

ROGERS, ET AL.  
v.  
LEEGIN CREATIVE LEATHER PRODUCTS, INC.  
(United States District Court for the District of New Mexico)  
94-cv-0998

This case was brought by a group of silver artisans in New Mexico against a substantial belt manufacturer in the Los Angeles area. Copyright infringement and trade dress infringement was alleged based on copying of the silver hand-crafted buckles designed and produced by the artisans.

Paul Adams joined the case as co-counsel during early discovery. The case was protracted involving nearly one hundred depositions and untold motions. Paul took depositions of the counsel to the Copyright Office, damages experts, and museum curators and directors relating to Western design motifs in jewelry.

Nearly every imaginable copyright issue was raised during the course of the lawsuit. Defendant attacked the validity of the copyrights on the grounds that the designs merely incorporated Southwestern designs and were therefore not original. Issues of copyright notice were raised. Infringement was denied although the Defendant produced one of the artist's original buckles, from a storeroom of "samples" that had a tag directing a Taiwan company to make copies of the buckle but to scratch off the copyright notice!

The defendant was represented by Browning & Peifer and The Modrall Law Firm both in Albuquerque, New Mexico.

The case was settled for several million dollars in 1996.