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# Creative Arts by Calloway, LLC v. Brooks

82 U.S.P.Q.2d 1319 (S.D.N.Y. 2007); No. 01 Civ. 3192 (CLB) (S.D.N.Y. Dec. 11, 2001), *aff'd*, 2002 WL 31303241 (2d Cir. Oct. 11, 2002)

The Firm successfully defended Cab Calloway's grandson, Christopher Brooks, against multiple attempts by his step-grandmother, her family, and their company to prevent him from performing his grandfather's music under the name "The Cab Calloway Orchestra." [More](#)

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The Firm successfully defended Cab Calloway's grandson, Christopher Brooks, against multiple attempts by his step-grandmother, her family, and their company to prevent him from performing his grandfather's music under the name "The Cab Calloway Orchestra." We obtained a dismissal on res judicata grounds of the plaintiffs' copyright infringement claims against Mr. Brooks for his use of Cab Calloway's songs. Judge Richard Owen held the claims should have been brought in an action the plaintiffs filed against Mr. Brooks in 2001 concerning use of the CAB CALLOWAY trademark. In the 2001 action, we obtained summary judgment for Mr. Brooks, which was affirmed by the U.S. Court of Appeals for the Second Circuit.