

LUZKER & LUZKER — LLP —

Lutzker & Lutzker Newsletter 2.0 April 2020

To our clients, colleagues and friends:

We hope this finds you safe and well and navigating your way through the Covid-19 crisis and the new world it is creating. We at Lutzker &

Lutzker continue to serve our clients as we always have, albeit from our remote locations and with a new respect for what can be done via Zoom. We are pleased to bring you this newsletter on a periodic basis to highlight important new developments that may affect your business.

Given the sudden and dramatic turn to distance education, we would like to bring our copyright expertise to bear on the many questions surrounding this sea change. Hence our blogs in recent weeks have focused on trying to answer some of these questions and anticipating some of the new privacy and IP issues that are emerging in this landscape. Having proper copyright policies in place will be more important than ever as educators utilize the TEACH Act and other provisions of the copyright law to facilitate teaching in the new environment.

You may know that in January Arnie became president of INBLF, International Network of Boutique and Independent Law Firms. He is working hard to expand the content available on the [INBLF](#) website. So, in addition to the information we provide, in the coming months you will have access to legal analysis on a broad variety of subjects from our colleagues at hundreds of boutique law firms in the U.S. and Canada and independent firms around the world.

Finally, we want to be sure that our clients are aware of the PTO's actions in extending certain patent and trademark filing deadlines in response to the Covid-19 crisis. For specifics, see the Client Alert on our website and don't hesitate to reach out to us at info@lutzker.com with any questions.

Blog Posts from the Firm



COVID-19 Causes Massive Copyright Fair Use Confusion

With the suddenly critical role of online education, our heroic teachers will likely need to rely on the heretofore underutilized TEACH Act. Enacted in 2002, the TEACH Act added to copyright law an exemption to copyright infringement for distant transmission of copyrighted materials under certain limited conditions designed to balance the interests of content owners with the goals of distance education.

[Read Here>>](#)

Copyright Defense to Complaints About Distance Learning in a COVID-19 Era

Complaining about innovative distant learning programs in a COVID-19 era, some students and parents are seeking refunds of their tuition fees and even suing their colleges. But they are missing the fact that their tuition fees guarantee them mediated instruction, which does not need to be in-person instruction.

[Read here>>](#)





The Pandemic: Copyright's Role in the Switch to Distance Education and Online Learning at Home

The sudden move to distance education for K-12 as well as university students mandated by the COVID-19 shutdown of schools has resulted in great confusion about the degree to which the concept of copyright fair use is flexible enough to adapt to the new circumstances. Some publishers are stepping up with practical, temporary solutions.

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Arnold Lutzker and Susan Lutzker founded Lutzker & Lutzker LLP in 1998 to provide high-quality, cost-effective legal services to businesses, creative professionals and their lawyers in the creation, strategic exploitation and defense of intellectual property assets.

Drawing on their experiences in law, business and the arts, our firm's lawyers have stayed on the leading edge of digital-era issues, including online content, social media, mobile applications, cybersecurity and data privacy requirements. We advise corporate counsel on challenging intellectual property matters and also help more than 300 clients protect and manage their traditional copyright and trademark portfolios.

Questions: please email us at info@lutzker.com



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