

**Arrow Prods., Ltd. v. The Weinstein Co., LLC,
44 F. Supp. 3d 359 (S.D.N.Y. 2014)**

Year	2014
Court	United States District Court for the Southern District of New York
Key Facts	Plaintiff entertainment company owns the copyrights to a pornographic film titled <i>Deep Throat</i> . In 2013, defendant produced the film <i>Lovelace</i> , which is based on the biography of Linda Lovelace, the star of <i>Deep Throat</i> . Plaintiff alleged that three scenes in defendant's film infringed corresponding scenes in <i>Deep Throat</i> .
Issue	Whether defendant's recreation and use of three scenes from plaintiff's copyright protected film in a new film about the star of plaintiff's film was fair use.
Holding	The court held that defendant's recreation and use of three scenes from <i>Deep Throat</i> in a film based on the biography of Ms. Lovelace was fair use. The court found defendant's use transformative, as it added a "new, critical perspective" on the life of Ms. Lovelace. The court also found that, despite the creative nature of <i>Deep Throat</i> , the defendant only copied elements of three short segments from the film and did not copy the heart of the film, which weighed in favor of a finding of fair use.
Tags	Second Circuit; Film/Audiovisual; Review/Commentary
Outcome	Fair use found

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