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FOR IMMEDIATE RELEASE

The Graham Company Wins Landmark Copyright Infringement Decision After 6-Year Battle with Competitor USI MidAtlantic, Inc.

- The second Third Circuit opinion affirms 2006 verdict awarding \$18.9 M to Graham -

PHILADELPHIA, PA – July 13, 2011 – [The Graham Company](#), one of the region’s largest insurance and employee benefits brokerages, today announces a three-judge panel of the United States Court of Appeals for the Third Circuit has upheld its 2006 verdict in a second appeal, awarding the brokerage \$18.9 million plus \$4.6 million in prejudgment interest. Six years ago, The Graham Company began copyright infringement litigation against insurance broker USI MidAtlantic, Inc. and Thomas P. Haughey, a former Graham Company employee working for USI. The [second Third Circuit opinion](#) affirms the 2006 verdict that found Haughey and USI liable for surreptitiously infringing Graham’s copyrighted insurance books and using that material in hundreds of sales proposals, which netted USI tens of millions of dollars.

“Each time we develop a proposal for a client, we commit several months to detailing standard coverage explanations,” said [William A. Graham IV](#), CEO of The Graham Company. “This remarkable level of in-depth risk analysis has been the cornerstone of The Graham Company’s risk management approach for over 50 years and it’s what our clients value most. This proprietary information and the value it delivers to our clients is a significant factor in what differentiates us from other brokerages, and therefore we have gone to great lengths to protect it.”

Staying true to Graham’s commitment to protect this indispensable information, The Graham Company filed suit under the Copyright Act in 2005, and the following year a federal jury awarded The Graham Company \$18.9 million, finding that USI and Haughey had infringed its copyrights over a period of 13 years. After multiple appeals over six years, the Third Circuit recently affirmed the previous decision and agreed that the amount of damages did not “shock the judicial conscience” and the proportion of USI’s profits attributable to the copyright infringement was appropriate.

The second Third Circuit opinion underscores the extreme value of Graham’s standard coverage explanation, stating, “Graham has pointed to substantial evidence of its own that supports the conclusion that the misappropriated documents were an important element of the defendants’ overall sales strategy. Use of standardized, well-thought-out language allows salespeople to demonstrate credibility, knowledge of their insurance products and understanding of the businesses and risks being insured. As the District Court noted, the works were virtually the only source of written insurance policy explanations within USI. Graham’s eponymous principal testified that his firm would not have been successful without these documents.”

About The Graham Company

The Graham Company is an insurance brokerage and consulting firm committed to enhancing employee safety and business viability through an action oriented approach to risk management. In business for over 50 years, The Graham Company focuses on customizing property and casualty, surety, and employee benefits programs for its clients. With its uniquely proactive approach to managing risk, The Graham Company is redefining what it means to be a broker because it believes Actions Matter. To learn more about The Graham Company, visit www.grahamco.com

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