

Michael Elkin Discusses Apple Copyright Ruling with Law360

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Apple recently lost its copyright claims against Corellium, LLC, a company that makes “virtual iPhones” used by security researchers to test for vulnerabilities to its system. A Florida Federal Judge said that copyright’s fair use doctrine permitted Corellium to legally create a mirror version of the iOS operating system. However, the same judge also said Corellium could face separate liability under the Digital Millennium Copyright Act (DMCA) over the same product, since the company potentially overrode Apple’s encryption measures to get at the iOS code.

The ruling was labeled by outlets like the *Washington Post* and The Verge as a loss for Apple. But when the dust had settled, copyright experts weren’t so sure who had come out on top.

Michael Elkin, Winston & Strawn’s vice chairman said, “The court’s decision on [DMCA] liability does present a bit of a ‘Catch 22.’ I mean, how can you transform a protected work under fair use if the only way to do so is to violate another section of the copyright statute?”

Read the full article [here](#).

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Michael Elkin