



IP Lawyers Weigh In On High Court's 1st-Sale Ruling

Law360, New York (March 19, 2013, 8:01 PM ET) -- The U.S. Supreme Court on Tuesday found that the Copyright Act's first-sale doctrine was not limited by geography and applied equally to goods made both in the U.S. and abroad, reversing a victory for John Wiley & Sons Inc. in the textbook publisher's copyright suit against a man who resold foreign editions of its books. Here, IP attorneys tell Law360 why the 6-3 ruling is significant.

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"Addressing an issue that has divided the lower federal courts, today, the Supreme Court ruled that under the first-sale doctrine, copyrighted works legally produced abroad may be sold inside the United States, even by an individual or entity without express permission to do so. The opinion provided much needed clarity for many individuals and entities operating in the secondary resale market for books, music, fine art, software, and other protectable works. Those with the most to lose, namely international publishers and manufacturers who use pricing models based on particular geographic locations, will want to rethink those models to remain competitive in what is now a truly global marketplace."

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