

Kluwer Copyright Blog

Copyright blog: Design Basics LLC v. Kerstiens Homes & Designs Inc., USA

George Basharis (Wolters Kluwer Legal & Regulatory US) · Monday, July 19th, 2021

“Copyright troll” Design Basics failed to show that copyrighted home designs and allegedly infringing floor plans were “virtually identical.”

An infringement suit by Design Basics, LLC, which holds copyrights in thousands of single-family home floor plans and has brought hundreds of infringement suits against homebuilders nationwide, was properly dismissed because Design Basics failed to prove that the similarities between its copyrighted designs and the allegedly infringing floor plans of an Indiana homebuilder were anything more than standard features found in most suburban homes across the country, the U.S. Court of Appeals for the Seventh Circuit has determined. In addition to affirming the district court’s dismissal of the infringement suit and finding that the copyrighted plans were “thin” and deserving of little copyright protection, the court of appeals affirmed the lower court’s award of over \$500,000 in attorney fees and costs against Design Basics (Design Basics, LLC v. Kerstiens Homes & Designs, Inc., June 16, 2021, Scudder, M.).

Case date: 16 June 2021

Case number: Nos. 18-3202

Court: United States Court of Appeals, Seventh Circuit

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

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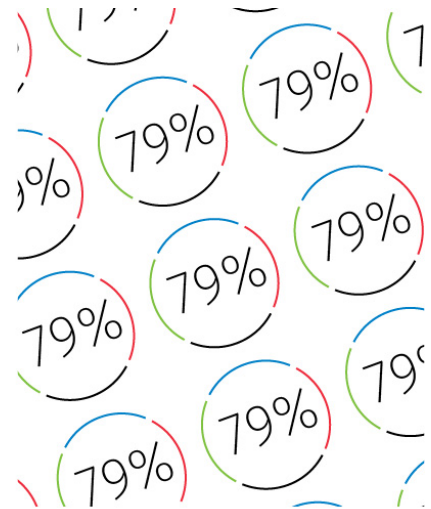
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