

Searching for Home: The Lives of Lucy Maud Montgomery

Activity 6.0 - Rights & Royalties

Teacher's Guide

Introduction

It is a little known fact that in 1918 Lucy Maud Montgomery launched a lawsuit against her first publisher, the L. C. Page Company, over the withholding of royalties, the unauthorized selling of reprint rights, and their proposed publication of *Further Chronicles of Avonlea* without her permission. Montgomery's relationship with the L.C. Page Company deteriorated over time and spiralled into a series of court cases which Montgomery eventually won. In the context of this case, this module will examine the importance of copyright, discuss procedures, and address the legal ramifications of infringement. The main focus of the module addresses the legal battle between the L.C. Page Company and Lucy Maud Montgomery over the royalties and rights to her novels published by Page. This exercise, set in the current Canadian context, will examine the legal ramifications of copyright infringement and will prepare students to follow and recognize the basic procedures of copyright laws.

Purpose

To study the principles and guidelines behind copyrighting original artistic works. Students will gain further insights into the business of Lucy Maud Montgomery's authorship and the different facets of her life.

Outcome

- Students will understand the basic principles of copyright
- Students will gain an understanding of the business and process of writing
- Students will reinforce what they have learned by conducting their own research and speaking in front of the class

Activity

1. Briefly introduce the students to the legal battles between Lucy Maud Montgomery and the L.C. Page Company. Use the Case Synopsis provided.
2. Introduce the concept of **Copyright**. Use the Copyright Board Canada website as a resource.

<http://www.cb-cda.gc.ca/info/act-e.html#rid-33372>

Allow students to explore the Copyright Board Canada website and look at the Copyright Basics handout provided in the resource section.

3. Present the L.C. Page Company vs. Lucy Maud Montgomery mock case:

In the 1919 case of the L.C. Page Company vs. Lucy Maud Montgomery, who is legally entitled to the \$40,000 the L.C. Page Company received for selling the rights to the Hollywood film version of Lucy Maud Montgomery's Anne of Green Gables? Were the rights theirs to sell? Lucy Maud Montgomery created the character of Anne and wrote the novel, but earlier that year the L.C. Page Company had been legally assigned the publishing rights to the novel. The film was also a deal initiated and negotiated by the L.C. Page Company.

4. Divide the class into three groups: one will defend L.C. Page; one will plead Lucy Maud Montgomery's side of the case, and the other will formulate a jury of peers. Alternatively, teacher could act as judge and jury members become court reporters.

Steps 5 & 6 continued on following page...

www.lmmrc.ca/exhibit

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Activity: Continued

- The groups assigned to Page and Montgomery should be given 5-10 minutes brainstorming time to prepare their arguments. The jury may be isolated or assigned a secondary task. Three speakers will be chosen from each group and will speak in the following order:
 - First Plaintiff Speaker - Constructive Speech 3 minutes*
 - First Defendant Speaker - Constructive Speech 3 minutes*
 - Second Plaintiff Speaker - Constructive Speech 3 minutes*
 - Second Defendant Speaker - Constructive Speech 3 minutes*
 - Third Plaintiff Speaker - Summary/Rebuttal 1.5 minutes*
 - Third Defendant Speaker - Summary/Rebuttal 1.5 minutes*
- A resolution will then be reached by the jury. Each jury member will be asked to deliver his/her own verdict on the case. A majority will decide the winner of this case.

Materials

- Student handouts
- Computer (with Internet access)
- Scrap paper
- Pencil or pen

Extension/Bonus Activity

- Write a brief paragraph on the implications of copyright in the digital age
- Look at User License/Terms of Agreement on a blogging/image sharing/movie sharing/music sharing website that protects the rights of individual users and compare it to printed copyright standards on the Copyright Board Canada website

Resources

www.lmmrc.ca

- Lucy Maud Montgomery Research Centre - Biography and chronology
<http://lmm.confederationcentre.com>
- L.M. Montgomery's Personal Scrapbooks and Book Covers
www.ourontario.ca
- Photograph and image data
http://archives.cbc.ca/arts_entertainment/literature/topics/1630/
- CBC Digital Archives - Biographical videos and learning modules
www.lmmontgomery.ca/
- L.M. Montgomery Institute University PEI
www.cipo.ic.gc.ca/epic/site/cipointernet-internetopic.nsf/en/wr00037e.html
- Canadian Government Copyright information
www.accesscopyright.ca/
- The Canadian Copyright Licensing Agency
www.cb-cda.gc.ca/new-e.html
- Copyright Board Canada

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