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7 and Garrapata, LLC

8
9 **UNITED STATES DISTRICT COURT**
10 **CENTRAL DISTRICT OF CALIFORNIA**

11 CLINT EASTWOOD, an individual;
12 GARRAPATA, LLC, a California limited
liability company,

13 Plaintiffs,

14 vs.

15
16 SERA LABS, INC., a Delaware
corporation; GREENDIOS dba
17 EUPHORIC, a California corporation;
18 FOR OUR VETS, LLC dba PATRIOT
SUPREME, an Arizona limited liability
19 company; DOES 1-30, inclusive,

20 Defendants.

) Case No.:

) **COMPLAINT FOR DAMAGES**

-) 1. VIOLATION OF CALIFORNIA
) CIVIL CODE SECTION 3344;
) 2. VIOLATION OF COMMON LAW
) RIGHT OF PUBLICITY;
) 3. FALSE ENDORSEMENT
) UNDER THE LANHAM ACT
) (15 U.S.C. § 1125(A));
) 4. TRADEMARK INFRINGEMENT
) (15 U.S.C. § 1114(1)(A));
) 5. COMMON LAW TRADEMARK
) INFRINGEMENT;
) 6. DEFAMATION;
) 7. FALSE LIGHT INVASION OF
) PRIVACY

) **DEMAND FOR JURY TRIAL**

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1 Plaintiffs Clint Eastwood and Garrapata, LLC, by and through their
2 undersigned attorneys, allege upon knowledge as to themselves and their own acts
3 and allege upon information and belief as to all other matters, bring this Complaint.

4 **INTRODUCTION**

5 1. For more than 60 years, Clint Eastwood has been one of the most
6 famous actors, producers, and directors in the world. Mr. Eastwood is fiercely
7 protective of his name and image, and has rarely licensed either for the promotion of
8 products outside of the movies he acted in or directed. Like many of his most famous
9 characters, Mr. Eastwood is not afraid to confront wrongdoing and hold accountable
10 those that try to illegally profit off his name or likeness. Indeed, Mr. Eastwood
11 previously litigated and won a jury trial against the National Enquirer, which was
12 affirmed on appeal, after the tabloid falsely claimed to have exclusively interviewed
13 Mr. Eastwood and misappropriated his name, likeness, and personality to promote
14 and sell its product.

15 2. This action arises from an online scam that uses a false, defamatory, and
16 wholly fabricated “news article” about Mr. Eastwood to promote and sell cannabidiol
17 (“CBD”) products. Under the headline “Big Pharma In Outrage Over Clint
18 Eastwood’s CBD: [Name of CBD Product] - He Fires Back With This!”, the
19 fraudulent “article” prominently features photographs of Mr. Eastwood and
20 references a fabricated interview with Mr. Eastwood in which he touts his purported
21 line of CBD products. In truth, Mr. Eastwood has no connection of any kind
22 whatsoever to any CBD products and never gave such an interview. Examples of the
23 fraudulent “article” are below and attached hereto as **Exhibits 1 and 2**.

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3. The fraudulent “article” also contains fabricated quotes from Mr. Eastwood and false allegations that “he would be stepping away from the spotlight to put more time into his wellness business” and “relations with some studios grew so tense that they ended up giving him an ultimatum - acting or his wellness line”—all of which are demonstrably untrue.

4. The fraudulent “article” contains links to purchase what it claims are Mr. Eastwood’s line of CBD products, thereby allowing the defendants to illegally profit from their misuse of Mr. Eastwood’s name, likeness, and false association with their products.

5. The unlawful actions by the defendants amount to a willful and conscious disregard for Mr. Eastwood’s rights, are knowingly false, and are intentionally designed to capitalize on the goodwill, recognition, and fame associated with Mr. Eastwood.

6. By this action, Mr. Eastwood seeks to hold accountable the persons and entities that wrongfully crafted this scheme, spread false and malicious statements of facts about him, and illegally profited off of his name and likeness.

PARTIES

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7. Plaintiff Clint Eastwood is an individual and resident of Los Angeles County, California.

8. Plaintiff Garrapata, LLC (“Garrapata”) is a California limited liability company with its principal place of business in Los Angeles County, California. By assignment from Mr. Eastwood, Garrapata holds all trademarks related to Mr. Eastwood and Mr. Eastwood’s name and likeness rights apart from those he grants in connection with the promotion and exploitation of the films he makes. Garrapata and Mr. Eastwood are referred to collectively herein as “Plaintiffs.”

9. Defendant Sera Labs, Inc. is a Delaware corporation with its principal place of business in Los Angeles County, California. It is the manufacturer, distributor, and seller of CBD products called Sera Relief.

10. Defendant Greendios is a California corporation that does business as Euphoric with its principal place of business in Los Angeles County, California. It is the manufacturer, distributor, and seller of CBD products called Euphoric CBD.

11. Defendant For Our Vets, LLC is an Arizona limited liability company that does business as Patriot Supreme with its principal place of business in Maricopa County, Arizona. It is the manufacturer, distributor, and seller of CBD products called Patriot Supreme.

12. Plaintiffs are unaware of the true names and capacities of defendants, whether individual, corporate, associate, or otherwise, named herein as Does 1 through 30, inclusive, and therefore sue said defendants by such fictitious names (the “Doe Defendants”). Plaintiffs will seek leave to amend this Complaint to state when their true names and capacities are ascertained. (All of the Defendants, including the Doe Defendants, collectively are referred to herein as “Defendants”).

13. At all times mentioned in this Complaint, all of the Defendants acted in concert to knowingly cause, facilitate, control, induce, or otherwise participate in the

1 wrongful conduct alleged herein.

2 JURISDICTION AND VENUE

3 14. The Court has original jurisdiction pursuant to 28 U.S.C. §§ 1331 and
4 1338(a). This is a civil action arising under federal law, the Lanham Act of 1946 as
5 amended (codified at 15 U.S.C. §§ 1051, *et seq.*). The pendent state law claims are so
6 related to the federal claims that they form part of the same case or controversy
7 pursuant to Article III of the United States Constitution. The Court therefore has
8 supplemental jurisdiction over those claims pursuant to 28 U.S.C. § 1367(a).

9 15. Venue is proper in this judicial district pursuant to 28 U.S.C. § 1391(b)
10 for several independent reasons, including: several of the Defendants “reside” in this
11 judicial district for venue purposes under 28 U.S.C. § 1391(c)(2); a substantial part of
12 the events or omissions giving rise to the claims occurred in this district.

13 GENERAL ALLEGATIONS

14 Clint Eastwood

15 16. Clint Eastwood is recognized around the world as an icon of the
16 entertainment industry. After rising to fame in the 1950s as the star of the TV series
17 *Rawhide*, Mr. Eastwood became one of the world’s biggest movie stars with his roles
18 as the “Man With No Name” in a series of Westerns in the late 1960s and the *Dirty*
19 *Harry* films of the 1970s and 80s. In 1971, Mr. Eastwood directed his first of more
20 than 30 motion pictures, including the Academy Award winning Best Pictures
21 *Unforgiven* (1992) and *Million Dollar Baby* (2004). In addition to his successful
22 career in the entertainment industry, Mr. Eastwood served as the mayor of Carmel-
23 by-the-Sea in the late-1980s. In 2006, Mr. Eastwood was inducted into the California
24 Hall of Fame located at The California Museum for History, Women, and the Arts.
25 According to fellow Academy Award winner Sean Penn, Mr. Eastwood “has become
26 cinema’s Mount Rushmore . . . [and] the embodiment of American film.”

27 17. Mr. Eastwood has a long-standing history of rejecting third party
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