

Kluwer Copyright Blog

Copyright case: Martinelli v. Hearst Newspapers, L.L.C., USA

Matthew Hersh (Wolters Kluwer Legal & Regulatory) · Friday, May 5th, 2023

Another court of appeals concludes that the statute of limitations doctrine was not overturned by a Supreme Court laches decision.

The Supreme Court did not upend the longstanding discovery rule applicable to Copyright Act cases by merely mentioning in passing that a copyright claim accrues “when an infringing act occurs,” the U.S. Court of Appeals for the Fifth Circuit has held. The court, joining several other circuit courts in the same line of reasoning, reasoned that the language in the Supreme Court decision at issue was dicta because the case addressed the common law of laches and the validity of the discovery rule played no part in the decision (*Martinelli v. Hearst Newspapers, L.L.C.*, April 13, 2023, Higginson, S.).

Case date: 13 April 2023

Case number: No. 22-20333

Court: United States Court of Appeals, Fifth Circuit

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

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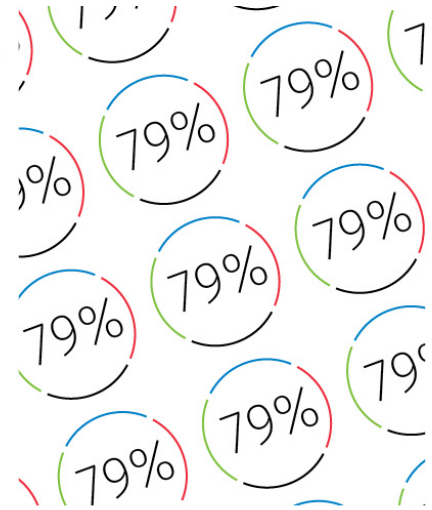
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