
Kluwer Copyright Blog

USA: Microsoft Corp. v. Buy More, Inc, United States Court of Appeals, Ninth Circuit, No. 15-56544, 27 June 2017

Thomas Long (Wolters Kluwer Legal & Regulatory US) · Wednesday, July 19th, 2017

Microsoft Corp. established, as a matter of law, that several California retailers infringed the software giant's copyrights and trademarks by selling 60 units of software, each of which included a counterfeit copy of Microsoft Windows 7 or Microsoft Office 2007, the U.S. Court of Appeals in San Francisco has determined. A judgment against the retailers for \$1.95 million in statutory damages was affirmed. The defendants presented no evidence or argument to challenge Microsoft's ownership of its asserted copyrights and trademarks, or Microsoft's infringement theories. Instead, the defendants tried to pin blame for the misconduct on a single individual defendant. The court rejected this argument because there was "overwhelming" evidence that all defendants personally participated in the infringement (*Microsoft Corp. v. Buy More, Inc.*, June 27, 2017, per curiam).

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

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