

Intellectual Property Hot List



Donald S. Zakarin, left, chairman of Pryor Cashman's litigation group, and Brad D. Rose, right, chair of the firm's intellectual property group

Pryor Cashman

Andrew Ramonas, *The National Law Journal*

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Since its founding in 1963, Pryor Cashman has focused on protecting content, a model that in 2013 paid off with key victories for singer Elton John, filmmaker Tyler Perry and other well-known clients in the entertainment industry.

The firm also helped EMI Music Publishing Ltd. retain its ownership of "Santa Claus Is Comin' To Town" and stop an attempt to prevent The Weinstein Co. from releasing a biopic about "Deep Throat" actress Linda Lovelace.

"It's a labor of love for us," litigation group chairman Donald Zakarin said of the firm's work.

In the John case, the U.S. Court of Appeals for the Seventh Circuit upheld dismissal of a lyricist's claim that "Nikita" infringed on a song called "Natasha," ruling that they weren't similar. Songwriter Guy Hobbs appealed to the U.S. Supreme Court, which declined to take the case. Pryor Cashman partners Tom Ferber and Ilene Farkas handled the matter.

For Perry, a judge threw out a suit brought in the Southern District of New York by a writer who alleged the filmmaker's movie "Good Deeds" stole material from her book, "Bad Apples Can Be Good Fruit." The court ruled that the movie and the book by Terri Donald told different stories. Ferber handled the case.

In the Weinstein case, a Southern District of New York judge shot down a request by Arrow Productions Ltd. to stop the film company from distributing "Lovelace," featuring "Deep Throat" re-enactments; Arrow owns the rights to "Deep Throat." Ferber is handling the case, which remains pending.

As for EMI, Pryor Cashman helped the publisher convince a Southern District of New York judge to toss a suit brought by the family of late songwriter J. Fred Coots to recover rights to the Christmas song. The court ruled that EMI owns the rights until 2029. The Coots family has appealed to the Second Circuit.

FIRM FACTS:

Year founded: 1963

Headquarters: New York

Total attorneys: 130

IP partners: 30

IP associates: 21

Patent agents: 0