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IP LEGAL NEWS AND UPDATES***Hotfile Case Will Shape Copyright Law Online*****Authors:** Justin E. Pierce and Matthew R. Farley

In a recent win for content owners that will surely shape copyright law online, Hotfile (a popular online file storage and download service) and its owner were ordered by a federal court in Florida to pay several major film studios \$80 million for secondary copyright infringement. The case began in February 2011, when several major film studios sued Hotfile, alleging direct and secondary copyright infringement. The crux of the film studios' claims was that Hotfile engaged in massive online infringement by knowingly and actively facilitating the flagrant reproduction and distribution of pirated television shows and movies through its website and online services. In this article, Pierce and Farley unpack Hotfile's mistakes.

[Click here](#) to view the full article (subscription required).

Pacific Coast Marine Windshields Ltd. v. Malibu Boats, LLC et. al.: Federal Circuit Decision Confirms Application of Principle of Prosecution History Estoppel to Design Patents**Authors:** Stefan J. Kirchanski, Ph.D. and Miguel A. Lopez, Ph.D.

On January 8, 2014, the Federal Circuit in *Pacific Coast Marine Windshields Ltd. v. Malibu Boats, LLC. et. al.* confirmed that prosecution history estoppel applies to design patents. Although application of this doctrine to utility patents is well established, the court noted that the issue in regards to design patents was one of first impression. Nevertheless, in its decision, the Federal Circuit overturned a District Court's grant of Malibu Boats' motion for summary judgment of non-infringement on the grounds of prosecution history estoppel. This decision has immediate implications in the prosecution and enforcement of design patents as well as far-reaching consequences on the licensing of their rights.

[Click here](#) to view the full article.

Winter 2014 Federal Copyright and Trade Secret Legislation Update**Authors:** Armand J. (A.J.) Zottola and Robert F. Parr

Several bills under consideration in the 113th Congress would establish or significantly amend certain federal statutes related to the protection, enforcement, and exploitation of trade secrets or copyrights. The pending legislation addresses a number of issues, including establishing a private right of action for trade secret theft, repealing certain compulsory copyright license fees, and modifying copyright laws relating to public performance rights. If signed into law, these bills would have important implications on a wide range of interested parties, including performing artists, entertainment industry or content right stakeholders, and any business looking to exert greater control over its trade secrets.

[Click here](#) to view the full Digital Rights Alert.

Honors and Awards**ANNOUNCEMENTS AND REMINDERS**

Venable is pleased to announce the addition of three attorneys to our Intellectual Property Division. **Andrew Pratt**, joining as a Partner in **IP Litigation**, brings significant experience advising clients on IP issues and litigating IP disputes in federal courts and the U.S. International Trade Commission (ITC). Associate **Morgan Brubaker**, the newest member of our **IP Transactions** group, has handled a wide range of commercial transactions with an emphasis on software, IP and technology licensing. Finally, we welcome **George Howarah** as an associate in our **Patent Prosecution and Counseling** group. George

joins us from the USPTO, where he was a Patent Examiner, and brings technical knowledge and experience in electrical, computer, and mechanical engineering.

Venable Boasts Strong Performance in *Chambers USA* 2014 Rankings

Chambers USA has released the preliminary 2014 attorney and practice rankings, which includes three Venable IP attorneys. **William Coston** was ranked for IP Litigation, **Michael Sartori** was ranked for Patent Prosecution, and **Mark Harrison** was ranked for Trademark, Copyright and Trade Secrets. The full list of rankings with bands and editorial commentary will be released in May 2014.

“ITC Section 337: Recent Developments and Looking Ahead with Chief ALJ Bullock” – an American Intellectual Property Law Association (AIPLA) Webinar

Wednesday, March 20, 2014
12:30 - 2:00 p.m. ET

Andrew Pratt will speak on the panel "ITC Section 337: Recent Developments and Looking Ahead with Chief ALJ Bullock" hosted by AIPLA on March 20. The panel will discuss recent developments and hot topics at the ITC, including the significant changes in 2013 and the expected changes in 2014 and beyond.

[Click here for more information and registration.](#)

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