

Charlotte Law Firm Prevails in Copyright Infringement Suit

This case sets a new precedent as to what can be considered copyrightable subject matter.

07.17.2014

Lawyers: [W. Thad Adams, III](#)

CHARLOTTE, N.C. — After two years of litigation, Shumaker, Loop & Kendrick, LLP's (www.slk-law.com) Intellectual Property (IP) law practice group wins a precedent-setting copyright case for Home Legend, a major distributor of laminate flooring products, against competitor Mannington Mills.

The decision of the United States District Court for the Northern District of Georgia (Case No. 4:12-CV-0237-HLM) was a major triumph for Home Legend that sets a precedent as to what can be considered copyrightable.

In early July, a federal judge ended an attempt by Mannington Mills to use copyright to restrict competition in the manufacture and sale of flooring products based on designs originating with patterns derived from nature in a case litigated by W. Thad Adams, III of Shumaker, Loop & Kendrick.

"The outcome of this case establishes a new model for determining copyrightable subject matter," said Adams. "It's a huge victory for Home Legend and for the IP practice at Shumaker, Loop & Kendrick."

The Court entered summary judgment for Adairsville, Ga.-based Home Legend and dismissed Mannington's infringement claim, ruling that designs copying elements in nature are not eligible for copyright protection.

Home Legend's Distressed Maple Mendocino line of flooring did not infringe on a copyright Mannington registered for its Time Crafted Maple product line, stated the Court.

"The protection granted to a copyrightable work extends only to the particular expression of an idea and never to the idea itself..." noted the Honorable Harold L. Murphy, United States District Court Judge, in rejecting Mannington's copyright claim. "The result is that copyright assures the authors the right to their original express, but encourages others to build freely upon the ideas and information conveyed by the work."

Edward Hine, Jr. of Edward Hine Law in Rome, Ga. also represented Home Legend.

[About Shumaker, Loop & Kendrick](#)

Shumaker, Loop & Kendrick, LLP (www.slk-law.com) is a full-service business law firm with more than 230 lawyers, 55 paralegals and 475 employees in five offices: Toledo and Columbus, Ohio; Tampa and Sarasota, Fla.; and Charlotte, N.C. In each of its markets, Shumaker is the premier provider of quality legal services to individuals, small businesses, health care providers, nonprofits and Fortune 500 and international corporations.

[About W. Thad Adams, III](#)

SHUMAKER[®]

Shumaker, Loop & Kendrick, LLP

Adams began his professional practice of Patent, Trademark and Copyright Law in Charlotte, N.C. in 1971. In 2011, he joined Shumaker, Loop and Kendrick, LLP, where he is co-chair of the firm's Intellectual Property practice group.

Adams is registered to practice before the United States Patent and Trademark Office and the United States Copyright Royalty Arbitration Panel of the Library of Congress. He is also admitted to the bar of the Supreme Court of the United States of America and numerous lower courts.

Adams is a North Carolina certified mediator, and is a member of the International Trademark Association mediator network, an alternative dispute resolution resource for members of the Association and the general public involved in trademark disputes.

###

Related Practices

- Intellectual Property

Related Offices

- Charlotte, NC

Media Contact

Jennifer R. Malin
Director of Marketing
Tampa, FL
jmalin@slk-law.com