# Jason Bloom in National Law Journal: Gorsuch's Book Title, Borrowing from History

By Jason P. Bloom | April 22, 2019

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The *National Law Journal* turned to Haynes Boone Partner Jason Bloom to see if there are any copyright issues with Supreme Court Justice Neil Gorsuch's book: "A Republic, If You Can Keep It."

Benjamin Franklin originally coined the phrase "A republic, if you can keep it" after the Constitutional Convention in 1787. That was his famous response when asked what type of government the founders had decided on – a republic or a monarchy.

Gorsuch's book offers insight into his journey to the court, his thoughts on the role of a judge under the Constitution, and his belief in the responsibility of each American to keep our republic strong.

Here is an excerpt of the *National Law Journal* article:

So, with Gorsuch's September book release five months away, is there a copyright problem here? His publisher did not respond to a query on this point, but the short answer is no.

We asked copyright experts their thoughts on Gorsuch's book title:

"Generally speaking, book titles also aren't subject to trademark protection. The one exception is when you have a series of books like Harry Potter that kind of take on a secondary meaning of their own, so people identify those as more or less a brand. At least in bookstores, if anybody goes to those anymore, they organize books by author rather than title, so if you're looking for the latest Neil Gorsuch book, you're not going to be confused." — Jason Bloom, partner and head of Haynes Boone's Copyright Practice Group.

To read the full article, click here. (Subscription required)

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