

Spoiler Alert!

**By Reg P. Wydeven
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I recently wrote about my 12th birthday when my folks took my buddies and me to see ‘Star Wars: Return of the Jedi.’ The movie instantly became one of my all-time favorites. I was still reeling from learning in ‘The Empire Strikes Back’ that Darth Vader was Luke Skywalker’s father. ‘Jedi’ again dropped a bombshell by disclosing that Luke and Princess Leia were siblings and that by refusing to be turned from the Dark Side, Luke redeemed his father and saved the galaxy. Pretty cool.

These were genuine surprises, which made the movie all that much more special. While filming ‘Jedi,’ the cast and crew shot the movie under the working title of ‘Blue Harvest: Horror Beyond Imagination.’ The subterfuge was designed to throw the press off the scent and avoid any plotlines from being leaked.

That same shroud of secrecy surrounds the latest installment in the ‘Star Wars’ saga: ‘The Force Awakens.’ Until its record-breaking release on December 18, little was known about the plot or characters in the blockbuster. Director J.J. Abrams did everything he could to prevent plot points from being released, which is a remarkable feat considering the social media frenzy and 24-hour news cycle that didn’t exist 30 years ago.

This paranoia about secrecy combined with the zealous protection of copyrights by the movie’s studio, Lucasfilm, and of its parent company, Walt Disney Company, makes for a formidable combination.

Before the movie was released, a fan bought a ‘The Force Awakens’ action figure from a Wal-Mart in Iowa. This was a previously unreleased figure of Rey, one of the movie’s heroines, brandishing a lightsaber. It was presumably put on shelves early. Excited about his find, the fan posted a picture of the figure on Facebook. This was the lightsaber hum heard ‘round the digital world.

Lucasfilm immediately sent out a Digital Millennium Copyright Act (DMCA) notice demanding that the photo be taken down. Many of those who had shared the image also received notices to remove the picture due to Lucasfilm’s copyright and were threatened with lawsuits.

The DMCA was passed in 1998 by President Clinton. It criminalizes the production and dissemination of technology, devices, or services intended to circumvent measures designed to protect copyrighted works.

The violating fan was Justin Kozisek, a staffer for Star Wars Action News, which is a podcast about ‘Star Wars’ collectibles. The site is run by Marjorie and Arnie Carvalho. In response to the DMCA notice, Marjorie wrote a polite email to Disney, explaining that the figure was not pirated, but legally purchased. Disney then retracted their intellectual property report.

Unlike Luke, Disney then turned back to the Dark Side. The company later resubmitted the DMCA notice. Facebook removed the entire post, not just the photo, and banned Kozisek from posting on the site for three days. While Lucasfilm certainly owns the rights to the figures and their likenesses, a posted picture of a figure legally purchased certainly seems like fair use.

We nerds are used to getting picked on – just not by the company that puts out the stuff we get nerdy about.

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