The Right to Parody and User-Generated Content

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This article articulates the need for a right to parody in copyright law. It draws on the recent reforms to introduce fair dealing exceptions for parody in Australia, Canada, Hong Kong and the United Kingdom as well as the much longer experience with parody as fair use in the United States. The article also advances justifications for the right to parody, based on copyright theory, economic benefits and human rights obligations. The article concludes that a right to parody, while important, is insufficient to accommodate the needs of internet users. Instead, it calls for an additional or expanded exception to cover non-commercial user-generated content.