

UNDERSTANDING COPYRIGHT LAW

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UNDERSTANDING COPYRIGHT LAW

Sixth Edition

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MATTHEW  BENDER

Preface

The changes during the past four years have been incremental but significant as Congress and the courts try to adapt copyright to inexorable pressures of digital technologies. These past four years have not seen blockbuster legislation such as the Digital Millennium Copyright Act of 1998. If Congress has been relatively dormant in copyright during this time frame, the Supreme Court, by comparison, has been active in field during the past four years. I have incorporated into this treatise important Supreme Court cases such as *Golan v. Holder*, sustaining the constitutionality of restoration of copyright; *Kirstaeng v. Harper and Row*, internationalizing the first sale doctrine; and *ABC v. Aereo*, attempting to reconcile a “troublesome” digital technology with the public performance right. As always, I have included commentary on the most important cases decided by the federal courts.

As I have said in each of my prefaces to previous editions, I am privileged to have collaborated on a related project as co-author with Craig Joyce, Peter Jaszi, Tyler Ochoa, and Michael Carroll on *Copyright Law*, now its Ninth Edition (2013). Their insights on the subject matter of copyright have enriched my knowledge enormously.

My special thanks to Cristina Gegenschatz for her professional editorial skills, and to Anna Wortham, third year student at Indiana University, Maurer School of Law, who tirelessly worked with me to update materials for this new edition.

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