

JPML Consolidates Copyright Cases Against Slice App

By **Adam Lidgett**

Law360 (June 5, 2023, 8:55 PM EDT) -- The Judicial Panel on Multidistrict Litigation has centralized a group of copyright suits filed by stock photography company Prepared Food Photos Inc. in the Middle District of Florida, saying the forum was the most convenient.

In **a decision Monday**, the JPML said, "Centralization of these actions in the Middle District of Florida will serve the convenience of the parties and witnesses and promote the just and efficient conduct of the litigation."

The JPML said all the cases "can be expected to share factual questions arising from alleged violations of the Copyright Act" by the pizza ordering app Slice, the common defendant in the case that asked for centralization.

"Centralization places all actions before a single judge and offers an efficient means of resolving all claims brought by plaintiff Prepared Food Photos against the common defendant Slice and its customers," the JPML said.

In all, seven copyright suits were centralized in the Middle District of Florida — three in Florida, two in Maryland and two in New York.

Slice **has said** Prepared Food Photos is a vexatious copyright litigant and has threatened more suits against it and local pizzerias that sell on the app.

In the suits, Prepared Food Photos says 12 specific photos have been reused over and over on Slice, which is legally known as MyPizza Technologies Inc.

"Prepared Food Photos is also a serial copyright litigator, formerly known as Adlife Marketing & Communications Co. Inc., once notoriously represented by sanctioned attorney Richard Liebowitz," Slice has said.

In one complaint in the Middle District of Florida, Prepared Food Photos says that even though it does not license photos but instead charges a \$1,000 per month subscription fee, photos are being improperly used.

Prepared Food Photos cites a photo taken in 2001 of a plate of chicken wings, celery and ranch dip in front of two beers.

"We think that the cases should have been brought as one action in one district, and that splitting them up was a plan to increase litigation costs for Slice," Slice attorney Andrew Fiorella of Benesch Friedlander Coplan & Aronoff told Law360 on Monday.

Daniel Souza of CopyCat Legal PLLC, who is representing Prepared Food Photos, told Law360 on Monday that he and his client are waiting to see what the Middle District of Florida will do with the transfer order.

"Obviously we disagreed with the JPML's decision, but we respect it," Souza said.

Prepared Food Photos is represented by Daniel Souza of CopyCat Legal PLLC.

Slice is represented by Andrew Fiorella of Benesch Friedlander Coplan & Aronoff.

The case is In Re: Prepared Food Photos Inc. Copyright Litigation, MDL number 3075, before the Judicial Panel on Multidistrict Litigation.

--Additional reporting by Cara Salvatore. Editing by Stephen Berg.