



## FOR IMMEDIATE RELEASE

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## Special Education Publisher Awarded \$3.25 Million in Damages

### *PresenceLearning Ordered to Pay Super Duper Publications in Online Copyright and Trademark Infringement Action*

**Greenville, S.C. (April 25, 2022)** - A federal court in New York City has ordered PresenceLearning, a nationwide online teletherapy company, to pay educational publisher [Super Duper Publications](#) \$3.25 million in damages and attorneys' fees in an amount to be determined, as well as to remove hundreds of Super Duper's copyrighted works from PresenceLearning's online platform in connection with Super Duper's claims for online copyright infringement, trademark infringement, and unfair competition.

Super Duper, a premier publisher of learning materials for children in PreK-Grade 5 and those with special needs, claimed that over the past 10 years Presence had, without permission, allowed educators access in its digital library to over 360 Super Duper copyrighted works and more than 40 registered trademarks.

In addition, Super Duper accused Presence of unfair competition through its use of SD materials in numerous marketing and advertising promotions to create the false impression that Super Duper had sponsored and approved of Presence's services.

"We have worked very hard for 36 years to create unique, fun, and colorful products to help children with speech and language delays, developmental learning disabilities, and autism, improve their lives," said Super Duper President Sharon Webber. "We were shocked to learn PresenceLearning had thousands of Super Duper custom illustrations, photos, and text-based content in its digital library."

PresenceLearning, led by CEO Kate Eberle Walker and author of *The Good Boss*, is according to their website "the leading provider of teletherapy and software solutions for special education related services and behavioral mental health counseling in K-12 schools."

"We wholeheartedly support both in-person and remote learning," said Super Duper CEO Thomas Webber. "Our [Super Duper Digital Library](#) has tens of thousands of innovative materials for therapists, teachers, and parents to use to help their children. Today's judgment is a victory for protecting one's intellectual property against unauthorized infringement by others."

"Sharon and I want to personally thank James Weinberger and Nicole Lieberman of the [Fross Zelnick Lehrman & Zissu](#) law firm for their excellent representation in this matter."

Founded by the Webbers in 1986, Super Duper Publications has created more than 1,700 supplemental educational and therapy materials for young students.

PresenceLearning began operations in 2009, and has received investment and funding from Spectrum Equity, TPG's Rise Fund, Catalyst Investors, New Markets, Venture Partners, Catamount Ventures, and Bain Capital Double Impact.

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