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Architectural Copyrights: The Eighth Circuit's Structurally Sound Interpretation of 17 U.S.C. § 120

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The Eighth Circuit expanded architectural copyright protection in *Designworks Homes, Inc. v. Columbia House of Brokers Realty, Inc.*, by interpreting § 17 U.S.C. 120(a) consistent with both its plain meaning and legislative intent. In doing so, the court took a pivotal step in protecting architects' copyright interest in floorplans posted on virtual real estate websites without consent. The National Association of Realtors quickly took offense, declaring this an invitation to waves of litigation, hindering the current state of real estate transactions that often occur via websites like Zillow or Redfin. However, as highlighted by the Eighth Circuit, copyright fair use quells the realtor's concerns. This Note not only defends the holding of *Designworks*, but it also provides a framework for analyzing floorplan copyright claims under the fair use defense. It shows that the vast majority of copyright claims, including the claim brought in *Designworks*, would be permissible under fair use.

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