

CoStar Prevails in Copyright, CFAA and Unfair Competition Claims Against Xceligent Contractor RE BackOffice Inc.

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The firm's client, CoStar Group, Inc., the nation's leading provider of commercial real estate information, believed that one of its competitors was copying its proprietary data and infringing its copyrighted photographs on an industrial scale, using "researchers" in the U.S., India, and the Philippines. On October 18, 2017, Williams & Connolly brought suit in the U.S. District Court for the Western District of Pennsylvania on CoStar's behalf against the competitor's agent, claiming secondary copyright infringement, conspiracy to violate the Computer Fraud and Abuse Act, and conspiracy to engage in unfair competition.

Rather than contest the allegations, the defendant, RE BackOffice, Inc., immediately stipulated to its "internet piracy," and agreed to the entry of a permanent injunction enjoining it from copying CoStar's data and photographs, requiring it to pay \$20,000 per infringing image per day in the event of further infringement, and disgorging 100% of its related profits.

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