

William F. Patry

Partner



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Primary Areas of Legal Practice

Intellectual Property (Copyrights and Trademarks)
Entertainment

Professional Experience

Mr. Patry is one of the foremost copyright experts in the nation, often described as a "copyright lawyer's copyright lawyer." He has extensive experience formulating successful strategies for trial and appellate cases in the most complex litigations.

Mr. Patry litigates across a broad spectrum of copyright law. He regularly represents companies in the entertainment, media, and computer industries. In addition to litigating intellectual property issues, Mr. Patry advises on infringement, ownership, visual artists' rights, conflicts of laws, extraterritorial application of U.S. intellectual property laws, and application of non-U.S. intellectual property laws, as well as issues raised by the intersection of bankruptcy and estate law for copyrighted works.

Mr. Patry is a prolific writer. He is the author of the forthcoming 4,000-page definitive treatise on copyright law to be published in 2006 by West Publishing. He recently co-authored an article on the copyright fair use doctrine with Judge Richard A. Posner of the United States Court of Appeals for the Seventh Circuit. Mr. Patry's writings on copyright are frequently cited by the Supreme Court of the United States and lower courts, and his treatise on fair use is the standard work on the subject. He is also the author of the Patry Copyright Blog (<http://williampatry.blogspot.com>).

He is regularly requested as an expert witness in cases involving United States Copyright Office practices, the Semiconductor Chip Protection Act, and architectural protection. Mr. Patry has testified before Congress on copyright legislation and, in 1998, he was appointed by the United States Court of Appeals for the Second Circuit to advise the court on international conflicts of laws issues in the first and, to date, only appellate decision involving this increasingly important area. The court adopted the positions advocated by Mr. Patry's brief to the court.

As copyright counsel for the U.S. House of Representatives, Committee on the Judiciary, Subcommittee on Intellectual Property and the Administration of Justice, he drafted numerous provisions of the Copyright Act. Before becoming a congressional staffer, he served for more than four years as a Policy Planning Advisor to the Register of Copyrights, where he participated in the 1988 Berne Convention Implementation Act. He has taught copyright law as an adjunct professor at Georgetown University Law Center, and was a full-time professor of law at the Benjamin N. Cardozo Law School, serving as

the founder and director of its LL.M. program in intellectual property law. He also served as editor-in-chief of the Journal of the Copyright Society of the U.S.A. for eleven years.

Representative Matters or Transactions

Online music services – copyright dispute with record labels

Major motion picture studios – litigation over a comic book character

Television networks – litigation of transborder satellite transmissions

Domain name registrar – litigation over spam, trespass to chattels, and Computer Fraud & Abuse Act

Book publisher – fair use claim in a guidebook

Education

The University of Houston Law Center (J.D., 1980)
Order of the Coif

San Francisco State University (M.A., 1976)
Music theory and composition

San Francisco State University (B.A., 1974)
Music theory and composition

Bar Admissions

New York
District of Columbia
Texas

Court Admissions

United States District Courts for the Southern and Eastern Districts of New York, the District of Columbia, and the Southern District of Texas
United States Courts of Appeals for the Second, Fifth, Seventh, Eleventh, District of Columbia, and Federal Circuits
United States Supreme Court

Articles/Publications

Patry on Copyright, West Publishing, Rochester, New York, forthcoming 2006

Copyright Law and Practice, 3 vols., BNA Books, Rockville, Maryland, 1994, with annual supplements from 1995 through 2000

The Fair Use Privilege in Copyright Law, 1st and 2nd eds., BNA Books, Rockville, Maryland, 1995

Latman's The Copyright Law, 6th ed., Bureau of National Affairs, Washington, D.C., 1986

"Fair Use and Statutory Reform in the Wake of Eldred," 92 *California Law Review* 1639, co-authored with Judge Richard A. Posner, 2004

"Choice of Law and International Copyright," 48 *American Journal of Comparative Law* 383, 2000, Winner of the 2001 Burton Award for Legal Achievement

"The Enumerated Powers Doctrine and Intellectual Property: An Imminent Collision," 67 *George Washington Law Review* 359, January 1999

"The Copyright Term Extension Act of 1997: Enriching the Idle Rich," 72 *Notre Dame Law Review* 907, 1997

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