

Rob LeBlanc in Law360: 'Copyright & TM Cases to Watch in the Second Half of 2022'

July 22, 2022

PRACTICES Intellectual Property, Copyright, Trademark Prosecution, Trademark and Advertising, Social Media

Haynes Boone Partner Rob LeBlanc was quoted in a *Law360* article on the cases to watch during the second half of 2022. Read an excerpt below:

Yuga Labs' case against Ripps has the potential to define what digital ownership rights come with an NFT, and how those rights are effectively — or ineffectively — transferred, according to Robert LeBlanc of Haynes Boone. This is important because "at the moment, there is no legal precedent that stops third parties from profiting off an NFT that they don't own," he said.

While the "vast majority of IP-focused NFT litigation is focused on copyright claims," the case differs because it involves trademark concerns, according to LeBlanc. Yuga Labs did not include copyright claims in its lawsuit, indicating it believes it has effectively assigned the copyright to the owners of the individual Bored Apes, he noted.

"This brings about an interesting situation as to whether Yuga can or should encourage individual Bored Ape owners to file suit based on copyright infringement, which would be the most logical IP claim here," LeBlanc said.

Ripps may also challenge whether Yuga Labs owns the Bored Ape marks at all, or if those trademark rights were also assigned to the individual ape owners, he added.

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