

Do Copyright Owners Have to Show What Elements of Their Software are Protected by Their Registrations? A Split Federal Circuit Suggests Yes.

April 26, 2023 – The TMCA

by Connor J. Hansen

In a recent decision, the Federal Circuit approved the use of “Copyrightability Hearings.” Not sure what that means? Read on to find out.

The case involved a dispute between two parties, SAS Institute, Inc. (“SAS”) and World Programming Limited (“WPL”). SAS created and markets a suite of software used for data access, management, analysis, and presentation, while WPL markets a competing system. Both systems generally allow users to input data in a specified format, then perform various functions depending on the users’ needs, and output resulting data. In the case, SAS alleged that WPL infringed several copyright registrations covering SAS’s system.

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class Snake:

```
    def __init__(self, x, y):
        self.x = x
        self.y = y
        self.direction = 'up'
        self.score = 0
```

```
    def move(self):
        self.x, self.y = self.move(self.x, self.y)
```

```
    def move_left(self):
        self.x -= 1
```

```
    def move_right(self):
        self.x += 1
```

```
    def move_down(self):
        self.y += 1
```

```
    def move_up(self):
        self.y -= 1
```

