

Winston Team Enables Axanar and Star Trek Fans to Live Long and Prosper

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After a year of hotly contested litigation, a Winston & Strawn pro bono litigation team secured a settlement on the eve of trial for a lifelong *Star Trek* fan and his small production company, Axanar (Defendants) in a lawsuit brought by Paramount Pictures and CBS Studios (Plaintiffs). Plaintiffs alleged that a 21-minute “mockumentary” fan film, *Prelude to Axanar*—that was distributed for free on the Internet—and Defendants’ plans to produce a longer film, constituted copyright infringement of 50 separate *Star Trek* works. Plaintiffs claimed rights to countless elements including the Klingon language and the “pointy ears” of the Vulcan species.

Prelude to Axanar was centered on an obscure character appearing in a single 1969 episode of *Star Trek: The Original Series* named *Garth of Izar*. Defendants managed to fund the projects with individual fan contributions raised through crowd-funding campaigns. The case marked the first time that Plaintiffs had ever sued the makers of a fan film, despite a 40-year history of *Star Trek* fan fiction and fan films.

The case was heavily covered in the media, including by *Bloomberg*, the *Hollywood Reporter*, *The Washington Post*, Fox and Law360. *Star Trek* directors J.J. Abrams and Justin Lin also made widely publicized statements supporting Axanar while the litigation was pending. The settlement allows Defendants to continue to show *Prelude to Axanar*, create additional works, use professional actors, and raise unlimited private donations.

Numerous Winston attorneys contributed to defending the case, including by handling over 20 depositions, drafting summary judgment motions and oppositions, and assisting with pre-trial motions. The Winston team included Los Angeles Associate Diana Hughes Leiden; San Francisco Associate Tom Kearney; Chicago Associate Mary Katherine Kulback; and New York Associate Stacey Foltz Stark. San Francisco Partner Jennifer Golinveaux also provided invaluable insight and advice.

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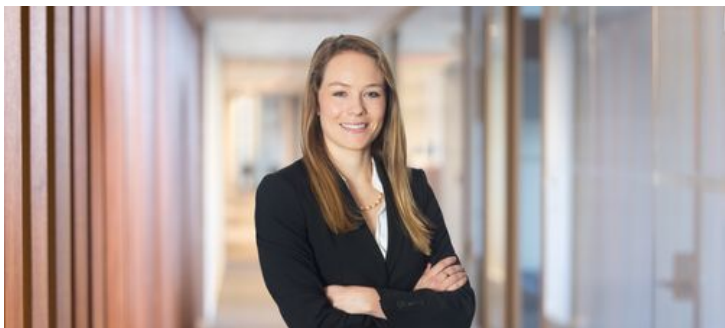
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