

Winstead Secures an Award of Maximum Statutory Damages for Spectrum in Cyber-Squatting Lawsuit

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Winstead PC attorneys Andrew J. Schumacher and James Ruiz represented Spectrum Association Management of Texas, LLC (“Spectrum”) in a lawsuit against a former employee and his new company concerning violations of the Anti-Cybersquatting Consumer Protection Act (“ACPA”).

Spectrum is a San Antonio-based association management company that provides services to homeowners associations in Texas. Spectrum sued Jay Tuttle, a former employee, and his new company, Lifetime HOA Management (Lifetime”), for violating the ACPA by registering a domain using Spectrum’s name and trademarks and setting the domain to forward to Lifetime’s website where it offered competing association management services.

Spectrum sought statutory damages against the defendant, which can range from \$1,000 to \$100,000. Schumacher tried the case in a bench trial, which resulted in the Court determining that the circumstances warranted a maximum statutory damages award of \$100,000 to Spectrum.

“We are thrilled that the court recognized the magnitude of Defendants’ bad faith conduct and awarding statutory damages to Spectrum accordingly.” Schumacher said.

Schumacher represents local, regional and national clients in complex litigation in state and federal courts in matters involving real estate, financial services, insurance coverage, intellectual property, tax controversies, business contract and tort claims, and defamation and libel claims.

Ruiz has extensive trial experience in federal and state courts across the nation representing his clients’ business interests for more than 25 years. He has broad industry experience in complex business and business litigation and arbitration cases in several substantive areas, including banking and real estate, intellectual property, securities, insurance, franchisor/franchisee disputes, corporate and partnership issues and governmental enforcement actions.

About Winstead

Winstead is a national business law firm with more than 300 attorneys who serve as trusted advisors to emerging, mid-market and large companies, both public and private. The Winstead team provides a range of core legal services that are critical to our clients achieving their business goals. Winstead’s business transactions and litigation practices serve key industries including aviation, financial services, healthcare, investment management/private equity, life sciences, real estate and sports business.