

What is Parody?

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Abstract: This article gives a definition of what parody is and explains its use in terms of copyright restrictions and fair use.

The term parody comes from the Greek word *parodos*, which describes a singer who is imitating another singer (Hariman, 2008). The Legal Dictionary (2015) defines parody as “the humorous use of an existing song, play, speaker or writing which changes the words to give farcical and ironic meaning.” According to Rudell & Rosini (2009), various parodies have been challenged for copyright infringement upon the original work they were based on, particularly when a profit was earned.

How does the use of parody relate to the copyright laws and the fair use? Choe (2011) describes “Machinima,” which are movies that are created using the environment and sounds within a video game, as an example of parody. They suggest that Machinima can be viewed as a form of fanfiction. The use of these materials falls under what is considered fair use, which can be defined as a way of using a work to criticize or comment on something (Marshall & Siciliano, 2006). To determine whether a work is fair use in the United States for example, the first amendment principles are carefully examined against the work to determine if copyright infringement has occurred. There are four factors that must be considered: the purpose and character of the use, the nature of the copyrighted work, the amount of the portion used and the effect of the use on the potential market of the copyrighted work (Marshall & Siciliano, 2006). Fair use allows a person to use copyrighted material to create something without the owner’s consent if it is in a reasonable manner and for certain purposes. An example of fair use would be for educational purposes (Choe, 2011). For Machinima, the people creating and retelling stories for their shared interest of video games, connecting them with others with the same interests. The material isn’t being used to make a profit so therefore it does not have copyright infringement.

Parody is a work that usually takes the original work and changes it in some way in order to draw attention or emphasize a point. For example, the Disney movie, *Enchanted*, takes the typical fairy tale characters and pokes fun at them. The movie takes the parts of the animated icons that would be most recognizable, such as Beauty's hasty romantic decisions and Cinderella's cleaning, and deliberately exaggerates these traits to present them as ridiculous or impractical (Barnes 2007). By bringing these character traits from an animated film into a live action movie, they have put them into a fresh setting, and are in fact "winking at old fashioned charismas" (Barnes, 2007 p. 2). In the case of the Disney movie, *Enchanted*, the character traits that some might view as outdated or old fashioned are under scrutiny.

For the work of parody to be effective, the creator must be familiar with the original work and make clear what aspects of the original they are exploring, because the audience must be able to see what elements have been changed (Kreuz & Roberts, 1993). A parody can also target the original work and mimic it in some way to make a point. A parody is slightly different from a satire, which criticizes something. Usually, a satire will comment upon something such as the vices or follies of society (Rudell & Rosini, 2009). The parody will take the original work and take elements out of the composition to create something that is new whereas a satire comments upon the author's work. An example given by Rudell & Rosini (2009) is the cartoon *Family Guy* using a line from a song from the movie *Pinocchio*. Instead of the original line, "When you wish upon a star, your dreams come true", *Family Guy* changed it to create a song called "I need a Jew". The writers for *Family Guy* were taken to court over this matter. During the court proceedings the lawyers focused on if the song was a parody or a satire. The writers of the song claimed that they wanted to ensure that the song was a parody (Rudell & Rosini, 2009). The court found that the songs were different in tone and message, therefore a parody, and was not infringing on copyright.

A parody therefore is some sort of work that is taking the elements of an original work to create something new. The techniques used involve imitation, alteration, and direct quotation. They also rearrange words and text, substitute subjects, characters, or shift diction, class and magnitude (Hariman 2008). In order

to not infringe on copyright, the parody must not be used to make a profit, and should be making some sort of comment or criticism, bringing new ideas or concepts into the public eye.

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