



Portfolio Media, Inc. | 860 Broadway, 6th Floor | New York, NY 10003 | www.law360.com
Phone: +1 646 783 7100 | Fax: +1 646 783 7161 | customerservice@law360.com

Live Nation, Others Face Music Distribution IP Suit

By **Bibeka Shrestha**

Law360, New York (April 20, 2011) -- Sharing Sound LLC on Tuesday sued Live Nation Entertainment Inc., Sony Music Entertainment, Warner Music Inc. and others in Delaware federal court for allegedly infringing its patent covering the online distribution of music and other media.

The Longview, Texas-based company launched a similar suit against companies such as Amazon.com Inc., Wal-Mart Stores Inc. and Netflix Inc. in May, claiming that they, too, had infringed the patent called "Distribution of musical products by a website vendor over the Internet."

Other defendants in Sharing Sound's instant suit over the patent are Grateful Dead Productions, Live Nation Worldwide Inc., MyPlay Direct Inc., Audio and Video Labs Inc., Bravado International Group Merchandising Services Inc. and CLBL Inc.

Sharing Sound claims the defendants' alleged infringements were "willful and with full knowledge of the ... patent or with reckless indifference to its existence."

The patent, which Sharing Sound owns by assignment, covers a system for music vending sites where customers access a database to preview and purchase music via the Internet, according to the patent filing. It was issued in May 2001 to New York businessman Bernhard Fritsch.

In Sharing Sound's system, purchased music is either transmitted digitally or shipped to the purchasers, according to the patent filing.

Sharing Sound claims infringement has occurred through music sales on Audio and Video Labs' CDBaby website, CLBL's CD Universe website, Warner and Grateful Dead's dead.net website, MyPlay and Sony's Ariama website, and on Bravada and Live Nation's websites.

Sharing Sound asked the court to permanently bar the defendants from infringing its patent and to award treble damages, including pre-judgment and post-judgment interest, along with attorneys' fees and costs.

Amazon, Netflix and GameStop Corp. have already settled Sharing Sound's infringement claims filed in Texas federal court, while Wal-Mart, Barnes & Noble Inc. and Borders Direct LLC remain as defendants.

Representatives for Sony and Sharing Sound did not immediately respond to requests for comment Wednesday, while Live Nation and Warner declined to comment on the litigation.

The patent-in-suit is U.S. Patent Number 6,233,682.

Sharing Sound is represented by Richard D. Kirk and Stephen B. Brauerman of Bayard PA.

Counsel information for the defendants was not immediately available for comment on Wednesday.

The case is Sharing Sound LLC v. Audio and Video Labs Inc. et al., case number 1:11-cv-00349, in the U.S. District Court for the District of Delaware.

--Additional reporting by Richard Vanderford. Editing by Andrew Park.
