

David Halberstadter Comments on Recent Supreme Court IP Ruling

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Intellectual Property partner David Halberstadter is quoted by Law360 in an article analyzing three recent US Supreme Court intellectual property decisions. He offered insight into a nuanced ruling that clarifies when judges should award attorneys' fees to winning copyright litigants. David stated, "If the adverse party's legal position could be considered objectively reasonable, a copyright litigant cannot assume that it will recover attorneys' fees if it prevails. [But] even if a losing party's legal position is objectively reasonable, there is at least some chance that a prevailing copyright litigant could still recover attorneys' fees if it can be demonstrated that other factors justify such an award." ("[What Attys Need To Know About The High Court's 3 IP Rulings](#)," June 21, 2016)

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