
Kluwer Copyright Blog

Copyright case: Markham Concepts Inc. v. Hasbro, Inc., USA

Cheryl Beise (Wolters Kluwer Legal & Regulatory US) · Wednesday, October 13th, 2021

Heirs of “Game of Life” developer failed to overcome work-for-hire doctrine in bid to terminate developer’s original transfer of rights to Hasbro predecessor.

The federal district court in Providence, Rhode Island, correctly determined that heirs of toy developer Bill Markham could not reacquire copyrights to the boardgame “The Game of Life” from Hasbro, Inc., and the heirs of the late radio and television personality Art Linkletter, the U.S. Court of Appeals in Boston had held. Markham’s heirs sought to terminate under 17 U.S.C. §304 transfers of rights Markham had made to Hasbro’s predecessor-in-interest, the Milton Bradley Company, and a firm co-owned by Linkletter. Because Markham created the game at “the instance and expense” of toy developer Milton Klammer, the game qualified as a “work-for-hire” exception to statutory termination rights (Markham Concepts, Inc. v. Hasbro, Inc., June 14, 2021, Lipez, K.).

Case date: 14 June 2021

Case number: No. 19-1927

Court: United States Court of Appeals, First Circuit

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

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