

# Client Alert: Supreme Court Holds that Mistakes of Both Law and Fact Can Excuse Inaccurate Copyright Registrations

## Publications

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Last week, the Supreme Court issued its opinion in the closely watched case of Unicolors, Inc. v. H&M Hennes & Mauritz, L.P., holding 6-3 that a copyright registrant's lack of knowledge of errors of either law or fact can excuse inaccurate statements in a registration application and the resulting registration. At issue was 17 U.S.C. § 411(b)(1), which states that copyright registrations are valid regardless of whether they "contain any inaccurate information" unless the inaccurate information was included "with knowledge that it was inaccurate." Writing for the majority, Justice Breyer concluded that the statute's reference to "knowledge" did not distinguish between knowledge of law and knowledge of fact, and thus applied to both.

[Read the full alert here.](#)

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