

**THE
2016
CCCC
INTELLECTUAL
PROPERTY
ANNUAL**

**TOP
INTELLECTUAL
PROPERTY
DEVELOPMENTS
OF
2016**

A
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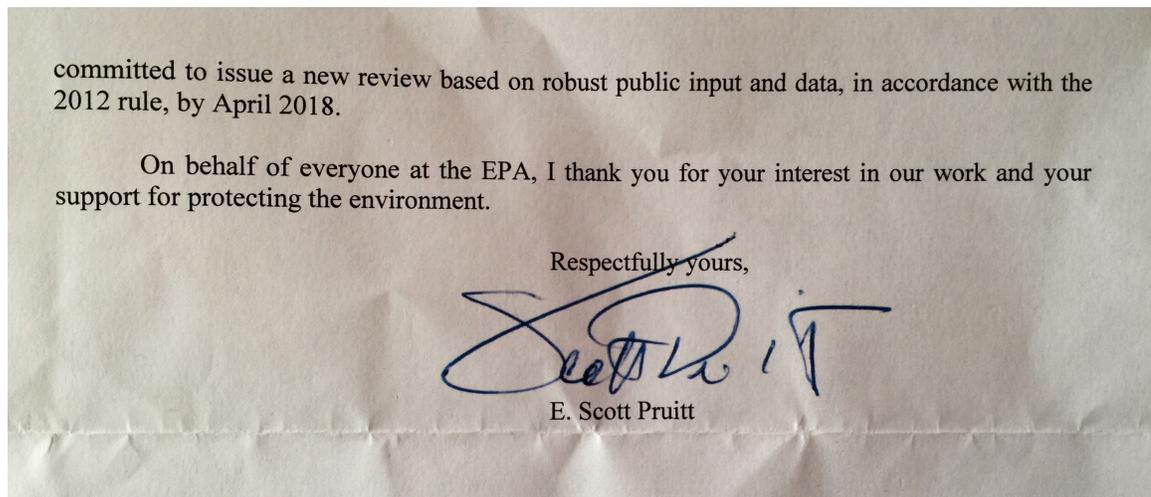
Clancy Ratliff

INTRODUCTION TO THE 2016 ANNUAL

Needless to say, 2016 was a humdinger of a year. We will remember it primarily as the year that Donald Trump shockingly received more electoral votes than Hillary Clinton in the presidential election, and the year we lost many talented artists, including David Bowie, Prince, George Michael, Carrie Fisher, and the very next day her mother, Debbie Reynolds. It was also the year that the largest number of Indigenous tribes in a century gathered for months at the Standing Rock reservation to protest the construction of the Dakota Access Pipeline, a struggle that continues in the courts. Intellectual property developments continued as always, as the eight excellent articles in this year's *CCCC-IP Annual* show.

This year has challenged my understanding of plagiarism. As Camryn Washington, Joseph Myrick, and Steven Engel show, Cabinet nominees of the Trump administration (and Donald and Melania Trump themselves) were shown to have plagiarized. They describe a few of these instances in their article, but I would add that two other Cabinet members had documented histories of plagiarism as well: Secretary of Education Betsy DeVos in her written answers in a questionnaire from the Senate, and Environmental Protection Agency Director Scott Pruitt, who allegedly plagiarized from an oil company document in a letter he wrote to the EPA in 2011.

However (and far be it from me to defend the Trump administration), it isn't that simple. The Senate questionnaire contained over 1000 questions, and it's understood that various aides and staff members wrote much of the material in the answers. Pruitt's situation could be compared to an action letter from an advocacy group; many of us receive emails regularly from such groups, encouraging us to use their letter and sign our names to it. Indeed, just a couple of months ago, I wrote a postcard to Pruitt expressing my support for the Obama administration's plan to reduce vehicle emissions. I received a letter in response, two pages, signed "Scott Pruitt."



Who is this Scott Pruitt? Did he write this letter himself? I don't have that expectation. For what it's worth, I did web searches for several sentences in the letter, and I didn't find any matches with any other documents from the EPA or anyone else. Did he sign it with his own hand? Is it a rubber stamp? I don't know. I can understand, though, how these and so many other similar complexities could muddy students' understanding of citation norms. In a Facebook comment thread about these Trump administration plagiarism cases, which resulted in little or no consequences for the people accused of plagiarism, Michigan State University rhetorician Wonderful Faison wrote that economic power and race privilege are key factors in what the consequences for plagiarism end up being. Student writers of color are faced with bias, sometimes with teachers like hovering, suspiciously watchful sales associates in stores. I have seen this "I don't think this student wrote this himself/herself" phenomenon in my experience as a WPA. As intellectual property scholars, we must step up the work that attends to social justice in plagiarism and appropriation.

It has also been a year that notions of *free speech* have been in the spotlight. Free speech, as a concept that has guided the copyleft, open source, open access, and fair use movements, is being claimed and co-opted by the group euphemistically called the alt-right. I'm not writing about this now in order to present any answers to this complicated matter or to argue for restricted speech, only to recognize the truth that for many people, the words *free speech* conjure images of Westboro Baptist Church signs, Confederate flags, and Klan robes. The term *intellectual property* itself has been criticized as colonialist, as decolonizing methodologies continue to generate interest in rhetoric and composition studies. I do want to call, though, for careful thought about the framing of IP issues. We must foreground what we value about open access and Creative Commons models: accessing and using copyrighted materials in ethical, respectful, thoughtful, socially just ways.