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9  
10 **UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

11 AIDAN RODRIGUEZ, an individual;  
12 ADAM GOKCEBAY, an individual;  
13 AUDREY ARMACOST, an individual;  
14 and MICHAEL CAMPANELLI, an  
individual,

15 Plaintiffs,

16  
17 v.

18 HYBE CO., LTD.; HYBE MUSIC  
19 SERVICES, LLC; HYBE AMERICA  
20 INC.; ADOR CO., LTD.; KIN MIN-JI  
p/k/a “MINJI,” an individual; HANNI  
21 PHAM p/k/a “HANNI,” an individual;  
22 DANIELLE JUNE MARSH p/k/a  
“DANIELLE,” an individual;  
23 KANG HAE-RIN p/k/a “HAERIN,” an  
individual; LEE HYE-IN p/k/a “HYEIN,”  
24 and individual; UMG RECORDINGS,  
25 INC.; YG PLUS CO.; THE COCA-COLA  
COMPANY, doing business as “COKE  
26 STUDIO”; BEASTS AND NATIVES CO.  
27 LTD d/b/a “BANA ENTERTAINMENT”;  
OSCAR SCHELLER, an individual;  
28 ELVIRA ANDERFJARD p/k/a

Case No.

**COMPLAINT FOR:**

1. **DIRECT COPYRIGHT INFRINGEMENT**
2. **VICARIOUS COPYRIGHT INFRINGEMENT**
3. **ACCOUNTING**

**JURY TRIAL DEMANDED**

1 “EL VIRA,” an individual; STELLA ROSE  
2 BENNETT p/k/a “BENEE,” an individual;  
3 HO HYUNG LEE p/k/a “250,” an  
4 individual; TOVE BURMAN, an  
5 individual; SONY MUSIC PUBLISHING  
6 LLC; WARNER CHAPPELL MUSIC  
7 INC.; KOBALT MUSIC PUB AMERICA  
8 INC.; BMG RIGHTS MANAGEMENT  
9 US LLC; CONCORD MUSIC GROUP,  
10 INC.; and DOES 1-10,

11 Defendants.

12 Plaintiffs Aidan Rodriguez, Adam Gokcebay, Audrey Armacost, and Michael  
13 Campanelli, through counsel, hereby pray to this Court for relief based on the following:

14 **JURISDICTION AND VENUE**

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

16 2. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331,  
17 1338(a)-(b), 1367(a).

18 3. Venue in this judicial district is proper under 28 U.S.C. §§ 1391(c) and  
19 1400(a) because this is the judicial district in which a substantial part of the acts and  
20 omissions giving rise to the claims occurred.

21 **PARTIES**

22 4. At all relevant times, Aidan Rodriguez, a Grammy-nominated producer and  
23 songwriter, resides in Los Angeles, California. Rodriguez regularly works with  
24 internationally renowned artists such as Lucky Daye and Khalid.

25 5. At all relevant times, Adam Gokcebay, a songwriter and talent  
26 manager/A&R who has worked with multi-platinum producers, resides in Los Angeles,  
27 California.

28 6. At all relevant times, Audrey Armacost, a singer and songwriter with  
millions of subscribers and hundreds of millions of views on YouTube alone, resides in

1 Los Angeles, California. Armacost has written and recorded chart-topping songs with  
2 artists such as Tate McRae.

3 7. At all relevant times, Michael Campanelli, a producer who has worked  
4 extensively with pop artists such as The Army, The Navy, resides in Los Angeles,  
5 California.

6 8. Rodriguez, Gokcebay, Armacost, and Campanelli are collectively referred to  
7 as “Plaintiffs.”

8 9. Upon information and belief, at all relevant times, Defendant Hybe Co. Ltd.  
9 is a Korean corporation with a principal place of business located at 42, Hangang-Daero,  
10 Yongsan-gu, Seoul, 04389. Hybe Co. Ltd. has been and continues to be registered with  
11 the California Secretary of State since 2019 and maintains a registered agent for service  
12 of process in California. Hybe Co. Ltd. maintains an office and/or location in this judicial  
13 district.

14 10. Upon information and belief, Hybe Co. Ltd. owns and/or controls, in whole  
15 or in part, exclusive rights in *How Sweet*. Hybe Co. Ltd. is a publisher of the composition  
16 of *How Sweet*. Hybe Co. Ltd. has offered for sale or download, sold, reproduced,  
17 distributed, prepared derivative works, and/or publicly performed (or authorized or  
18 licensed any/all of the foregoing) the composition of *How Sweet*; and has earned,  
19 collected, and/or distributed revenues and profits generated in connection with the same  
20 since the release of *How Sweet*, including in this judicial district.

21 11. Upon information and belief, at all relevant times, Defendant Hybe Music  
22 Services, LLC is a limited liability company with principal places of business located at  
23 2119 Colorado Avenue, Suite 200, Santa Monica, CA 90404; and/or 1221 16th Avenue  
24 South, Nashville, TN 37205.

25 12. Upon information and belief, Hybe Music Services, LLC owns and/or  
26 controls, in whole or in part, exclusive rights in *How Sweet*. Hybe Music Services, LLC  
27 is a publisher of the composition of *How Sweet*. Hybe Music Services, LLC has offered  
28 for sale or download, sold, reproduced, distributed, prepared derivative works, and/or

1 publicly performed (or authorized or licensed any/all of the foregoing) the composition of  
2 *How Sweet*; and has earned, collected, and/or distributed revenues and profits generated  
3 in connection with the same since the release of *How Sweet*, including in this judicial  
4 district.

5 13. Upon information and belief, at all relevant times, Defendant Hybe America  
6 Inc. is a California corporation with a principal place of business located at 2100  
7 Colorado Avenue, Santa Monica, CA 90404.

8 14. Upon information and belief, Hybe America Inc. owns and/or controls, in  
9 whole or in part, exclusive rights in *How Sweet*. Hybe America Inc. is a publisher of the  
10 composition of *How Sweet*. Hybe America Inc. has offered for sale or download, sold,  
11 reproduced, distributed, prepared derivative works, and/or publicly performed (or  
12 authorized or licensed any/all of the foregoing) the composition of *How Sweet*; and has  
13 earned, collected, and/or distributed revenues and profits generated in connection with  
14 the same since the release of *How Sweet*, including in this judicial district.

15 15. Upon information and belief, at all relevant times, Defendant ADOR Co.,  
16 LTD. is a Korean limited corporation owned in whole or in part by Hybe Co. Ltd. ADOR  
17 does business in and with California and this judicial district, namely, at its and/or its  
18 affiliates' or owner's offices located at 2110 Colorado Avenue, Suite 200, Santa Monica,  
19 CA 90404.

20 16. Upon information and belief, ADOR Co., LTD. owns and/or controls, in  
21 whole or in part, exclusive rights in *How Sweet*. ADOR is a publisher of the composition  
22 of *How Sweet*. ADOR has offered for sale or download, sold, reproduced, distributed,  
23 prepared derivative works, and/or publicly performed (or authorized or licensed any/all of  
24 the foregoing) the composition of *How Sweet*; and has earned, collected, and/or  
25 distributed revenues and profits generated in connection with the same since the release  
26 of *How Sweet*, including in this judicial district.

27 17. Upon information and belief, at all relevant times, Defendant Kin Min-ji  
28 p/k/a "Minji" is an individual residing (or who otherwise maintains a residence) in,

1 and/or doing business in and with, California and this judicial district. Minji has written  
2 agreements regarding the ownership and exploitation of *How Sweet* with entities located  
3 in this judicial district, including Hybe Co. Ltd. and/or its affiliates/subsidiaries Hybe  
4 Music Services, LLC and/or Hybe America Inc.

5 18. Upon information and belief, Minji owns and/or controls, in whole or in  
6 part, exclusive rights in *How Sweet*. Minji co-authored *How Sweet*, which was created at  
7 least in part in California and/or this judicial district and was mixed and mastered in this  
8 judicial district. Minji has offered for sale or download, sold, reproduced, distributed,  
9 prepared derivative works of, and/or publicly performed (or authorized or licensed any/all  
10 of the foregoing) *How Sweet*; and has earned revenues and profits generated in  
11 connection with the same since the release of *How Sweet*, including in this judicial  
12 district.

13 19. Upon information and belief, at all relevant times, Defendant Hanni Pham  
14 p/k/a “Hanni” is an individual residing (or who otherwise maintains a residence) in,  
15 and/or doing business in and with, California and this judicial district. Hanni has written  
16 agreements regarding the ownership and exploitation of *How Sweet* with entities located  
17 in this judicial district, including Hybe Co. Ltd. and/or its affiliates/subsidiaries Hybe  
18 Music Services, LLC and/or Hybe America Inc.

19 20. Upon information and belief, Hanni owns and/or controls, in whole or in  
20 part, exclusive rights in *How Sweet*. Hanni co-authored *How Sweet*, which was created at  
21 least in part in California and/or this judicial district and was mixed and mastered in this  
22 judicial district. Hanni has offered for sale or download, sold, reproduced, distributed,  
23 prepared derivative works of, and/or publicly performed (or authorized or licensed any/all  
24 of the foregoing) *How Sweet*; and has earned revenues and profits generated in  
25 connection with the same since the release of *How Sweet*, including in this judicial  
26 district.

27 21. Upon information and belief, at all relevant times, Defendant Danielle June  
28 Marsh p/k/a “Danielle” is an individual residing (or who otherwise maintains a residence)

1 in, and/or doing business in and with, California and this judicial district. Danielle has  
2 written agreements regarding the ownership and exploitation of *How Sweet* with entities  
3 located in this judicial district, including Hybe Co. Ltd. and/or its affiliates/subsidiaries  
4 Hybe Music Services, LLC and/or Hybe America Inc.

5 22. Upon information and belief, Danielle owns and/or controls, in whole or in  
6 part, exclusive rights in *How Sweet*. Danielle co-authored *How Sweet*, which was created  
7 at least in part in California and/or this judicial district and was mixed and mastered in  
8 this judicial district. Danielle has offered for sale or download, sold, reproduced,  
9 distributed, prepared derivative works of, and/or publicly performed (or authorized or  
10 licensed any/all of the foregoing) *How Sweet*; and has earned revenues and profits  
11 generated in connection with the same since the release of *How Sweet*, including in this  
12 judicial district.

13 23. Upon information and belief, at all relevant times, Defendant Kang Hae-rin  
14 p/k/a “Haerin” is an individual residing (or who otherwise maintains a residence) in,  
15 and/or doing business in and with, California and this judicial district. Haerin has written  
16 agreements regarding the ownership and exploitation of *How Sweet* with entities located  
17 in this judicial district, including Hybe Co. Ltd. and/or its affiliates/subsidiaries Hybe  
18 Music Services, LLC and/or Hybe America Inc.

19 24. Upon information and belief, Haerin owns and/or controls, in whole or in  
20 part, exclusive rights in *How Sweet*. Haerin co-authored *How Sweet*, which was created at  
21 least in part in California and/or this judicial district and was mixed and mastered in this  
22 judicial district. Haerin has offered for sale or download, sold, reproduced, distributed,  
23 prepared derivative works of, and/or publicly performed (or authorized or licensed any/all  
24 of the foregoing) *How Sweet*; and has earned revenues and profits generated in  
25 connection with the same since the release of *How Sweet*, including in this judicial  
26 district.

27 25. Upon information and belief, at all relevant times, Defendant Lee Hye-in  
28 p/k/a “Hyein” is an individual residing (or who otherwise maintains a residence) in,

1 and/or doing business in and with, California and this judicial district. Hyein has written  
2 agreements regarding the ownership and exploitation of *How Sweet* with entities located  
3 in this judicial district, including Hybe Co. Ltd. and/or its affiliates/subsidiaries Hybe  
4 Music Services, LLC and/or Hybe America Inc.

5 26. Upon information and belief, Hyein owns and/or controls, in whole or in  
6 part, exclusive rights in *How Sweet*. Hyein co-authored *How Sweet*, which was created at  
7 least in part in California and/or this judicial district and was mixed and mastered in this  
8 judicial district. Hyein has offered for sale or download, sold, reproduced, distributed,  
9 prepared derivative works of, and/or publicly performed (or authorized or licensed any/all  
10 of the foregoing) *How Sweet*; and has earned revenues and profits generated in  
11 connection with the same since the release of *How Sweet*, including in this judicial  
12 district.

13 27. Upon information and belief, Minji, Hanni, Danielle, Haerin, and Hyein are  
14 members of the musical group “New Jeans” and collectively referred to as “NJZ” or  
15 “New Jeans.”

16 28. Upon information and belief, at all relevant times, Defendant UMG  
17 Recordings, Inc. is a Delaware corporation with a principal place of business located at  
18 2220 Colorado Avenue, Santa Monica, CA 90404; and/or a registered agent for service of  
19 process located at 330 N Brand Blvd., Glendale, CA 91203.

20 29. Upon information and belief, UMG owns and/or controls, in whole or in  
21 part, exclusive rights in *How Sweet*. UMG has offered for sale or download, sold,  
22 reproduced, distributed, prepared derivative works, and/or publicly performed (or  
23 authorized or licensed any/all of the foregoing) the composition of *How Sweet*; and has  
24 earned, collected, and/or distributed revenues and profits generated in connection with  
25 the same since the release of *How Sweet*, including in this judicial district.

26 30. Upon information and belief, at all relevant times, Defendant The Coca-Cola  
27 Company, d/b/a “Coke Studio,” is a Delaware Corporation with a principal place of  
28 business of One Coca-Cola Plaza, N.W., Atlanta, GA 30313. Coke has been and

1 continues to be registered with the California Secretary of State since 1936 and maintains  
2 a registered agent for service of process in this judicial district at 330 N Brand Blvd.,  
3 Glendale, CA 91203.

4 31. Upon information and belief, Coke Studio owns and/or controls, in whole or  
5 in part, exclusive rights in *How Sweet*. Coke has offered for sale or download, sold,  
6 reproduced, distributed, prepared derivative works, and/or publicly performed (or  
7 authorized or licensed any/all of the foregoing) the composition of *How Sweet*; and has  
8 earned, collected, and/or distributed revenues and profits generated in connection with  
9 the same since the release of *How Sweet*, including in this judicial district.

10 32. Upon information and belief, at all relevant times, Defendant YG PLUS Co.  
11 is a Korean corporation. YG PLUS has written agreements regarding the ownership and  
12 exploitation of *How Sweet* with entities located in this judicial district, including Hybe  
13 Co. Ltd. and/or its affiliates/subsidiaries Hybe Music Services, LLC and/or Hybe  
14 America Inc.

15 33. Upon information and belief, YG PLUS Co. owns and/or controls, in whole  
16 or in part, exclusive rights in *How Sweet*. YG PLUS is a publisher of the composition of  
17 *How Sweet*. YG PLUS has offered for sale or download, sold, reproduced, distributed,  
18 prepared derivative works, and/or publicly performed (or authorized or licensed any/all of  
19 the foregoing) the composition of *How Sweet*; and has earned, collected, and/or  
20 distributed revenues and profits generated in connection with the same since the release  
21 of *How Sweet*, including in this judicial district.

22 34. Upon information and belief, at all relevant times, Defendant Beasts And  
23 Natives Co., Ltd. d/b/a “BANA Entertainment” is a Korean corporation. BANA has  
24 written agreements regarding ownership and exploitation of *How Sweet* with entities  
25 located in this judicial district, including Concord Music Group, Inc., Hybe Co. Ltd.  
26 and/or its affiliates/subsidiaries Hybe Music Services, LLC and/or Hybe America Inc.

27 35. Upon information and belief, BANA owns and/or controls, in whole or in  
28 part, exclusive rights in *How Sweet*. BANA is a publisher of the composition of *How*

1 *Sweet*, and individuals at BANA are credited as vocal directors of *How Sweet*. BANA has  
2 offered for sale or download, sold, reproduced, distributed, prepared derivative works,  
3 and/or publicly performed (or authorized or licensed any/all of the foregoing) the  
4 composition of *How Sweet*; and has earned, collected, and/or distributed revenues and  
5 profits generated in connection with the same since the release of *How Sweet*, including  
6 in this judicial district.

7 36. Upon information and belief, at all relevant times, Defendant Oscar Scheller  
8 is an individual residing (or who otherwise maintains a residence) in, and/or doing  
9 business in and with, California and this judicial district. Scheller has written agreements  
10 regarding the ownership and exploitation of *How Sweet* with entities located in this  
11 judicial district, including Hybe Co. Ltd. and/or its affiliates/subsidiaries Hybe Music  
12 Services, LLC and/or Hybe America Inc.

13 37. Upon information and belief, Oscar Scheller owns and/or controls, in whole  
14 or in part, exclusive rights in *How Sweet*. Scheller co-wrote *How Sweet*, which was  
15 created at least in part in California and/or this judicial district and was mixed and  
16 mastered in this judicial district, and is a credited author and composer of *How Sweet*.  
17 Scheller has offered for sale or download, sold, reproduced, distributed, prepared  
18 derivative works of, and/or publicly performed (or authorized or licensed any/all of the  
19 foregoing) *How Sweet*; and has earned revenues and profits generated in connection with  
20 the same since the release of *How Sweet*, including in this judicial district.

21 38. Upon information and belief, at all relevant times, Defendant Elvira  
22 Anderfjård p/k/a “ELVIRA” is an individual residing (or who otherwise maintains a  
23 residence) in, and/or doing business in and with, California and this judicial district.  
24 ELVIRA has written agreements regarding the ownership and exploitation of *How Sweet*  
25 with entities located in this judicial district, including Hybe Co. Ltd. and/or its  
26 affiliates/subsidiaries Hybe Music Services, LLC and/or Hybe America Inc.

27 39. Upon information and belief, ELVIRA owns and/or controls, in whole or in  
28 part, exclusive rights in *How Sweet*. ELVIRA co-wrote *How Sweet*, which was created at

1 least in part in California and/or this judicial district and was mixed and mastered in this  
2 judicial district, and is a credited author and composer of *How Sweet*. ELVIRA has  
3 offered for sale or download, sold, reproduced, distributed, prepared derivative works of,  
4 and/or publicly performed (or authorized or licensed any/all of the foregoing) *How Sweet*;  
5 and has earned revenues and profits generated in connection with the same since the  
6 release of *How Sweet*, including in this judicial district.

7 40. Upon information and belief, at all relevant times, Defendant Stella Rose  
8 Bennett p/k/a “BENEE” is an individual residing (or who otherwise maintains a  
9 residence) in, and/or doing business in and with, California and this judicial district.  
10 Benee has written agreements regarding the ownership and exploitation of *How Sweet*  
11 with entities located in this judicial district, including Hybe Co. Ltd. and/or its  
12 affiliates/subsidiaries Hybe Music Services, LLC and/or Hybe America Inc.

13 41. Upon information and belief, Benee owns and/or controls, in whole or in  
14 part, exclusive rights in *How Sweet*. Benee co-wrote *How Sweet*, which was created at  
15 least in part in California and/or this judicial district and was mixed and mastered in this  
16 judicial district, and is a credited author and composer of *How Sweet*. Benee has offered  
17 for sale or download, sold, reproduced, distributed, prepared derivative works of, and/or  
18 publicly performed (or authorized or licensed any/all of the foregoing) *How Sweet*; and  
19 has earned revenues and profits generated in connection with the same since the release  
20 of *How Sweet*, including in this judicial district.

21 42. Upon information and belief, at all relevant times, Defendant Ho Hyung Lee  
22 p/k/a “250” is an individual residing (or who otherwise maintains a residence) in, and/or  
23 doing business in and with, California and this judicial district. 250 has written  
24 agreements regarding the ownership and exploitation of *How Sweet* with entities located  
25 in this judicial district, including Hybe Co. Ltd. and/or its affiliates/subsidiaries Hybe  
26 Music Services, LLC and/or Hybe America Inc. 250 is a BANA producer and has  
27 collaborated with New Jeans on numerous songs.

28

1 43. Upon information and belief, 250 owns and/or controls, in whole or in part,  
2 exclusive rights in *How Sweet*. 250 produced *How Sweet*, which was created at least in  
3 part in California and/or this judicial district and was mixed and mastered in this judicial  
4 district, and is a credited producer and co-writer of *How Sweet*. 250 has offered for sale  
5 or download, sold, reproduced, distributed, prepared derivative works of, and/or publicly  
6 performed (or authorized or licensed any/all of the foregoing) *How Sweet*; and has earned  
7 revenues and profits generated in connection with the same since the release of *How*  
8 *Sweet*, including in this judicial district.

9 44. Upon information and belief, at all relevant times, Defendant Sarah Aarons  
10 is an individual residing (or who otherwise maintains a residence) in, and/or doing  
11 business in and with, California and this judicial district. Aarons has written agreements  
12 regarding the ownership and exploitation of *How Sweet* with entities located in this  
13 judicial district, including Sony Music Publishing LLC, Hybe Co. Ltd., and/or Hybe Co.  
14 Ltd.'s affiliates/subsidiaries Hybe Music Services, LLC or Hybe America Inc.

15 45. Upon information and belief, Sarah Aarons owns and/or controls, in whole  
16 or in part, exclusive rights in *How Sweet*. Aarons co-wrote *How Sweet*, which was  
17 created at least in part in California and/or this judicial district and was mixed and  
18 mastered in this judicial district, and is a credited author and composer of *How Sweet*.  
19 Aarons has offered for sale or download, sold, reproduced, distributed, prepared  
20 derivative works of, and/or publicly performed (or authorized or licensed any/all of the  
21 foregoing) *How Sweet*; and has earned revenues and profits generated in connection with  
22 the same since the release of *How Sweet*, including in this judicial district.

23 46. Upon information and belief, at all relevant times, Defendant Tove Burman  
24 is an individual residing (or who otherwise maintains a residence) in, and/or doing  
25 business in and with, California and this judicial district. Burman has written agreements  
26 regarding the ownership and exploitation of *How Sweet* with entities located in this  
27 judicial district, including Hybe Co. Ltd. and/or its affiliates/subsidiaries Hybe Music  
28 Services, LLC and/or Hybe America Inc.

1 47. Upon information and belief, Burman owns and/or controls, in whole or in  
2 part, exclusive rights in *How Sweet*. Burman co-wrote *How Sweet*, which was created at  
3 least in part in California and/or this judicial district and was mixed and mastered in this  
4 judicial district, and is a credited author and composer of *How Sweet*. Burman has offered  
5 for sale or download, sold, reproduced, distributed, prepared derivative works of, and/or  
6 publicly performed (or authorized or licensed any/all of the foregoing) *How Sweet*; and  
7 has earned revenues and profits generated in connection with the same since the release  
8 of *How Sweet*, including in this judicial district.

9 48. Upon information and belief, at all relevant times, Defendant Sony Music  
10 Publishing LLC is a Delaware corporation with a principal place of business located at 25  
11 Madison Avenue, New York, New York 10010. Sony maintains offices and registered  
12 agents for service of process in California and this judicial district.

13 49. Upon information and belief, Sony owns and/or controls, in whole or in part,  
14 exclusive rights in *How Sweet*. Sony is a publisher of the composition of *How Sweet*.  
15 Sony has offered for sale or download, sold, reproduced, distributed, prepared derivative  
16 works, and/or publicly performed (or authorized or licensed any/all of the foregoing) the  
17 composition of *How Sweet*; and has earned, collected, and/or distributed revenues and  
18 profits generated in connection with the same since the release of *How Sweet*, including  
19 in this judicial district.

20 50. Upon information and belief, at all relevant times, Defendant Warner  
21 Chappell Music Inc. is a Delaware corporation with a principal place of business located  
22 at 777 South Santa Fe Ave., Los Angeles, CA 90021.

23 51. Upon information and belief, Warner owns and/or controls, in whole or in  
24 part, exclusive rights in *How Sweet*. Warner is a publisher of the composition of *How*  
25 *Sweet*. Warner has offered for sale or download, sold, reproduced, distributed, prepared  
26 derivative works, and/or publicly performed (or authorized or licensed any/all of the  
27 foregoing) the composition of *How Sweet*; and has earned, collected, and/or distributed  
28

1 revenues and profits generated in connection with the same since the release of *How*  
2 *Sweet*, including in this judicial district.

3 52. Upon information and belief, at all relevant times, Defendant Kobalt Music  
4 Publishing America Inc. is a Delaware corporation with a principal place of business  
5 located at 2 Gansevoort Street, 6th Floor, New York, NY 10014. Kobalt maintains offices  
6 and registered agents for service of process in California and this judicial district.

7 53. Upon information and belief, Kobalt owns and/or controls, in whole or in  
8 part, exclusive rights in *How Sweet*. Kobalt is a publisher of the composition of *How*  
9 *Sweet*. Kobalt has offered for sale or download, sold, reproduced, distributed, prepared  
10 derivative works, and/or publicly performed (or authorized or licensed any/all of the  
11 foregoing) the composition of *How Sweet*; and has earned, collected, and/or distributed  
12 revenues and profits generated in connection with the same since the release of *How*  
13 *Sweet*, including in this judicial district.

14 54. Upon information and belief, at all relevant times, Defendant BMG Rights  
15 Management US LLC d/b/a BMG Gold Songs is a Delaware limited liability company  
16 with a principal place of business located at One Park Avenue, 18th Floor, New York,  
17 NY 10019 and maintains offices at 5670 Wilshire Blvd., Suite 1400, Los Angeles, CA  
18 90036.

19 55. Upon information and belief, BMG owns and/or controls, in whole or in  
20 part, exclusive rights in *How Sweet*. BMG is a publisher of the composition of *How*  
21 *Sweet*. BMG has offered for sale or download, sold, reproduced, distributed, prepared  
22 derivative works, and/or publicly performed (or authorized or licensed any/all of the  
23 foregoing) the composition of *How Sweet*; and has earned, collected, and/or distributed  
24 revenues and profits generated in connection with the same since the release of *How*  
25 *Sweet*, including in this judicial district.

26 56. Upon information and belief, at all relevant times, Defendant Concord  
27 Music Group, Inc. is a Delaware corporation with a principal place of business located at  
28

1 10 Lea Avenue, Suite 300, Nashville, TN 37210. Concord maintains offices and/or  
2 registered agents for service of process in California and this judicial district.

3 57. Upon information and belief, Concord owns and/or controls, in whole or in  
4 part, exclusive rights in *How Sweet*. Concord is a publisher of the composition of *How*  
5 *Sweet*. Concord has offered for sale or download, sold, reproduced, distributed, prepared  
6 derivative works, and/or publicly performed (or authorized or licensed any/all of the  
7 foregoing) the composition of *How Sweet*; and has earned, collected, and/or distributed  
8 revenues and profits generated in connection with the same since the release of *How*  
9 *Sweet*, including in this judicial district.

10 58. Defendants Does 1-10 are other parties not yet identified who have infringed  
11 Plaintiff's copyrights, have contributed to the infringement of Plaintiffs' copyrights, or  
12 have engaged in one or more of the wrongful practices alleged herein. The true names,  
13 whether corporate, individual, or otherwise, of Defendants Does 1-10 are presently  
14 unknown to Plaintiffs, who therefore sue said Defendants by such fictitious names, and  
15 will seek leave to amend this Complaint to show their true names and capacities when the  
16 same have been ascertained.

17 59. Upon information and belief, at all relevant times, each of the Defendants  
18 was the agent, affiliate, officer, director, manager, principal, alter-ego, and/or employee  
19 of the remaining Defendants, and was at all times acting within the scope of such agency,  
20 affiliation, alter-ego relationship, and/or employment; and actively participated in,  
21 subsequently ratified, and/or adopted all of the acts or conduct alleged, with full  
22 knowledge of all violations of Plaintiffs' rights and the damages to Plaintiff proximately  
23 caused thereby.

24 **DEFENDANTS' INFRINGEMENT OF**  
25 **PLAINTIFFS' COPYRIGHTS IN ONE OF A KIND**

26 **A. Plaintiffs create *One of a Kind***

27 60. Plaintiffs are, collectively, in-demand and sought-after singers, songwriters,  
28 producers, and artists.

1 61. Armacost is a songwriter for Pulse Music Group.

2 62. On or about January 9, 2024, Pulse sent Armacost an instrumental track  
3 from New Jeans and asked Armacost to write a topline<sup>1</sup> for that instrumental track to be  
4 submitted to New Jeans for consideration. Pulse and New Jeans did not provide or  
5 require any particular creative contribution to or of Armacost with respect to the topline.

6 63. The pre-existing instrumental track is in 4/4 meter<sup>2</sup> and the key of B flat  
7 minor.<sup>3</sup>

8 64. On or about January 10, 2024, Plaintiffs jointly authored the original *One of*  
9 *a Kind* musical composition and sound recording (embodying that musical composition)  
10 registered with the Copyright Office. Plaintiffs are joint owners of *One of a Kind*.

11 65. *One of a Kind* contains a verse one topline<sup>4</sup> that, among other things,  
12 includes an approximately eight-bar, 31-note melodic sequence consisting of four series:  
13  
14  
15  
16

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17  
18 <sup>1</sup> A “topline” is the vocal melody, harmony, and lyrics written “on top” of a pre-existing  
19 instrumental track.

20 <sup>2</sup> “Meter” defines the number of beats per bar. Meter determines the basic pulse and  
21 rhythm of a piece of music. In 4/4 meter, there are four beats in each bar of music. A  
22 quarter note occupies one beat, such that there are four quarter notes in one bar (i.e., beats  
23 1, 2, 3, and 4). An eighth note occupies half a beat, such that there are eight eighth notes  
24 in one bar (i.e., beats 1, 1&, 2, 2&, 3, 3&, 4, and 4&). “&” identifies the upbeat,  
25 otherwise known as the “and,” of “one.” “Key” refers to the tonal center of a musical  
26 composition, and to the scale or series of pitches that create the melodic and harmonic  
27 material of the music.

28 <sup>3</sup> “Key” refers to the tonal center of a musical composition, and to the scale or series of  
pitches that create the melodic and harmonic material of the music.

<sup>4</sup> The “topline” is a term used in popular music for the vocal melodies, harmonies, and  
lyrics that exist “on top” of an underlying instrumental track.

- 1 a. The **first series** features four eighth notes metrically placed<sup>5</sup> (or “played”) on beats 1, 1&, 2, and 2&, followed by a quarter note played on beat 3, consisting of scale degrees 5-5-3-3-1.<sup>6</sup> This series is then repeated.
- 2
- 3
- 4 b. The **second series** features four eighth notes followed by a quarter note consisting of scale degrees 4-4-2-2-7. This series is then repeated.
- 5
- 6 c. The **third series** features four eighth notes followed by a quarter note consisting of scale degrees 4-4-flat 2-flat 2-7.<sup>7</sup> This series is then repeated.
- 7
- 8 The “flat 2” in this series is a unique and uncommon choice because it is “outside the key,” i.e., it is not native to the key of B flat.
- 9
- 10 d. The **fourth series** begins with an eighth note consisting of scale degree 3.

11 66. This combination of compositional elements prominently featured in *One of a Kind*, repeated twice and occurring at approximately time markers 0:30-0:43 and 1:39-1:52 in *One of a Kind*, is distinctive and original to Plaintiffs.

14 **B. Defendants’ access to *One of a Kind***

15 67. On or around January 10, 2024, Armacost sent *One of a Kind* to Pulse.

16 68. Upon information and belief, between that time and approximately January 17 12, 2024, Pulse distributed *One of a Kind* to BANA, including Hanna Cho (A&R at BANA) and Keyon Kim (CEO of BANA), for New Jeans’ consideration.

19

20

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21 <sup>5</sup> “Metric placement” describes the location within a bar of a particular pitch. For example, two pitches with the same metric placement would occur on the same beat—such as beat 1, 2, 3, or 4—or subdivision of that beat.

22

23

24 <sup>6</sup> A “scale degree” describes the position within a musical scale of a particular tone. For example, in a traditional seven-note C major scale (comprising C, D, E, F, G, A, and B), the first tone, C, is scale degree 1; the second tone, D, is scale degree 2; the third tone, E, is scale degree 3; etc.

25

26

27 <sup>7</sup> The term “flat 2” refers to scale degree 2 lowered in pitch by one half-step. For example, in a traditional seven-note C major scale (comprising C, D, E, F, G, A, and B), the second tone, D, is scale degree 2, and “flat 2” would refer to “D flat.”

28

1           69. Upon information and belief, on or around January 24, 2024, BANA  
2 confirmed its', Cho's, Kim's, and New Jeans' receipt and consideration of *One of a Kind*.  
3 BANA stated that while they listened to and liked *One of a Kind's* topline, it would not  
4 be selected or included as the final topline for the to-be-released song using the pre-  
5 existing instrumental track.

6           70. Upon information and belief, BANA reached out to numerous songwriters  
7 and artists and asked them to submit musical material for BANA and New Jeans'  
8 consideration. Each of these submissions were sent to and received by Cho and/or Kim.

9           71. Upon information and belief, at all relevant times, Kim and/or Cho have  
10 been heavily involved in the songwriting and recording process for each song by New  
11 Jeans. For example, the former CEO of ADOR, who worked with BANA and Kim on  
12 songwriting and recording, has stated that “[Kim] is New Jeans” and “produced all of  
13 NewJeans’ songs,” and that “In the process of collecting songs, completing them, and  
14 refining the details, I exchange various opinions with [Kim], not the composers.”

15           72. She has also stated that, with respect to working with Kim on songwriting  
16 and recording, “I am not a composer or lyricist, so I am a producer who has nothing to do  
17 with copyright. If we dare to interpret this upside down, it can also be seen as meaning  
18 that we can work much more without hesitation in the composition and selection of  
19 music.” Specifically, she stated that because “the proportion of planners who coordinate  
20 this entire process has increased,” “it is not a song created by one person. If you  
21 experience various demo samples of melodies placed on the same beat by different top  
22 liners, you will probably be able to touch it.”

23           73. Upon information and belief, the creation of *How Sweet* thus involved  
24 listening to the various submitted tracks, including *One of a Kind*, and taking particular  
25 sections or portions from those tracks, including *One of a Kind's* verse one topline, and  
26 assembling them into a final work. Indeed, Bane has stated that *How Sweet* is “a mix of  
27 three people’s songs merged into one.”  
28

1 74. Accordingly, upon information and belief, after admittedly receiving and  
2 listening to *One of a Kind*, BANA, Cho, and/or Kim incorporated *One of a Kind*'s verse  
3 one topline in creating *How Sweet* and/or shared *One of a Kind*'s verse one topline  
4 melody with Aarons directly or indirectly through Sony.

5 75. By nature of, and/or in conjunction with, BANA, Cho, Kim, and/or Aarons  
6 incorporating *One of a Kind*'s verse one topline in creating *How Sweet*, Danielle, Elvira,  
7 Scheller, Benee, Burman, 250, Minji, Hanni, Danielle, Haerin, and Hyein also had access  
8 to *One of a Kind* in creating *How Sweet*.

9 76. Plaintiffs were never presented with a license or agreement permitting  
10 Defendants' use of *One of a Kind*'s topline and/or original elements therefrom, nor did  
11 Plaintiffs ever authorize or consent to Defendants' use of the same.

### 12 **C. *How Sweet*'s Release**

13 77. On or around May 24, 2024, *How Sweet* was released as a single and as part  
14 of New Jeans' album *How Sweet*. Hanna Cho and Keyon Kim, A&R's at BANA who  
15 received and listened to *One of a Kind*, are credited as vocal directors of *How Sweet*.

16 78. Upon information and belief, Coke, in partnership with UMG and in  
17 collaboration with Minji, Hanni, Danielle, Haerin, and Hyein, and/or Hybe Co., Ltd,  
18 Hybe Music Services, LLC, Hybe America Inc., ADOR Co. Ltd., BANA, and/or YG  
19 PLUS, solicited the creation of *How Sweet* to be prominently featured in Coke  
20 advertising campaigns targeting this judicial district, among others, that coincided with  
21 the release of *How Sweet*.

22 79. *How Sweet* is in 4/4 meter and the key of B flat minor.

23 80. *How Sweet* contains a verse one topline that, among other things, includes an  
24 approximately eight-bar, 31-note melodic sequence consisting of four series:

- 25 a. The **first series** features four eighth notes played on beats 1, 1&, 2, and 2&,  
26 followed by a quarter note played on beat 3, consisting of scale degrees 5-5-  
27 3-3-1. This series is then repeated.

1 b. The **second series** features four eighth notes followed by a quarter note  
2 consisting of scale degrees 4-4-2-2-7. This series is then repeated.

3 c. The **third series** features four eighth notes followed by a quarter note  
4 consisting of scale degrees 4-4-flat 2-flat 2-7. This series is then repeated.  
5 The “flat 2” in this series is outside the key of B flat.

6 d. The **fourth series** begins with an eighth note consisting of scale degree 3.

7 81. This combination of compositional elements is repeated twice (occurring at  
8 approximately time markers 0:07-0:19 and 0:22-0:30 of *How Sweet*) and prominently  
9 featured in *How Sweet*.

10 82. *How Sweet* was released to great commercial success. Physical copies,  
11 digital sales and downloads, streaming, and/or public performances of *How Sweet* were,  
12 and continue to be, available.

13 83. Defendants, and each of them, exploited the composition (and/or sound  
14 recording embodying the composition) of *How Sweet* as set forth above from the date of  
15 its release through the present, and including by offering for sale or download, selling,  
16 reproducing, distributing, preparing derivative works of, and/or publicly performing (or  
17 authorizing or licensing any/all of the foregoing) *How Sweet*; and earning, collecting,  
18 and/or distributing revenues and profits generated in connection with the same.

19 **D. *How Sweet*’s substantial, and indeed striking, similarity to *One of a Kind***

20 84. *One of a Kind* and *How Sweet* contain quantitatively and qualitatively  
21 similar material in their respective verse one toplines, namely, a combination of  
22 compositional elements that is original and distinctive to *One of a Kind*.

23 85. Both works are in 4/4 meter and the key of B flat minor. And both works  
24 contain a topline that includes an approximately eight-bar, 31-note melodic sequence  
25 consisting of four series:

26 a. In both works, the **first series** features four eighth notes played on beats 1,  
27 1&, 2, and 2&, followed by a quarter note played on beat 3, consisting of  
28 scale degrees 5-5-3-3-1. This series is then repeated.

- 1 b. In both works, the **second series** features four eighth notes followed by a  
 2 quarter note consisting of scale degrees 4-4-2-2-7. This series is then  
 3 repeated.
- 4 c. In both works, the **third series** features four eighth notes followed by a  
 5 quarter note consisting of scale degrees 4-4-flat 2-flat 2-7. This series is then  
 6 repeated. The “flat 2” in this series is outside the key of B flat.
- 7 d. The **fourth series** begins with an eighth note consisting of scale degree 3.
- 8 86. These similarities are on full display in the comparison below<sup>8</sup>:

**Topline Comparison**

newjeans plagiarism

The image shows a side-by-side comparison of two musical staves. The top staff is labeled 'Verse 1 NJ Version' and the bottom staff is 'PRE 1 AAAM Version'. Both are in 4/4 time and B-flat major. The NJ version has several notes highlighted in red, and blue arrows point from these to corresponding notes in the AAAM version. A legend in the top right corner shows a red square for 'Exact Rhythmic Figure and Note Choice Match' and an orange square for 'Similar Musical Information'. The text 'newjeans plagiarism' is centered above the staves. Three large circles are drawn around the first three measures of the NJ version, with labels 'Exact Match', 'Exact Match with 1/4 note shift', and 'Exact Match with 1/4 note shift' respectively. Blue arrows labeled 'Identical Melody' point to the first, second, and fourth notes of the first three measures in both versions.

27 <sup>8</sup> Red highlights indicate identical scale degrees and rhythms, and the blue arrows show  
 28 corresponding scale degrees that are not fully aligned rhythmically in the second and  
 third series.

### Detail – First Series

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The image shows two staves of musical notation. The top staff (lines 1-8) and bottom staff (lines 9-12) both contain a sequence of notes: G4, A4, B4, C5, B4, A4, G4, F4, E4, D4. The notes in the first seven measures are red, while the notes in the eighth measure are yellow. A blue double-headed arrow labeled "Identical Melody" connects the two staves. A second blue double-headed arrow labeled "Implies subtle consistency with melodic formula from AAAA version" points from the yellow notes in the top staff to the yellow notes in the bottom staff. Below the bottom staff, the fingering sequence 5 5 3 3 1 5 5 3 3 1 is written.

### Detail – Second Series

The image shows two staves of musical notation. The top staff (lines 16-19) and bottom staff (lines 23-26) both contain a sequence of notes: G4, A4, B4, C5, B4, A4, G4, F4, E4, D4. The notes in the first seven measures are red, while the notes in the eighth measure are yellow. A blue double-headed arrow labeled "Identical Melody" connects the two staves. Below the bottom staff, the fingering sequence 4 4 2 2 7 4 4 2 2 7 is written.

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**Detail – Third Series**

4    4    flat 2    flat 2    7    4    4    flat 2    flat 2    7

87. There are also structural similarities between *One of a Kind* and *How Sweet* that are probative of copying:

|                           | <i>One of a Kind</i>   | <i>How Sweet</i>  |
|---------------------------|--|---|
| <b>Instrumental Intro</b> | 8 bars   | 4 bars  |
| <b>Verse 1</b>            | 16 bars<br>Topline at issue: Bars 9-16                                 | 16 bars<br>Topline at issue: Bars 1-8 and 9-16<br>(Topline repeated 2x) |
| <b>Rap Pre-Chorus</b>     | 4 bars<br>(3-bar rap, drops beat 1 of bar 4, chorus starts on beat 2&) | 4 bars<br>(3-bar rap, drops beat 1 of bar 4, chorus starts on beat 1&)  |
| <b>Chorus</b>             | 16 bars  | 16 bars   |

88. And at least one lyrical similarity between *One of a Kind* and *How Sweet* is probative of copying, namely, the first repetition of the third series of the verse one

1 topline at issue in both *One of a Kind* and *How Sweet* share the same rhyme, syllable, and  
2 sound scheme.

3 89. Thus, following the creation of *One of a Kind* and gaining access to the  
4 same, Defendants, and each of them, included elements in *How Sweet*'s musical  
5 composition (and sound recording embodying that composition) that are strikingly and/or  
6 substantially similar, and indeed virtually identical, to original elements from *One of a*  
7 *Kind*, without a license from or compensation to Plaintiffs.

8 90. Before filing this lawsuit, Plaintiffs contacted numerous Defendants in an  
9 attempt to resolve this dispute. Those Defendants either did not respond or were unable to  
10 reach a resolution with Plaintiffs, necessitating the filing of this action.

11 **FIRST CLAIM FOR RELIEF**

12 **(For Copyright Infringement—Against all Defendants, and Each)**

13 91. Plaintiffs incorporate by reference the allegations contained in the preceding  
14 paragraphs of this Complaint.

15 92. Plaintiffs jointly authored and own the copyrights in the original *One of a*  
16 *Kind* topline, which is registered with the U.S. Copyright Office.

17 93. Upon information and belief, Defendants, and each of them, had access to  
18 *One of a Kind* (1) through a chain of events connecting Plaintiffs' work and the  
19 Defendants', and each of their, opportunity to hear or copy that work, and/or (2) because  
20 the asserted similarities between *One of a Kind* and *How Sweet* are so striking that it is  
21 highly likely the works were not created independent of one another.

22 94. Upon information and belief, Defendants, and each of them, reproduced,  
23 distributed, created derivative works of, and/or publicly performed (or authorized or  
24 licensed any/all of the foregoing) *One of a Kind* in creating, offering for sale or  
25 download, selling, reproducing, distributing, creating derivative works of, and/or publicly  
26 performing (or authorizing or licensing any/all of the foregoing) *How Sweet*, all without  
27 authorization from or compensation to Plaintiffs.

1 95. Due to Defendants', and each of their, acts of copyright infringement,  
2 Plaintiffs have suffered damages in an amount to be established at trial.

3 96. Due to Defendants', and each of their, acts of copyright infringement,  
4 Defendants, and each of them, have obtained profits they would not have realized but for  
5 their infringement. As such, Plaintiffs are entitled to disgorgement of Defendants' profits  
6 directly and indirectly attributable to Defendants' infringement in an amount to be  
7 established at trial.

8 97. Upon information and belief, Defendants', and each of their, conduct as  
9 alleged herein was done with actual or construction knowledge of, and/or reckless  
10 disregard or willful blindness for, Plaintiffs' rights in *One of a Kind*, such that  
11 Defendants' infringements were, and continue to be, willful.

12 **SECOND CLAIM FOR RELIEF**

13 **(For Vicarious Copyright Infringement—Against all Defendants, and Each)**

14 98. Plaintiff incorporates by reference the allegations contained in the preceding  
15 paragraphs of this Complaint.

16 99. Upon information and belief, the third parties (including other Defendants)  
17 to whom Defendants, and each of them, distributed and/or authorized the distribution of  
18 *How Sweet* have further reproduced, distributed, adapted, and/or publicly performed *How*  
19 *Sweet*, and continue to do so, without Plaintiffs' authorization—e.g., the third-party  
20 digital music streaming and subscription services streaming *How Sweet* (e.g., Spotify,  
21 YouTube, Apple Music, Amazon Music, Tidal, etc.) directly infringe Plaintiffs' public  
22 performance right in *One of a Kind* by doing so.

23 100. Upon information and belief, Defendants, and each of them, have the right  
24 and ability to supervise or control those third parties' directly infringing activities.  
25 Defendants, and each of them, distributed and/or authorized the distribution of *How*  
26 *Sweet* to third parties (including other Defendants) pursuant to licensing or other  
27 agreements with those third parties that grant Defendants, and each of them, the right and  
28 ability to supervise or control those third parties' further reproduction, distribution,

1 adaptation, and/or public performance of *How Sweet*—e.g., under those agreements, upon  
2 demand by any Defendant, and/or their representatives, the third-party digital music  
3 streaming and subscription services must cease and desist from streaming, or otherwise  
4 remove, disable, or limit users’ access to, *How Sweet*.

5 101. Upon information and belief, Defendants, and each of them, directly and  
6 substantially financially benefit from those third parties (including other Defendants)  
7 further reproducing, distributing, adapting, and/or publicly performing *How Sweet*  
8 pursuant to the licensing or other agreements between them—e.g., under their agreements  
9 with the third-party digital music streaming and subscription services, Defendants, and  
10 each of them, earn a share of the revenue produced by, and thus profits from, each and  
11 every stream of *How Sweet* by and/or on those third-party digital music streaming and  
12 subscription services.

13 102. Upon information and belief, Defendants, and each of them, have  
14 nevertheless failed to exercise their right and ability to supervise or control those third  
15 parties’ directly infringing activities, namely, to stop or limit the further reproduction,  
16 distribution, adaptation, and/or public performance of *How Sweet* by those third parties  
17 (including other Defendants)—e.g., each Defendant has failed to demand that the third-  
18 party digital music streaming and subscription services cease and desist from streaming,  
19 or otherwise remove, disable, or limit users’ access to, *How Sweet*, and instead has  
20 continued to directly and substantially financially benefit from those third-party digital  
21 music streaming and subscription services streaming *How Sweet* and thus directly  
22 infringing Plaintiffs’ public performance right in *One of a Kind*.

23 103. This renders Defendants, and each of them, vicariously liable for the direct  
24 infringement of those third parties (including other Defendants).

25 104. Due to Defendants’, and each of their, acts of vicarious copyright  
26 infringement, Plaintiffs have suffered damages in an amount to be established at trial.

27 105. Due to Defendants’, and each of their, acts of vicarious copyright  
28 infringement, Defendants, and each of them, have obtained profits they would not have

1 realized but for their vicarious infringement of Plaintiffs' copyright in *One of a Kind*. As  
2 such, Plaintiffs are entitled to disgorgement of Defendants' profits directly and indirectly  
3 attributable to Defendants' infringement in an amount to be established at trial.

4 106. Upon information and belief, Defendants, and each of their, conduct as  
5 alleged herein was done with actual or constructive knowledge of, and/or reckless  
6 disregard or willful blindness for, Plaintiffs' rights in *One of a Kind*, such that  
7 Defendants' vicarious infringements were, and continue to be, willful.

8 **THIRD CLAIM FOR RELIEF**

9 **(For Accounting—Against all Defendants, and Each)**

10 107. Plaintiffs incorporate by reference the allegations contained in the preceding  
11 paragraphs of this Complaint.

12 108. In the alternative, Plaintiffs allege that they are co-writers of *How Sweet*  
13 with respect to the composition of *How Sweet's* verse one topline. Such status entitles  
14 Plaintiffs to a share of the monies generated from the exploitation of *How Sweet*.

15 109. Plaintiffs and Defendants each jointly contributed separate, distinct, and  
16 independently copyrightable material to *How Sweet*. Plaintiffs and Defendants each  
17 possessed independent creative control over their respective contributions.

18 110. Plaintiffs and Defendants each manifested an intent to be co-writers of *How*  
19 *Sweet* and worked together jointly to create *How Sweet*. Plaintiffs and Defendants  
20 intended that their separate contributions be merged into inseparable or interdependent  
21 parts of a unitary composition.

22 111. Plaintiffs contributed significantly to *How Sweet*, including composing the  
23 above-referenced verse one topline.

24 112. Plaintiffs, as joint authors and co-owners of the composition of *How Sweet*,  
25 are entitled to their pro rata share of the profits that Defendants have each gained from  
26 the exploitation of *How Sweet*.

1 113. By commercially exploiting *How Sweet* without accounting to Plaintiffs for  
2 profits, Defendants, and each of them, have wrongfully deprived Plaintiffs of their  
3 rightful share of income therefrom.

4 114. Defendants are in sole control of the books and records needed to ascertain  
5 the amounts due to Plaintiffs pursuant to their special relationship as joint authors and co-  
6 owners of the composition of *How Sweet*. Plaintiffs have no means by which they can  
7 acquire the information necessary to calculate what is owed to them by Defendants, and  
8 each of them.

9 115. Plaintiffs are entitled to an Order of this Court directing Defendants, and  
10 each of them, to render a complete and honest accounting of all revenues derived from  
11 the exploitation of *How Sweet* and all sums due to Plaintiffs and to pay Plaintiffs the  
12 sums shown due by such accounting.

13 116. Joint copyright owners have a duty to account and pay to their co-owners  
14 their portions of any profits realized in connection with the jointly owned copyrights; yet,  
15 upon information and belief, Defendants, and each of them, have failed to account or  
16 make payments as required.

17 **PRAYER FOR RELIEF**

18 **(Against All Defendants, and Each)**

19 WHEREFORE, Plaintiffs demand judgment against Defendants, and each of them,  
20 as follows:

- 21 a. A declaration that Defendants have willfully infringed Plaintiffs' copyrights in *One*  
22 *of a Kind*;
- 23 b. An injunction permanently restraining and enjoining Defendants, each of them,  
24 and anyone working for, with, or in concert with Defendants, from further  
25 infringing Plaintiffs' copyrights in *One of a Kind*, or alternatively that Plaintiffs be  
26 awarded future revenues and profits earned in connection with the continued  
27 exploitation of *How Sweet* in an amount attributable to use of *One of a Kind* in  
28 *How Sweet*, the exact sum to be proven at the time of trial;

- 1 c. Awarding all Defendants’ (and each of their) revenues and profits, plus all  
2 Plaintiffs’ losses, directly and indirectly attributable to Defendants’ (and each of  
3 their) infringements of Plaintiffs’ copyrights in *One of a Kind* as alleged herein, the  
4 exact sum to be proven at the time of trial;
- 5 d. Awarding Plaintiffs pre- and post-judgment interest as allowed by law;
- 6 e. Awarding Plaintiffs the costs of this action; and
- 7 f. Awarding Plaintiffs such further and other relief as the Court deems proper.

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

10  
11 Respectfully submitted,

12 Dated: May 7, 2026

By: /s/ Trevor W. Barrett  
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Benjamin F. Tookey, Esq.  
Nelson A. Campbell, Esq.  
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