

ASSEMBLY BILL

No. 2569

Introduced by Assembly Member Davis

February 19, 2010

An act relating to intellectual property.

LEGISLATIVE COUNSEL'S DIGEST

AB 2569, as introduced, Davis. Intellectual property: ownership rights.

Existing law provides that the author of any original work of authorship that is not fixed in any tangible medium of expression has an exclusive ownership in the representation or expression of that work as against all persons except one who originally and independently creates the same or similar work. Existing law also provides that the inventor or proprietor of any invention or design, with or without delineation, or other graphical representation, has an exclusive ownership in the invention or design, and in the representation or expression thereof, which continues so long as the invention or design and those representations or expressions remain in his or her possession.

This bill would declare the intent of the Legislature to enact legislation that would clarify the actionable use of ideas under intellectual property law to include novelty.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. It is the intent of the Legislature to enact
- 2 legislation that would clarify the actionable use of ideas under

- 1 intellectual property laws, in response to the holding in *Grosso v.*
- 2 *Miramax Film Corp.* (9th Cir. 2004) 383 F.3d 965, to include
- 3 novelty.

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