

### Katten Obtains Dismissal of Copyright Infringement Allegations for NBC Universal Inc.

February 28, 2013

The US Court of Appeals for the Ninth Circuit affirmed the district court's grant of Katten's motion to dismiss a suit filed by *Carnival of Souls* graphic novelist Jazan Wild against NBC Universal Inc. and the producers of the television series *Heroes*. In dismissing a federal claim for copyright infringement due to lack of substantial similarity, the Ninth Circuit stated that other than the presence of generic carnival elements, "the two works differ radically in their plot and story lines, their characters, the dialogue, the setting and themes, and the mood." Los Angeles – Century City litigators Gail Title, Joel Weiner and Cory Baskin represented NBC and the producers, who were also awarded attorneys' fees. ("[NBC Beats Graphic Novelist's \*Heroes\* IP Claims in 9th Circ.](#)," February 28, 2013)

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#### CONTACTS

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