



Provided by:  
[Overhauser Law Offices LLC](http://www.iniplaw.org)  
[www.iniplaw.org](http://www.iniplaw.org)  
[www.overhauser.com](http://www.overhauser.com)

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF INDIANA**

_____	:	
AMY LATKA,	:	
	:	
Plaintiff,	:	
	:	Civil Action No.:
v.	:	
	:	COMPLAINT AND JURY
INTEGRA BUILDERS LLC,	:	DEMAND
	:	
Defendant.	:	
_____	:	

**COMPLAINT FOR COPYRIGHT INFRINGEMENT**

Plaintiff, AMY LATKA (“Latka” or “Plaintiff”), brings this complaint in the United States District Court for the Southern District of Indiana against INTEGRA BUILDERS LLC (“Integra” or “Defendant”), alleging as follows:

**THE PARTIES**

1. Plaintiff is an experienced commercial photographer specializing in real estate photography and videography. Plaintiff owns Dream Home Media LLC. Plaintiff resides in Avon, Indiana.

2. Integra is a Limited Liability Company organized and existing under the laws of the State of Indiana with its principal place of business located in Fishers, Indiana. Integra’s agent for service of process is Michael Mercho, 9003 Technology Lane, Fishers, Indiana, 46038.

**JURISDICTION AND VENUE**

3. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338(a).

4. This Court has personal jurisdiction over Defendant because Defendant has maintained sufficient minimum contacts with the State of Indiana and as a result the exercise of personal jurisdiction over Defendant by this Court would not offend traditional notions of fair play and substantial justice.

5. Venue is proper in this district pursuant to 28 U.S.C. § 1400(a) because Defendant or its agent(s) reside or may be found in this district: “A defendant ‘may be found’ in a district in which he could be served with process; that is, in a district which may assert personal jurisdiction over the defendant.”

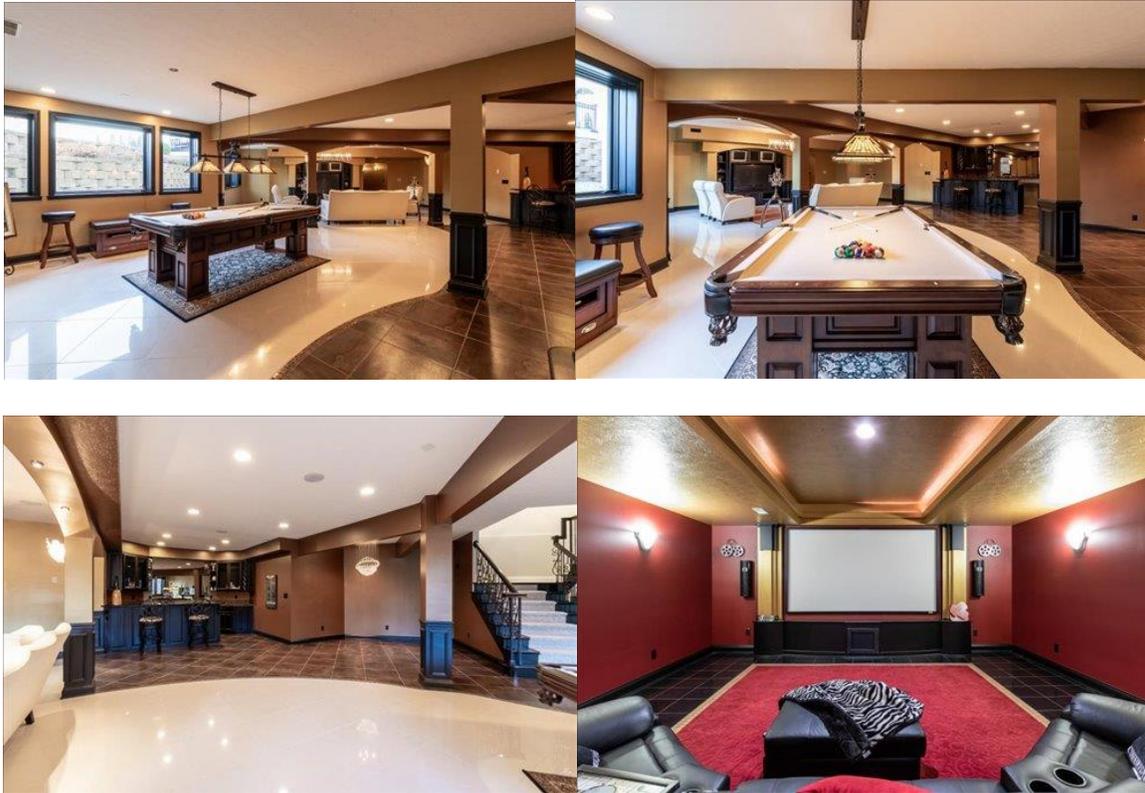
## **FACTS**

### **I. The Photographs at Issue in this Lawsuit**

6. On January 12, 2021, Plaintiff captured the photographs, “1D8A2609,” “1D8A2631,” “1D8A2641,” “1D8A2651,” “1D8A2658,” “1D8A2668,” “1D8A2686,” “1D8A2695,” “1D8A2705-HDR,” “1D8A2710-HDR,” “1D8A2712-HDR,” and “1D8A2766” (“Copyrighted Photographs 1”) (together with Copyrighted Photographs 2, “Plaintiff’s Copyrighted Photographs”), copies of which are exhibited below:



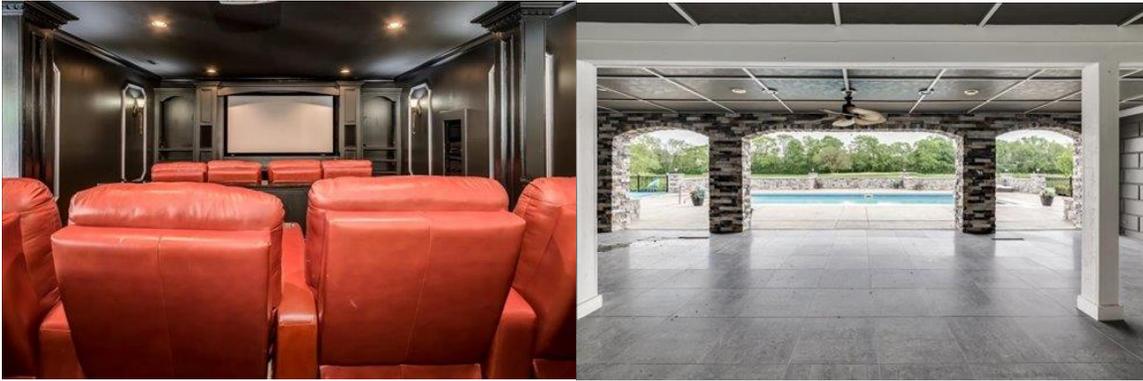




7. Copyrighted Photographs 1 depict the real property located at 15702 East 113<sup>th</sup> Street, Fortville, Indiana 46040.

8. On May 20, 2021, and May 25, 2021, Plaintiff captured the photographs, “12052HawthorneRidge-2,” “12052HawthorneRidge-3,” “12052HawthorneRidge-4,” “12052HawthorneRidge-12,” “12052HawthorneRidge-19,” “12052HawthorneRidge-24,” “12052HawthorneRidge-28,” “12052HawthorneRidge-30,” “12052HawthorneRidge-32,” “12052HawthorneRidge-35,” “12052HawthorneRidge-41,” “12052HawthorneRidge-48,” “12052HawthorneRidge-50,” “12052HawthorneRidge-56,” “12052HawthorneRidge-58,” and “12052HawthorneRidge-62” (“Copyrighted Photographs 2”) (together with Copyrighted Photographs 1, “Plaintiff’s Copyrighted Photographs”), copies of which are exhibited below:





9. Copyrighted Photographs 2 depict the real property located at 12052 Hawthorn Ridge, Fishers, Indiana 46037.

## **II. Defendant's Unlawful Activities**

10. Beginning on or about July 1, 2021, Integra copied and posted Plaintiff's Copyrighted Photographs to the Integra's commercial website, [www.integrabuilders.com](http://www.integrabuilders.com) ("Integra's First Infringement").

11. Integra posted Plaintiff's Copyrighted Photographs to the following URLs:

- [www.integrabuilders.com/fortville](http://www.integrabuilders.com/fortville)
- [www.integrabuilders.com/hamilton-proper-4](http://www.integrabuilders.com/hamilton-proper-4)
- [www.instagram.com/p/CS9IKIdLafe](https://www.instagram.com/p/CS9IKIdLafe)
- [www.facebook.com/integrabuildersindy/photos/2006134969540015](https://www.facebook.com/integrabuildersindy/photos/2006134969540015)
- [www.facebook.com/integrabuildersindy/photos/2006134962873349](https://www.facebook.com/integrabuildersindy/photos/2006134962873349)
- [www.facebook.com/integrabuildersindy/photos/200613496956206683](https://www.facebook.com/integrabuildersindy/photos/200613496956206683)

## Fortville



## Fortville



## Fortville



## Fortville



## Fortville



## Fortville



## Fortville



The screenshot shows a web browser window with the URL <https://integrabuilders.com/hamilton-proper-4/>. The navigation menu includes: Home, Custom Homes, Townhomes & Condos, About Us, Current Builds, Connect, and Development Portfolio.

- Granite clad Great Room columns
- Custom stair and catwalk iron railing
- Master Suite on main floor with mini-kitchen
- Elevator
- Arched entryway and hallways are presented throughout the entire home
- Double Kitchen island with Wolf & Viking Viking appliances
- Custom beam work add great detail in vaulted ceilings
- Wood-burning fireplaces with limestone surround

The page features four images of a luxury home:

- Top-left: Exterior view of the home at dusk, featuring a large swimming pool and stone landscaping.
- Top-right: Exterior view of the home during the day, showing a wide driveway and manicured lawn.
- Bottom-left: Interior view of a hallway with a dark wood floor and a chandelier.
- Bottom-right: Interior view of a large open area with stone pillars and a view of the pool area.

At the bottom right of the page, there is a circular icon with a speech bubble and a checkmark, and a row of social media icons (Facebook, Instagram, Twitter, YouTube).

← → ↻ <https://integrabuilders.com/hamilton-proper-4/> ☆ 📧 📄 📱 ☰

Home Custom Homes Townhomes & Condos About Us Current Builds Connect Development Portfolio

- Hand painted gold accents throughout trim work
- Granite clad Great Room columns
- Custom stair and catwalk iron railing
- Master Suite on main floor with mini-kitchen
- Elevator
- Arched entryway and hallways are presented throughout the entire home
- Double Kitchen island with Wolf & Viking Viking appliances
- Custom beam work add great detail in vaulted ceilings
- Wood-burning fireplaces with limestone surround



← → ↻ <https://integrabuilders.com/hamilton-proper-4/> ☆ 📧 📄 📱 ☰

Home Custom Homes Townhomes & Condos About Us Current Builds Connect Development Portfolio

- Hand painted gold accents throughout trim work
- Granite clad Great Room columns
- Custom stair and catwalk iron railing
- Master Suite on main floor with mini-kitchen
- Elevator
- Arched entryway and hallways are presented throughout the entire home
- Double Kitchen island with Wolf & Viking Viking appliances
- Custom beam work add great detail in vaulted ceilings
- Wood-burning fireplaces with limestone surround



The image displays five interior photographs of a luxury home. The top row contains three photos: a hallway with a chandelier and a large window, a large wood-paneled room with a chandelier, and a window with a decorative valance. The bottom row contains two photos: a wood-paneled hallway and a kitchen with a large island.

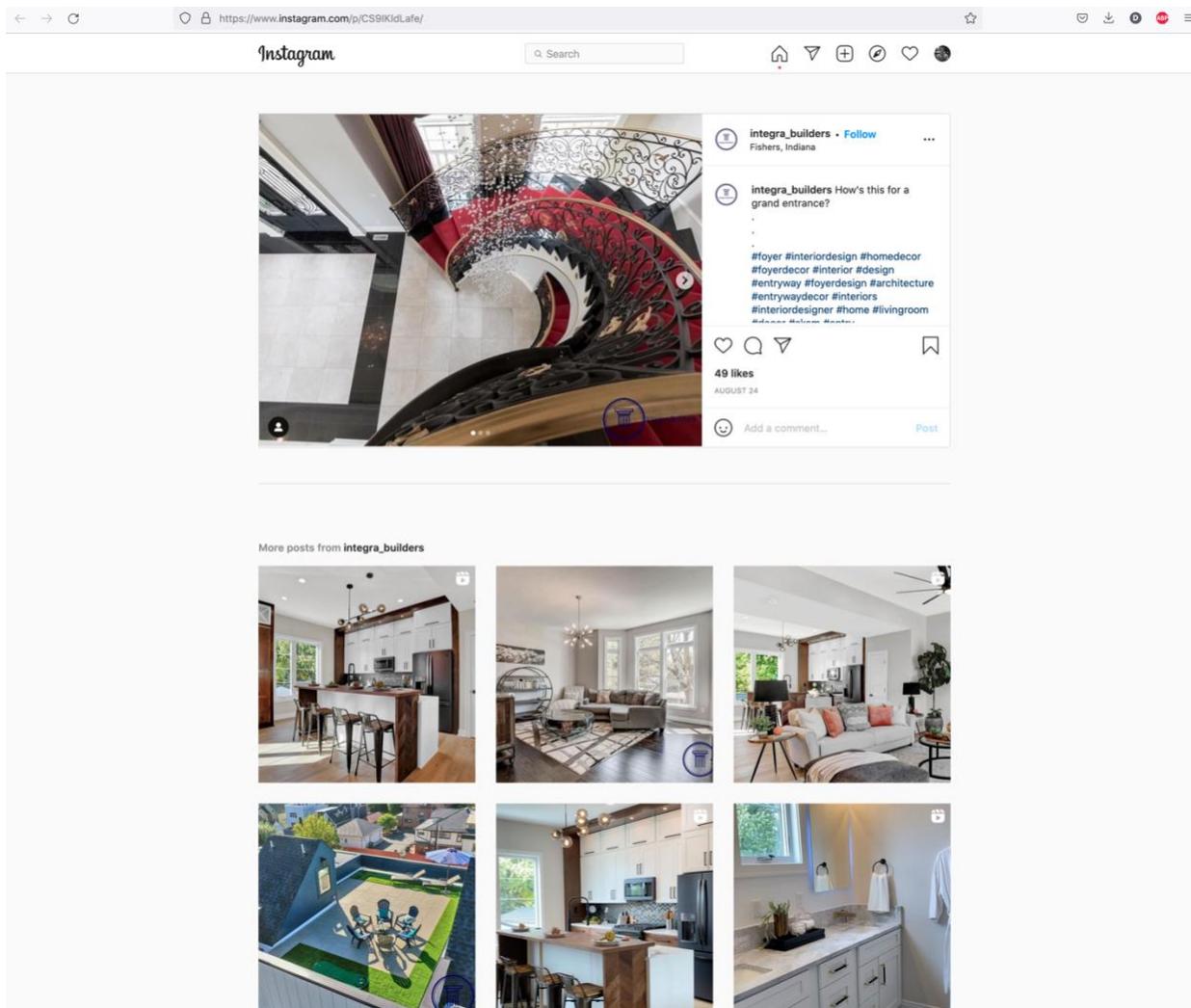


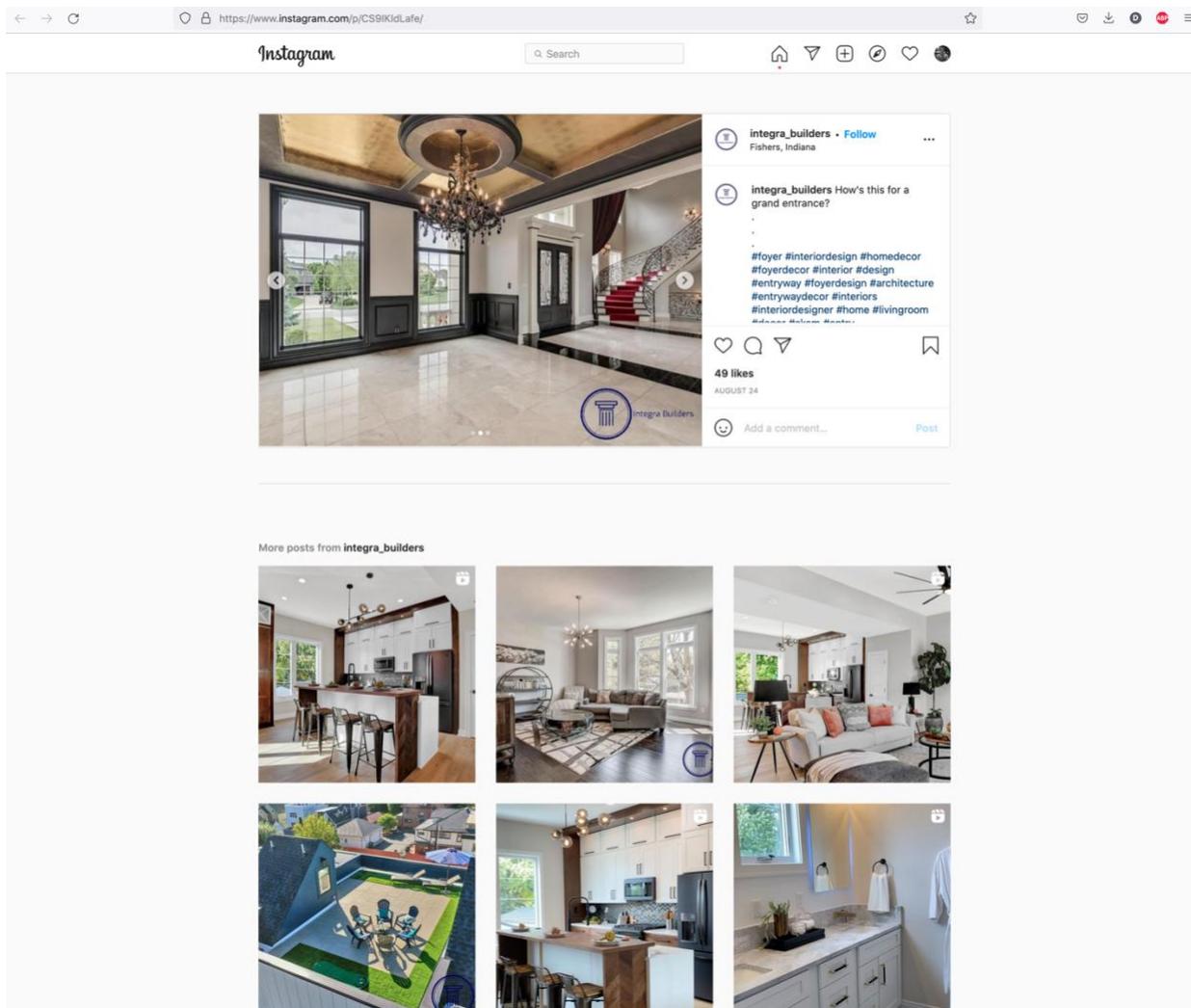
← → ↻ <https://integrabuilders.com/hamilton-proper-4/> ☆ 📧 📄 📱 ☰

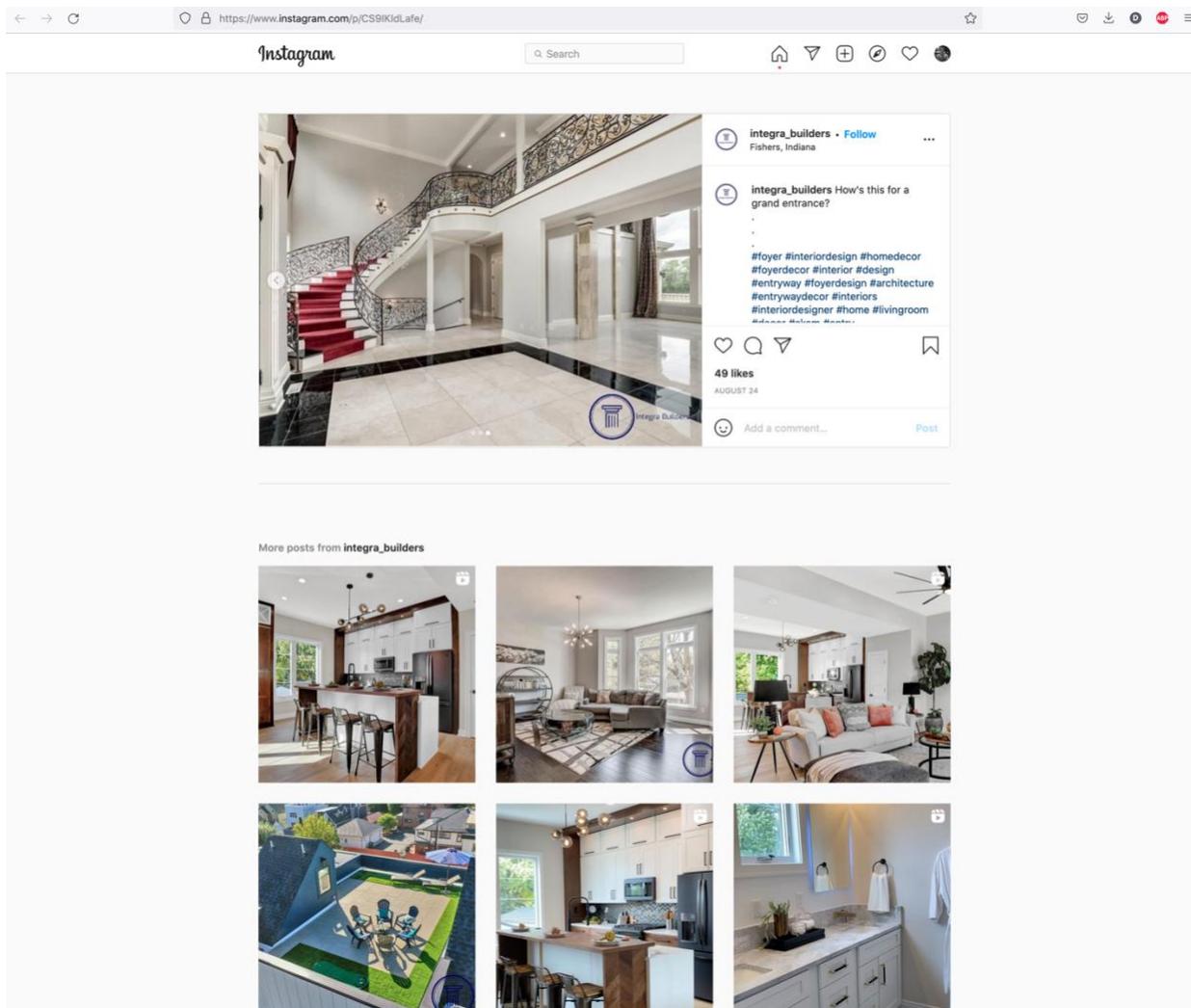
Home Custom Homes Townhomes & Condos About Us Current Builds Connect Development Portfolio

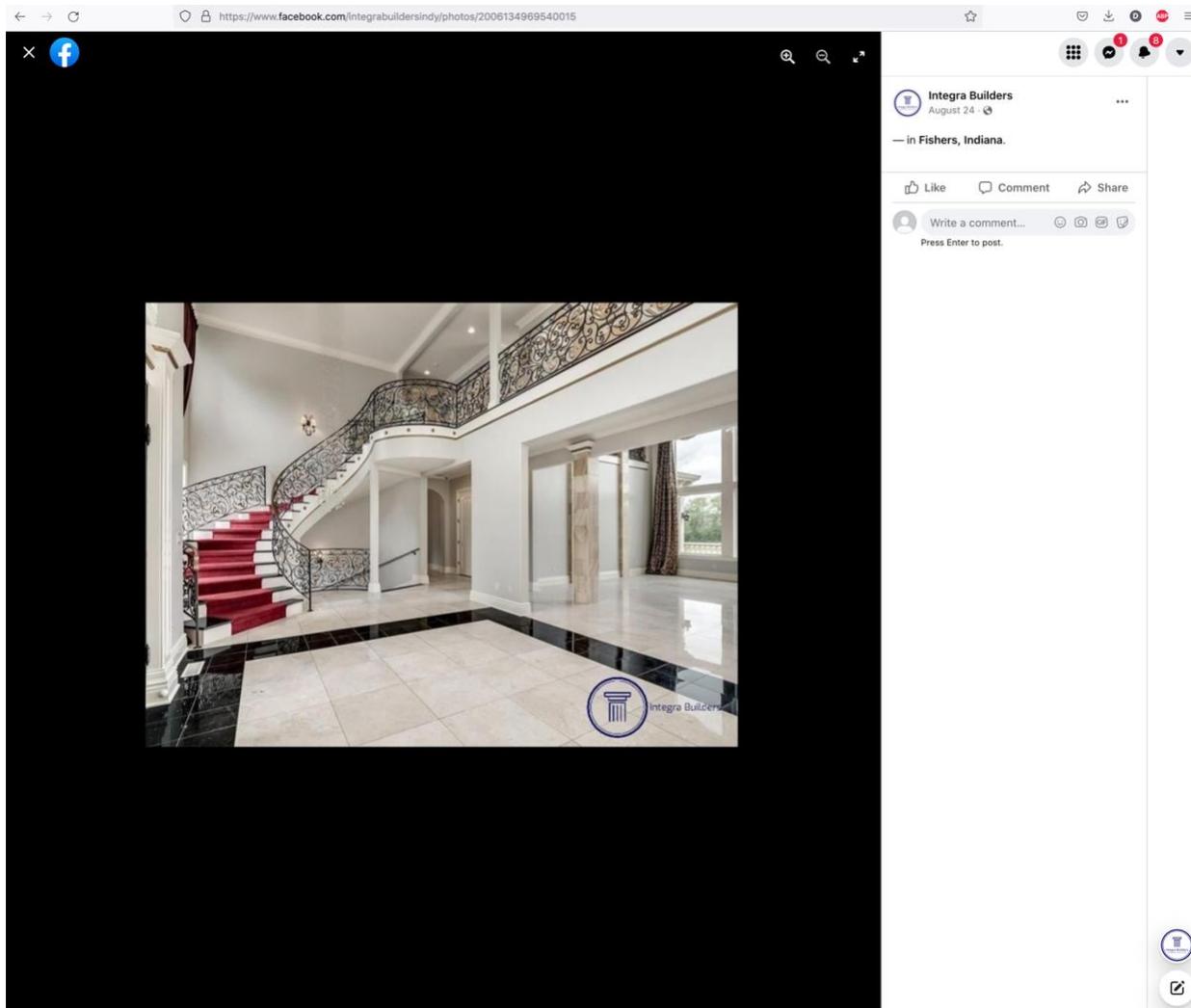
- Hand painted gold accents throughout trim work
- Granite clad Great Room columns
- Custom stair and catwalk iron railing
- Master Suite on main floor with mini-kitchen
- Elevator
- Arched entryway and hallways are presented throughout the entire home
- Double Kitchen island with Wolf & Viking Viking appliances
- Custom beam work add great detail in vaulted ceilings
- Wood-burning fireplaces with limestone surround

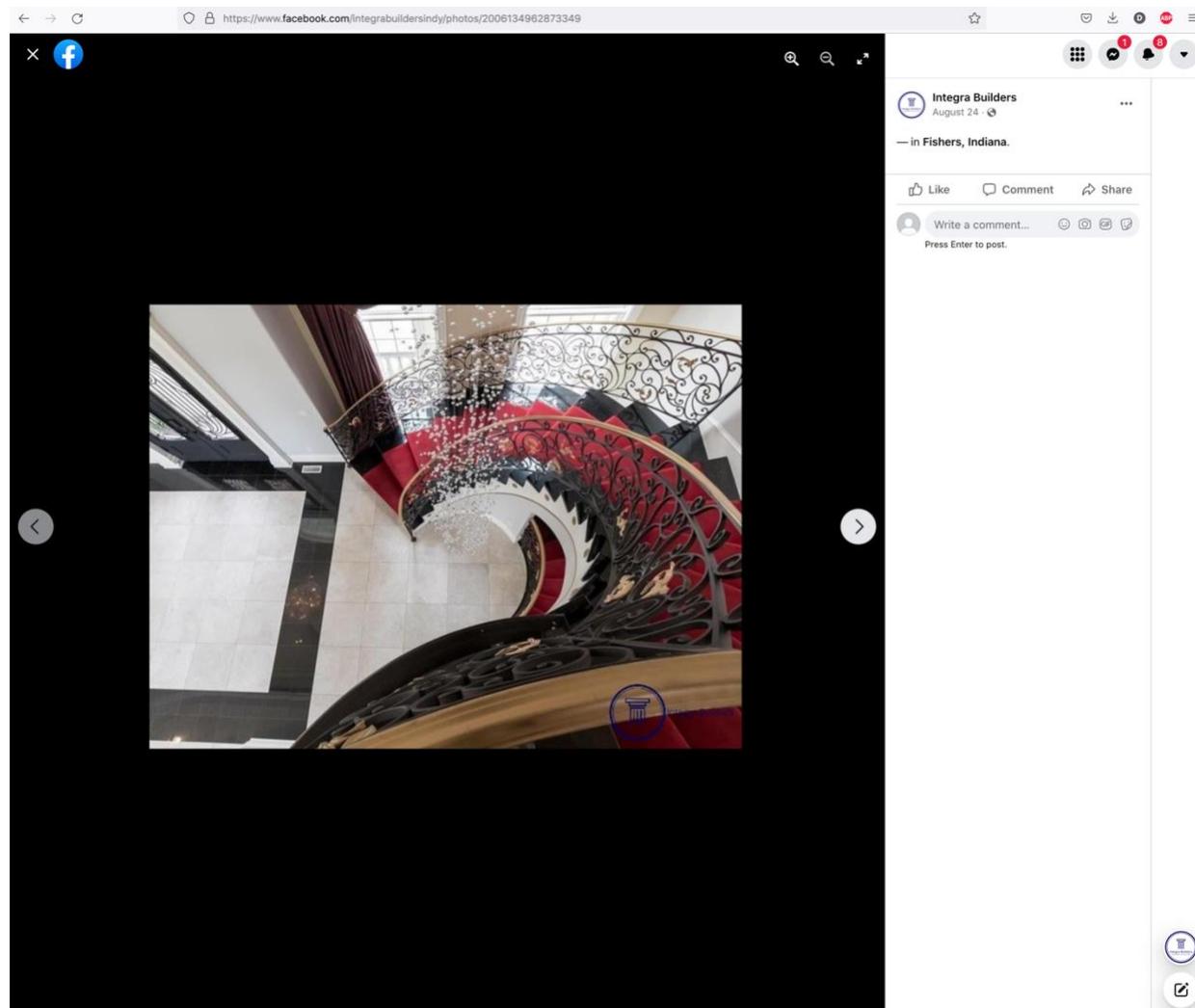


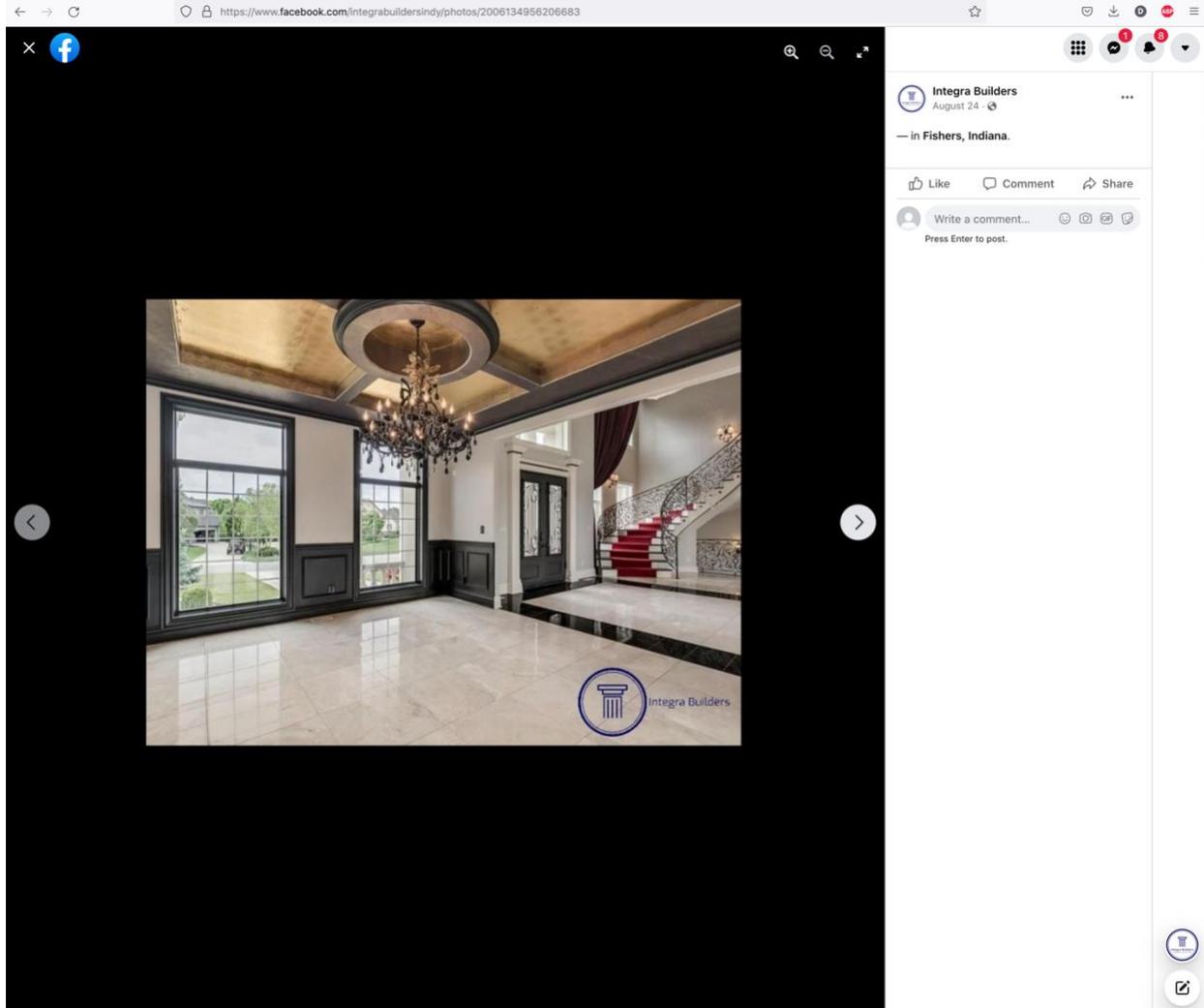








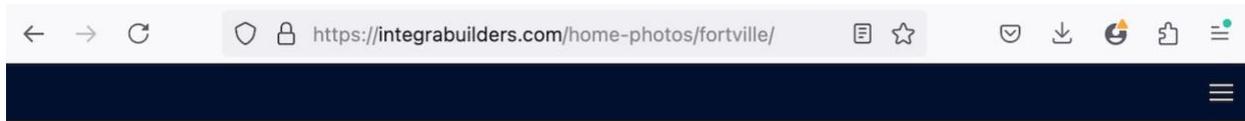




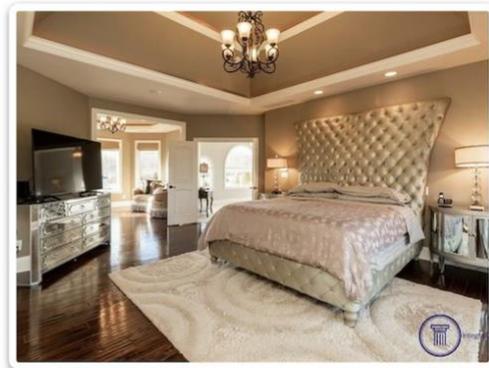
12. Beginning on or about July 1, 2024, Integra copied and posted Plaintiff’s Copyrighted Photographs to the Integra’s commercial website, [www.integrabuilders.com](http://www.integrabuilders.com) (“Integra’s Second Infringement”).

13. Integra posted Plaintiff’s Copyrighted Photographs to the following URLs:

- [www.integrabuilders.com/home-photos/fortville](http://www.integrabuilders.com/home-photos/fortville)
- [www.integrabuilders.com/home-photos/hamilton-proper-4](http://www.integrabuilders.com/home-photos/hamilton-proper-4)

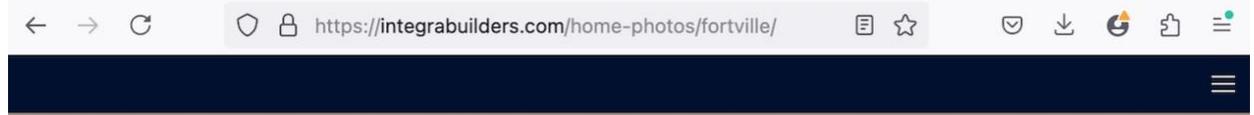


## Fortville

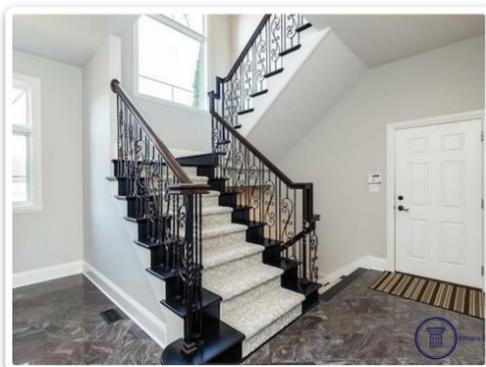


9003 Technology Lane, Fishers IN 46038  
317-426-7807  
michael@integrabuilders.com

[Facebook](#) [Instagram](#) [Pinterest](#) [LinkedIn](#) [YouTube](#)



## Fortville

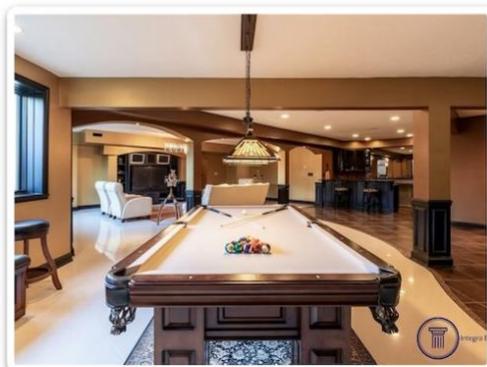


🏠 9003 Technology Lane, Fishers IN 46038  
☎ 317-426-7807  
✉ michael@integrabuilders.com

[Facebook](#) [Instagram](#) [Pinterest](#) [LinkedIn](#) [YouTube](#)

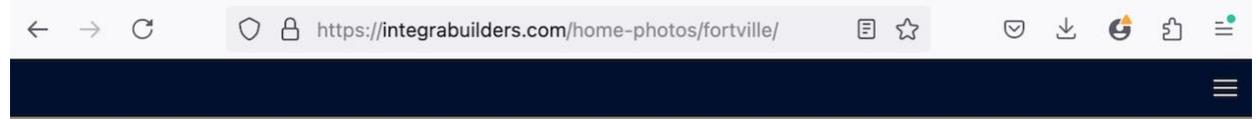


## Fortville



🏠 9003 Technology Lane, Fishers IN 46038  
☎ 317-426-7807  
✉ michael@integrabuilders.com

[f](#) [i](#) [p](#) [in](#) [yt](#)

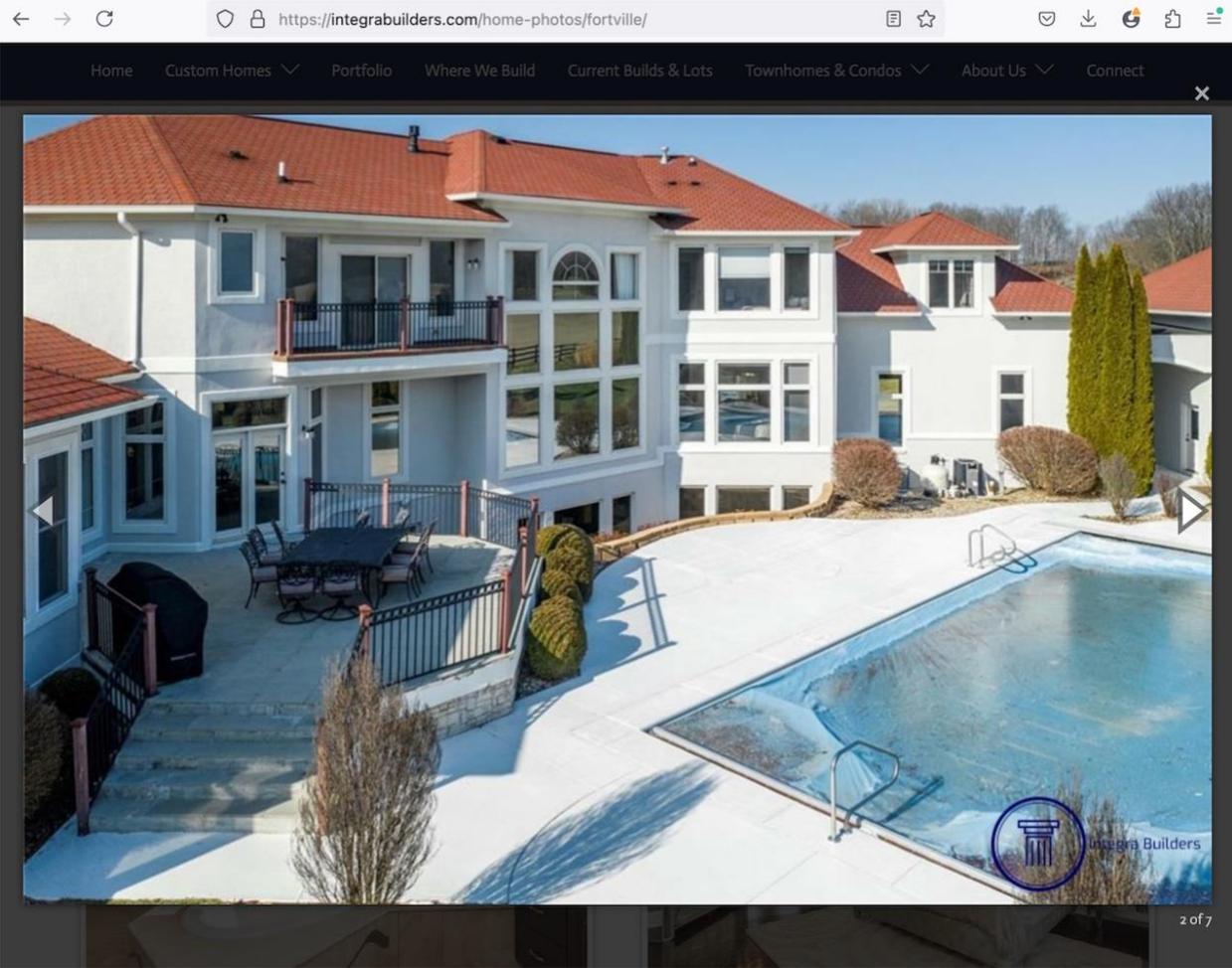


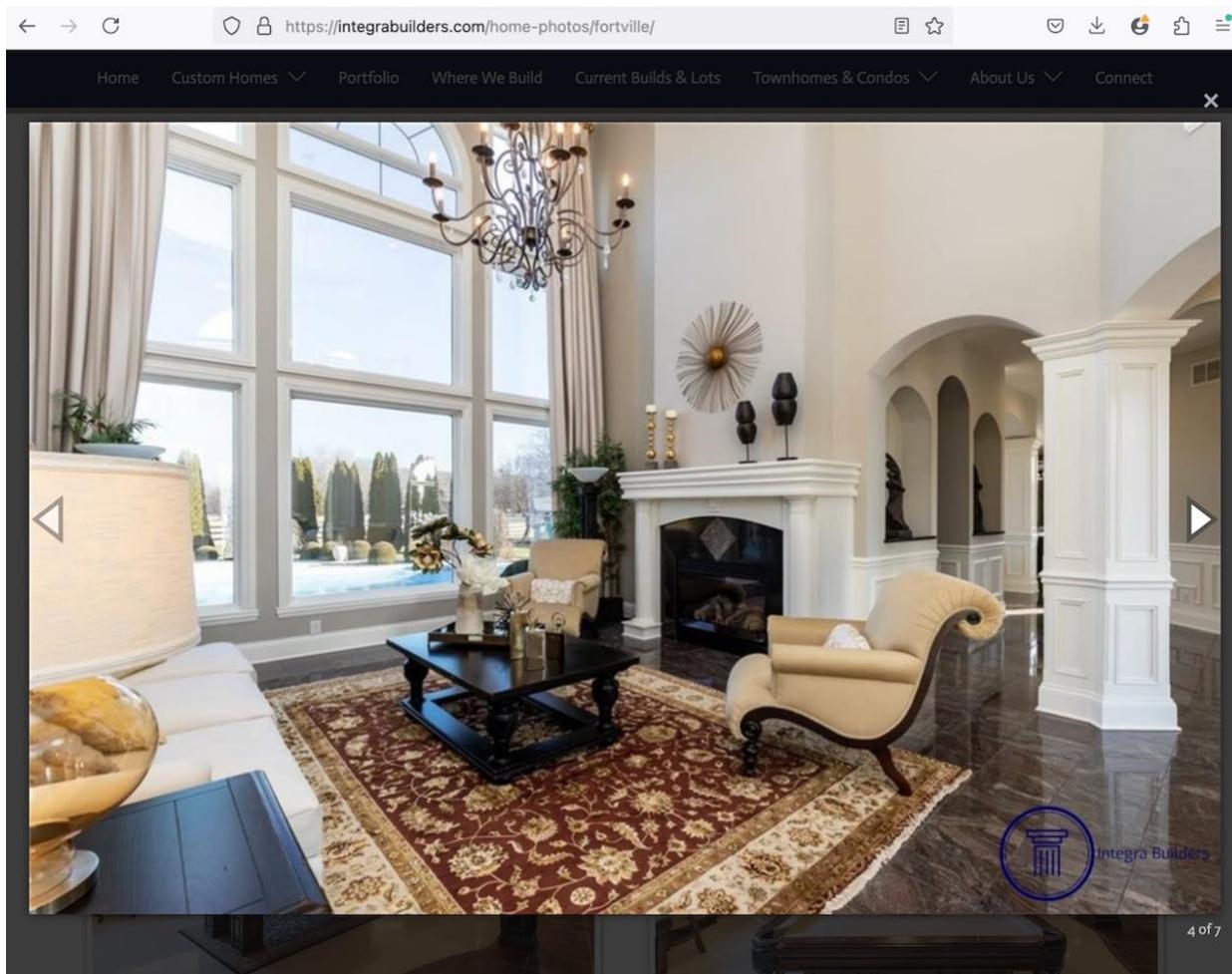
## Fortville

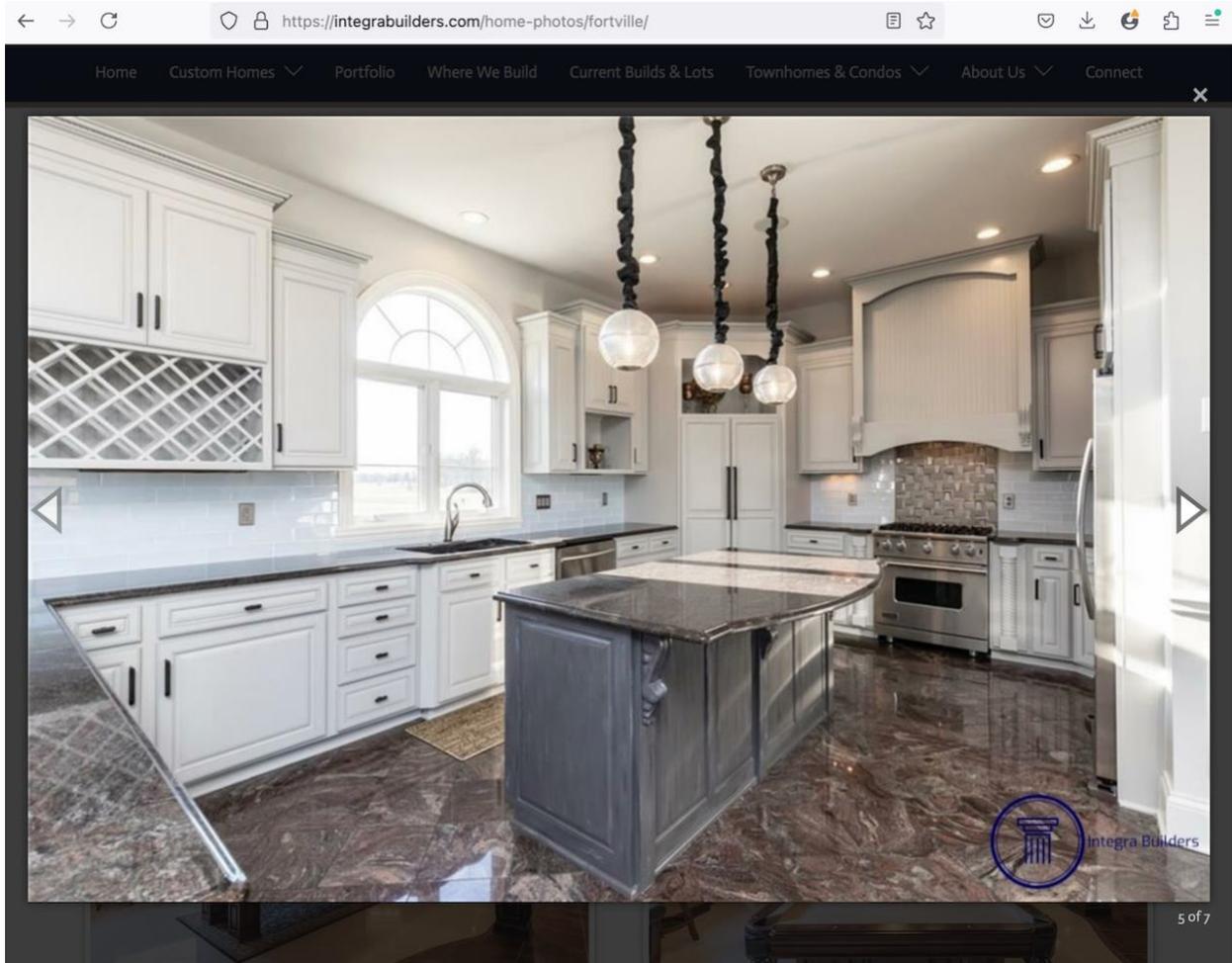


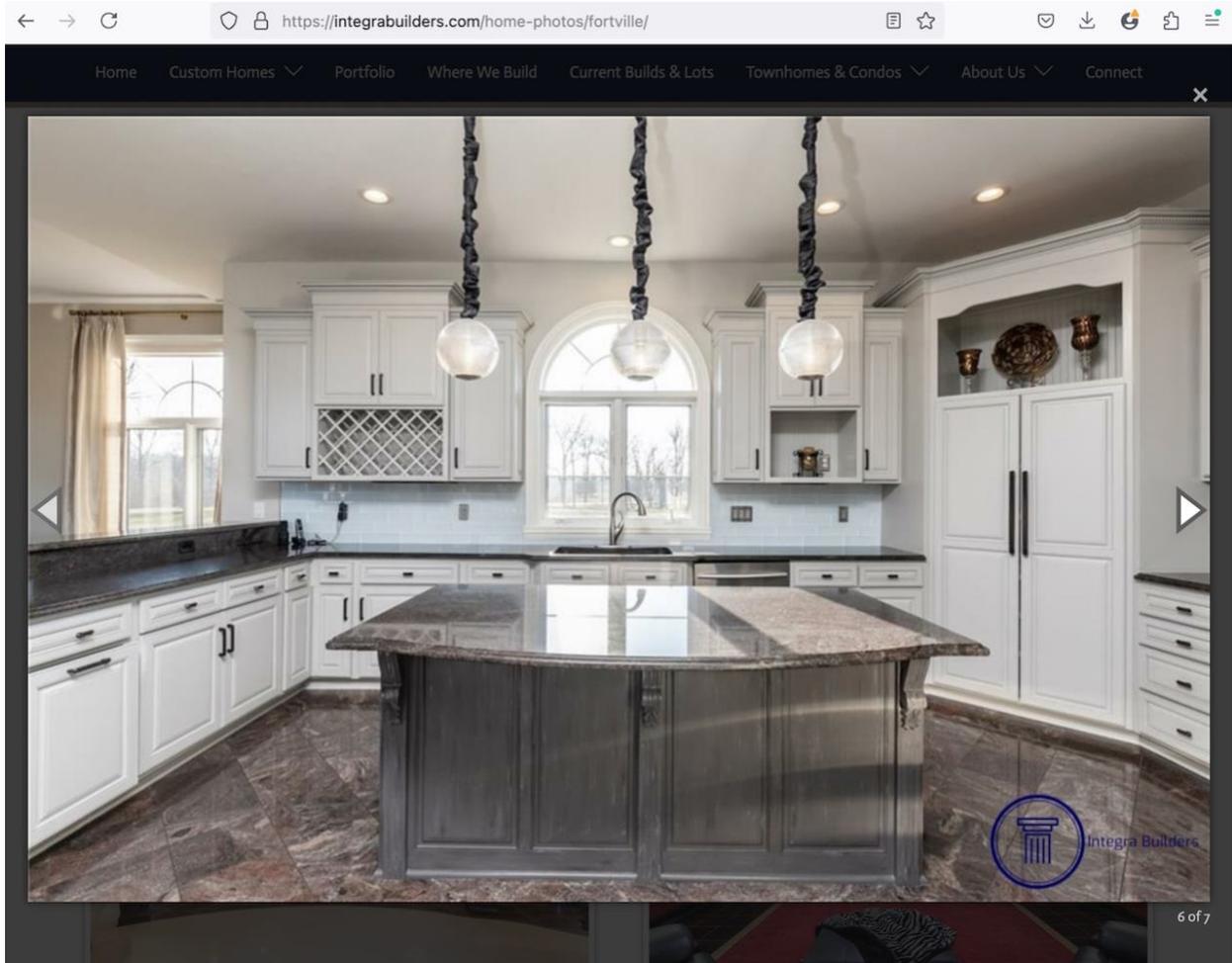
🏠 9003 Technology Lane, Fishers IN 46038  
☎ 317-426-7807  
✉ michael@integrabuilders.com

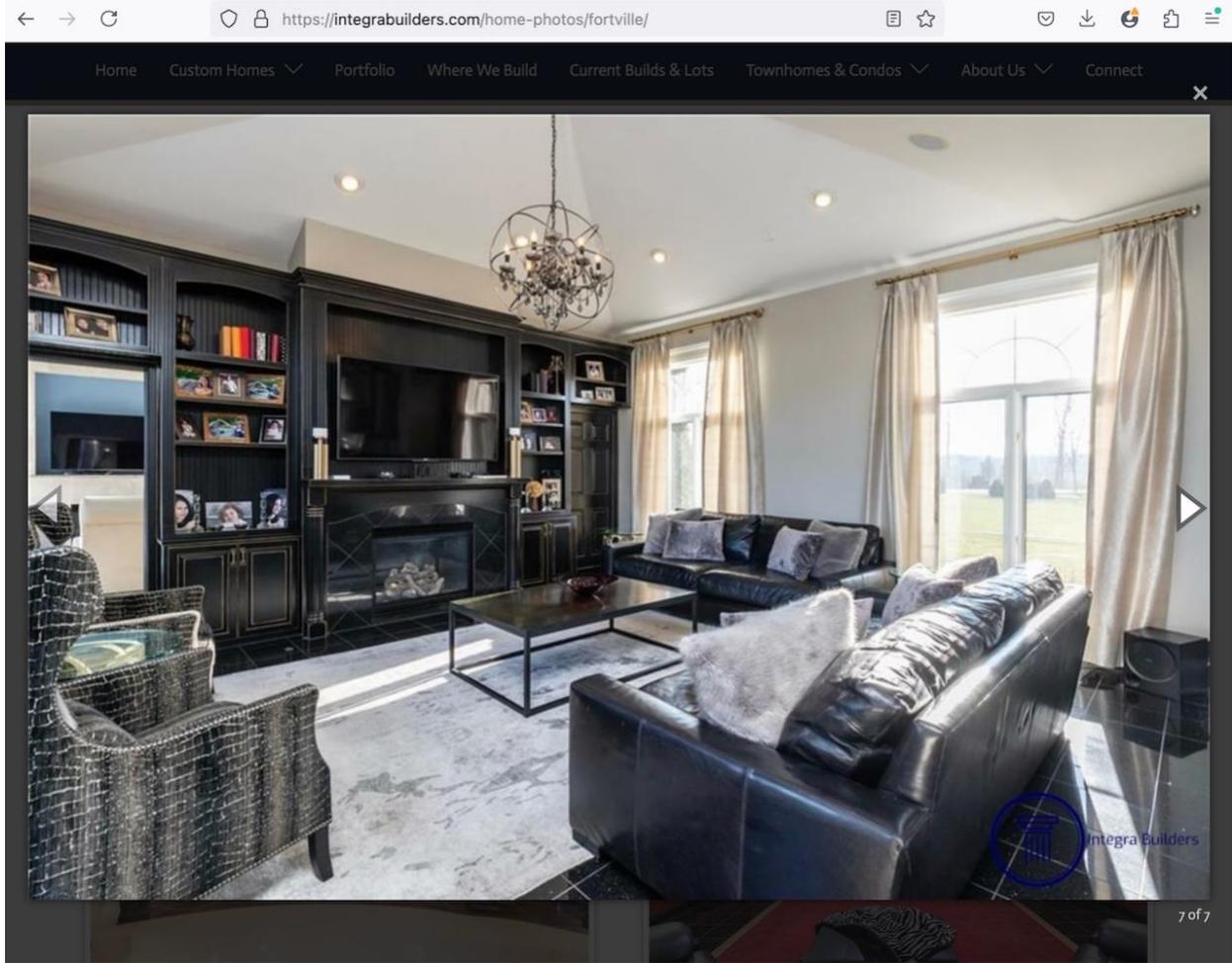
[Facebook](#) [Instagram](#) [Pinterest](#) [LinkedIn](#) [YouTube](#)

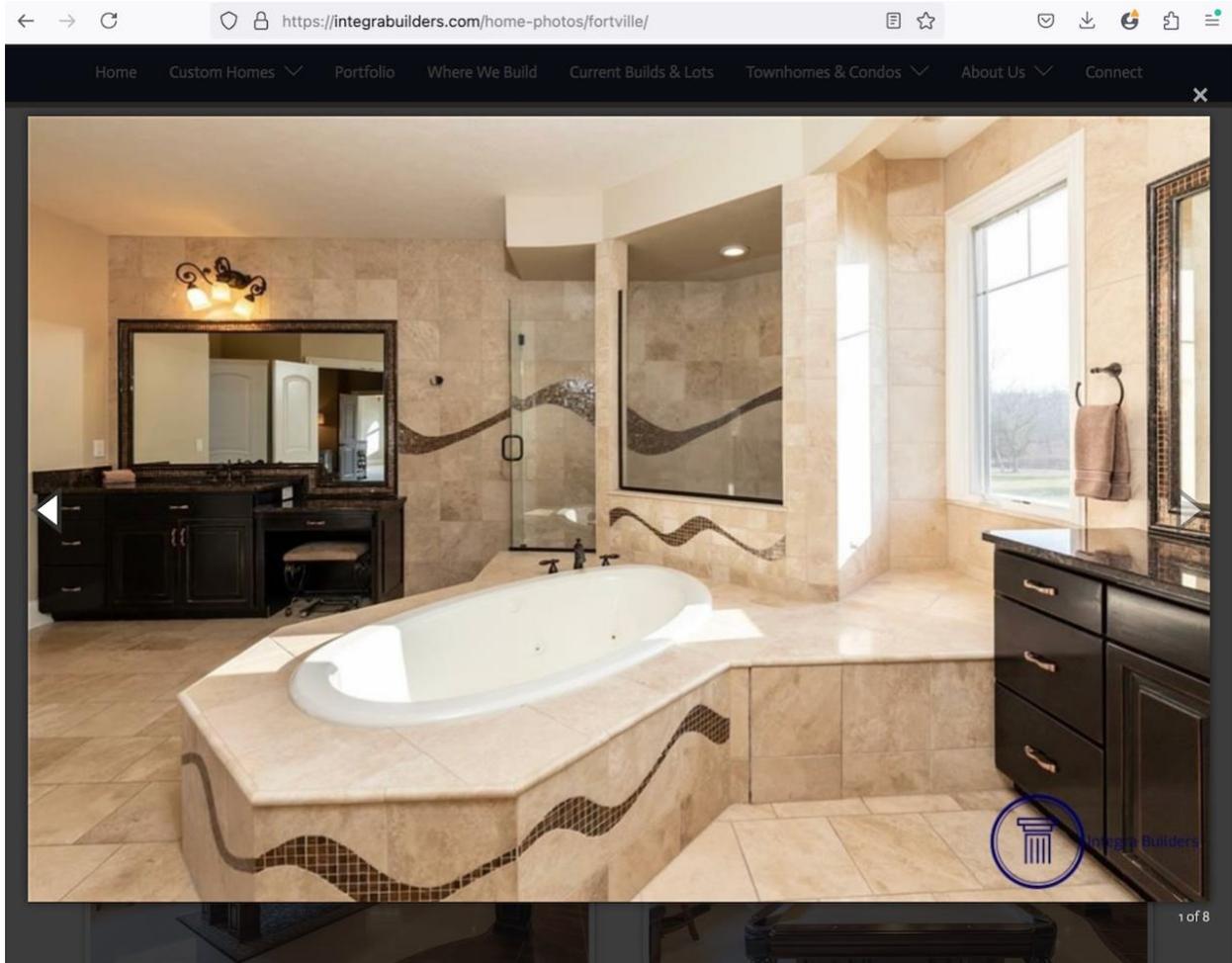


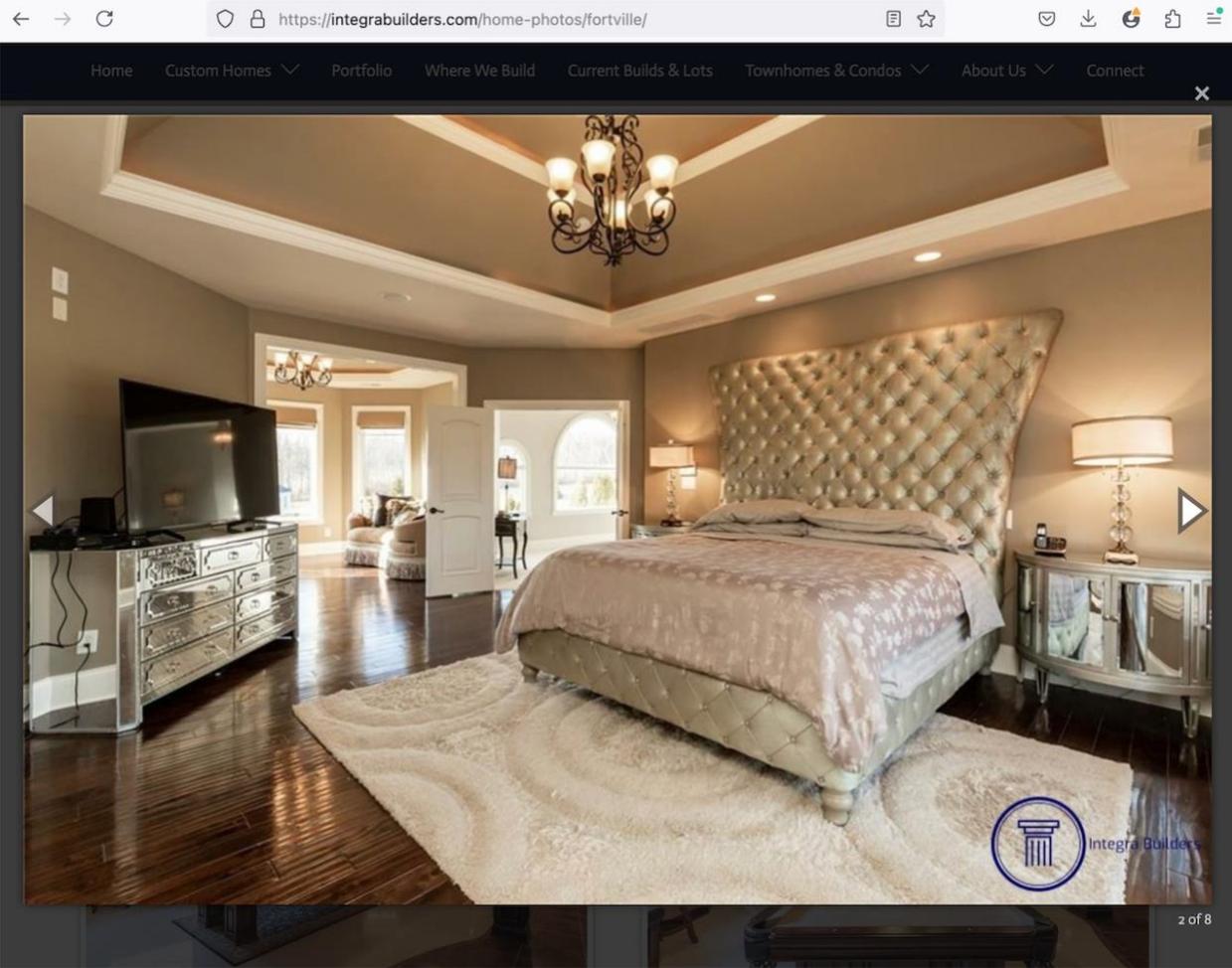


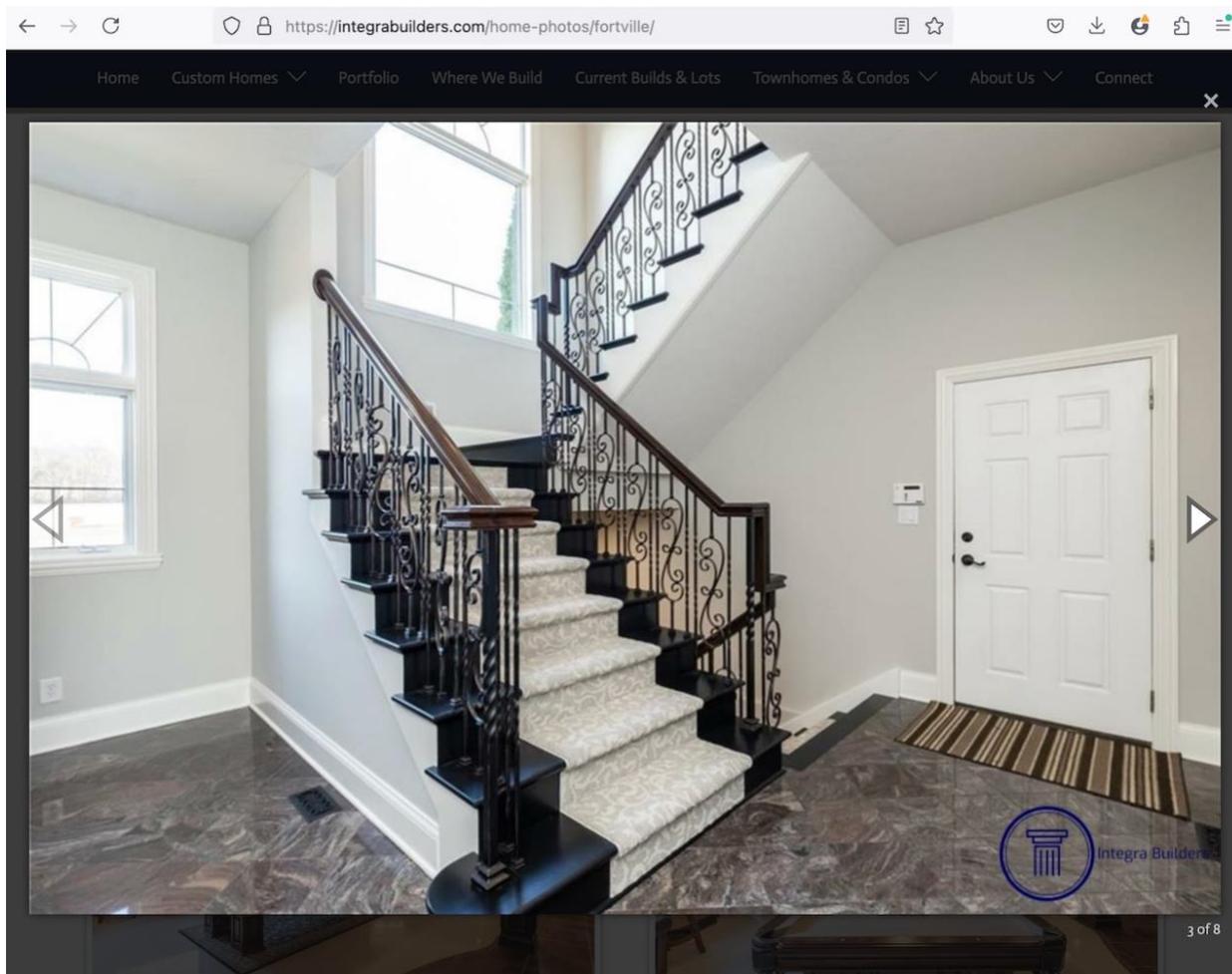


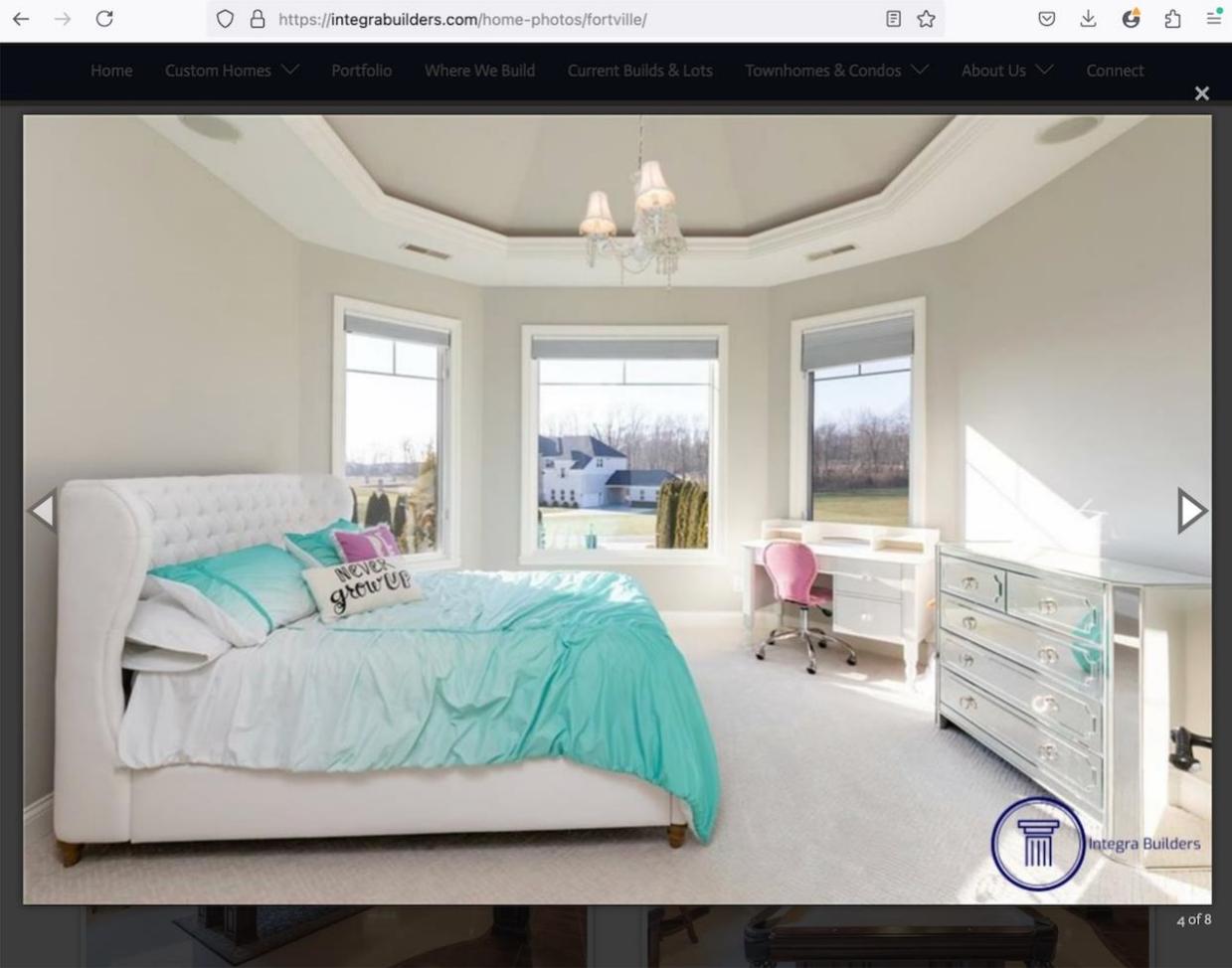


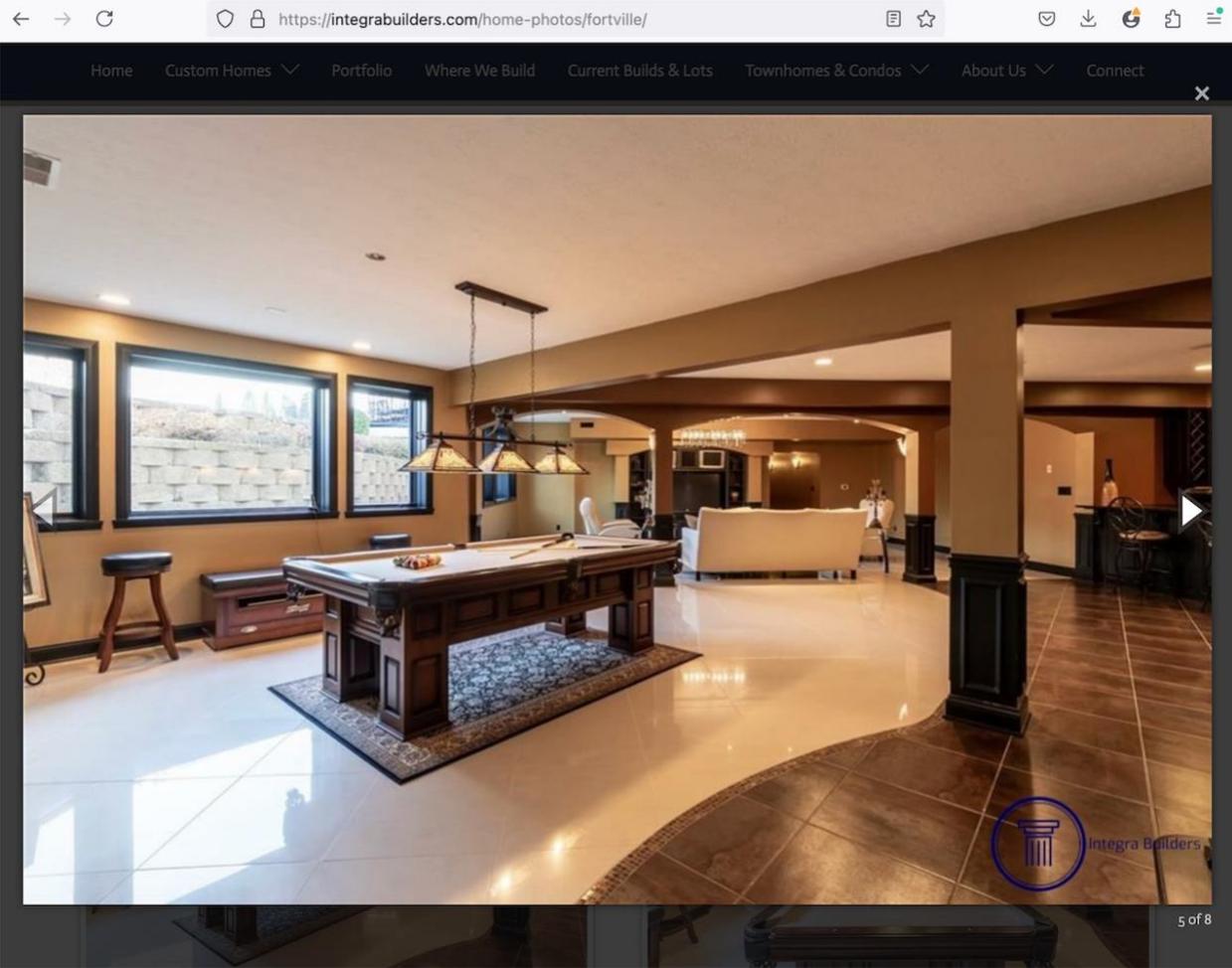


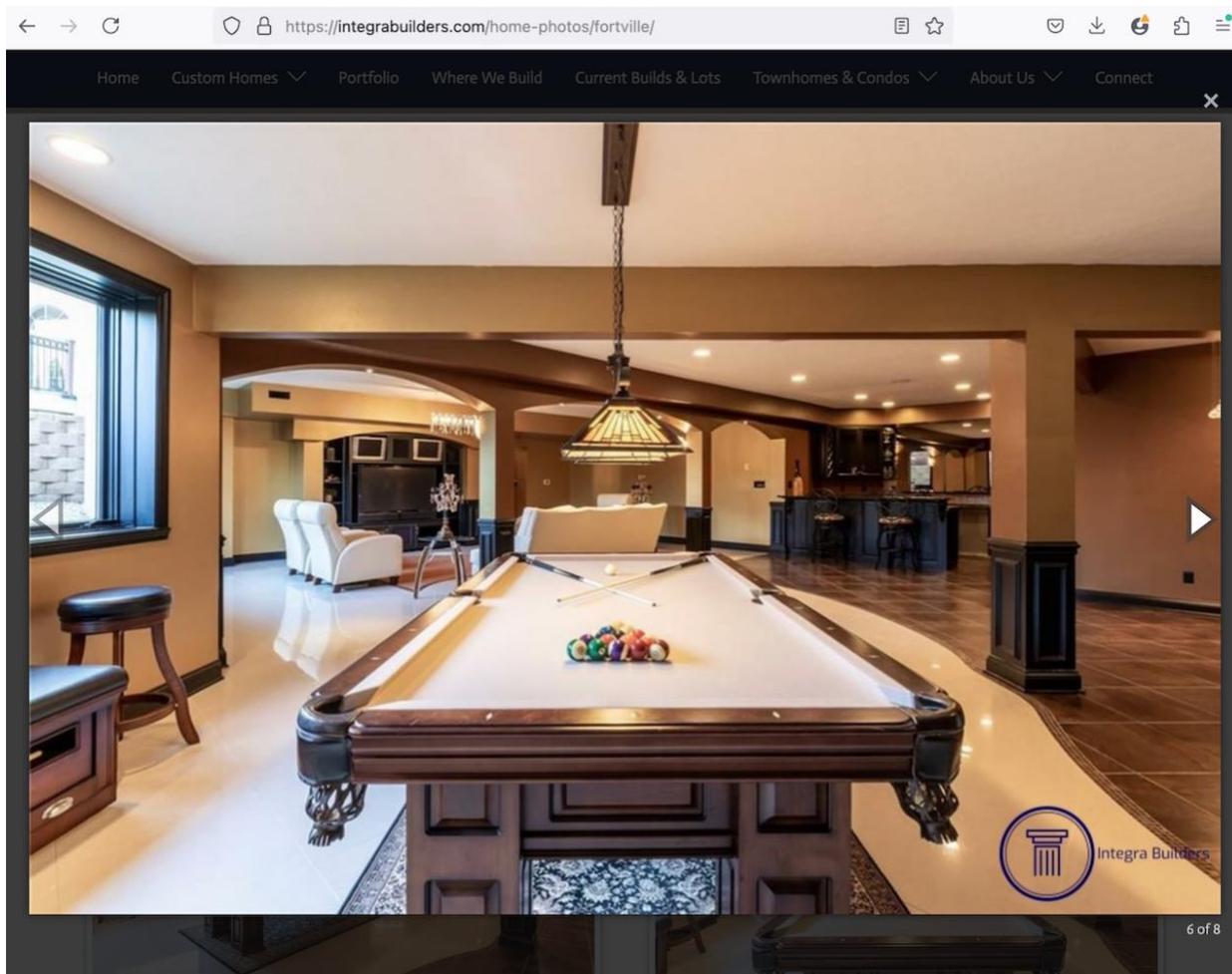


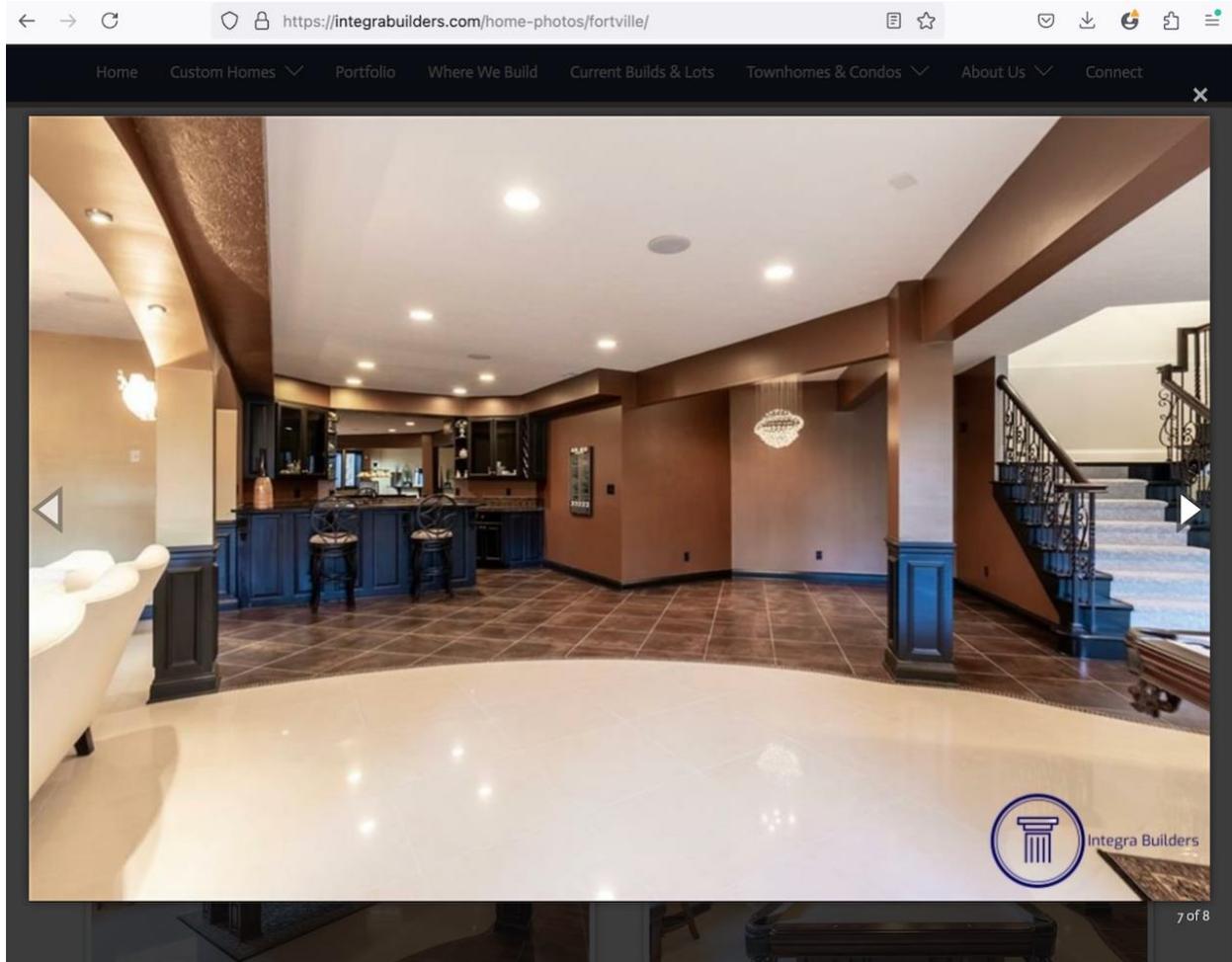


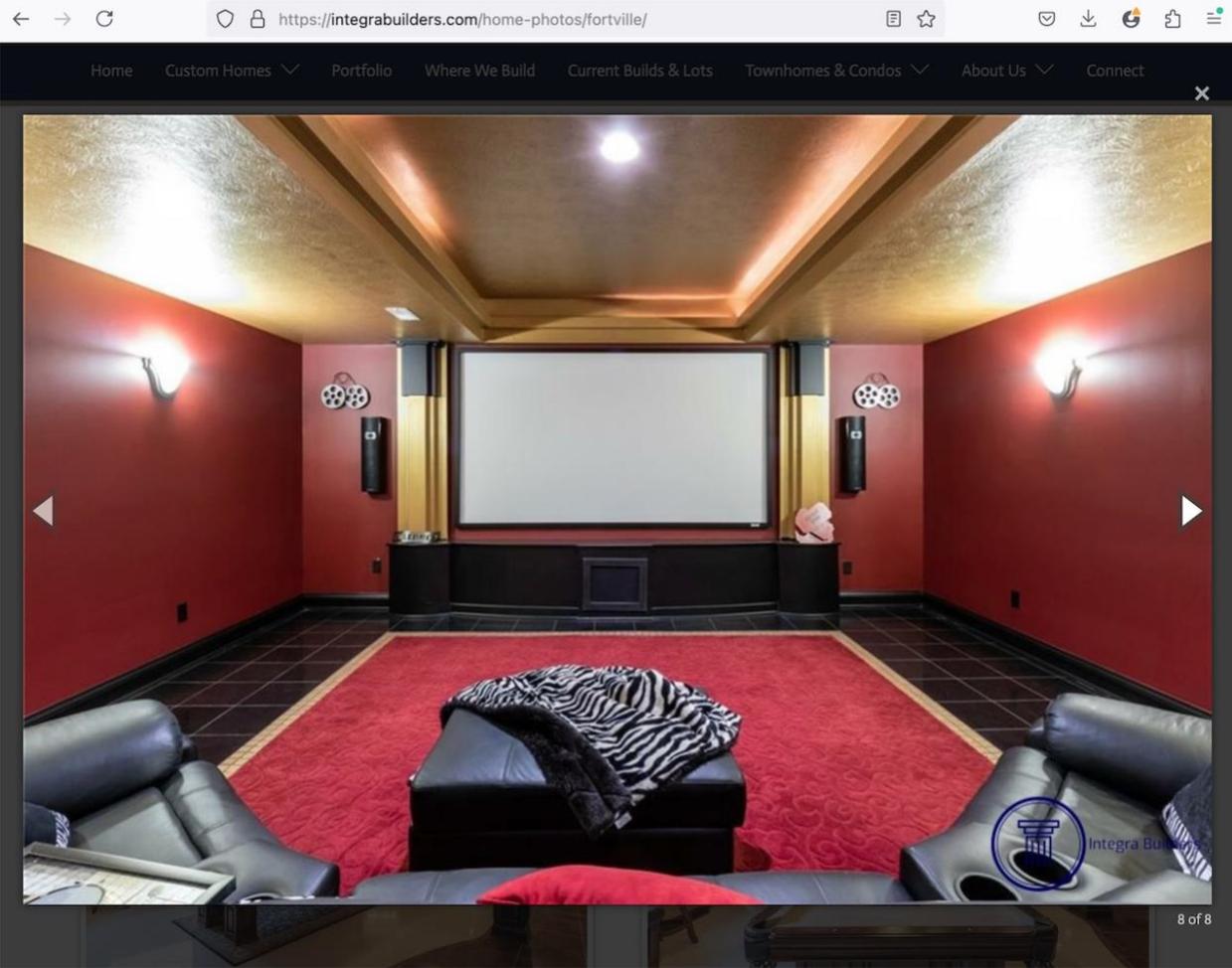














## Golf Course Entertainer

This home was designed and built for entertaining and lavish living. With private views of the 6th hole of Hawthorne's golf course.

- Custom designed stucco finish exterior deco
- In house Barber Shop,
- Full service swanky bar
- indoor Basketball Court
- Expansive pool, hottub and BBQ area with a fully decked out children's playground
- Hand painted gold accents throughout trim work
- Granite clad Great Room columns
- Custom stair and catwalk iron railing
- Master Suite on main floor with mini-kitchen
- Elevator
- Arched entryway and hallways are presented throughout the entire home
- Double Kitchen island with Wolf & Viking Viking appliances
- Custom beam work add great detail in vaulted ceilings
- Wood-burning fireplaces with limestone surround

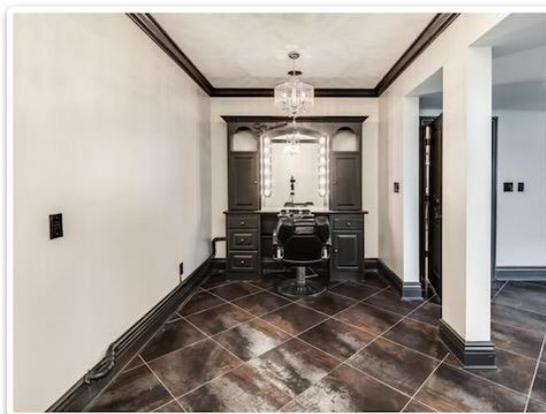




## Golf Course Entertainer

This home was designed and built for entertaining and lavish living. With private views of the 6th hole of Hawthorne's golf course.

- Custom designed stucco finish exterior deco
- In house Barber Shop,
- Full service swanky bar
- indoor Basketball Court
- Expansive pool, hottub and BBQ area with a fully decked out children's playground
- Hand painted gold accents throughout trim work
- Granite clad Great Room columns
- Custom stair and catwalk iron railing
- Master Suite on main floor with mini-kitchen
- Elevator
- Arched entryway and hallways are presented throughout the entire home
- Double Kitchen island with Wolf & Viking Viking appliances
- Custom beam work add great detail in vaulted ceilings
- Wood-burning fireplaces with limestone surround

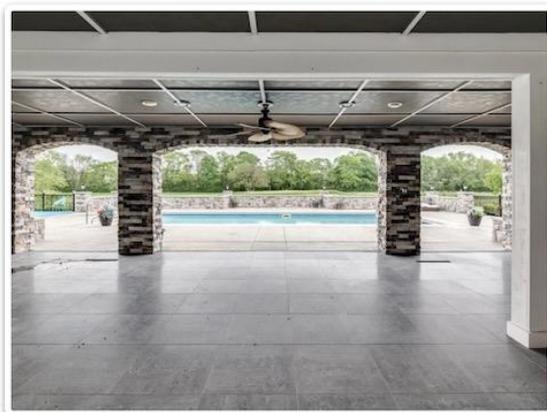


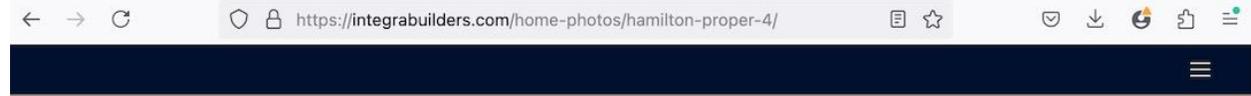


## Golf Course Entertainer

This home was designed and built for entertaining and lavish living. With private views of the 6th hole of Hawthorne's golf course.

- Custom designed stucco finish exterior deco
- In house Barber Shop,
- Full service swanky bar
- indoor Basketball Court
- Expansive pool, hottub and BBQ area with a fully decked out children's playground
- Hand painted gold accents throughout trim work
- Granite clad Great Room columns
- Custom stair and catwalk iron railing
- Master Suite on main floor with mini-kitchen
- Elevator
- Arched entryway and hallways are presented throughout the entire home
- Double Kitchen island with Wolf & Viking Viking appliances
- Custom beam work add great detail in vaulted ceilings
- Wood-burning fireplaces with limestone surround



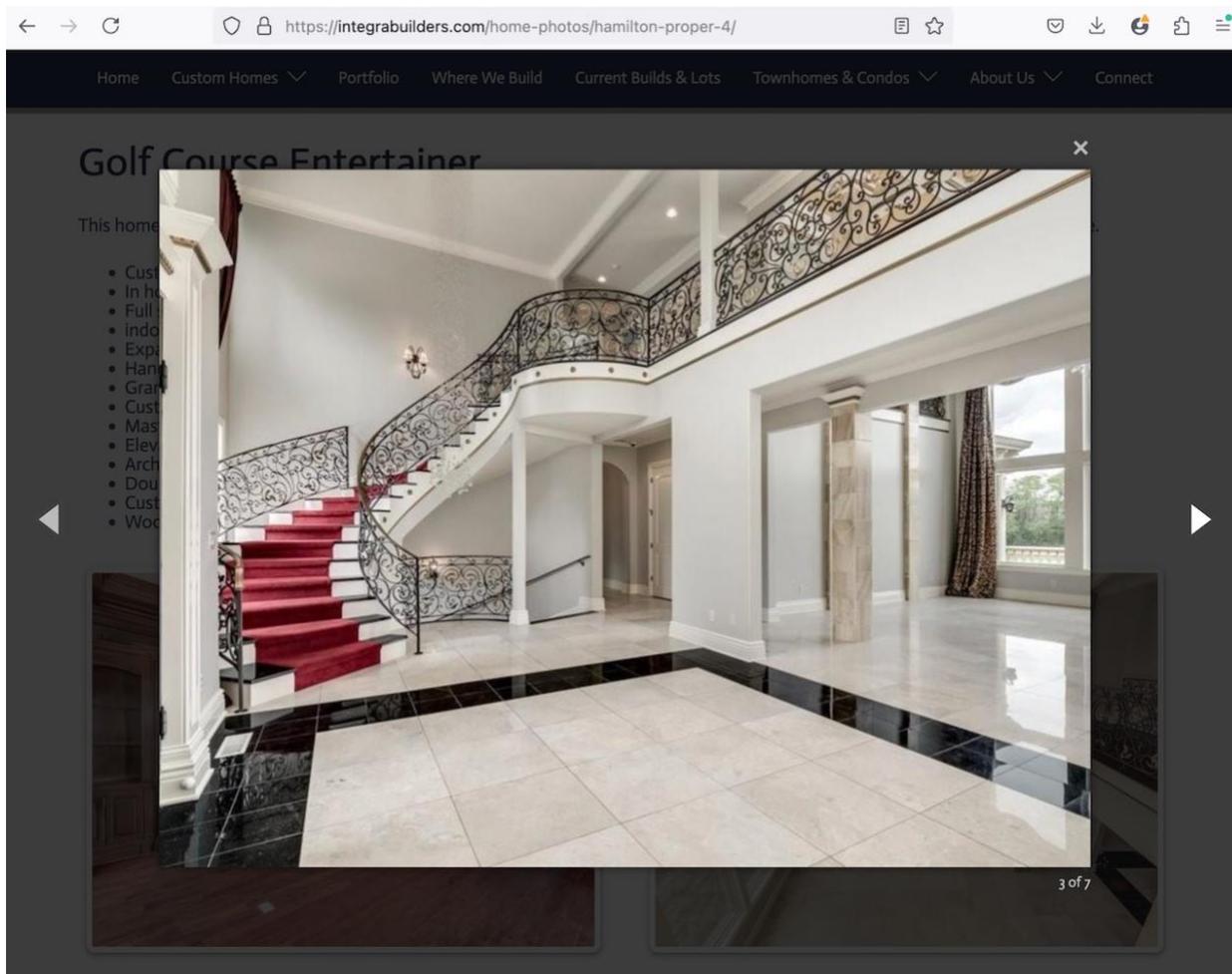


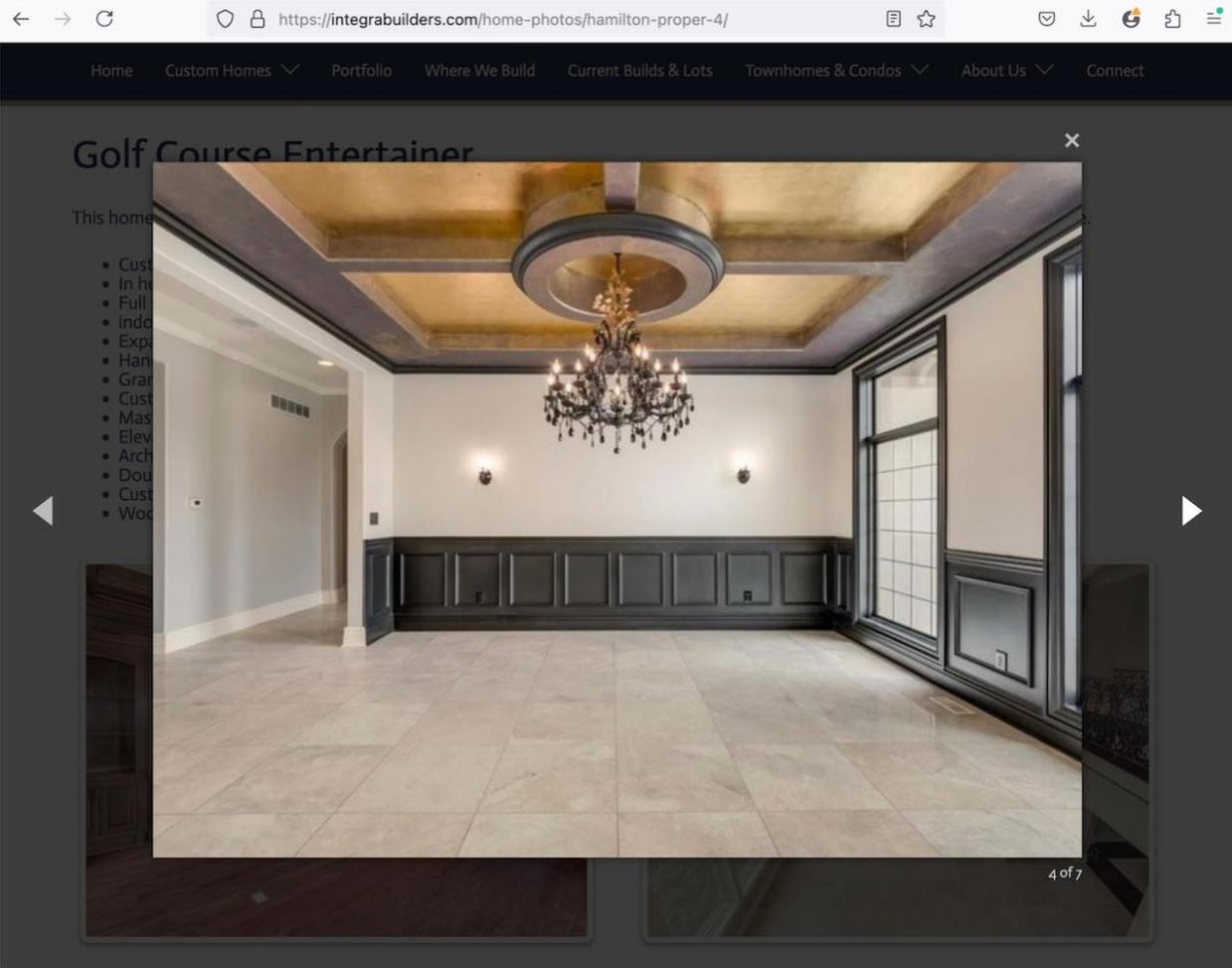
## Golf Course Entertainer

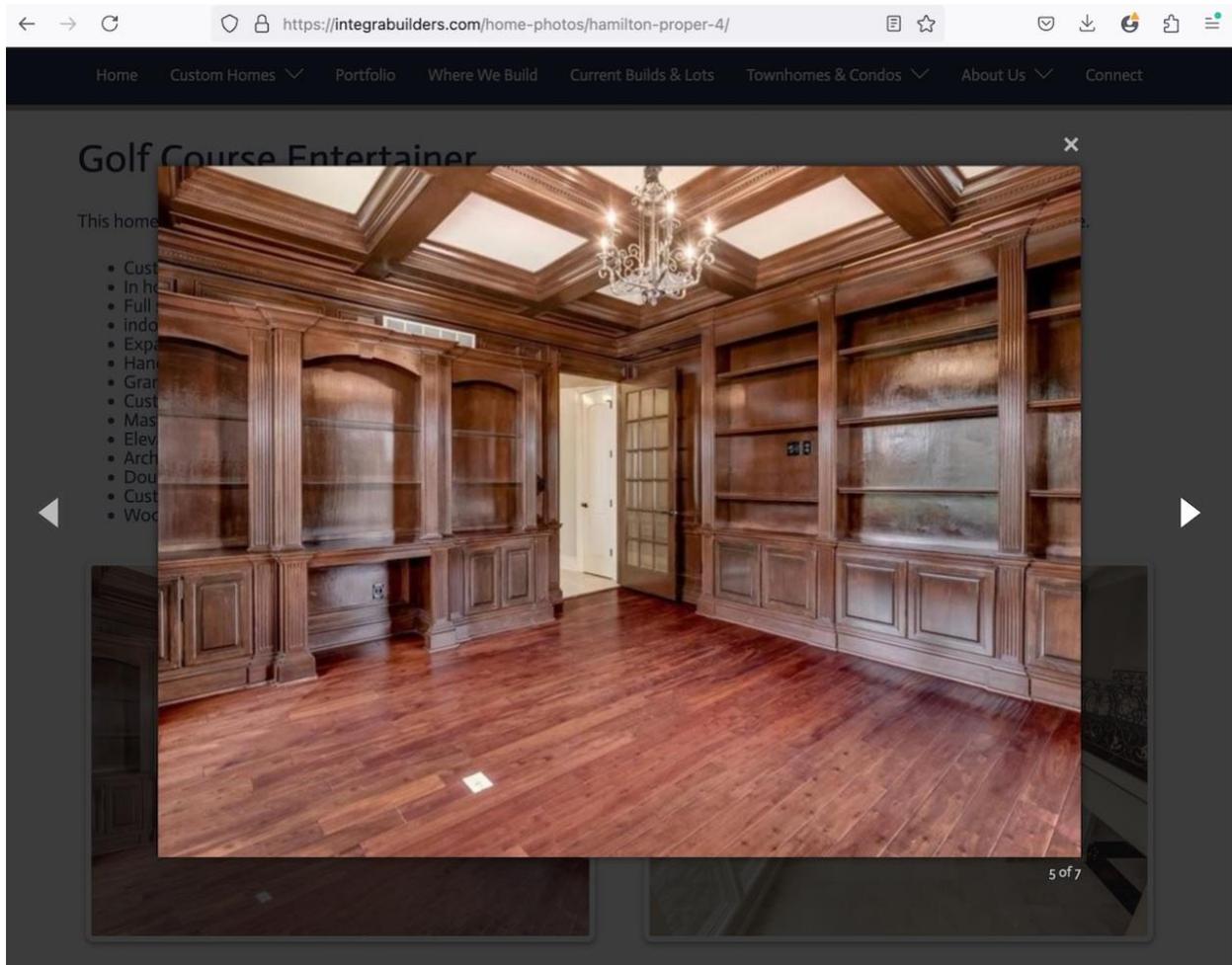
This home was designed and built for entertaining and lavish living. With private views of the 6th hole of Hawthorne's golf course.

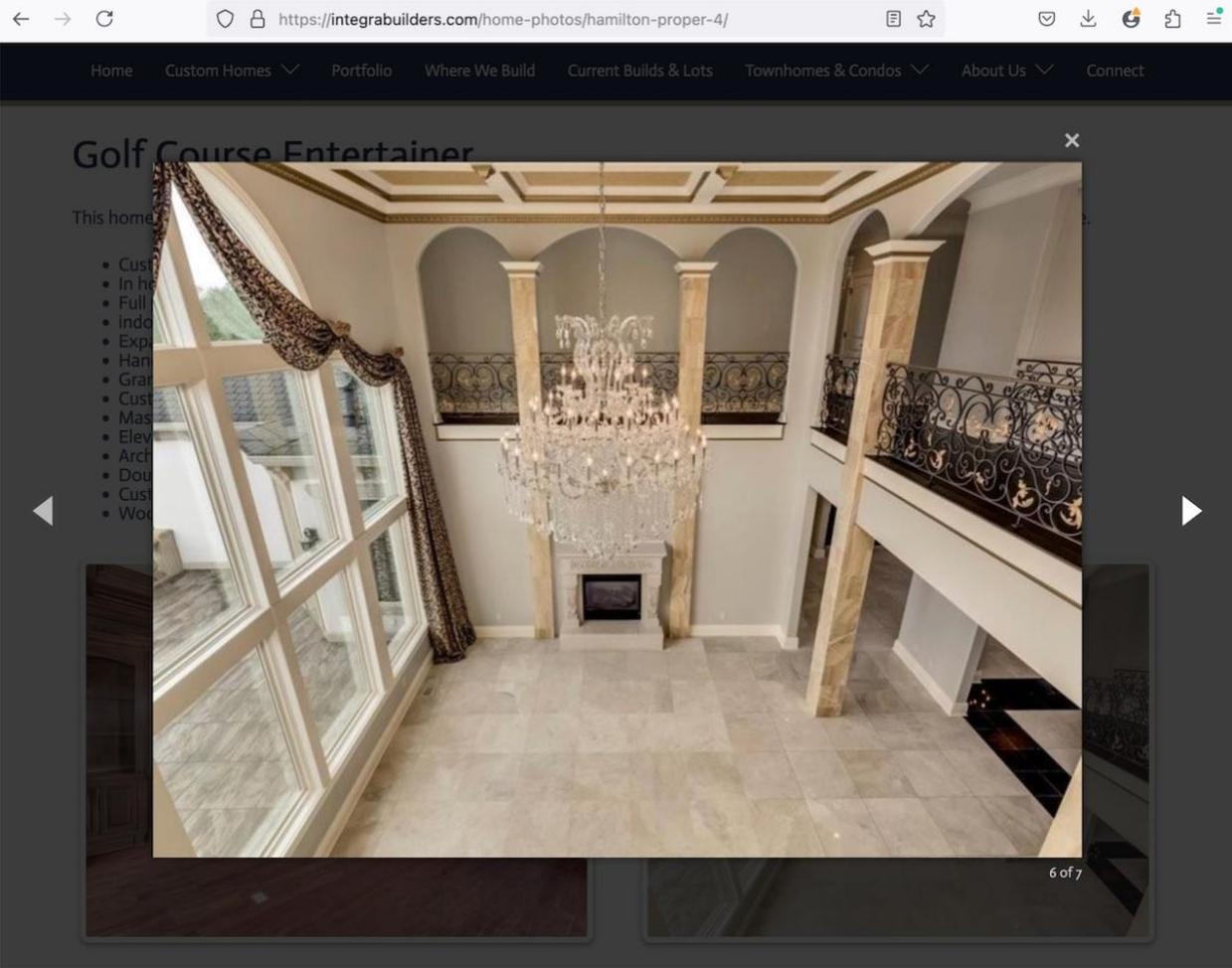
- Custom designed stucco finish exterior deco
- In house Barber Shop,
- Full service swanky bar
- indoor Basketball Court
- Expansive pool, hottub and BBQ area with a fully decked out children's playground
- Hand painted gold accents throughout trim work
- Granite clad Great Room columns
- Custom stair and catwalk iron railing
- Master Suite on main floor with mini-kitchen
- Elevator
- Arched entryway and hallways are presented throughout the entire home
- Double Kitchen island with Wolf & Viking Viking appliances
- Custom beam work add great detail in vaulted ceilings
- Wood-burning fireplaces with limestone surround

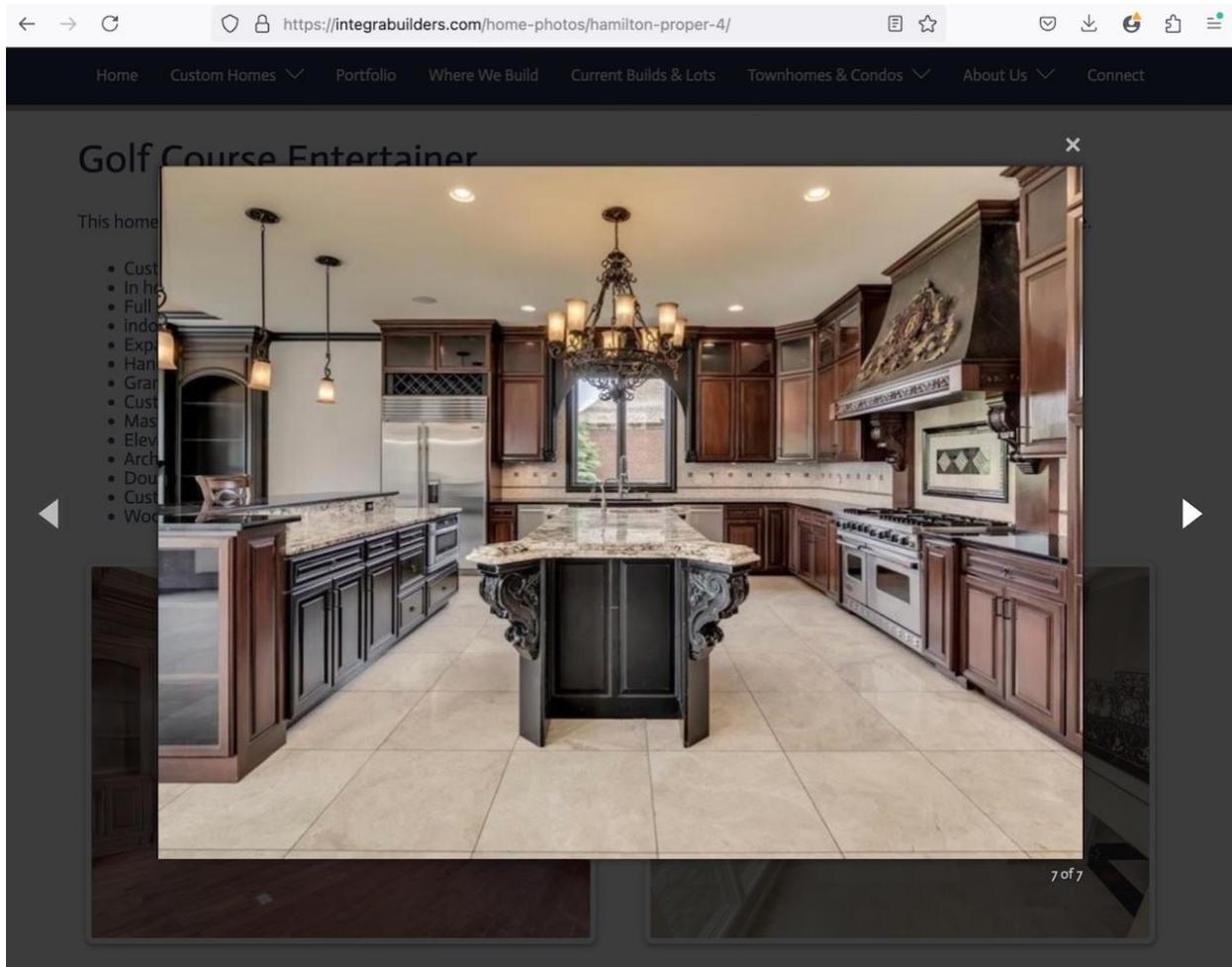


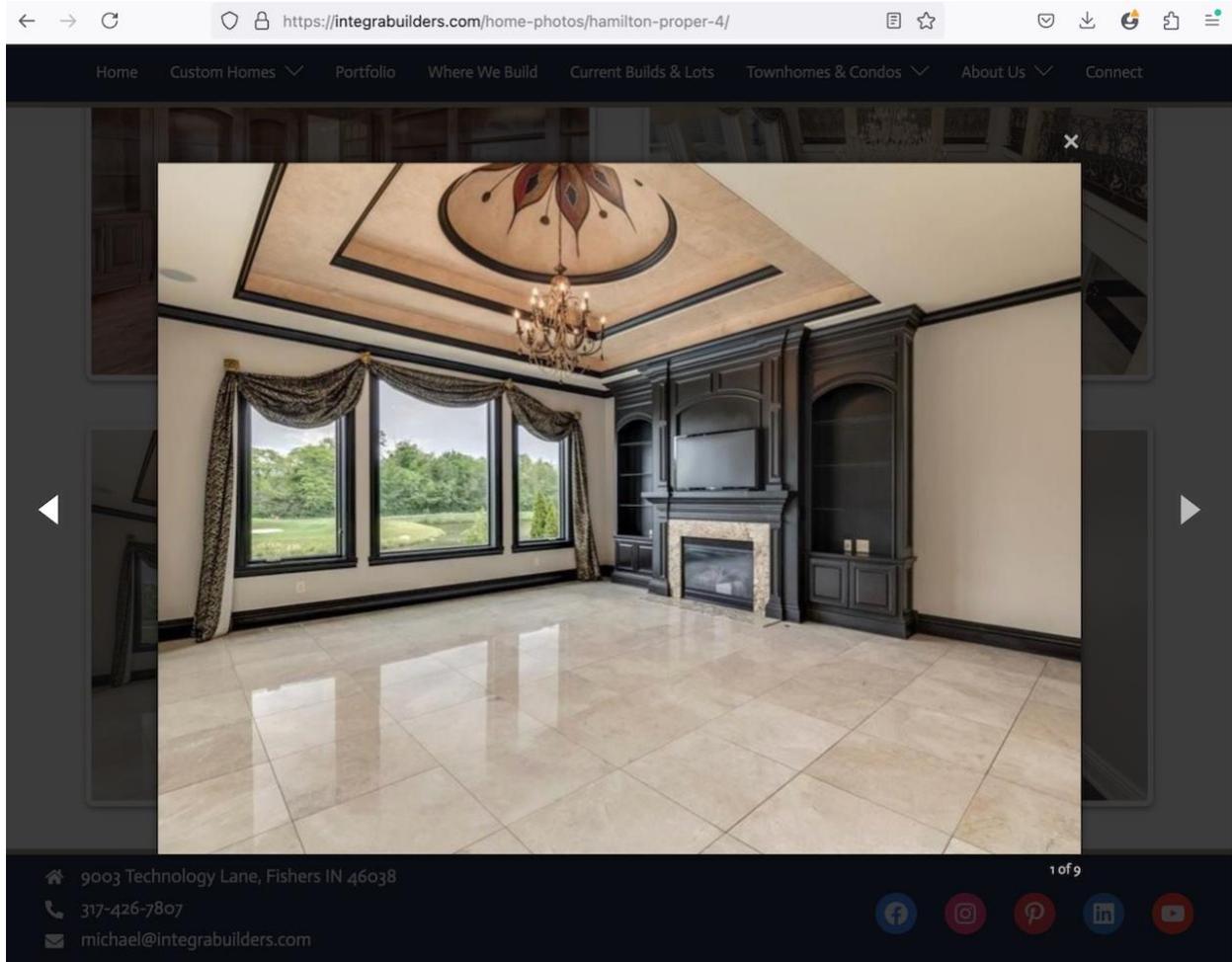


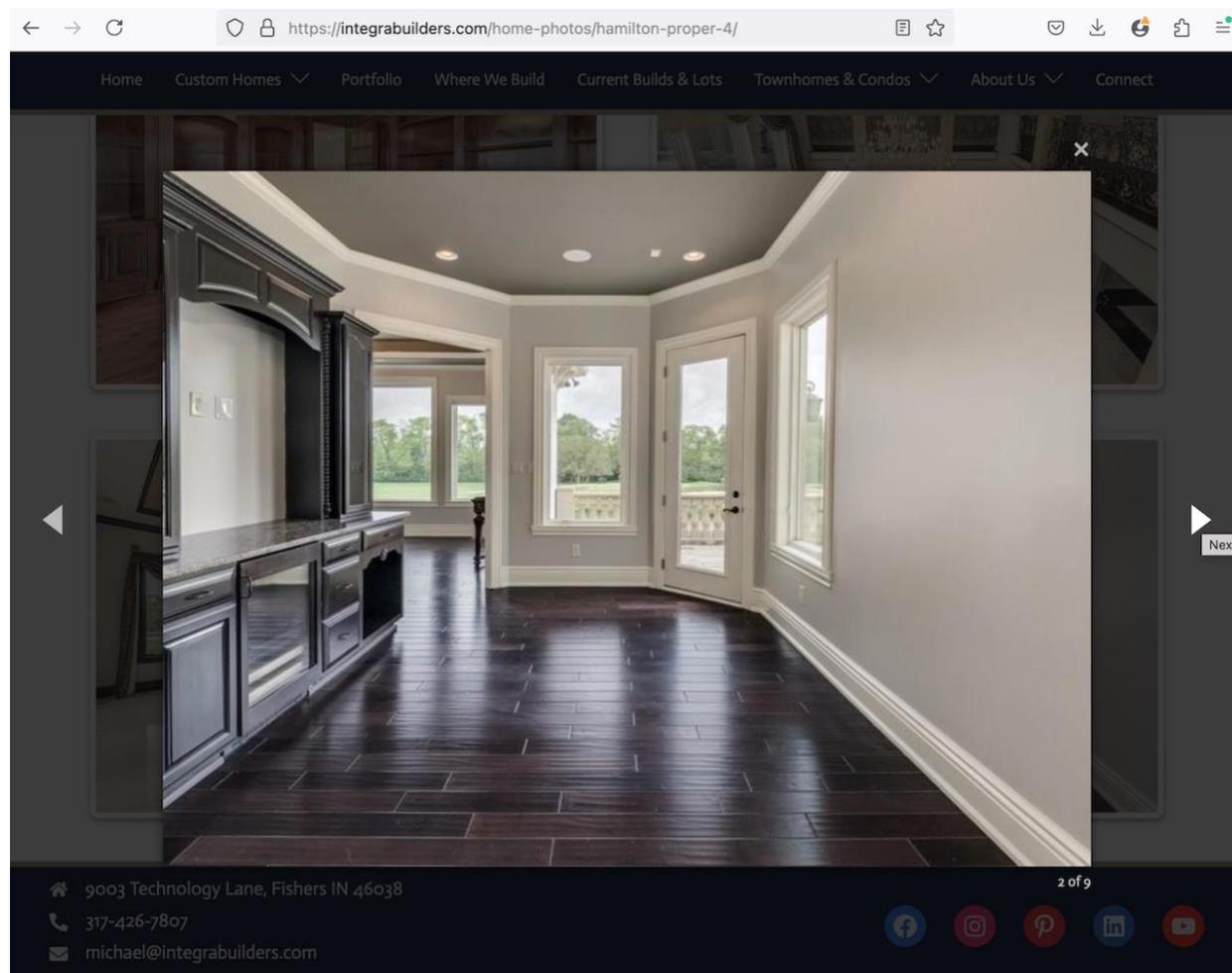


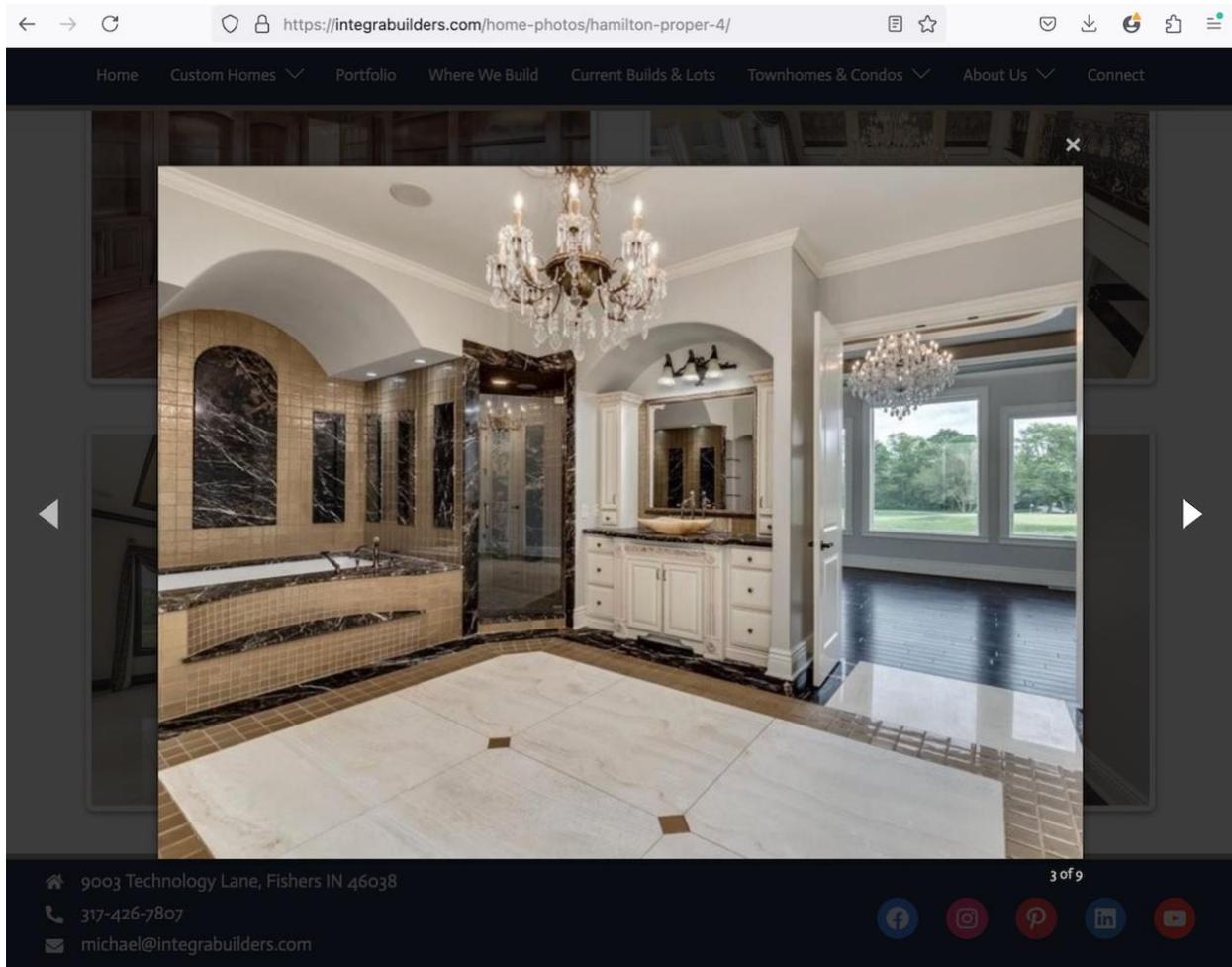


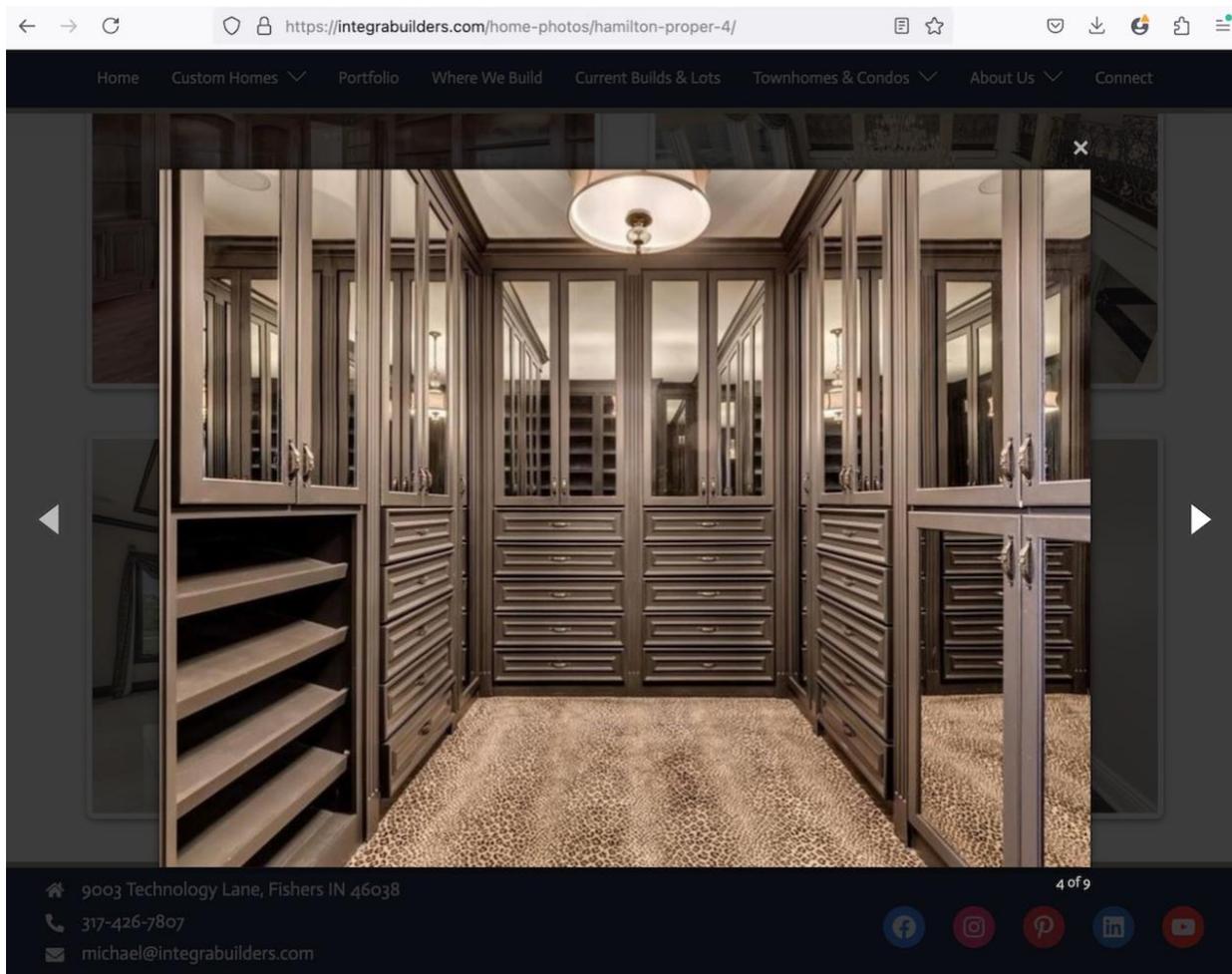


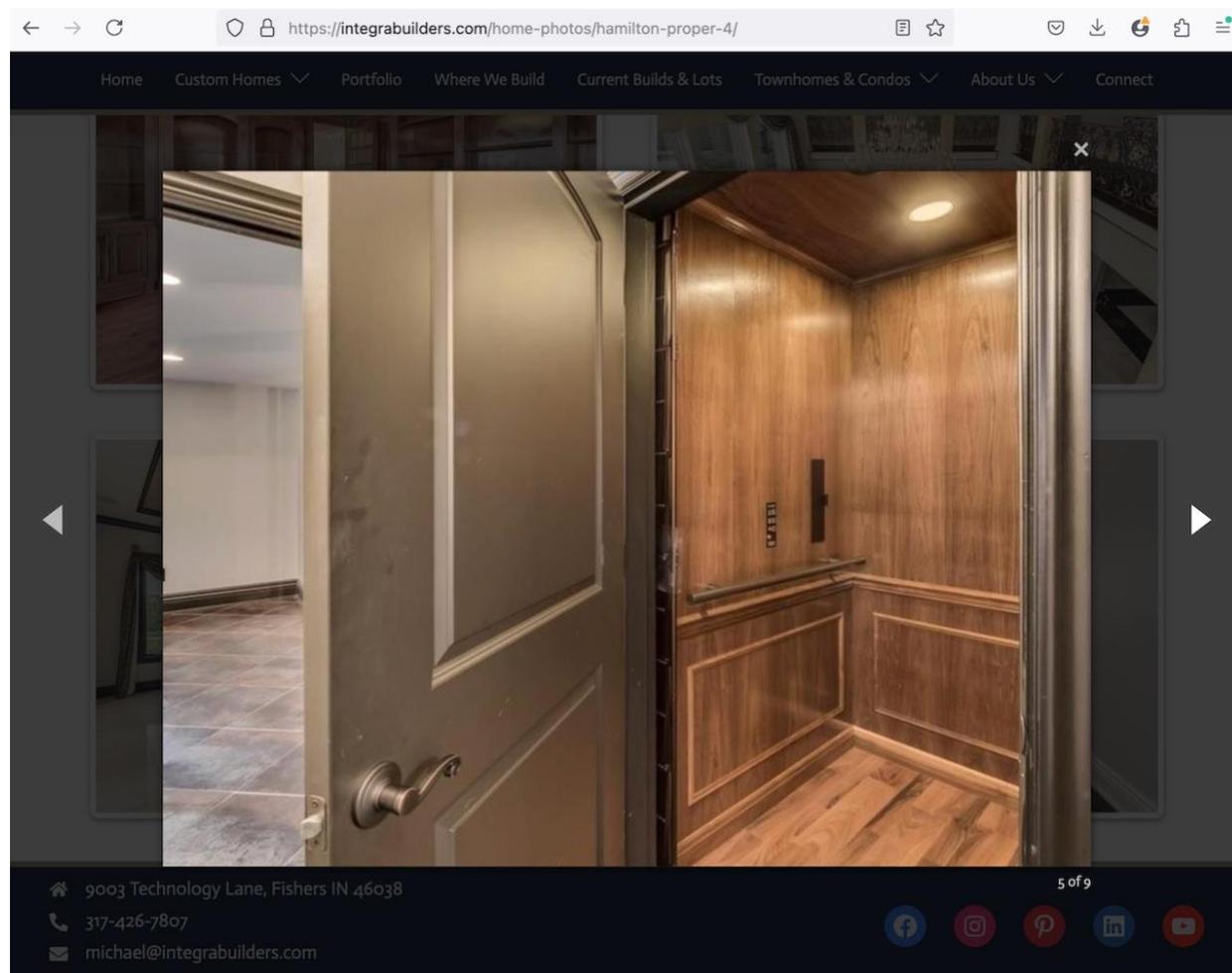


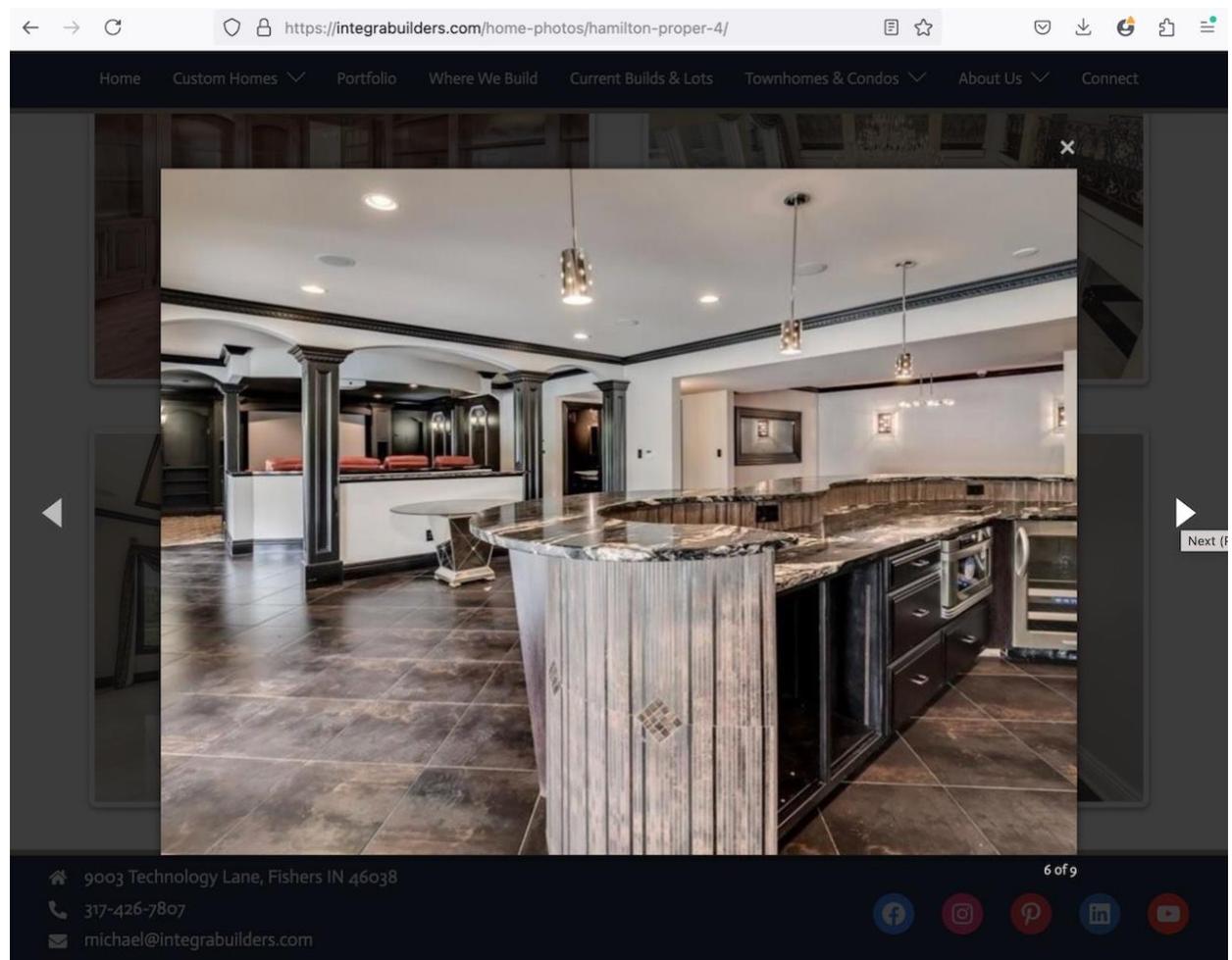


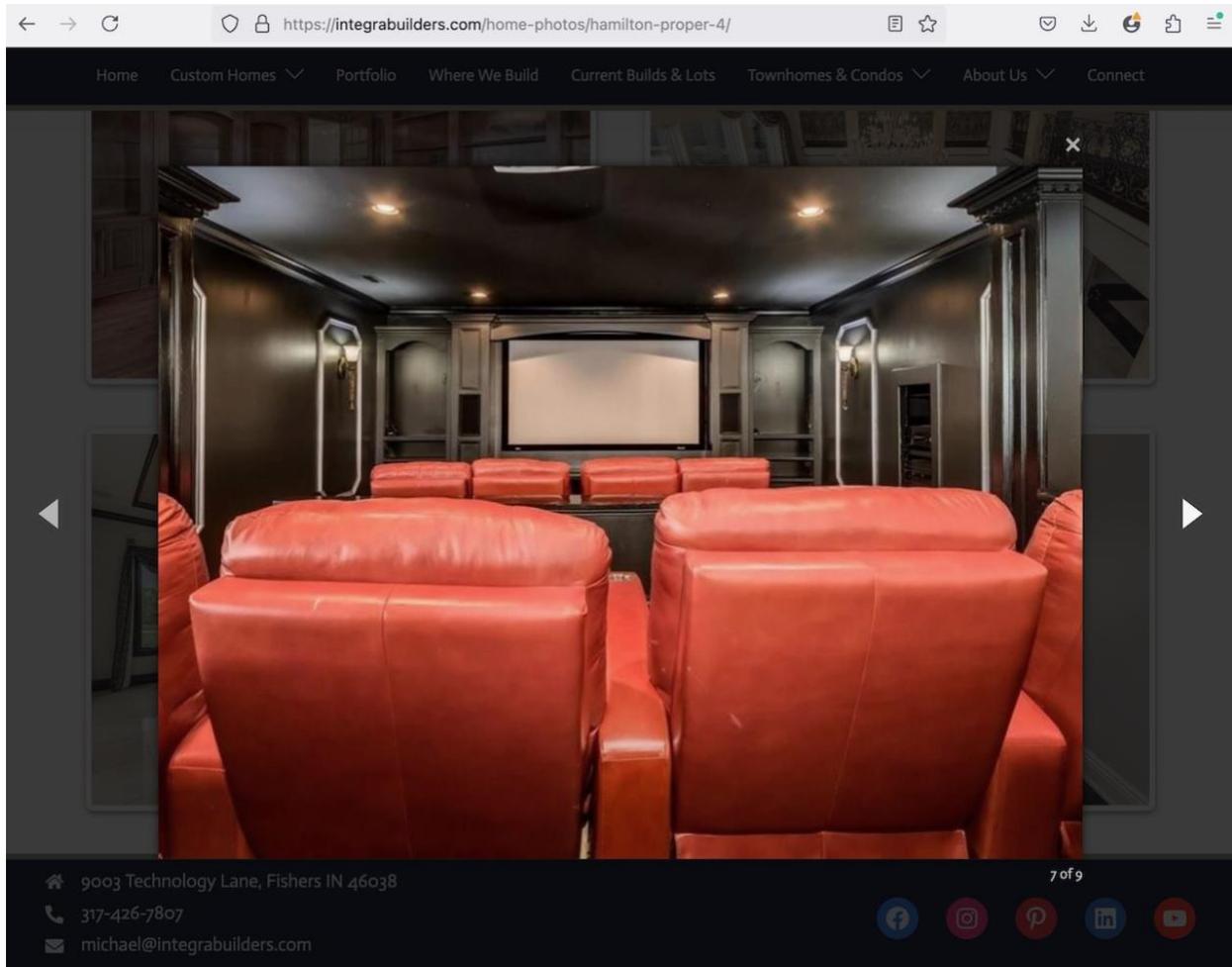


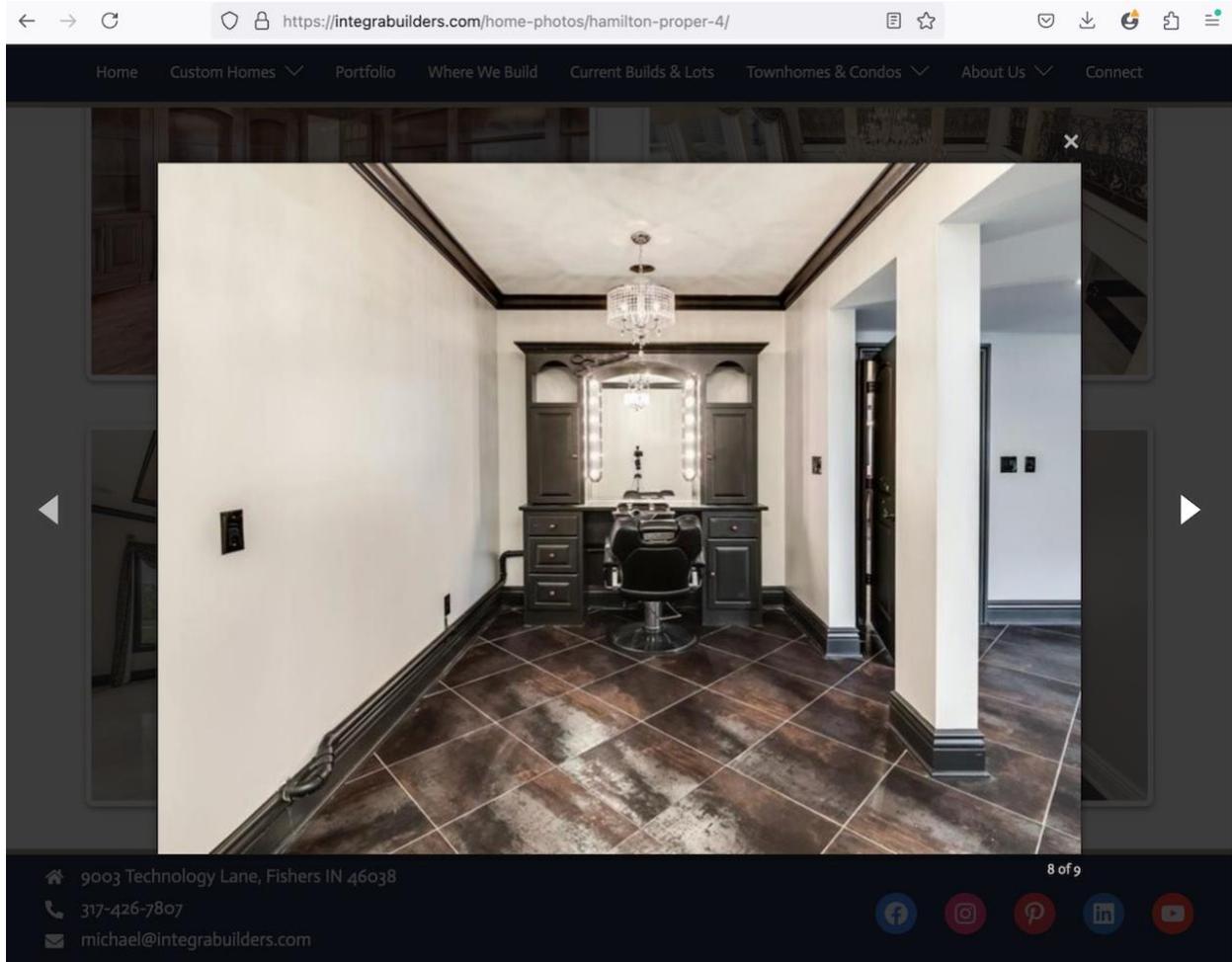


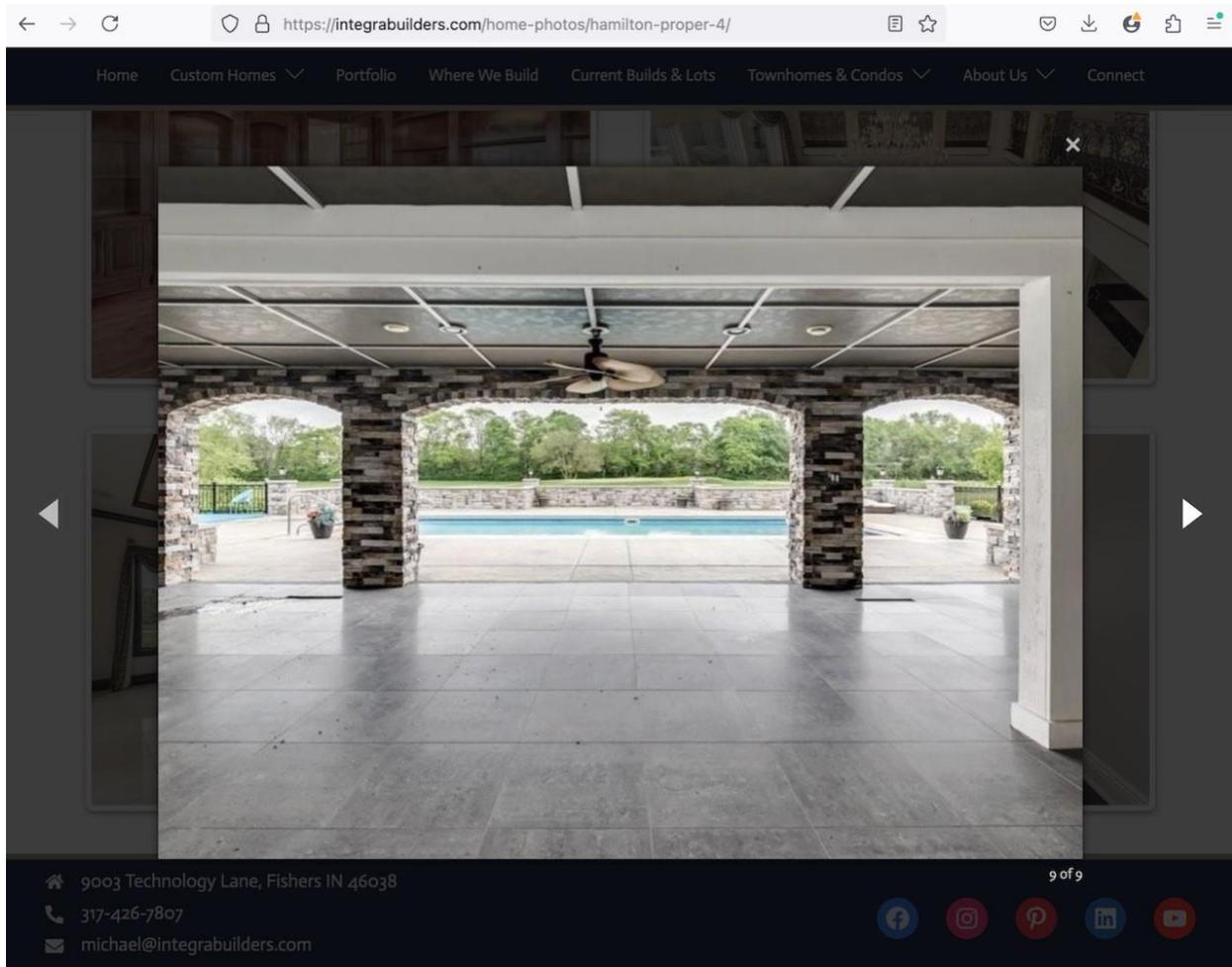












14. Barham has never been the copyright holder of Plaintiff's Copyrighted Photographs.

15. Barham has never owned rights of any kind in Plaintiff's Copyrighted Photographs.

16. Plaintiff registered Plaintiff's Copyrighted Photographs with the United States Copyright Office on March 23, 2022 (Registration No.: VA 2-291-835).

17. For all times relevant to this action, Plaintiff has been the sole author and exclusive copyright holder of all copyright rights in and to Plaintiff's Copyrighted Photographs. As such, Plaintiff is entitled to institute and maintain this action for copyright infringement. See 17 U.S.C. § 501(b).

18. Integra is not and have never been licensed to copy, use, or display Plaintiff's Copyrighted Photographs. Integra never contacted Plaintiff to seek permission to use Plaintiff's Copyrighted Photographs in connection with its website or for any other purpose.

19. Integra attached or caused to be attached a watermark to Plaintiff's Copyrighted Photographs before posting Plaintiff's Copyrighted Photographs to its website:

20. Integra attached or caused to be attached the watermark, "Integra Builders," including the Integra logo, to Plaintiff's Copyrighted Photographs with direct knowledge Integra possessed no copyrights or other rights to Plaintiff's Copyrighted Photographs.

21. Plaintiff first discovered Integra's First Infringement on November 19, 2021.

22. Following Plaintiff's discovery, on November 22, 2021, Plaintiff notified Integra in writing of such unauthorized use, including examples of Plaintiff's Copyrighted Photographs, and Integra's infringement of Plaintiff's Copyrighted Photographs.

23. On November 29, 2021, after Integra copied and posted Copyrighted Photographs 1 to Integra's commercial website without proper license or permission from Plaintiff, Yousef Barham ("Barham"), owner of the real property located at 15702 East 113<sup>th</sup> Street, Fortville, Indiana 46040, "authorized" Integra to "use all pictures used in selling my house at 15702 E.113<sup>th</sup> ST Fotville (sic) IN 46040" to Integra's commercial website:

From: **Yousef Barham** <[yousef@coasttocoastimports.com](mailto:yousef@coasttocoastimports.com)>  
Date: Mon, Nov 29, 2021 at 9:27 AM  
Subject: Photo  
To: Hassan Mercho <[hmercho@gmail.com](mailto:hmercho@gmail.com)>

Dear Hassan,  
I authorize you and give you the permission to use all pictures used in selling my house at 15702 E.113th ST Fotville IN 46040 .

--

**YousefBarham**  
Owner

**The Collection**  
9445 Threel Rd.  
Indianapolis, IN 46240  
p: (317) 688-9444  
f: (317) 688-9099  
[www.coasttocoastimports.com](http://www.coasttocoastimports.com)

24. To date, Plaintiff has been unable to negotiate a reasonable license for the past infringement of Plaintiff's Copyrighted Photographs.

25. Plaintiff first discovered Integra's Second Infringement on September 8, 2024.

26. Plaintiff's Copyrighted Photographs are original works of authorship, embodying copyrightable subject matter, and therefore subject to the full protection of the United States copyright laws (17 U.S.C. § 101 et seq.).

27. Latka owns a valid copyright in Plaintiff's Copyrighted Photographs, having registered Plaintiff's Copyrighted Photographs with the Register of Copyrights.

28. Plaintiff has standing to bring this lawsuit and assert the claim(s) herein as it has sufficient rights, title, and interest to such copyright.

29. Integra reproduced, distributed, and publicly displayed Plaintiff's Copyrighted Photographs without authorization from Plaintiff.

30. By its actions, Integra infringed and violated Plaintiff's exclusive rights in violation of the Copyright Act, 17 U.S.C. § 501, by reproducing, distributing, and publicly displaying Plaintiff's Copyrighted Photographs for its own commercial purposes.

31. Integra's infringement was willful as it acted with actual knowledge or reckless disregard for whether its conduct infringed upon Plaintiff's copyright.

32. Plaintiff has been damaged as a direct and proximate result of Integra's infringement.

33. Plaintiff is entitled to recover its actual damages resulting from Integra's unauthorized use of Plaintiff's Copyrighted Photographs and, at Plaintiff's election (pursuant to 17 U.S.C. § 504(b)), Plaintiff is entitled to recover damages based on a disgorgement of Integra's profits from infringement of Plaintiff's Copyrighted Photographs, which amounts shall be proven at trial.

34. Alternatively, to the extent infringement by Integra of Plaintiff's Copyrighted Photographs occurred post-registration or within the three (3) month period between first publication and registration, and at Plaintiff's election, Plaintiff is entitled to statutory damages pursuant to 17 U.S.C. § 504(c), in such amount as deemed proper by the Court.

35. To the extent infringement by Integra of Plaintiff's Copyrighted Photographs occurred post-registration or within the three (3) month period between first publication and registration, Plaintiff is further entitled to recover its costs and attorneys' fees as a result of Integra's conduct pursuant to 17 U.S.C. § 505 for such infringement of the corresponding Plaintiff's Copyrighted Photographs.

**COUNT II: REMOVAL AND ALTERATION OF INTEGRITY OF COPYRIGHT MANAGEMENT INFORMATION PURSUANT TO 17 U.S.C. § 1202**

36. Plaintiff is informed and believes Integra, without the permission or consent of Plaintiff, knowingly and with the intent to conceal infringement, provided false copyright information management information, as well as intentionally removed the copyright management information from Plaintiff's Copyrighted Photographs before displaying Plaintiff's Copyrighted Photographs on Integra's website, [www.integrabuilders.com](http://www.integrabuilders.com), and corresponding social media. In doing so, Integra violated 17 U.S.C. § 1202(a)(1) and (b)(1).

37. As a result of Integra's actions, Plaintiff is entitled to actual damages or statutory damages pursuant to 17 U.S.C. § 1203(c), in such amount as deemed proper by the Court. Plaintiff is further entitled to their attorneys' fees and costs pursuant to 17 U.S.C. § 1203(b)(5).

WHEREFORE, Plaintiff demands judgment against Integra as follows:

- a. A declaration Integra have infringed Plaintiff's copyrights in Plaintiff's Copyrighted Photographs;
- b. A declaration that such infringement is willful (to the extent applicable);

- c. An award of actual damages and disgorgement of profits as the Court deems proper or, at Plaintiff's election (to the extent applicable), an award of statutory damages for willful infringement up to \$150,000.00 for infringement of each photograph comprising the Work.
- d. Awarding Plaintiff its costs and reasonable attorneys' fees pursuant to 17 U.S.C. § 505;
- e. Awarding Plaintiff interest, including prejudgment interest, on the foregoing amounts;
- f. Permanently enjoining Integra, their employees, agents, officers, directors, attorneys, successors, affiliates, subsidiaries, and assigns, and all those in active concert and participation with Integra, from directly or indirectly infringing Plaintiff's copyrights or continuing to display, transfer, advertise, reproduce, or otherwise market Plaintiff's Copyrighted Photographs or to participate or assist in any such activity; and
- g. For such other relief as the Court deems just and proper.

**JURY DEMAND**

Plaintiff hereby demands a trial by jury on all claims for which there is a right to jury trial.

Dated: September 16, 2024

**The Law Office of David C. Deal, P.L.C.**

*/s/ David C. Deal*  
David C. Deal (VA Bar No.: 86005)  
117 4th Street NE  
Charlottesville, VA 2902  
(434)-261-2704, Telephone  
[david@daviddeal.com](mailto:david@daviddeal.com)  
*Counsel for Plaintiff*