



Specialty Box Office: 'Before Midnight' Bows ...



COMMENTS (8)

HOLLYWOOD

NEW YORK

Like 96

LONDON PARIS

BREAKING! Deadline's Parent Company Sues The Hollywood Reporter's Parent Company For Copyright Infringement

By NIKKI FINKE, Editor in Chief | Wednesday September 14, 2011 @ 5:58pm PDT

Tweet 51

Tags: Deadline Hollywood, Deadline.com, PMC, Prometheus Global Media, The Hollywood Reporter

2ND UPDATE: The Hollywood Reporter has just removed from its website PMC's unique and original featured module comprised of source code that produced PMC-owned TVLine.com's distinctive homepage. This egregious theft and other issues form the basis for the copyright infringement lawsuit which Deadline's parent company PMC filed today against The Hollywood Reporter's parent company Prometheus Global Media.

in Share 15 tapprint

PMC had spent numerous months and substantial resources in researching and developing the most optimized, intuitive, and userfriendly way to come up with a creative, unique, and interactive featured module for its TVLine.com. The featured module was created using unique and original source code. On or around August 2011, THR copied and stole PMC's source code for this featured module, and as a result THR's homepage featured module is nearly identical to that of TVLine. Even the names and labels of THR's source code is identical to TVLine's. PMC was formerly known as Mail.com Media Corporation, commonly referred to under the acronym MMC. For that reason, the initials 'MMC' appear in each of the labels. THR's source code and module still contained the initials 'MMC' in its labels. THR's source code also flagrantly contained PMC's same inadvertent misspelling of the word 'Carousel'.

UPDATE 1 PM: Yes, Hollywood is indeed buzzing about today's lawsuit. And so are mediacentric websites.

PREVIOUS 11 AM: For the record, Penske Media Corporation, the parent company and owner of various leading digital media properties including Deadline.com, this



Prometheus Global Media LLC, which owns and operates The Hollywood Reporter, for copyright infringement. Here is the link to PMC's complaint and its exhibits. The lawsuit, filed in U.S. District Court for

the Central District of California and requesting a jury trial, is very juicy and makes for great reading. Here is the summary:

As most businesses or individuals who operate within the industry of online publishing and digital media understand, copying, mimicking, and/or altering of others' content

and design unfortunately occurs intermittently within that industry. However, The Hollywood Reporter ("THR") has differentiated itself from other companies within the media industry by not only carrying out this unethical practice with alarming regularity, indeed on an almost daily basis, but also by resorting to the outright theft of intellectual property, including but not limited to whole articles, content, software, source code and designs. In an industry where a company's brand is largely defined and dictated by the

intellectual property, it is absolutely essential that intellectual property rights and assets be mightily protected from thievery, such as that exhibited by THR. This is evident through the billions of dollars that are spent on an annual basis by movie studios, TV networks, record labels, and media companies, as well as the U.S. government and other countries around the world, for the purpose of protecting and ownership defending copyrighted original material and content from piracy. This is the same publishing and media industry in which PMC operates. Over

value of

its

originally created

many years, PMC has distinguished content and time-sensitive breaking news stories about all facets of the entertainment

FREEDMAN & TAITHLMAN, LLP BRYAN I FREEDMAN (SBN 151996) STEVEN B. STIGLITZ (SBN 222667) JONATHAN M. GENISH (SBN 259031) genisheddlle.opes 1901 Avenue of the Stars, Suite 500 California 90067 Los Angeles, Coliforn Fel.: (710) 261-0005 Fee: (710) 201-0045 Attorneys for Pjaintiff Penske Media Corporation dha PMC 9 UNITED STATES DISTRICT COURT 10 CENTRAL DISTRICT OF CALIFORNIA 11 12 PENSKE MEDIA CORPORATION LACY 11 - 7560 VERIMENO COMPLAINT FOR COPYRIGHT INFRINGEMENT 13 14 15 16 PROMETHEUS GLOBIAL MEDIA, LLC, a Delawage impeditability company a bis hall-switnerporter com; and DOES Ethnough 10, inclusive, DEMAND FOR JURY TRIAL 17 18 Defendants. 19 20 21 22 Plaintiff Prenke Media Corporation, doing business as PMC ("PMC") (fermerly known as Mail.com Media Corporation), the parent campany and owner 23 of various leading digital media properties including: BUR.com (Boy Genius Report), Deadline.com (Deadline Hollywood), Estertainment News Television ("ENTV"), HellywoodLife.com, Movieline.com, OnCars.com, TVI.ine.com ("TVLine"), and PMC events including: Young Hollywood Awards, Style Award. and Breakthrough of the Year Awards, alleges as follows: COMPLAINT FOR COPYRIGHT INFRINGEMENT itself as a leader in entertainment and technology-related digital media by investing in its personnel, by researching and investigating, and by obtaining exclusive original

and technology industries. Which is why THR's theft and piracy of PMC's content and intellectual property, as documented in this Complaint, is so significantly damaging to PMC, its brands, and its value and position in the marketplace. Among other reasons, PMC is filing this lawsuit to protect its content creation and development, and to finally put an end to THR and other websites' misappropriation of PMC's hard-earned product and intellectual property. Enough is enough.

PMC is taking a stand against desperate and copycat news organizations and media

outlets such as THR that constantly monitor PMC's websites for the sole purpose of

copying and imitating PMC websites' news stories and original content within minutes after online publication. These copycat media outlets such as THR, rather than

conducting their own independent reporting and investigation, developing their own sources and insiders, and generating their own leads and stories, simply steal PMC's content and pawn it off as their own. In truth, THR, faced with the harsh reality that it had become a second-rate entertainment industry news source unable to attract insiders' attention anymore, changed ownership and re-launched its website. At first it hoped to create a competitive online presence by going after a broader consumer-focused audience with celebrity news and gossip. When consumer, retail and other related advertising failed to appear,

THR began trying attracting Hollywood trade advertising again. It has become

abundantly clear that part of THR's turnaround strategy was to engage in an unprecedented campaign of theft and misappropriation of PMC's intellectual property and content to accomplish that.

TVLINE - TV block Previous

www.rufine.com

The Latest Streets was to

www.hollywoodreperter.com

Lest Level: 0/L1/11 3:04.25 Her fam 4) -- Onomic/TVL1 Last Record 9(1)/13 0-49-21 File Part # :- (December IV.) Nuttigibili Gida - I 1 - + 1 be cal con - 1 AMETHATIOCOCATRASE! (margin: 10px Spx llvs 10px; overities:relative; MCTanturations 1 merginin; mouthing action - abit display solins-block; sveril PHOTOStype Ing eddth 462x; tolght:271px; (audito:504mm; height:356cm; Plost: right; overflow/hid PERCENT C flast-right; sverflow/thiner width: 100%; MID OLISE & E display:Inline-block; width:1895; position: relative; position:relative; neight: 87gm; margis-tottom: 4pm; helight (64ex) *wargin-botton:4pc; slittle3f Prelight: Wildpoor height: 8794) width likes; margir-bustum ips; aldth: 185pt; PMCF(Selector [pos2tion;shisi) MMCDeJode maan d finat Left; margia-right;0 4pc d 0pc; MCCITT'S SOM Exhibit 7 Displayed are side by side screenshots of the CSS code applied to the "Featured Stories Module" on TVLine.com and HollywoodReporter.com. One can lucidly see that the HollywoodReporter's CSS is merely a slight revision of the TVLine.com original CSS code. The HollywoodReporter's unashamed use of "MMC"* prefixed CSS Classnames and CSS

techniques, coupled with several CSS classes

former designation: Mail.com Media

Corporation, which owns TVLine.com)

that remain unchanged from the original TVLine

code implementation further confirms this theft of copyright. (*MMC is the acronym for PMC's

to steal its original ideas, designs, and content.

employee to breach their existing and exclusive contractual obligations to PMC. When that strategy failed, THR's owners and managers pretended to negotiate with PMC for PMC's www.deadline.com ("Deadline") provide trade news for the relaunched THR website. When that strategy also failed, THR then began its incessant misappropriating campaign of wholesale content from Deadline's website. As if that were not bad enough, THR then egregiously and flagrantly integral code source PMC's

First, THR attempted to poach PMC's

by

urging

key employees,

intellectual property from www.tvline.com ("TVLine") website in a blatant act of copyright infringement. In fact, THR was so incompetent and careless in its theft, that it actually copied the original source code labels exactly as they existed on TVLine, and did not even attempt to rename them.

Many of TVLine's source code labels, which are created for organizational purposes, contain the initials MMC, the acronym for PMC's former name Mail.com Media Corporation (MMC). THR, in copying and pasting PMC's TVLine source code, are still utilizing the "MMC" initials within their labels. These initials act as a clear set of digital fingerprints that further demonstrate the glaringness of THR's theft. THR did not even make an effort to correct typographical errors contained in PMC's source code. As of the date of this Complaint's filing, any individual can go to

THR's website and, with the simple click of a mouse, discover THR's blatant infringement. Accordingly, PMC seeks to recover for the substantial damages it has suffered because of THR's actions and to enjoin THR from continuing to steal PMC's property. Additionally, this action shall serve as notice to all those with similarly unethical and nefarious intentions that PMC shall not stand by idly and allow such injurious conduct. To the contrary, PMC will vigorously protect its rights and prosecute all those who aim