

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

Civil Case No.: \_\_\_\_\_

CURTIS J. JACKSON, III p/k/a 50 CENT,

JURY TRIAL DEMANDED

Plaintiff,

v.

ANGELA KOGAN and PERFECTION PLASTIC  
SURGERY, INC. d/b/a PERFECTION PLASTIC  
SURGERY & MEDSPA,

Defendants.

\_\_\_\_\_ /

**COMPLAINT**

Plaintiff Curtis J. Jackson, III p/k/a 50 Cent (“Plaintiff” or “Jackson”), by and through his undersigned counsel, for his Complaint against Defendants Angela Kogan (“Kogan”) and Perfection Plastic Surgery, Inc. d/b/a Perfection Plastic Surgery & MedSpa (“MedSpa”) (collectively, “Defendants”), hereby alleges as follows:

**INTRODUCTION**

This case is about the abuse of a popular entertainer and businessman’s act of goodwill by an unscrupulous business owner for her own economic gain. Under false pretenses, Defendant Angela Kogan took a photograph with Plaintiff Curtis J. Jackson, III (the “Photo”) and subsequently used it to promote her business without Jackson’s consent. Defendants also falsely implied in several online publications that Jackson was their plastic surgery client. Two years after the Photo was taken, Kogan used it again, this time—shockingly—to support the false insinuation that Defendants had provided a penile enhancement treatment to Mr. Jackson. Jackson *never* had

such a sexual enhancement procedure, he has *never* received plastic surgery from Defendants, and he *never* consented to the commercialization and publication of the Photo. Defendants' actions have exposed Jackson to ridicule, caused substantial damage to his professional and personal reputation, and violated his right to control his name and image (which has significant economic value).

### **STATEMENT OF THE CASE**

1. On or about February 1, 2020, Plaintiff Curtis J. Jackson, III—a world-famous celebrity and entrepreneur—graciously agreed to have the Photo taken with someone he thought was a fan. Jackson could not have known at the time that this Photo would repeatedly be exploited as promotional content by, and as a false endorsement for, a well-known aesthetician and business owner in the Miami area, Defendant Angela Kogan, and for Kogan's plastic surgery company, Defendant MedSpa. In the over two years since the Photo was taken, Defendants have used Jackson's image and name for advertising and publicity purposes on Defendants' social media accounts. Jackson never consented to his image, likeness, and name being used in this manner.

2. Moreover, two and a half years after the Photo was taken, Defendants' misuse of Jackson's image took a significantly more disturbing turn. On August 17, 2022, The Shade Room ("TSR"), a pop-culture media outlet that focuses on the Black community, published an article (the "Article") featuring Kogan discussing the apparent rise in plastic surgery for men, with a specific focus on male sexual enhancement procedures. The Photo Kogan took with Jackson two years prior was used as part of a thumbnail image that appears any time the Article is shared or posted online.

3. The implication was clear: in the TSR Article, the Photo is juxtaposed with an image of a faceless male obtaining a penile enhancement procedure, with a euphemistic eggplant

emoji covering his exposed groin area (the “Thumbnail Image”). Neither Defendants nor TSR sought Jackson’s permission to use the Photo, let alone in this particular manner. Even if Defendants had asked for permission, Jackson *never* would have consented to Kogan or MedSpa’s commercial use of the Photo, especially not in this context.

4. Not only were Jackson’s image and name linked to a sexual enhancement treatment he *never had*, but Kogan also falsely implied to the TSR reporter that Jackson was her client for plastic surgery more generally. The Article states that “Angela Kogan... has an extensive clientele of celebrities, including... 50 Cent” in the context of discussing plastic surgery. Kogan and MedSpa were aware that Jackson had never received plastic surgery at MedSpa because, as providers of health care services, they would have no doubt as to whether an individual was treated by them.

5. To be abundantly clear, Jackson *never* obtained: (a) plastic surgery procedures from Kogan or MedSpa, or (b) the penile enhancement or other procedures described in the Article.

6. Adding further insult to injury, Defendants repeatedly shared the Article across their various Instagram accounts. In their doing so, the Thumbnail Image was prominently displayed in almost every public post Defendants shared. Additionally, the captions on Defendants’ posts contained popular hashtags, as well as company-specific hashtags, which are commonly used to generate greater visibility and reach for the posts and, by extension, the company itself.

7. Defendants’ collective Instagram accounts have nearly *half a million followers*. The Photo has therefore been exposed to the wide audience of Defendants’ followers, inevitably leading many of those followers to misconstrue Jackson’s image and name as an endorsement of Kogan and MedSpa’s business, or as verification that Jackson himself had received the plastic

surgery procedures described in the Article. Indeed, comments made on the various Instagram posts already leave no doubt that consumers have been misled in this manner by Defendants.

8. From repeatedly re-sharing the Photo prior to August 17, 2022, to resharing the doctored Thumbnail Image on numerous occasions since then, Kogan and MedSpa opportunistically misappropriated Jackson's name and image for their own promotional and commercial advantage. These actions amount to clear violations of the Lanham Act as well as violations of Jackson's right to publicity, specifically, his right not to have his name and image appropriated for commercial exploitation by others without his express consent. Defendants' acts also constitute conversion and unjust enrichment.

9. As a result of the ongoing invasion of Jackson's publicity and the violation of his rights to control his own image and name (and the substantial economic value of these aspects of Jackson's identity), Plaintiff has suffered, and continues to suffer, irreparable harm for which money damages are inadequate. Therefore, Plaintiff seeks an order enjoining Defendants from: falsely stating that Jackson is their client; sharing or publishing the Photo on social media, electronic media, or any other form of media whatsoever; and engaging in any other actions that would imply that Jackson supports or endorses Kogan and/or MedSpa.

10. Alternatively, Plaintiff seeks compensatory damages, treble damages under the Lanham Act, punitive damages, disgorgement of any direct and indirect profits earned by Defendants in connection with their use of Jackson's name and image, attorney's fees and costs for Lanham Act violations, and royalties. While Jackson's damages have yet to be determined with particularity, they exceed the jurisdictional amount of \$75,000 and likely amount to millions of dollars.

## **PARTIES**

11. Plaintiff is a citizen of Texas and resides in Houston, Texas. Jackson is a Grammy-award winning rap artist, investor, entrepreneur, and philanthropist who is commonly known by his stage name 50 Cent. Given his extensive and successful career, Jackson's image, name, and identity have substantial commercial value.

12. Upon information and belief, Defendant Angela Kogan is a citizen of the State of Florida and resides in Miami-Dade County. According to her public LinkedIn profile, Kogan is the Chief Executive Officer of Perfection Plastic Surgery & Med Spa, located at 16690 Collins Avenue, Suite 702, Sunny Isle Beach, Florida 33160.<sup>1</sup> According to MedSpa's website, Kogan is also a Licensed Aesthetician, Certified Laser Hair Removal Professional, Licensed Phlebotomist, and a Certified Medical Electrologist.<sup>2</sup>

13. Defendant MedSpa is a Florida domestic corporation with its principal place of business located at 16690 Collins Avenue, Suite 702, Sunny Isle Beach, Florida 33160. According to its website, MedSpa offers a variety of invasive and non-invasive cosmetic procedures.

## **JURISDICTION AND VENUE**

14. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1332(a)(1) (diversity jurisdiction) because the amount in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs, and this action is between citizens of different states.

---

<sup>1</sup> Angela Kogan, LINKEDIN, <https://www.linkedin.com/in/angela-kogan-649165174> (last visited Aug. 26, 2022).

<sup>2</sup> Perfection MedSpa, *Our Staff*, <https://bayharborperfection.com/about-us> (last visited Aug. 26, 2022).

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.