

12 O'Clock Boyz Creators Hit HBO Max with Copyright Infringement Notice for Charm City Kings, an Unauthorized Derivative Work

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12 O'Clock Boyz
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BALTIMORE, Oct. 21, 2020 /PRNewswire/ -- 12 O'Clock Boyz creators Taje Monbo and Deafueh Monbo have issued a copyright infringement notice to HBO Max and its owner, Warner Media, advising HBO Max to refrain from the release and distribution of the adaptation film, Charm City Kings, which contains copyrighted elements from the original 12 O'Clock Boyz film series that were released in 2001 and 2003.



12 O'Clock Boyz "The Paparazzi Edition", [Motion Picture] (2003).

"We will undertake all appropriate steps to protect the 12 O'Clock Boyz copyrighted works and trademarks"

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"Neither Overbrook Entertainment, Sony Pictures Entertainment, Will Smith, Oscilloscope Laboratories, Lotfy Nathan nor Red Gap Film Group cleared, or licensed the rights to prepare derivative work based on the 12 O'Clock Boyz Copyrighted Works," says the Monbos' copyright infringement notice.

"The use of the copyrighted elements from the original 12 O'Clock Boyz films (the "Copyrighted Work") in the adaptation film, Charm City Kings is an infringement of the Monbos exclusive rights under 17 U.S.C. §106 to reproduce the Copyrighted Work and to prepare derivative works based upon the Copyrighted Work. The release and distribution of the adaptation film, Charm City Kings containing copyrighted elements from the original 12 O'Clock Boyz films infringe the Monbo's exclusive rights to distribute copies of the Copyrighted Work and to perform the Copyrighted Work publicly," says the Monbos' copyright infringement notice.

"Pursuant to the U.S. Copyright Act, HBO Max and Warner Media will be held liable for contributory copyright infringement. Contributory copyright infringement by HBO Max and Warner Media arises when HBO Max and Warner Media contribute to or facilitate infringing acts carried out by another party", says the Monbo's copyright infringement notice.

The copyright infringement notice is the latest in a long line of cease and desist letters issued by the Monbos. Previous companies who have received copyright infringement notices this year include AMC Theatres, Caribbean Cinemas, Cinemark Cinemas, Regal Cinemas, Sundance, Target, Alliance Entertainment and Kanopy.

In a statement released by Target, they stated that "Target appreciates the importance of intellectual property and is committed to respecting the intellectual property rights of others." Therefore, Lotfy Nathan's 12 O'Clock Boys (2013) film will no longer be sold at Target stores.

In a letter issued by Alliance Entertainment, they stated that "Alliance Entertainment takes all matters of alleged intellectual property infringement seriously. And the distribution of Lotfy Nathan's 12 O'Clock Boys (2013) film has been put on a legal hold, halting distribution since May 2018."

Despite receiving copyright infringement notices in 2017, 2018 and a final notice in June 2020, "Kanopy has refused to comply with the takedown," said Monbo.

"We will undertake all appropriate steps to protect the 12 O'Clock Boyz copyrighted works and trademarks," said Deafueh Monbo.

In 2018, the Monbos filed legal action in New York Federal Court against Lotfy Nathan, Oscilloscope Laboratories, Sony Pictures Entertainment, Overbrook Entertainment and Will Smith alleging unauthorized use of their 12 O'Clock Boyz copyrighted works and trademarks. For their roles in the production, distribution, and adaptation of Lotfy Nathan's 12 O'Clock Boys (2013) film, Eric Blair, Daniel Berger, and others are also named as defendants in the lawsuit.

The Monbos' 2018 copyright infringement lawsuit is still pending and ongoing. The case is Monbo et al v. Nathan et al, U.S. District Court, Eastern District of New York, No. 1:18-CV-05930.

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