

# Legal Analytics® for Copyright Litigation

For the first time, Lex Machina's Legal Analytics for Copyright Litigation provides attorneys and the authors of works, or accused infringers, they represent with the ability to make data-driven decisions about federal copyright case strategy and tactics. Now, you can use quantified insights into the behavior of district court judges, opposing parties, and opposing counsel to gain competitive advantage in copyright litigation.

## The Winning Edge

With Legal Analytics you can supplement traditional legal research and reasoning with detailed information about trends in copyright case timing, resolutions, damages, findings, damages and remedies. This information can make all the difference in your case.

Lex Machina's copyright data includes federal cases with one or more claims of infringement brought under 17 USC §101, including claims of ownership, validity, license, equitable defense or fair use, including declaratory judgment actions.

Copyright Findings by Judgment Event

Findings	Default Judgment	Consent Judgment	Judgment on the Pleadings	Summary Judgment	Judgment as a Matter of Law	Trial	Any Judgment Event
Infringement	1,256	365	4	272	104	2	1,986
No Infringement	21	15	13	297	46	5	398
Ownership / Validity	12	87	1	54	24	1	172
No Ownership / Validity	5	2	1	55	10	2	75
License or Equitable Defense	1	1	3	61	6	1	74
No License or Equitable Defense	0	0	0	39	8	1	47
Fair Use Defense	2	1	1	37	4	0	45
No Fair Use Defense	0	0	0	26	7	0	32

## Gain Strategic Insights

In the 22,000+ cases terminated from 2009 to present, there have been over 2000 findings of infringement, over 2800 permanent injunctions granted, and over \$1 billion in damages awards.

Most active districts include the Central District of California (music and film cases) and the Southern District of New York and Northern District of Illinois (major brands and publishing cases).

*"With Legal Analytics, companies are better able to understand the other party and craft strong IP strategy."*

Ian Ballon, IP Litigator, Greenberg Traurig LLP

## Unique Copyright-Specific Data

**Case Tags** – file sharing cases (enabling users to exclude from analysis these 6,400+ repetitive “copyright troll” cases suing ISP addresses of anonymous John Doe defendants), trial (bench and jury), appeal, declaratory judgment

**Case Timing** – median days to grant of permanent injunction, trial, termination

**Case Resolutions** – judgment resolutions for claimants and claim defendants (default, consent, judgment on the pleadings, summary judgment, trial, JMOL), procedural resolutions (dismissal, consolidation, severance, transfer, stay), likely settlements (plaintiff voluntary dismissal, stipulated dismissal)

**Findings** – infringement, fair use, ownership/validity, license or equitable defense

**Damages** – statutory damages (including for willful infringement), actual damages and infringer's profits, public performance license attorneys' fees, costs, prejudgment interest

**Remedies** – seizure/destruction of goods, preliminary injunction, permanent injunction, temporary restraining order