



June 2, 2025

Director Diane P. Wood and Members of the ALI Council  
American Law Institute  
4025 Chestnut Street  
Philadelphia, PA 19104

## Re: The American Law Institute Restatement of the Law, Copyright

Dear Director Wood and Members of the ALI Council:

Intellectual Property Owners Association (IPO) is an international trade association representing a wide array of stakeholders in all industries and fields of technology that own, or are interested in, intellectual property (IP) rights.

As it did when the American Law Institute (“ALI”) Restatement of the Law, Copyright (“Copyright Restatement”) project began, IPO thanks ALI for allowing IPO to participate in the project. As the project comes to an end, however, IPO remains concerned that the project has in many places adopted minority interpretations of copyright law without clearly stating the majority rule. In IPO’s view, the Restatement has taken an interpretive approach that reviews the text of the Copyright Act without necessarily citing court interpretations, and adopts the Reporters’ views of what the text would mean. This approach is not made clear anywhere in the draft as far as IPO is aware, and the draft does not make evident where it deviates from existing judicial interpretations to adopt a new, contrary view. As a result, IPO remains concerned that the Copyright Restatement will be unhelpful and misleading to courts and litigants, leading it to be cited when it is not, in fact, articulating a restatement of existing law.

Throughout the project, many others have raised these concerns, including the U.S. government, professors, and practitioners with extensive copyright credentials. As you know, IPO joined those voices, and yet the Copyright Restatement proceeded unimpeded.

Although IPO hopes that there are future projects in which it will be able to collaborate with ALI, the Copyright Restatement does not reflect what IPO views as its purpose—restating the law—and did not adopt numerous comments of the members of the advisor and liaison groups to the project. As a result, we respectfully request that our name and that of our liaison be removed.

If you have any questions or would like to discuss how to improve future projects to better reflect the state of the law, IPO would welcome that conversation.

Sincerely,

Krish Gupta  
President

President  
**Krish Gupta**  
Dell Technologies

Vice President  
**John Cheek**  
Tenneco Inc.

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Bayer Intellectual  
Property GmbH  
**Anthony DiBartolomeo**  
SAP SE  
**Daniel Enebo**  
Cargill Inc.  
**Andrea Evensen**  
Danaher Corp.  
**Jake Feldman**  
Kenvue  
**Louis Foreman**  
Enventys  
**Scott M. Frank**  
AT&T  
**Darryl P. Frickey**  
Dow Chemical Co.  
**Mike Geise**  
General Mills, Inc.  
**Robert Giles**  
Qualcomm, Inc.  
**Laura Ginkel**  
Merck & Co., Inc.  
**Henry Hadad**  
Bristol-Myers Squibb Co.  
**Aamir Haq**  
Hewlett Packard Enterprise  
**Scott Hayden**  
Amazon  
**Emily Johnson**  
Amgen, Inc.  
**Michael King**  
Caterpillar Inc  
**Thomas R. Kingsbury**  
Bridgestone Americas Co.  
**Laurie Kowalsky**  
Koninklijke Philips N.V.  
**Christine Lam**  
NetApp  
**David Lane**  
Johnson & Johnson  
**Myron Lloyd**  
The Goodyear Tire &  
Rubber Co.  
**Alexander Long**  
GE Aerospace  
**Ceyda Maisami**  
HP Inc.  
**Jeffrey Myers**  
Apple Inc.  
**Sandra Nowak**  
Solventum  
**Hugh Pasika**  
Thermo Fisher Scientific  
**Erik Perez**  
Shell USA, Inc.  
**Troy Prince**  
RTX Corporation  
**Corey Salsberg**  
Novartis  
**Matthew Sarboraria**  
Oracle Corp.  
**Laura Sheridan**  
Google Inc.  
**Jessica Sinnott**  
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