

Linotype Library wins a declaratory action against Media Markt

German court again confirms the replication ban of typefaces

Bad Homburg, September, 9, 2003 – Linotype Library gained an important victory at the Frankfurt am Main District Court in the argument regarding the distribution of digital typeface copies by Media Markt GmbH. The Third Civil Division confirmed in all points the view of the international typeface supplier, which wanted to stop the illegal circulation of replicated protected typefaces by the electronics giant. The ruling, which became final on August 22, 2003, strengthens the protection of intellectual property for typographic characters, which are protected by the design patent law and the German "Schriftzeichengesetz"*.

On April 22 of this year, Linotype issued a written warning to Media Markt stores in Frankfurt concerning the infringement of rights according to the design patent law and the German "Schriftzeichengesetz"*. Within this warning, the Media Markt chain was called upon to stop the circulation of a typeface CD containing two identical copies of the Linotype fonts Basilia Haas Roman and Basilia Haas Italic. Media Markt thereupon went before the court to appeal Linotype's asserted injunction.

In the recent judgement, the court concurred with the arguments of Linotype Library GmbH and dismissed the case by Media Markt as unfounded. The judges had no doubt about the features of both registered typefaces, which are distinguished "by an especially clear and plain shape." They identified the objected fonts as clearly "identical copies according to § 5 GeschmMG," and with their decision, confirmed the necessity as well as the ability to protect type fonts.

Linotype is especially pleased about the reasons that led to this decision. In an initial response, Bruno Steinert, General Manager of the Linotype Library GmbH in Bad Homburg, Germany, embraced the judgement as an "important contribution to the replication ban on typefaces." Above all, the creative accomplishment during the design of a typeface has been recognized. As a leading international typeface company, Linotype Library guarantees not only the consistent high quality of its typefaces, but also makes sure that the developers and designers of high caliber fonts participate in the economic success for their ability. "With this finding, it will also be more difficult for large typeface users to produce typeface copies or to use



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fonts without appropriate licenses," confirmed Steinert. In this context, he once again pointed out a declared goal for his company: "customers must be able to more easily, quickly, securely and comfortably buy a typeface than they can – illegally – copy it."

If you would like further information, please contact:

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You will find more information as well as typeface application samples on the Internet at www.linotype.com.

Linotype Library GmbH, a member of the Heidelberg Group, was founded 116 years ago. Its headquarters are in Bad Homburg, Germany. Based on this long tradition, Linotype Library develops state-of-the-art font technology, and today offers more than 5,500 original fonts, covering the whole typographic spectrum from antique to modern, from east to west, and from classical to experimental. Because of the browser and the navigation system FontExplorer, all of them (in PostScript™ and TrueType™ format) are available not only on CD, but also can be ordered online for instant download at www.linotype.com.

In addition to supplying digital fonts, Linotype Library also offers comprehensive and individual consultation and support services for font applications in worldwide (corporate) communications.

*The German "Schriftzeichengesetz" protects typographic character sets.



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