

## COPYRIGHTS

### OVERVIEW

Over the past decade, the proliferation of digital content on the Internet and through other media has underscored the importance of copyrights in a company's assets. This is no longer your grandfather's copyright realm—or even your older sister's. Traditional manufacturers and retailers have discovered they own copyrights every bit as valuable as chart-topping songs and blockbuster movies. Some of the more important copyright infringement cases in recent years have involved company websites, online training manuals, proprietary software, and the like.

We have extensive copyright litigation and counseling experience in a wide range of industries, from motion pictures to software to financial institutions to online merchandising. BCLP's copyright attorneys include published authors, professional musicians, computer programmers, and others with hands-on experience in the industries they represent. We have a unique level of understanding—both legal and practical—that enables us to guide clients through complex and often unprecedented legal issues.

## MEET THE TEAM



### **Timothy M. Reynolds**

Partner, Boulder

[timothy.reynolds@bclplaw.com](mailto:timothy.reynolds@bclplaw.com)

[+1 303 417 8510](tel:+13034178510)



### **Joseph J. Richetti**

Partner and Co-Global Practice Group

Leader - Intellectual Property and

Technology, New York

[joe.richetti@bclplaw.com](mailto:joe.richetti@bclplaw.com)

[+1 212 541 1092](tel:+12125411092)

## RELATED PRACTICE AREAS

- Food & Agribusiness
- Entertainment & Media
- International Trade

## EXPERIENCE

## **Copyright Portfolio Management**

We have counseled clients in a variety of industries in connection with the creation, use, ownership, licensing, and registration of works protected by copyrights. For example, we have negotiated copyright licenses for a major toy company with major motion picture and television studios for the action figure rights for dozens of properties, including Shrek, The X-Files, The Simpsons, The Terminator, and The Matrix. We have also obtained the various necessary copyright and other rights (including publicity rights) for the creation, distribution, and display of advertisements that utilize the identities of famous individuals and famous musical compositions.

## **Global Copyright Enforcement**

Our attorneys have obtained jury verdicts, summary judgments, seizure orders, and preliminary injunctions on behalf of our clients in a variety of copyright lawsuits around the nation and in overseas tribunals. Recent examples include final judgment in favor of a major motion picture studio against claims of copyright infringement, a seizure order and a TRO halting distribution of pirated copies of a new video game, the successful defense of America's largest retailer in a series of copyright matters, and a key role in a seminal 2008 case that invalidated as unconstitutional Section 511(a) of the United States Copyright Act.

## **Customs and International Trade**

We have represented clients in connection with Customs seizures, Customs enforcement of import relief measures, issues of classification and valuation, the CTPAT program, NAFTA rules, country of origin marking, and clearance of imports, including Customs actions in the Court of International Trade and Court of Appeals for the Federal Circuit.

## **Protecting Innovation**

BCLP has handled matters on the frontiers of copyright law. For example, on behalf of international artists Christo and the late Jeanne-Claude, we have obtained copyright registration and protections for their monumental sculptural project The Gates, Central Park, New York, 1979-2005.

## **Copyright Licensing and Transactions**

We routinely prepare licenses, work-made-for-hire agreements, freelance agreements, assignments of copyright, and other copyright-related agreements for national publishers and advertising agencies.

## **RELATED INSIGHTS**

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