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**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION – LOS ANGELES**

DANIEL E. GRIGSON, an individual,  
  
Plaintiff,

v.

ROBERT LOPEZ, an individual;  
KRISTEN ANDERSON-LOPEZ, an  
individual; THE WALT DISNEY  
COMPANY, a Delaware corporation;  
DISNEY ENTERPRISES, INC., a  
Delaware corporation; WALT DISNEY  
ANIMATION STUDIOS, a division of  
the Walt Disney Company; WALT  
DISNEY STUDIOS, a division of the  
Walt Disney Company; WALT  
DISNEY PICTURES, a California  
corporation; DISNEY DIGITAL  
STUDIOS SERVICES, a division of the  
Walt Disney Company; DISNEY  
MUSIC GROUP, a division of the Walt  
Disney Company; DISNEY+, a division  
of the Walt Disney Company; and  
JOHN DOES 1-10,

Defendants.

Case No.

**PLAINTIFF'S COMPLAINT FOR  
COPYRIGHT INFRINGEMENT**

**JURY TRIAL DEMANDED**

1 **JURISDICTION AND VENUE**

2 1. This action arises under the Copyright Act of 1976, Title 17 U.S.C. §  
3 101 *et seq.*

4 2. This Court has jurisdiction over the subject matter of this action  
5 pursuant to 28 U.S.C. § 1331 (federal question jurisdiction) and 28 U.S.C. § 1338(a)  
6 (actions arising under any Act of Congress relating to copyright).

7 3. The Court has personal jurisdiction over each of the DEFENDANTS  
8 because one or more DEFENDANTS reside, have agents, do or transact business  
9 here, or are otherwise found, and have purposefully availed themselves of the  
10 privilege of doing business in California and this District, and the wrongful acts of  
11 DEFENDANTS took place, in whole or in part, in this District.

12 4. Venue is proper in this District under 28 U.S.C. § 1400(a), because  
13 DEFENDANTS or their agents reside or may be found here. Alternatively, under  
14 28 U.S.C. § 1391(b)(2), this is a judicial District in which a substantial part of the  
15 events or omissions giving rise to the claim occurred.

16  
17 **PARTIES**

18 5. Plaintiff, DANIEL E. GRIGSON (“GRIGSON”), is an individual  
19 residing at 2844 Ware Street, Blackshear, Georgia 31516. By virtue of authorship  
20 (**EXHIBIT 1**) and assignment (**EXHIBIT 2**), GRIGSON is the owner of all right,  
21 title, and interest in the copyright in the musical composition entitled “That Girl.”

22 6. Upon information and belief, Defendant, ROBERT LOPEZ (“R  
23 LOPEZ”), is an individual doing business in and with the residents of California,  
24 including within this District.

25 7. Upon information and belief, Defendant, KRISTEN ANDERSON-  
26 LOPEZ (“K A-LOPEZ”) is an individual doing business in and with the residents of  
27 California, including within this District.

1           8.     Upon information and belief, Defendant THE WALT DISNEY  
2 COMPANY is a Delaware corporation with its principal place of business at 500  
3 South Buena Vista Street, Burbank, California, 91521, duly authorized to do and  
4 doing business in this District.

5           9.     Upon information and belief, Defendant, WALT DISNEY  
6 ANIMATION STUDIOS, is an animation studio and Defendant, WALT DISNEY  
7 PICTURES, is a film production studio. Both are doing business in this District.  
8 Both are subsidiaries of Defendant, WALT DISNEY STUDIOS. Upon information  
9 and belief, WALT DISNEY STUDIOS is a fictitious name under which a division  
10 of Defendant, DISNEY ENTERPRISES, INC., operates. DISNEY ENTERPRISES,  
11 INC. is a Delaware corporation authorized to do and doing business in this District.  
12 DISNEY ENTERPRISES, INC., is a subsidiary of THE WALT DISNEY  
13 COMPANY.

14           10.    Upon information and belief, Defendant, DISNEY DIGITAL STUDIO  
15 SERVICES, specializes in digital production, post-production, marketing, and  
16 distribution workflows and is a subsidiary of THE WALT DISNEY COMPANY.

17           11.    Upon information and belief, Defendant, DISNEY MUSIC GROUP is  
18 a division of THE WALT DISNEY COMPANY which handled and continues to  
19 handle the soundtracks for FROZEN II.

20           12.    Upon information and belief, Defendant, DISNEY+, is the streaming  
21 home for entertainment from WALT DISNEY STUDIOS, operated by the Media  
22 and Entertainment Distribution division of THE WALT DISNEY COMPANY.

23           13.    To the extent that any business entity named as a Defendant herein is  
24 unincorporated, upon information and belief, its members reside within and/or do  
25 business within or with the residents of the District.

26           14.    Upon information and belief, THE WALT DISNEY COMPANY,  
27 acting through and in concert with its affiliated companies, DISNEY  
28

1 ENTERPRISES, INC., WALT DISNEY ANIMATION STUDIOS, WALT  
2 DISNEY PICTURES, WALT DISNEY STUDIOS, DISNEY DIGITAL STUDIO  
3 SERVICES, DISNEY MUSIC GROUP and DISNEY+ (“AFFILIATED  
4 COMPANIES”), and one or more JOHN DOES produced, released, and distributed,  
5 and continue to reproduce and distribute, the film entitled FROZEN II, with the  
6 musical composition “Some Things Never Change” being performed within said  
7 film.

8 15. The true names, conduct and capacities of DEFENDANTS sued as  
9 JOHN DOES 1 through 10, inclusive, are presently unknown to GRIGSON who,  
10 therefore sues these DEFENDANTS by such fictitious names. GRIGSON will  
11 include the true names and capacities of these JOHN DOES when they are  
12 ascertained. Each of the JOHN DOES is responsible in some manner, including,  
13 *inter alia*, as infringers, contributory infringers, and/or agents for the conduct alleged  
14 herein, and for the injuries suffered by GRIGSON.

15 16. Upon information and belief, at all times mentioned herein, each  
16 DEFENDANT was an agent, partner, representative, affiliate, employee, and/or alter  
17 ego of every other DEFENDANT, and in doing the things alleged herein, was acting  
18 pursuant within the course and scope of such agency representation, affiliation,  
19 control or employment and was acting with the consent, permission and  
20 authorization of the other DEFENDANTS unless otherwise noted.

21 17. Whenever this Complaint refers to any act or acts of a DEFENDANT,  
22 the reference shall also be deemed to mean that the directors, officers, employees,  
23 affiliates, controlling companies or agents of the responsible DEFENDANT  
24 authorized such act while actively engaged in the management, direction or control  
25 of the affairs of DEFENDANT, and each of them, and/or by persons who are the  
26 alter ego of DEFENDANTS, or while acting within the scope of their agency,  
27 affiliation, control or employment. Whenever this Complaint refers to any act of  
28

1 DEFENDANTS, the reference shall be deemed to be the act of DEFENDANTS,  
2 jointly and severally.

3  
4 **BACKGROUND FACTS**

5 18. GRIGSON repeats and realleges Paragraphs 1 through 17 above as if  
6 fully rewritten.

7 19. GRIGSON is a songwriter, performing artist, musician, and recording  
8 artist. In 1996 he started Pelican Records. In 1999 Pelican Records released the CD  
9 “Planet Necco” which included the track “That Girl,” and which was available for  
10 streaming, download and purchase on mp3.com. GRIGSON and Neal Bedford  
11 Bryant are the authors of the words and music for the song “That Girl.”

12 20. In 2000, GRIGSON applied for copyright registration (compact disc  
13 and lyrics sheets) for “Breakfast Songs, Vol. 1” which included the track “That Girl.”

14 21. In 2000, Pelican Records released the CD “Cinco de Necco: Musica  
15 Suave” which included the track “That Girl.”

16 22. In 2001, Pelican Records released “Blue Hair Day” which included the  
17 track “That Girl” and available in hard copy, download and streaming. Also in 2001,  
18 “Blue Hair Day” was registered with SoundScan for public sale and distribution.

19 23. Since 2001 through today, “Blue Hair Day,” including “That Girl” has  
20 been available on dozens of music platforms including iTunes, Spotify, Apple  
21 Music, and Amazon Music. Between 2001-2014, “That Girl” streamed on  
22 Trusonic/Mood Music commercial streaming platform more than 100,000 times.

23 24. GRIGSON has a very public history of writing original music for and  
24 with children:

- 25 a. In 2007, GRIGSON started “The Environmental Club” youth group,  
26 which maintained a web site, Facebook, and YouTube page to share  
27 original music written for and with kids.  
28

- 1           b. In 2008, lyrics for GRIGSON’S song “Trini” (recorded by kids) was  
2           used and reprinted with credit in a book released by Chicago’s  
3           Shedd Aquarium.
- 4           c. Also in 2008, Pelican Records released “Voices,” a CD of original  
5           music written for and with kids. It remains available online for  
6           streaming, download and hard copy purchase.
- 7           d. In 2009, Pelican Records released “Do We Care?” This is a CD of  
8           original music written for and with kids. It, also, remains available  
9           online for streaming, download and hard copy purchase.
- 10          e. In addition, in 2009, GRIGSON received the 2009 “SeaWorld and  
11          Busch Gardens Environmental Excellence Award” for his work  
12          writing, producing, releasing, and teaching kids through creating  
13          music. This is a national award with an Award Ceremony at  
14          SeaWorld in Florida, and it was covered in the news.
- 15          f. Also in 2009, GRIGSON started “The Maasai Music Project.” For  
16          the first time ever, kids from the United States worked with kids in  
17          Africa to create original music together, a person-to-person  
18          collaboration across continents and cultures. This project continues  
19          to this day and has been publicly available online since its  
20          inception. GRIGSON has returned to Africa three more times to  
21          continue the project which is promoted on Facebook, YouTube, and  
22          Instagram.
- 23          g. Between 2009-2014, GRIGSON, first through Pelican Records and  
24          thereafter Necco Records, produced live music performances  
25          featuring kids writing original songs. Performances were streamed  
26          and promoted online, including on the websites  
27          [www.neccorecords.com](http://www.neccorecords.com), [www.neccosforbreakfast.com](http://www.neccosforbreakfast.com), and  
28

1 [www.maasaimusicproject.com](http://www.maasaimusicproject.com), and social media. In 2012, Necco  
2 Records released “Together, Pamoja, Tenebo,” a CD of original  
3 music written for and with kids in the United States and Africa,  
4 which remains available online for streaming including on iTunes,  
5 Spotify, Apple Music and Amazon Music. It is registered with  
6 Soundscan and remains available through major retailers such as  
7 Amazon and Target.com.

8 h. In 2016, GRIGSON started The Sprout Experience, an educational  
9 nonprofit with a mission to create and sustain immersive youth  
10 programs that encourage a love of learning, foster social/emotional  
11 growth, promote global citizenship, and have a long-lasting impact  
12 on the lives and learning of its students. From 2016 through today,  
13 The Sprout Experience has traveled all around the world and country  
14 with kids. Music is featured in every one of its programs. It has  
15 maintained an active and public presence online, including on  
16 Facebook, Instagram, YouTube, Twitter, and its own website  
17 [www.thesproutexperience.org](http://www.thesproutexperience.org).

18 i. In 2017, GRIGSON created The Sprout Experience “Songwriting  
19 Workshop.” GRIGSON works with kids to write, perform, and  
20 produce original music. This program has maintained a public  
21 presence online, including details about the program, itself,  
22 GRIGSON’S credentials, and samples of his music.

23 25. By virtue of his authorship (**EXHIBIT 1**) and assignment from Neal  
24 Bryant Bedford (**EXHIBIT 2**), GRIGSON is the sole owner of all right, title, and  
25 interest in the copyright for the musical composition entitled “That Girl.” The  
26 copyright in “That Girl” was registered with the United States Copyright Office on  
27  
28



1 or about January 18, 2000, and bears Registration No. PAu002489317.  
2 **(EXHIBIT 1).**

3 26. Upon information and belief, R LOPEZ has publicly admitted he  
4 always loves to listen to other songs that could be useful to draw inspiration from  
5 and loves watching any kind of YouTube. **(EXHIBIT 3).**

6 27. R LOPEZ purports to be a co-author of the song “Some Things Never  
7 Change” from the animated feature film FROZEN II. **(EXHIBIT 4).**

8 28. K A-LOPEZ purports to be a co-author of the song “Some Things  
9 Never Change” from the animated feature film FROZEN II. **(EXHIBIT 4).**

10 29. Upon information and belief, R LOPEZ and K A-LOPEZ wrote the  
11 musical composition “Some Things Never Change” at the direction of or in concert  
12 with THE WALT DISNEY COMPANY, and/or its AFFILIATED COMPANIES,  
13 and one or more JOHN DOES.

14 30. Upon information and belief, the musical composition Some Things  
15 Never Change” was a work for hire by R LOPEZ and K A-LOPEZ for THE WALT  
16 DISNEY COMPANY or one of its AFFILIATED COMPANIES, or R. LOPEZ and  
17 K A-LOPEZ either directly or indirectly through one or more JOHN DOES,  
18 assigned ownership rights or licensed performance rights to the song “Some Things  
19 Never Change” to, THE WALT DISNEY COMPANY and/or one or more of its  
20 AFFILIATED COMPANIES, either directly or through a JOHN DOE.

21 31. The song “Some Things Never Change” was performed in FROZEN II  
22 at the direction of THE WALT DISNEY COMPANY and/or one or more of its  
23 AFFILIATED COMPANIES and JOHN DOES.

24 32. Upon information and belief, THE WALT DISNEY COMPANY,  
25 WALT DISNEY ANIMATION STUDIOS, WALT DISNEY PICTURES and  
26 WALT DISNEY STUDIOS, or other of its AFFILIATED COMPANIES, and one  
27 or more JOHN DOES, produced, released, and distributed the film FROZEN II.  
28



1           33. Upon information and belief, the film FROZEN II was released in  
2 theaters across the United States on November 27, 2019.

3           34. Upon information and belief, the film FROZEN II became available on  
4 DVD and Blu-ray from THE WALT DISNEY COMPANY, through DISNEY  
5 DIGITAL STUDIO SERVICES or other of its AFFILIATED COMPANIES and  
6 JOHN DOES, on or about February 25, 2020, and continues to be so available.

7           35. The film FROZEN II also has been and continues to be available for  
8 streaming from THE WALT DISNEY COMPANY through DISNEY+ and other  
9 platforms.

10           36. Upon information and belief, THE WALT DISNEY COMPANY,  
11 through DISNEY MUSIC GROUP or other of its AFFILIATED COMPANIES, and  
12 JOHN DOES, has produced, released and distributed related soundtracks which  
13 continue to be available for download on multiple platforms, including but not  
14 exclusively on [www.kidsmusics.com](http://www.kidsmusics.com), [www.music.apple.com](http://www.music.apple.com), and [www.download-](http://www.download-soundtracks.com)  
15 [soundtracks.com](http://www.download-soundtracks.com).

16           37. GRIGSON first heard the song “Some Things Never Change” while  
17 attending the film FROZEN II during the week after its release on November 27,  
18 2019. As the song was being performed, he involuntarily stood straight up, turned  
19 to look at his wife, and then at his kids, his eyes wide open as saucers. The close  
20 similarity to his own work “That Girl” was so striking to him that it caught him off  
21 guard, the beat, rhythm, feel, theme, words. He sat back down with his head in his  
22 hands. His 11-year-old daughter leaned over to him and said “Dad, Disney took  
23 your song.”

24           38. Shortly thereafter, GRIGSON put audio files for both songs into his  
25 computer to analyze them further. He located a version of “Some Things Never  
26 Change” with music only, and he transposed “That Girl” down 2 steps to match keys.

1 He did not alter anything else. Not the rhythm. Not the tempo. Not the chords.  
2 Nothing was added. To him, the musical similarity was striking.

3 39. GRIGSON also found similarity in the structure and lyrics.

4 40. Based upon GRIGSON'S findings, an experienced forensic  
5 musicologist, Dr. Robert Tomaro, a symphonic conductor, trained in the areas of  
6 classical, popular, and commercial music, with experience in the techniques of the  
7 recording studio and in recorded music, as well as in guitar performance as a  
8 professional guitarist, was retained to perform a comparative analysis of "That Girl"  
9 versus "Some Things Never Change."

10 41. Preliminary and further analyses were undertaken using several  
11 methodologies: Recording Analysis (which involves the identification and  
12 differentiation between two recorded works in terms of melody, harmony, and/or  
13 digital signals, in the exact form in which they were recorded), Compositional  
14 Analysis (in which similarity is established by a reductive approach), a Temporal or  
15 Timeline Analysis (in which songs are mapped as a timeline, and important lyrical  
16 and structural elements are cited compared and explained), and an Audio Analysis.

17 42. Forensic musicologist, Dr. Tomaro, found eight significant similarities  
18 shared by "That Girl" and "Some Things Never Change" in the following areas:  
19 melodies and melodic structure; musical forms and musical gestures; rhythm  
20 sections parts; tempos; chord progressions; cadences at the end of the choruses;  
21 lyrics; and arrangements and lyrical structures.

22 43. A temporal or timeline comparison of similarities in the lyrics and in  
23 the forms of the arrangements in both songs shows that:

- 24 a. Each chorus has the same or similar words that appear in the same order  
25 in each chorus. Below is a comparison of the three lines that are  
26 repeated in each song in each chorus. These are the main chorus lines,  
27 the main theme of each song, the most memorable and important lyric  
28

of each song including the first and the last (resolution) line of each chorus.

<b>“That Girl”</b>	<b>“Some Things Never Change”</b>
some people never change but inside they're still the same some people never change	some things never change Some things stay the same Some things never change

b. “That Girl” and “Some Things Never Change” have identical song structure in terms of arrangement of sections. Below, similar lyrics, set in similar structural forms, are outlined in color. Both songs exhibit the identical arrangement of the various sections, from placement of the “intro” through placement of the “chorus” and placement of the ending or “outro” of the songs.

c. Seen below is a side-by-side comparison of the timelines of the lyrical structures of both recordings. The similarity in the structure of both songs was opined by forensic musicologist, Dr. Tomaro, to be significant because:

- i. the structure is quite complex and unusual for a pop song because pop songs generally follow simpler patterns, such as “verse, chorus, bridge, verse chorus, verse chorus, ending;” and
- ii. the arrangement of the sections in both songs follows a unique pattern, yet one that is identical.

<b>“That Girl”</b>	<b>“Some Things Never Change”</b>
MUSIC INTRO VERSE CHORUS	MUSIC INTRO VERSE CHORUS

1	<b>VERSE</b>	<b>VERSE</b>
2	<b>CHORUS</b>	<b>CHORUS</b>
3	<b>BRIDGE PT 1</b>	<b>BRIDGE PT 1</b>
4	<b>BRIDGE PT 2</b>	<b>BRIDGE PT 2</b>
5	<b>CHORUS</b>	<b>CHORUS</b>
6	<b>OUTRO</b>	<b>OUTRO</b>
7	<b>“That Girl”</b>	<b>“Some Things Never Change”</b>
8	<b>MUSIC INTRO</b>	<b>MUSIC INTRO</b>
9	<b>VERSE</b>	<b>VERSE</b>
10	i remember that girl, she was my best friend	Yes, the wind blows a little bit colder
11	she would always have my back	And we're all getting older
12	she'd be there for me as long as there was a me, a	And the clouds are moving on
13	statement so true it's a fact	with every autumn breeze
14	of course i knew all about her & her friends	Peter Pumpkin just became fertilizer
15	relationships that died in the past	And my leaf's a little sadder and wiser
16	but she'd be there for me as long as there was a	That's why I rely on certain certainties
17	me, this was different it would last	[instrumental]
18	<b>CHORUS</b>	<b>CHORUS</b>
19	<b>some people never change</b>	<b>Yes, some things never change</b>
20	they put on a different mask or cut their hair or get	Like the feel of your hand in mine
21	contacts	<b>Some things stay the same</b>
22	<b>but inside they're still the same</b>	Like how we get along just fine
23	<b>some people never change</b>	Like an old stone wall that'll never fall
24		Some things are always true
25	<b>VERSE</b>	<b>Some things never change</b>
26	that girl played it up good,	Like how I'm holding on tight to you
27	she really kept it up	<b>VERSE</b>
28	she must have had a really good time	The leaves are already falling
	she'd be there for me	Sven, it feels like the future is calling
	as long as there was a me	Are you telling me tonight you're gonna get
	a statement that's not worth a dime	down on one knee? Yeah bud,
	Whistle...	I'm really bad at planning these things out
		Like candlelight and pulling of rings out
		Maybe you should leave all the romantic stuff to
		me
	<b>CHORUS</b>	<b>CHORUS</b>
	<b>some people never change</b>	<b>Yes, some things never change</b>
	they put on new perfume	Like the love that I feel for her
	or buy new clothes	<b>Some things stay the same</b>

and lie to you  
**but inside they're still the same**  
**some people never change**

**BRIDGE PT 1**

when they lie to you  
 and fill your head with dreams  
 when they comfort you  
 with words of polyurethane  
 when they won't look at you,  
 their eyes will tell it all  
 when all these words ring true,  
 get ready for a fall

**BRIDGE PT 2**

in a different place  
 in a different time  
 maybe it could've worked out  
 but i really think  
 it's better this way  
 she's a problem child i can do without  
 i should've listened  
 to what people had to say  
 it could've been so easy  
 but i had to learn the hard way that

**CHORUS**

**some people never change**  
 they can laugh awhile or sing to you or fake a  
 smile  
**but inside they're still the same**  
**some people never change**

**OUTRO**

some people never change  
 some people never change  
 some people never change  
 Does that seem strange?

Like how reindeers are easier  
 But if I commit and I go for it  
 I'll know what to say and do Right?  
**Some things never change**  
 Sven, the pressure is all on you

**BRIDGE PT 1**

The winds are restless  
 Could that be why I'm hearing this call?  
 Is something coming?  
 I'm not sure I want things to change at all  
 These days are precious  
 Can't let them slip away  
 I can't freeze this moment  
 But I can still go out and seize this day

**BRIDGE PT 2**

The wind blows a little bit colder  
 And you all look a little bit older  
 It's time to count our blessings  
 Beneath an autumn sky  
 We're always living the kingdom aplenty  
 That stands for the good of the many  
 And I promise you the flag of Arendelle  
 will always fly  
 Our flag will always fly  
 Our flag will always fly  
 Our flag will always fly

**CHORUS**

**some things never change**  
 Turn around and the time has flown  
**Some things stay the same**  
 Though the future remains unknown  
 May our good luck last, May our past be past  
 Time's moving fast, it's true  
**Some things never change**  
 And I'm holding on tight to you

**OUTRO**

Holding on tight to you  
 Holding on tight to you  
 Holding on tight to you  
 I'm holding on tight to you

1           44. Forensic musicologist, Dr. Tomaro, found:

- 2                   a. both songs follow the same rhythm, beat and tempo, especially
- 3                   noted in the nearly identical acoustic guitar underlying the
- 4                   majority of both songs;
- 5                   b. The similarity is most apparent during the quiet parts of the
- 6                   songs; and
- 7                   c. Comparing corresponding clips from the two songs compiled by
- 8                   GRIGSON, the tempo and rhythm are so similar they kept time
- 9                   and rhythm without alterations.

10           45. A further analysis of the opening bars of both songs was had by forensic

11 musicologist, Dr. Tomaro. For that analysis the key of “Some Things Never

12 Change” was transposed from C Major to G Major, the key in which “That Girl” is

13 performed. It showed as follows:

- 14                   a. The tempos of both songs are identical. Quarter note = 92 BPM;
- 15                   b. The chord progressions in the choruses of both songs are very
- 16                   similar. In "That Girl," the second chord of the progressions is
- 17                   Em. In "Some Things Never Change", it is Am;
- 18                   c. In “That Girl” the final chord in the phrase appears as C/D and
- 19                   sometimes D. In “Some Things Never Change,” it is D7sus.
- 20                   Although the chords are different, they are both variations on a
- 21                   D chord and serve the function of a “5 Chord;”
- 22                   d. Both chord progressions exhibit a similar harmonic movement
- 23                   and provide a similar harmonic background for the vocal
- 24                   melody that is sung over the progression; and
- 25                   e. The similarities found in the opening bars of the choruses of
- 26                   both “That Girl” and “Some Things Never Change” are seen
- 27
- 28

1 below, with the meaning of the circled notes being as explained  
2 below.

3 *i.* The major melodic figure in the first of the chorus to  
4 both songs is strikingly similar. They both follow a  
5 pattern of the same descending notes, beginning on B  
6 and descending down to D, which is identified by the  
7 circled numbers in the excerpts to both excerpts as  
8 follows:

9 Circle 1 – B

10 Circle 2 – B is repeated

11 Circle 3 – G

12 Circle 4 – D

13 *ii.* In the second bar of the chorus of both songs, the  
14 melodic statement that began in the first bar is  
15 completed. In “That Girl,” the phrase takes the form of  
16 a descending line, beginning on B and descending  
17 down to D, as follows:

18 Circle 5 – B

19 Circle 6 – A

20 Circle 7 – G

21 Circle 8 – D

22 *iii.* In the second half of the same bar in the chorus of  
23 “Some Things Never Change,” however, this phrase is  
24 inverted; that is, it is played upside down, but  
25 comprises the same melodic material. It is transformed  
26 into: G...A...B...D, as follows:

27 Circle 5 – G  
28



Circle 6 – A

Circle 7 – B

Circle 8 – D

*That Girl*

quarter note = 92

Some peo ple ne ver change they put on diff rent mask or get con tacts but

*Some Things Never Change*

quarter note = 92

Some things ne ver change like how we get a long just fine

*inversion of the same figure in That Girl*

46. Further analysis of both songs shows that a similar cadence occurs simultaneously in both at the same point in their respective recordings, and that other striking similarities exist in both cadences, as well. In the exhibit below, these similarities are identified in the excerpts to both songs as Circled numbers 1 through 5.

a. There is a pause in the vocal melody of each song in the cadence.

- i. Circle 1 - In the penultimate measure of both choruses, the vocal melody pauses on beat 4 of both songs, as is identified in both excerpts below and marked as Circle 1. In "That Girl", there is a pause after the lyric "same". The vocal line stops for 2 V2 beats before going on.

Those beats are marked by a quarter note rest on beat 4, following by a dotted quarter note rest at the beginning of the following bar. Similarly, in “Some Things Never Change”, the vocal line pauses on the last 16<sup>th</sup> note of the measure on the word "change", also marked by a circle 1. The note is held into the following bar. As in "That Girl", the pause lasts for just over one beat.

*ii.* Circle 2 - Coinciding with the pauses at the end of the bars in both songs, the instrumental accompaniment also pauses, and a chord is struck and held for a full bar in both songs, marked by circle 2 in both excerpts. In "That Girl", this gesture is marked by a whole note at the beginning of the bar on a C major chord. In “Some Things Never Change”, it is marked by D major chord and a whole note also on beat one of the next bar, and also identified by circle 2.

*iii.* Circle 3 - In the second bar of both excerpts below, the vocal lines in both songs reenter just after beat one at the same time. In “That Girl”, the vocal entrance is on the last half of beat one on the word "some", marked by circle 3. In “Some Things Never Change”, the vocal line also reenters on the second half of beat 1, on the word "like", and is also marked by circle 3.

b. There are similarities in the melodies in the cadences of both songs.

i. Circles 4 and 5 - The melodies in the vocal lines in both songs exhibit striking similarities in the second half of both the second bars of the cadence. The primary emphasis in both melodic lines occurs on beat 3 in both songs, on the note B, and is identified below in circle 4. Then on beat 4, the melody in both songs moves to the note G and is identified by circle 5 in both song excerpts below.

c. These cadential passages are a unique and catchy feature of both songs, and the fact that both songs share five distinct similarities at the same place and in the space of a brief, two bar phrase, it is opined by forensic musicologist, Dr. Tomaro, as significant.

*The cadence in That Girl*

*The Cadence in Some Things Never Change*

47. A further reductive analysis of the depiction of the central melodies (or hooks) of both songs was had, in which the passing tones, rests and rhythmic

1 anomalies in the scores were removed to highlight significant similarities. It  
2 revealed:

- 3 a. The musical elements in the melodies of both songs are not only  
4 similar in themselves, they are also linked to lyrics that are  
5 similar in both songs and that appear in the same context in both  
6 songs;
- 7 b. A similar lyrical phrase is found in the chorus of both songs,  
8 differing only in the use of the two words “people” and “things,”  
9 that is “people” is sung in “That Girl” and “things” is sung in  
10 “Some Things Never Change;”
- 11 c. There is a three-note rhythmic pattern which appears in the same  
12 place in both songs, structured as a 16<sup>th</sup> note, followed by an 8<sup>th</sup>  
13 note, followed by a 16<sup>th</sup> note. This central motive (or hook) to  
14 both songs is then repeated through the songs;
- 15 d. A variation of this phrase is then repeated in both songs, and it  
16 also contains similarities, both phrases again begin with the note  
17 B, the rhythmic figure that occurred previously is now changed  
18 to a new rhythmic pattern, 8<sup>th</sup> note, 16<sup>th</sup> note, 16<sup>th</sup> note, and both  
19 phrases end on the phrase “the same,” which rhymes with  
20 “change” from the first phrase of the hook;
- 21 e. At the end of the chorus in “Some Things Never Change,” there  
22 is a cadence, during which the instrumental accompaniment  
23 stops and a short vocal phrase is sung. This melodic gesture is  
24 similar to the cadence found at the end of the chorus in “That  
25 Girl.” In “That Girl,” the melody is not sung but played as a  
26 guitar solo;

- 1 f. The cadence in “That Girl” has several melodic events appearing  
2 in a particular order. Those melodic events appear in a similar  
3 way in the cadence in the end of chorus in “Some Things Never  
4 Change;”
- 5 g. The rhythm section parts in the recordings of “That Girl” and  
6 “Some Things Never Change” also contain similarities. The  
7 chord progressions of both songs are quite similar; both chord  
8 progressions exhibit a similar harmonic movement and provide  
9 a similar harmonic base for the vocal melody that is sung over  
10 the progression; and
- 11 h. The rhythmic structure of the acoustic guitar parts in both songs  
12 are identical; the bass parts are quite similar; the drum parts are  
13 quite similar; the tempos of both songs are identical (quarter note  
14 =92 BPM); and beats 1 and 3 in both recordings are accented by  
15 the rhythm section which creates a ‘bouncy’ folk rock style pulse  
16 that supports the mood of the song and the theme of the lyrics.

17 48. When excerpts from “That Girl” are played back-to-back with  
18 corresponding excerpts from “Some Thing Never Change” and, at times, excerpts  
19 from “That Girl” and “Some Things Never Change” are played simultaneously,  
20 audible evidence of the similarities in the melodies, chord progressions, and the  
21 rhythm section parts of both songs can be heard at the end of the choruses in both  
22 songs.

23 49. Given the forgoing, the similarities in the songs are so striking that they  
24 can only be explained by copying, as opined by the forensic musicologist.

25 50. DEFENDANTS, and each of them, by way of the conduct set forth  
26 herein, have infringed, and continue to infringe, GRIGSON’S rights in both the  
27  
28

1 musical composition and sound recording of “That Girl” as set forth in the Counts  
2 below.

3  
4 **COUNT I—DIRECT COPYRIGHT INFRINGEMENT—COMMON**  
5 **ALLEGATIONS**

6 51. GRIGSON repeats the allegations set forth in paragraphs 1 through 50  
7 above as if fully rewritten.

8 52. GRIGSON is an author and sole owner of the copyright in the song  
9 “That Girl.”

10 53. “That Girl” is an original work of authorship fixed in a tangible means  
11 of expression, and as such is subject to protection under the Copyright Act 17 U.S.C.  
12 § 102(a)(2).

13 54. R LOPEZ and K A-LOPEZ had an ongoing and continuous  
14 opportunity of access to “That Girl” prior to the infringement alleged herein.

15 55. R LOPEZ and K A-LOPEZ had a reasonable possibility to access “That  
16 Girl” through radio play, online, download and/or streaming, particularly but not  
17 exclusively, through YouTube.

18 56. The striking similarities between “That Girl” and “Some Things Never  
19 Change’ also establish a possibility of access.

20 57. Upon information and belief, R LOPEZ had access to “That Girl.”

21 58. R LOPEZ admits to listening to YouTube for inspiration, a venue on  
22 which “That Girl” was available prior to the infringement alleged herein.

23 59. R LOPEZ and/or K A-LOPEZ would have been motivated to listen to  
24 “That Girl” given GRIGSON’S very public history of writing original music for and  
25 with children, as well as the availability of “That Girl” prior to the infringement  
26 alleged herein.

60. At all times relevant, R LOPEZ s' conduct has been and continues to be knowing, willful, and with complete disregard to GRIGSON'S rights.

## **COUNT II—RIGHT TO REPRODUCE THE MUSICAL COMPOSITION**

61. GRIGSON repeats the allegations set forth in paragraphs 1 through 60 above as if fully rewritten.

62. The musical work, "That Girl," is an original work of authorship under 17 U.S.C. § 102(a)(2), for which GRIGSON is an author and sole owner of the copyright.

63. As sole owner of the copyright in the musical work "That Girl," GRIGSON has the exclusive right under 17 U.S.C. § 106(1) to reproduce "That Girl," and authorize its reproduction, and be compensated for reproductions.

64. R LOPEZ and K A-LOPEZ copied substantial qualitative and quantitative portions of the musical composition "That Girl" in creating the infringing song "Some Things Never Change."

65. R LOPEZ and K A-LOPEZ did not seek or receive GRIGSON'S consent or authorization to copy, sample, reproduce or interpolate any portion of the musical composition "That Girl." GRIGSON has never licensed or otherwise authorized any DEFENDANT to reproduce "That Girl," or create derivative works based upon it. Nonetheless, "Some Things Never Change" incorporates and includes substantial and material portions of "That Girl."

66. R LOPEZ AND K A-LOPEZ have violated GRIGSON'S exclusive right to reproduce the musical composition "That Girl" by reproducing it without GRIGSON'S consent, license or permission, and without his being compensated, in violation of Federal Copyright Law, with the result being damage to GRIGSON.

67. At all times relevant, R LOPEZ'S conduct has been and continues to be knowing, willful, and with complete disregard of GRIGSON'S rights.



1        68. THE WALT DISNEY COMPANY and its AFFILIATED  
2 COMPANIES and JOHN DOES since November 27, 2019 have continuously and  
3 repeatedly infringed, and are presently infringing, GRIGSON'S exclusive right  
4 under 17 U.S.C. § 106(1) to reproduce the musical composition "That Girl" by  
5 reproducing and thereafter selling, broadcasting, streaming, licensing and otherwise  
6 exploiting and monetizing the song "Some Things Never change" without the  
7 consent, license or permission of GRIGSON, with GRIGSON being damaged as the  
8 result.

9  
10        **COUNT III—RIGHT TO PREPARE DERIVATIVE WORKS OF THE**  
11        **MUSICAL COMPOSITION**

12        69. GRIGSON repeats the allegations set forth in paragraphs 1 through 68  
13 above as if fully rewritten.

14        70. As the sole copyright owner of the musical composition "That Girl,"  
15 GRIGSON has the exclusive right to prepare derivative works and be compensated  
16 for derivative works made from the musical work "That Girl" under 17 U.S.C. §  
17 106(2).

18        71. R LOPEZ and K A-LOPEZ copied substantial qualitative and  
19 quantitative portions of the musical composition "That Girl" in creating the  
20 infringing song "Some Things Never Change."

21        72. R LOPEZ and K A-LOPEZ did not seek or receive GRIGSON'S  
22 consent or authorization to copy, sample, reproduce or interpolate any portion of the  
23 musical composition "That Girl." GRIGSON has never licensed or otherwise  
24 authorized any DEFENDANT to create derivative works based upon it.  
25 Nonetheless, "Some Things Never Change" incorporates and includes substantial  
26 and material portions of "That Girl."

73. R LOPEZ AND K A-LOPEZ have violated GRIGSON’S exclusive right to prepare derivative works without his consent, license, or permission, and without his being compensated in violation of Federal Copyright Law, and GRIGSON has been damaged as a result.

74. THE WALT DISNEY COMPANY and its AFFILIATED COMPANIES and JOHN DOES have continuously and repeatedly infringed, and are presently infringing, GRIGSON’S exclusive right to make derivative works from the musical composition “That Girl” under 17 U.S.C. § 106(2) by selling, broadcasting, streaming, licensing and otherwise exploiting and monetizing the song “Some Things Never change” without the consent, license, license or permission of GRIGSON, with GRIGSON being damaged as the result.

#### **COUNT IV—RIGHT TO DISTRIBUTE THE MUSICAL COMPOSITION**

75. GRIGSON repeats the allegations set forth in paragraphs 1 through 74 above as if fully rewritten.

76. As the sole copyright owner of the musical composition “That Girl,” GRIGSON has the exclusive right to distribute it and be compensated for its distribution under 17 U.S.C. § 106(3).

77. R LOPEZ and K A-LOPEZ have infringed the musical composition “That Girl” in producing the song “Some Things Never Change” for, or assigning the rights to, or licensing the song “Some Things Never Change” for performance to THE WALT DISNEY COMPANY and/or its Affiliated Companies, whether directly or indirectly through JOHN DOES in violation of GRIGSON’S exclusive right to distribute the musical work “That Girl” under 17 U.S.C. § 106(3).

78. THE WALT DISNEY COMPANY and its AFFILIATED COMPANIES and JOHN DOES have continuously and repeatedly infringed, and are presently infringing, GRIGSON’S exclusive right to distribute the musical

1 composition “That Girl” under 17 U.S.C. 106(3) by selling, broadcasting, streaming,  
 2 licensing and otherwise exploiting and monetizing the song “Some Things Never  
 3 Change” without the consent, license, or permission of GRIGSON, with GRIGSON  
 4 being damaged as the result.

5  
 6 **COUNT V—RIGHT TO PUBLICLY PERFORM THE MUSICAL**  
 7 **COMPOSITION**

8 79. GRIGSON repeats the allegations set forth in paragraphs 1 through 78  
 9 above as if fully rewritten.

10 80. As the sole copyright owner of the musical composition, “That Girl,”  
 11 GRIGSON has the exclusive right to publicly perform the musical work “That Girl”  
 12 and be compensated for its public performance under 17 U.S.C. § 106(4).

13 81. DEFENDANTS have performed and continue to perform “Some  
 14 Things Never Change,” thereby violating GRIGSON’S exclusive right to publicly  
 15 perform the musical work “That Girl,” without his consent, license or permission,  
 16 and without his being compensated in violation of Federal Copyright Law, to the  
 17 damage of GRIGSON.

18  
 19 **COUNT VI—RIGHT TO REPRODUCE THE SOUND RECORDING**

20 82. GRIGSON repeats the allegations set forth in paragraphs 1 through 81  
 21 above as if fully rewritten.

22 83. As the sole owner of the sound recording “That Girl,” GRIGSON had  
 23 the exclusive right to turn that musical composition to a sound recording.  
 24 DEFENDANTS did this without GRIGSON’S permission or licenses.

25 84. Further, while it is not known if the actual sounds from “That Girl” are  
 26 used in the song “Some Things Never Change,” certain sounds were re-recorded or  
 27 re-played from the GRIGSON’S song into DEFENDANTS’ song.

1       85. As the owner of the sound recording, GRIGSON has the exclusive right  
2 to reproduce, and be compensated for, the sound recordings per 17 U.S.C. § 106(1).

3       86. DEFENDANTS have violated GRIGSON’S exclusive right to  
4 reproduce the sound recording without his consent, license or permission without  
5 being compensated in violation of Federal law, and GRIGSON has been damaged  
6 as a result.

7  
8       **COUNT VII—RIGHT TO DISTRIBUTE THE SOUND RECORDING**

9       87. GRIGSON repeats the allegations set forth in paragraphs 1 through 86  
10 above as if fully rewritten.

11       88. As the sole owner of the sound recording “That Girl,” GRIGSON had  
12 the exclusive right to turn that musical composition to a sound recording.  
13 DEFENDANTS did this without GRIGSON’S permission or licenses.

14       89. Further, while it is not known if the actual sounds from “That Girl” are  
15 used in the song “Some Things Never Change,” certain sounds were re-recorded or  
16 re-played from the GRIGSON’S song into DEFENDANTS’ song.

17       90. As the owner of the sound recording, GRIGSON has the exclusive right  
18 to distribute, and be compensated for, the sound recordings per 17 U.S.C. § 106(3).

19       91. DEFENDANTS have violated GRIGSON’S exclusive right to  
20 distribute the sound recording without his consent, license or permission without  
21 being compensated in violation of Federal law, and Plaintiff has been damaged as a  
22 result.

23       **COUNT XVIII—RIGHT TO PREPARE DERIVATIVE WORKS**  
24                   **OF THE SOUND RECORDING**

25       92. GRIGSON repeats the allegations set forth in paragraphs 1 through 91  
26 above as if fully rewritten.

1           93. As the sole owner of the sound recording “That Girl,” GRIGSON had  
2 the exclusive right to turn that musical composition to a sound recording.  
3 DEFENDANTS did this without GRIGSON’S permission or licenses.

4           94. Further, while it is not known if the actual sounds from “That Girl” are  
5 used in the song “Some Things Never Change,” certain sounds were re-recorded or  
6 re-played from the GRIGSON’S song into DEFENDANTS’ song.

7           95. As the owner of the sound recording, GRIGSON has the exclusive right  
8 to prepare derivative works, and be compensated for, of the sound recordings per 17  
9 U.S.C. § 106(2).

10          96. DEFENDANTS violated GRIGSON’S exclusive right to prepare  
11 derivative works of the sound recording without his consent, license or permission  
12 without being compensated in violation of Federal law, and GRIGSON has been  
13 damaged as a result.

14  
15                   **COUNT IX—RIGHT TO PUBLICLY PERFORM THE SOUND**  
16                                   **RECORDING**

17          97. GRIGSON repeats the allegations set forth in paragraphs 1 through 96  
18 above as if fully rewritten.

19          98. As the sole owner of the sound recording “That Girl,” GRIGSON had  
20 the exclusive right to turn that musical composition to a sound recording.  
21 DEFENDANTS did this without GRIGSON’S permission or licenses.

22          99. Further, while it is not known if the actual sounds from “That Girl” are  
23 used in the song “Some Things Never Change,” certain sounds were re-recorded or  
24 re-played from the GRIGSON’S song into DEFENDANTS’ song.

25          100. As the owner of the sound recording, GRIGSON has the exclusive right  
26 to publicly perform, and be compensated for, of the sound recordings per 17 U.S.C.  
27 § 106(6).  
28

101. DEFENDANTS violated GRIGSON’S exclusive right to publicly perform, and be compensated from, the sound recording without his consent, license or permission without being compensated in violation of Federal law, and GRIGSON has been damaged as a result.

**COUNT IIX—INDIRECT INFRINGEMENT**

102. GRIGSON repeats the allegations set forth in paragraphs 1 through 101 above as if fully rewritten.

103. DEFENDANTS, THE WALT DISNEY COMPANY, and its AFFILIATED COMPANIES, individually and collectively, induced, caused, and assisted in the direct infringement by R LOPEZ and/or K A-LOPEZ of the musical composition and/or sound recording of “That Girl,” and as such, are contributorily liable for copyright infringement in connection with the unauthorized exploitation of “That Girl.”

104. DEFENDANTS, THE WALT DISNEY COMPANY, and its AFFILIATED COMPANIES, individually and collectively, knew or had reason to know at least based on the public statement of R LOPEZ that he listened to YouTube for inspiration, and/or acted with reckless indifference as to whether their own conduct and/or that of third parties, constituted copyright infringement, and therefore materially contributed to and otherwise facilitated the unauthorized exploitation of “That Girl” and the creation and monetization of “Some Things Never Change.”

105. DEFENDANTS, THE WALT DISNEY COMPANY, and its AFFILIATED COMPANIES, individually and collectively, through their inducement, causation and assistance in the direct copyright infringement alleged herein, have profited, and continue to profit.

106. DEFENDANTS, THE WALT DISNEY COMPANY, and its AFFILIATED COMPANIES, individually and collectively, through their

1 inducement, causation and assistance in the direct copyright infringement alleged  
2 herein has caused actual damage to GRIGSON while profiting.

3 107. Due to the acts of direct and indirect copyright infringement of  
4 DEFENDANTS, THE WALT DISNEY COMPANY, and its AFFILIATED  
5 COMPANIES, individually and collectively, as alleged herein, GRIGSON has  
6 suffered general and special damages, including without limitation, lost profits,  
7 royalties, license fees, and other revenues, in an amount to be established at trial.

8 108. Due to the acts of copyright infringement as alleged herein  
9 DEFENDANTS, THE WALT DISNEY COMPANY, and its AFFILIATED  
10 COMPANIES, individually and collectively, have obtained direct and indirect  
11 profits they would not otherwise have realized but for their infringement of  
12 GRIGSON'S rights in the song "That Girl." As such, GRIGSON is entitled to  
13 disgorgement of the profits of DEFENDANTS, THE WALT DISNEY COMPANY,  
14 and its AFFILIATED COMPANIES, directly and indirectly attributable to  
15 DEFENDANTS' direct infringement of GRIGSON'S rights in the song "That Girl"  
16 in an amount to be established at trial.

17 109. The wrongful conduct of DEFENDANTS, individually and  
18 collectively, as alleged herein, is causing and, unless enjoined by this Court, will  
19 continue to cause GRIGSON irreparable injury that cannot be fully compensated or  
20 measured in monetary terms. Pursuant to 17 U.S.C. § 502, GRIGSON is entitled to  
21 a permanent injunction prohibiting the reproduction, distribution, sale, public  
22 performance or other use or exploitation of the song "Some Things Never Change."

23 110. The wrongful conduct of DEFENDANTS, individually and  
24 collectively, as alleged herein, has caused GRIGSON monetary damages including  
25 but not exclusively lost revenues, lost profits, royalties, license fees, and other  
26 revenues in an amount to be established at trial.



111. The wrongful conduct of DEFENDANTS, individually and collectively, as alleged herein, is willful and/or with reckless disregard, entitling GRIGSON to seek enhanced damages, such as statutory damages of up to One Hundred Fifty Thousand Dollars (\$150,000.00) and/or to preclude DEFENDANTS from proffering certain affirmative defenses and legal positions.

112. Accordingly, GRIGSON is entitled to an award against DEFENDANTS, individually and collectively, for recovery of DEFENDANTS' profits, GRIGSON'S actual damages or statutory damages, punitive damages, reasonable attorneys' fees and costs, pursuant to 17 U.S.C. § 505.

### **PRAYER FOR RELIEF**

**WHEREFORE**, GRIGSON respectfully prays for judgment against all DEFENDANTS, and each of them individually, as follows:

A. A declaration that DEFENDANTS have infringed GRIGSON'S exclusive rights in the song "That Girl," in violation of the Copyright Act, 17 U.S.C. §§ 106(1), (2), (3), (4) and (6), and 501(a);

B. A declaration that DEFENDANTS R LOPEZ and K A-LOPEZ are directly liable to GRIGSON for copyright infringement.

C. A declaration that DEFENDANTS THE WALT DISNEY COMPANY and one or more of its AFFILIATED COMPANIES as applicable are directly liable to GRIGSON for copyright infringement.

D. A declaration that DEFENDANTS THE WALT DISNEY COMPANY and one or more of its AFFILIATED COMPANIES as applicable are jointly liable to GRIGSON for copyright infringement.

E. A declaration that DEFENDANTS THE WALT DISNEY COMPANY and one or more of its AFFILIATED COMPANIES as applicable are contributorily liable to GRIGSON for copyright infringement.

1 F. A permanent injunction requiring DEFENDANTS and their agents,  
2 servants, employees, officers, attorneys, successors, licensees, partners, and assigns,  
3 and all persons acting in concert or participation with each or any one of them, to  
4 cease directly and indirectly infringing, and causing, enabling, facilitating,  
5 encouraging, promoting, inducing, and/or participating in the infringement of any of  
6 GRIGSON'S rights protected by the Copyright Act (17 U.S.C. § 502);

7 G. For a constructive trust to be entered over any films, recordings,  
8 products, files, online programs, and other material, and all revenues resulting from  
9 the exploitation of same, for the benefit of GRIGSON;

10 H. For an accounting of all profits derived from DEFENDANTS'  
11 exploitation of "That Girl;"

12 I. For either the actual damages sustained by GRIGSON and any  
13 additional profits had by DEFENDANTS (17 U.S.C. § 504(a)(1) and (b)); or at  
14 GRIGSON'S election before final judgment (i) a finding that the infringement was  
15 willful, (ii) an award of statutory damages under 17 U.S.C. § 504(c)(1) and (2) in  
16 the increased amount of \$150,000 as to each DEFENDANT found to be liable  
17 individually to GRIGSON for copyright infringement, and (iii) an award of statutory  
18 damages under 17 U.S.C. § 504(c) in the increased amount of \$150,000 as to any  
19 two or more DEFENDANTS found to be liable jointly and severally to GRIGSON  
20 for copyright infringement;

21 J. For pre-judgment and post-judgment interest;

22 K. For costs, with reasonable attorney fees awarded therewith, under 17  
23 U.S.C. § 505; and

24 L. For such other and further relief as to this Court seems just and proper.  
25  
26  
27  
28

**JURY DEMAND**

GRIGSON demands a jury trial on all issues so triable pursuant to Fed. R. Civ. P. 38 and the 7th Amendment to the United States Constitution.

Dated: November 1, 2022      Respectfully submitted,

/s/ Melenie Van

Melenie Van (SBN 335203)

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