

David Halberstadter Contributes to Virtual Roundtable on Issues Impacting IP Law

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Los Angeles Litigation partner David Halberstadter joined attorneys from around the world to contribute to a virtual roundtable discussing the significance of recent case studies and trends in IP law and other IP-related issues, including COVID-19, Brexit and climate change.

David answered questions ranging from whether there have been any recent changes or regulatory developments, or any noteworthy new case law precedents, to the extent to which COVID-19 has impacted the IP landscape.

"In response to the COVID-19 pandemic, federal and state courts have substantially reduced physical access to the court systems; some states limited the types of new cases that could be filed to matters constituting emergencies; already-pending matters have ground to a standstill; and, even though many courts have begun to reopen, seeking judicial relief in these unique times has been slow going, in part because of large backlogs," David said.

On recent regulatory developments in IP, David described how the federal protection for large numbers of works is beginning to expire and how these works are entering the public domain, as well as spoke about current legislation that is pending before Congress to create a "small claims court" that would allow content creators to pursue claims of copyright infringement in a more efficient and less costly manner.

On the important case studies to keep an eye on in terms of new case law precedent, David noted the 2020 case of *Google LLC v. Oracle America Inc.*, which involves two tech giants Google and Oracle America. In the case, Oracle America is seeking $8.8 billion in damages, claiming Google infringed on copyright portions of its Java software language to build the Android Smart platform.

"The U.S. Supreme Court's anticipated ruling will be the first time the high court has tackled copyright law's fair use doctrine in more than 20 years. The case also appears to be the first occasion on which the Supreme Court will rule on an issue pertaining to software copyrights," David said.

Read, "Virtual Round Table — Intellectual Property 2020," in its entirety.

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