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

12 DEMETRIOUS POLYCHRON, an  
13 Individual,  
14 Plaintiff,  
15 vs.  
16 JEFF BEZOS, an Individual, JENNIFER  
17 SALKE, An Individual, SIMON TOLKIEN,  
18 an Individual, PATRICK MCKAY, an  
19 Individual, JOHN D. PAYNE, an Individual,  
20 AMAZON STUDIOS LLC, a California  
21 Limited Liability Company, AMAZON  
22 CONTENT SERVICES, LLC, a Delaware  
23 Limited Liability Company, THE TOLKIEN  
24 ESTATE, THE TOLKIEN ESTATE  
25 LIMITED, THE TOLKIEN TRUST, and  
26 DOES 1-100,  
27 Defendants.

Case No.:

**COMPLAINT**

- (1) COPYRIGHT INFRINGEMENT;**
- (2) CONTRIBUTORY COPYRIGHT INFRINGEMENT;**
- (3) VICARIOUS INFRINGEMENT;**
- AND**
- (4) UNFAIR COMPETITION**

**JURY TRIAL DEMANDED**

**COMPLAINT FOR INJUNCTIVE RELIEF & DAMAGES**

1 Comes now Demetrious Polychron (“Plaintiff” or “Polychron”) and for his  
2 Complaint against Jeff Bezos (“Bezos”), Jennifer Salke (“Salke”), Simon Tolkien  
3 (“Tolkien”), Patrick McKay (“McKay”), John D. Payne, (“Payne”), Amazon Studios  
4 LLC (“Amazon Studios”), Amazon Content Services LLC (“Amazon Content”), The  
5 Tolkien Estate (“Tolkien Estate”), The Tolkien Estate Limited, and The Tolkien Trust  
6 (“Tolkien Trust”) (collectively “Defendants”), states:

7 **THE PARTIES**

8 1. Plaintiff Polychron is now, and at all relevant times has been, a resident of  
9 Los Angeles, California.

10 2. Defendant Bezos is now, and at all relevant times has been, a resident of Los  
11 Angeles, California. He is the founder, Director and the Executive Chair of Amazon  
12 Studios.

13 3. Defendant Salke is now, and at all relevant times was, a resident of Los  
14 Angeles, California. She is the Head of Amazon Studios.

15 4. Defendant Tolkien is now, and at all relevant times, was a resident of Santa  
16 Barbara, California. Tolkien is the grandson of J.R.R. Tolkien, shareholder to the Tolkien  
17 Estate, Director of the Tolkien Estate Limited, and Director in The Tolkien Trust  
18 (collectively “The Tolkien Estate”).

19 5. Defendant McKay is now, and at all relevant times was, a resident of Los  
20 Angeles, California. He is a Showrunner and Executive Producer for Defendant Amazon  
21 Studios.

22 6. Defendant Payne is a resident of McLean, Virginia. He is a Showrunner and  
23 Executive Producer for Defendant Amazon Studios.

24 7. Amazon Studios is a Limited Liability Company registered under the laws of  
25 the State of California, and has its principal place of business in Los Angeles, California.

26 8. Amazon Content is a Delaware Limited Liability Company, registered as an  
27 Out-of-State Limited Liability in California, and is a subsidiary to Amazon Studios.

28 9. The Tolkien Estate is a foreign legal body that manages the property creations

1 and Intellectual Property of the deceased J.R.R. Tolkien and its estate, including his  
2 related copyrights, and is a resident of Oxford, residing at Prama House, 267 Banbury  
3 Road, Oxford OX2 7HT, United Kingdom.

4 10. The Tolkien Estate Limited is a foreign partnership engaging in book  
5 publishing, film and video games, with a principal place of business at Prama House, 267  
6 Banbury Road, Oxford OX2 7HT, United Kingdom.

7 11. The Tolkien Trust is a charity, registered to the Charity Commission for  
8 England and Wales, and with a principal place of business at 267 Banbury Road, Oxford  
9 OX2 7HT, United Kingdom.

10 12. The true names and capacities, whether individual, corporate, associate or  
11 otherwise of Defendants sued herein as Does 1-100, are unknown to Plaintiff, which sues  
12 said Defendants by such fictitious names (“Doe Defendants”). If necessary, Plaintiff will  
13 seek leave of Court to amend this Complaint to state their true names and capacities when  
14 ascertained. Plaintiff is informed and believes and based thereon alleges that the Doe  
15 Defendants are also subject to relief requested herein by way of their concerted,  
16 contributory or vicarious acts and responsibility.

17 **JURISDICTION AND VENUE**

18 13. This action is brought under the Federal Copyright Act of 1976, as amended,  
19 17 U.S.C.A. §§ 101 et seq. This court has jurisdiction pursuant to 28 U.S.C.A. § 1338(a).  
20 Venue is conferred by 28 U.S.C.A. § 1400(a).

21 14. This Court has supplemental jurisdiction arising under the laws of California  
22 pursuant to 28 U.S.C. § 1367(a) because these claims are so related to Plaintiff’s claims  
23 under Federal Law that they form part of the same case or controversy and derive from a  
24 common nucleus of operative fact.

25 15. The Court has personal jurisdiction over Defendants Bezos, Salke, McKay  
26 and Tolkien because they reside in California.

27 16. The Court has personal jurisdiction over Defendant Payne because of his  
28 minimum contacts with the State, namely, his employment by Amazon Studios and

1 contracts with agents, managers, publicists and legal representatives.

2 17. The Court has personal jurisdiction over Amazon Studios because it is a  
3 registered California Limited Liability Company, with its principal place of business is  
4 in Los Angeles, California.

5 18. The Court has personal jurisdiction over Amazon Content because it is  
6 registered in the State of California as an Out-of-State Limited Liability Company.

7 19. The Court has personal jurisdiction over the Tolkien Estate, Tolkien Estate  
8 Limited and the Tolkien Trust because of their minimum contacts with California,  
9 namely, having these Defendants as controlling shareholders, partners and directors who  
10 reside in California and who have contributed to the acts alleged herein.

11 20. Venue is proper in this district because most of the Defendants are residents  
12 of Los Angeles County, California. Additionally, acts that give rise to this action were  
13 committed within this district.

14 **FACTS COMMON TO ALL CLAIMS**

15 21. Prior to September 22, 2022, Polychron, who then was and ever since has  
16 been a citizen of the United States, created, wrote and published an original book entitled  
17 “The Fellowship of the King” (“TFOTK”) and conceived an entire seven book series,  
18 “The War of the Rings” (“The Work”).

19 22. Plaintiff’s above-referenced book contains a substantial amount of material  
20 created by Plaintiff’s own skill, labor and judgment, and is copyrightable subject matter  
21 under the laws of the United States.

22 23. On or about November 21, 2017, Polychron complied, in all respects, with  
23 the copyright laws of the United States and all other laws governing copyrights, and  
24 secured the exclusive rights and privileges in and to the book of authorship, receiving  
25 from the Register of Copyrights a certificate of registration dated and identified as  
26 follows: November 21, 2017, The Fellowship of the King, TXu 2-076-068. A copy of  
27 the certificate of registration is attached as Exhibit A and incorporated by reference  
28 herein. Plaintiff has been and still is the proprietor of all rights, title and interest in and

1 to the above copyright. Publication was made with notice in strict and full compliance  
2 with the Federal Copyright Act of 1976.

3 24. Since September 22, 2022, the above-mentioned book has been published by  
4 Plaintiff, and all copies of it made by Polychron or under his authority or license have  
5 been printed, bound and published in strict conformity with the provisions of the United  
6 States Copyright Act of 1976 and all other laws governing copyright.

7 25. Since September 22, 2022, Plaintiff has been and still is the sole proprietor  
8 of all rights, title and interest in and to the copyright in the described book.

9 26. Tolkien, the grandson of J.R.R. Tolkien, the author of The Lord of the Rings  
10 (“LOTR”) book series, is a controlling shareholder to the Tolkien Estate and Director of  
11 the Tolkien Estate Limited and The Tolkien Trust. In his roles, Tolkien can both  
12 communicate requests for collaboration to The Tolkien Estate and control such  
13 collaborations.

14 27. On or about November 21, 2017, Polychron sent a letter to Tolkien  
15 explaining his love of the LOTR books, and describing his authorship of TFOTK and The  
16 Work, which was largely inspired by LOTR. In this letter, Polychron sought review of  
17 the TFOTK manuscript by Tolkien. Polychron received no response.

18 28. Subsequently, on or about November 7, 2019, and with excitement to  
19 collaborate with the Defendants and the anticipation of publishing his book to the public,  
20 Polychron retained counsel to contact Tolkien, the Tolkien Estate, The Tolkien Estate  
21 Limited and the Tolkien Trust regarding a potential collaboration with him on The Work  
22 as a sequel to LOTR. Polychron’s letter detailed descriptions of his book and The Work,  
23 with request for review and collaboration. The Defendants, by counsel, rebuffed any  
24 attempt at collaboration the very next day.

25 29. On or about December 24, 2019, Polychron delivered in-person to Tolkien a  
26 copy of TFOTK manuscript, identified with the © symbol, at his home in Santa Barbara,  
27 hoping he would review the manuscript and reconsider collaboration. On or about  
28 January 14, 2019, and after Polychron received no response, Polychron sent a letter to

1 Tolkien, asking Tolkien to return the manuscript and Polychron advised that he would  
2 publish TFOTK, and an additional six book series, independently.

3 30. Following Tolkien's review of Polychron's copyright protected manuscript,  
4 the Defendants, and each of them, collaborated to create a television series, The Lord of  
5 the Rings, The Rings of Power ("ROP"). While the agreement reached between Amazon  
6 Studios and The Tolkien Estate to create the series occurred on or about November 13,  
7 2017, ROP was ultimately copied largely from Polychron's copyrighted book, TFOTK.  
8 As a result of the Agreement the Tolkien Estate paid Amazon Studios, \$250,000,000 for  
9 the rights to the series that ultimately copied Polychron's book and The Work, and upon  
10 information and belief, has earned the Defendants even more since the release of the  
11 series.

12 31. In writing TFOTK, Polychron, while admittedly inspired by the LOTR and  
13 J.R.R. Tolkien, developed a wholly original book and concept for The Work, including  
14 separate and distinct characters and storylines from the LOTR series. These wholly  
15 original distinct and separate characters and storylines compose as much as one-half of  
16 the 8-episode series as released and published by Defendants. In many cases Defendants  
17 copied exact language from TFOTK. In other instances, Defendants copied images that  
18 match the book cover and descriptions as created in the book as authored by Polychron.

19 32. On or about October 19, 2022, and despite the Defendants' knowledge of  
20 Polychron's copyrighted book, and in blatant disregard for their infringing use of  
21 Polychron's creation, Defendants, and each of them, caused to be registered what is now  
22 Copyright Registration No. PA0002384079, titled The Lord of the Rings: The Ring of  
23 Power: 101, A Shadow of the Past.

24 33. On or about October 19, 2022, despite the Defendants' knowledge of  
25 Polychron's copyrighted book, and in blatant disregard for their infringing use of  
26 Polychron's creation, Defendants, and each of them, caused to be registered what is now  
27 Copyright Registration No. PA0002385184, titled The Lord of the Rings: The Ring of  
28 Power: 102, ADRIFT.



1 34. On or about October 19, 2022, despite the Defendants' knowledge of  
2 Polychron's copyrighted book, and in blatant disregard for their infringing use of  
3 Polychron's creation, Defendants, and each of them, caused to be registered what is now  
4 Copyright Registration No. PA0002385180, titled The Lord of the Rings: The Ring of  
5 Power: 103, ADAR.

6 35. On or about October 19, 2022, despite the Defendants' knowledge of  
7 Polychron's copyrighted book, and in blatant disregard for their infringing use of  
8 Polychron's creation, Defendants, and each of them, caused to be registered what is now  
9 Copyright Registration No. PA0002385177, titled The Lord of the Rings: The Ring of  
10 Power: 104, The Great Wave.

11 36. On or about October 19, 2022, despite the Defendants' knowledge of  
12 Polychron's copyrighted book, and in blatant disregard for their infringing use of  
13 Polychron's creation, Defendants, and each of them, caused to be registered what is now  
14 Copyright Registration No. PA0002385169, titled The Lord of the Rings: The Ring of  
15 Power: 105, Partings.

16 37. On or about October 24, 2022, despite the Defendants' knowledge of  
17 Polychron's copyrighted book, and in blatant disregard for their infringing use of  
18 Polychron's creation, Defendants, and each of them, caused to be registered what is now  
19 Copyright Registration No. PA0002385154, titled The Lord of the Rings: The Ring of  
20 Power: 107, The Eye.

21 38. On or about October 24, 2022, despite the Defendants' knowledge of  
22 Polychron's copyrighted book, and in blatant disregard for their infringing use of  
23 Polychron's creation, Defendants, and each of them, caused to be registered what is now  
24 Copyright Registration No. PA0002385182, titled The Lord of the Rings: The Ring of  
25 Power: 108, Alloyed.

26 39. Upon information and belief, additional episodes using the same characters  
27 and storylines created by Polychron are expected in a future release by Defendants in an  
28 additional **four seasons of the show**, ROP, over the next four years.

1 40. Upon information and belief, additional copyrights will be sought by  
2 Defendants based on additional episodes of ROP developed using Polychron's wholly  
3 original book, TFOTK, and The Work.

4 **CLAIM ONE**

5 **INFRINGEMENT OF A FEDERALLY REGISTERED COPYRIGHT**

6 41. Plaintiff realleges the allegations of Paragraphs 1 through 40 of this  
7 Complaint as if fully set forth herein.

8 42. At all relevant times relevant hereto, Plaintiff has been the creator and owner  
9 of the book, TFOTK, which has been copied, reproduced, distributed, published and  
10 publicly displayed on television by Defendants, including on Amazon Prime as ROP.

11 43. Plaintiff holds the copyright to TFOTK from the United States Copyright  
12 Office.

13 44. Without authorization, Defendants took original characters, stories, images  
14 and exact lines from TFOTK, owned and copyrighted by Plaintiff, and copied,  
15 reproduced and published them in the 8-episode season of the ROP series.

16 45. Defendants infringed the above-mentioned copyright by publishing and  
17 placing on the market a television series, namely ROP, which was copied largely from  
18 Plaintiff's copyrighted book, entitled TFOTK.

19 46. Polychron has notified Defendants that they have infringed the copyright of  
20 Polychron, and Defendants continue to infringe that copyright. Defendants have, and  
21 continue to, willfully infringe on Plaintiff's works with the knowledge of Plaintiff's  
22 copyright and that they did not and do not have permission to use such copyrighted works.

23 47. Defendants' use and visual representation of Polychron's copyright protected  
24 material negatively affects TFOTK, and therefore Polychron's reputation, rights and  
25 control of revenue from such use.

26 48. Plaintiff has suffered at least \$250,000,00 in damages as a result of the  
27 copyright infringement, but an amount to be proven at trial.

28 49. By reason of their size, it is impractical to attach copies of Polychron's book



1 and the 8-episode series of ROP as exhibits, but copies will be made available and  
2 exhibited to the court at all appropriate hearings. A sample of the infringements is  
3 attached hereto as Exhibit “B” and incorporated herein throughout, and which includes  
4 but is not limited to further infringements occurring throughout ROP and taken directly  
5 from TFOTK.

6 50. Defendants knew their acts constituted copyright infringement.

7 51. Defendants’ conduct was willful within the meaning of the Copyright Act.

8 52. As a result of their wrongful conduct, Defendants are liable to Plaintiff for  
9 copyright infringement pursuant to 17 U.S.C. § 501. Plaintiff has suffered, and will  
10 continue to suffer, substantial losses, including but not limited to damage to his business  
11 reputation and goodwill.

12 53. Plaintiff is entitled to recover damages, which include his losses and any and  
13 all profits Defendants have made as a result of their wrongful conduct. 17 U.S.C. § 504.  
14 Alternatively, Plaintiff is entitled to statutory damages under 17 U.S.C. § 504(c).

15 54. In addition, because Defendants’ infringement was willful, and/or with  
16 reckless disregard, the award of statutory damages should be enhanced in accordance  
17 with 17 U.S.C. § 504(c)(2).

18 55. Plaintiff is entitled to recover his attorneys’ fees and costs pursuant to 17  
19 U.S.C. § 505.

20 56. As a result of Defendants’ copyright infringement, Polychron has suffered at  
21 least \$250,000,000 and will continue to suffer damages in an amount unknown at this  
22 time, but to be determined according to proof at trial.

23 **CLAIM TWO**

24 **CONTRIBUTORY COPYRIGHT INFRINGEMENT**

25 57. Plaintiff realleges the allegations of Paragraphs 1 through 56 of this  
26 Complaint as if fully set forth herein.

27 58. Numerous individuals and entities directly infringed on Plaintiff’s  
28 copyrighted work.

1 59. Defendants induced, caused and materially contributed to the infringing acts  
2 of others by encouraging, allowing and assisting others to reproduce and distribute  
3 Plaintiff's copyrighted work.

4 60. Defendants had knowledge of the infringing acts relating to Plaintiff's  
5 copyrighted work.

6 61. The acts and conduct of Defendants, as alleged above in this Complaint,  
7 constitute contributory copyright infringement.

8 **CLAIM THREE**

9 **VICARIOUS COPYRIGHT INFRINGEMENT**

10 62. Plaintiff realleges the allegations of Paragraphs 1 through 61 of this  
11 Complaint as if fully set forth herein.

12 63. Numerous individuals and entities directly infringed on Plaintiff's  
13 copyrighted work.

14 64. Defendants had the right and ability to control the infringing acts of the  
15 individuals or entities who directly infringed Plaintiff's works.

16 65. Defendants obtained a direct financial benefit from the infringing activities  
17 of the individuals or entities who directly infringed Plaintiff's work.

18 66. The acts and conduct of Defendants, as alleged in this Complaint, constitute  
19 vicarious infringement.

20 **CLAIM FOUR**

21 **UNFAIR COMPETITION**

22 67. Plaintiff realleges the allegations of Paragraphs 1 through 66 of this  
23 Complaint as if fully set forth herein.

24 68. Defendants have continuously, and since about September 2, 2022, have  
25 published, sold and otherwise marketed the television series entitled ROP despite  
26 Polychron's registered Copyright, and thus have engaged in Unfair Competition against  
27 Plaintiff, to Plaintiff's irreparable damage, which cannot be adequately calculated or  
28 compensated in money damages.



1 possession or under their control, and to identify and deliver up for destruction all  
2 infringing copies.

3 6. Defendants be required to pay Plaintiff damages sustained by Plaintiff by  
4 reason of Defendants' acts, in the sum of \$250,000,000 and to account to Plaintiff for all  
5 gains, profits and advantages derived from their acts, or any of them.

6 7. Defendants to pay all statutorily appropriate damages to Plaintiff for their  
7 infringement of Plaintiff's copyright pursuant to 17 U.S.C. § 504.

8 8. Defendants to pay to Plaintiff the costs of this action and reasonable  
9 attorney's fees to be allowed Plaintiff by the court pursuant to 17 U.S.C. § 505.

10 9. Plaintiff have such other and further relief as is just.

11 **JURY DEMAND**

12 Plaintiff demands a trial by jury.

13  
14 Dated: April 14, 2023

Respectfully submitted,  
Katie Charleston Law, PC

17 By: /s/ Katie M. Charleston  
18 Katie M. Charleston, Esq.  
19 Attorney for Plaintiff

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**VERIFICATION**

I am the plaintiff in this action. I have read the foregoing complaint and it is true of my own knowledge, except as to those matters stated on information or belief, and as to those matters, I believe it to be true.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: April 14, 2023

Signed:   
Demetrious Polychron (Apr 14, 2023 16:46 PDT)  
Demetrious Polychron  
Plaintiff

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