

News

ATLANTA ATTORNEYS IN 'LAW360' ON DISMISSAL OF GOOGLE SUIT

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Atlanta Partner Eric Schroeder and Associate Brian Underwood were mentioned [Jan. 29](#) by *Law360* in connection with the dismissal of a suit against firm client Google. In a novel lawsuit testing the limits of Georgia's theft statutes, the Georgia Court of Appeals ruled that Google did not violate Georgia law regarding theft and other like torts by selling advertising slots on search results pages linked to Edible Arrangements' trade name. The state appellate court also held that Google had no obligation to share profits from advertisement sales linked to searches for Edible Arrangements. Edible IP, the company that owns all intellectual property associated with the fruit basket company, appealed a trial court's dismissal of the suit. "Creative pleading cannot convert Google's advertising program into a theft by taking," the appellate court said in its opinion. "The allegations do not permit an inference that Edible IP owns – or is entitled to – Google's advertising revenue."

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