

In The Media

07/25/2023

Lee Eulgen Quoted in *Law360's* Analysis "The Biggest Copyright Decisions Of 2023: A Midyear Report"

Lee Eulgen, partner in the Intellectual Property group, was quoted in *Law360* Analysis, "The Biggest Copyright Decisions Of 2023: A Midyear Report." In the first half of 2023, significant copyright decisions included the U.S. Supreme Court ruling that Andy Warhol's portrait of musician Prince wasn't fair use, the U.S. Copyright Office partially canceling a copyright registration on a comic book for AI-generated illustrations, a Federal Circuit panel affirming a decision dismissing a copyright suit involving software, an Eleventh Circuit panel allowing damages for copyright infringement beyond the three-year window, a New York federal judge holding that Internet Archive's scanning and lending of physical books without permission from publishers was not fair use, and a Manhattan federal jury finding that Ed Sheeran's song "Thinking Out Loud" did not infringe on Marvin Gaye's "Let's Get It On."

Regarding comic book AI-case, Lee stated, "Because we remain in an era of Congressional discord, it is my opinion that federal appeals courts will likely need to be involved in setting the true boundaries of copyright involving AI, and, thus, I suspect that we are a long time away from having black-letter clarity."

[Read the complete analysis here.](#)

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