

Brooks Pierce Wins Key International Copyright and Trademark Infringement Case, Client Awarded Nearly \$9 Million

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Brooks Pierce successfully represented Colombian broadcaster Caracol Television S.A. and its affiliated company Caracol Television Inc. (Caracol) in a copyright and trademark infringement lawsuit that should send a warning to any individual or organization looking to pirate media content. Brooks Pierce attorneys Charles E. Coble, Coe W. Ramsey and Fernando J. Alvarez-Perez obtained a ruling of willful copyright infringement, and Caracol was awarded the maximum damages allowed.

Caracol is a diverse international media and entertainment company that creates, produces, compiles and distributes a wide range of television programming on channels throughout the world, including the Colombian broadcast television network Caracol.

In August 2016, Brooks Pierce filed a lawsuit on behalf of Caracol in the U.S. District Court for the Southern District of Florida against defendants Eduardo Perez Bucci and his affiliated companies. Bucci and the other defendants operate an online video distribution platform—or “virtual” cable system—through which they provide access to television programming content internationally to subscribers for a fee via the Internet. Without Caracol’s authorization, the defendants distributed Caracol’s Colombian broadcast feed, including Caracol’s original programming content, on multiple websites and streaming platforms.

In its recent ruling, the court found that Bucci willfully infringed Caracol’s copyrights and found him liable for trademark infringement and trademark dilution. The court also granted a permanent injunction prohibiting the defendants from distributing Caracol’s content and using Caracol’s trademarks. The court also awarded Caracol nearly \$9 million in damages— including an award of copyright statutory damages at the maximum level and trademark damages.

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“This case is a perfect example of what can and should happen to parties who decide to willfully infringe copyrighted content,” said Ramsey, a partner with Brooks Pierce in the media and entertainment practice.

“We’re pleased that Caracol has successfully enforced its intellectual property rights with a permanent injunction against the defendants, and we hope this sets an example for others on the stiff penalties they could face for pirating content,” said Helen M. Panero, International Legal Counsel of Caracol.