		Vary 6 6 to the
1	DOUGLAS A. LINDE, ESQ. (SBN 2	FILED 217584)(dal@lindelaw.net)
2	DOUGLAS A. LINDE, ESQ. (SBN 2 ERICA ALLEN, ESQ. (SBN 234922 THE LINDE LAW FIRM	d)(ela@lindelaw.net)
3	9000 Sunset Boulevard, Ste. 1025 Los Angeles, California 90069 (310) 203-9333; (310) 203-9233 FAX	2012 JAN 26 AM 10: 59
4	(310) 203-9333; (310) 203-9233 FAX	CLERM OLS, DISTRICT GOLDT CEMTRAL DISTLOF CALER, LOS AUCOMES
5	Attorneys for Plaintiff,	2 V mark to the control of the contr
6	DENNIS MORRIS	
7		
8	UNITED STA	TES DISTRICT COURT
9	CENTRAL DIS	TRICT OF CALIFORNIA
10		
11	DENNIS MORRIS) Case No. CV 12 0687 - OMG
12 13	Plaintiffs,	Case No. CV 12 0687-DMG (FMO)
14	,)
15	v.) COMPLAINT FOR COPYRIGHT) INFRINGEMENT
16	RUSSELL YOUNG, and DOES 1 though 10, inclusive,) DEMAND FOR JURY TRIAL
17	Defendants.) DEMAND FOR JUNITRIAL
18)
19	COMES NOW. PLAINTIFF DENNIS	MORRIS, ("Plaintiff" or "Morris") and
20	complains of and alleges the following	•
21		TION AND OVERVIEW
22	1. This is a clear liability cor	byright infringement case, wherein Defendants,
23	engaged in advertising activity, includi	ng but not limiting to, making, without
24	authorization, posters, lithographs, pair	ntings and other art featuring Plaintiff's copyrigh
25	protected photograph, causing significa	ant advertising injury to Plaintiff. Plaintiff seeks
26	recovery of all remedies available unde	er law including but not limited to its damages,

all of Defendants' profits, and payment of Plaintiff's attorneys fees and costs.

JURISDICTION AND VENUE

- 2. This Court has federal question jurisdiction under 28 U.S.C. §§ 1331, 1338(a).
- 3. The claims asserted herein arose in this judicial district and all Defendants do business in this judicial district.
- 4. Venue in this judicial district is proper under 28 U.S.C. § 1391(b) and (c) and 1400(a) in that this is the judicial district in which a substantial part of the acts and omissions giving rise to the claims occurred.
- 5. This is an action for copyright infringement under the Copyright Act of 1976, Title 17 U.S.C. § 101 et seq., seeking damages, attorneys' fees, preliminary and permanent injunctive relief, an accounting, as well as damages and other relief based upon other claims related to the misappropriation of Plaintiff's intellectual property.

PARTIES

- 6. Plaintiff DENNIS MORRIS, an individual, is a photographer and artist, who has gained worldwide recognition for his original and groundbreaking photographs, including photographs of musical visionaries
- 7. Plaintiff is informed and believes and thereon alleges that RUSSELL YOUNG, an individual, is a graphic artist and a citizen of the County of Los Angeles, State of California.
- 8. Plaintiff is informed and believes and thereon alleges that DOES 1 through 10, inclusive, created, assembled, distributed, manufactured and/or sold artwork bearing Plaintiff's copyrighted SUBJECT IMAGE (as hereinafter defined). The true names and capacities, whether corporate, individual or otherwise, of the Defendant DOES 1 through 10, inclusive, are unknown to Plaintiff who therefore sues said Defendants by such fictitious names, and will ask leave to amend this Complaint to show their true names and capacities when the same have been ascertained. As used hereafter the term Defendants shall mean and refer to RUSSELL YOUNG and DOES 1 through 10.

9. Plaintiff is informed and believes and thereon alleges that at all times relevant hereto, each of the Defendants, including without limitation the DOE Defendants, was the agent, affiliate, officer, director, manager, principal, partner, joint venturer, alter-ego and/or employee of the remaining Defendants and was at all times acting within the scope of such agency, affiliate, officer, director, manager, principal, partner, joint venturer, alter-ego and/or employment relationship and actively participated in, or subsequently ratified and adopted, or both, each and all of the acts or conduct alleged herein, with full knowledge of all the facts and circumstances, including, but not limited to, full knowledge of each and all of the violations of Plaintiff's rights and the damages to Plaintiff proximately caused thereby.

CLAIM FOR RELIEF

COPYRIGHT INFRINGEMENT UNDER 17 U.S.C. § 101 ET SEQ.

(Against All Defendants and Each of Them)

- 11. Plaintiff repeats, realleges and incorporates by reference in this paragraph the allegations contained in this Complaint as if fully set forth herein.
- 12. Plaintiff took the following original photograph of the musician Sid Vicious, (hereinafter "Subject Image"), which contains materials wholly original with Plaintiff and is copyrightable subject matter under the laws of the United States.



- 13. The Subject Image was published by Plaintiff in his book, entitled Destroy: The Sex Pistols 1977 (2002, Creation Books), ISBN-10: 184068058X; ISBN-13: 978-1840680584, for which Plaintiff applied for and received a copyright registration VA 1-785-966.
- 14. Plaintiff is informed and believes and thereon alleges that Defendants including all DOE Defendants, their customers and suppliers and each of them, had access to the Subject Image, including without limitation, access through Plaintiff's book, access through copies published on the internet and access through illegal copies.
- 15. Defendants wrongfully created copies of the copyrighted Subject Image without Plaintiff's consent and engaged in acts of affirmative and widespread self-promotion of the copies directed to the public at large by distributing said copies (and accompanying written materials) with a false and misleading designation of creation, ownership and origin, and falsely representing that the Subject Image was their own.
- 16. Plaintiff is informed and believes and thereon alleges that Defendants, and each of them, further infringed Plaintiff's copyright by making derivative works from Plaintiff's copyrighted Subject Image, and/or by producing and distributing garments incorporating those derivative works without Plaintiff's permission. Defendants then engaged in acts of affirmative and widespread self-promotion of the copies directed to the public at large by publicly claiming ownership rights in and to the derivative works based on the Subject Image that belong solely to Plaintiff.

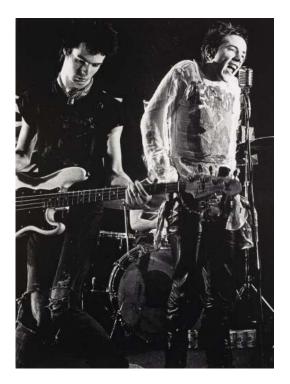
///

24 ///

17. DEFENDANTS offered for sale, and in fact sold, the following product:



18. DEFENDANTS offered for sale, and in fact sold, the following product:



///

19. DEFENDANTS offered for sale, and in fact sold, the following product:



20. DEFENDANTS offered for sale, and in fact sold, the following product:



- 21. DEFENDANTS created other works utilizing the Subject Image.
- 22. DEFENDANTS offered for sale, and in fact sold, other works utilizing the Subject Image.

- 23. Defendants' acts of copyright infringement and acts of affirmative and widespread self-promotion of the copies directed to the public at large, as alleged above, have caused Plaintiff to suffer, and to continue to suffer, substantial damage to its business in the form of diversion of trade, loss of income and profits, and a dilution of the value of its rights.
- 24. Further, as a direct result of the acts of copyright infringement and acts of affirmative and widespread self-promotion of the copies directed to the public at large alleged above, Defendants, and each of them, have obtained direct and indirect profits they would not otherwise have realized but for their infringement of Plaintiff's copyrighted Subject Image. Plaintiff is entitled to disgorgement of each Defendant's profits directly and indirectly attributable to said Defendant's infringement of the Subject Image.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment as follows:

- 1. That Defendants, and each of them, and their respective agents and servants be enjoined from infringing Plaintiff's copyright in any manner;
- 2. That Plaintiff be awarded all profits of Defendants, and each of them, plus all losses of Plaintiff, the exact sum to be proven at the time of trial, or, if elected before final judgment, statutory damages, as available under the Copyright Act, 17 U.S.C. § 101 et seq.;
- 3. That Plaintiff be awarded its attorneys' fees as available under the Copyright Act, 17 U.S.C. § 101 et seq.;
- 4. That Defendants, and each of them, account to Plaintiff for their profits and any damages sustained by Plaintiff arising from the foregoing acts of infringement;
 - 5. That Plaintiff be awarded pre-judgment interest as allowed by law;
 - 6. That Plaintiff be awarded the costs of this action; and

1	7. That Plaintiff be awarded such further legal and equitable relief as the Court							
2	deems proper.							
3								
4	Dated: January 20, 2012 THE LINDE LAW FIRM							
5	\wedge \wedge \wedge \wedge							
6	By: loudes ace							
7	Douglas A. Linde Erica L. Allen							
8	Attorneys for Plaintiff DENNIS MORRIS							
9								
10	DEMAND FOR JURY TRIAL							
11 12	Plaintiff hereby demands a trial by jury in this action pursuant to F.R.C.P.							
13	38 and the Seventh Amendment of the Constitution.							
14								
15	Dated: January 20, 2012 THE LINDE LAW FIRM							
16	$\sim 10^{\circ}$							
17	By:							
18	Erica L. Allen							
19	Attorneys for Plaintiff DENNIS MORRIS							
20								
21								
22								
23								
24								
25								
26								
27 28								

Case 2:12-cv-00687-DMG-FMO Document 1	Filed 01/26/12 Page 9 of 13 Page ID #:25
Douglas A. Linde, State Bar No. 217584 The Linde Law Firm 9000 Sunset Blvd., Suite 1025 Los Angeles, CA 90069 (310) 203-9333 (310) 203-9233 FAX	
	DISTRICT COURT CT OF CALIFORNIA
DENNIS MORRIS	CASE NUMBER
PLAINTIFF(S) V. RUSSELL YOUNG, and DOES 1 though 10, inclusive, DEFENDANT(S).	CV 12 0687-pm. (Fmx) summons
TO: DEFENDANT(S): A lawsuit has been filed against you. Within 21 days after service of this summon must serve on the plaintiff an answer to the attached to counterclaim □ cross-claim or a motion under Rule 12 or motion must be served on the plaintiff's attorney, The 9000 Sunset Blvd., Suite 1025, Los Angeles, CA 90069 judgment by default will be entered against you for the reyour answer or motion with the court.	2 of the Federal Rules of Civil Procedure. The answer Linde Law Firm, whose address is If you fail to do so, elief demanded in the complaint. You also must file
Dated:JAN 2 6 2012	By:
[Use 60 days if the defendant is the United States or a United States 60 days by Rule 12(a)(3)].	agency, or is an officer or employee of the United States. Allowed
CV-01A (10/11 SUMM	ONS

•Case 2:12-cv-00687-DMG-FMO Document 1	Filed 01/26/12 Page 10 of 13 Page ID #:26
Douglas A. Linde, State Bar No. 217584 The Linde Law Firm 9000 Sunset Blvd., Suite 1025 Los Angeles, CA 90069 (310) 203-9333 (310) 203-9233 FAX	
UNITED STATES I CENTRAL DISTRIC	
DENNIS MORRIS	CASE NUMBER
v. RUSSELL YOUNG, and DOES 1 though 10, inclusive,	CV 12 0687-bm6(FMX) summons
DEFENDANT(S).	
A lawsuit has been filed against you. Within 21 days after service of this summon must serve on the plaintiff an answer to the attached counterclaim cross-claim or a motion under Rule 12 or motion must be served on the plaintiff's attorney, The 9000 Sunset Blvd., Suite 1025, Los Angeles, CA 90069 judgment by default will be entered against you for the reyour answer or motion with the court.	2 of the Federal Rules of Civil Procedure. The answer 2 Linde Law Firm, whose address is If you fail to do so,
Dated:JAN 2 6 2012	By: MARTIN DAVIS Deputy Olerk (Seal of the Court)
(Use 60 days if the defendant is the United States or a United States 60 days by Rule 12(a)(3)].	agency, or is an officer or employee of the United States. Allowed
CV-01A (10/11 SUMMO	ONS

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA CIVIL COVER SHEET

I (a) PLAINTIFFS (Check box if you are representing yourself □) DENNIS MORRIS					DEFENDANTS RUSSELL YOUNG, and DOES I though 10, inclusive,						
(b) Attomeys (Firm Name, a yourself, provide same.) Douglas A. Linde and E THE LINDE LAW FIR. 9000 Sunset Blvd., Ste.	rica L. A M				ttorneys	(If Known)					
II. BASIS OF JURISDICTION	ON (Plac	ce an X in one box only.)				PRINCIPAL PA		For Diversity Case defendant.)	es Only		
□ 1 U.S. Government Plaintiff			Citizen of This Sta	ate	P ′	F DEF		Principal Place his State	PTF □ 4	DEF	
☐ 2 U.S. Government Defenda	int 🗆	4 Diversity (Indicate Citi of Parties in Item III)	zenship	Citizen of Another	r State		2 🗆 2	Incorporated an of Business in A	d Principal Place Another State	□ 5	□ 5
				Citizen or Subject	of a For	eign Country	3 □3	Foreign Nation		□6	□6
IV. ORIGIN (Place an X in or	ved from			einstated or	Γransfer	red from another of	district (s	Dis	trict Jud	peal to I ge from gistrate	1
V. REQUESTED IN COMP CLASS ACTION under F.R. VI. CAUSE OF ACTION (C Plaintiff alleges Defendan	C.P. 23: ite the U	S. Civil Statute under whed 17 U.S.C 101 et seq. wh	ich you	☐ MC	ONEY I	DEMANDED IN	COMPL Do not	cite jurisdictional s		ersity.)	
OTHER STATUTES 400 State Reapportionment		CONTRACT Insurance	PEI	TORTS RSONAL INJURY		TORTS PERSONAL		PRISONER PETITIONS	LAI	Name and Address of the Owner o	ındards
□ 410 Antitrust □ 430 Banks and Banking □ 450 Commerce/ICC Rates/etc. □ 460 Deportation □ 470 Racketeer Influenced and Corrupt Organizations □ 480 Consumer Credit □ 490 Cable/Sat TV □ 810 Selective Service □ 850 Securities/Commodities Exchange □ 875 Customer Challenge 12 USC 3410	130 140 150 151 152 160	Marine Miller Act Negotiable Instrument Recovery of Overpayment & Enforcement of Judgment Medicare Act Recovery of Defaulted Student Loan (Excl. Veterans) Recovery of Overpayment of Veteran's Benefits Stockholders' Suits Other Contract	□ 315 □ 320 □ 330 □ 340 □ 345 □ 350 □ 360	Airplane Airplane Product Liability Assault, Libel & Slander Fed. Employers' Liability Marine Marine Product Liability Motor Vehicle Motor Vehicle Product Liability Other Personal Injury Personal Injury- Med Malpractice Personal Injury-	□ 371 □ 380 □ 385 □ 422 □ 423 □ 441 □ 442	Other Fraud Truth in Lendin Other Personal Property Damag Property Damag Product Liabilit ANKRUPTCY Appeal 28 USC 158 Withdrawal 28 USC 157 IVIL RIGHTS Voting Employment Housing/Acco- mmodations	g	Motions to Vacate Sentence Habeas Corpus General Death Penalty Mandamus/ Other Civil Rights Prison Condition ORFETTURE/ PENALTY Agriculture Other Food & Drug Drug Related Seizure of Property 21 USC	Act 720 Labor/ Relatio 730 Labor/ Reportition Disclos 740 Railwa 790 Other Latigati 791 Empl. Faccurity PROPERTY 820 Copyrig 830 Patent 840 Tradem SOCIAL SI	Mgmt. ng & ure Act y Labor on Ret. Inc. y Act r RIGH ghts ark	r Act

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

FOR OFFICE USE ONLY: Case Number: ___

Case 2:12-cv-00687-DMG-FMO Document 1 Filed 01/26/12 Page 12 of 13 Page ID #:28

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA CIVIL COVER SHEET

VIII(a). IDENTICAL CASES: Has this action been previously filed in this c If yes, list case number(s):	ourt and dismissed, remanded or closed? No □ Yes
VIII(b). RELATED CASES: Have any cases been previously filed in this coll if yes, list case number(s):	ourt that are related to the present case? ♥ No □ Yes
Civil cases are deemed related if a previously filed case and the present case	se:
Check all boxes that apply) A. Arise from the same or closely related training the same of closely related training training the same of closely related training training the same of closely related training	
	stantially related or similar questions of law and fact; or
☐ C. For other reasons would entail substantial	duplication of labor if heard by different judges; or
\square D. Involve the same patent, trademark or cop	syright, and one of the factors identified above in a, b or c also is present.
. VENUE: (When completing the following information, use an additional s	sheet if necessary.)
List the County in this District; California County outside of this District; Check here if the government, its agencies or employees is a named plaint	State if other than California; or Foreign Country, in which EACH named plaintiff resides. iff. If this box is checked, go to item (b).
County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
	London, United Kingdom
County in this District: * Los Angeles County List the County in this District; California County outside of this District; Note: In land condemnation cases, use the location of the tract of land	California County outside of this District; State, if other than California; or Foreign Country State if other than California; or Foreign Country, in which EACH claim arose. involved.
County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
os Angeles County	
os Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbarate: In land condemnation cases, use the location of the fract of land involved	a, or San Luis Obispo Counties
SIGNATURE OF ATTORNEY (OR PRO PER):	Date 1/20/2012
or other papers as required by law. This form, approved by the Judicial Conf	e information contained herein neither replace nor supplement the filing and service of pleadings ference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)
ey to Statistical codes relating to Social Security Cases: Nature of Suit Code Abbreviation Substantive Statement	ent of Cause of Action

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	ніа	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))

UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

This case has been assigned to District Judge Dolly Gee and the assigned discovery Magistrate Judge is Fernando M. Olguin.

The case number on all documents filed with the Court should read as follows:

CV12- 687 DMG (FMOx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery	related motio	ns should b	e noticed	on the ca	lendar of	the Magistrate	Judge

NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

[X]	Western Division 312 N. Spring St., Rm. G-8 Los Angeles, CA 90012	L	Southern Division 411 West Fourth St., Rm. 1-053 Santa Ana, CA 92701-4516	L	Eastern Division 3470 Twelfth St., Rm. 134 Riverside, CA 92501	ļ
			•		· · · · · · · · · · · · · · · · · · ·	

Failure to file at the proper location will result in your documents being returned to you.