



Intellectual Property Copyright Procurement

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Copyrights are authorized by the U.S. Constitution. Therefore, their regulation is completely governed and preempted by a detailed federal statute (Title 17 of the United States Code). Copyright protection extends to "original works of authorship," once they are "fixed" in a tangible medium of expression, and prevents copying without permission. Many people think that copyright law protects only artistic works, such as books and music, but the law also protects industrial property such as computer software, advertising literature, manuals, PowerPoint presentations, product packaging, websites, and compilations of information. Although copyright law does not protect ideas, it does protect the way in which ideas are expressed.

Whether copyrights are central or peripheral to a business, they impact every business entity. Stradley Ronon has a team of IP professionals to help clients navigate the often complex world of copyrights. Our copyright professionals have assisted large and small companies, universities and individuals to obtain copyright registrations, and have counseled clients in resolving copyright ownership issues. Ownership issues often arise because, again contrary to what many people think, the author owns a copyright absent two special circumstances: (1) the employer owns a work prepared by an employee within the scope of employment; and (2) under the "work made for hire" doctrine, a written agreement may provide that a party who specially orders or

commissions a work is the owner. Copyrights are personal property and can be transferred or licensed; our copyright professionals have drafted agreements to do so. We have also advised clients seeking to enforce their copyrights against infringing entities, and represented clients in defense of claims of infringement. Finally, many Stradley attorneys are members of the Philadelphia Volunteer Lawyers for the Arts, acting *pro bono* (i.e., free of charge as a community service) to advise local artists in the copyright area.

Our copyright professionals act for a range of clients across the copyright spectrum, including fashion and footwear companies, authors, publishers, educational institutions, music industry professionals, retail store services, online service providers, software producers and theaters. Our experience in this area specifically includes:

- copyright registration
- copyright dispute resolution, from both the plaintiff and defendant perspectives

- negotiation and preparation of copyright licensing agreements
- negotiation and preparation of agreements with copyright societies and publishers
- advising clients on website copyright and design matters
- advising clients on use, fair use, and misuse of copyrighted content
- advising extensively on copyright issues that arise in business transactions, such as mergers and acquisitions
- running copyright enforcement programs, including advice on the use of federal law enforcement and coordination with authorities

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For more information on our Intellectual Property Copyright Procurement practice, visit www.stradley.com/ipcopyright.

About Stradley Ronon

For more than 95 years, Stradley Ronon has helped private and public companies – from small businesses to Fortune 500 corporations – achieve their goals. With nine offices and more than 200 attorneys, Stradley Ronon is proud to help companies manage their legal challenges and grow their businesses.

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