

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

BARBARA NORWOOD

VS.

CASE NO.:

QUALITY CONTROL MUSIC, LLC

**COMPLAINT FOR COPYRIGHT INFRINGEMENT  
(INJUNCTIVE RELIEF DEMANDED)**

Plaintiff Barbara Norwood by and through the undersigned counsel, brings this Complaint against Defendant Quality Control Music, LLC for damages and injunctive relief, and in support thereof states as follows:

**SUMMARY OF CLAIMS**

1. Plaintiff Barbara Norwood (“Plaintiff”) brings this action for violations of exclusive rights under the Copyright Act, 17 U.S.C. § 106, to copy and distribute Plaintiff’s original copyrighted Work of authorship in her Work.
2. Plaintiff is a writer of rap lyrics and occasionally performs her work in public settings.
3. Defendant Quality Control Music, LLC (“Defendants”) are local music producers in operating as a Limited Liability Company in the State of Georgia. with its principal place of business located at 541 Tenth St Ste-365, Atlanta, GA 30318.

**JURISDICTION AND VENUE**

4. This is an action arising under the Copyright Act, 17 U.S.C. § 501.
5. This Court has subject matter jurisdiction over these claims pursuant to 29 U.S.C. §§ 1331, 1338 (a).

6. Defendant is a Limited Liability Company formed in and operating out of Atlanta, Georgia.
7. Venue is proper in this district under 28 U.S.C. § 1391 (b) and (c) and 1400 (a) because the events giving rise to the claims occurred in this district, Defendant engaged in infringement in this district, Defendant operates in this district and Defendant is subject to personal jurisdiction in this district.

### **COPYRIGHTED WORK**

8. In 2018, Plaintiff copyright owner of song “Martian,” the “Work” that was registered under SRu 1-333-830 effective June 2, 2018. (See Attached Exhibit A)
9. Plaintiff is both a writer and performer and performs this song occasionally through out the Atlanta metropolitan area.
10. Plaintiff’s Work is protected by copyright but is not otherwise confidential, proprietary, or trade secrets.
11. At all relevant times Plaintiff was the owner of the copyrighted Work at issue in this case.

### **COUNT I**

**(Copyright Infringement – 17 U.S.C. § 101, et seq.)**

### **INFRINGEMENT BY DEFENDANT**

12. Plaintiff incorporate herein by this reference each and every allegation contained in each paragraph above.

13. Defendant is a local music producer, primarily of rap music in the Atlanta area, and during the year 2018 maintained a website inviting upcoming and inspiring artists wanting to be discovered to submit samples of their music.
14. Lured by an opportunity to work with a music producer who has extensive history working with famed rap artists like Cardi B and Offset, Plaintiff submitted samples of her music to Defendant's site on December 3, 2018. (See Attached Exhibit C)
15. Shortly thereafter, Plaintiff learned that her song "Martian" was unlawfully copied in a "substantially similar" sound recording for Defendant's artist Offset who performs a song called "How Did I Get Here ft. J. Cole."
16. A substantial amount of "Martian" sound recording is reproduced without authorization in the Defendant's artists song.
17. Sometime in early 2019 Defendant unlawfully, reproduced, distributed, electronically transmitted, publicly performed and/or authorized the reproduction, distribution, electronically transmission and public performance of the "substantial similar" sound recording of "Martian."
18. A cease and desist letter dated October 1, 2020 was sent to Defendant sometime soon after its creation and Defendant's attorney called the undersigned once and left a message. However, the undersigned has been unsuccessful in getting a call back after leaving several messages. (See Attached Exhibit B)
19. Defendant acted willfully in reproduction, distribution, electronic transmission and/or public performance of "substantially similar" sound recording copyrighted in "Martian" and have not compensated or sought permission from Plaintiff for the use of her copyrighted sound recording.

**COUNT II**

Plaintiff repeats and realleges the allegation set forth above as though set forth fully herein.

20. Plaintiff has a likelihood of eventual success in this litigation.

21. Plaintiff will suffer irreparable harm if injunctive relief is not granted by this Court.

22. Defendant's infringements of Plaintiff's copyright in "Marian" sound recording are causing irreparable harm to Plaintiff.

**RELIEF REQUESTED**

23. Plaintiff respectfully requests a trial by jury on all claims asserted in this Complaint.

**WHEREFORE**, Plaintiff respectfully requests the following relief against Defendant:

A. "Defendant shall be and hereby is enjoined from directly or indirectly infringing Plaintiff's rights under federal or state law in the Copyrighted Recordings and any sound recording;

B. Defendant be required to pay Plaintiff her actual damages and Defendant's profits attributable to the infringement, or, at Plaintiff's election, statutory damages, as provided in 17 U.S.C. § 504'

C Plaintiff be awarded her attorney's fees and costs of suit under the applicable statutes sued upon;

D. Plaintiff be awarded pre and post-judgment interest; and

E. Plaintiff be awarded such other and further relief as the Court deems just and proper.

26 November 20  
This the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

COLE LAW GROUP, LLC  
*/s/ Dorey N. Cole*

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