

5-1-1993

Copyright Registration: Atari Games Corp. v. Oman, et al, 979 F.2d 242 (D.C. Cir. 1992)

Follow this and additional works at: <http://repository.law.miami.edu/umeslr>

Recommended Citation

Copyright Registration: Atari Games Corp. v. Oman, et al, 979 F.2d 242 (D.C. Cir. 1992), 10 U. Miami Ent. & Sports L. Rev. 319 (1993)
Available at: <http://repository.law.miami.edu/umeslr/vol10/iss1/16>

This Case Summary is brought to you for free and open access by Institutional Repository. It has been accepted for inclusion in University of Miami Entertainment & Sports Law Review by an authorized administrator of Institutional Repository. For more information, please contact library@law.miami.edu.

COPYRIGHT REGISTRATION

ATARI GAMES CORP. V. OMAN, ET AL, 979 F.2d 242 (D.C. Cir. 1992).

Copyright applicant appealed decision of the Register of Copyrights not to grant a copyright on the video game "Breakout." "Breakout" was presented to the Register as an audiovisual work. The Register refused registration of the game and concluded that the display screens both individually and as a whole lacked sufficient creativity to make them registerable as audiovisual works. The dispute in question centered on whether the video game qualified as a work of authorship, which necessitates a modicum of creativity. Because an audiovisual work is a series of related images, the interrelationship of successive 'Breakout' screens was crucial. The Circuit Court stated that the hallmark of a video game is the expression found in the entire effect of the game as it appears and sounds.

Held: The Register's denial of copyright for the video game "Breakout" was unreasonable when measured against the minimal creativity standard applicable in making a determination. *Reversed and Remanded.*

H.C.

CIVIL RIGHTS - DAMAGES

CROCKER V. TENNESSEE SECONDARY SCHOOL ATHLETIC ASS'N., 980 F.2d 382 (6th Cir. 1992).

High school student appealed the district court's summary judgment disallowing any damage award for his §1983 claim that the athletic association deprived him of federally protected rights secured by the Education of the Handicapped Act (EHA) and §504 of the Rehabilitation Act of 1973. The athletic association enacted a policy of not allowing transfer students to participate in interscholastic sports for a period of one year absent an approved hardship hearing in order to prevent students from placing athletic interests above academic interests. When plaintiff transferred schools, the association refused to permit him to play on the football team in accordance with the policy. Plaintiff requested a hardship hearing on the grounds that his transfer was based on the inability of his prior school to provide the remedial education classes he needed. The district court found that no valid claim existed for damages under the original EHA or the Rehabilitation Act.

Held: Because plaintiff cannot recover general damages under the EHA or Rehabilitation Act, he cannot recover damages under