

17-571 FOURTH ESTATE PUBLIC BENEFIT CORPORATION V. WALL-STREET.COM

DECISION BELOW: 856 F3d 1338

LOWER COURT CASE NUMBER: 16-13726

QUESTION PRESENTED:

Section 411(a) of the Copyright Act provides (with qualifications) that "no civil action for infringement of [a] copyright in any United States work shall be instituted until preregistration or registration of the copyright claim has been made in accordance with this title." 17 U.S.C. § 411(a). The question presented is:

Whether "registration of [a] copyright claim has been made" within the meaning of § 411(a) when the copyright holder delivers the required application, deposit, and fee to the Copyright Office, as the Fifth and Ninth Circuits have held, or only once the Copyright Office acts on that application, as the Tenth Circuit and, in the decision below, the Eleventh Circuit have held.

CERT. GRANTED 6/28/2018