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NFTs on Trial: The Yuga Labs Verdict and What It Means for the Digital Frontier

SPEAKERS

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In this episode of *The Crypto Exchange*, hosts Ethan Ostroff and Genna Garver welcome Glenn Pudelka and Straat Tenney from the firm's Intellectual Property Practice Group. They discuss the Ninth Circuit's pivotal decision in *Yuga Labs v. Ryder Ripps*, which recognizes NFTs as goods under U.S. trademark law. This ruling is a significant advancement in extending intellectual property protections into the digital realm, impacting brand owners and creators in virtual marketplaces.

The conversation covers the court's decision to overturn a \$9 million judgment against Ryder Ripps, citing a lack of consumer confusion with Yuga Labs' Bored Ape Yacht Club NFTs. The group analyzes the court's reasoning and the potential for different outcomes in future cases, emphasizing the fact-specific nature of intellectual property disputes involving NFTs.

The episode also explores the broader dynamic legal landscape of NFTs, examining their classification under the Lanham Act and strategies for intellectual property protection. Glenn and Straat offer insights into their practices and their intersection with digital assets, emphasizing the importance of clear terms and conditions for NFT companies.

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