## Index

**ABORTIONS**
- First Amendment, Massachusetts, § 4:42

**ADVERTISING**
- Defamation, corporations paying for political advertisements, § 4:38

**AESTHETIC FUNCTIONALITY**
- Trademarks, § 2:9.50

**ALABAMA**
- Privacy and publicity statutes, § 3:32

**ALLOW STATES AND VICTIMS TO FIGHT ONLINE SEX TRAFFICKING ACT OF 2017**
- Privacy and publicity, § 3:56

**AMANDA BLACKHORSE v. PRO-FOOTBALL, INC.**

**ANTICIRCUMVENTION**
- Digital Millennium Copyright Act, classes of exempt works, § 1:89.50

**APPROPRIATION ART**
- Fair use defense to copyright infringement, § 1:50.60

**ARIZONA**
- Privacy and publicity statutes, § 3:33

**ARKANSAS**
- Privacy and publicity statutes, § 3:33.50

**ASSOCIATIONS**
- Copyright, statutory standing, § 1:16.70

**ATHLETIC UNIFORMS**
- Infringement of copyright, useful article design, § 1:31.50

**ATTORNEY’S FEES**
- Factors to be considered, § 1:62.50

**AUCTION SITES**
- Counterfeit merchandise, § 2:37.50

**BEARDS**
- Prison policy, constitutional law, § 4:43

**BOOKS**
- *Dr. Suess Enterprises v. ComicMix LLC*, fair use, § 1:50.80
- *“BRICK AND MORTAR”*
  - *Tiffany and Co. v. Costco Wholesale Corp.*, trademarks, § 2:37.60

**CALIFORNIA**
- Age information, removal of, unconstitutional, *IMDB.com, Inc. v. Becerra*, § 4:49
- Children and minors, digital world, § 3:55
- Consumer Privacy Act, effect of, § 3:59
- Online Privacy Act, § 3:58
- Public performance right, *Flo & Eddie, Inc. v. Pandora Media, Inc.*, § 1:82.40
- Racial Mascots Act and trademarks, § 2:1.90
- Resale Royalty Act, preemption by Copyright Act, § 1:35.50
- 2007 modifications to appropriation statute, § 3:19.10
CARPENTER v. U.S.
Search warrants, cell-site-location-information, § 3:57

CELL PHONES
Digital information, warrant required, § 4:41
Telephone Consumer Protection Act, automated text messages, Marks v. Crunch San Diego, LLC., § 4:50

CELL-SITE-LOCATION-INFORMATION (CLSI)
Search warrants, Carpenter v. U.S., § 3:57

CHEERLEADING UNIFORMS
Infringement of copyright, useful article design, § 1:31.50

CHINA
Defamation, First Amendment protects Chinese Internet site, § 4:40

CODE REVISION COMMISSION v. PUBLIC RESOURCE.ORG, INC.
Copyright, Georgia Annotated Code, § 1:1.60

COLOR MARKS
Design, § 2:8.50
Forney Industries, Inc. v. Daco or Missouri, Inc., § 2:8.50
Pattern, § 2:8.50
Shape, § 2:8.50
Trademarks, § 2:8.50

COMMUNICATIONS DEGENCY ACT (CDA)
Failure to warn, Doe v. Internet Brands, § 4:45

COMMUNITY STANDARDS FOR OBSCENITY
Defamation on Internet, § 4:37

CONSTITUTIONAL LAW
Abortion, First Amendment, McCullen v. Coakley, § 4:42
Beards, prison policy, Holt v. Hobbs, § 4:43
Defamation, this index
Depictions of animal cruelty statute, § 4:39
Digital information, cell phone, § 4:41
First Amendment, this index
Immoral and scandalous provisions, Section 2(a), unconstitutional, In re Brunetti, § 2:1.80
Incitement, First Amendment protection of protests at funeral, § 5:6
Prison policy, beards, Holt v. Hobbs, § 4:43
Trade dress and First Amendment, § 2:10.10
Warrant, cell phone digital information, § 4:41

CONSUMER INFORMATION
Inaccurate, standing, defamation, Robins v. Spokeo, Inc., § 4:47

COPYRIGHT
Access, in general, § 1:28.10
Batmobile, § 1:1.70
California law, public performance right, Flo & Eddie, Inc. v. Pandora Media, Inc., § 1:82.40
Cambridge University Press v. Becker, § 1:50.30
Copyright Act, preempted of California Resale Royalty Act, § 1:35.50
Copyright Renewal Act, § 1:17.10
Digital Millennium Copyright Act, classes of exempt works, § 1:89.50
Dr. Seuss Enterprises v. ComicMix LLC, fair use doctrine, determin-
COPYRIGHT—Cont’d

nation of facts needed, parody,
§ 1:50.80

Fair use
case outcome table, § 1:92
defense to copyright infringement, this index
doctrine, determination of facts needed, parody, Dr. Seuss Enterprises v. ComicMix LLC,
§ 1:50.80

Fees, § 1:91
Flo & Eddie, Inc. v. Sirius XM Radio, Inc., public performance, no right of, pre-1972, § 1:82.50
Fourth Estate Public Benefit Corp. v. Wall-Street.com, LLC., registration required before lawsuit,
§ 1:60.10

Georgia State University infringement case, defense to infringement, § 1:50.30

Infringement of copyright, this index
Karaoke infringement, § 1:33.10
Naruto v. Slater, § 1:1.50
New York law, public performance right, Flo & Eddie, Inc. v. Sirius XM Radio, Inc., § 1:84.30

Ninth Circuit reversed, Skidmore v. Led Zeppelin, Stairway to Heaven, § 1:1.80
Oracle v. Rimini Street, prevailing party, taxable costs award, § 1:62.70
Prevailing party, taxable costs award, Oracle v. Rimini Street, § 1:62.70
Public domain, “We Shall Overcome,” § 1:31.70
Public performance
no right of, pre-1972, Flo & Eddie, Inc. v. Sirius XM Radio, Inc., § 1:82.50
remedy for infringement,
§§ 1:80.70, 1:82.10, 1:82.20,

COPYRIGHT—Cont’d

Public performance—Cont’d
1:82.40, 1:84.30
Registration
jurisdictional requirement, § 1:16.50
required before lawsuit, Fourth Estate Public Benefit Corp. v. Wall-Street.com, LLC., § 1:60.10

Remedies, infringement of copyright, this index
Renewal, Copyright Renewal Act, § 1:17.10
“We Selfie” taken by monkey, § 1:1.50
Skidmore v. Led Zeppelin, Stairway to Heaven, Ninth Circuit reversed, § 1:1.80
Song, “We Shall Overcome,” § 1:31.70
Stairway to Heaven, Ninth Circuit reversed, Skidmore v. Led Zeppelin, § 1:1.80
Statutory standing for associations, § 1:16.70
Taxable costs award, prevailing party, Oracle v. Rimini Street, § 1:62.70
Twentieth Century Fox Film Corp v. Cablevision Systems Corp., § 1:50.10

We Shall Overcome Foundation and Butler Films, LLC v. The Richmond Organization, Inc. and Ludlow Music, Inc., song, public domain, § 1:31.70
“We Shall Overcome,” public domain, § 1:31.70

COPYRIGHT RENEWAL ACT
Generally, § 1:17.10

CORPORATIONS
Defamation, paying for political advertisements, § 4:38

COUNTERFEITING
Merchandise on auction sites, § 2:37.50
COUNTERFEITING—Cont’d
Trademarks, §§ 2:33.10, 2:37.50

DANIAL V. ARMSLIST
“Publisher” and “facilitator,” distinction, defamation, § 4:34.50

DECEPTIVE ADVERTISEMENTS
Policy, § 2:42

DEFAMATION
Age information, removal of, unconstitutional, IMDB.com, Inc. v. Becerra, § 4:49
Animal cruelty statute, constitutionality, § 4:39
Automated text messages, Telephone Consumer Protection Act Marks v. Crunch San Diego, LLC., § 4:50
Community standards for obscenity, § 4:37
First amendment protects Chinese Internet site, § 4:40
First Amendment protects Chinese Internet site, § 4:40
national standards for obscenity, § 4:37
Kneeling during National Anthem, VA. v. San Pasqual Valley Unified School District, § 4:46
Marks v. Crunch San Diego, LLC., Telephone Consumer Protection Act, automated text messages, § 4:50
Murphy v. Nat’l Collegiate Athletic Ass’n, The Professional and Amateur Sports Protection Act, unconstitutional, § 4:51
National standards for obscenity, § 4:37
Political advertisements paid with corporate money, § 4:38

DEFAMATION—Cont’d
“Publisher” and “facilitator,” distinction, Danial v. Armslist, § 4:34.50
“Repeatedly tried to extort money,” Friedman v. Bloomberg, L.P., § 4:48
Standing, inaccurate consumer information, Robins v. Spokeo, Inc., § 4:47
Telephone Consumer Protection Act, automated text messages, Marks v. Crunch San Diego, LLC., § 4:50
The Professional and Amateur Sports Protection Act, unconstitutional, Murphy v. Nat’l Collegiate Athletic Ass’n, § 4:51
Unconstitutional, The Professional and Amateur Sports Protection Act, Murphy v. Nat’l Collegiate Athletic Ass’n, § 4:51
United States v. Kilbride, § 4:37
VA. v. San Pasqual Valley Unified School District, kneeling during National Anthem, § 4:46

DEFENSE TO COPYRIGHT INFRINGEMENT
Cambridge University Press v. Becker, § 1:50.30
Fair use doctrine additional cases, §§ 1:50.20, 1:92
Clean Flicks of Colorado, LLC v. Soderbergh, § 1:46.30
Salinger v. Colting, § 1:46.70
Georgia State University infringement case, § 1:50.30
Twentieth Century Fox Film Corp v. Cablevision Systems Corp., § 1:50.10

DEFENSE TO TRADEMARK INFRINGEMENT
License, § 2:37.70

DESIGNS
Color marks, § 2:8.50
INDEX

DESIGNS—Cont’d
Infringement of copyright, useful articles, § 1:31.50

DIGITAL MILLENNIUM COPYRIGHT ACT (DMCA)
Anticircumvention, classes of exempt works, § 1:89.50
Disney v. VidAngel, § 1:46.50
Fair use defense to copyright infringement, § 1:46.50

DR. SUSS ENTERPRISES v. COMICMIX LLC
Fair use doctrine, § 1:50.80

ELLiot v. GOOGLE, INC.
Trademarks, generic, internet searching, § 2:43

FAILURE TO WARN
Communications Decency Act (CDA), Doe v. Internet Brands, § 4:45

FAIR USE DEFENSE TO COPYRIGHT INFRINGEMENT
Additional cases, §§ 1:50.20, 1:92
Appropriation art, § 1:50.60
AP v. Meltwater, § 1:50.70
Authors Guild, Inc. v. Google, § 1:50.50
Authors Guild, Inc. v. HathiTrust, § 1:50.40
Cariou v. Prince, § 1:50.60
Case outcome table, § 1:92
Clean Flicks of Colorado, LLC v. Soderbergh, § 1:46.30
Consideration prior to sending takedown notice, § 1:50.90
Digital millennium copyright act, § 1:46.50
Disney v. VidAngel, § 1:46.50
Lenz v. Universal Music, § 1:50.90
Mass digitization, §§ 1:50.40, 1:50.50
News aggregators, § 1:50.70
Salinger v. Colting, § 1:46.70

FAIR USE DEFENSE TO COPYRIGHT INFRINGEMENT—Cont’d
TCA Television Corp. v. McCollum, § 1:46.90
Twentieth Century Fox Film Corp v. Cablevision Systems Corp., § 1:50.10
“Who’s on first?,” § 1:46.90

FAIR USE DOCTRINE
Determination of facts needed, parody, Dr. Suess Enterprises v. ComicMix LLC, § 1:50.80
Dr. Suess Enterprises v. ComicMix LLC, § 1:50.80
Parody, determination of facts needed, Dr. Suess Enterprises v. ComicMix LLC, § 1:50.80
Trademarks, nominative fair use, § 2:36.10

FALSE ADVERTISING
Trademarks, Lanham Act, §§ 2:15.50, 2:37.90

FEES
Copyright, § 1:91
Trademark processing, § 2:41

FILE SHARING
Infringement of copyright, UMG Recording, Inc. v. Escape Media Group, Inc., § 1:33.60

FIRST AMENDMENT
Abortions, McCullen v. Coakley, § 4:42
Chinese Internet site, Jian Zhang v. Biadu.com, § 4:40
Depictions of animal cruelty statute, § 4:39
Incitement, protests at funeral, § 5:6
Trade dress, § 2:10.10

FIRST SALE DOCTRINE
Copyright infringement, remedy, §§ 1:84, 1:84.10
digital music, § 1:84.20

Index-5
FLO & EDDIE, INC. v. SIRIUS XM RADIO, INC.
Public performance, no right of, pre-1972, § 1:82.50

FLORIDA
Privacy and publicity statutes, § 3:36
Public performance, no right of, pre-1972, Flo & Eddie, Inc. v. Sirius XM Radio, Inc., § 1:82.50

FOOD, DRUG, AND COSMETIC ACT
Lanham Act claim not precluded, § 2:15.50

FOURTH ESTATE PUBLIC BENEFIT CORP. v. WALL-STREET.COM, LLC.
Registration required before lawsuit, § 1:60.10

FRAUD AND DECEIT
Primarily geographically deceptively misdescriptive marks, § 2:4.50
Trademark office, § 2:37.30

FRIEDMAN v. BLOOMBERG, L.P.
“Repeatedly tried to extort money,” defamation, § 4:48

FUNCTIONALITY
Trademarks, aesthetic functionality, § 2:9.50

FUNERALS
Incitement, First Amendment protection for protests at funeral, § 5:6

GEORGIA

GOODS AND SERVICES
Trademark Act, classification under, § 2:44

HAWAII
Privacy and publicity statutes, § 3:34

H-D U.S.A., LLC v. SUNFROG, LLC
Secondary infringement, website operator, § 2:16.50

ILLINOIS
Privacy and publicity statutes, § 3:37

IMDB.COM, INC. v. BECERRA
Age information, removal of, unconstitutional, § 4:49

IMMORAL MATTERS
In re Brunetti, trademarks, unconstitutional, § 2:1.80

INCITEMENT
First Amendment protection for protests at funeral, § 5:6

INDIANA
Privacy and publicity statutes, § 3:38

INFRINGEMENT OF COPYRIGHT
Aero infringes, remedies for public performances, § 1:82.20
Blurred Lines infringement of Got to Give It Up, § 1:33.50
Compulsory licenses, ringtones, § 1:80.30

Defenses
additional cases, §§ 1:50.20, 1:92
appropriation art, § 1:50.60
AP v. Meltwater, § 1:50.70
Authors Guild, Inc. v. Google, § 1:50.50
Authors Guild, Inc. v. HathiTrust, § 1:50.40
Cambridge University Press v. Becker, § 1:50.30
Cariou v. Prince, § 1:50.60
Clean Flicks of Colorado, LLC v. Soderbergh, § 1:46.30
Disney v. VidAngel, § 1:46.50
fair use doctrine, §§ 1:46.30, 1:46.70, 1:50.20, 1:50.40, 1:50.70, 1:92
Georgia State University infringement case, § 1:50.30
HarperCollins Publishers LLC v. Open Road Integrated Media,
INDEX

INFRINGEMENT OF COPYRIGHT
—Cont’d
Defenses—Cont’d
LLP, new users, § 1:33.30
mass digitization, § 1:50.40
news aggregators, § 1:50.70
Petrella v. Metro-Goldwyn-Mayer, laches, § 1:33.20
Salinger v. Colting, § 1:46.70
Teller v. Dogge, magic, dramatic work, § 1:33.40
Twentieth Century Fox Film Corp v. Cablevision Systems Corp., § 1:50.10
Digital Millennium Copyright Act, classes of exempt works, § 1:89.50
Dryer v. NFL, sports film footage, § 1:35.30
Factors in awarding attorney’s fees, Kirtsaeng v. John Wiley & Sons, Inc., § 1:62.50
File sharing, UMG Recording, Inc. v. Escape Media Group, Inc., § 1:33.60
Fourth Estate Public Benefit Corp. v. Wall-Street.com, LLC., registration required before lawsuit, § 1:60.10
Got to Give It Up, Blurred Lines infringement, § 1:33.50
HarperCollins Publishers LLC v. Open Road Integrated Media, LLP, new users, § 1:33.30
Karaoke infringement, § 1:33.10
Kirtsaeng v. John Wiley & Sons, Inc., factors in awarding attorney’s fees, § 1:62.50
Laches, defenses, Petrella v. Metro-Goldwyn-Mayer, § 1:33.20
Magic, Teller v. Dogge, dramatic work, § 1:33.40
New users, HarperCollins Publishers LLC v. Open Road Integrated Media, LLP, § 1:33.30
Registration required before lawsuit, Fourth Estate Public Benefit Corp. v. Wall-Street.com, LLC., § 1:60.10

INFRINGEMENT OF COPYRIGHT—Cont’d
Remedies
Aero infringes, remedies for public performances, § 1:82.20
compulsory licenses, ringtones, § 1:80.30
first sale doctrine, §§ 1:84, 1:84.10
digital music, § 1:84.20
public performances, §§ 1:80.70, 1:82.10, 1:82.20
ringtones, §§ 1:80.30, 1:80.70
Ringtones
compulsory licenses, § 1:80.30
public performances, § 1:80.70
Sports film footage, Dryer v. NFL, § 1:35.30
UMG Recording, Inc. v. Escape Media Group, Inc., file sharing, § 1:33.60
Useful article design, Star Athletica LLC v. Varsity Brands, Inc., § 1:31.50

INFRINGEMENT OF TRADEMARK
License as defense, § 2:37.70
Tracking, jury question, § 2:19.50

IN RE BRUNETTI
Scandalous and immoral, unconstitutional, trademarks, § 2:1.80

IN RE TAM
Disparaging marks, Lanham Act provision governing, § 2:1.70

INTERNET
Age information, IMDB, unconstitutional, defamation, IMDB.com, Inc. v. Becerra, § 4:49
INTERNET—Cont’d
Counterfeit merchandise on auction sites, § 2:37.50
First Amendment protects Chinese Internet site, defamation, § 4:40
“Google,” trademarks, generic, Elliot v. Google, Inc., § 2:43
National standards for obscenity, defamation, § 4:37
Net neutrality rule challenges, D.C. Circuit, § 4:44

JURISDICTION
Copyright registration, § 1:16.50

JURY QUESTION
Tracking of trademark, § 2:19.50

KARAOKE
Infringement of copyright, § 1:33.10

KENTUCKY
Privacy and publicity statutes, § 3:39

LACHES DEFENSES
Infringement of copyright, Petrella v. Metro-Goldwyn-Mayer, § 1:33.20

LEGISLATION
Allow States and Victims to Fight Online Sex Trafficking Act of 2017, § 3:56

LIABILITY

LICENSING
Copyright infringement defense compulsory licenses for ringtones, § 1:80.30
Trademark infringement defense, § 2:37.70

LOUISIANA
Privacy and publicity statutes, § 3:40

MAGIC
Infringement of copyright, Teller v. Dogge, dramatic work, § 1:33.40

MARKS v. CRUNCH SAN DIEGO, LLC.
Telephone Consumer Protection Act, automated text messages, § 4:50

MASSACHUSETTS
Abortions, First Amendment, McCullen v. Coakley, § 4:42
Privacy and publicity statutes, § 3:41

MASS DIGITIZATION
Fair use defense to copyright infringement Authors Guild, Inc. v. Google, § 1:50.50
Authors Guild, Inc. v. HathiTrust, § 1:50.40

MATAL v. TAM
Vacating Amanda Blackhorse v. Pro-Football, Inc., trademarks, § 2:1.50

MISDESCRIPTIVE MARKS
Trademarks, § 2:4.50

MURPHY v. NAT’L COLLEGIATE ATHLETIC ASS’N
The Professional and Amateur Sports Protection Act, unconstitutional, defamation, § 4:51

MUSIC MODERNIZATION ACT
Generally, § App A

NATIONAL STANDARDS
Defamation on Internet, § 4:37

NEBRASKA
Privacy and publicity statutes, § 3:42

NET NEUTRALITY
Internet rule challenges, D.C. Circuit, § 4:44

NEVADA
Privacy and publicity statutes, § 3:43

Index-8
NEW YORK
Privacy and publicity statutes, § 3:44
Public performance right, Flo & Eddie, Inc. v. Sirius XM Radio, Inc., § 1:84.30

NINTH CIRCUIT
Reversal, Skidmore v. Led Zeppelin, § 1:1.80

NOMINATIVE FAIR USE
Trademarks, § 2:36.10

OBSCENITY
Internet, national standards for obscenity, § 4:37

OHIO
Privacy and publicity statutes, § 3:45

OKLAHOMA
Privacy and publicity statutes, § 3:46

ORACLE v. RIMINI STREET
Prevailing party, taxable costs award, § 1:62.70

ORRIN G. HATCH MUSIC MODERNIZATION ACT
Generally, § App A

PARODY
Dr. Suess Enterprises v. ComicMix LLC, fair use, § 1:50.80

PARTIES
Prevailing, taxable costs award, Oracle v. Rimini Street, § 1:62.70

PATENTS AND TRADEMARKS OFFICE (U.S.P.T.O.)
Fraud on Trademark Office, § 2:37.30

 PENNSYLVANIA
Privacy and publicity statutes, § 3:47

POLITICAL ADVERTISEMENTS
Defamation, corporate money paying for political advertisements, § 4:38

PRISON
Constitutional law, beards, § 4:43

PRIVACY
Additional cases, § 3:29.50
Alabama, § 3:32
Allow States and Victims to Fight Online Sex Trafficking Act of 2017, § 3:56
Appropriation, 2007 modifications to California appropriation statute, § 3:19.10
Arizona, § 3:33
Arkansas, § 3:33.50
California generally, § 3:35
appropriation statute, 2007 modifications, § 3:19.10
Consumer Privacy Act, effect of, § 3:59
Online Privacy Act, § 3:58
Children and minors, §§ 3:8.50, 3:55
Digital world, children and minors in California, § 3:55
Dryer v. NFL, sports film footage, § 3:29.70
Florida, § 3:36
Hawaii, § 3:34
Illinois, § 3:37
Indiana, § 3:38
In re Nickelodeon Consumer Privacy Litigation, children and minors, § 3:8.50
Kentucky, § 3:39
Louisiana, § 3:40
Massachusetts, § 3:41
Nature of the right, § 3:29.50
Nebraska, § 3:42
Nevada, § 3:43
New York, § 3:44
Ohio, § 3:45
Oklahoma, § 3:46
Pennsylvania, § 3:47
Rhode Island, § 3:48
South Dakota, § 3:49
Sports film footage, Dryer v. NFL, § 3:29.70
PRIVACY—Cont’d

Statutes
Alabama, § 3:32
Arizona, § 3:33
Arkansas, § 3:33.50
Florida, § 3:36
Hawaii, § 3:34
Illinois, § 3:37
Indiana, § 3:38
Kentucky, § 3:39
Louisiana, § 3:41
Massachusetts, § 3:41
Nebraska, § 3:42
Nevada, § 3:43
New York, § 3:44
Ohio, § 3:45
Oklahoma, § 3:46
Pennsylvania, § 3:47
Rhode Island, § 3:48
South Dakota, § 3:49
Tennessee, § 3:50
2007 modifications to California appropriation statute, § 3:19.10
Utah, § 3:51
Virginia, § 3:52
Washington, § 3:53
Wisconsin, § 3:54
Tennessee, § 3:50
2007 modifications to California appropriation statute, § 3:19.10
Utah, § 3:51
Virginia, § 3:52
Washington, § 3:53
Wisconsin, § 3:54

PROCESSING FEES
Trademarks, § 2:41

PROTESTS
Incitement, First Amendment protection for protests at funeral, § 5:6

PUBLIC DOMAIN
Copyright, “We Shall Overcome,” § 1:31.70
We Shall Overcome Foundation and Butler Films, LLC v. The Richmond Organization, Inc. and Ludlow Music, Inc., song, § 1:31.70

PUBLICITY
Privacy, this index

PUBLIC PERFORMANCES
Flo & Eddie, Inc. v. Sirius XM Radio, Inc., pre-1972 sound recordings, no right of, § 1:82.50
Infringement of copyright, remedy, §§ 1:80.70, 1:82.10, 1:82.20
Pre-1972 sound recordings, no right of, Flo & Eddie, Inc. v. Sirius XM Radio, Inc., § 1:82.50
Ringtones, remedy for copyright infringement, § 1:80.70

REGISTRATION
Copyright, jurisdictional requirement, § 1:16.50
Fourth Estate Public Benefit Corp. v. Wall-Street.com, LLC., registration required before lawsuit, § 1:60.10
Required before lawsuit, Fourth Estate Public Benefit Corp. v. Wall-Street.com, LLC., § 1:60.10

RENEWAL OF COPYRIGHT
Generally, § 1:17.10

RHODE ISLAND
Privacy and publicity statutes, § 3:48

RINGTONES
Compulsory licenses, remedies for copyright infringement, § 1:80.30
Public performances, remedies for copyright infringement, § 1:80.70

Index-10
INDEX

RINGTONES—Cont’d
Remedies for copyright infringement, §§ 1:80.30, 1:80.70

ROBINS v. SPOKEO, INC.
Inaccurate consumer information, standing, defamation, § 4:47

SCANDALOUS MATTERS
In re Brunetti, trademarks, unconstitutional, § 2:1.80

SEARCH AND SEIZURE
Cell phones, warrant required, § 4:41
Warrants, cell-site-location-information, Carpenter v. U.S., § 3:57

SKIDMORE v. LED ZEPPELIN
Ninth Circuit reversal, § 1:1.80

SOUTH DAKOTA
Privacy and publicity statutes, § 3:49

SPORTS UNIFORMS
Infringement of copyright, useful article design, § 1:31.50

STANDING
Defamation, inaccurate consumer information, Robins v. Spokeo, Inc., § 4:47

SUPREME COURT
Cell-site-location-information, search warrants, Carpenter v. U.S., § 3:57
Prevailing party, taxable costs award, Oracle v. Rimini Street, § 1:62.70

TAXATION
Taxable costs award, prevailing party, Oracle v. Rimini Street, § 1:62.70

TELEPHONE CONSUMER PROTECTION ACT
Automated text messages, Marks v. Crunch San Diego, LLC., § 4:50

TEXT MESSAGES
Telephone Consumer Protection Act, automated text messages, Marks v. Crunch San Diego, LLC., § 4:50

THE PROFESSIONAL AND AMATEUR SPORTS PROTECTION ACT (PASPA)
Murphy v. Nat’l Collegiate Athletic Ass’n, unconstitutional, defamation, § 4:51

TIFFANY AND CO. v. COSTCO WHOLESALE CORP
“Brick and mortar,” trademarks, § 2:37.60

TRACKING
Trademark, jury question, § 2:19.50

TRADE DRESS
First Amendment, § 2:10.10

TRADEMARKS
Aesthetic functionality, § 2:9.50
Auction sites, counterfeit merchandise on, § 2:37.50
Belmora LLC v. Bayer Consumer Care AG, Lanham Act, § 2:18.50
“Brick and mortar,” Tiffany and Co. v. Costco Wholesale Corp., § 2:37.60
California Racial Mascots Act, § 2:1.90
Classification of goods and services under Trademark Act, § 2:44
Color marks, Forney Industries, Inc. v. Daco or Missouri, Inc., § 2:8.50
Counterfeiting, § 2:33.10
Counterfeit merchandise on auction sites, § 2:37.50
Deceptive advertisements, policy, § 2:42
Disparaging marks, Lanham Act provision governing, § 2:1.70

Index-11
TRADEMARKS—Cont’d
Federal Food, Drug, and Cosmetic Act, Lanham Act claim, § 2:15.50
Fraud on Trademark Office, § 2:37.30
Goods and services, classification of, Trademark Act, § 2:44
Hana Financial, Inc. v. Hana Bank, tracking, § 2:19.50
Infringement of trademark, this index
In re Brunetti, scandalous and immoral, § 2:1.80
In re Tam, Lanham Act, § 2:1.70
Jury question, tracking, § 2:19.50
Lanham Act
false advertising, §§ 2:15.50, 2:37.90
In re Tam, § 2:1.70
use in U.S. commerce and unfair competition action, § 2:18.50
License as defense to infringement, § 2:37.70
Matal v. Tam holding vacates Amanda Blackhorse v. Pro-Football, Inc., § 2:1.50
Misdescriptive marks, § 2:4.50
Nominative fair use, § 2:36.10
POM Wonderful v. Coca-Cola, Lanham Act, § 2:15.50
Primarily geographically deceptively misdescriptive marks, § 2:4.50
Processing fees, § 2:41
Scandalous and immoral, In re Brunetti, § 2:1.80
Tiffany and Co. v. Costco Wholesale Corp., “brick and mortar,” § 2:37.60

TRADEMARKS—Cont’d
Tracking, jury question, § 2:19.50
Trade dress and First Amendment, § 2:10.10
Trademark Act, classification of goods and services under, § 2:44

UNIFORMS
Infringement of copyright, useful article design, § 1:31.50

USEFUL ARTICLES
Copyrightable designs, Star Athletica LLC v. Varsity Brands, Inc., § 1:31.50

U.S.P.T.O.
Fraud on Trademark Office, § 2:37.30

UTAH
Privacy and publicity statutes, § 3:51

V.A. v. SAN PASQUAL VALLEY UNIFIED SCHOOL DISTRICT
Kneeling during National Anthem, defamation, § 4:46

VIRGINIA
Privacy and publicity statutes, § 3:52

WARRANTS
Cell phones, search and seizure, § 4:41
Cell-site-location-information, Carpenter v. U.S., § 3:57

WASHINGTON
Privacy and publicity statutes, § 3:53

WEB SITES
Counterfeit merchandise on auction sites, § 2:37.50
WEB SITES—Cont’d
SunFrog, LLC, § 2:16.50

WE SHALL OVERCOME FOUNDATION AND BUTLER FILMS, LLC V. THE RICHMOND ORGANIZATION, INC. AND LUDLOW MUSIC, INC.
“We Shall Overcome,” copyright, public domain, § 1:31.70

WISCONSIN Privacy and publicity statutes, § 3:54