

Be Original in Briefs to Advance Your Argument and Avoid Copyright Infringement

Publication

October 2016

American Bar Association Young Lawyers Division, Intellectual Property Law Committee Newsletter

Contact

Benjamin J. Hodges

At a very early stage in practice, every young lawyer should realize that there is no need to reinvent the wheel in his or her briefs. Very few truly original issues exist in any given case; therefore, it makes sense to look to past briefs for inspiration regarding the argument and the law. However, there is a difference between inspiration and copying. This difference has always been an issue of professional integrity, but now it is also one of legal liability.

Intellectual Property attorney Ben Hodges reviews *Newegg Inc. v. Ezra Sutton, PA* and its implications for fair use.