

## AXIS CLAIMS EXAMPLES

# FILM

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The following claims examples illustrate the types of exposures the film industry can face

### — LIBEL

A production company produces a television docudrama about a band's rise to fame. The band's manager files multiple separate lawsuits alleging defamation based on his portrayal in the movie.

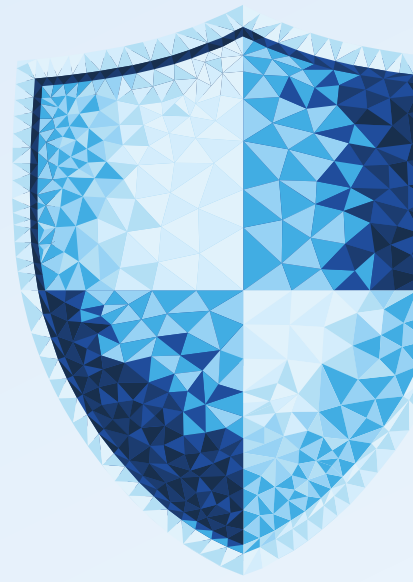
A production company produces a reality law-enforcement television series. A woman sues the production company and the police department for defamation and other claims for showing her arrest in an episode. Although the production company had a signed release from the woman, she claims the police pressured to her to sign it. The production company is ultimately dismissed based on statute of limitations.

A production company covered under a network program providers policy produces a television show featuring engineering accidents. An engineering firm sends a letter to the network claiming the show damaged its reputation.

### — MISAPPROPRIATION OF NAME/LIKENESS

A production company produces a television series about failed plastic surgeries for a network. The network receives a letter from a woman alleging misappropriation of likeness based on the use of her photo in promotions for the series.

A production company creates a documentary about the history of basketball. A basketball star alleges the use of his name and image in the documentary violates his rights of publicity by using his likeness without his permission.



## — INVASION OF PRIVACY

A production company produces a reality television series about children's dance groups. Footage of a child changing costumes backstage is accidentally broadcast in an episode. The child's parents sue on her behalf alleging invasion of privacy and infliction of emotional distress.

A production company produces a reality law-enforcement television series for a network. A man whose arrest was featured in an episode and in the series' opening sues the production company and the network, claiming misappropriation of likeness and false light invasion of privacy. Although the production company previously had a signed release from the man, they misplaced it, and the man alleges it was a forgery.

A production company creates a documentary, in which a woman is shown discussing her drug use. The woman alleges invasion of privacy and defamation. The insured had footage of the woman agreeing to be included in the documentary.

## — COPYRIGHT INFRINGEMENT

A production company releases a sci-fi film, and a plaintiff files suit against the production company and distributor alleging it infringes on his screenplay, which he posted online several years prior. The court dismisses the plaintiff's case upon finding he failed to establish that the production company had access to his screenplay and failed to prove "striking similarity" between the two works.

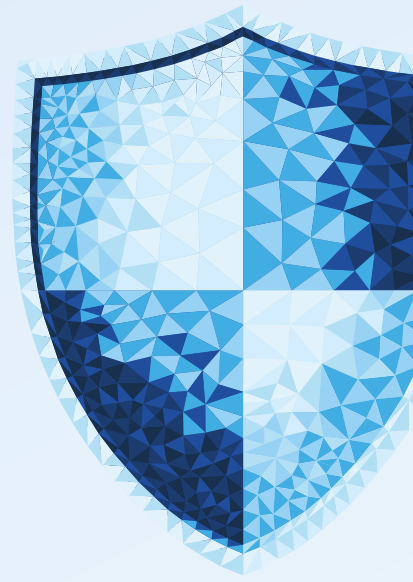
A talk show host is sued by a blogger for copyright infringement for allegedly stealing his jokes from his blog and Twitter account. After protracted litigation, the case settles.

A home design show includes a certain coffee table design in an episode. An artist alleges the artwork on the table's surface infringes his copyrighted artwork.

A studio releases a sequel to a horror film; the original film was based on a book. The author of the book files suit alleging the studio failed to get the proper licenses from her for the sequel.

A production company creates a true crime series. A copyright holder granted a 5-year license to use his photos in an episode. The episode was broadcast past the 5-year term, so the copyright holder asked the insured to cease and desist using his photos.

A television production company produces a popular reality television show and later produces a similar show based on the same premise. An executive producer sues for conversion and breach of contract claiming that he is entitled to executive producer fees and credit for any subsequent productions of the original show per the parties' contract.



## — TRADEMARK INFRINGEMENT

A production company releases slot machines featuring the name of a popular television series. The hosts of a radio program with the same name file suit alleging trademark infringement of their trademark in the name in connection with gaming.

A production company films an episode of a television series in a gym with the gym logo in the background. The production company had secured the proper licenses from the gym's owner, but a third-party company files suit claiming the gym logo infringes its trademark. The production company demands indemnification from the gym's owner.

A movie studio sends a letter to a production company claiming that the title of the production company's television series infringes the studio's trademark in the title of its film.

## — TRADE SECRETS

A company launches a website and begins to develop products and projects for film and television centered around a cartoon character. The plaintiff files suit alleging misappropriation of trade secrets, breach of contract, and tortious interference, claiming the company stole his idea for a business model and marketing plan.