

No Laughing Matter: Court Dismisses Copyright Claims Against Jerry Seinfeld's Comedians in Cars Getting Coffee Show

October 7, 2019 – The TMCA

by David Tseng



Judge Alison Nathan of the Southern District federal court in New York recently dismissed copyright infringement claims against comedian Jerry Seinfeld over the show *Comedians in Cars Getting Coffee* because the statute of limitations had lapsed.

Plaintiff Christian Charles was a collaborator with Seinfeld on several projects, including several popular American Express commercials and the movie *Comedian*. According to the complaint, Charles first suggested

the idea for *Comedians in Cars* to Seinfeld back in 2000. In 2001, Charles created a TV treatment titled '67 Bug, with the alternate title *Two Stupid Guys In A Stupid Car Driving To A Stupid Town*. Seinfeld rejected the proposal but continued to work with Charles on other projects over the next decade.

In 2011, it was alleged that Seinfeld mentioned to Charles the idea of a show about “comedians driving in a car to a coffee place and just ‘chatting’” as his next project. After Charles purportedly reminded Seinfeld that this was the same idea from his earlier treatment, Seinfeld and Charles agreed to work together on the project. Charles prepared a new treatment that had the “look and feel” of the show, shot a pilot, and finalized the title of the show. Charles assumed that his production company would produce the show and that he would be heavily involved.

The relationship between the parties soured after Seinfeld engaged with another

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company to handle production. When Charles purportedly requested compensation and involvement in early 2012, Seinfeld allegedly responded in anger and only offered Charles “work-for-hire” directing responsibilities. Charles claimed that various business partners, confidantes, and representatives of Seinfeld assured Charles that he would eventually be involved with the show. In 2016, Charles contacted Seinfeld after a deal to air the show on Netflix was announced. Seinfeld's lawyer responded, stating that Seinfeld was the creator and owner of the show, leading Charles to file suit in February of 2018.

The relevant inquiry before the Court was whether Charles’ ownership claims to *Comedians in Cars* were time-barred based on the allegations in an amended complaint. The Court noted that the ownership claim accrues only once - when a reasonably diligent plaintiff would have been put on inquiry as to the existence of a right. Civil actions under the Copyright Act have a three-year statute of limitations. The Court found that Charles was on notice of his ownership claims since at least 2012. Charles was deemed to be on notice of his claims when Seinfeld allegedly limited Charles to “work-for-hire” director jobs in 2012. The Court found that this “necessarily contradicted any idea that Charles was the owner of intellectual property in the show.” The purported assurances by other parties did not matter because they were directed to the level of involvement, not whether Charles was the rightful owner.

The Court only dismissed *with prejudice* claims based on the Copyright Act; claims based on state law were dismissed *without* prejudice. This leaves open the possibility of continuing this dispute in state court.

In this case, the plaintiff relied to his detriment on his prior working relationship and overlooked potential warning signs of trouble to come. The plaintiff’s Copyright Act claims were doomed by a lack of a written agreement between the parties during development as well as the plaintiff’s failure to seek legal assistance earlier to understand the scope and limitations of his ownership claims. Ultimately, this case is an unfortunate example of how contentious disputes can underpin seemingly relaxed and light-hearted entertainment.