
GoDaddy Victorious in \$29M Trademark Dispute with Academy Awards

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On September 10, 2015, WilmerHale secured a complete victory for GoDaddy.com, Inc. against a \$29 million claim brought by the Academy of Motion Picture Arts and Sciences under the Anticybersquatting Consumer Protection Act (ACPA). Following a four-day bench trial in the US District Court for the Central District of California, the court issued a 128-page opinion in GoDaddy's favor concluding that the Academy failed to prove that GoDaddy acted with a bad faith intent to profit. The ruling also found that GoDaddy had met its burden of proof of establishing an affirmative defense that it acted with a good faith belief that its use of the challenged domain names was a fair use or otherwise lawful.

The Academy sought \$29.3 million in statutory damages based on GoDaddy's placement of advertisements on 293 web domains registered by GoDaddy customers that contained the marks "Academy Awards" or "Oscar" in the domain name. The Academy claimed GoDaddy had made \$90 million in revenue from advertisements on websites containing the allegedly infringing domain names. The *Hollywood Reporter* described the decision as a "surprising court loss" for the "litigious group behind the Academy Awards," and *Variety* called the decision "a surprising turn in the five-year-old litigation."

The case was originally filed in 2010, with WilmerHale taking the reins on GoDaddy's defense approximately six weeks before trial. The firm stepped in and assumed lead trial counsel responsibilities, successfully trying the case with co-counsel from Ring Bender McKown & Castillo LLP.

Palo Alto-based Partner [Rob Galvin](#) led the WilmerHale trial team for GoDaddy with the help of Senior Associate [Jimmy Doan](#).