

Jason Bloom in Law360: 'Church's 'Hamilton' Show Likely Runs Afoul of Copyright Law'

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PRACTICES Intellectual Property Litigation, Copyright, Intellectual Property, Litigation, Religious Institutions

Haynes Boone Partner [Jason Bloom](#) was featured in a *Law360* article. Below is an excerpt:

A Texas church's unauthorized rendition of the Tony award-winning musical "Hamilton" this month is likely not covered by a provision of U.S. copyright law that exempts churches from facing potential litigation for performing copyrighted works during religious services, legal experts say.

This past weekend, a McAllen, Texas, church called The Door McAllen put on two performances of the hit musical "Hamilton," which tells the story of American Founding Father Alexander Hamilton.

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A spokesperson for the official "Hamilton" production said in a statement it had sent a cease-and-desist letter for the "unauthorized use" of its intellectual property after the first performance was live-streamed to the church's YouTube channel but allowed the second performance as long as it was not live-streamed, recorded or shared on social media. ...

Churches can perform certain copyrighted works under the so-called religious services exemption of the Copyright Act, which allows performances of a "nondramatic literary or musical work or of a dramatico-musical work of a religious nature, or display of a work, in the course of services at a place of worship or other religious assembly."

However, The Door McAllen's performances don't appear to be shielded by the exemption, which does not apply to dramatic stagings of musicals, legal experts say. ...

Further, while the religious services exemption applies to performances of certain works, it "does not authorize the creation of derivative works, which is what appears to have been done at least in part here," Haynes Boone Partner Jason Bloom said.

Excerpted from *Law360*. To read the full article, click [here](#).