

2024 INAUGURAL CARDOZO FAME CENTER INTELLECTUAL PROPERTY LAW MOOT COURT COMPETITION



Corrections & Clarifications

A few corrections and clarifications have been made to the Problem that was sent out 1/19/24. Please let us know if you have any questions.

Corrections:

1. Page 6: The episode was aired in 2022, not 2023.
2. Page 6: The letter was dated in 2022, not 2023.
3. Page 12: “For the same reasons, use of Scarlet’s mark in the Mustard commercial has more than zero artistic relevance to the show and the episode.” ☐ deleted (no longer part of the problem).
4. Page 13: “or its advertisements.” ☐ deleted.
5. Page 13: “Mrs. Peacock, not Plum, owned the photograph’s copyright.” – Ms. Swanson, not Mrs. Peacock, was the photographer.
6. Page 13: The quote from Section 201 was missing an “and” just after the ellipsis.
7. Page 15: Addition of the words “a copy” after “made or displayed” in “the Perfect 10 court found that Google had not made or displayed for the purpose of the Copyright Act.”
8. Page 18: The defendant (Plum) won both motions, so Scarlet is the appellant here.
9. Page 19: The dissenting judge is now one of the three listed on the panel.

Clarification:

1. The Competition Rules still state at Rule 4.4 that in oral argument, Petitioner and Respondent 1 will address Issue I and then Petitioner/Respondent 2 will address Issue II. However, this Problem has three (3) issues. Petitioner/Respondent 1 should address the first issue (the trademark issue) and Petitioner/Respondent 2 should address the second and third issues (the copyright issues).