



Copyright Fair Use: A Comment on the Parody Defense

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With increasing frequency, the success or failure of the "fair use" defense in litigation concerning copyrighted material depends on whether the challenged work "parodies" the pre-existing work. This article examines how courts have analyzed whether an asserted parody qualifies for fair use protection in the leading Supreme Court case of *Campbell v. Acuff-Ross Music Inc.* and its progeny, including the recently issued, currently on appeal, decision from the Southern District of New York in *Salinger v. Colting*, in which the parody fair use defense was rejected at the preliminary injunction stage.

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