

Walt Disney Prods. v. Air Pirates,
581 F.2d 751 (9th Cir. 1978),
***cert. denied*, 439 U.S. 1132 (1979)**

Year	1978
Court	United States Court of Appeals for the Ninth Circuit
Key Facts	Plaintiff Walt Disney Productions alleged that defendants The Air Pirates infringed its copyrights by creating graphic depictions of over seventeen of plaintiff's characters and using them in adult "counter-culture" comic books. Defendants asserted that they used the graphic depictions for parody, which was a protected fair use. Defendants appealed the district court's ruling in plaintiff's favor.
Issue	Whether defendants' graphic depiction of plaintiff's cartoon characters, which defendants asserted were used for parody, was fair use.
Holding	After determining that the 1909 Copyright Act governed the proceedings, the court found that defendants copied more of plaintiff's works than was necessary to "conjure up" the works being parodied. In doing so, the court stated the rule that wholesale copying cannot be a fair use.
Tags	Ninth Circuit; Parody/Satire; Painting/Drawing/Graphic
Outcome	Fair use not found

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