Copyright Rutgers Law School Spring 2024

Meetings:	Mondays and Wednesdays, 9:30-10:45 AM, Room 394
Instructor:	Professor Jonathan Gingerich (jonathan.gingerich@rutgers.edu)
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Course Webpage:	https://rutgers.instructure.com/courses/273803

Course Overview and Learning Outcomes

Copyright law incentivizes and protects creative expression, shaping many everyday activities, how authors and artists make their livings, how users interact with social media platforms, how music and movies are distributed, and how we can protect our privacy in a digital world. This course will provide a survey of U.S. copyright law and theory as well as situating U.S. copyright law in the international copyright system. Topics to be covered include theoretical foundations of copyright law, copyright treaties, requirements for copyright protection, authorship, the idea-expression distinction, rights of reproduction, preparation of derivative works, fair use, and civil remedies. Upon completing this course, students will have a grasp of contemporary U.S. copyright doctrine, understand ways in which international treaties shape and constrain U.S. copyright law, and master the theoretical arguments that are invoked in policy debates about copyright.

Required Materials

Casebook: JULIE E. COHEN, LYDIA PALLAS LOREN, RUTH L. OKEDIJI & MAUREEN A. O'ROURKE, COPYRIGHT IN A GLOBAL INFORMATION ECONOMY (5th ed., 2019), ISBN 9781543813623 (Hardcover + Digital) or 9781543849769 (Digital Only). Casebook Website: <u>https://coolcopyright.com</u>

2023 Case Supplement, available on Canvas and online at: <u>https://coolcopyright.com/application/files/5216/8987/8195/2023 COOLcopyright Case Supplement.pdf</u>.

Statutory Materials: JAMES BOYLE & JENNIFER JENKINS, INTELLECTUAL PROPERTY: LAW & THE INFORMATION SOCIETY SELECTED STATUTES & TREATIES (2019), available on Canvas and for free online at https://web.law.duke.edu/sites/default/files/centers/cspd/ipstatutes2019.pdf

All supplemental readings will be posted on Canvas.

In addition to the casebook, I recommend but do not require STEPHEN C. MCJOHN, EXAMPLES AND EXPLANATIONS FOR COPYRIGHT (7th ed. 2021), ISBN: 9781543825756 (Paperback). *This title is available for free online through the Rutgers Law Library at:* <u>https://aspenlearninglibrary-</u> <u>com.libproxy.rutgers.edu/bookshelf</u>. McJohn provides a wide variety of sample questions and problems with clear explanations.

Class Expectations

Reading Assignments: I expect you to attend and prepare for each class, including the first class. The daily reading assignments are listed at the end of this syllabus. Each numbered assignment corresponds to approximately one class. If we are only partway through an assignment at the end of a class session, please read through the end of the following assignment for the next class session. (For instance, if we stop in the middle of assignment 6, read to the end of assignment 7 for the following meeting.)

Students are expected to prepare a minimum of 2 hours outside of class for each hour of inclass time. Note that this requirement is a minimum standard; if necessary to complete assignments, students are expected to spend additional time to complete the assigned work. (That said, I know that we're busy people with other classes and lives outside of law school, and I have tried to design reading assignments that are roughly consistent in size.)

On Call Panels: The class will be divided into four panels. You will be "on call" six times during the semester. When your panel is on call, I may call on you to present part of that day's reading assignment to the class or to reflect on the material that we are studying on that day. If discussion on a topic carries over to the next class, you should be prepared to talk on your assigned topic for that class as well. If you have to miss class when your panel is on call, or if something comes up that prevents you from preparing for a day when you are on call, please just email me before class. No panel will be on call for our first meeting, and a meeting at the end of the semester is set aside for rescheduling students who miss class when their panel is on call. The panel that is on call for each reading assignment is listed with the reading assignments below. I will post a list of panel members on Canvas. Although we will use panels, I will also happily take volunteers, and everyone is welcome to raise their hand to ask questions or make comments.

Teams: In addition to panels, we will often break up into small groups to talk about the issues we are discussing in class. These teams will be made up of four or five people each and will be composed of people sitting near each other in our in-person meetings. We will often do "minimoots" in class, where different teams will be assigned to argue different sides of an issue. We will break into teams for a few minutes so that you can prepare arguments, after which we will reconvene as a class. I will call on teams on each side to present their arguments to the class.

Name Tents and Seating: I will provide you with name "tents" at each of our in-person meetings. I ask that you pick up your name tent at each of our in-person meetings and return it to me at the end of class. At our first meeting, we will divide up into teams; after our first meeting, I'll post a list of team members on Canvas. To help me learn names and to facilitate our small group work, I will ask that you sit in the same seat for all our in-person meetings.

Electronics: Electronic devices, including laptops, tablets, recorders, and phones, are permitted during class *only to take personal notes about class and/or to access assigned readings for the class.* Although I know that different strategies work for different people, in my experience as both a student and a teacher, students who take handwritten notes rather than typed notes tend to have improved comprehension of class materials; for this reason, I would encourage you to consider trying to take handwritten notes, rather than using a computer. Students are not allowed to record classes without my express permission and the consent of

everyone in the class. If you have a condition that requires recordings of class, please contact the Office of Disability Services or Associate Dean Sarah Regina.

Attendance: Regular, in-person, and punctual attendance is required for all classes. Under law school policy, students must attend 80% of classes to sit for the final exam. Please contact me if you have special circumstances that may require missing more than the permitted absences.

Assessment

This class will be assessed with an anonymized in-class final examination lasting four hours. The final examination will use a "modified open book" format, meaning that you may use the casebook and notes you have prepared but you may not use the internet or other materials. For class participation of extraordinarily high quality, I may "bump" up your final grade.

Office Hours

I will hold office hours weekly on Mondays from 2:00 to 3:50 PM. Appointments for office hours are required. A link is available on Canvas to make appointments. Please indicate your preference for format (Zoom, phone, or in person in Room 303C) when you sign up. You are welcome to sign up in small groups for office hours. My office hours are the times I reserve for student meetings, not the only times I am available. So, if my office hours are inconvenient for you, or if you want to meet in person, please email me and I will be happy to find another time Email is the best way to reach me, and I will generally respond within 48 hours, although I may take longer over weekends and holidays.

Preferred Names

It is important that you feel welcome and safe in this class and that you are comfortable participating in our discussions. If your preferred name or pronouns are not listed on the official law school roster, please let me know by email, so that I can address you in a way that reflects your identity. I prefer to be called Jonathan, although if that makes you uncomfortable, you can also call me Professor Gingerich; my pronouns are they/them or he/him.

Accommodation

Rutgers Law School is committed to providing a learning environment that meets the needs of all students, including those with physical disabilities, learning disabilities, mental health challenges, or other disabilities. If you have a condition or disability that requires accommodation, begin the process of requesting accommodation directly with the Office of Disability Services here: <u>https://ods.rutgers.edu/students/registering-for-services</u>. If you have questions, you can contact Associate Dean Sarah Regina (973-353-3066). As your professor, I will not be able to tell which exams are taken with accommodations and which are not. Students are welcome to, but certainly need not, discuss learning or other disabilities with me.

Technical Support

For issues with Canvas, contact Canvas Support at 877-361-1134 or <u>help@canvas.rutgers.edu</u>. For computer and connection issues contact <u>computerservices@law.rutgers.edu</u>.

Outline of Class and Schedule of Readings

This semester's tentative schedule of readings follows. "CB" refers to the casebook; "CB Supp" refers to the 2023 case supplement; "S&T" refers to INTELLECTUAL PROPERTY: LAW & THE INFORMATION SOCIETY SELECTED STATUTES & TREATIES; all other readings will be posted on Canvas. To help you plan your reading, I have listed an estimate of the total number of pages of reading for each assignment. I have generally tried to keep reading assignments around 35 pages, although I have been unable to avoid some variation in assignment length.

I have tried to indicate as clearly as possible which sections of the casebook are and are not assigned to save you unnecessary reading, but if you have any questions about which materials are assigned, please do not hesitate to ask.

Please note that this schedule may change depending on how we move through the material, and I may substitute or change some readings. For this reason, I suggest that you not read further than one week ahead.

I. Introduction: What is Copyright?

Copyright in Context (38 pp.) <Panels not on call> Introduction to Authorship, Fixation, and Remedies Garcia v. Google [Canvas] The Theoretical Underpinnings of Copyright Law [CB 3-23] The Role of International Treaties in Copyright Law [CB 35-44] Recommended but optional: The History of U.S. Copyright Law [CB 23-35]

II. The Subject Matter of Copyright

2.

3.

Fixation and Originality (34 pp.) <panel 1=""></panel>	
Copyright's Subject Matter (CB 47-48)	
U.S. Constitution, Art. I, §8, cl. 8	
Copyright Act §102	
Fixation (CB 48-53)	
Copyright Act §101 (definition of "fixed")	
Williams Electronics, Inc. v. Arctic International, Inc.	
Originality (CB 54-80)	
Burrow-Giles Lithographic Co. v. Sarony	
Bleistein v. Donaldson Lithographing Co.	
Feist Publications, Inc. v. Rural Telephone Service Co.	
Mannion v. Coors Brewing Company	
Meshwerks, Inc. v. Toyota Motor Sales U.S.A., Inc.	
The Idea/Expression Distinction (30 pp.) <panel 2=""></panel>	

The Idea/Expression Distinction [CB 81-87] Baker v. Selden The Merger Doctrine [CB 87-89] 37 C.F.R. §202.1 Fact and Fiction [CB 89-95]

AA. Hoehling v. Universal Studios, Inc.

Expression and Information Classification [CB 96-100]

ATC Distribution Group, Inc. v. Whatever It Takes Transmissions & Parts Economic Theory

William Fisher, *Theories of Intellectual Property, in* NEW ESSAYS IN THE LEGAL AND POLITICAL THEORY OF PROPERTY 168, 176-84 (Part III.A), (Stephen Munzer ed., 2001) [Canvas]

4. Derivative Works and Compilations (30 pp.) < Panel 3>

Subject Matter of Copyright: Compilations and Derivative Works [CB 100-101] Copyright Act §103

Derivative Works [CB 101-112]

L. Batlin & Son, Inc. v. Snyder

Schrock v. Learning Curve International, Inc.

Compilations [CB 112-29]

CCC Information Services Inc. v. Maclean Hunter Market Reports, Inc. Experian Information Solutions, Inc. v. Nationwide Marketing Services, Inc. Roth Greeting Cards v. United Card Co. Satva v. Lowry

5. Useful Objects and Architecture (32 pp.) <Panel 4>

Useful Articles [CB 177-198] Mazer v. Stein Star Athletica, LLC v. Varsity Brands, Inc. Architecture [CB 198-208] Nelson-Salabes, Inc. v. Morningside Holdings Intervest Construction, Inc. v. Canterbury Estate Homes, Inc.

6. Computer Programs (35 pp.) < Panel 1>

Copyright in Computer Software [CB 208-242, 307-10, S&T 54-55 Copyright Act §101 ("computer program", "literary work")]

Copyright Act §101 ("computer program", "literary work") *Computer Associates International, Inc. v. Altai, Inc.* [part at CB 211-19 and part at CB 307-10]
Lotus Development Corp. v. Borland International, Inc.
Oracle America, Inc. v. Google Inc.

III. Initial Ownership of Copyright

7. Authorship (35 pp.) <Panel 2>

Ownership of Copyright [CB 131-32] Copyright Act § 201 Sole Authorship [CB 132-34, CB Supp 1-2] *Lindsay v. The Wrecked and Abandoned Vessel R.M.S. Titanic* {Replace note 5 on CB 134 with note 5 on CB Supp 1-2} Joint Authorship [CB 135-39] Erickson v. Trinity Theatre, Inc. Aalmuhammed v. Lee Multiple Contributors [CB 140-145] 16 Casa Duse, LLC v. Merkin Theorizing Copyright and Creativity Martha Woodmansee, On the Author Effect: Recovering Collectivity, 10 CARDOZO ARTS & ENTERTAINMENT L.J. 279 (1992) [Canvas] Peter Jaszi, Toward a Theory of Copyright: The Metamorphoses of "Authorship", 1991 DUKE L.J. 455, 485-491 [Canvas]

8. Works for Hire (31 pp.) <Panel 3>

Works for Hire [CB 146-172, S&T 64 (Copyright Act §105)] Copyright Act §§101 ("work made for hire"), 105 Community for Creative Non-Violence v. Reid JustMed, Inc. v. Byce Rouse v. Walter & Associates, L.L.C.

Labor Theory

JOHN LOCKE, SECOND TREATISE OF GOVERNMENT (C.B. Macpherson ed., 1980), §§28-34, 40-41 [Canvas] ROBERT NOZICK, ANARCHY, STATE, AND UTOPIA 174-78 (1974) [Canvas]

IV. The Statutory Rights of Copyright Owners

9. The Right to Reproduce: Copying in Fact (32 pp.) < Panel 4>

The Statutory Reproduction Right [CB 244-45, S&T 54, 55, 137 (Copyright Act §§ 101, 117)]

Copyright Act §§101 ("copies," "phonorecords"), 106, 117

Reproduction [CB 245-53, CB Supp 7-8]

Cartoon Network LP v. CSC Holdings, Inc.

{After notes on CB 253, add Non-Fungible Tokens note on CB Supp 7-8}

De Minimis Copying [CB 253-57, CB Supp 8-9]

Gottlieb Development LLC v. Paramount Pictures Corp.

{After notes on CB 257, read note 5 on CB Supp 8-9}

Substantial Similarity and Copying [CB 257-72]

Three Boys Music Corp. v. Michael Bolton

Ty, Inc. v. GMA Accessories, Inc. Bouchat v. Baltimore Ravens

10. The Right to Reproduce: Substantial Similarity (34 pp.) < Panel 1>

Applying the Substantial Similarity (34 pp.) <Panel 1>
 Applying the Substantial Similarity Test [CB 272-79]
 Nichols v. Universal Pictures Corp.
 Arnstein v. Porter

 The Contemporary Second Circuit Approach [CB 279-93]
 Steinberg v. Columbia Pictures Industries, Inc.
 Boisson v. Banian, Ltd.
 Mannion v. Coors Brewing Company
 The Contemporary Ninth Circuit Approach [CB 293-306, CB Supp 9-10]

Cavalier v. Random House, Inc. Swirsky v. Carey {Replace note 5 on CB 305-06 with note 5 on CB Supp 9-10}

11. Derivative Works (35 pp.) <Panel 2>

Derivative Works Involving Copying [CB 311-23]
Copyright Act §§ 101 ("derivative work", "work of visual art"), 103, 106 *Warner Bros. Entertainment, Inc. v. RDR Books*Copyright, Markets, and Derivative Works [CB 323-27]
Paul Goldstein, *Derivative Rights and Derivative Works in Copyright*Pamela Samuelson, *The Quest for a Sound Conception of Copyright's Derivative Work Right*Derivative Works Without Copying [CB 327-37] *Mirage Editions, Inc. v. Albuquerque A.R.T. Company Lee v. A.R.T. Company Micro Star v. FormGen Inc.*Copyright in Characters [CB 337-44, CB Supp 10-11] *DC Comics v. Towle*{Insert CB Supp 10-11 at the end of note 1 on CB 343}

12. Moral Rights (39 pp.) <Panel 3>

Moral Rights in the United States [CB 455-78, CB Supp 15-16] *Gilliam v. American Broadcasting Companies, Inc. Dastar Corp. v. Twentieth Century Fox Film Corp. Cohen v. G&M Realty L.P.* {Replace notes 3 and 4 on CB 474 with notes 3 and 4 on CB Supp 15} {Insert CB Supp 15-16 following the Practice Exercise on CB 477} Performers' Rights and Treaty Obligations [CB 478-86] *United States v. Martignon* Personality Theory

MARGARET JANE RADIN, REINTERPRETING PROPERTY 36-44 (1993) [Canvas]

13. The Right to Distribute (39 pp.) < Panel 4>

Distribution [CB 345-54, S&T 64, 66-70, 181-82, 195-96 (Copyright Act §§ 106, 108, 109, 501(a), 602)]
Copyright Act §§106, 108, 109, 501(a), 602 *Capitol Records, Inc. v. Thomas*First Sale Doctrine [CB 354-65] *Bobbs-Merrill Co. v. Straus Capitol Records, LLC v. ReDigi Inc.*First Sale Doctrine [CB 365-78] *Kirtsaeng v. John Wiley & Sons, Inc.*

14. Rights to Public Performance and Public Display (38 pp.) < Panel 1>

The Right to Public Performance and Public Display [CB 378-406, CB Supp 12-14, S&T 54-56, 64 (Copyright Act §§ 101 ("digital transmission," "display", "perform", "publicly", "transmit"), 106)] Copyright Act §§ 101 ("digital transmission," "display", "perform", "publicly", "transmit"), 106

Cartoon Network LP v. CSC Holdings, Inc.

American Broadcasting Companies, Inc. v. Aereo, Inc.

Perfect 10, Inc. v. Amazon.com, Inc.

{Replace notes 1-4 on CB 405-06 with notes 1-4 on CB Supp 12-14}

Public Interest Exceptions to Public Dissemination Rights [CB 406-11, S&T 70-74 (Copyright Act § 110)]

Copyright Act § 110

15. Copyright and the Music Industry (35 pp.) <Panel 2>

Copyright in Musical Works and Sound Recordings [CB 413-41, 450-53, S&T 55-56, 64, 88-89, 102-04 (Copyright Act §§101 ("phonorecords", "sound recordings"), 106, 114(a)-(c), 115(a)-(b))]

- Copyright Act §§ 101 ("phonorecords", "sound recordings"), 106, 114(a)-(c), 115(a)-(b)
- VMG Salsoul, LLC v. Ciccone
- [Pandora v. American Society of Composers, Authors and Publishers is not assigned, but please read notes 1-5 on CB 450-51 and Diving Deeper: Section 110 Limitations, Revisited on CB 451-53]

16. Remedies (38 pp.) <Panel 3>

Civil Copyright Remedies [S&T 181-85 (Copyright Act §§ 412, 501-505)] Copyright Act §§ 412, 501-505

- Injunctive Relief [CB 804-16]
 - Christopher Phelps & Associates, LLC v. Galloway
 - Metro-Goldwyn-Mayer Studios, Inc. v. Grokster, Ltd.

Perfect 10, Inc. v. Google, Inc.

Seizure and Impoundment [CB 817]

Actual Damages and Profits [CB 817-32]

Bouchat v. Baltimore Ravens Football Club, Inc.

Frank Music Corp. v. Metro-Goldwyn-Mayer Inc.

Los Angeles News Service v. Reuters Television International, Ltd.

Statutory Damages [CB 832-40, CB Supp 47-48]

Zomba Enterprises, Inc. v. Panorama Records, Inc. {Insert notes 4-5 from CB Supp 47-48 on CB 836} *Capitol Records, Inc. v. Thomas-Rasset*

<u>Recommended but optional</u>: Copyright Alternative in Small-Claims Enforcement Act of 2020 [CB Supp 48-51]

V. Fair Use

 17. Fair Use and Cultural Interchange (36 pp.) <Panel 4> Statutory Fair Use Rights [CB 489-90] Copyright Act § 107
 Cultural Interchange and Parody [CB 490-508, CB Supp 17] Harper & Row, Publishers, Inc. v. Nation Enterprises Campbell v. Acuff-Rose Music, Inc. {Replace note 6 on CB 507 with note 6 on CB Supp 17} Cultural Interchange Beyond Parody [CB 508-26] Castle Rock Entertainment, Inc. v. Carol Publishing Group, Inc. Bill Graham Archives v. Dorling Kindersley Ltd. Cariou v. Prince Fair Use and the First Amendment [CB 526-27]

18. Cultural Interchange Continued and the Law and Economics of Fair Use (34 pp.) <Panel 1>

Cultural Interchange and Artistic Sampling [CB Supp 17-30]
Andy Warhol Foundation for the Visual Arts, Inc. v. Goldsmith
William W. Fisher III, Reconstructing the Fair Use Doctrine, 101 HARV. L. REV. 1659, 1698-1744 (1988) [Canvas] [footnotes not assigned]

19. Fair Use, Technology, and Transformation (26 pp.) < Panel 2>

Transformative Use and Technical Interchange [CB Supp 31-42] Google LLC v. Oracle America, Inc.
Transformative Use and Electronic Databases [CB 535-50] Perfect 10, Inc. v. Amazon Authors Guild, Inc. v. Hathitrust

20. Fair Use: Other Productive Uses (25 pp.) <Panel 3>

Other Productive Uses [CB 550-71, CB Supp 42-43] Sony Corporation of America v. Universal City Studios, Inc. Cambridge University Press v. Patton {Insert note 6 from CB Supp 42-43 on CB 571} Fair Use in Comparative Perspective [CB 571-74]

VI. Forms of Infringement

21. Direct and Indirect Infringement (43 pp.) <Panel 4>

Direct Infringement [CB 575-84]

Religious Technology Center v. Netcom On-Line Communication Services, Inc.

Cartoon Network LP v. CSC Holdings, Inc.

Indirect Infringement [CB 585-602]

Fonovisa, Inc. v. Cherry Auction, Inc.

Perfect 10, Inc. v. Amazon.com, Inc.

Perfect 10, Inc. v. Visa International Service Association

Inducement [CB 602-18]

Metro-Goldwyn-Mayer Studios Inc. v. Grokster, Ltd.

22. Online Service Provider Liability (44 pp.) <Panel 1>

§ 512 and Online Service Provider Liability [CB 618-58, CB Supp 44-45, S&T 187-94 (Copyright Act § 512)]
Copyright Act § 512
{Insert note 4 from CB Supp 44 on CB 621}

Viacom International, Inc. v. YouTube, Inc. Ventura Content v. Motherless, Inc. Lenz v. Universal Music Corp. {Replace question 2 on CB 656 with questions 2-3 on CB Supp 44-45}

VII. Practical Considerations in Copyright Enforcement and Licensing

23. Copyright Formalities and Duration (39 pp.) <Panel 2>

Copyright Formalities [CB 661-76] Estate of Martin Luther King, Jr., Inc. v. CBS, Inc. Copyright Duration [CB 676-95, S&T 168-71 (Copyright Act §§ 302, 303, 304(a)-(b))] Copyright Act §§ 202, 202, 204(a) (b)

Copyright Act §§ 302, 303, 304(a)-(b) Eldred v. Ashcroft

24. Copyright Renewals, Terminations, and Transfers (40 pp.) <Panel 3>

Renewals and Terminations [CB 695-710, S&T 165-66, 171-73 (Copyright Act §§ 203, 304(c)-(d), 305)]

Copyright Act §§ 203, 304(c)-(d), 305

Baldwin v. EMI Feist Catalog, Inc.

Orphan Works [CB 710-14]

Modes of Transfer [CB 715-31, CB Supp 46, S&T 54, 56, 164, 166, 182 (Copyright Act §§ 101 ("collective work," "transfer of copyright ownership"), 201(c)-(e), 202, 204, 501(b))]

Copyright Act §§ 101 ("collective work," "transfer of copyright ownership"), 201(c)-(e), 202, 204, 501(b) Asset Marketing Systems, Inc. v. Gagnon

{Insert note 5 from CB Supp 46 on CB 724}

New York Times Company v. Tasini

25. New Uses, New Licensing Models, and Misuse (39 pp.) < Panel 4>

New Uses [CB 731-41]

Boosey & Hawkes Music Publishers, Ltd. v. The Walt Disney Company Random House v. Rosetta Books, LLC

New Licensing Models [CB 741-58, S&T 180-81 (Copyright Act § 411)] Copyright Act § 411

Vernor v. Autodesk, Inc.

Jacobsen v. Katzer

Copyright Misuse [CB 758-68]

Video Pipeline, Inc. v. Buena Vista Home Entertainment, Inc. In re Napster, Inc. Copyright Litigation

26. Technological Protections (33 pp.) <Make-up panel>

Technological Protections [CB 859-62, CB Supp 53] Digital Millennium Copyright Act [CB 862-82] *Universal City Studios, Inc. v. Reimerdes* {Insert question 3 from CB Supp 53 on CB 877} Protection for Copyright Management Information [CB Supp 53-63] Kelly v. Arriba Soft Corp. GC2 v. Int'l Game Tech.

VIII. Review

27. Frontiers of Copyright: Copyright and AI <Panels not on call>

Copyright and AI [Canvas]

We will discuss an ongoing case concerning the training of AI models on copyrighted materials, such as Authors Guild v. OpenAI Inc., No. 1:23-cv-8292 (S.D.N.Y.)
(https://www.courtlistener.com/docket/67810584/authors-guild-v-openai-inc), New York Times Co. v. Microsoft Corp., No. 1:23-cv-11195 (S.D.N.Y.)
(https://www.courtlistener.com/docket/68117049/the-new-york-times-company-v-microsoft-corporation) or Andersen v. Stability AI Ltd., No. 3:23-cv-00201 (N.D. Cal.)
(https://www.courtlistener.com/docket/66732129/andersen-v-stability-ai-ltd). Materials will be selected depending on the development of these cases over the course of the semester. Instructions for preparation for our meeting on this topic will be provided later in the semester.

28. Review <Panels not on call>

Please read the sample exam and accompanying memo [Canvas]

Syllabus last revised January 11, 2024