

Copyright blog: Southern Credentialing Support Services L.L.C. v. Hammond Surgical Hospital L.L.C., USA

Kluwer Copyright Blog
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Hospital infringed on credentialing service's copyright by using forms, but the infringement began when the forms were not yet registered. A medical credentialing support service is barred from recovering statutory damages and attorney's fees for a hospital's use of its credentialing forms after their relationship ended, the U.S. Court of Appeals for the Fifth Circuit said. The court affirmed that Hammond Surgical Hospital violated Southern Credentialing Support Services' copyright when it continued to use 50 pages of the company's credentialing forms after 2013 when they no longer had a business relationship. Doctors fill out the forms in order to be credentialed to practice at hospitals and Southern Credentialing verifies the information the doctors provide. Southern Credentialing provided the service to Hammond Surgical Hospital from 2010 until 2013. However, the court ruled that Section 412 of the Copyright Act of 1976 barred the credentialing company from recovering statutory damages or attorney fees because the violations began before Southern Credentialing registered a copyright for its credentialing forms (Southern Credentialing Support Services, L.L.C. v. Hammond Surgical Hospital, L.L.C., January 9, 2020, Costa, G.).

Case date: 09 January 2020

Case number: No. 18-31160

Court: United States Court of Appeals, Fifth Circuit

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

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