

KWA GEOK CHOO DISTINGUISHED VISITORS LECTURE

# Fair Use in the US Redux: Reformed or Still Deformed?

Professor Jane Ginsburg

Morton L. Janklow Professor of Literary and Artistic Property Law  
Columbia Law School

Chairperson: Professor David Tan, NUS Law

TUESDAY 31 JANUARY 2023

5.30 PM - 7.00 PM

NUS LAW (BUKIT TIMAH CAMPUS), WEE CHONG JIN MOOT COURT

In 2019, Professor Jane Ginsburg delivered the Distinguished Visitor in Intellectual Property Lecture at NUS. Titled "Fair Use in the US: Transformed, Deformed, Reformed?", the lecture explored US caselaw applying the statutory fair use exception, highlighting its excesses and apparent rebalancing.

Three and half years (and a pandemic) later, while appellate courts have reined in some of the more extreme applications of "transformative use", the Supreme Court has rendered a decision in one fair use case (*Google v. Oracle*) and has heard arguments in another (*Andy Warhol Foundation v Goldsmith*). Together, these controversies prompt inquiry into the prospects for further judicial reforming, or deforming, of US fair use and copyright law. That inquiry extends to the fair use doctrine's potential to accommodate massive inputs of copyrighted works into databases to enable "machine learning" by artificial intelligence systems.

## ABOUT THE SPEAKER



Professor Jane Ginsburg is a renowned authority on intellectual property law and a staunch defender of authors' rights, and is the faculty Co-Director of Columbia's Kernochan Center for Law, Media, and the Arts. She teaches and writes about copyright law, international copyright law, legal methods, statutory methods, and trademark law. She is also the author or co-author of casebooks on all five subjects, including *International Copyright: U.S. and EU Perspectives* (with Edouard Treppoz) and *Copyright: Cases and Materials* (9th edition) (with Robert A. Gorman and R. Anthony Reese). In 2022, Oxford University Press published the third edition of

the treatise, co-authored with Sam Ricketson, *International Copyright and Neighbouring Rights: The Berne Convention and Beyond*. Professor Ginsburg was a co-reporter for the American Law Institute's *Principles of the Law, Intellectual Property: Principles Governing Jurisdiction, Choice of Law, and Judgments in Transnational Disputes*.

Fluent in French and Italian, Professor Ginsburg has been a visiting professor at law schools and universities in France and Italy as well as in Australia, England, Israel, and New Zealand. She is a vice president of the Association Littéraire et Artistique Internationale, a Paris-based international organisation created to promote and defend authors' rights, and president of its U.S. chapter. She is an elected member of the American Philosophical Society and the American Academy of Arts and Sciences, a Corresponding Fellow of the British Academy and an Honorary Fellow of Emmanuel College, Cambridge.

## PROGRAMME

5.00PM	Registration
5.30PM	Lecture by Professor Jane Ginsburg
6.30PM	Q&A Session
7.00PM	Dinner Reception

## REGISTRATION

There is no registration fee for this lecture but seats are limited. Visit <https://bit.ly/3ExvgRm> or scan the QR Code to register by Tuesday, 24 January 2023, 5.00 PM.



## CONTACT PERSON

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## CPD POINTS



Public CPD Point: 1  
Practice Area: Intellectual Property  
Training Level: Foundation

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