

**Adjmi v. DLT Entm't, Ltd.,
No. 1:14-cv-00568-LAP (S.D.N.Y. Mar. 31, 2015)**

Year	2015
Court	United States District Court for the Southern District of New York
Key Facts	Playwright David Adjmi authored <i>3C</i> , a play that copies the plot premise, characters, sets, and certain scenes from the popular 1970's television series <i>Three's Company</i> . DLT Entertainment Ltd. ("DLT") owned the copyright in <i>Three's Company</i> . In 2012, DLT sent a "cease-and-desist" letter to Adjmi and the several production companies responsible for performances of <i>3C</i> . The letter claimed <i>3C</i> infringed DLT's copyright in <i>Three's Company</i> and demanded Adjmi and others refrain from producing further performances of the play (among other demands). In response, Adjmi sought declaratory judgment that <i>3C</i> does not infringe DLT's copyright in <i>Three's Company</i> . In support of his action, Adjmi claimed his copying aspects of <i>Three's Company</i> was for the purpose of parody, and thus fair use.
Issue	Whether the owners of the copyright in the television series <i>Three's Company</i> could prevail in a copyright infringement action against the author and/or producers of a play that copies various aspects of the television series.
Holding	The court ruled that <i>3C</i> is a parody and a fair use of <i>Three's Company</i> , holding that "there can be no set of facts to support an action for copyright infringement by DLT against Adjmi." In reaching its conclusion, the court found <i>3C</i> to be a highly transformative parody of <i>Three's Company</i> and a "drastic departure" from the original television series. Specifically, the court determined that, while there is no question that <i>3C</i> copies the plot premise, characters, sets, and certain scenes from <i>Three's Company</i> , it uses "the familiar <i>Three's Company</i> construct" as "a vehicle to criticize and comment on the original's light-hearted, sometimes superficial, treatment of certain topics and phenomena." The court further determined that <i>3C</i> uses the "raw material" of <i>Three's Company</i> to create "new information, new aesthetics, new insights and understandings" and represents "the very type of activity that the fair use doctrine intends to protect for the enrichment of society."
Tags	Second Circuit; Film/Audiovisual; Parody/Satire; Textual work
Outcome	Fair use found

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