

# Ninth Circuit Finds Substantial Evidence That Ambrosetti's 'Emmanuel' Was Copied

*Ninth Circuit found 8/27 substantial evidence that Farrell/OCP had access to Ambrosetti's "Emmanuel" before publishing strikingly similar "Christ Be Our Light."*

NASHVILLE, TN, UNITED STATES, September 9, 2025 /EINPresswire.com/ -- On August 27, 2025, in

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AMBROSETTI V. OREGON CATHOLIC PRESS Triable issues of fact: (1) reasonable possibility that Farrell had access to “Emmanuel” before she wrote “Christ Be Our Light” (2) works are strikingly similar.”  
*Niinth Circuit Court of Appeals*

a published opinion (case no. 24-2270), the Ninth Circuit Court of Appeals re-instated Vincent Ambrosetti’s federal copyright infringement lawsuit (case no. 3:21-cv-00211-AR, D. Or.), which alleged that Mr. Ambrosetti’s original sacred music work “Emmanuel” was unlawfully copied when Bernadette Farrell composed and Oregon Catholic Press (OCP) published the later work entitled “Christ Be Our Light” (CBOL). The Court of Appeals held that the district court erred in granting summary judgment in favor of the defendants, because in fact Mr. Ambrosetti had presented substantial evidence that Farrell and OCP had access to “Emmanuel” before “CBOL” was composed in 1993 and

because there was substantial evidence, including compelling expert testimony, that the two works were “strikingly similar.” The striking similarities of the two works constituted substantial evidence that Mr. Ambrosetti’s original work had been unlawfully copied by Farrell.

The Ninth Circuit said in its opinion that the evidence showed there was “no dispute” that Owen Alstott (Farrell’s husband and publisher of OCP) had attended the 1985 National Association of Pastoral Music (NPM) convention in Cincinnati and that Farrell herself attended the 1988 NPM convention in Buffalo at which Mr. Ambrosetti performed “Emmanuel.” Thus the evidence showed that Farrell and her publisher OCP had a reasonable possibility of access to and knowledge of the infringed work “Emmanuel” before “CBOL” was composed. The Ninth Circuit also said in its opinion that there was substantial evidence that “Emmanuel” was so widely disseminated in the United States and abroad that it is reasonable to infer that defendants Farrell and OCP had access to the work prior to the composition of “CBOL.”

Finally, the Ninth Circuit held that Mr. Ambrosetti had shown with substantial expert evidence that the two works were “strikingly similar,” that is, “the similarities between them are so great that they are highly unlikely to have been the product of independent creation.” In that case,

where there is a striking similarity between the two works, the copying of a music work is proved without even showing access to the original work. In reaching this conclusion, the Ninth Circuit relied heavily on Mr. Ambrosetti's renowned musicological expert who had opined in the lawsuit that there was "very strong musicological evidence of copying" because the two works were "exceedingly similar."

Based upon the Ninth Circuit's published opinion, Mr. Ambrosetti will now seek in the federal court in Oregon (3:21-cv-00211-AR) an award of damages and other legal and equitable relief against both Farrell and OCP for the unlawful copying and appropriation of his song "Emmanuel." This relief will be sought against both Bernadette Farrell, who composed the infringing work, and Oregon Catholic Press, who knowingly published the infringing work.



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