Understanding Copyright Law

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# Understanding Copyright Law

EIGHTH EDITION

Marshall A. Leaffer

DISTINGUISHED SCHOLAR IN INTELLECTUAL PROPERTY LAW AND UNIVERSITY FELLOW MAURER SCHOOL OF LAW, INDIANA UNIVERSITY



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### Preface

This eighth edition of *Understanding Copyright Law* encompasses the substantial developments in copyright law that have taken place since 2019. Most noticeably, the Supreme Court has been especially active in issuing major decisions on copyright law. In particular, the Court issued, during this time, two seminal cases involving the doctrine of fair use, *Google LLC v. Oracle America, Inc.*, and *Andy Warhol Foundation v. Goldsmith*. This marked the first time in several decades that the Court has ruled on the "thorniest" issue of copyright law. In addition to the several Supreme Court decisions, I have updated this edition with other case law developments that have touched every aspect of copyright law, including the challenges brought about by generative artificial intelligence and other digital technologies. As always, Congress continues to change the face of copyright law. This edition includes an overview of the Copyright Alternative in Small-Claims Enforcement Act of 2020 (the CASE Act), that establishes a small claims court system within the United States Copyright Office.

For this edition, I was fortunate to have had the support of my wonderful secretary Molly Hayes, the excellent research assistance of Maurer Law student, Nicole Scelta, and the superb editorial skills of Keith Moore and Susan Trimble of Carolina Academic Press. Thanks as well to my students at Indiana University Maurer School of Law, who keep me honest and less complacent about my understanding of copyright law.

> Marshall Leaffer January 15, 2024