

MGM, James Bond Producers Sue Universal Over ‘Section 6’ Project



[MGM](#) and [James Bond](#) producers Danjaq have filed a copyright infringement suit against NBC Universal claiming that the studio's "[Section 6](#)" feature project is a rip off of the lucrative 007 franchise.

The suit, filed late Thursday in U.S. District Court in Los Angeles, also names screenwriter Aaron Berg.

"This lawsuit concerns a motion picture project, in active development, featuring a daring, tuxedo-clad British secret agent, employed by 'His Majesty's Secret Service,' with a 'license to kill,' and a 00 (double-O) secret agent number on a mission to save England from the diabolical plot of a megalomaniacal villain," the suit states.

"Most moviegoers would assume from that description alone that this lawsuit concerns the next James Bond picture. It does not. This lawsuit is instead about a James Bond knockoff that defendant [Universal](#) is readying for production, based on a screenplay that defendant Berg wrote."

The suit claims that the project, which is directed by Joe Cornish (“Attack the Block”) and stars Jack O’Connell (“Unbroken”), “misappropriates from the James Bond works far beyond the signature aspects of James Bond,” but that it copies “in detail nearly every aspect of the characters, plots dialogue, themes, setting, mood and other key elements of the copyrighted James Bond literary works and motion pictures.”

The courts have been ever-defining the extent to which copyright covers not just to specific projects, but to unique characters. In 1995, the federal court in Los Angeles ruled in favor of MGM in its contention that a Honda commercial violated its copyrights with a commercial that evoked Bond, even though that name was not used.

MGM and U have tangled over the project for several months, the suit states. MGM claims that it learned of the existence of the screenplay and that U had acquired rights to it, and then fired off a letter. U responded that it had not even optioned the project, and that had “no intention” of violating the copyright, MGM’s complaint states.

But last month, reports that U had hired a director, lead actor and four producers for the project triggered MGM’s ire again. MGM asked to see the most recent version of the screenplay, but Universal refused, the complaint states. MGM contends that U’s refusal to provide “concrete exculpatory information” about the latest version of “Section 6” “leads to the conclusion that Universal is continuing to develop a screenplay that constitutes an unauthorized derivative work based upon plaintiffs’ copyrighted James Bond works,” MGM says.

The screenplay for the project states that it is premised on historical facts, the lawsuit states, but MGM and Danjaq claim that the “core elements are fictional.” It also contends that even though U asserted that the project is a historical account of the formation of MI6 immediately after World War I, “the dialog and relationships between the characters are strikingly out of place and years ahead of their time for a story set in 1918.”

The suit contends that “Section 6” “imbue their James Bond knockoff with a ‘license to kill,’ employment by “Her Majesty’s Secret Service,” and a 00 agent number. All are creations of Ian Fleming, MGM argues.

MGM and Danjaq are seeking an injunction to prevent Universal from what they claim is an infringement on the Bond works.

A spokeswoman for Universal had no comment.

MGM is represented in the suit by Bobby Schwartz, Cassandra Seto and Brian Finkelstein of O’Melveny & Myers and Marc Becker of Quinn Emanuel.