

Rodriguez v. Texas Commission on the Arts

199 F.3d 279 (5th Cir. 2000)

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Abel Rodriguez brought suit against the Texas Commission on the Arts ("Commission") alleging copyright infringement. The Fifth Circuit Court reviewed de novo the district court's decision dismissing the suit for lack of subject matter jurisdiction. Rodriguez claimed the Commission infringed on his design for the Texas license plates when it started selling its specialized "State of the Arts" license plates to Texas residents. Rodriguez's design was registered with the United States Copyright Office. The Fifth Circuit Court affirmed the district court's decision dismissing the suit.

Citizens may not bring suit against a state or any instrumentality of the state without the state's consent. To determine whether Congress abrogated a state's sovereign immunity, a court must ask whether Congress unequivocally expressed its intent to abrogate such immunity and whether Congress acted pursuant to a valid exercise of its power. Congress may not abrogate sovereign immunity unless it does so in accordance with a valid exercise of its power.

The Fifth Circuit Court found that the Copyright Act's plain language clearly expressed its intent to abrogate the State's sovereign immunity from suit in copyright matters. Relying on precedent that established that Congress may not abrogate state sovereign immunity pursuant to its Article 1 powers, the court held that the Copyright Act's sovereign immunity abrogation provision may only be constitutionally justified under the Fourteenth Amendment.

Consequently, the Fifth Circuit affirmed the district court's decision to dismiss Rodriguez's suit.