

CSREEDER, PC  
ATTORNEYS AT LAW  
LOS ANGELES

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9 Soul Assassins, Inc.

10 **UNITED STATES DISTRICT COURT**  
11 **CENTRAL DISTRICT OF CALIFORNIA – WESTERN DIVISION**

12 Soul Assassins, Inc., a California  
13 Corporation;

14 Plaintiff,

15 v.

16 Peloton Interactive, Inc., a Delaware  
17 Corporation;

18 Defendant.

Case No. 2:22-cv-05134

COMPLAINT FOR COPYRIGHT  
INFRINGEMENT

JURY TRIAL DEMANDED

19 Plaintiff, by its attorneys, CSReeder, PC, brings this action against the  
20 Defendant herein and complains and alleges as follows:

21 **THE PARTIES**

22 1. Plaintiff Soul Assassins, Inc. (“Soul Assassins”) is a corporation  
23 organized and existing under the laws of the State of California, with its principal place  
24 of business in Los Angeles, California.

25 2. Upon information and belief, Peloton Interactive, Inc. (“Peloton”) is a  
26 corporation organized and existing under the laws of the State of Delaware, with its  
27 principal place of business in New York, New York. Peloton is licensed to do business  
28 in California and Plaintiff is informed and believes that Peloton does business in Los  
Angeles, California.

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**JURISDICTION AND VENUE**

3. Plaintiff brings this action pursuant to, and the jurisdiction of this Court rests on the grounds that this is a civil action arising under, the Copyright Act of the United States (17 U.S.C. §101 et seq.). This court has exclusive jurisdiction over this action under 28 U.S.C. §§1331 and 1338(a)

4. Venue is proper in this District pursuant to 28 U.S.C. §§1391 (b) (1) and (2) and 28 U.S.C. §1400(a) in that a substantial part of the events giving rise to the claims occurred in the Central District of California and Defendant is licensed to do business in California and subject to personal jurisdiction in this District.

FIRST CLAIM FOR RELIEF  
AGAINST DEFENDANT  
(COPYRIGHT INFRINGEMENT)

5. Each and every allegation contained in paragraph 1 through 4 of the Complaint is repeated and realleged as if set forth herein in full.

6. Soul Assassins is Lawrence Muggerud’s (“Muggerud”) music publishing company and Muggerud has assigned to Soul Assassins all of the copyrights that were originally registered in the name of Soul Assassin Music, which was a fictitious business name for Muggerud. Muggerud is a well-known record producer, engineer and songwriter. During his career Muggerud has written many well-known and commercial successful musical compositions.

7. Peloton is a well-known fitness company. Peloton sells, among other work-out equipment, stationary bikes and treadmills that allow users to exercise while watching instructor-led video workouts. It sells subscriptions to its video workouts to both consumers who have bought a Peloton bike or treadmill and those who use work-out equipment purchased from other manufacturers.

8. The music in the Peloton fitness videos provide the tempo for the person exercising. Peloton publishes a music playlist for some of its archived videos and

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1 allows consumers to select work-out classes based on the type of music they wish to  
2 hear.

3 9. Muggerud, complying in all respects with the Copyright Laws of the  
4 United States, as proprietor thereof secured the exclusive rights and privileges in and  
5 to an undivided interest in the below listed copyrights.

<u>Title</u>	<u>Copyright Registration No.</u>	<u>Ownership</u>
<i>Jump Around</i>	PA0001719145 & PA0001397762	40%
<i>Insane in the brain</i>	PA0000664235	50%
<i>(Rock) superstar</i>	PA0001000721 & PA0001009112	50%
<i>How I could just kill a man</i>	PA0000796241	13.40%
<i>(Rap) superstar</i>	PA0001000733 & PA0001009110	50%
<i>Hits from the Bong</i>	PA0000866369	15%
<i>Boom biddy bye bye</i>	PA0000791518	55%
<i>Real thing</i>	PA0000690250	10%
<i>I ain't goin' out like that</i>	PA0000866370	7.5%
<i>Tequila Sunrise [Radio edit]</i>	PA0000969236	50%
<i>Tequila Sunrise</i>	PA0000944323, PA0000978418, PA0000969237, PA0000969240 and PA0000969239	50%

26 10. Muggerud assigned his interest in the above musical compositions to Soul  
27 Assassins. Soul Assassin's interest in the above-described musical compositions shall  
28 ///

1 hereinafter be referred to as “Soul Assassins’ Ownership Share of the Musical  
2 Compositions.”

3 11. Said musical compositions contain a large amount of wholly original  
4 material and constitute copyrightable subject matter under the laws of the United  
5 States.

6 12. Since the creation of each of the musical compositions, Plaintiff has duly  
7 complied with all pertinent provisions of the Copyright Act and all the laws governing  
8 copyright with respect to the musical compositions.

9 13. Soul Assassins discovered within 3 years of the filing of this Complaint,  
10 and could not have reasonably discovered earlier, that Peloton has been using without  
11 its permission Soul Assassins’ Share of the Musical Compositions in its work-out  
12 videos without Soul Assassins’ authorization.

13 14. Peloton’s use of Soul Assassins’ Share of the Musical Compositions in its  
14 work-out videos without a license from Soul Assassins is an outrageous, willful  
15 infringement because Peloton was sued by a group of music publishers in March of  
16 20019, for doing the exact same thing. Clearly, based on the aforementioned lawsuit  
17 Peloton knew unequivocally that it had no right to use any musical composition in its  
18 exercise videos without first obtaining a license for one hundred percent (100%) of  
19 the song.

20 15. Plaintiff has not granted Peloton any right or license to use the musical  
21 compositions.

22 16. The continuance of the infringing acts by Peloton will, unless enjoined by  
23 this Court, cause Plaintiff to suffer irreparable damages.

24 17. By reason of the foregoing willful infringements and Peloton’s flagrantly  
25 violating the Copyright Law, Plaintiff is entitled to statutory damages of \$150,000 for  
26 each work infringed. Alternatively, at Plaintiff’s election, Plaintiff is entitled to their  
27 damages and an accounting and payment to Plaintiff of all gains, profits and

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1 advantages Peloton derived from its copyright infringement of Soul Assassins’  
2 Ownership Share of the Musical Compositions.

3 18. Plaintiff has no adequate remedy at law.  
4

5 WHEREFORE, Plaintiff demands judgment against Defendant as follows:

6 (a) An award of statutory damages for Peloton’s willful infringement  
7 of \$150,000 per work infringed or, alternatively, at Plaintiff’s election, an accounting  
8 and payment to Plaintiff of all gains, profits and advantages Peloton derived from its  
9 copyright infringement of Soul Assassins’ Ownership Share of the Musical  
10 Compositions;

11 (b) That Peloton, their officers, agents, servants, employees and all  
12 persons, firms, corporation and associations in active concert or participation with  
13 them, be enjoined during the pendency of this action and permanently from using in  
14 its work-out videos any of the infringing compositions;

15 (c) That Plaintiff have and recover its attorneys’ fees incurred herein;

16 (d) An award to Plaintiff of the costs and disbursements, incurred in  
17 prosecuting this action;

18 (e) For interest thereon; and

19 (f) For such other and further relief as the Court deems just and proper.  
20

21 DATED: July 25, 2022

CSReeder, P. C.

22  
23 By: 

24 Attorneys for Plaintiff  
25 Soul Assassins, Inc.  
26  
27  
28

**Jury Demand**

Plaintiff demands a trial by jury.

DATED: July 25, 2022

CSReeder, P.C.

By: \_\_\_\_\_



Attorneys for Plaintiff  
Soul Assassins, Inc.

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