

The Biggest Copyright Rulings Of 2022

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Hugh Marbury was quoted in *Law360* discussing one of the top copyright rulings of 2022, *Gray v. Hudson*. The Ninth Circuit in March affirmed a lower court's decision to throw out a \$2.8 million copyright verdict against singer Katy Perry over her 2013 hit "Dark Horse," finding the disputed portions of a Christian rapper's song consist of "manifestly conventional" elements. The Ninth Circuit handles the bulk of music cases — making the ruling at hand an interesting one, with "lots of dicta that will likely be cited [or improperly cited] for years to come," according to Hugh. He added that the language involving the "basic musical building blocks" also evokes *Oracle Corp. v. Hewlett Packard Enterprise Co.*, in which a California federal jury found in June that an HP unit owed Oracle \$30 million for knowingly stealing Oracle's customers by offering software updates that ripped off Oracle's copyrights. That case is ongoing.

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