

## Wesley Lewis in World IP Review: Led Zeppelin Didn't Steal 'Stairway To Heaven' Riff Says Appeals Court

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**PRACTICES** Intellectual Property Litigation, Copyright, Intellectual Property

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Haynes Boone Associate Wesley Lewis talked with *World IP Review* about the U.S. Court of Appeals for the Ninth Circuit's decision to uphold a verdict that British rock legends Led Zeppelin did not steal the opening riff in 'Stairway To Heaven.'

Here is an excerpt:

The court upheld a verdict passed four years ago, saving the song's writers Jimmy Page and Robert Plant from paying potentially millions of dollars in damages.

According to the appeal court ruling, handed down on Monday, March 9, [plaintiff Michael] Skidmore's claims were not based on the entire "Taurus" composition, but rather the opening notes of "Stairway To Heaven," which "are substantially similar to the eight-measure passage at the beginning" of "Taurus."

"However, the composition of 'Stairway To Heaven' has a different ascending line that is played concurrently with the descending chromatic line, and a distinct sequence of pitches in the arpeggios, which are not present in 'Taurus,'" it added.

Adding that the "trial and appeal process has been a long climb up the "Stairway To Heaven," the court affirmed the 2016 ruling that the song did not infringe Spirit's "Taurus."

### **'Inverse ratio' rule**

"This [most recent] case is significant because it signals the Ninth Circuit's departure from decades of muddled jurisprudence interpreting the so-called 'inverse ratio' rule in copyright infringement lawsuits. That rule states that a copyright infringement plaintiff must satisfy a lower standard of proof that two works are substantially similar when a high degree of access to an allegedly infringed work is demonstrated," said Wesley Lewis, an associate at Haynes Boone.

"Courts have struggled with this rule for decades, applying it inconsistently and, often, incorrectly. In recent years, several high-profile Ninth Circuit decisions have limited the applicability of the rule or questioned whether it should apply at all," he added.

To read the full article, click [here](#).

*Bloomberg Law* [also quoted](#) Lewis in an article about the ruling.