



the copyright society's 2023 midwinter meeting

Omni Rancho Las Palmas Resort | 41000 Bob Hope Dr Rancho Mirage, California 92270

February 9-11, 2023

Yakub Hazzard and **Elaine Kim** will be speaking on two different panels at The Copyright Society's 2023 Midwinter Meeting taking place February 9-11, 2023 in Palm Springs, CA.

attorneys

Yakub Hazzard

Elaine K. Kim

practice areas

entertainment & ip litigation

intellectual property

litigation

"Copyright Damages in the Modern Age"

February 10, 2023

10:20 AM Pacific Time

A panel of distinguished experts will discuss hot button issues in damages involving (1) apportionment of damages in a copyright case including the application of causation in the disgorgement of profits in different contexts, different mediums and when different exclusive rights are involved, and (2) evolving issues in statutory damages particularly in the context of multiplicity of such an award.

Speakers:

- Kenneth D. Freundlich
 - Rom Bar-Nissim
 - Pamela Samuelson
 - **Yakub Hazzard**
 - David Leichtman
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"Trends in Substantial Similarity in the Ninth and Second Circuits"

February 10, 2023

12:00 PM Pacific Time



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The panel will explore the recent trend, primarily in the Ninth Circuit, regarding the suitability of ruling on the substantial similarity between literary works at the pleadings stage (as well, to some degree, as disposition at summary judgment). In a recent slew of apparently contradictory opinions involving infringement claims against films and TV shows such as "The Shape of Water", "Pirates of the Caribbean", "Inside Out", and "Empire", the Ninth Circuit Court of Appeals has left the public and practitioners confused about when, if ever, it is appropriate to dispose of infringement claims at the pleadings stage. The panel will explore the history of how the courts have traditionally addressed infringement of literary works at the pleadings stage, will explore the latest trends, especially in the Second and Ninth Circuits, and will perhaps attempt to make some sense of the conflicting decisions.

Speakers:

- Clark Asay
- Jacques Rimokh
- **Elaine K. Kim**
- Steven T. Lowe

View Event Information