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Hollywood Innovations Group, LLC

11
12 **UNITED STATES DISTRICT COURT**
13 **CENTRAL DISTRICT OF CALIFORNIA**
14 **WESTERN DIVISION**

15 HOLLYWOOD INNOVATIONS
GROUP, LLC, a California corporation,
16 Plaintiff,

17 v.

18 NETFLIX, INC., a Delaware
corporation; ZIP CINEMA CO., LTD., a
19 South Korea corporation; KAKAO
ENTERTAINMENT CORP., a South
20 Korea Corporation; PERSPECTIVE
PICTURES CO., LTD., a South Korea
21 corporation; and DOES 1-10, inclusive,
22 Defendants.

Case No. 2:21-cv-9423

**COMPLAINT FOR COPYRIGHT
INFRINGEMENT
(17 U.S.C. § 501)**

DEMAND FOR JURY TRIAL

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1 Plaintiff Hollywood Innovations Group, LLC (“Plaintiff or “HIG”) complains
2 against Netflix, Inc. (“Netflix”), Zip Cinema Co., Ltd. (“Zip Cinema”), Kakao
3 Entertainment Corp (“Kakao”), Perspective Pictures Co., Ltd. (“Perspective
4 Pictures”), and DOES 1 through 10 (collectively, “Defendants”), as follows:

5 **INTRODUCTION**

6 1. Once upon a time, Netflix was the innovative upstart, playing the role
7 of “David” to Blockbuster Video’s “Goliath.” Netflix ultimately won that battle and,
8 in the process, became a dominant force in video entertainment content production
9 and distribution. Unfortunately, however, in its desperate quest to remain on top,
10 Netflix has combined its power and innovation with unscrupulous business
11 practices. This lawsuit, like other recent civil actions against the company, concerns
12 these illicit activities.

13 2. Netflix identified the South Korean market as its next cash cow. But in
14 its effort to grab valuable market share, it had to return to its innovative roots.
15 Regrettably, it innovated in the most nefarious way – by weaponizing breakthroughs
16 in language dubbing technology to steal content, repackage it as its own, and release
17 the content to a massive global audience, thereby reaping tens of millions of dollars
18 in ill-gotten profits along the way.

19 3. Plaintiff, Hollywood Innovation Group (HIG), was the victim of this
20 carefully orchestrated campaign by Netflix and its partners to usurp HIG’s valuable
21 intellectual property rights for their unlawful commercial exploitation. Specifically,
22 and among other things, HIG owns the exclusive rights to produce and market all
23 versions, save Korean language, of a prescient original screenplay, *Devour*, written
24 before the COVID-19 outbreak about one young man’s struggle for survival during
25 a global viral pandemic. In 2020, during the height of the COVID-19 crisis, a
26 Korean-language motion picture, *#Saraidta*, based on the *Devour* screenplay
27 became a blockbuster hit in South Korea. HIG was preparing to release an English
28 language motion picture, *Alone*, that was based on the *Devour* screenplay, and

1 which featured A-list Hollywood talent and a renowned director. But Netflix, along
2 with Korean producers, Zip Cinema and Perspective Pictures, beat HIG to the
3 marketplace with an unauthorized and unlawful direct competitor to HIG's movie.
4 Specifically, they used new language dubbing technologies to quickly and cheaply
5 undermine HIG's rights by releasing, under the name *#Alive*, multiple dubbed
6 versions (in numerous non-Korean languages, including English) of the original
7 Korean title (*#Saraitda*) on Netflix. So, while Netflix and its partners profited
8 handsomely from an illicit global streaming smash hit, HIG was left holding a
9 worthless property.

10 4. Netflix has known for over a year that it did not own the rights to
11 produce the content in question. It knew or was reckless in not knowing that it had
12 no rights to distribute *Saraitda* dubbed into English or any other non-Korean
13 language and that such new versions of *Saraitda* constituted unlawful derivative
14 works. It knew or should have known it was breaking the law, committing flagrant
15 copyright infringement. But that did not matter, apparently. Profits, market share
16 and subscriber growth were deemed more important, leaving HIG with no choice
17 but to litigate this matter.

18 **JURISDICTION AND VENUE**

19 5. This is a civil action against Defendants for acts of copyright
20 infringement under the Copyright Act, 17 U.S.C. §§ 101 *et seq.* This Court has
21 subject matter jurisdiction under 28 U.S.C. § 1331, 17 U.S.C. § 501(a), and 28
22 U.S.C. § 1338(a) and (b).

23 6. Venue is proper in this judicial district under 28 U.S.C. §§ 1391(b)
24 and (c) and 28 U.S.C. § 1400(a) in that the claim arises in this judicial district and
25 the injury suffered by Plaintiff took place in this judicial district. Defendants are
26 subject to the general and specific personal jurisdiction of this Court because of
27 their systematic contacts with, and purposeful avilment of, the State of California.
28

1 Specifically, and among other things, Netflix is headquartered in Los Gatos,
2 California and has a primary office in Los Angeles, California. Zip Cinema and
3 Perspective Pictures, as alleged below, repeatedly reached out to Plaintiff in this
4 forum seeking information about Plaintiff’s movie production to further the
5 infringement alleged herein. And on information and belief, Zip Cinema and
6 Perspective Pictures regularly contract and do business in the State of California,
7 including with corporations headquartered in the state. Each of the following Zip
8 Cinema productions is distributed by Netflix, which is headquartered in Los Gatos,
9 California: *Crazy Romance* (2019), *Golden Slumber* (2018), *Default* (2018), *The*
10 *Priests* (2015), *Cold Eyes* (2013), *All About My Wife* (2012), and *Haunters* (2010).
11 Moreover, certain of these films, such as *All About My Wife*, were released in
12 theatres throughout North America, including Los Angeles. The Perspective
13 Pictures productions *Night Moves* (2013) and *Martha Marcy May Marlene* (2011)
14 were distributed by Fox Searchlight Pictures and Cinedigm, respectively, both of
15 which are headquartered in Los Angeles, California. Furthermore, Perspective
16 Pictures is, in its own words, “based in Los Angeles.”¹

17 PARTIES

18 7. Plaintiff Hollywood Innovations Group, LLC (“HIG”) is a limited
19 liability corporation existing under the laws of California, with its principal place of
20 business in Los Angeles, California. HIG is a multi-service entertainment company,
21 providing film production services domestically and abroad.

22 8. Defendant Netflix, Inc. (“Netflix”) is a corporation existing under the
23 laws of Delaware, with its principal place of business in Los Gatos, California.
24 Netflix is an American subscription-based streaming service offering a vast library
25 of films and television programs for streaming to millions of subscribers across the
26 world.

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¹ See, e.g., <https://www.perspective-pictures.com/company>

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