

The ILND 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (See instructions on next page of this form.)

I. (a) PLAINTIFFS

- (b) County of Residence of First Listed Plaintiff (Except in U.S. plaintiff cases)
(c) Attorneys (firm name, address, and telephone number)

DEFENDANTS

County of Residence of First Listed Defendant (In U.S. plaintiff cases only)
Note: In land condemnation cases, use the location of the tract of land involved.
Attorneys (If Known)

II. BASIS OF JURISDICTION (Check one box, only.)

- 1 U.S. Government Plaintiff
2 U.S. Government Defendant
3 Federal Question (U.S. Government not a party.)
4 Diversity (Indicate citizenship of parties in Item III.)

III. CITIZENSHIP OF PRINCIPAL PARTIES (For Diversity Cases Only.)

Table with columns for Plaintiff (PTF) and Defendant (DEF) citizenship and incorporation status. Includes options for Citizen of This State, Citizen of Another State, and Citizen or Subject of a Foreign Country.

IV. NATURE OF SUIT (Check one box, only.)

Large table with categories: CONTRACT, REAL PROPERTY, CIVIL RIGHTS, TORTS, BANKRUPTCY, IMMIGRATION, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, SOCIAL SECURITY, FEDERAL TAXES, OTHER STATUTES. Each category contains a list of specific legal claims with checkboxes.

V. ORIGIN (Check one box, only.)

- 1 Original Proceeding, 2 Removed from State Court, 3 Remanded from Appellate Court, 4 Reinstated or Reopened, 5 Transferred from Another District (specify), 6 Multidistrict Litigation - Transfer, 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION (Enter U.S. Civil Statute under which you are filing and write a brief statement of cause.)

VII. PREVIOUS BANKRUPTCY MATTERS (For nature of suit 422 and 423, enter the case number and judge for any associated bankruptcy matter previously adjudicated by a judge of this Court. Use a separate attachment if necessary.)

VIII. REQUESTED IN COMPLAINT:

Check if this is a class action under Rule 23, F.R.C.V.P.

Demand \$

CHECK Yes only if demanded in complaint:

Jury Demand: Yes No

IX. RELATED CASE(S) IF ANY (See instructions):

Judge Case Number

X. Is this a previously dismissed or remanded case?

Yes No If yes, Case #

Name of Judge

Date:

Signature of Attorney of Record

Authority for Civil Cover Sheet

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- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use  
**(b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the  
**(c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here. United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box. Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.  
Original Proceedings. (1) Cases which originate in the United States district courts.  
Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.  
Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.  
Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.  
Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.  
Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C.  
Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.  
**PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7.** Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.  
Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.  
Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

**Date and Attorney Signature.** Date and sign the civil cover sheet.

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

GUTTA ENTERPRISES, LLC,

Plaintiff,

v.

NAYVADIUS DEMUN WILBURN, p/k/a/  
FUTURE; XAVIER LAMAR DOTSON,  
p/k/a ZAYTOVEN; WILBURN HOLDING  
CO., INC., DOTSON EMPIRE LLC,  
NAYVADIUS WILBURN LLC,  
FREEBANDZ ENTERTAINMENT INC.,  
NAYVADIUS MAXIMUS MUSIC,  
ZAYTOVEN GLOBAL, LLC, ULTRA  
INTERNATIONAL MUSIC PUBLISHING  
LLC

Defendants.

Case No.

**JURY TRIAL DEMANDED**

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**COMPLAINT**

Plaintiff, GUTTA ENTERPRISES, LLC (“Plaintiff”), by and through its attorneys, Aronberg, Goldgehn, Davis and Garmisa, for its complaint against NAYVADIUS DEMUN WILBURN, professionally known as “FUTURE” (“Willburn”); XAVIER LAMAR DOTSON, professionally known as “ZAYTOVEN” (“Dotson”); WILBURN HOLDING CO., INC. (“WH”), and DOTSON EMPIRE LLC (“DE”), NAYVADIUS WILBURN LLC, FREEBANDZ ENTERTAINMENT INC., (“Freebandz”), NAYVADIUS MAXIMUS MUSIC, ZAYTOVEN GLOBAL, LLC, and ULTRA INTERNATIONAL MUSIC PUBLISHING LLC (collectively referred to as “Defendants”) states as follows:

**ALLEGATIONS COMMON TO ALL COUNTS**

**Nature of the Case**

1. This is an action for copyright infringement in violation of 17 U.S.C. § 106 (exclusive rights in copyrighted works) and 17 U.S.C. § 501 (infringement of copyright).

**The Parties**

2. Gutta Enterprises, LLC is a limited liability company organized under the laws of the Commonwealth of Virginia with its principal place of business at 534 Rossmore Road, Richmond, Virginia 23225.

3. Daquan Jakeem Rakae Robinson is a recording artist, professionally known as “Gutta” (“Robinson”). Robinson is a resident of Virginia.

4. Robinson is an owner of Gutta Enterprises, LLC.

5. Robinson created, wrote, authored the music and lyrics, and registered “When U Think About It” with the United States Copyright Office.

6. On January 10, 2017, Robinson received a registration (Registration No. SRu001286775) for the sound recording and music for the song, “When U Think About It”.

7. Robinson subsequently assigned the rights to bring an action for infringement of the work “When U Think About It” to Gutta Enterprises, LLC.

8. Defendant Nayvadius Demun Wilburn (“Wilburn”) is an artist performing under the name “Future”, and is believed to be a resident of Atlanta, GA.

9. On information and belief, Wilburn owns and is signed to Defendant Wilburn Holding Co., Inc. (“WH”),

10. Upon information and belief, Wilburn performs under Nayvadius Maximus Music.

11. WH is a corporation duly organized and existing under the laws of the State of Georgia with its principal place of business at 2579 Park Central Blvd, Decatur, GA 30035.

12. Xavier Lamar Dotson (“Dotson”) is a producer and musician, professionally known as Zaytoven, and is believed to be a resident of Atlanta, GA.

13. Upon information and belief, Dotson owns Dotson Empire LLC (“DE”).

14. Upon information and belief, Dotson publishes musical works under the name Zaytoven Publishing.

15. Upon information and belief, Dotson Empire LLC is a company duly organized and existing under the laws of the Commonwealth of Virginia with its principle of business at 305 Golden Ln, Sutherlin, VA 24594.

16. Upon information and belief, Freebandz Productions LLC is a Georgia limited liability company with its principal place of business at 3588 Highway 138, Suite 274, Stockbridge, Georgia 30281.

17. Upon information and belief, Nayvidius Maximus Music is a company organized under the laws of the state of California.

18. Upon information and belief, Zaytoven Global, LLC is a Georgia limited liability company with its principal place of business at 109 Somerset Hills, McDonough, Georgia 30253.

19. Upon information and belief, Datson is the owner of Zaytoven Global, LLC.

20. Upon information and belief, Ultra International Music Publishing and Zaytoven Publishing are identified as copyright claimants for Defendant’s Infringing Song (as defined below).

21. Upon information and belief, Zaytoven Publishing is a subsidiary of Dotson Empire, LLC or Zaytoven Global, LLC.

### **Jurisdiction and Venue**

22. This Court has original subject matter jurisdiction over the claims in this action pursuant to 28 U.S.C. §§ 1331, 1338, and the Copyright Act, 17 U.S.C. § 501 *et seq.*

23. This Court has personal jurisdiction over Defendants because Defendants do business within Chicago, Illinois, including upon information and belief, significant sales of the Defendants Infringing Song and live public performances of the same within this Judicial District.

24. Upon information and belief, Defendant Wilburn performed live within this judicial district on or about August 31, 2019.

25. Venue is properly found in this district pursuant to 28 U.S.C. §§ 1391(b)(2), (c)(2), 1400(a) because this is a civil action founded on federal question jurisdiction, because Defendants committed acts of infringement in this jurisdiction, and a substantial part of the event giving rise to the claim occurred in this judicial district.

### **FACTUAL BACKGROUND**

#### **“When U Think About It”**

26. On or about January 2017, Robinson created, wrote, and recorded a song called “When U Think About It” (the “Work”). A true and correct copy of the Work is attached as Exhibit A.

27. On January 10, 2017, Robinson filed an application for registration of the sound recording and music of “When U Think About It” with the United States Copyright Office.

28. That application was registered as SRu001286775. A true and correct copy of the Certificate of Copyright Registration is attached as Exhibit B (the “Copyright”).

29. Robinson authored the sound recording, music, and lyrics of the Work.

30. On April 21, 2017, Robinson sent Dotson an email seeking to obtain some beats for a subsequent publication of the Work.

31. A recording of the Work was attached to the same email.

32. Upon information and belief, and at all times relevant, Dotson uses the email address [zaybookings@gmail.com](mailto:zaybookings@gmail.com).

33. Dotson replied and gave Robinson the pricing information. A true and correct copy of the April 21, 2017 email chain is attached as Exhibit C.

34. Upon information and belief, Dotson opened the file sent by Robinson and listened to the Work.

35. Since April 21, 2017, Dotson had direct access to the Work.

36. On July 16, 2017, Robinson sent an email to Isam Mostafa, professionally known as Doe Boy (“Mostafa”), a recording artist whom, upon information and belief, is signed to Wilburn’s label company, WH.

37. In the email to Mostafa, Robinson attached a recording of the Work and asked it to be forwarded to Wilburn. Mostafa replied and gave Robinson the pricing within three hours. A true and correct copy of the email is attached as Exhibit D.

**Infringing Material: “When I Think About It”**

38. Upon information and belief, Defendant Wilburn is credited as the artist of “When I Think About It.” (“When I Think About It” or “Defendants’ Infringing Song”)

39. Upon information and belief, Defendant Dotson is credited as the publisher “When I Think About It.”

40. Upon information and belief, Defendant WH is a record label based in Atlanta, Georgia.

41. Upon information and belief, Defendant Wilburn owns and is one of the artists signed to WH.

42. Upon information and belief, WH maintains a website under the name “Freebandz” at <http://www.freebandz.com>, which identifies Wilburn as one of its artists.

43. Upon information and belief, WH is responsible for the content of the Freebandz website.

44. Upon information and belief, WH promotes the musical career of Wilburn.

45. Upon information and belief, WH financially benefits from the success of Wilburn.

46. Upon information and belief, Defendant DE is a publishing company registered in the Commonwealth of Virginia.

47. Upon information and belief, Dotson is the owner, Chief Executive Officer, and Chief Financial Officer of DE.

48. Upon information and belief, Dotson or DE maintains a website under the name “ZaytovenBeatz” at <http://www.zaytovenbeatz.com>, which identifies Dotson as a songwriter and producer.

49. Upon information and belief, Dotson or DE is responsible for the content of the “ZaytovenBeatz” website.

50. Upon information and belief, DE promotes Dotson’s publishing business.

51. Upon information and belief, DE financially benefits from Dotson’s career as a publisher.

52. On July 5, 2018 “When I Think About It” was released as a single on YouTube, at <https://www.youtube.com/watch?v=NZfpMiHt7GM>, and it.



53. On July 6, 2018, Defendants digitally released the album *Beast Mode 2* (the “Album”) on Apple Music, Spotify, Amazon Music, Deezer, Soundcloud, Tidal, and YouTube Music for streaming and download.

54. The Album credits Wilburn as the artist and Dotson as the publisher.

55. “When I Think About It,” is featured on the Album.

56. “When I Think About It” was registered at the Copyright Office on August 22, 2018, with Registration No. PA0002142588.

57. Upon information and belief, Wilburn and Dotson are authors of “When I Think About It.”

58. Upon information and belief, at least through Dotson receiving Plaintiff’s Work, both Wilburn and Dotson had access to the Work prior to creating the Defendants’ Infringing Song.

59. Upon information and belief, the Album was released in connection with Epic Records, a division of Sony Music Entertainment.

60. “When I Think About It” has been widely distributed through the United States since July 5, 2018.

61. Upon information and belief, the Album debuted at number 3 on U.S. *Billboard* 200.

62. Upon information and belief, the Album debuted with 57,000 units (equivalent of 73.5 million streams), granting Wilburn his ninth Top 10 and the highest-charting streaming-exclusive album.

63. Upon information and belief, as of this filing date, “When I Think About It” has gathered more than 3.1 million views on YouTube, more than 24,005 fans on Deezer, and the Album accrued more than 17.3 likes on SoundCloud.

64. A true and correct copy of Defendant's Infringing Song is attached hereto as Exhibit E<sup>1</sup>.

**COUNT I**  
**Copyright Infringement**  
**Violation of 17 U.S.C. §§ 106 and 501**

65. Plaintiff re-alleges and incorporates the allegations set forth in each of the foregoing paragraphs as if fully set forth herein.

66. The foregoing acts of Defendants constitute infringement of Plaintiff's registered copyright and exclusive rights under the copyright laws in violation 17 U.S.C. §§ 106 and 501.

67. Plaintiff is the owner of the Sound Recording Copyright for "When U Think About It."

68. "When U Think About It" is an original work made by Robinson.

69. Robinson registered the sound recording of "When U Think About It" with the Copyright Office on January 10, 2017.

70. Registration with the Copyright Office creates a rebuttable presumption of originality and sufficient to warrant copyright protection.

71. Defendants had access to "When U Think About It" through, at least receiving the recording files from Robinson via email to Dotson and Mostafa.

72. On or about June 25, 2019, Plaintiff, through other counsel, sent a letter to Defendant Wilburn informing him of the allegations of copyright infringement between the Work and Defendants' Infringing Song.

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<sup>1</sup> Exhibits A and E will be filed using the Digital Media Exhibit Submission in lieu of delivering USB drives to the Court's intake desk.

73. Upon information and belief, Defendant Wilburn did not respond substantively to that letter.

**Similarities**

74. The Work and Defendants’ infringing song are substantially similar.

75. The lyrics in the actual songs, specifically including the hook and chorus, are substantially similar.

76. Both choruses contain a theme about having money and have substantially similar structure.

77. The lyrics between the two songs are extremely similar when laid out side by side, as illustrated below:

Defendants’ Song “When I Think About It”	Robinson’s Song “When U Think About It”
Zaytoven Oh yeah Two Ha, ha, ha, ha When I think about it It’s one thousand	[Instrumental intro]
Got on a million dollars in jewelry <b>when I think about it</b> Got more guns than a terrorist <b>when I think about it</b> All these cars, my kids inheritin’ <b>when I think about it</b> All this money I can’t cherish <b>when I think about it</b> These niggas rather see me suffer, <b>now I think about it</b> I know they playin’ undercover <b>when I think about it</b>	My whole life I’ve been keeping it G, <b>when u think about it,</b> Laying low from the police, <b>when u think about it,</b> Stashing money, grind with no sleep, <b>when u think about it,</b> Real nigga, you should think of me, <b>when u think about it,</b> My whole life I’ve been keeping it G, <b>when u think about it,</b>
Ordered more whips, more jewelry We take more trips, fuck the whole jury They got me in the courts like I’m losing I gotta be the one most improving	Doing things you see in your sleep You only dream about it, counting money, thousands on sneaks Grindin’ hard, powder for cheek

<p>I know they gon' try to misuse me          Patiently wait while they come up with solutions          Twenty chains on my neck, man, they can't figure me out          Put a Rollie 'round my neck, they try and figure me out          They 'bout to gas up the jet, then try and figure me out          I had to get some more Fugazi, they tryna figure me out          Wetter than a pussy, got your nose running Kamikaze comin', I don't know nothing          We just gettin' the money, fuck the whole public          You can get the whole clip if you tryna touch me</p>	<p>Posted up in the hood like I'm poster          Bitches love Gutta taking pics with my posters          niggas jokin', then we expose 'em          How we ball on 'em, that's the difference, we roast 'em          Yeah, what I've been through, I can't help but be bawdy          Niggas tried to kill me, now I pop the          Gotta stay with the gun on my hip          Guess being the real nigga comes with a risk          They plottin' on me because I'm the one to get rich          See my diamonds shinin' so they come for my wrist          And they ain't ask for none of this shit          Guess that's the price you pay when you come from the Bricks</p>
<p>Got a million dollars in jewelry <b>when I think about it</b>          Got more guns than a terrorist <b>when I think about it</b>          All these cars, my kids inheritin' <b>when I think about it</b>          All this money I can't cherish <b>when I think about it</b>          These niggas rather see me suffer, <b>now I think about it</b>          I know they playin' undercover <b>when I think about it</b>          Ordered more whips, more jewelry          We take more trips, fuck the whole jury</p>	<p>My whole life I've been keeping it G, <b>when u think about it</b>          Stashing money, grind with no sleep, <b>when u think about it.</b>          Real nigga, you should think of me, <b>when u think about it,</b>          my whole life I've been keeping it G  <b>When u think about it,</b>          laying low from the police, <b>when u think about it,</b>          Stashing money, grind with no sleep, <b>when u think about it,</b>          real nigga, you should think of me, <b>when u think about it</b></p>
<p>Popcorn, movie, nigga snap a pic          You can see the Rollie shining on her, bitch          Full blown Burberry and she vegetarian          Caught her in Bahamas and she got interrogated          Chanel or Valentino, tell me what's your very favorite          I askin' a Latina, 'cause I'm in the very latest          They tryna keep up with me, that's just like investigation          They do their check up on me, thought I was in a Mercedes</p>	<p>All you gotta do is chill          For some people, that's just too real          I rap by myself, guess you could say I set hop          Dropped off a pack, now I'm off to the next stop           Multi-colored diamonds on my fingers look like Ring-Pops          I stay deep in thought contemplating 'bout the money          Proolly couldn't hear you if you talking right in front of me</p>

<p>I'm droppin' out of school but that didn't stop my education          I swear I'm most improved, I had to flood the population          She made a move, run and prove          She know my love is very sacred          Whip up in that spaceship          Check my registration</p>	<p>I want you to need me, don't want it for nothin'          Takin' shape easy, like the morning of a Sunday          Documented life, come play me in the movie          The real guns live out the scenes when they shootin'          Headed down a wrong road, then I U-ey          Got back on track, and kept it movin'          Now I'm not too far from where I started          Still sellin' bricks in the back of the apartment</p>
<p>Got on a million dollars in jewelry <b>when I think about it</b>          Got more guns than a terrorist <b>when I think about it</b>          All these cars, my kids inheritin' <b>when I think about it</b>          All this money I can't cherish <b>when I think about it</b>          These niggas rather see me suffer, <b>now I think about it</b>          I know they playin' undercover <b>when I think about it</b>          Ordered more whips, more jewelry          We take more trips, fuck the whole jury</p>	<p>My whole life I've been keeping it G, <b>when u think about it,</b>          Laying low from the police, <b>when u think about it,</b>          Stashing money, grind with no sleep, <b>when u think about it,</b>          Real nigga, you should think of me, <b>when u think about it,</b>          My whole life I've been keeping it G, <b>when u think about it,</b>          Laying low from the police, <b>when u think about it,</b>          Stashing money, grind with no sleep  <b>When u think about it,</b>          Real nigga, you should think of me, <b>when you think about</b>          [Instrumental outro]</p>

78. The chorus of both songs are substantially similar.

79. In both songs, the chorus repeat the clauses “when I think about it” and “when you think about it.”

80. “When I think about it” is substantially similar to “When u think about it.”

81. The direct subject matter discussed in both songs are strikingly similar.

82. In Robinson’s chorus, he discusses both money (“stashing money, grin with no sleep”) and the inability to use it (“my whole life I’ve been keeping it G” and “laying law from the police”).

83. Defendants' chorus discusses both money ("got on a million dollars in jewelry") and the inability to cherish it ("all these cars, my kids inheritin'" and "all this money I can't cherish").

84. There is a substantial degree of similarities between the Work and "When I Think About It."

85. These similarities have qualitative and quantitative significance to the Work.

86. The copying by Defendants constitute impermissible copying of protectable elements of the Work that are original.

87. Since at least as early as June 25, 2019 Defendants' having actual knowledge of Plaintiff's copyright have continued their infringement.

88. Defendants' infringement is willful.

89. Plaintiff is entitled to an award of damages pursuant to 17 U.S.C. § 504.

90. As a direct and proximate result of the foregoing acts and conducts, Plaintiff has also sustained and will continue to sustain irreparable injury for which there is no adequate remedy at law. Plaintiff is entitled to injunctive relief to restrain and enjoin Defendants' continuing infringing conduct, pursuant to 17 U.S.C. § 502.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff, Gutta Enterprises, LLC, prays for entry of:

1. A FINAL JUDGMENT that Defendants have infringed, and willfully infringed Plaintiff's Copyright in the Work in violation of 17 U.S.C. §§ 106 and 501;
2. An ORDER pursuant to 17 U.S.C. § 502, enjoining Defendants and their affiliates, officers, directors, agents, servants, employees, attorneys, members, parents, subsidiaries, and all those acting in concert or participation therewith, temporarily,

preliminary, and permanently, from designing, importing, distributing, promoting, displaying, offering for sale, selling, and publicly performing the Infringing Work;

3. An ORDER pursuant to 17 U.S.C. § 502, enjoining Defendants and their affiliates, officers, directors, agents, servants, employees, attorneys, members, parents, subsidiaries, and all those acting in concert or participation therewith, temporarily, preliminarily and permanently, from infringing the Plaintiff's Copyright in the Work;
4. A further ORDER
  - a. Pursuant to 17 U.S.C. §§ 504(a) and (b), requiring Defendants to account for all gains, profits, and advantages derived and accrued as a result of their infringement of the Plaintiff's Copyright in the Work;
  - b. Pursuant to 17 U.S.C. §§ 504(a) and (b) an award of Plaintiff's actual damages, as well as all profits Defendants derived, jointly and severally, from infringing the Plaintiff's Copyright in the Work;
  - c. Or, in the alternative to be determined by Plaintiff, pursuant to 17 U.S.C. §§ 504(c) an award of statutory damages against defendants jointly and severally, in an amount not less than \$750 or more than \$30,000 as the court considers just;
  - d. Pursuant to 17 U.S.C. §§ 505, an award of Plaintiff's full costs and reasonable attorneys fee as part of the costs.
  - e. Assessing such other and further relief as the Court may deem just and proper.

**JURY DEMAND**

Plaintiff demands a trial by jury.

Filed this 6<sup>th</sup> day of July 2021

Respectfully submitted,

GUTTA ENTERPRISES LLC

/s/ Christopher W. Niro

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