

Copyright case: Gold Value International Textile Inc. v. Sanctuary Clothing LLC, USA

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A clothing company that knowingly included inaccurate information in its copyright application—which rendered its registration invalid—was ordered to pay \$121,423 in costs and attorney fees to retail outlets that successfully defended themselves against infringement claims.

In a copyright infringement action brought by clothing company Gold Value International Textile, Inc., alleging infringement of its fabric design by various retail outlets, the U.S. Court of Appeals for the Ninth Circuit has affirmed the district court's conclusion that the copyright registration was invalid for including inaccurate information in the copyright application. The plaintiff clothing company knowingly included previously published designs in its application to register an unpublished collection that would have caused the Copyright Office to deny registration if it had known of the falsehood. The appeals court further held that the defendant retail outlets, which included Amazon, Bloomin' dales, and Nordstrom, were entitled to attorney fees and costs of \$121,423 as prevailing parties even though they prevailed on a technical defense (Gold Value International Textile, Inc. v. Sanctuary Clothing, LLC, June 4, 2019, Steeh, G.).

Case date: 04 June 2019
Case number: No. 17-55818
Court: United States Court of Appeals, Ninth Circuit

A full summary of this case has been published on [Kluwer IP Law](#).