

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION



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CASE NO.: 1:25-cv-00969

MORGAN HOWARTH,

Plaintiff,

v.

ANGIE'S LIST INC. d/b/a ANGI,

Defendant.

COMPLAINT FOR COPYRIGHT INFRINGEMENT

(INJUNCTIVE RELIEF DEMANDED)

Plaintiff MORGAN HOWARTH by and through his undersigned counsel, brings this Complaint against Defendant ANGIE'S LIST INC. d/b/a ANGI for damages and injunctive relief, and in support thereof states as follows:

SUMMARY OF THE ACTION

1. Plaintiff MORGAN HOWARTH ("Howarth") brings this action for violations of exclusive rights under the Copyright Act, 17 U.S.C. § 106, to copy and distribute Howarth's original copyrighted Work of authorship.

2. Howarth, based in Washington DC, has been a photographer for over 25 years and first came to photography while studying engineering in college. Inspired by a photojournalist, he changed his course load and never looked back. Now, Morgan focuses on interior and architecture work but is adept in almost all forms of photography. His rich and illustrative style brings architecture to life by combining a multitude of separately lit images into that one perfect shot. Howarth has photographed for a multitude of national clients in a variety of businesses.

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3. Defendant ANGIE'S LIST INC. d/b/a ANGI ("Angi") is an Indiana corporation that serves as an online directory that allows homeowners to search for local contractors and service providers for home improvement projects. With an extensive nationwide network of more than 200,000 skilled home pros, Angi has helped more than 150 million people maintain, repair renovate and improve their homes, and has helped hundreds of thousands of small local businesses grow. At all times relevant herein, Angi owned and operated the internet website located at the URL <https://www.homeadvisor.com> (the "Website").

4. Howarth alleges that Angi copied Howarth's copyrighted Work from the internet in order to advertise, market and promote its business activities. Angi committed the violations alleged in connection with Defendant's business for purposes of advertising and promoting sales to the public in the course and scope of the Angi's business.

JURISDICTION AND VENUE

5. This is an action arising under the Copyright Act, 17 U.S.C. § 501.

6. This Court has subject matter jurisdiction over these claims pursuant to 28 U.S.C. §§ 1331, 1338(a).

7. Angi is subject to personal jurisdiction in Indiana.

8. Venue is proper in this district under 28 U.S.C. § 1391(b) and (c) and 1400(a) because the events giving rise to the claims occurred in this district, Angi engaged in infringement in this district, Angi resides in this district, and Angi is subject to personal jurisdiction in this district.

DEFENDANT

9. Angie's List Inc. is an Indiana Corporation, with its principal place of business at 130 E. Washington St, Suite 1100, Indianapolis, IN, 46202, and can be served by serving its

Registered Agent, C T CORPORATION SYSTEM, 334 North Senate Avenue, Indianapolis, IN, 46204.

THE COPYRIGHTED WORK AT ISSUE

10. In 2015, Howarth created the photograph entitled “1881_Nash_Glickman_Bath_Shower_2_F.jpg,” which is shown below and referred to herein as the “Work”.



11. Howarth registered the Work with the Register of Copyrights on January 26, 2016, and was assigned registration number VA 2-013-553. The Certificate of Registration is attached hereto as **Exhibit 1**.

12. At all relevant times Howarth was the owner of the copyrighted Work at issue in this case.

INFRINGEMENT BY ANGI

13. Angi has never been licensed to use the Work at issue in this action for any purpose.

14. On a date after the Work at issue in this action was created, but prior to the filing of this action, Angi copied the Work.

15. On or about June 07, 2024, Howarth discovered the unauthorized use of his Work on the Website.

16. Angi copied Howarth's copyrighted Work without Howarth's permission.

17. After Angi copied the Work, it made further copies and distributed the Work on the internet to promote the sale of goods and services as part of its home services business.

18. Angi copied and distributed Howarth's copyrighted Work in connection with Defendant's business for purposes of advertising and promoting Defendant's business, and in the course and scope of advertising and selling products and services.

19. Angi committed copyright infringement of the Work as evidenced by the documents attached hereto as **Exhibit 2**.

20. Howarth never gave Angi permission or authority to copy, distribute or display the Work at issue in this case.

21. Howarth notified Angi of the allegations set forth herein on September 30, 2024 and October 16, 2024. To date, the parties have failed to resolve this matter.

COUNT I
DIRECT COPYRIGHT INFRINGEMENT

22. Howarth incorporates the allegations of paragraphs 1 through **Error! Reference source not found.** of this Complaint as if fully set forth herein.

23. Howarth owns a valid copyright in the Work at issue in this case.

24. Howarth registered the Work at issue in this case with the Register of Copyrights pursuant to 17 U.S.C. § 411(a).

25. Angi copied, displayed, and distributed the Work at issue in this case and made derivatives of the Work without Howarth's authorization in violation of 17 U.S.C. § 501.

26. Angi performed the acts alleged in the course and scope of its business activities.

27. Defendant's acts were willful.

28. Howarth has been damaged.

29. The harm caused to Howarth has been irreparable.

WHEREFORE, the Plaintiff MORGAN HOWARTH prays for judgment against the Defendant ANGIE'S LIST INC. d/b/a ANGI that:

a. Angi and its officers, agents, servants, employees, affiliated entities, and all of those in active concert with them, be preliminarily and permanently enjoined from committing the acts alleged herein in violation of 17 U.S.C. § 501;

b. Angi be required to pay Howarth his actual damages and Defendant's profits attributable to the infringement, or, at Howarth's election, statutory damages, as provided in 17 U.S.C. § 504;

c. Howarth be awarded his attorneys' fees and costs of suit under the applicable statutes sued upon;

d. Howarth be awarded pre- and post-judgment interest; and

e. Howarth be awarded such other and further relief as the Court deems just and proper.

JURY DEMAND

Howarth hereby demands a trial by jury of all issues so triable.

Dated: May 19, 2025

Respectfully submitted,

/s/ J. Campbell Miller
J. CAMPBELL MILLER

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