

Paul McCartney Tells Sony To 'Let It Be' Over Early Work

By **Kat Greene**

Law360, Los Angeles (January 18, 2017, 8:51 PM EST) -- Paul McCartney lodged a suit against Sony/ATV on Wednesday over copyright interests in The Beatles' songs, asking a New York federal judge to confirm that the legendary songwriter won't face breach of contract claims if he cuts off rights Sony's predecessors acquired 50 years ago.

McCartney had in 2008 filed termination notices — a right under the Copyright Act that permits the makers of songs before 1978 to end copyright licenses and assignments — on a slew of interests in songs he and John Lennon wrote in the 1960s and early 1970s, in a bid to put the songs back under his control starting in 2018, according to the complaint.

But after Duran Duran pulled a similar move and was slapped by its publisher in U.K. court with a breach of contract suit, Sony/ATV refused to assure McCartney it wouldn't treat him the same in the U.S., the songwriter said. He asked the New York court to declare his termination notices weren't a breach of the publishing agreements so he can make plans for his new rights, according to the suit.

"Because the earliest of Paul McCartney's terminations will take effect in 2018, a judicial declaration is necessary and appropriate at this time so that Paul McCartney can rely on quiet, unclouded title to his rights," he said in the complaint.

The suit runs through a brief history of McCartney's songwriting career with The Beatles, including the copyright assignment decisions made by McCartney and Lennon from 1962 to 1971. Sony/ATV eventually acquired the companies that originally held interests in the songs, according to the suit.

McCartney filed termination notices on those agreements more than 56 years after the deals were made, and more than 10 years before the terminations would take effect, he said.



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But when Duran Duran issued similar notices for music the band had made in the 1980s under U.S. Copyright Law, Sony/ATV unit Gloucester Place Music sued the band members in U.K. court for breach of contract, he said.

McCartney's attorneys reached out to Sony for assurances the publisher would hand over its rights without a similar fight, but the company would say only that it didn't want to get tangled in litigation.

Rather than providing McCartney clear assurances he won't face contract troubles for taking back his songs, Sony appears to be waiting to see how the Duran Duran litigation concludes, the songwriter said. But the breach of contract claim is contrary to U.S. copyright laws, he argued.

A representative for McCartney didn't immediately respond to a request for comment late Wednesday. Sony couldn't be immediately reached for comment late Wednesday.

McCartney is represented by Michael A. Jacobs, Roman Swoopes, J. Alexander Lawrence and Paul Goldstein of Morrison & Foerster LLP and John L. Eastman and Lee V. Eastman of Eastman & Eastman.

Counsel information for Sony/ATV couldn't be immediately determined.

The case is James Paul McCartney v. Sony/ATV Music Publishing LLC et al., case number 1:17-cv-00363, in the U.S. District Court for the Southern District of New York.

--Editing by Joe Phalon.