



## **In The Press:**

### **Michael Kasdan quoted in IP Law 360 article, *2nd Circ. Counsel Ruling Could Upend Google Books Deal***

*IP Law360, New York (September 8, 2011)*

Law360, New York (September 8, 2011) -- A ruling rejecting a copyright settlement between freelance writers and electronic database operators, in which the Second Circuit held that the plaintiffs' subclasses must have separate counsel, could upend settlement negotiations in a similar, closely watched case involving Google Books, attorneys say.

When the proposed settlements in the freelancers case and the Google Books case were reached, attorneys began to think that class actions could be an effective way to secure copyrights for a wide swath of works for electronic publications, according to Kasdan. That was especially true after the Supreme Court ruled in the freelancers' case last year that settlements could include unregistered works, he said.

After the Second Circuit's ruling, however, class actions may no longer be a viable way to resolve such copyright suits, Kasdan says.

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