

Name: _____ Date: _____

Naruto's Iconic 'Monkey Selfie' and the Unprecedented Legal Battle for Copyright

Photographer David Slater left his camera unattended while exploring the Indonesian jungle in 2011. A crested macaque named Naruto found the camera and, in a fascinating display of curiosity, discovered that something different happened with the camera when he pushed the shutter release button—and he took a series of photos of himself. He appeared to be smiling in one of these photos, so it was dubbed the “monkey selfie.” The image quickly went viral, sparking a global debate about animal rights and **copyright** law.



People for the Ethical Treatment of Animals (PETA) filed a **lawsuit** on behalf of Naruto, arguing that he should own the copyright to the pictures he took rather than Slater, who was profiting from them. PETA claimed that this was **copyright infringement**. Under the law, the copyright to a photograph belongs to its “author” (the individual who created it), and in this case, that was undeniably Naruto. PETA argued on his behalf that if a human had taken the photos using Slater’s unattended camera, that person would own the copyright and profit from their sale. But Slater and his company, Wildlife Personalities Ltd., claimed copyright ownership of Naruto’s photos and profited from them. PETA further argued that Naruto shouldn’t be

denied the copyright of the photographs just because he wasn't human and that U.S. copyright law doesn't prohibit an animal from owning a copyright. The group's goal was to ensure that all proceeds from selling the photos would benefit Naruto and other crested macaques.

The legal system faced a uniquely challenging question: Could an animal hold a copyright? In 2016, a judge ruled that animals couldn't own copyrights. PETA **appealed** the decision, and a **settlement** was reached in 2017. Slater agreed to donate 25% of any future revenue from the "monkey selfie" photographs to charities dedicated to protecting Naruto, his community of crested macaques, and their habitat.

This groundbreaking case focused significant attention on the rights and welfare of animals. PETA and Slater released a joint statement that said, in part, "PETA and David Slater agree that this case raises important, cutting-edge issues about expanding legal rights for non-human animals, a goal that they both support, and they will continue their respective work to achieve this goal." Although the courts ultimately decided that animals couldn't hold copyrights (although that could change), the settlement ensured that Naruto and his species would benefit from the photos. This was the first time in history that an animal would benefit from the intellectual property he had created. The case highlighted the need for legal systems to consider the rights of animals in new and evolving contexts. It serves as a reminder of the complex relationship between humans and other animals, challenging us to think about how we can recognize, protect, and respect the rights of all animals in a world where technology and nature increasingly intersect.

Key Vocabulary: ‘Naruto’s Iconic “Monkey Selfie” and the Unprecedented Legal Battle for Copyright’

Using contextual evidence from the reading, define the **bolded** terms in your own words.

copyright

lawsuit

copyright infringement

(court) appeal

(court) settlement

Answer Sheet Key Vocabulary: ‘Naruto’s Iconic “Monkey Selfie” and the Unprecedented Legal Battle for Copyright’

copyright	legal protection given to creators of original works, like photographs, books, movies, music, and other art, meaning that only the creator has the right to control the use of their work, whether sharing, selling, or copying it, and others who want to use it usually need to get permission from the creator
lawsuit	a legal case in which one person or group (called the plaintiff) takes another person or group (called the defendant) to court because the plaintiff believes the defendant has injured them either financially or physically, and they ask the court to decide who is right
copyright infringement	when someone uses or copies someone else’s work without getting permission from the owner
(court) appeal	when someone asks a higher court to review a decision made by a lower court because they believe the lower court came to an incorrect conclusion about their case
(court) settlement	when people involved in a legal dispute agree to a resolution instead of seeking a final decision from a judge or jury

Comprehension Questions: ‘Naruto’s Iconic “Monkey Selfie” and the Unprecedented Legal Battle for Copyright’

1. What were the three main arguments presented by PETA in the lawsuit regarding the “monkey selfie”?

2. How did the legal battle over the “monkey selfie” challenge traditional views on copyright and animal rights?

3. What was the settlement agreement reached in 2017 regarding the profits from sales of the “monkey selfie,” and how did it aim to benefit Naruto and other crested macaques?

4. Do you think the settlement reached in the “monkey selfie” case was a fair resolution for all parties involved? Why or why not?

5. How might the outcome of the “monkey selfie” case influence future legal decisions regarding animals’ rights and their treatment under the law?

6. Current laws consider both domesticated and captive wild animals to be property. If this lawsuit had succeeded, it would have been the first time an animal was declared to *own* property (the copyright of the “monkey selfie”) rather than to *be* property. Does this change how you feel about treating animals as property instead of as individuals with rights? Why or why not?

Answer Sheet: ‘Naruto’s Iconic “Monkey Selfie” and the Unprecedented Legal Battle for Copyright’

1. What were the three main arguments presented by PETA in the lawsuit regarding the “monkey selfie”?

Answer: (1) PETA argued that Naruto the crested macaque should own the copyright to the photos he took rather than David Slater, who was profiting from them. (2) The organization claimed that if a human had taken the photos using Slater’s unattended camera, that person would own the copyright and receive profits from sales of the photo. (3) PETA contended that Naruto shouldn’t be denied the copyright of the photographs just because he wasn’t human and that U.S. copyright law doesn’t prohibit animals from owning copyrights. (Literal)

2. How did the legal battle over the “monkey selfie” challenge traditional views on copyright and animal rights?

Possible answer: The “monkey selfie” case challenged traditional views by asserting that an animal could own a copyright, something that had always been reserved for humans. The case also highlighted the need for laws to evolve in order to protect animals better in situations that had always been considered exclusively in terms of humans’ rights. Overall, it sparked a lot of debate about how people treat animals and view animals’ rights. (Inferential)

3. What was the settlement agreement reached in 2017 regarding the profits from sales of the “monkey selfie,” and how did it aim to benefit Naruto and other crested macaques

Answer: The settlement agreement stated that David Slater would give 25% of any future revenue from sales of the “monkey selfie” photographs to charities dedicated to protecting the habitat of Naruto and other crested macaques. This aimed to benefit Naruto and his species by supporting work to preserve their natural habitat and ensure their well-being. (Literal)

4. Do you think the settlement reached in the “monkey selfie” case was a fair resolution for all parties involved? Why or why not?

Possible answer: I think the settlement was fair in ensuring that Naruto and other crested macaques would benefit from 25% of the photo sales. Even though Naruto was denied the right to own the copyright, the agreement helped protect him, his community, and their habitat. It also showed that people care about animals’ rights and are working to support them. (Evaluative)

Possible answer: No, I don’t think the settlement was fair. PETA pointed out that U.S. copyright law doesn’t prohibit animals from owning copyrights. Naruto should have been given the copyright because he was the one who took the photos. He shouldn’t have been denied the copyright of his photographs just because he wasn’t human. All profits (100%) from sales of his photos should go to him. (Evaluative)

5. How might the outcome of the “monkey selfie” case influence future legal decisions regarding the animals’ rights and their treatment under the law?

Possible answer: The outcome of the “monkey selfie” case sparked important discussions about animals’ rights and has the potential to shape future laws and advocacy work aimed at protecting animals better. Although the court’s decision didn’t grant animals copyright to their creations, it highlighted crucial issues regarding their treatment under the law. This case could pave the way for new laws and court decisions that enhance animal protection and welfare. (Inferential)

6. Current laws consider both domesticated and captive wild animals to be property. If this lawsuit had succeeded, it would have been the first time an animal was declared to own property (the copyright of the “monkey selfie”) rather than to be property. Does this change how you feel about treating animals as property instead of as individuals with rights? Why or why not?

Possible answer: Answers will vary. (Evaluative)