

FEATURE POSTS



Photo by Giulia May on Unsplash

The Changing Nature of Sound Recording Rights

October 22, 2020 by Meghan Carlin

The ongoing history of sound recording rights continues to provide a fascinating study in the United States' copyright regime's ability to contemplate and absorb new technologies into its framework. The evolution of these rights in America over the last 50 years charts alongside the country's evolving music industry, crystallizing the importance, and distinctiveness, of music law in relation to the broader copyright regime.

Over the last 20 years, global music industry players have seen traditional revenue streams decrease as the shift towards digital distribution has intensified. In 2018, reported global revenues from recorded music [were 25% lower than those reported in 1999 – without adjusting for nearly 20 years of inflation](#). With the worldwide concert industry grinding to a halt, [removing a major source of revenue](#) for performers and copyright owners alike, the effect of COVID-19 on the global music industry has placed a spotlight on moving the conversation on sound recording rights forward.

Written by Meghan Carlin. Meghan is in her second year of studies at Osgoode Hall Law School. In addition to her work with the IPilogue, Meghan is a Fellow with the Innovation Clinic and is Co-President of the Osgoode Entertainment and Sports Law Association.

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LATEST POSTS

The Supreme Court Backs Booking.com

October 21, 2020 by Nicholas Heinrich

The United States Supreme Court delivered a victory for creators, specifically those whose businesses and ventures find their origins online, and security for current trademark holders with its decision in [Patent and Trademark Office v. Booking.com B. V.](#) Justice Ginsburg, who wrote for the eight justice majority, held that the addition of “.com” to a generic name “is a generic name... only if the term has that meaning to consumers.”

As the Court described, a trademark “[protect\[s\] the ability of consumers to distinguish among competing producers.](#)” Thus, an argument that disregards the views of consumers would be unpersuasive as it would leave out a key aspect of the role of a trademark. The Patent and Trademark Office (PTO) [argued](#) that “BOOKING.COM is ineligible for trademark protection even if consumers understand that the term refers to respondent’s business.”

Nicholas Heinrich is an IPilogue Editor. Nicholas is a fourth-year undergraduate student at the University of Toronto studying Political Science and Economics.

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How Machine Learning Could Play a Key Role in the Diagnosis of Rare Genetic Diseases

October 19, 2020 by Bonnie Hassanzadeh

Machine learning as a subset of artificial intelligence (AI) has increasingly become the subject of interest by many industries, including in the field of healthcare. For instance, AI and machine learning can play a key role in the diagnosis of rare medical conditions. AI and machine learning in the context of medicine and disease diagnosis use large sets of data to train algorithms and patterns in computers which can then be applied to new input in order to make a prediction such as a disease diagnosis. Machine learning in the context of diagnosis of rare genetic diseases would enable healthcare professionals to sift through large volumes of research and medical literature in order to draw conclusions that would have taken them years to reach had they gone through the research manually.

Written by Bonnie Hassanzadeh, IPilogue editor and Clinic Fellow at Osgoode Innovation Clinic.

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Events

ABC Copyright 2020 – Fall Speakers’ Series - How Can We Make This Better? Understanding and Improving the Copyright Transfer Agreement Experience

28 October 2020

For more information and to register, please [click here](#).

2020 CAN-TECH LAW Annual Conference

2- 3 November 2020

For more information and to register, please [click here](#).

Clearing Copyrights in a Digital World: Effective Strategies

12 November 2020

For more information and to register, please [click here](#).

IP Picks of the Week

On October 16, 2020, the [Royal Society of Canada \(RSC\) Task Force on COVID-19](#) published a report on “Open Drug Discovery of Anti-Virals Critical for Canada’s Pandemic Research” discussing how an open science model for drug discovery can support mission-oriented research and development as well as commercialization. Full text of the report is [available here](#).



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