

Zia Modabber, Head of the Los Angeles Litigation and Dispute Resolution Practice, Quoted in *The Hollywood Reporter* on Recaptured Copyrights

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Zia Modabber, head of the Los Angeles Litigation and Dispute Resolution practice, commented on the dispute between R&B singer Smokey Robinson and his ex-wife Claudette over recaptured property rights in *The Hollywood Reporter*. The 1976 Copyright Act contains a termination provision which extends the term of copyright, giving artists who surrendered their rights without much bargaining power another chance to benefit from early career labors. The singer has filed such a termination notice in addition to a lawsuit seeking declaratory relief that he would not have to share reclaimed rights, raising the question of whether recaptured copyrights should be defined as community or separate property under California family law. Zia, who is representing Claudette together with litigators Rebecca Ganz and Tami Kameda Sims, called the declaratory relief suit a copyright "gambit" to get around the divorce agreement and hog additional royalties on songs that were created during the marriage. "Congress did not intend for or authorize the exercise of termination rights by authors against third parties to result in a windfall taking of copyright and state law interests from their former spouses." ("[Smokey Robinson's Ex-Wife Demands Share of Hit Songs](#)," May 5, 2014)

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