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Copyright Litigation

Copyrightable material is incredibly diverse, including: works of art, such as paintings, drawings, sculptures and architecture; literary works, such as books, publications and technical manuals; computer software code and website pages; entertainment works, such as toys, television, radio, musical compositions, advertisements and recordings—and much more. Although copyright laws can provide powerful protection for copyright owners, they must first identify and protect their works.

Our Intellectual Property practice group has assisted its clients—from individual writers and musicians to software companies and Fortune 100 companies—in identifying and protecting their valuable works of authorship. This includes registering the works, using proper notice, and, when necessary, prosecuting copyright infringement cases in federal courts. Because our attorneys are also experienced copyright litigators, we bring insight to counseling clients about their copyrights, either before or after a problem arises.

EXPERIENCE

Alexander Global Products v. McDonald's Corporation, et al. (Pennsylvania)

Successfully defended McDonald's in a copyright infringement case, including denial of Request for Temporary Restraining Order.

National Counseling Compensation Insurance v. Insurance Data Resources, Inc. (U.S. Dist. Court, S.D. Fla.)

Successfully defended a startup business in copyright infringement lawsuit centering on the validity and infringement of copyrights in codes, formulas and related manuals used by licensed workers' compensation rating organizations.

Pivot Point International v. Charlene Products, et al. (N.D. Ill. and Seventh Circuit)

KEY CONTACT

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RELATED CLIENT SERVICES

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Trademarks, Copyrights & Trade Secrets
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Represented Pivot Point in a decision that confirmed on appeal on a matter of first impression in the Seventh Circuit the copyrightability of its three-dimensional mannequin head sculpture based on conceptual separability.

The Nielsen Company (U.S.) LLC v. Truck Ads (N.D. Ill.)

Established protectable copyrights and licensing revenue in Nielsen's widely-used DMA maps.

Nielsen Media Research v. Eagle Creek Broadcasting (Corpus Christi, Texas and S.D. Texas)

Defeated preliminary injunction and established the right to de-list TV stations from Nielsen ratings book.

Adam's Apple Distributing, L.P. v. People's Choice (D. Oregon)

Won a copyright infringement action involving affirmative defenses of equitable estoppel and implied license, focusing on unauthorized commercialization of copyrighted artwork.

Flava Works, Inc. v. Gunter et al. (N.D. Ill.)

Won decisive victory in Seventh Circuit regarding copyright liability for hyperlink posting.

Lettuce Entertain You Enterprises, Inc. v. Leila Sophia AR LLC (N.D. Ill.)

Obtained a preliminary injunction preventing defendants from opening a restaurant under the name LETTUCE MIX on the basis that the name infringed upon the family of LETTUCE trademarks.