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Shapiro Award for Consumer Bankruptcy Writing

Keith J. Shapiro

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SHAPIRO AWARD FOR CONSUMER BANKRUPTCY WRITING

In a ground-breaking topic, *CTRL+ALT+DELETE: Does the Bankruptcy Code Need a Reboot?—The Eligibility of Consumer Digital Goods for Liquidation* argues that digital goods should be eligible for resale by a chapter 7 Trustee for the benefit of creditors. In what I think is a first in the award's sixteen years, the winner of the award this year is the incoming Editor-in-Chief of the *Emory Bankruptcy Developments Journal*, Gene Goldmintz.

Gene's Comment demonstrates an in-depth understanding of the intersection between software licensing and bankruptcy at a level far beyond that of many practitioners. This Comment delves into the choppy waters of § 365 of the Bankruptcy Code and the first-sale doctrine to provide guidance regarding the assignability of intellectual property licenses. The Comment recognizes public and societal concerns such as the rights of the public versus copyright holders and the dynamic tension between the goals of rehabilitation of debtors and fair treatment of contractual counter-parties. In conclusion, this Comment demonstrates how, despite living in a world driven by technology, the Bankruptcy Code is flexible enough to address technological changes.

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