

No. 22-1970-cv

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

STEVEN E. GREER

Appellant,

-against-

FOX CORPORATION, *et al*

Appellees.

(For Complete Caption, See Reverse Side of Cover)

*On Appeal from an Order of the
United States District Court for the Southern District of New York*

Letter Regarding Oral Argument

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The Honorable Gerard Lynch
Judge for the Second Circuit Court of Appeals

Cc: Judge Barrington Parker, Jr. and Judge Raymond Lohier

Dear Judge Lynch,

I listened to the audio of the oral argument from today and spotted that I transposed words. I used the word “misapprehension” several times when I meant to say “misappropriation”.

Also, regarding your smart comments about how the preemption concept might have been used by the District Court, you suggested that, for example, the lower court might have ruled that I was trying to use state torts to skirt restrictions against protecting ideas or facts that cannot be protected by the Copyright Act. However, the lower court made comments that were the opposite of that theory. The two judges argued that my misappropriated ideas were actually in written form and, therefore, matters that should have been addressed by copyright law.

That is why I made the “paradox” argument. I cannot use copyright law because of the *Forest* case (and because ideas cannot be copyrighted). In contrast contract tort law is ideal for my situation, and perfectly detailed in *Forest Park*. The lower court never addressed my paradox argument.

Respectfully,

Dated: March 23, 2023



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