

Proving Song Infringement Through the Use of Sound Recordings: Ed Sheeran to Led Zeppelin

Wednesday, December 17, 2025, 12:30 – 1:30pm ET | Live Webinar

Program Description:

Recent years have seen an upswing in high profile music infringement cases. Proving infringement in these cases hinges upon an analysis of, among other things, the copying and use of protected elements within a song. A key issue in recent cases focuses on the underlying basis for such analysis; specifically, the use of sound recordings and deposit copies as evidence for the purpose of proving substantial similarity between two musical compositions. This webinar will explore this crucial issue, focusing on important key infringement cases including *Structured Asset Sales v. Sheeran* and *Skidmore v. Led Zeppelin*.

Panelists:

- Tal Dickstein (Moderator)
Partner, Loeb & Loeb
- Hillel Parness
Principal and Founder, Parness Law Firm
- Dr. Joe Bennett
Musicologist, Professor at Berklee College of Music
- Jalyce Magnum
Assistant General Counsel, U.S. Copyright Office

Timed Agenda:

12:30-12:35 – Tal Dickstein, Introductions and Background

Mr. Dickstein (moderator) introduces the speakers, provides a high-level roadmap of the issue of proving substantial similarity in a musical works infringement case through the introduction of sound recording evidence. Tal will present and summarize major cases in the 9th and 2nd Circuits that ruled on this issue.

For more information, see:

Joseph P. Fishman & Kristelia Garcia, *AUTHORING PRIOR ART*, 75 *Vanderbilt Law Review* 1159 (2023)

<https://scholarship.law.vanderbilt.edu/cgi/viewcontent.cgi?article=4823&context=vlr>

Komlos, "STAIRWAY TO HEAVEN" OR STAIRWAY TO THE PUBLIC DOMAIN: COPYRIGHT INFRINGEMENT OF MUSICAL WORKS UNDER THE 1909 COPYRIGHT ACT, 65 Washington U. Journal of Law and Policy 185 (2021)

<https://hls.harvard.edu/today/did-ed-sheeran-copy-marvin-gayes-lets-get-it-on/>

12:35-12:50 – Hillel Parness, Parness Law Firm

Mr. Parness represented the Plaintiff in the Structured Asset Sales, LLC v. Sheeran lawsuit in the 2nd Circuit. He will present and explain his strategy and arguments for the use of the sound recording of the musical works in question to prove the substantial similarity between such works. He will provide arguments for the use of amended copyright registrations using sound recording deposit copies to rectify shortcomings of original sheet music deposits.

For more information, see:

[Skidmore v. Led Zeppelin, 952 F.3d 1051 \(9th Cir. 2020\)](#)

[Structured Asset Sales, LLC v. Sheeran, 120 F.4th 1066 \(2d Cir. 2024\)](#)

Petition for a Writ of Certiorari to the Supreme Court of the U.S., Structured Asset Sales, LLC v. Sheeran,

https://www.supremecourt.gov/DocketPDF/24/24-981/351412/20250311112410889_Structured%20Asset%20Sales%20LLC%20Corrected%20Petition.pdf

12:50-1:05 – Dr. Joe Bennett, Musicologist, Professor at Berklee College of Music

Dr. Bennett will explain, from an expert musicologist point of view, how and why the use of varying deposit copies can affect the substantial similarity analysis. He will use real life musical examples to demonstrate the analysis.

For more information, see:

Bennett, Joe. "We Can Work It Out: Forensic Musicology Methods." In *Music Borrowing and Copyright Law*, edited by Chen Zhu and Enrico Bonadio. Hart/Bloomsbury, 2023. [download](#)

Bennett, Joe, and Sean O'Connor. "Determining the Composition." In *Oxford Handbook of Music Law and Policy*. Oxford University Press US, 2021. [download](#)

1:05-1:20 – Jalyce Magnum, Assistant General Counsel, U.S. Copyright Office



Ms. Magnum will summarize and explain the U.S. Copyright Office rules and regulations concerning the registration of musical works under both the 1909 Copyright Act and the 1976 Copyright Act and the acceptable deposit copies as required by the Office. She will also present the position of the U.S. Copyright Office in relevant litigated cases.

For more information, see:

[BRIEF FOR THE UNITED STATES AS AMICUS CURIAE IN SUPPORT OF APPELLEES, Skidmore v. Led Zeppelin \(9th Cir.\)](#)

Compendium of U.S. Copyright Office Practices (3d ed. 2017),
<https://www.copyright.gov/comp3/>

1:20-1:30 – Discussion/Q&A

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