Wesley Lewis in Rolling Stone: Led Zeppelin's 'Stairway to Heaven' Goes to Court (Again) on Monday

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Rolling Stone quoted Haynes Boone Associate Wesley Lewis in an article about the latest court hearing involving the continued copyright battle over Led Zeppelin's "Stairway to Heaven" and Spirit's "Taurus."

Here is an excerpt:

After being tossed through years of flip-flopping decisions, the "Stairway to Heaven" case — in which Michael Skidmore, a trustee representing the estate of Spirit guitarist Randy Wolfe, is accusing Led Zeppelin of stealing its 1971 song's opening guitar riff from Spirit's 1968 instrumental track — will come before the U.S. Court of Appeals for the Ninth Circuit in San Francisco for en banc (full court) arguments on Monday, Sept. 23. While jurors in the original case had decided in 2016 that "Stairway" did not infringe on "Taurus," a Ninth Circuit panel ordered a new trial in 2018 due to errors in the jury instruction process.

The trial has gained much new attention since — especially as music copyright cases have exploded in number, with cases against Katy Perry's "Dark Horse" and Ed Sheeran's smash hit "Thinking Out Loud" among numerous, high-profile examples. Now, all eyes are on the Zeppelin-Spirit case because of both the iconic nature of the central song and the broader framework on how copyright law can be applied to music going forward.

"The en banc review is an uncommon act for a court of appeals," Wesley Lewis, an attorney at corporate law firm Haynes Boone who specializes in copyright cases, tells Rolling Stone. "It signals that there is enough interest in this legal question that it could conceivably go all the way up to the Supreme Court."

Lewis notes that while the original case focused singularly on whether "Taurus" was the foundation for "Stairway to Heaven," the new case is likely to examine two bigger issues: the "amount of expression required to constitute original, protectable work" and how much of a role physical deposit copies should play in copyright protection. "The issues have now been defined a little more sharply," Lewis says.

To read the full article, click here.

Lewis was quoted in an additional *Rolling Stone* article about the case.

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