

# Accessing and Managing Digital Assets After Death

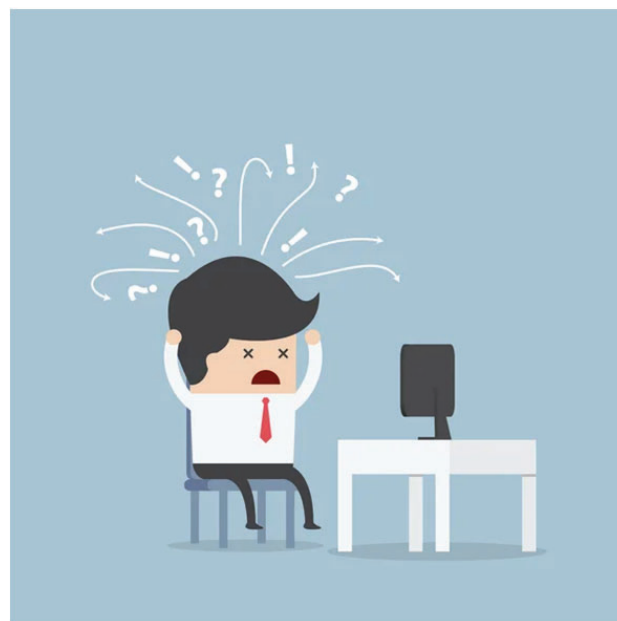
MAITE ELORDUY GOMEZ  
HAILEY M. HANNERS  
Austin, Texas



Osborne Helman  
Scott Knisely & Stanton LLP

1

## What are Digital Assets?



2

## Digital Accounts:

- Digital Asset v. Digital Account
- Transfer “files” not accounts
- Subscription Accounts



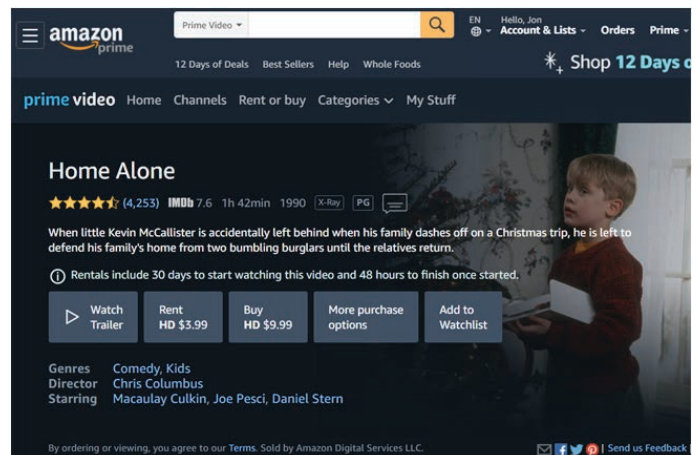
3

## Digital Copyright Assets

From this....



To this...



4

# First Sale Doctrine

## Copyright Act Section 109:

“...the owner of a particular copy or phonorecord lawfully made under this title...is entitled, without the authority of the copyright owner, to sell or otherwise dispose of the possession of that copy or phonorecord...”



5

# Capital Records, LLC v. ReDigi Inc.

ReDigi THE LEGAL ALTERNATIVE

Home Buy Music Sell Music My Music My Account

Find Music

BETA Phase 1. DON'T WAIT. Be part of the Social Music Revolution. UPLOAD your unused MP3s into the ReDigi community, and MAKE MONEY online!

**Sell Your Music**  
Or other legally downloaded digital music  
[Learn More](#)

**Buy Pre-Owned Music**  
At a really low price - as low as 59¢  
[Learn More](#)

**Support Artists**  
Feel good about your purchase  
[Learn More](#)

feedback

Lady Antebellum starting at 59c

Song stuck in your head?  
Get it at ReDigi for less, don't pay more than you have to!

Sell 5 songs get 1 song FREE\*  
\*Average total value earned

BUY MUSIC SELL MUSIC

Go to My Music

What is ReDigi?

Follow the ReDigi Music Revolution: 43,454 fans 99,009 followers

Sell Music: Download ReDigi  
Free for Windows or Mac

6

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](https://utcle.org/elibrary)

Title search: Accessing and Managing Digital Assets After Death

Also available as part of the eCourse

[2023 Estate Planning, Guardianship and Elder Law eConference](#)

First appeared as part of the conference materials for the  
25<sup>th</sup> Annual Estate Planning, Guardianship and Elder Law Conference session  
"Accessing and Managing Digital Assets After Death"