

Copyright case: Hall v. Swift, USA

Kluwer Copyright Blog
November 26, 2019

[Thomas Long \(Wolters Kluwer Legal & Regulatory US\)](#)

Please refer to this post as: Thomas Long, 'Copyright case: Hall v. Swift, USA', Kluwer Copyright Blog, November 26 2019, <http://copyrightblog.kluweriplaw.com/2019/11/26/copyright-case-hall-v-swift-usa/>

The question of whether the plaintiffs' allegedly infringed lyrics were sufficiently original to be copyright-able was a fact-intensive issue that should not have been determined on the pleadings. The U.S. Court of Appeals in San Francisco has revived a copyright infringement lawsuit against pop star Taylor Swift and others over song lyrics allegedly copied and used in Swift's song, Shake It Off. According to the appellate court, the district court improperly dismissed the complaint filed by co-authors of the musical composition Playas Gon' Play for a lack of originality in the pertinent portions of the plaintiffs' work. Originality, explained the appellate court, was ordinarily a question of fact, and the complaint plausibly alleged that the plaintiffs' lyrics were protectable (Hall v. Swift, October 28, 2019, per curiam).

Case date: 28 October 2019

Case number: No. 18-55426

Court: United States Court of Appeals, Ninth Circuit

A full summary of this case has been published on [Kluwer IP Law](#).