

INTELLECTUAL PROPERTY, SPORTS AND GAMING

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**A SNEAK PEEK INSIDE
THIS ISSUE:**

Crocs and Walmart settle their trademark infringement lawsuit.

A photographer sues Miley Cyrus for copyright infringement over an Instagram post.

The IP, Sports and Gaming Practice is comprised of a seasoned team of lawyers and support staff. Our services cover the full spectrum of intellectual property, sports and gaming laws, both contentious and non-contentious. These include dispute resolution at all tiers of the courts, intellectual property portfolio and asset management, anti-counterfeiting programmes, brand protection and naming rights, digital contents, licensing and sponsorship of sports ventures, events broadcasting, market entry strategies, and regulatory requirements for the gaming industry.



INTELLECTUAL PROPERTY

TRADEMARK

A TRADEMARK APPLICATION FOR MUSIC AUTHENTICATED BY NFT SUBMITTED BY SONY MUSIC.

Sony Music Entertainment has submitted a trademark application for music and performers under the Columbia Records logo for music supported by non-fungible tokens (“NFTs”). It is revealed that the application includes “audio and video recordings featuring live musical performances authenticated by NFTs” as well as marketing services, promotion, distribution, marketing, advertising and online entertainment, including podcasts and audio-visual recordings.

<https://cointelegraph.com/news/sony-music-files-trademark-application-for-nft-authenticated-music>



FORD INTENDS TO SIGN UP FOR METAVERSE AND HAS SUBMITTED 19 NEW TRADEMARK APPLICATIONS.

Ford Motor Company registered 19 trademarks with the United States Patent and Trade Office (“USPTO”) on September 2. The corporation has submitted trademark applications for each of its key brands, “claiming plans for: virtual cars, trucks, vans, and clothing” according to USPTO-certified trademark attorney Mike Kondoudis.

<https://beincrypto.com/ford-makes-huge-push-into-web3-with-latest-trademark-applications/>

INTELLECTUAL PROPERTY

TRADEMARK



CROCS AND WALMART SETTLE THEIR TRADEMARK INFRINGEMENT LAWSUIT.

The trademark infringement case brought by Crocs against Walmart has been resolved. Crocs initially filed lawsuits against 21 businesses, alleging trademark infringement. Walmart Inc., Loeffler Randall Inc., Hobby Lobby Stores Inc., as well as numerous other less well-known businesses that sell online or in bulk to retailers like Walmart, were among the defendants.

<https://footwearnews.com/2022/business/legal-news/crocs-settles-trademark-infringement-suit-walmart-1203339710/>

INTELLECTUAL PROPERTY

PATENT



PATENT FOR 3D-PRINTED ROCKET ENGINE GRANTED TO AGNIKUL COSMOS.

India's space technology start-up, Agnikul Cosmos, has obtained its first patent for the creation of its 3D-printed rocket engine called Agnilet. It has no constructed parts and was created to include all components of a spaceship engine into a single piece of hardware.

<https://www.thehindubusinessline.com/companies/agnikul-cosmos-secures-patent-for-its-single-piece-3d-printed-rocket-engines/article65860717.ece>

DISNEY FILES PATENT FOR 3D RIDES WITHOUT HEADSETS OR SMART DEVICES.

Disney has applied for a patent for augmented reality ("AR") or virtual reality ("VR") rides that provide a 3D virtual experience without the use of VR headsets or other AR-capable gadgets. By detecting visitors' eye movements during rides and other attractions, the new device would show a 3D virtual picture, offering an immersive experience beyond VR and AR.

<https://blooloop.com/theme-park/news/disney-patent-augmented-reality-rides-without-headsets/>

MORE NEWS, UPDATES,
HOT TOPICS

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SPORTS & GAMING
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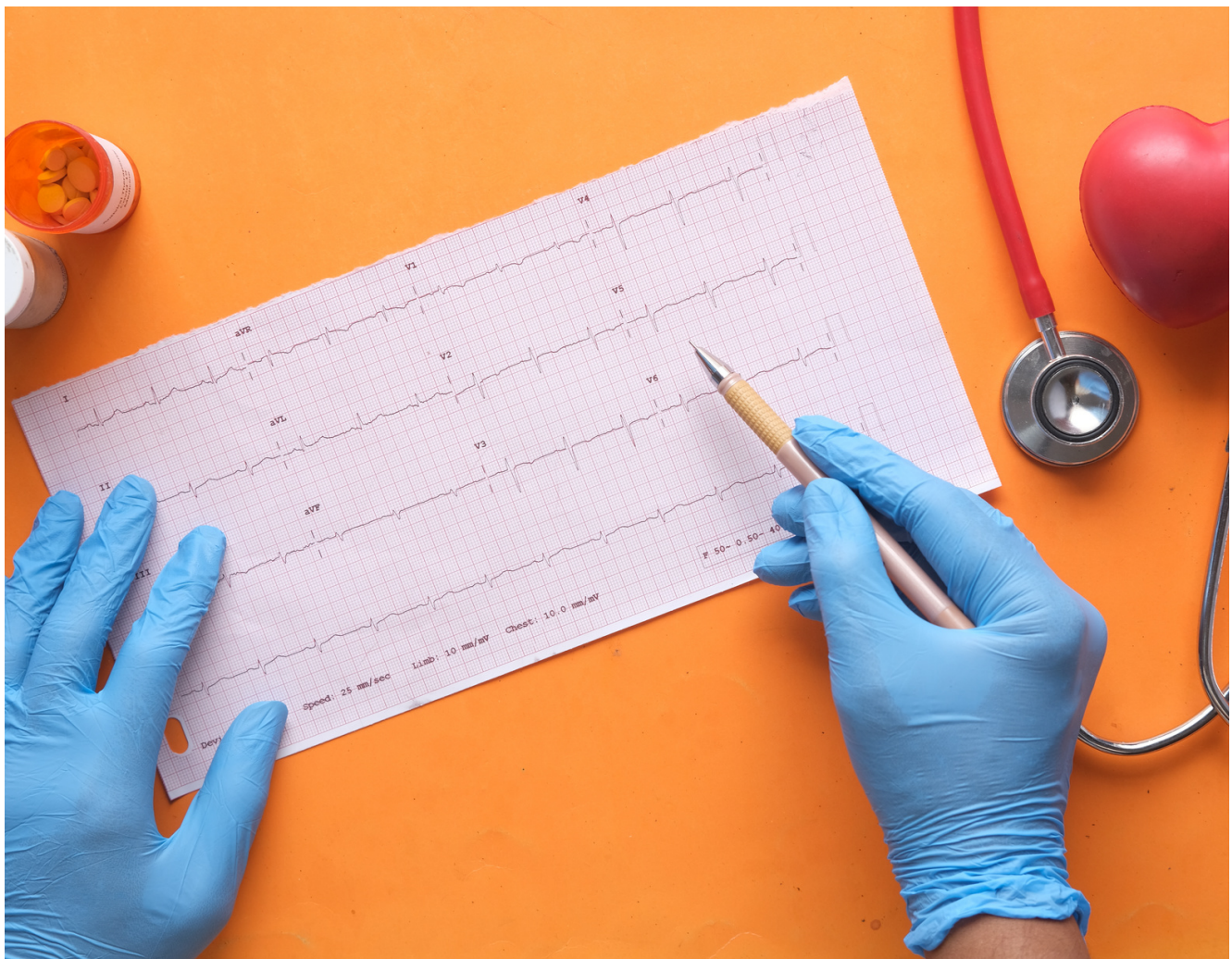
INTELLECTUAL PROPERTY

PATENT

12-LEAD ECG PATCH PATENT OBTAINED BY HEARTBEAM.

HeartBeam's 12-lead electrocardiogram ("ECG") patch which detects cardiac arrhythmia and acute coronary syndrome ("ACS") has been granted a patent by the USPTO. The patent granted expands its portfolio and makes 12-lead ECG diagnoses possible outside of a hospital setting, according to the company. The ECG can help doctors identify arrhythmia and diagnose ACS, which includes heart attack and angina.

<https://finance.yahoo.com/news/heartbeam-granted-patent-12-lead-123100335.html>



INTELLECTUAL PROPERTY

COPYRIGHT

ANDREESSEN HOROWITZ'S "CAN'T BE EVIL" LICENCE SEEKS TO FIX THE COPYRIGHT ISSUES WITH NFT.

The venture capital firm Andreessen Horowitz (a16z) is endeavouring to organise the disorganised crypto copyright market by unveiling its "Can't Be Evil" licences. It comprises of a series of agreements whereby creators can award NFT owners some or nearly all of the rights to the NFT art.

<https://www.theverge.com/2022/9/6/23331591/andreessen-horowitz-a16z-nft-cant-be-evil-copyright-creative-commons-licenses>



A PHOTOGRAPHER SUES MILEY CYRUS FOR COPYRIGHT INFRINGEMENT OVER AN INSTAGRAM POST.

Miley Cyrus is being sued for copyright infringement after posting a photo of herself on Instagram that she was not authorised to use. Robert Barbera, the photographer who took the picture, sued Cyrus in a federal court in California for using the image without his consent when she posted it to Instagram in February 2021. According to Barbera's complaint, Cyrus benefited financially from her infringement post, which increased attention to her account and raised the amount of money she made from the sale of her songs.

<https://news.bloomberglaw.com/ip-law/miley-cyrus-sued-for-copyright-infringement-over-instagram-post>

INTELLECTUAL PROPERTY

COPYRIGHT

11TH CIRCUIT OVERTURNS \$1.4 MILLION AWARD FOR RAPPER IN COPYRIGHT BATTLE.

A panel of the 11th Circuit overturned a Georgia federal judge's award of \$1.4 million to rapper Rackboy Cam in a case charging a music producer of violating the copyright of the 2015 song "Everything Be Lit" as there was a legal error pertaining to the service of the lawsuit and remitted the case back to the lower court.

<https://www.courthousenews.com/11th-circuit-overtURNS-1-4-million-award-for-rapper-in-copyright-battle/>



INTELLECTUAL PROPERTY

COPYRIGHT

NETFLIX SETTLES COPYRIGHT SUIT OVER 'THE UNOFFICIAL BRIDGERTON MUSICAL'.

The creators of the Unofficial Bridgerton Musical who were Emily Bear and Abigail Barlow came to an agreement with Netflix to end Netflix's copyright infringement claim against them after the duo postponed a performance of the show scheduled for September 20 at London's Royal Albert Hall.

<https://www.hollywoodreporter.com/business/business-news/netflix-settles-unofficial-bridgerton-musical-suit-1235227514/>



SPORTS & GAMING

COURT DISMISSES CLAIMS OPPOSING THE PROPOSED OAKLAND A'S STADIUM.

The Oakland A's bid for a new stadium was rejected by a court in Alameda County Superior Court. Opponents claimed that the proposed ballpark at Howard Terminal would seriously impact the ecology in the nearby port area. However, Judge Brad Seligman opined that The California Environmental Quality Act was not breached, and the analysis of the potential environmental and safety hazards was "sufficient and supported by substantial evidence."

<https://www.cbsnews.com/sanfrancisco/news/judge-rejects-lawsuits-against-proposed-as-stadium/>



SPORTS & GAMING

FRANCO FEITT'S APPEAL IS DISMISSED BY THE COURT OF ARBITRATION FOR SPORT.

An independent Anti-Corruption Hearing Officer Raj Parker, found Tennis player Franco Feitt from Argentina, guilty of multiple match fixing charges. Feitt then appealed against the disciplinary sentence that was imposed, but the Court of Arbitration for Sport (CAS) rejected his appeal. This means the original lifetime ban and fine of \$25,000 are still applicable. In addition, a further CHF 3,000 must be paid by the former player to the International Tennis Integrity Agency.

<https://www.lawinsport.com/news/item/court-of-arbitration-for-sport-dismisses-franco-feitt-appeal>



PREVIOUS PUBLICATIONS

Of Source Codes and Functions - Balancing Copyright Protection Against Monopolisation	Intellectual Property, Sports & Gaming Newsletter Vol. 1
'Willing to Wound but Afraid to Strike' - Threats in Trademark Infringement Proceedings	Intellectual Property, Sports & Gaming Newsletter Vol. 2
Competing Rights to Copyright in the Virtual Environment	Intellectual Property, Sports & Gaming Newsletter Vol. 3
Spilling the Beans in Litigation	Intellectual Property, Sports & Gaming Newsletter Vol. 4
The Price of Artificial Intelligence	Intellectual Property, Sports & Gaming Newsletter Vol. 5
State of Mind and the Plea of Innocence	Intellectual Property, Sports & Gaming Newsletter Vol. 6
False Sense of Security	Intellectual Property, Sports & Gaming Newsletter Vol. 7
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