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

RON WHITE, INC.,
a corporation on behalf of Ron White

Plaintiff,

vs.

PANDORA MEDIA, LLC,
a limited liability company

Defendant.

Case Number: 22-cv-00813

**COMPLAINT FOR
COPYRIGHT
INFRINGEMENT**

DEMAND FOR JURY TRIAL

Plaintiff RON WHITE, Inc., on behalf of Ron White, (hereinafter “White,” “Ron White” or “Mr. White”), by and through its attorneys of record, alleges as follows:

JURISDICTION

1. This Court has subject matter jurisdiction pursuant to 28 U.S.C. § 1331 as the action arises under the original and exclusive jurisdiction of the federal court and 28 U.S.C. § 1338(a) as the controversy arises under the Copyright Act of 1976 (17 U.S.C. § 101 *et seq.*).

2. This Court has personal jurisdiction over Defendant as discussed fully below.

1 3. This Court has general personal jurisdiction over Pandora Media,
2 LLC (“Pandora”) because Pandora’s principal place of business is in Oakland,
3 California, while also having a substantial office in Santa Monica, California,
4 meaning that Pandora is at home in the State of California. Furthermore:

5 a. Upon information and belief, through February 2, 2022, Pandora was
6 qualified to do business in California and was registered as a foreign
7 corporation with the California Secretary of State.

8 b. Pandora is also registered as a foreign limited liability company with
9 the California Secretary of State.

10 c. Pandora’s designated DMCA Copyright Agent identified in its
11 “Intellectual Property Policy” on its website is located in California at
12 2100 Franklin Street, 7th Floor, Oakland, California 94612.

13 d. Pandora has previously admitted in other federal court filings that
14 California has jurisdiction over it. *See*, Wixen Music Publishing, Inc.
15 v. Pandora Media, Inc., Case No. 2:19-cv-5278-SVW (C.D. Cal.), Dkt.
16 15 (Pandora Media, Inc.’s Answer) at ¶¶ 16-17 (“Pandora admits that
17 [it] has availed itself of California law . . . and venue is proper in the
18 [Central District of California]”).

19 4. This Court has specific personal jurisdiction over Pandora because its
20 suit-related conduct creates a substantial connection with the State of California
21 and this Judicial District. White is the copyright owner of properly registered
22 literary works (the “Works” or “White’s Works”) (*see* Exhibit A). Upon
23 information and belief, Pandora has generated substantial revenue from
24 exploitation of the Works in California, as further discussed below:

25 a. Pandora actively and purposely does business in California, as
26 evidenced by its (i) subscribers and users in California, which Pandora
27 actively reaches out to through, at a minimum, its website

(www.pandora.com) and mobile app; (ii) contracts and other transactions that it has entered into in California; (iii) revenue generated from California residents and businesses in connection with its service; and (iv) advertisements that target California residents.

b. Pandora has purposefully availed itself of California law and could and did reasonably anticipate being brought into this Court because, among other reasons, Pandora (i) has been engaged and is engaged in infringing conduct within the State of California and this District, including by knowingly, intentionally, and repeatedly streaming sound recordings and the Works over the Internet to California residents via its services; (ii) knew or should have known that the harm caused by its repeated unlicensed public performance of the Works over the Internet was aimed at comedy writers and comedy publishers, including Plaintiff, who control the Works and are managed and administered in or near Los Angeles County, California, a global hub of the entertainment industry; and (iii) knew or should have known that Plaintiff, an industry leading comedian, actor and comedy writer for nearly 40 years, would suffer, and in fact did suffer, the brunt of the harm caused by Pandora's unauthorized acts in California and around the world.

VENUE

5. Venue in this judicial district is proper pursuant to 28 U.S.C. § 1391(b), and § 1400(a), as a substantial part of the events or omissions giving rise to the claim occurred in this district, including for example, by the maintenance of Pandora's corporate office in Santa Monica, California. Plaintiff has its principal place of business in this District and has been injured in this District as a result of Pandora's infringing conduct.

1 **PARTIES**

2 6. Plaintiff, White, is the owner of intellectual property rights, on behalf
3 of Ron White who is a comedian, actor, and author who resides in California. Ron
4 White Inc., is a Georgia corporation with its principal place of business at 75
5 Washington Street, Unite 1877, Fairburn, Georgia 30213.

6 7. Defendant, Pandora, is a Delaware limited liability company with a
7 principal place of business at 2100 Franklin Street, Suite 700, Oakland, California
8 94612. According to its website, Pandora maintains another corporate office in
9 California, located at 3000 Ocean Park Boulevard, Suite 3050, Santa Monica,
10 California 90405.

11 **PRELIMINARY STATEMENT**

12 8. Just as there is with music, there are two copyrights involved in the
13 recorded performance of a literary copyrighted work: a copyright in the sound
14 recording, and a separate copyright in the underlying spoken word composition
15 (White's compositions, as noted, are referred to herein as "the Works" or "White's
16 Works"). Pursuant to 17 U.S.C. §§ 106 and 204 of the Copyright Act of 1976,
17 copyright owners have the exclusive right to, among other things, reproduce,
18 distribute, license, and publicly perform their works. Anyone wishing to obtain the
19 right to do so, must get a license from the respective copyright owner in both of
20 these copyrights, and pay agreed to royalties. The failure to do so constitutes
21 copyright infringement. As discussed below, Pandora not only did not obtain any
22 copyright in White's Works but admitted that it did not do so in Security and
23 Exchange Commission (SEC) filings, and admitted that it would very likely face
24 copyright infringement liability as a result. But Pandora did what most goliaths do:
25 it decided it would infringe now to ensure it had this very valuable intellectual
26 property on its platform to remain competitive, and deal with the consequences
27 later. Later is now.

STATEMENT OF FACTS

9. The tradition of storytelling dates back to the very beginnings of human existence. Through storytelling history has been passed down from generation to generation, but it also transports the listener to a different place and time. For some it is a place of escape from their real life and the complexities that come with that. For others it is a way to appreciate and understand life through a different filter. However, no matter how busy people may be with their everyday lives, people are always ready to hear a good story, especially if it makes them laugh.

10. To hear a good story one need look no further than to Ron “Tater Salad” White. Mr. White dips into his own personal life for inspiration when entertaining audiences, telling stories about growing up in a small town in Texas, to his everyday life, to becoming one of the most successful comedians in American history. Known for his cigar-smoking and scotch-drinking funnyman stage presence, no one can tell a funny story quite like Ron White.

11. For the last thirty-six (36) years, Mr. White has been captivating audiences with his fantastic tales, landing four (4) of his comedy albums at #1 on the Billboard Comedy Charts, three Grammy nominations, and as one of the top three grossing stand-up comedians on tour in America.

12. Mr. White is a veteran of the United States Navy, and served near the end of the Vietnam War, but his dream was to be a comedian. Since becoming a legend in his own right, Mr. White has been a passionate supporter of the U.S. military troops for more than twenty (20) years. In 2008, he started his Comedy Benefit, Ron White’s Comedy Salute to the Troops to raise money for the Armed Forces Foundation to assist injured troops and their families. This outlet has allowed him to collaborate with many entertainment giants such as Rascal Flatts,

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