

# CAPE SOKOL SUCCESSFULLY REPRESENTS “JOYFUL NOISE” ARTISTS IN THE KATY PERRY “DARK HORSE” COPYRIGHT INFRINGEMENT CASE

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[Michael A. Kahn](#), Lauren R. Cohen and Jonathan S. Jones, Capes Sokol attorneys, represented artist Marcus Gray, aka Flame, and his two co-authors, Emanuel Lambert, aka D.A. Truth, and Chike Ojukwu in their copyright dispute against Katy Perry, her songwriting team, and Capitol Records, LLC.

*“We filed this lawsuit five years ago on behalf of our clients, who sought justice for the unauthorized taking of their valuable creation,” said Kahn. “It was truly a David versus Goliath struggle. While the path has been long and arduous, our clients are pleased to have finally received the justice they sought from a jury of their peers.”*

The five-year-long lawsuit concluded today when the nine-member jury, hearing the case in federal court in Los Angeles, unanimously agreed that the defendants, Katy Perry, Capitol Records, Lukasz ‘Dr. Luke’ Gottwald and others, must pay a combined \$2.78 million in damages.

On Monday, July 29, 2019, the jury found that “Dark Horse” improperly copied the 2008

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Christian/Gospel rap song "Joyful Noise." The three plaintiffs, Gray, Lambert, Ojukwu, originally filed the copyright lawsuit in Missouri federal court in July 2014, but the case was transferred in 2015 to California.

The case is Gray et al. v. Perry et al., case number 2:15-cv-05642, in the U.S. District Court for the Central District of California.

## **Michael A. Kahn**

Michael A. Kahn concentrates his practice in copyright, trademark, First Amendment and media law, including libel and privacy rights. He is a widely recognized trial lawyer in the area of entertainment and intellectual property matters. With over thirty years of experience, Mike has represented multiple high-profile clients, including S. Victor Whitmill, who filed a copyright infringement lawsuit over the use of his facial tattoo artwork on another character in the motion picture *The Hangover Part II*.

In addition, he has been counsel of record for the National Basketball Association, Oprah Winfrey, Lions Gate Entertainment, Mark McGwire, McFarlane Toys, Radio One, Emmis Communications, the St. Louis Business Journal, Eveready Battery Company, The New York Yankees, Paramount Pictures, and The Topps Company in various disputes.

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Our entertainment and intellectual property attorneys include experienced litigators and trial attorneys that have represented comic book authors and publishers, tattoo artists, toy companies, musicians, photographers, and artists in infringement, right of publicity, joint authorship, and breach of contract cases, through all aspects of motion practice, trial, arbitration, and appeal.

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