

**Lesson 31: Other Powers of Congress**

(Less. Time 41:32)

[for Sunday, September 13, 2015]

Reading: *The Making of America*, pages 430-436

**(Chapter 17) Copyrights, Patents, Seas, Laws of Nations**

Pre-lesson questions for homework study and review: [*Supplemental* notes are bracketed]  
[287 Constitution Provisions “principles” in text.]

1. DESCRIBE THE FOUNDERS GRADUAL RECOGNITION THAT THE FEDERAL GOVERNMENT SHOULD BE GIVEN AUTHORITY TO PROTECT THE CREATIVE WORKS OF THE PEOPLE.

Provision 91

Copyrights and Patents

A New Idea

- o Not in Articles
- o Not in the first draft
- o Some states had used
- o Technique to encourage creativity  
[a genius idea never beforehand considered in history]
  - no funding
  - no regulation

FOR HOW LONG A PERIOD SHOULD THIS PROTECTION BE GRANTED? (PAGES 430-31)

[Lifetime of Author plus 50 years]

Is it a Natural right? (P431)

- o (Jefferson Quote)
  - Inventions (ideas) are not property
  - Therefore not a natural right
  - Society may give an exclusive right = vested
  - Thousands of permanent monopolies would be more injurious

2. WHAT IS A COPYRIGHT?

Copyrights

- o Exclusive, legal rights
- o Lifetime of Author plus 50 years

WHAT TYPES OF WORK DOES IT PROTECT?

- o Classes: a) literary b) music c) drama d) art e) movies f) computer programs
- o Copy sent to Library of Congress [Procedures]

HOW DOES ONE OBTAIN A COPYRIGHT? (431-32)

[Give notice, then within 90 days submit to govt offices (copyright or patent) with fee.]

3. TELL THE HISTORY OF PATENTS IN THE UNITED STATES. (432-33)

Patent Law

- o Exclusive for 17 years
- o Must be new, unique, and useful

- o Inventor must tell all details
  - o Thomas Edison granted over 1,200 patents
  - o FDR opened Patent Office to Soviet Union for free access!
4. HOW DOES ONE PROTECT A TRADEMARK? (433)
- o Trademarks registered with states or patent office
5. WHY WAS CONGRESS GIVEN POWER TO CREATE FEDERAL COURTS INFERIOR TO THE SUPREME COURT? (433- 34)

#### Provision 92

#### Congress to establish inferior federal courts

- o Needed in every state [to carry out the laws of the general government]
- o 144 district courts [President nominates/ Congress approves – most powerful, influential thing he does while in office.]
- o 9 circuit courts
- o Special courts
  - Court of Claims
  - Court of Customs
  - Court of Tax Appeals

6. WHY WAS CONGRESS GIVEN POWER TO DEFINE AND PUNISH FELONIES COMMITTED ON THE HIGH SEAS? (434-35)

[Common law is both vague and defective.]

#### Provision 93

#### Define and Punish Piracies and Felonies on High Seas

- o On open seas outside any state

7. WHAT IS THE "LAW OF NATIONS ?" HOW HAVE THE UNITED NATIONS AND THE WORLD COURT TRIED TO USURP THE AUTHORITY TO PUNISH OFFENSES AGAINST INTERNATIONAL LAW? (436)

#### Provision 94

#### Define and Punish Offenses Against Laws of Nations

- o Committed by other nations against United States
  - o Law of Nations: reason, morality, and custom
  - o Many want to turn this function over [to] World Court over U.N.
  - o World court controlled by anti-American philosophy
  - o Connelley Reservation protects US from jurisdiction of World Court
- ["The Naked Communist" - by Dr. Skousen. Cecil B. DeMille (The Ten Commandments producer) suggested the title]

"45 goals given 44 now passed" quoted by Earl Taylor, Instructor – 1976– class year.

**Lesson 31: Other Powers of Congress**

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[for Sunday, September 15, 2015]

Reading: *The Making of America*, pages 430-436

***(Chapter 17) Copyrights, Patents, Seas, Laws of Nations***

QUIZ - LESSON 31

1. WHAT PROVISION IN THE CONSTITUTION CONTRIBUTED GREATLY TO THE DEVELOPMENT OF INVENTIONS AND AN ELABORATE PUBLISHING ENTERPRISE?  
\_\_\_\_\_
2. IS THE GRANTING OF COPYRIGHTS AND PATENTS AN UNALIENABLE OR VESTED RIGHT?  
\_\_\_\_\_
3. HOW LONG DOES A COPYRIGHT GIVE PROTECTION? \_\_\_\_\_
4. NAME FOUR DIFFERENT CLASSES OF WORKS THAT CAN BE COPYRIGHTED.  
A. \_\_\_\_\_ B. \_\_\_\_\_  
C. \_\_\_\_\_ D. \_\_\_\_\_
5. HOW LONG IS A PATENT GIVEN? \_\_\_\_\_
6. WHO HOLDS THE MOST PATENTS?  
\_\_\_\_\_
7. WHAT UNWISE THING DID FRANKLIN D. ROOSEVELT DO DURING WORLD WAR II IN REGARDS TO THE PATENT OFFICE?  
\_\_\_\_\_
8. WHAT DID THE PEOPLE EMPOWER CONGRESS TO DO TO ALLEVIATE THE WORKLOAD ON THE SUPREME COURT AND MAKE FEDERAL COURTS MORE ASSESSABLE TO THE PEOPLE AND THE STATES?  
\_\_\_\_\_
9. CONGRESS HAS THE RESPONSIBILITY TO \_\_\_\_\_ AND \_\_\_\_\_  
PIRACIES AND FELONIES ON THE HIGH SEAS.
10. WHO DEFINES AND PUNISHES OFFENSES COMMITTED BY OTHER COUNTRIES AGAINST THE UNITED STATES?  
\_\_\_\_\_
11. THE RULE OF ACTION WHICH REASON, MORALITY, AND CUSTOM HAVE ESTABLISHED  
AMONG CIVILIZED NATIONS IS CALLED THE \_\_\_\_\_ OF \_\_\_\_\_ .

12. ATTEMPTS HAVE BEEN MADE IN RECENT DECADES TO SHIFT THE BURDEN OF  
INTERNATIONAL LAW ENFORCEMENT TO THE \_\_\_\_\_
13. WHY IS IT DANGEROUS TO SUBJECT THE U.S. TO JURISDICTION OF THE WORLD COURT?  
\_\_\_\_\_
14. IN RATIFYING THE U.N. TREATY, WHAT PROVISION PRESERVED OUR NATIONAL RIGHT NOT  
TO BE SUBJECT TO THE DECISIONS OF THE WORLD COURT?  
\_\_\_\_\_