

April 2016

Remembering L. Ray Patterson

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Recommended Citation

Paul J. Heald, *Remembering L. Ray Patterson*, 11 J. INTELL. PROP. L. iii (2016).

Available at: <https://digitalcommons.law.uga.edu/jipl/vol11/iss1/3>

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REMEMBERING L. RAY PATTERSON

*Paul J. Heald**

Some people were surprised to discover that Professor L. Ray Patterson attained national distinction in two fields: Copyright Law and Legal Ethics. After all, what possible connection could there be between two such disparate areas of study? In fact, the connection he saw between copyright policy and legal ethics stimulated the enormous productivity of the last fifteen years of his life. At an age when many of his colleagues were slowing down, Ray picked up his pace, spurred by the growing realization that overreaching intellectual property owners, in league with a compliant and undiscerning Congress, were twisting copyright law with the same motivation for which he consistently chided the bar for failing to better police itself: Greed. Whether criticizing copyright owners, legislators, or attorneys, he was always quick to alert us to when the public interest was being sold out. For him, evaluating copyright legislation or proposed canons of legal ethics involved the same stringent examination of what was good for the public—not what was good for Disney and not what was good for large law firms. He was a consistent irritant to those in power who cloaked themselves in hollow rhetoric designed merely to augment the coffers of their clients or campaign contributors.

Ray would frequently come by my office with the latest tale of power run amok. When Congress decided to retroactively extend copyright protection for twenty years in the Sonny Bono Copyright Term Extension Act, he saw to the heart of the matter in a metaphor designed to capture the multifarious interests at stake: Disney does not want Mickey Mouse to fall into the public domain. When I looked at the Act and learned that Congress demanded nothing from huge media corporations in return for the giveaway of twenty years of monopoly rights worth billions, I had to concede his point. His disgust was exactly the same when he brought me the latest news of attorneys caught up in the latest accounting or banking scandals. He understood human nature, but he could never reconcile himself to a world where so many educated people were so willing to put their own interests before the public. Ray Patterson has passed away, but let us hope that some of his passion and wisdom live on in his students, colleagues, readers, and friends.

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