

Video-Cinema-Films, Inc. v. Lloyd E. Rigler-Lawrence E. Deutsch Found.

No. 04 CV 5332 (S.D.N.Y., Oct. 6, 2006)

We were brought in after the liability phase to represent the defendant in a rare jury trial on statutory damages for copyright infringement. Before we became involved in the case, our client, a nonprofit charitable foundation,[More](#)

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We were brought in after the liability phase to represent the defendant in a rare jury trial on statutory damages for copyright infringement. Before we became involved in the case, our client, a nonprofit charitable foundation, was found liable for copyright infringement based on the defendant's use in its Classic Arts Showcase television programming of a short clip from the 1947 movie Carnegie Hall. The plaintiff sought a finding of willful infringement, which would have permitted an award up to \$150,000.00. But we persuaded the jury that our client did not act willfully, and the jury awarded only \$6,700.00 to the plaintiff. This judgment was cut in half by an award of costs to our client because the judgment did not exceed the Rule 68 Offer of Judgment made on our client's behalf immediately upon our entering the case.