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Oakland anti-plagiarism firm iParadigms embroiled in copyright suit

East Bay Business Times - by [Marie-Anne Hogarth](#)

An attorney for four Virginia high school students is appealing a federal judge's ruling that **iParadigms LLC** of Oakland did not violate copyright laws when it used their work in its Turnitin database, which is used by teachers and professors to check for plagiarism.

Robert Vanderhye, the lawyer who sued iParadigms on behalf of the students, is also challenging the April 9 ruling by U.S. District Court Judge Claude Hilton that when the students used the company's software they legally agreed to a contract that prevents them from suing.

The case builds on a Ninth Circuit Court of Appeals ruling last year in a case involving **Google Inc.** and its display of thumb-sized digital images from the adult photo Web site Perfect 10. The court considered use of these images in Google searches to be "transformative," or sufficiently different from Perfect 10's.

"These cases are on the forefront of decisions that are arising because of changes in technology and that people have a need to store copyrighted works, and use them and store them in their entirety," said Jeffrey Lindgren, a partner with **Morgan Miller Blair** in Walnut Creek.

Schools and colleges contract with iParadigms and require students to submit their work to Turnitin, a software system that compares their work to work of other students and other sources.

"iParadigms, through Turnitin, uses the papers for an entirely different purpose, namely to prevent plagiarism," Hilton wrote.

Andrew Gold, a partner with Oakland-based **Bogatin, Corman & Gold**, said, "It seems to me the real question in the case is how did the court find the minors bound to the click-wrap contract? In California, minors are not competent to enter into legal contracts on their own."

iParadigms did not return telephone calls for comment on the case. The students had sought \$900,000 in damages from the company.

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