



Downtown Los Angeles is seen on a smoggy day on April 2, 2018.
Photographer: Mario Tama/Getty Images

Bloomberg Law

CoStar Adds 1,000s of Photos to Copyright Suit Against Rival (1)

- *Amended complaint adds more than 40,000 images*
- *Accuses CREXi of using international agents to steal photos*

Real estate information provider CoStar Group Inc. upped the ante in its copyright lawsuit against a rival, quintupling the number of photographs it says Commercial Real Estate Exchange Inc. illegally copied.

CoStar asked a Los Angeles federal court for leave to file a second amended complaint late Monday, claiming that CREXi copied, displayed, or reproduced more than 50,000 CoStar-copyrighted photographs without permission. CoStar said that more than half of the infringement occurred after the company originally brought the suit.

CREXi's infringement is international in nature, according to the new complaint, with much of the theft conducted by agents in India instructed to copy CoStar's protected images without their logo and upload them to CREXi's website.

"This is a wrongdoer that has decided to thumb its nose at both CoStar and the legal system," CoStar wrote.

The amended complaint claims that some individuals have since come clean about the wrongdoing, confessing that they were instructed to use CoStar's copyrighted material. It also says that evidence of such instructions was found at the home of Ritesh Jaiswal, the founder and CEO of Yansh Technologies and 247 Web Support, CREXi's outsourcing partners in India.

CoStar also says it obtained a written confession by Jaiswal saying he had been pressured by CREXi, a major source of revenue for his companies, into signing a false declaration for the lawsuit.

Three Indian courts issued injunctions in CoStar's litigation against CREXi's agents in India, prohibiting their access to CoStar's websites, according to the complaint.

CoStar alleges that the level of infringement "far surpasses the number of copyrighted images that resulted in CoStar's record-setting \$500 million judgment against Xceligent," which concerned the infringement of 38,000 copyrighted images.

CoStar is seeking a permanent injunction, attorneys fees, actual damages, and CREXi's profits or statutory damages. "The revelations in CoStar Group's complaint against CREXi speak for themselves," said CoStar's General Counsel Gene Boxer in a statement to Bloomberg Law. "We look forward to holding CREXi accountable for its industrial-scale wrongdoing."

"CoStar is an unscrupulous monopolist which misuses copyrights, violate the confidentiality of court documents, engage in anticompetitive behavior, and misrepresent facts in order to try and thwart a real competitor," Elliot Peters, an attorney at Keeker Van Nest and Peters LLP, representing CREXi, said in a written statement.

"CoStar's copyright claims will fail because CREXi complied with the law in receiving property listings from brokers," Peters wrote. "The truth will come out. CoStar's predatory wrongdoing will be laid bare, and CREXi will be exonerated."

Latham and Watkins LLP represents CoStar. Keeker Van Nest and Peters LLP represents CREXi.

The case is CoStar Group, Inc. et al v. Commercial Real Estate Exchange Inc. , C.D. Cal., No. 2:20-cv-08819, 12/19/22.

(Updates with comment from CREXi counsel.)

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