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

9 ROBIN WILLIAMS TRUST,

Case Number: 22-cv-00815

10 Plaintiff,

**COMPLAINT FOR
COPYRIGHT INFRINGEMENT**

11 vs.
12

13 PANDORA MEDIA, LLC,
a limited liability company

DEMAND FOR JURY TRIAL

14 Defendant.
15
16
17

18 Plaintiff ROBIN WILLIAMS TRUST, by and through its attorneys of record,
19 alleges as follows:

20 **JURISDICTION**

21 1. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §
22 1331 as the action arises under the original and exclusive jurisdiction of the federal
23 court and 28 U.S.C. § 1338(a) as the controversy arises under the Copyright Act of
24 1976 (17 U.S.C. § 101 *et seq.*).

25 2. This Court has personal jurisdiction over Defendant as discussed fully
26 below.
27
28

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 January 28, 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. ROBIN WILLIAMS TRUST (hereinafter “Williams”) is
22 a copyright owner of properly registered literary works (the “Works” or
23 “Williams’s Works”) (*see* Exhibit A). Upon information and belief, Pandora has
24 generated substantial revenue from exploitation of the Works in California, as
25 further discussed below:

26 a. Pandora actively and purposely does business in California, as
27 evidenced by its (i) subscribers and users in California, which Pandora

1 actively reaches out to through, at a minimum, its website
2 (www.pandora.com) and mobile app; (ii) contracts and other
3 transactions that it has entered into in California; (iii) revenue
4 generated from California residents and businesses in connection with
5 its service; and (iv) advertisements that target California residents.

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

22 5. Finally, the ROBIN WILLIAMS TRUST is managed and
23 administered in Los Angeles, California.

24 VENUE

25 6. Venue in this judicial district is proper pursuant to 28 U.S.C. § 1391(b),
26 and § 1400(a), as a substantial part of the events or omissions giving rise to the
27 claim occurred in this district, including for example, by the maintenance of
28

1 Pandora's corporate office in Santa Monica, California. Plaintiff has its principal
2 place of business in this District and has been injured in this District as a result of
3 Pandora's infringing conduct.

4 **PARTIES**

5 7. Plaintiff, ROBIN WILLIAMS TRUST, represents the intellectual
6 property rights of the late Robin Williams, who was an actor and comedian and
7 resided in California. The ROBIN WILLIAMS TRUST is in the care of Trustee,
8 Arnold D. Kassoy, of Manatt, Phelps & Phillips, LLP, located in Los Angeles,
9 California.

10 8. Defendant, Pandora, is a Delaware limited liability company with a
11 principal place of business at 2100 Franklin Street, Suite 700, Oakland, California
12 94612. According to its website, Pandora maintains another corporate office in
13 California, located at 3000 Ocean Park Boulevard, Suite 3050, Santa Monica,
14 California 90405.

15 **PRELIMINARY STATEMENT**

16 8. Just like with music, there are two copyrights involved in the recorded
17 performance of a literary copyrighted work: a copyright in the sound recording,
18 and a separate copyright in the underlying spoken word composition (Williams'
19 compositions, as noted, are referred to herein as "the Works" or "Williams's
20 Works"). Pursuant to 17 U.S.C. §§ 106 and 204 of the Copyright Act of 1976,
21 copyright owners have the exclusive right to, among other things, reproduce,
22 distribute, license, and publicly perform their works. Anyone wishing to obtain the
23 right to do so, must get a license from the respective copyright owner in both of
24 these copyrights, and pay agreed to royalties. The failure to do so constitutes
25 copyright infringement. As discussed below, Pandora not only did not obtain any
26 copyright in Williams's Works but admitted that it did not do so in SEC filings,
27 and admitted that it would very likely face copyright infringement liability as a

1 result. But Pandora did what most goliaths do: it decided it would infringe now to
2 ensure it had this very valuable intellectual property on its platform to remain
3 competitive, and deal with the consequences later. Later is now.

4 STATEMENT OF FACTS

5 9. Throughout history, comedy and spoken word have been the bedrock
6 of entertainment. From Shakespearian comedies to modern-day standup comedians,
7 comedy has brought happiness to the faces of billions of people, and for nearly the
8 last five decades, Robin Williams has been an integral part of that history.

9 10. Spanning nearly forty years with unique insights expressed as an
10 active comedian, philosopher, and entertainer in literally every format imaginable,
11 the comedic works of Robin Williams have enriched global culture, our lives, the
12 entertainment industry and provided insights into the absurdity, joy, pains, and
13 irony of life. He pushed other comedians and entertainers to further hone their craft
14 while continuing to trail blaze as a comedic talent until the end of his career.

15 11. From his early beginnings at the Holy City Zoo in San Francisco and
16 the Roxy in West Hollywood, California, to the television show Mork & Mindy
17 and then through a plethora of movie acting roles, such as Genie in Disney's
18 Aladdin, and his iconic roles in Dead Poets Society and Good Will Hunting,
19 Williams put his heart, soul and mind into every composition he wrote or role he
20 played. His heart was never more evident and on display then when he spent years
21 lending his comedic talent to the charitable organization Comic Relief USA, whose
22 mission was to raise funds to those in need, particularly America's homeless. He
23 was joined on those Comic Relief USA television specials by Billy Crystal and
24 Whoopi Goldberg among others. It is nowhere close to an exaggeration to say that
25 Robin Williams was a national treasure.

26 12. Williams' on-stage presence and skill with comedic improvisation set
27 the standard for the stand-up comedians. Not only was he skilled at communicating
28

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