

Events

July 27, 2016

**Cloud Services and Software Committee Webinar**

A Licensing Executives Society event. This two-part webinar presentation will provide a focused, actionable summary of current FTC, OCR and other governmental enforcement actions regarding data privacy and security in the cloud. Visit [LES event website](#) for details.

September 13-14, 2016

**ICT Seminar 2016**

In New York City. Co-organized by the EPO and the Intellectual Property Owners Association. Visit the [EPO event website](#) for details.

September 28-30, 2016

**Intellectual Property Institute of Canada Annual Meeting**

In Quebec City. Visit the [IPIIC AGM website](#) for details.

October 3-4, 2016

**International IP Law Association Annual Meeting**

In San Francisco. Visit the [IIPLA website](#) for more details.

IP Notes

Congratulations to IP Osgoode's own **Prof. David Vaver** on his appointment as a member of the **Order of Canada** for "leadership in intellectual property law as a scholar and mentor".

July 31, 2016

Extended deadline to submit comments on OPC's [consultation on Consent Discussion Paper](#).

July 31, 2016

## The IPIGRAM (21 July 2016) Feature Posts



### Stairway to Infringement

By: Jordan Fine

#### Stairway to Infringement

July 19, 2016 by [Jordan Fine](#)

**Intro: "The Hook"**

This summer, an American jury found that "[Stairway to Heaven](#)" [hereafter Stairway] rockers Led Zeppelin did not infringe the song "[Taurus](#)" [hereafter Taurus], performed by the band Spirit. The plaintiff, Randy Wolfe—or rather, a trustee for the trust which owns the late Wolfe's copyright—was Spirit's songwriter, guitarist and vocalist, and the copyright owner of the musical work. Wolfe alleged that Stairway songwriters Robert Plant and Jimmy Page attended a Spirit concert, heard his 1967 composition Taurus, then stole the descending chord progression, arpeggio sequence, and harpsichord melody, using it as their 1971 classic ballad's introduction.

The case—conducted and concluded by jury like the questionable "Blurred Lines" lawsuit—faced some controversy. And, in the wake of the Blurred Lines ruling, it was difficult to forecast this case's outcome. On June 23, however, the jury needed less than a day's deliberation to deliver a reasonable judgment: scant evidence of copying and little substantial similarity between the songs meant no infringement.

It was reported that Wolfe's attorney stated he "lost on a 'technicality'" and plans to appeal. The technicality on which he lost, according to the trustee, was the substantial similarity comparison. It is a woeful misunderstanding of the significance of substantiality in non-literal copyright infringement to consider it a

Speakers at the 5th International CopyCamp Conference (Oct. 27-28, 2016). Visit [CopyCamp 2016 website](#) for details.

#### August 31, 2016

Extended deadline to submit comments on [CIPO's consultation regarding the governance model and disciplinary process for IP agents](#).

#### Call for Papers

**LAWS: Special Issue "Intellectual Property Law in the New Technological Age: Rising to the Challenge of Change?"**. Prof. Carys is the guest editor for this special issue. Visit [LAWS website](#) for details.



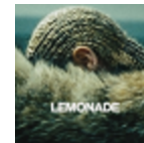
#### pick of the week

Check out [The Chartered Institute of Patent Attorneys' website](#) featuring the latest developments relating to the UK's withdrawal from the EU and the effect this will have on IP.

#### [Read More](#)

*Jordan Fine is Senior Editor of the [IPilogue](#) and [Intellectual Property Journal](#) and a JD candidate at [Osgoode Hall Law School](#).*

## When Life Gives You Lemons, Make (Your Own) Lemonade: Beyoncé Sued for Her Latest Album Trailer



July 21, 2016 by [Aicha Tohry](#)

Beyoncé's *Lemonade* left a sour taste in at least one person's mouth. Matthew Fulks, a Louisville-based filmmaker and creative director at the WDRB Kentucky news station, is taking the singer to court for copyright infringement. The plaintiff [claims](#) that *Lemonade*, Beyoncé's trailer for her latest album, copies "visual and sonic elements" from his short-film "[Palinoia](#)."

[Read more](#)

*Aicha Tohry is an [IPilogue](#) Editor and an [Université de Montréal LLB](#) holder.*



## 4th Circuit Appeals Court Rules No Warrant Needed for Suspects' Cell-Site Location Data

July 19, 2016 by [Federica De Santis](#)

*The re-posting of this [article](#) is part of a cross-posting collaboration with [MediaLaws: Law and Policy of the Media in a Comparative Perspective](#).*

On May 31, the U.S. Court of Appeals, 4th Circuit, in a 12-3 decision [ruled](#) that a warrant is not needed to obtain suspects' cell-site location information held by carriers, meaning that a court order, which – unlike a search warrant – does not require to show the court probable cause that a crime has been committed, is sufficient for this.

[Read more](#)

*This article was first published on the IAPP's [Privacy Tracker](#) blog.*

## RECENT POSTS

### Federal Privacy Commissioner Provides Submission on New Data Breach Notification and Reporting Regulations

July 20, 2016 by [Kirsten Thompson](#)

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The re-posting of this [article](#) is part of a cross-posting agreement with [CyberLex](#).

The Office of the Privacy Commissioner of Canada (“OPC”) has provided its views on the data breach reporting and notification requirements that are soon to be prescribed by regulation under the Personal Information Protection and Electronic Documents Act, SC 2000, c 5 (“PIPEDA”).

[Read more](#)

*[Kirsten Thompson](#) is Counsel in McCarthy Tétrault’s National Technology Group.*



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