Practice Contact

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Copyrights

Our attorneys know the often-complex laws governing copyrights and have the experience and business insight to help our clients, whether the engagement involves writing the contract that ensures that our client owns the software its consultant is developing or helping a first-time author wend her way through the world of publishers, agents, and royalties. We strive to untangle the issues and assist our clients to protect – to the fullest extent – their copyrightable assets. We also counsel clients so that they may avoid infringement of copyrights held by others.

Our work in the copyright area regularly addresses the following matters, among others:

- Advising clients on rights that apply under copyright law
- Filing and prosecuting applications to register copyrights in the U.S. and abroad
- Counseling clients on the use of copyrighted materials and providing assistance in obtaining the proper permissions and clearances for use
- Assisting clients in acquiring or transferring copyrights through licensing, purchasing, or assignment
- Performing corporate in-house intellectual property audits to identify copyright assets and developing formal protection, management, and compliance programs to protect these assets
- Advising clients on copyright issues as related to the Internet, websites, and electronic commerce
- Representing clients in connection with licensing and protection of software
- Prosecuting and defending copyright infringement litigation

Our lawyers do more than simply provide abstract legal advice. We understand that strategies and approaches are best developed with a thorough understanding and knowledge of a client's business needs and objectives. Our copyright clients range from artists, authors, musicians, and software developers to libraries, publishing houses, Fortune 500 companies, and financial institutions. In copyright and

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other intellectual property matters, our clients include Abercrombie & Fitch, Inc., Bob Evans Farms, Inc., The Bureau of National Affairs, Inc. (BNA, Inc.), Nationwide Children's Hospital, M/I Homes, The Scotts Miracle-Gro Company, Stanley Steemer International, Inc., and Worthington Industries. We also manage IP related to the Borden & Elsie brands.

Our representative engagements in this area include the following:

- Advising clients regarding Digital Millennium Copyright Act provisions relating to circumvention of technological measures to control access to licensed works
- Advising library clients on the interpretation of library rights under the Copyright Act
- Successfully representing the author of software used in presenting real-time graphics in sports television in a preliminary injunction proceeding against former employees who had misappropriated the software to form a competing enterprise
- Negotiating and developing all agreements for the distribution and performance of an original dramatic musical stage production, including securing the transfer and registration of all copyrights from contributors to music, lyrics, script, logos, set designs, costumes, and playbills
- Negotiating agreements with more than 50 well-known artists and musical groups, their record labels, and publishers to secure performance and website rights for a Fortune 500 company with respect to a major marketing and promotion project
- Successfully defending a musical group from a claim of copyright infringement

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