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Auslander v. Tredyffrin/Easttown School District

United States District Court, E.D. Pennsylvania - December 5, 2022 - F.Supp.3d - 2022 WL 17418625

Taxpayer brought § 1983 action against school district, alleging First Amendment violation arising from district's refusal to allow taxpayer to make verbatim verbal recordings of copyrighted educational materials used by school which were provided by private contractor.

Parties cross-moved for summary judgment.

The District Court held that district's refusal to allow taxpayer to record the materials did not violate taxpayer's First Amendment free speech right.

School district's refusal to allow taxpayer to make verbatim voice recording of copyrighted educational classroom materials used by district, during taxpayer's visual inspection of those materials, did not violate taxpayer's First Amendment free speech right; pursuant to Copyright Act, author had exclusive right to reproduce the copyrighted work, and district had contractual obligation to protect author's copyright.