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Copyright & Trademark Policy and Trends to Watch in 2026

Michael Hobbs, a partner with Troutman Pepper Locke, was quoted in the January 2, 2026 *Law360* article, "Copyright & Trademark Policy and Trends to Watch in 2026."

"The Copyright Office doesn't get involved in litigation [and] they don't get involved in [making the] law, but they are an administrative arm that does have probably a little bit of sway in terms of whether you get a copyright registration or not," Hobbs said.

…

Congress hasn't voted on the bill in previous sessions despite this support. But Michael Hobbs of Troutman Pepper Locke told Law360 that with next year being an election year, lawmakers might actually want to address deepfakes.

"If third parties are creating this [material], and it becomes an issue in a political race, I think that is going to get a ton of attention from politicians," Hobbs said.

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While much of the USPTO leadership's scrutiny has been focused on the patent side of the agency and the impact on the trademark side seems to be comparably limited — the Trump administration hasn't ended the collective bargaining rights of the union for trademark examining attorneys, for instance — Hobbs said he's concerned that the upheaval will lead to attrition.

"I think the concern as a practitioner is that you are going to lose a lot of really talented" staff, he said.

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