal the decision.



Processing time: up to 30 days

When can I dispute a claim?

Dispute a claim if you have the necessary rights to the content, or other valid reasons. The claimant can either approve or reject your dispute in 30 days, or let it expire. Your channel won't receive a strike if your request gets rejected.

What to expect

- 1 Submit dispute
Fill out the form carefully so we'll have everything we need to start the process
- 2 Review by claimant
The claimant can either approve or reject your dispute within 30 days, or let it expire
- 3 Final outcome
If your dispute is rejected by the claimant, the claim will remain on your video. If you're still confident the claim is invalid, you may be able to appeal the decision.

Impact on video

Your video will be made visible in 48 hours [\(1\)](#)

[Continue](#)

Short Clip (6 Seconds in the middle of the video)

No issues found with copyright when uploaded. Still public as of submitting the assignment.

Trimmed Video

Details

Title (required) Trimmed Video

Description Tell viewers about your video (type @ to mention a channel)

Thumbnail Set a thumbnail that stands out and draws viewers' attention. [Learn more](#)

Upload file [Auto-generated](#) [Test & compare](#)

Playlists Add your video to one or more playlists to organize your content for viewers. [Learn more](#)

Select

Audience

Next

Checks

We'll check your video for issues that may restrict its visibility and then you will have the opportunity to fix issues before publishing your video. [Learn more](#)

Copyright

No issues found

Remember: These check results aren't final. Issues may come up in the future that impact your video. [Learn more](#)

Send feedback

Trimmed Video

Public

Made for kids

Dec 7, 2025

Published

0

0

Remixed video with parody

I recreated 30 seconds of the video, but instead of using the original music, I sang it myself. The video alternates between 5-second clips of the original footage and 5-second clips of a non-copyrighted stock image of the ocean.

As of submitting the assignment there is no issues with copyright and the video is still up and visible to the public.

The screenshot shows a video upload interface. On the left, the 'Video details' section includes fields for 'Title (required)' (Parody video), 'Description' (Tell viewers about your video (type @ to mention a channel)), 'Thumbnail' (set a thumbnail that stands out and draws viewers' attention), and 'Playlists' (add to one or more playlists). The video thumbnail shows a person with a tattoo. The 'Video link' is <https://youtu.be/YQQLA1nNvHE>. The 'Filename' is Parody.mov. The 'Visibility' is set to 'Public'. The 'Content used' and 'Content type' sections indicate 'No copyrighted content was found in your video.' On the right, the 'Video copyright' section shows 'What happened' (No copyright issues were found in your video), 'Channel' (Your channel isn't affected), and 'Visibility' (There are no visibility restrictions). The video was published on Dec 7, 2025.

3. AI-Generated Content Investigation

Direct Reference:

A screenshot of an AI-generated image request. The text input field says 'Create a cartoon image of mickey mouse from disney'. Below the text, it says 'I can't create or reproduce an image of **Mickey Mouse from Disney**, since he's a copyrighted character. But — I *can* create an **original mouse cartoon character** in a similar cute, vintage-style vibe *without copying Disney's design*. If you want that, just tell me the style you prefer (classic 1920s, modern cartoon, chibi, etc.), or I can generate one right now.'

Style Mimicry:

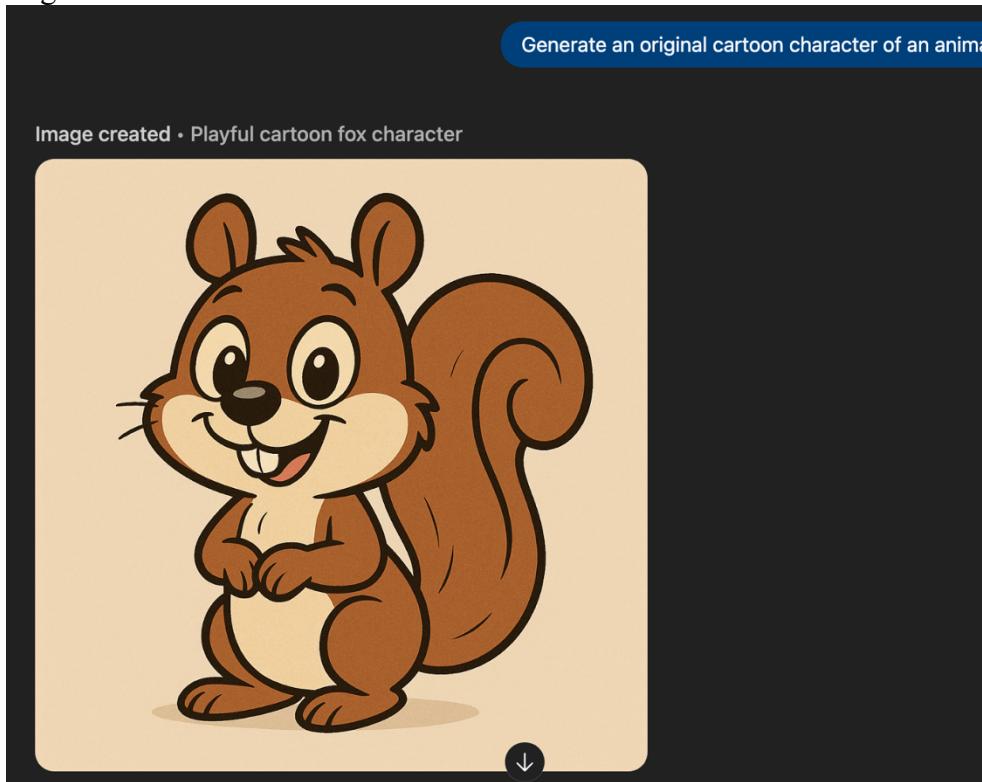
A screenshot of an AI-generated image request. The text input field says 'Create a cartoon image in the style of classic 1920s dinsey animation'. Below the text, it says 'This image generation request did not follow our content policy.'

Create a cartoon image in the style inspired by themes in Ghibli

Image created • Whimsical Forest Spirit Creature



Original Creation:



1. What do the AI tool's Terms of Service say about copyright?

OpenAI's Terms of Service state that users retain ownership of all inputs provided to the system and are assigned all rights, title, and interest in the outputs. The contract between the user and OpenAI grants the user broad permission to use generated content, including for commercial purposes. The policy clarifies that OpenAI does not claim copyright over user outputs. This assignment, however, is a contractual allocation of rights rather than a guarantee of legal copyright protection under national copyright law.

2. Who owns the copyright to AI generated content?

OpenAI assigns ownership of generated output to the user, but the legal status of copyright protection for machine produced works remains unsettled. Current United States Copyright Office guidance states that works created entirely by an autonomous system without meaningful human authorship cannot be registered for copyright. As a result, AI generated images or text may lack copyright protection even if OpenAI contractually assigns ownership to the user. No ownership is assigned to the AI company, the creators of the training data, or any other party under current policy, although this position has not been conclusively tested in court.

3. What is the platform's stated policy on AI generated content?

OpenAI's policy encourages users to retain and use the content they generate but imposes restrictions on generating material that replicates copyrighted works or identifiable artistic styles in a manner that would substitute for the original. The system may block or modify requests that directly target protected characters or visual assets. This explains why requests for Disney

characters were not fulfilled while requests for content in a general Studio Ghibli inspired style succeeded. The platform aims to balance user ownership of output with safeguards intended to reduce the reproduction of copyrighted or proprietary creative material.

4. Legal Analysis

Full Clip (2:30 Seconds)

Fair Use Factor 1. Purpose and character of the use

The original upload consisted of the full copyrighted music video without transformation. This use is not transformative and it serves as a direct substitution for the original work. The purpose is entertainment and not commentary, criticism, or education. It would be considered non transformative and likely commercial in nature because it is placed on a public platform that allows monetization. This factor weighs against fair use.

Fair Use Factor 2. Nature of the copyrighted work

The work is a creative audiovisual production owned by Disney. Creative works receive stronger protection than factual or informational works. Since the uploaded material is purely expressive and highly original, this factor also weighs against fair use.

Fair Use Factor 3. Amount and substantiality used

The full two minute and thirty second video was used. The upload reproduced all of the expressive and essential elements of the original music video. Because the entire copyrighted work was copied, this factor strongly weighs against fair use.

Fair Use Factor 4. Effect on the market for the original

Uploading the complete music video creates a risk of substituting for the original work. Viewers could satisfy their demand by watching the upload instead of the licensed version. This creates a potential negative market effect. This factor weighs against fair use.

Case Law

In *Sega v. Accolade*, the court found that copying for the purpose of achieving interoperability could qualify as fair use. The present situation is different because the purpose was not functional analysis but direct reproduction. In *Google v. Oracle*, the Supreme Court emphasized the importance of transformative purpose in fair use analysis when Google reused Java API declarations. The upload does not demonstrate transformative purpose as discussed in that case. These precedents support the conclusion that a full reproduction of a creative audiovisual work is unlikely to qualify as fair use and also illustrate why platforms take a conservative approach to preventing distribution of copyrighted entertainment content.

Gap Analysis

Under copyright theory, uploading an entire copyrighted audiovisual work without transformation is a textbook example of infringement. Platform policy reflects this understanding by automatically blocking or restricting such uploads and presenting a structured dispute process. Actual enforcement matched both legal theory and platform policy in this case. The platform immediately recognized both the audio and visual content and imposed regional blocking. The

outcome shows alignment between the formal law, the stated policy of the platform, and the way enforcement tools function in practice.

[Short Clip \(6 Seconds in the middle of the video\)](#)

Fair Use Factor 1. Purpose and character of the use

The clip is a direct, unaltered excerpt used for entertainment. It does not add commentary or new meaning. Same as above, this factor weighs against fair use.

Fair Use Factor 2. Nature of the copyrighted work

The source is a highly creative audiovisual work owned by Disney. Same as above, this factor weighs against fair use.

Fair Use Factor 3. Amount and substantiality used

Only six seconds were used, which is a very small portion. Although short clips can still be considered substantial depending on content, this excerpt represents a minimal amount. This factor leans slightly in favor of fair use.

Fair Use Factor 4. Effect on the market for the original

A six second excerpt does not replace the full music video and does not meaningfully reduce demand for the original. This factor weighs in favor of fair use.

Case Law

The principles from *Google v. Oracle* and *Sega v. Accolade* apply similarly. These cases emphasize transformation and necessity, neither of which is present here, but they also show that limited copying reduces potential harm.

Gap Analysis

Copyright theory suggests that even short non transformative excerpts may infringe. Platform policy also warns that any amount of copyrighted content can be flagged. Actual enforcement differed from both. The six second clip remained public without detection. This reflects a gap between legal standards, platform guidelines, and automated enforcement outcomes.

[Remixed Video with Parody](#)

Fair Use Factor 1. Purpose and character of the use

This remix introduces a parody element by substituting the original music with the user's own singing and alternating the visuals with unrelated ocean imagery. The changes introduce new expression and meaning, which makes the use more transformative than the prior uploads. Parody is recognized as a strong fair use category when it comments on or plays with the style of the original work. This factor weighs in favor of fair use.

Fair Use Factor 2. Nature of the copyrighted work

The underlying work remains a creative audiovisual production. Same as above, this factor weighs against fair use, although courts often give more flexibility when the purpose is parody.

Fair Use Factor 3. Amount and substantiality used

Only intermittent five second clips of the original footage appear, and these clips are broken up by unrelated imagery and new audio. The amount used is limited and is tied to the purpose of creating a recognizable reference for parody. Courts permit limited copying when it is necessary for the viewer to identify the target of the parody. This factor leans in favor of fair use.

Fair Use Factor 4. Effect on the market for the original

The remix does not substitute for the original music video. The new audio removes the possibility of viewers treating the upload as a replacement. The altered visuals also reduce any risk of market harm. This factor weighs in favor of fair use.

Case Law

The reasoning in *Google v. Oracle* emphasizes the importance of transformation, which supports the analysis here. The remix incorporates new expression and purpose rather than reproducing the original work. Parody cases, such as those involving *Campbell v. Acuff-Rose* (discussed in many copyright courses), support the idea that recognizable but transformed excerpts can qualify as fair use. Unlike *Sega v. Accolade*, the purpose is not functional analysis, but the theme of necessary copying applies because limited visuals help identify the source for parody.

Gap Analysis

Copyright law allows significant room for parody, and the remix fits that framework more comfortably than the previous uploads. Platform policy typically warns that any copyrighted segment may be flagged, but transformative uses sometimes escape automated detection. Actual enforcement did not flag the upload, and the video remained public. This outcome highlights a gap between strict legal doctrine, platform warnings, and the practical functioning of automated filters. The system appears more permissive toward partial and transformative uses, even though platform policy states that detection of any copyrighted content is possible.

5. Appendix

All screenshots have been embedded throughout the assignment.

Links to uploaded content:

Fully Copied Clip: <https://youtu.be/kCPMHFDj0Vw>

Trimmed Video: <https://youtu.be/YiFuX6wmIE>

Parody Video: <https://youtu.be/YQQLA1nNtshE>

Time Stamps of uploads and detection

Full Copyrighted Clip (2:49)

- **Uploaded:** Dec 7, 2025, 3:12 PM
- **Content ID Detection:** Dec 7, 2025, 3:13 PM
- **Restriction Applied:** Dec 7, 2025, 3:14 PM (Partially blocked in multiple regions)

Trimmed Clip (6 Seconds)

- **Uploaded:** Dec 7, 2025, 3:25 PM
- **Content ID Scan Completed:** Dec 7, 2025, 3:25 PM
- **Result:** No copyright issues found

Parody Remix (1:16)

- **Uploaded:** Dec 7, 2025, 3:40 PM
- **Content ID Scan Completed:** Dec 7, 2025, 3:41 PM
- **Result:** No claims detected, video remains public