

# **Copyrights and Their Receivables Under Revised Article 9—The Decreased Displacement Potential of the Copyright Act**

ASHLEY McDOW

## **ABOUT THE AUTHOR**

Ashley McDow is an attorney with ASK Financial, specializing in the analysis and recovery of avoidance claims, accounts receivable, and judgment portfolios. She is a graduate of Loyola Law School, JD, Spring 2006, with an emphasis on bankruptcy and commercial law courses. She is admitted to the California and Washington state and federal bars. She can be reached via email at [AMcDow@askfinancial.com](mailto:AMcDow@askfinancial.com) or by phone at 818.462.0408.

## **INTRODUCTION**

### **I. ARTICLE 9**

### **II. COPYRIGHT ACT**

### **III. PREEMPTION**

- A. The Shift in Language from Former to Revised Article 9 Regarding the Scope of the Article's Application Reduces the Likelihood of Preemption in Relation to Copyrights**
- B. The Copyright Act Does Not Expressly Preempt Article 9 in Its Entirety, as Security Interests Are Neither Mentioned Nor Contemplated in the Pertinent Provisions**
- C. The Copyright Act Expressly Preempts Article 9 for the Perfection of a Security Interest in Registered**