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7

8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

10

11 ICEBERG RECORDS A/S, a Danish
corporation,

12

Plaintiff,

13

v.

14

15 MONCHO CHAVEA, an individual;
MORAD EL KHATTOUTI EL
HORAMI p/k/a MORAD, an
16 individual; and UNIVERSAL MUSIC
GROUP N.V., a Dutch corporation,

17

Defendants.

18

CASE NO.

COMPLAINT FOR:

- 1. **DIRECT COPYRIGHT INFRINGEMENT;**
- 2. **CONTRIBUTORY COPYRIGHT INFRINGEMENT; and**
- 3. **CIVIL THEFT**

DEMAND FOR JURY TRIAL

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Plaintiff Iceberg Records A/S (“Plaintiff”), demanding trial by jury,
20 complains and alleges as follows:

21

INTRODUCTION

22

1. This is a clear-cut copyright infringement case. Plaintiff’s song,
23 “Scatman (ski-ba-bop-ba-dop-bop)” (the “Scatman Song”) by Scatman John, is one
24 of the most recognizable dance songs in the world, made famous by Scatman John’s
25 unique style of scat singing. To date, the song alone has amassed hundreds of
26 millions of streams and topped charts across the globe.

27

2. Defendants brazenly misappropriated and used the musical composition
28 for the song in their hit single “Se Fue” by Moncho Chavea and Morad.

1 7. On information and belief, Defendant Moncho Chavea is an individual
2 who resides in Madrid, Spain. Moncho Chavea is a world renowned musician and,
3 on information and belief, routinely conducts business in Los Angeles, California.

4 8. On information and belief, Defendant Morad el Khattouti El Horami
5 p/k/a Morad (hereinafter, “Morad”) is an individual who resides in L’Hospitalet de
6 Llobregat, Spain. Morad is a Moroccan-Spanish rapper and singer. On information
7 and belief, Morad routinely conducts business in Los Angeles, California.

8 9. On information and belief, Defendant Universal Music Group N.V.
9 (UMG), is a Dutch corporation and is headquartered in Hilversum, Netherlands, and
10 Santa Monica, California. Plaintiff is informed and believes that the record label
11 known as Virgin Music Spain is a division of Universal Music Spain S.L.U., which
12 is a subdivision of UMG.

13 10. Defendants Does 1 through 10 are sued by fictitious names as their true
14 names are currently unknown to Plaintiff. Plaintiff will seek leave to amend this
15 complaint to allege the true identities of these Defendants when the same have been
16 ascertained.

17 11. Plaintiff is informed and believes that at all relevant times, all
18 Defendants were the agents and/or co-conspirators of their co-defendants, and in
19 doing the things hereinafter alleged, were acting within the course and scope of their
20 authority as those agents and/or co-conspirators, and with the permission and
21 consent of their co-defendants.

22 GENERAL ALLEGATIONS

23 *Plaintiff’s Work:*

24 *“Scatman (ski-ba-bop-ba-dop-bop)” by Scatman John*

25 12. Since its inception in 1982 by Manfred Zähringer, Plaintiff has built a
26 distinctive international network, allowing several of its artists to gain worldwide
27 recognition, through releases by both major and independent labels. The most
28 notable of those artists was John Larkin, now better known as Scatman John.

1 13. Mr. Zähringer met Mr. Larkin in Frankfurt, Germany in the early 1990s
2 and encouraged Mr. Larkin to combine his unique style of scat singing with modern
3 dance and hip hop music. Shortly thereafter, in 1993, Mr. Larkin recorded his first
4 single, “Scatman (ski-ba-bop-ba-dop-bop)” (the “Scatman Song”).

5 14. The Scatman Song was an instant global success, prompting Mr. Larkin
6 to permanently adopt the stage name Scatman John. Since then, Scatman John’s
7 music has sold 4.5 million albums, 4.5 million singles, and over 35 million
8 compilations globally, receiving 17 gold and 22 platinum awards. The Scatman
9 Song alone has been streamed hundreds of millions of times to date.¹

10 15. By assignment, Plaintiff owns 50% of the publishing rights and 100%
11 of the master recording rights to the Scatman Song, which was registered with the
12 United States Copyright Office on November 21, 1995 (Reg. No. SR0000197635).
13 Plaintiff also registered the composition for the Scatman Song with the United
14 States Copyright Office on July 3, 1997 (Reg. No. PA0000852053).

15 ***Defendants’ Infringing Work:***

16 ***“Se Fue” by Moncho Chavea and Morad***

17 16. Plaintiff is informed and believes that “Se Fue” (hereinafter, the
18 “Derivative Work”) was released as a massive collaborative track between Moncho
19 Chavea and Morad on or about December 19, 2024. Plaintiff is further informed
20 and believes that the official music video for the Derivative Work was published to
21 YouTube on December 19, 2024, where it currently has over 16,064,649 views.²

22 17. Plaintiff is informed and believes that the Derivative Work was written
23 by Moncho Chavea and Morad. Plaintiff is further informed and believes that
24

25 ¹ The official music video for the Song currently has over 288 million views on
26 YouTube. See <https://www.youtube.com/watch?v=Hy8kmNEo1i8>.

27 ² For reference, the official music video for the Derivative Work can be found here:
28 <https://www.youtube.com/watch?v=Db3Wpr0NMMY>.

1 Moncho Chavea also produced the Derivative Work.

2 18. After comparing the tracks, it is apparent that the Derivative Work and
3 the Scatman Song are so strikingly similar that Defendants have used the sound
4 recording of the Scatman Song, as well as the composition.

5 19. Defendants made no discernable attempt to manipulate the sound
6 recording to hide their infringement, and the work remains so strikingly similar to
7 the Scatman Song that it could not have been created without using the Scatman
8 Song's sound recording.

9 20. Defendants wholesale theft of the sound recording was a brazen
10 attempt to avoid paying Plaintiff a license fee.

11 21. Plaintiff brings this lawsuit for copyright infringement and civil theft to
12 enjoin Defendants from further exploiting its work and to recover damages.

13 **FIRST CAUSE OF ACTION**

14 **Direct Copyright Infringement**

15 **(Plaintiff against All Defendants)**

16 22. All previous allegations are realleged and incorporated herein by
17 reference.

18 23. Plaintiff is the sole owner by assignment of all exclusive rights in the
19 sound recording of the Scatman Song, which was registered with the United States
20 Copyright Office on November 21, 1995 (Reg. No. SR0000197635). Plaintiff
21 registered the composition for the Scatman Song with the United States Copyright
22 Office on July 3, 1997 (Reg. No. PA0000852053). Plaintiff also owns by
23 assignment 50% of the publishing rights for the Scatman Song.

24 24. Defendants had access to and have directly copied the sound recording
25 and composition of the Scatman Song by incorporating it into the Derivative Work.

26 25. Plaintiff has not granted any license to Defendants or otherwise
27 permitted Defendants to use its sound recording and/or composition of the Scatman
28 Song.

1 26. As such, Defendants have directly infringed and are continuing to
2 directly infringe Plaintiff’s exclusive rights under 17 U.S.C. § 114, including but not
3 limited to Plaintiff’s exclusive rights to reproduce, prepare derivative works,
4 distribute, and perform the Scatman Song publicly by means of a digital audio
5 transmission. *See* 17 U.S.C. § 106.

6 27. As an actual and proximate result of Defendants’ copyright
7 infringement, as described herein, Plaintiff has suffered and will continue to suffer
8 damages in an amount to be proven at trial.

9 28. On information and belief, Defendants’ copyright infringement was
10 committed maliciously, fraudulently, and oppressively with willful and conscious
11 disregard of Plaintiff’s rights and with the wrongful intent to injure Plaintiff.

12 29. Unless Defendants are restrained from further infringing Plaintiff’s
13 exclusive rights, Plaintiff will suffer irreparable injury without an adequate remedy
14 at law. Accordingly, Plaintiff seeks a declaration that Defendants are infringing
15 Plaintiff’s copyrights and an order under 17 U.S.C. § 502 enjoining Defendants
16 from any further infringement of Plaintiff’s copyrights.

17 **SECOND CAUSE OF ACTION**

18 **Contributory Copyright Infringement**

19 **(Plaintiff against All Defendants)**

20 30. All previous allegations are realleged and incorporated herein by
21 reference.

22 31. To the extent any Defendant did not directly infringe Plaintiff’s work,
23 Plaintiff is informed and believes that those Defendants induced, caused, and/or
24 materially contributed to the infringing activity described herein by permitting and
25 encouraging Defendants to directly infringe the sound recording and/or composition
26 of the Scatman Song.

27 32. On information and belief, Defendants knew or had reason to know that
28 materially contributing to the use of Plaintiff’s copyrighted material for purposes of

1 trade would contribute to infringement of Plaintiff’s copyrighted material.

2 33. As an actual and proximate result of Defendants’ contributory
3 copyright infringement, as described herein, Plaintiff has suffered and will continue
4 to suffer damages in an amount to be proven at trial.

5 34. On information and belief, Defendants’ contributory copyright
6 infringement was committed maliciously, fraudulently, and oppressively with
7 willful and conscious disregard of Plaintiff’s rights and with the wrongful intent to
8 injure Plaintiff.

9 35. Unless Defendants are restrained from further infringing Plaintiff’s
10 exclusive rights, Plaintiff will suffer irreparable injury without an adequate remedy
11 at law. Accordingly, Plaintiff seeks a declaration that Defendants are infringing
12 Plaintiff’s copyrights and an order under 17 U.S.C. § 502 enjoining Defendants
13 from any further infringement of Plaintiff’s copyrights.

14 **THIRD CAUSE OF ACTION**

15 **Receiving, Retaining, Withholding, or Concealing Stolen Property**
16 **in Violation of Cal. Penal Code §496**
17 **(Plaintiff against All Defendants)**

18 36. All previous allegations are realleged and incorporated herein by
19 reference.

20 37. California Penal Code § 496 declares unlawful for any “person who
21 buys or receives any property that has been stolen or that has been obtained in any
22 manner constituting theft or extortion, knowing the property to be so stolen or
23 obtained, [to] conceal[], sell[], withhold[] ... any property from the owner. . . .”
24 Cal. Penal Code § 496(a).

25 38. Here, Defendants have: (1) received, (2) retained, (3) withheld, and (4)
26 concealed stolen property, namely the use of the sound recording of the Scatman
27 Song, as well as the composition.

28 39. The money that Defendants ultimately receive in connection with the

1 sale of the Derivative Work is the money that was stolen from the Plaintiff.

2 40. California Penal Code § 496 also creates a private right of action for
3 “any person who has been injured by a violation of subdivision (a).” Cal. Penal
4 Code §496(c).

5 41. At all relevant times, Plaintiff was the rightful owner of the money
6 resulting from the illicit use of the Scatman Song, as Plaintiff owns 50% of the
7 publishing rights and 100% of the master recording rights to the Scatman Song, with
8 the sound recording registered with the United States Copyright Office on
9 November 21, 1995 (Reg. No. SR0000197635) and composition registered with the
10 United States Copyright Office on July 3, 1997 (Reg. No. PA0000852053).

11 42. Plaintiff’s property was stolen or obtained in a manner constituting
12 theft or extortion by Defendants. The Defendants, through false representations
13 and/or false pretenses defrauded members of the public, convincing them to
14 purchase the Derivative Work.

15 43. Defendants eventually came into possession of Plaintiff’s money by
16 virtue of Defendants’ exploitation and sale of the Derivative Work.

17 44. Plaintiff is informed and believes that at all times relevant hereto
18 Defendants had actual knowledge that the Scatman Song and all proceeds derived
19 therefrom was stolen from Plaintiff. Defendants obtained actual knowledge when
20 Defendants used the Scatman Song without first obtaining a license from Plaintiff.
21 Additionally, Defendants have wrongfully retained the property stolen from Plaintiff
22 by refusing to return the property that rightfully belongs to Plaintiff, including but
23 not limited to, returning the proceeds derived from the exploitation of the Derivative
24 Work.

25 45. As a direct and proximate result of Defendants’ conduct, Plaintiff has
26 suffered damages.

27 46. Defendants’ conduct as described herein was made with a conscious
28 disregard of Plaintiff’s rights, with the intent to harm, vex, annoy, and/or harass

1 Plaintiff. Such conduct was unauthorized and constitutes oppression, fraud, and/or
2 malice under California Civil Code § 3294, entitling Plaintiff to an award of
3 punitive damages in an amount appropriate to punish or set an example of the
4 offending parties as determined at trial.

5 **PRAYER FOR RELIEF**

6 WHEREFORE, Plaintiffs pray for judgment against Defendants, and each of
7 them, as follows:

8 A. An award of damages in an amount to be determined at trial, including
9 but not limited to, payment of master royalties;

10 B. An order imposing a constructive trust on the money wrongfully
11 obtained;

12 C. Attorneys’ fees and costs of suit incurred herein, pursuant to 17 U.S.C.
13 § 505;

14 D. Treble damages, costs of suit and reasonable attorney’s fees, pursuant
15 to Cal. Penal Code § 496(c);

16 E. Punitive damages;

17 F. Statutory damages;

18 G. Injunctive relief;

19 H. Pre-judgment interest as provided by law; and

20 I. An award of any other and further relief that the Court deems just and
21 proper.

22 Dated: June 30, 2026

KIBLER FOWLER & CAVE LLP

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24 By: 


25 _____
26 MATTHEW J. CAVE
27 BENJAMIN MARSH
28 Attorneys for Iceberg Records A/S

DEMAND FOR JURY TRIAL

Plaintiff Iceberg Records A/S hereby demands trial by jury pursuant to Federal Rule of Civil Procedure 38(b), 28 U.S.C. § 38, and Local Rule 38-1.

Dated: June 30, 2026

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