



TEXAS A&M UNIVERSITY
STUDENT GOVERNMENT ASSOCIATION
JUDICIAL COURT

Ariza v. Commissioner Jackson, et al.
(Plaintiff) (Defendant)

Judicial Court Case #64-04

February 24, 2012

SUMMARY

Plaintiff brought suit against the Election Commission on the grounds of (1) Is a website considered social media (2) Can you embed social media videos/images into a candidates website (3) What is considered a copyright relating to campaign materials.

Decision

Part I. Social Media as a Website

The Election Commission regulations do not establish a clear definition of what constitutes social media. However, the commission clearly asserts that a website is not considered social media. This is a lack of internal consistency. Without a clear definition of what constitutes social media, the Court has decided to use a generally accepted definition of the term, which would include some websites. Looking specifically at candidate websites the Court has concluded that these websites would fit into the generally accepted definition.

Therefore, the Court has no choice but to allow websites to fall into the category of social media as stated in the election regulations Section III, H, 1 until the Election Commission provides a clearly articulated definition of what constitutes social media.

Part II. Social Media Embedding and Websites

As a result of the decision in Part I of this opinion: embedding of social media videos is allowed.

Part III. ©

The Election Commission is tasked with the creation of rules regarding copyrighted material. Under commonly accepted practice any work that is created is automatically copyrighted (see: <http://www.copyright.gov/help/faq/faq-general.html#what>). Per the decision the Election Commission must establish rules that deal with validating and confirming that any creative works associated with a particular campaign in any venue has the expressed consent of the original author. The Court hereby invalidates Section III, B, 4 of the election regulations. Invalidating this rule does not alter the fact that unauthorized use of any copyrighted material is a federal crime.

...It is so ORDERED

Texas A&M University

Judicial  Court

RE: #64-04

Bonnie Rose

Jeffrey Hall

Stephan M

Franklin M

Cameron

Cameron Hallent

Signed on 2/24/12



Judicial Court