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# Kluwer Copyright Blog

## USA: Flo & Eddie, Inc. v. Pandora Media, Inc, United States Court of Appeals, Ninth Circuit, No. 15-55287, 15 March 2017

Thomas Long (Wolters Kluwer Legal & Regulatory US) · Wednesday, March 22nd, 2017

The California Supreme Court has been asked by the U.S. Court of Appeals in San Francisco to provide guidance on the question of whether California statutory or common law grants owners of pre-1972 sound recordings an exclusive right of public performance. This guidance is key to a lawsuit brought by Flo & Eddie, Inc.—owner of recordings by 1960s pop group The Turtles and created by former Turtles vocalists Mark “Flo” Volman and Howard “Eddie” Kaylan—against Internet music streaming service Pandora Media, Inc. Flo & Eddie has brought similar suits against satellite and Internet radio broadcaster Sirius XM Radio in California, New York, and Florida, with mixed success (Flo & Eddie, Inc. v. Pandora Media, Inc., March 15, 2017, per curiam).

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

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This entry was posted on Wednesday, March 22nd, 2017 at 1:07 pm and is filed under [Case Law, USA](#)

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