

## Copyright

It's the bedrock of twenty-first century business in the digital age and an emerging source of the highest-stake litigations. Whatever your industry, and whether you develop, create, distribute, or train, copyright is inevitably interwoven with the legal issues you face.

From transactions and counseling to enforcement, litigation, and the most cutting edge issues in Artificial Intelligence, our team of copyright lawyers advise and advocate at the forefront of copyright law.

We understand the nuances and complexities of copyright, and are at the front line of its presently-evolving landscape. World-leading technology, fashion, media, broadcasting, sports, music, publishing, and gaming companies turn to our connected global team of copyright lawyers for cutting edge solutions across the full spectrum of copyright issues.

Whether surrounding user-generative content, software / database rights, AI, streaming, fair use or moral rights, if it's copyright, we've got it covered.

### Representative experience

Google in the "Innocence of Muslims" *Garcia v Google* case, successfully seeking *en banc* reversal of a controversial and major 9th Circuit decision requiring Google/YouTube to take down the film.

### Key contacts

**Zhen (Katie) Feng (Shanghai IP Agency),**  
Shanghai

**Dr. Morten Petersenn,**  
Hamburg

**Anna Kurian Shaw,**  
Washington, D.C.

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### Trending Topics

#### AI Hub

Our interactive AI Hub serves as a central resource covering the latest trends and developments. Explore the Hub to find our recent thought leadership, navigate new laws and regulations, and to get in touch with our AI market-leaders.

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### Areas of focus

FinTech

IP Rights in Transactions

Gaming

Media and Entertainment

Fashion and Luxury Brands

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Blizzard Entertainment Inc. and its business partner in China, NetEase, in infringement and unfair competition dispute against a Chinese gaming company regarding infringement of Blizzard's online game.

Successfully advising Fox Group on unauthorized downloading, conversion to digital, and online free distribution of several TV series in France prior to their showing on French TV.

Obtaining victory for The Walt Disney Company on an infringement claim relating to the movie "Pirates of the Caribbean: Curse of the Black Pearl."

Successfully defending an NFL club in allegations of copyright infringement relating to a logo design and its contribution to royalties received from merchandise bearing the logo.

Representing FremantleMedia in infringement dispute between 'American Idol' and 'The X Factor' TV formats.

Advising a major CIS region technology and media company on infringement allegations in relation to highly successful multiplayer online game, in particular on the right to adapt its game engine.

Successfully negotiated pre-suit resolution of an infringement dispute related to use of car photographs by online travel and car rental agency.

Successfully obtained dismissal with prejudice of copyright infringement claim relating to a logo appearing on consumer products.

Obtained a dismissal with prejudice of infringement claims relating to wildlife illustrations against an educational publisher.

Successfully represented retail outlet in copyright infringement lawsuit involving images used in advertising materials.

Assisting multiple businesses across various industry sectors with the drafting and revision of Generative AI Use Policies.

## Related practices

Communications, Internet, and Media

IP and Technology Transactions

Technology Litigation

Marketing and Advertising

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Advising on considerations around vicarious liability for user-generated output alleged to be derivative and infringing of third party rights.

Counseling technology companies with respect to the copyrightability of AI-generated output, including in light of the US Copyright Office's recently-issued policy statement, varying copyrightability policies across Berne Convention countries, and potential implications for enforcement and litigation.

Consulting on copyright implications of generative AI's training methods, including fair use considerations.

Advising Liberty Global Inc on the US\$1bn disposal of its international content division, Chellomedia, to AMC Networks Inc. This involved advising on the legal and regulatory hurdles in a large number of jurisdictions across the globe.

Advising Assa Abloy in \$4.3B acquisition of Spectrum Brands HHI division and associated \$800M divestiture in deals implicating the transfer and licensing of smart door technology and related platforms.

Assisted Fox Media with its multistage, worldwide intellectual property ownership reorganization as part of Twenty-First Century Fox's acquisition by The Walt Disney Company, including the transfer and recordation of tens of thousands of rights owned by the media giant.

Advising a Chinese short-form video platform client on copyright matters in various jurisdictions, including reviewing agreements with content providers regarding content creation, distribution and so on, assessing risks of infringement for short-form videos posted on the platforms.

Drafting and negotiating global rights acquisition and waivers from makers of award winning Barefoot College "FliptheSwitch" film, and related short films, website and social media.

Advising World Wide Fund for Nature on collaboration with Netflix and Silverback Productions on the "Our Planet" series - a four year project and the largest of its

kind ever attempted.

Representing major computer manufacturers against claims for copying levies in Germany and a major German collecting agency in a landmark case dealing with the distribution of copying levies.

Won summary judgment on eve of trial for major software company in competitor case involving vulnerability databases and related technologies.

Secured an asset freezing injunction in Hong Kong in relation to the protection of encryption technology for TV content.

Successfully asserted copyright and breach of contract claims against former licensee of voice biometric software.

Representing major software company in competitor patent infringement, copyright infringement and breach of contract action involving electronic design automation and semiconductor IP technologies.

Assisting major software company with numerous DMCA takedown requests related to infringing copies of manuals and software posted online.

Represented multiple residential and commercial REITs with respect to music and motion picture enforcement activity and licensing.

Advising on UK aspects of proposed multi-territory new digital radio service, including on necessary licence arrangements with music right holders (PRSfM / PPL) and broadcasters.

Advised multiple social media and user-generated content service providers, including major international short-form video sharing app, as to infringement and DMCA compliance.

Advised multiple hospitality and residential real estate investment trusts (REITs) as to music and motion picture licensing requirements and negotiations.

Advising on the recognition and enforceability of foreign judgments in the USA and the distinctions between U.S. copyrights and neighboring rights.

## Awards and rankings

- Ranked Band 3 for D.C. Trademark Copyright and Trade Secrets practices, *Chambers & Partners*, 2023
- IP Law Firm of the Year - Italy, *Legalcommunity IP & TMT Awards*, 2021-2018
- Global IP Firm of the Year, *Managing Intellectual Property Awards*, 2019 & 2018
- Ranked Band 1 for IP on a Global and Europe-wide level, *Chambers & Partners*, 2019
- Japan Foreign Firm of the Year, *Managing Intellectual Property Awards*, 2019 & 2018
- China Foreign Firm of the Year, *Managing Intellectual Property Awards*, 2019
- China Copyright Firm of the Year, *Managing Intellectual Property Awards*, 2018
- International IP Law Firm of the Year, *ALB Japan Law Awards*, 2018 & 2017
- Germany - IP Law Firm of the Year, *JUVE Awards*, 2017
- Italy - Best IP Law Firm, *Toplegal Awards*, 2017
- International IP Firm of the Year, *ALB China Law Awards*, 2018
- International Copyright Firm of the Year, *Asia IP Awards*, 2016
- Vietnam - Copyright Firm of the Year, *Asia IP Awards*, 2016

## Latest thinking and events

### News

White House and OSTP release RFI concerning the development of an Artificial Intelligence Action Plan

### News

Doing Business in the United States 2025

## News

Training AI models: UK Government consults on proposals for a copyright data mining exception with rightsholder opt-out

## News

AI Legislation: Italy Sprints, Brussels adjusts the track and sends a message to Member States on national AI initiatives

## Hogan Lovells Events

IP Brands Seminar 2024

## News

The use of generative AI in advertising: Legal pitfalls to look out for in the UK