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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 QOTD FILM INVESTMENT, LTD,

10 Plaintiff,

11 v.

12 MARY STARR, *et al.*,

13 Defendants.

Case No. C16-0371RSL

ORDER

14 This matter comes before the Court on “Plaintiff’s Motion for Continued Stay of
15 Case Pending Reinstatement.” Dkt. # 132. In February 2018, defendant Brian Wilson and
16 counterclaimant Judy Rushing moved for summary judgment on the ground that QOTD
17 Film Investment, Ltd., lacked standing to pursue a claim of copyright infringement
18 because it had been administratively dissolved. Under the United Kingdom Companies
19 Act, section 1012(1), all of plaintiff’s property and rights, including the copyright at issue
20 in this litigation, were deemed ownerless goods as of that date and were automatically
21 transferred to the Crown. Wilson and Rushing argued, and plaintiff did not dispute, that
22 plaintiff cannot succeed on its infringement claim if it does not own the copyright.
23 Plaintiff requested an opportunity to reinstate itself, at which point the company would be
24 “deemed to have continued in existence as if it had not been dissolved or struck off the
25 register.” U.K. Companies Act § 1032(1).

26 The case was stayed for thirty days. Plaintiff failed to obtain reinstatement to the

1 register within those thirty days, and the United Kingdom Companies House records
2 suggest that plaintiff was not diligent in pursuing timely reinstatement. Nevertheless,
3 counsel has now provided evidence that QOTD Film Investment, Ltd., was reinstated as
4 an active company on May 9, 2018. Plaintiff is now deemed to have been in existence as
5 if it had not been dissolved, with full ownership in the copyright, and may pursue its
6 claims.

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8 For all of the foregoing reasons, the motion to continue the stay is DENIED as
9 moot and the underlying motion for summary judgement for lack of standing is DENIED.
10 The Clerk of Court is directed to renote the motions in limine (Dkt. # 129) on the Court's
11 calendar for Friday, June 29, 2018. Plaintiff's response is due the Wednesday before the
12 note date. Replies will be accepted. An amended case management order will be issued.

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14 Dated this 19th day of June, 2018.

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16 Robert S. Lasnik
17 United States District Judge
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