

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA

DAVID STEBBINS,

PLAINTIFF

VS.

Case 3:21-cv-04184-JSW

KARL POLANO, et al

DEFENDANTS

ORDER DENYING [138] MOTION TO INTERVENE

IT IS HEREBY ORDERED BY THE COURT that

Movants Alphabet Inc. and Youtube LLC have already been voluntarily dismissed from this action. There is nothing the defendants can do to fan the ashes of the action to life, and the dismissal may not be extinguished or circumscribed by adversar or by court. To grant the intervenors leave to intervene would effectively do exactly that. Therefore, the Motion to Intervene is hereby DENIED.

Barring that, the Court finds that the Plaintiff's copyright is indeed valid. The intervenors' attempts to cherry-pick words and phrases from the Second Amended Complaint are hyper-literal and are not supported by the context. There is indeed a minimal amount of creativity in the stream, visible simply by watching the video.

Therefore, the Copyright Office did not err in granting registration of the copyright. The Court finds the copyright to be valid. For these reasons, the Plaintiff is entitled to proceed in any cases for infringement of that stream.

Signature of Judge

Date