

• Connect with us: [Subscriber Rewards](#) | [Report News](#) | [Mobile](#) | [Facebook](#) | [News by E-mail](#) | [Twitter](#) | [RSS](#)

Quick Nav: [Classifieds](#) [Cars](#) [Jobs](#) [Real Estate](#) [Restaurants](#) [Pets](#) [Obituaries](#) [Place an Ad](#) [Subscribe](#) [Low](#)

Sunday, September 19, 2010 **Good Evening!**

Weather

Sponsored by:
SOFA SUPER STORE

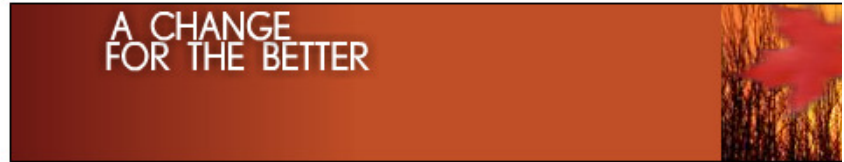


High:
88°

Low:
74°

Charleston
Clear, 72°

[5 day forecast](#) | [More](#)
HURRICANE GUIDE



Home builder faces suit

Firm says Eastwood used designs without paying

BY **KATY STECH**
kstech@postandcourier.com

Saturday, September 18, 2010

2 Comment(s)

Buzz

7

[Like](#)

Be the first of your friends to like this.

Sullivan & Associates Inc. sells the American Dream, whether you'd like it with or without bay windows, a two-car garage or a living room with vaulted ceilings.

The Tennessee-based company has more than 16,000 home plans that come with blueprints and licenses for builders and individuals who want to construct their own house.

But in the Internet age, the firm is struggling to make sure builders pay for the licensed plans, some of which are for homes that look quite similar, that the company posts on its website as copyrighted material.

That issue cropped up in Charleston last week, when Sullivan & Associates filed a federal lawsuit against regional home builder Eastwood Homes Inc., alleging that the layouts for the builder's Summerall, Moultrie and Sumter homes are too similar to Sullivan's Chesterfield, Chelsey and Chamberlain models.

According to court documents, Charlotte-based Eastwood built several Tanner Plantation homes using design plans without paying for them. In early 2009, Sullivan officials who noticed the homes during a visit to Charleston sent Eastwood a bill for \$25,279.

Jason Fabrizio, division president for the builder, denied the allegations. "We didn't take any plans, and we didn't copy any plans," he said this week. "We disagree with that accusation."

Steve Vatter, Sullivan's copyright manager, said Eastwood bought basic design plans from Sullivan's but didn't purchase the licenses it needed to use them in its business. Eastwood lawyer Allen M. Nason said the builder's home design plans were created

Home

- [Story Index](#)
- [Your Lowcountry](#)
- [Boeing](#)
- [Lottery](#)
- [Traffic Cam](#)
- [Weddings](#)
- [Obituaries](#)
- [E-Edition](#)

News

- [Local/State](#)
- [Bridge Run](#)
- [AP Nation/World](#)
- [Politics](#)
- [Columnists](#)
- [Special Reports](#)
- [Offbeat](#)
- [Report News](#)
- [Text Alerts](#)
- [Archives](#)

Watchdog

- [Restaurant Inspections](#)
- [Parking Violations](#)
- [Sex Offender Locator](#)
- [Busted or Sued](#)
- [State Salaries](#)
- [Report Fraud/Abuse](#)

Sports

- [Local Sports](#)
- [High School](#)
- [College](#)
- [Clemson](#)
- [Carolina](#)

- Battery
- Riverdogs
- Stingrays
- National Sports
- Sports Columnists
- Life in the Minors

Business

- Local Business
- Business Review
- Real Estate
- Automotive
- Columnists

Multimedia

- Video
- Audio
- Photo Galleries
- Books
- eBooks
- iPhone App **New!**
- Man On The Street
- In The News
- Share Photos

Entertainment

- CharlestonScene
- Events
- Restaurants
- Movies
- TV Listings
- Music
- Columnists
- Games
- Comics

Features

- Moxie
- Your Health
- Family Life
- Arts/Travel
- Home/Garden
- Food
- People
- Faith/Values
- Your Faith **New!**
- Columnists

Supplements

- My Charleston **New!**
- Lowcountry Parent
- Tideline Magazine
- Lowcountry Paws
- Attorney Directory
- Real Estate Guide
- All Supplements

Blogs

- State Politics
- Battery
- RiverDogs
- Stingrays
- Carolina
- The Citadel
- Clemson

using in-house and outside designers and architects, then changed to fit specific customer requests.

Court documents included a letter from Eastwood responding to Sullivan's complaints. The builder noted that the two sets of home plans had different room sizes, certain wall slants and rooms in varying areas to set them apart.

Dana LeJune, a Texas lawyer who works with a handful of home design licensing businesses, including Sullivan & Associates, said he deals with this issue over and over again. He called the problem of pilfering copyrighted home plans "rampant."

"Some builders are just ignorant, but most of them are trying to cut a corner and get something for nothing," LeJune said.

Violators are rarely caught -- maybe one in every 10,000 homes built without permission of the architect or designer ever makes it to court, he added. But those who do can face steep penalties. LeJune said an Indiana company that built 285 homes without paying the designer for a license recently was ordered to pay \$3.6 million.

LeJune said it's easy to go on Sullivan's website, print out a basic design plan and have it drawn up by a local draftsman. The company offers plans for all types of homes: ones on narrow lots, ones with porches, ones that can be built on hills.

Most sales come with detailed architecture plans that tell a builder how to complete the home. Prices are based on the square footage. Plans typically cost between \$500 and \$700 for a 2,000-square-foot model.

Reach **Katy Stech** at 937-5549.

Share this story:  [E-mail this story](#)  [Printer-friendly version](#)

Copy and paste the link:



Comments

Use the comment form below to begin a discussion about this content.

Notice about comments:

Postandcourier.com is pleased to offer readers the enhanced ability to comment on stories. We expect our readers to engage in lively, yet civil discourse. Postandcourier.com does not edit user submitted statements and we cannot promise that readers will not occasionally find offensive or inaccurate comments posted in the comments area. Responsibility for the statements posted lies with the person submitting the comment, not postandcourier.com. If you find a comment that is objectionable, please click "report abuse" and we will review it for possible removal. Please be reminded, however, that in accordance with our Terms of Use and federal law, we are under no obligation to remove any third party comments posted on our website.

Users can now build user-to-user connections, follow friends' recent posts, add an avatar that fits their personality, and more. If you have posted here before you'll need to sign up again, or if you've never posted before, start now by **signing up!**

Full terms and conditions can be read here.

POWERED BY  Pluck



dana lejune wrote:

[College of Charleston](#)
[Prep Sports](#)
[Lowcountry Links](#)
[Running](#)
[Family Life](#)
[Parenting](#)

Editorial

[Editorials](#)
[Letters to the Editor](#)
[Submit a Letter](#)
[Commentary](#)
[Cartoons](#)

Customer Care

[Contact Us](#)
[About Us](#)
[Subscribe](#)
[Place An Ad](#)

Sullivan and Associates has not changed its policy on prosecuting infringers in many years.

Why would they drive around? You don't know the whole story, as the jury will after it considers all the evidence...

Stand by.

9/19/2010 11:16 PM EDT on Post and Courier

Recommend

Report Abuse

Permalink



barracho wrote:

Sullivan and Associates must be really hard up for cash....Why would they drive around looking for their pathetic plans...Cookie Cutter Houses.

9/18/2010 5:31 AM EDT on Post and Courier

Recommend (1)

Report Abuse

Permalink

Add a comment *(max 3000 characters)*

Submit

feature

\$2,375,000



Johns Island, S
[More Details...](#)

[View All Featu](#)

top ads

[topHomes](#)

- [Beautiful 120.6 AC H](#)
[Tract one min to Lake](#)

[topRentals](#)

- [Island Realty Has Lor](#)
[843-886-4041 or visi](#)
- [James Is. All New-14](#)
[FP, 2 Car gar. 0.5 aci](#)
- [W Ash - 2BR TWNHS](#)
[month if deposit is pe](#)

[topAutos](#)

- [Lexus, Acura, Audi, E](#)
[Cars Infiniti, Mercede](#)
- [1993 GMC Topkick D](#)
[Transmission, Cat Di](#)

[topJobs](#)

- [Distribution Clerk HC](#)
[Central Atlantic Supp](#)
- [Counter Sales & Drive](#)
[req. Drivers need 10](#)
- [POLICE OFFICER \(Gr](#)
[police work involv...](#)

[topCommerci](#)

- [Bars/Restaurants /Ni](#)
[restaurantbrokers.inf](#)
- [HANAHAN 1500sf offi](#)
[Great for contractor.](#)
- [JI 808 Folly Rd Rr 16](#)
[stall c/port/pkg. \\$160](#)

SAPAKOFF **PEPER**

CAN YOU OUTPICK OUR PROS?

The Post and Courier 

Grand Prize \$500 in Golf
CLICK HERE

The Post and Courier

More on *postandcourier.com*

[Home](#) | [News](#) | [Sports](#) | [Entertainment](#) | [Features](#) | [Web Extras](#) | [Editorial](#)
[Obituaries](#) | [Blogs](#) | [Archives](#) | [Sitemap](#) | [Media Kit](#)

Important Links

[Subscribe](#) | [About](#)
[Shopping](#) | [Suppl](#)

Copyright © 1995 - 2010 Evening Post Publishing Co.

[The Post and Courier - Charleston, SC](#) | [The Salisbury Post - Salisbury, NC](#) | [The Eagle - Bryan/College Station](#)
[The \(Kingstree\) News - Kingstree, SC](#) | [Aiken Standard - Aiken, SC](#) | [Moultrie News - Mount Pleasant, SC](#) |
[The Charleston Mercury - Charleston, SC](#) | [Summerville Journal-Scene - Summerville, SC](#) | [The Ber](#)
[Goose Creek Gazette - Goose Creek, SC](#) | [Davie County Enterprise - NC](#) | [The Clemmons Courier - NC](#) | [The Star - I](#)

Use of this site signifies your agreement to the [Terms of service](#), [Privacy policy](#) and our [Parental](#)