**PLAGIARISM IN LITERATURE**

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| **Da Vinci Code 'copied book ideas'**  |
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| The Da Vinci Code author Dan BrownDan Brown's book has sold more than 30 million copies worldwide |

**A claim that Dan Brown's bestselling novel The Da Vinci Code copied the ideas of two other authors has gone before London's High Court.** Michael Baigent and Richard Leigh say Mr Brown stole "the whole architecture" of research that went into their 1982 book The Holy Blood and the Holy Grail. Both books contain the idea Jesus had a child. They are suing publisher Random House, which denies the allegation. Mr Brown attended the court on Monday as a judge heard initial submissions. **'Intellectual theft'** The Da Vinci Code won best book at this year's British Book Awards and more than 30 million copies have been sold in about 40 languages. It has been adapted into a $100m (£57m) movie starring Tom Hanks, Audrey Tautou and Sir Ian McKellen, which is due to open this year's Cannes film festival. Mr Baigent and Mr Leigh's non-fiction best-seller The Holy Blood and the Holy Grail (HBHG) was also published by Random House. It dealt with theories that Jesus and Mary Magdalene married and that their blood line continued to the present day.

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| Richard Leigh (left) and Michael Baigent Richard Leigh (left) and Michael Baigent are suing Random House |

Their lawyer Jonathan James told the court: "Dan Brown copied from The Holy Blood and the Holy Grail and therefore the publication of the result by the defendant is in infringement of the copyright of my client in the United Kingdom." Mr Baigent and Mr Leigh wrote their book with a third author, Henry Lincoln, who is not taking part in the claim due to ill-health. Mr James added: "The authors' historical conjecture has spawned many other books that developed aspects of this conjecture in a variety of directions. "But none has lifted the central theme of the book." Gail Rebuck, chief executive of Random House, issued a statement about the case saying her company had published both books.

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| http://newsimg.bbc.co.uk/shared/img/o.gif | http://newsimg.bbc.co.uk/nol/shared/img/v3/start_quote_rb.gif**This case... could open a floodgate of litigation for people who have had their ideas, as they see it, stolen by more successful people** http://newsimg.bbc.co.uk/nol/shared/img/v3/end_quote_rb.gifCopyright specialist Conan Chitman |

"We are genuinely saddened that two of the three authors of HBHG have chosen to bring litigation against us. "Random House takes no pleasure in defending legal action that it believes is without merit and we are confident that we shall prevail." Conan Chitman, a copyright specialist for Mishcon de Reya solicitors, said the case could have wide-ranging implications. "This case, if it goes in favour of The Holy Blood and the Holy Grail, could open a floodgate of litigation for people who have had their ideas, as they see it, stolen by more successful people," he said.  |  |  |

**Dan Brown Wins Da Vinci Code Court Case**

What happens when you go up against the creator of Robert Langdon? You get slapped with a $6 million legal bill. Authors Michael Baigent and Richard Leigh found that out the hard way. Britain’s Court of Appeal rejected their lawsuit on Wednesday, which claimed novelist [Dan Brown](http://www.danbrown.com/) stole from their book “The Holy Blood and the Holy Grail.” The nonfiction book dealt with the theory that Jesus had a child with wife Mary Magdalene. Brown’s novel, “The Da Vinci Code,” sold more than 40 million copies since its 2003 release. There was also a movie adaptation, starring actor [Tom Hanks](http://www.imdb.com/name/nm0000158/), which grossed over $217 million during its 2006 release.

The court case was against Brown’s publisher Random House Inc., but the author was the one who was really on trial, spending several days in 2006 giving testimony. Brown admitted to having studied from the 1982 nonfiction book. A judge said that the copyright law did not protect themes, facts, or theories. Baigent and Leigh’s lawyers said, the authors “expended a vast amount of skill and labor… That skill and labor is protectable.”

The question still remains of what role Dan Brown’s wife played in this. She was responsible for most of the research, but did not testify in court. The bestselling author wanted to protect his wife from the publicity.

Lord Justice Bernard Rix said Dan Brown acknowledged use of the work. “That is not the mark of an author who thought that he was making illegitimate use of the fruits of someone else’s literary labors, but of one who intended to acknowledge a debt of ideas, which he has gone on to express in his own way and for his own purposes.” He added that the character of Leigh Teabing was an anagram of Leigh and Baigent. The Da Vinci character specifically states that “The Holy Blood and the Holy Grail” is “the best-known tome” on the subject.



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**U.S. judge dismisses plagiarism claim against author J.K. Rowling**



Nov. 29, 2011



A U.S. judge has dismissed a plagiarism lawsuit against author J.K. Rowling, ending what a PR representative for the estate of British author Adrian Jacobs once called a [billion-dollar case.](http://www.guardian.co.uk/books/2010/feb/18/harry-potter-jk-rowling-willy-wizard)

According to the [Christian Science Monitor](http://www.csmonitor.com/Books/chapter-and-verse/2011/0107/J.K.-Rowling-cleared-of-plagiarism-charges-in-the-US), U.S. District Judge Shira Scheindlin in New York dismissed the suit brought by the estate of Jacobs against Scholastic, Rowlings U.S. publisher.

In her ruling, Scheindlin wrote, The contrast between the total concept and feel of the works is so stark that any serious comparison of the two strains credulity.

According to [The Independent,](http://www.independent.co.uk/arts-entertainment/books/news/us-judge-dismisses-jk-rowling-plagiarism-claim-2178755.html) Rowling may still have to appear in a U.K. court after the [High Court ruled in October](http://www.csmonitor.com/Books/chapter-and-verse/2010/1015/J.K.-Rowling-plagiarism-suit-is-it-serious) the claim was improbable but still had a chance of success.

In February the [Christian Science Monitor](http://www.csmonitor.com/Books/chapter-and-verse/2010/0218/J.K.-Rowling-faces-another-plagiarism-suit) reported that the estate of Jacobs alleged that Rowling lifted concepts — wizard contests, wizard prisons, wizard hospitals and wizard colleges — from Jacobss 1987 book, The Adventures of Willy the Wizard: No. 1 Livid Land and used them in Harry Potter and the Goblet of Fire.

[Reuters](http://www.reuters.com/article/idUSTRE7062BR20110107) reports that according to his estate, Jacobs had also, at one point, sought the services of literary agent Christopher Little, who later became Rowlings agent. The estate claims that Jacobs died penniless in a London hospice in 1997.

Rowling is quoted in a [New York Times blog](http://artsbeat.blogs.nytimes.com/2011/01/07/federal-judge-makes-harry-potter-plagiarism-suit-disappear/) as saying that she had never heard of Jacobss book until the plagiarism charge was made.

In [the Guardian,](http://www.guardian.co.uk/books/2011/jan/07/harry-potter-plagiarism-case-us-court) a spokesperson for Scholastic stated, The courts swift dismissal supports our position that the case was completely without merit and that comparing Willy the Wizard to the Harry Potter series was absurd.

In 2002, Rowling won a plagiarism case against author Nancy Stouffer, who claimed that Rowling had taken ideas from her book, The Legend of Rah and the Muggles. According to [the BBC,](http://news.bbc.co.uk/2/hi/entertainment/2268024.stm) Stouffer accused Rowling of lifting the term Muggles, and of using the name of Stouffers main character, Larry Potter, in creating Harry Potter.

**For 'Opal Mehta,' End of Story, Publisher Says**

*By David A. Fahrenthold*

Washington Post Staff Writer
Wednesday, May 3, 2006; Page C04

CAMBRIDGE, Mass., May 2 -- A Harvard student's novel, withdrawn from shelves last week after it was found to contain passages copied from another author, will not be reissued, and the student's planned second novel will not be published at all, Little, Brown and Co. said Tuesday.

The announcement was made on the same day that new allegations of plagiarism were reported about Kaavya Viswanathan's novel, "How Opal Mehta Got Kissed, Got Wild, and Got a Life," including one report that she had copied from famed author Salman Rushdie.

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|  | http://media3.washingtonpost.com/wp-srv/photo/largerPhoto/images/enlarge_tab.gifLittle, Brown said it would not publish Kaavya Viswanathan's planned second novel, either.Little, Brown said it would not publish Kaavya Viswanathan's planned second novel, either. (By Chitose Suzuki -- Associated Press)  |

It was unclear Tuesday if Viswanathan's two-book contract, reportedly worth near $500,000, had been canceled, or if the publishing firm would seek to recoup any of the advance it paid her. A spokeswoman for Little, Brown declined to comment beyond a short written statement from the firm's publisher, Michael Pietsch.

Tuesday's decision not to republish Viswanathan's book seemed to reverse a promise the 19-year-old sophomore had made last Monday, shortly after the Harvard Crimson, a student newspaper, revealed passages seemingly copied from two coming-of-age novels by author Megan McCafferty.

"My publisher and I plan to revise my novel for future printings to eliminate any inappropriate similarities," Viswanathan said then. She explained that the copying was "unconscious and unintentional," the result of reading McCafferty's books and internalizing her words.

Viswanathan did not respond to a request by e-mail for comment Tuesday, and neither did her literary agent, Jennifer Rudolph Walsh of the William Morris Agency. Attempts to reach a spokesman for Alloy Entertainment, a firm that reportedly helped Viswanathan write and market the book, were unsuccessful Tuesday evening.

The role of that firm could complicate the case if it ever becomes a lawsuit, since book packagers often share some of the advance money that normally would go to the author, as well as some of the creative oversight that would usually be the publisher's, said Charles E. Petit, an Illinois attorney who practices in publishing law.

"This would be an unholy mess as a lawsuit," he said.

"Opal Mehta" was the story of a teenager, like Viswanathan an Indian American from New Jersey, who must build a social life to get into Harvard. It had found a spot at No. 32 on the New York Times hardcover fiction bestseller list before the copying was revealed.

Tuesday the Times reported that it had discovered similarities between Viswanathan's book and Sophie Kinsella's "Can You Keep a Secret?" Also Tuesday, the Crimson reported it had found other sections where "Opal Mehta" echoed Rushdie's "Haroun and the Sea of Stories" and Meg Cabot's book "The Princess Diaries."