
Kluwer Copyright Blog

Copyright case: Ennio Morricone Music Inc. v. Bixio Music Group Ltd., USA

John W. Scanlan (Wolters Kluwer Legal & Regulatory US) · Wednesday, September 4th, 2019

The statutory schemes of Italian and U.S. copyright law differ in their allocation of authorship status in that Italian law does not recognize the ab initio statutory allocation of copyright to the commissioner of a work made for hire.

The assignment to a music publisher of composer Ennio Morricone's copyrights in six Italian movie scores he had composed 35 or more years earlier could be terminated under Section 203 of the U.S. Copyright Act because the scores were not the Italian equivalent of "works made for hire," the U.S. Court of Appeals in New York City has ruled in reversing and remanding a district court's decision in favor of the publisher. Under Italian copyright law, the composer of a film score retains authorship, even if the composer contractually assigns all economic rights in the score to the work's commissioner (Ennio Morricone Music Inc. v. Bixio Music Group Ltd., August 21, 2019, Hall, P.).

Case date: 21 August 2019

Case number: No. 17-3595-cv

Court: United States Court of Appeals, Second Circuit

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

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