

Kelley Drye Wins Kelsey Grammer and CBS Studios Copyright Case over "The Game" TV Show

November 30, 2011

Kelley Drye successfully represented CBS Studios, Inc., actor Kelsey Grammer, Gramnet Productions, Akil Productions and well-known television writer and producer, Mara Brock Akil in a lawsuit filed by Cassandra Colo'n, an aspiring television writer in Indiana.

Ms. Colo'n claimed that several episodes of the successful television series, "The Game," were copied from her spec script, which she alleged that she had sent to an agent. Alleging copyright infringement, Ms. Colo'n filed a lawsuit in federal court in Indiana against the defendants represented by Kelley Drye.

Kelley Drye won the motion to dismiss the complaint, on the grounds that these defendants were not subject to personal jurisdiction in Indiana. The district judge agreed, dismissing the defendants from the case. Kelley Drye explained - and the court agreed - that the defendants did not have sufficient contacts with Indiana in order to subject them to jurisdiction there, notwithstanding their production of "The Game" television series, which was ultimately broadcast nationwide.

Ms. Colo'n filed an appeal with the Seventh Circuit Court of Appeals. On November 23, 2011, the Court of Appeals affirmed the decision of the district court, dismissing the case against the defendants. This decision is a resoundingly positive outcome for TV producers and studios, as the case stands for the proposition that producing a television series that is later broadcast across the country does not, without more, give rise to personal jurisdiction in every state in the nation over the producers. Specifically, the court agreed that creation of "The Game" television series did not mean the defendants had purposefully availed themselves of the privileges of conducting business in the state of Indiana.

To read the Seventh Circuit Court of Appeals order, click [here](#).