UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

THE RECORD COMMUNITY NEWS GROUP, Plaintiff, v. SURROUND SOUND MEDIA LLC, and ROBERT KELLMAN, Defendants.	)	Case No. _____ JURY TRIAL DEMANDED

COMPLAINT FOR COPYRIGHT INFRINGEMENT AND

VIOLATION OF THE DIGITAL MILLENNIUM COPYRIGHT ACT

Plaintiff The Record Community News Group ("Plaintiff" or "The Record"), by and through its undersigned attorneys, Wood Phillips, for its Complaint against defendants Surround Sound Media LLC ("Surround Sound") and Robert Kellman ("Kellman") (collectively, "Defendants"), alleges as follows:

NATURE OF THE ACTION

1. This is an action for copyright infringement under the Copyright Act of 1976, 17 U.S.C. § 101 et seq., and for the removal and alteration of copyright management information in violation of the Digital Millennium Copyright Act ("DMCA"), 17 U.S.C. § 1202.

2. Plaintiff owns and operates The Record North Shore and its corresponding website www.therecordnorthshore.org, an independent, reader-supported daily news publication that produces original journalism and original photography covering the North Shore communities of Chicago's northern suburbs, including Wilmette, Winnetka, Kenilworth, Glencoe, and Northfield.

3. Defendants own and operate a competing news website, North Shore Weekly, located at www.northshoreweekly.com. Rather than independently report the news, Defendants have engaged in a systematic and ongoing practice of copying Plaintiff's original news articles and photographs, republishing or lightly rewriting them, removing or altering Plaintiff's bylines, photographer credits, captions, and other copyright management information, and presenting Plaintiff's work as their own.

4. As set forth in the schedule attached as Exhibit A, Defendants have copied and exploited no fewer than twenty-two (22) of Plaintiff's copyrighted works. Plaintiff asserts its claims for copyright infringement as to those works that are registered with the United States Copyright Office, and its claim for removal and alteration of copyright management information as to all twenty-two. Plaintiff brings this action to enjoin Defendants' continuing infringement and to recover the damages Plaintiff has sustained.

THE PARTIES

5. Plaintiff The Record Community News Group is a not-for-profit corporation organized and existing under the laws of the State of Illinois, with its principal place of business at 1100 Central Avenue, Unit G, Wilmette, Illinois 60091. Plaintiff publishes The Record North Shore at www.therecordnorthshore.org.

6. Defendant Surround Sound Media LLC ("Surround Sound") is a limited liability company organized and existing under the laws of the State of Illinois, with its principal place of business at 222 North LaSalle Street, Suite 2400, Chicago, Illinois 60601. Its registered agent for service of process is CT Corporation System, 208 South LaSalle Street, Suite 814, Chicago, Illinois 60604. Surround Sound owns and operates the website North Shore Weekly at www.northshoreweekly.com.

7. Defendant Robert Kellman ("Kellman") is an individual who, on information and belief, resides in Illinois. Kellman is listed on the Illinois Secretary of State website as the sole manager of Surround Sound Media LLC, and the company's principal place of business is the same as Kellman's business address. Kellman is also the founder and Chief Executive Officer of the Surround Sound enterprise, as he publicly holds himself out to be at www.surroundsoundnews.com. On information and belief, Kellman is also the primary owner of Enclave, a coworking business, and the address that serves as both Kellman's business address and Surround Sound Media LLC's principal place of business is a location of that coworking business.

8. On information and belief, Kellman is the moving, active, conscious force behind the infringement alleged in this Complaint. He conceived, created, and operates the Surround Sound platform and its automated content processes; he personally participates in, directs, controls, authorizes, and ratifies the copying and republication of Plaintiff's Works and the removal and alteration of Plaintiff's copyright management information; he has the right and ability to supervise and to stop that conduct; and he has a direct financial interest in it. Kellman is therefore personally liable for the infringement alleged herein, directly, contributorily, and vicariously.

JURISDICTION AND VENUE

9. This Court has subject matter jurisdiction over this action under 28 U.S.C. § 1331 (federal question) and 28 U.S.C. § 1338(a) (any Act of Congress relating to copyrights), because Plaintiff's claims arise under the Copyright Act and the DMCA.

10. This Court has general personal jurisdiction over Defendant Surround Sound because it is a limited liability company organized and existing under the laws of the State of

Illinois, maintains its principal place of business and a registered agent for service of process in Illinois, and is registered to do, and does, business in Illinois. This Court has general personal jurisdiction over Defendant Kellman because, on information and belief, he is domiciled in Illinois. Each Defendant is therefore at home in, and subject to the general jurisdiction of the courts of, this State.

11. This Court also has specific personal jurisdiction over each Defendant. Defendants purposefully direct their activities at Illinois and this District by operating North Shore Weekly, a website devoted to and targeting the Illinois communities of Wilmette, Winnetka, Kenilworth, Glencoe, and Northfield; by soliciting and serving readers located in Illinois; and by copying the works of Plaintiff, an Illinois news organization, and republishing them to an Illinois audience. Defendants have committed tortious acts of copyright and DMCA infringement within Illinois that were expressly aimed at Illinois, knowing that the resulting harm would be suffered by Plaintiff in Illinois. On information and belief, Kellman personally participated in, directed, and authorized this conduct. Personal jurisdiction is proper under the Illinois long-arm statute, 735 ILCS 5/2-209, including subsections (a)(2) and (c), and comports with the requirements of due process. Each Defendant is subject to the jurisdiction of this Court under Federal Rule of Civil Procedure 4(k)(1)(A).

12. Venue is proper in this District under 28 U.S.C. § 1400(a), the venue provision governing actions arising under the Copyright Act, because each Defendant resides or may be found in this District.

13. Venue is also proper under 28 U.S.C. § 1391(b)(1) because all Defendants are residents of the State of Illinois and at least one Defendant resides in this District. Defendant Surround Sound is deemed to reside in this District under 28 U.S.C. § 1391(c)(2) and (d) because

it is subject to personal jurisdiction here with respect to this action and its contacts with this District would be sufficient to subject it to personal jurisdiction if this District were a separate State. Defendant Kellman, on information and belief, is domiciled in this District.

14. Venue is further proper under 28 U.S.C. § 1391(b)(2) because a substantial part of the events and omissions giving rise to Plaintiff's claims occurred in this District; a substantial part of the property that is the subject of this action (Plaintiff's copyrighted Works) is situated in this District; and the injury to Plaintiff occurred in this District.

15. Assignment to the Eastern Division is proper because Plaintiff's principal place of business is in Wilmette, Cook County, Illinois, and Defendants' registered agent, manager, and principal place of business are located in Cook County, each of which lies within the Eastern Division. See N.D. Ill. LR 40.1.

FACTUAL ALLEGATIONS

Plaintiff and The Record North Shore

16. Plaintiff is an independent, nonprofit local-news organization founded in 2020 to provide credible, original community journalism to the North Shore of Chicago. Plaintiff publishes original news articles, photographs, podcasts, and newsletters daily at www.therecordnorthshore.org.

17. Plaintiff invests substantial time, skill, labor, and expense to produce original journalism and photography. Plaintiff employs editorial staff, including its Editor-in-Chief, Joe Coughlin; integrates its interns into its staff and payroll as temporary full-time employees who work under Plaintiff's direction and using Plaintiff's equipment; and engages photographers to create images for its publication.

18. The news articles and photographs Plaintiff publishes are original works of authorship, independently created by or for Plaintiff and fixed in a tangible medium of expression, and constitute copyrightable subject matter under 17 U.S.C. § 102.

Plaintiff's Ownership of the Copyrighted Works

19. The works at issue in this action (collectively, the "Works") are identified in the schedule attached hereto as Exhibit A and incorporated by reference. The Works comprise original news articles (the "Articles") and original photographs (the "Photographs"), each first published by Plaintiff on the dates set forth in Exhibit A. The Works for which Exhibit A lists a registration number are referred to as the "Registered Works," and consist of the "Registered Articles" and the "Registered Photographs."

20. The Registered Works were created by Plaintiff's employees within the scope of their employment, including Plaintiff's Editor-in-Chief, Joe Coughlin, and Plaintiff's interns, who are integrated into Plaintiff's staff and payroll, and are works made for hire owned by Plaintiff under 17 U.S.C. §§ 101 and 201(b). Plaintiff is the author and copyright claimant of record for each of the Registered Works.

21. Plaintiff has registered the Registered Works with the United States Copyright Office. Effective August 6, 2026, the Register of Copyrights issued to Plaintiff Registration No. VA 2-514-678 for a group of published photographs titled "Record Photos 2026," covering four photographs first published between June 7, 2026 and July 5, 2026, including the Registered Photographs. In addition, effective September 16, 2026, the Register issued to Plaintiff Registration No. TX 9-636-885 for a group of updates to Plaintiff's news website (www.therecordnorthshore.org) published between July 1, 2026 and July 30, 2026. As reflected on the certificate, that registration extends to the updates for which the Copyright Office

accepted Plaintiff's identifying material. It covers Plaintiff's collective-work authorship in those updates and the Registered Articles, each of which is a work made for hire owned by Plaintiff and was first published in one of those registered updates. True and correct copies of these Certificates of Registration are attached as **Exhibit B**. Plaintiff has applied, or will apply, to register additional Works and will seek leave to amend its allegations and Exhibit A to assert infringement of those Works as their registrations issue.

Plaintiff's Attribution and Copyright Management Information

22. Plaintiff publishes each of the Works together with copyright management information within the meaning of 17 U.S.C. § 1202©, including the name of the author or reporter (byline), the name of the photographer (credit line), the caption identifying the subject of each Photograph, the title of the publication ("The Record"), and copyright notices.

23. Plaintiff also maintains publicly posted Terms of Use governing the use of its content, available at www.therecordnorthshore.org/privacy-policy/, which have been posted since Plaintiff's inception and which reserve Plaintiff's rights and prohibit the copying or republication of Plaintiff's content without authorization.

Defendants, the Surround Sound Platform, and North Shore Weekly

24. Defendant Surround Sound Media LLC owns and operates the website North Shore Weekly at www.northshoreweekly.com, which purports to publish local news for the same North Shore communities that Plaintiff covers, in direct competition with Plaintiff.

25. On information and belief, North Shore Weekly is one of a network of local-news websites operated by Defendants under, and as part of, the "Surround Sound" or "Surround Sound News" brand and platform, which is publicly accessible at www.surroundsoundnews.com.

26. On information and belief, the Surround Sound platform operates numerous local-news websites, at least twelve, targeting communities across the Chicago metropolitan area under the umbrella of "Chicago Impact News," of which North Shore Weekly is one. This network enables Defendants to copy and republish local news content on a large scale.

27. On information and belief, Kellman founded, owns, and controls the Surround Sound enterprise and is the sole manager and Chief Executive Officer of Defendant Surround Sound Media LLC.

28. On information and belief, Defendants' business model is to publish hyperlocal news across many communities at scale, and Defendants employ automated software, including data-gathering pipelines and automated, multi-step content-generation processes, to collect, generate, and publish local news content. On information and belief, Defendants populated and maintain North Shore Weekly, in substantial part, by systematically copying original news articles and photographs from existing local news sources, including Plaintiff.

29. North Shore Weekly competes directly with Plaintiff for the same readers in the same communities. Defendants' republication of Plaintiff's Works diverts readership, advertising and sponsorship value, donor and subscriber support, and goodwill from Plaintiff to Defendants.

Defendants' Infringing Conduct

30. Without Plaintiff's authorization, Defendants copied Plaintiff's Works and published them on North Shore Weekly, as detailed in Exhibit A. For each Work, the corresponding North Shore Weekly article reproduces, is derived from, and/or is substantially similar to Plaintiff's original Article, and/or reproduces Plaintiff's original Photograph.

31. In copying the Articles, Defendants appropriated Plaintiff's original expression, including the facts Plaintiff first gathered through its own reporting and the language, structure,

and selection and arrangement Plaintiff first authored. In numerous instances identified in Exhibit A, Defendants also reproduced Plaintiff's original Photographs in whole.

32. In the instances identified in Exhibit A, Defendants reproduced Plaintiff's Photographs while removing Plaintiff's photographer credit and other copyright management information, and/or while altering the captions accompanying those Photographs. For example, Defendants republished Plaintiff's "Central Station" photograph with a caption different from the one Plaintiff had published.

33. At all relevant times, Defendants had access to Plaintiff's Works, each of which was publicly available on Plaintiff's website before Defendants' copying.

34. Copies of Defendants' infringing articles were captured and archived on July 24, 2026, true and correct copies of which, numbered to correspond to Exhibit A, are attached as **Exhibit C**.

35. Defendants' copying, reproduction, distribution, public display, and preparation of derivative works were undertaken without the permission, license, or consent of Plaintiff.

36. Defendants' conduct was willful. Defendants knew or had reason to know that the Works were Plaintiff's original, copyrighted content. Defendants' repeated and systematic copying of no fewer than twenty-two Works over a short period; their publication of infringing content at scale through automated processes; their removal and alteration of Plaintiff's bylines, photographer credit lines, and captions; and their republication of Plaintiff's Works as their own demonstrate that Defendants acted knowingly, or with reckless disregard of Plaintiff's rights, and with the intent to conceal their infringement.

COUNT I

Copyright Infringement of the Registered Articles — 17 U.S.C. § 501

37. Plaintiff realleges and incorporates by reference each of the preceding paragraphs as though fully set forth herein.

38. Plaintiff owns valid and enforceable copyrights in the Registered Articles identified in Exhibit A, each of which is registered with the United States Copyright Office under Registration No. TX 9-636-885 as part of Plaintiff's July 2026 website updates.

39. The Registered Articles are original works of authorship containing substantial copyrightable expression.

40. Defendants copied original, protectable expression from the Registered Articles and, without authorization, reproduced, distributed, publicly displayed, and/or prepared derivative works based upon the Registered Articles, in violation of Plaintiff's exclusive rights under 17 U.S.C. § 106.

41. Defendants' infringement of the Registered Articles was willful within the meaning of 17 U.S.C. § 504(c)(2).

42. As a direct and proximate result of Defendants' infringement, Plaintiff has been damaged and Defendants have profited. Plaintiff is entitled to recover its actual damages and Defendants' profits attributable to the infringement under 17 U.S.C. § 504(b), or, for eligible Works, statutory damages under 17 U.S.C. § 504(c); injunctive relief under 17 U.S.C. § 502; impoundment and disposition of infringing materials under 17 U.S.C. § 503; and its costs and reasonable attorneys' fees under 17 U.S.C. § 505.

COUNT II

Copyright Infringement of the Registered Photographs — 17 U.S.C. § 501

43. Plaintiff realleges and incorporates by reference each of the preceding paragraphs as though fully set forth herein.

44. Plaintiff owns valid and enforceable copyrights in the Registered Photographs identified in Exhibit A, each of which is registered with the United States Copyright Office under Registration No. VA 2-514-678.

45. The Registered Photographs are original works of authorship containing copyrightable expression, reflecting Plaintiff's creative choices as to subject, composition, timing, angle, and lighting.

46. Defendants, without authorization, reproduced, distributed, and/or publicly displayed the Registered Photographs (in many instances copying them in their entirety) in violation of Plaintiff's exclusive rights under 17 U.S.C. § 106.

47. Defendants' infringement of the Registered Photographs was willful within the meaning of 17 U.S.C. § 504(c)(2).

48. As a direct and proximate result of Defendants' infringement, Plaintiff has been damaged and Defendants have profited. Plaintiff is entitled to recover its actual damages and Defendants' profits under 17 U.S.C. § 504(b), or, for eligible Works, statutory damages under 17 U.S.C. § 504(c); injunctive relief under 17 U.S.C. § 502; impoundment and disposition under 17 U.S.C. § 503; and its costs and reasonable attorneys' fees under 17 U.S.C. § 505.

COUNT III

Removal and Alteration of Copyright Management Information — 17 U.S.C. § 1202

49. Plaintiff realleges and incorporates by reference each of the preceding paragraphs as though fully set forth herein.

50. Plaintiff conveyed each of the Works with copyright management information, as defined in 17 U.S.C. § 1202(c), including author bylines, photographer credit lines, captions, the name of Plaintiff's publication, and copyright notices.

51. In violation of 17 U.S.C. § 1202(b), Defendants intentionally removed and/or altered Plaintiff's copyright management information from the Works, and/or distributed and publicly displayed the Works, and copies of the Works, knowing that Plaintiff's copyright management information had been removed or altered without Plaintiff's authority.

52. Defendants did so knowing, or having reasonable grounds to know, that their conduct would induce, enable, facilitate, or conceal an infringement of Plaintiff's copyrights.

53. As a direct and proximate result of Defendants' violations of 17 U.S.C. § 1202, Plaintiff has been injured. Plaintiff is entitled to recover its actual damages and Defendants' profits, or, at Plaintiff's election, statutory damages of not less than $2,500 and not more than $25,000 for each violation, together with its costs and reasonable attorneys' fees, and injunctive relief, under 17 U.S.C. § 1203.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff The Record Community News Group respectfully requests that this Court enter judgment in its favor and against Defendants Surround Sound Media LLC and Robert Kellman, jointly and severally, and grant the following relief:

A. A declaration that Defendants have infringed Plaintiff's copyrights in the Registered Works in violation of 17 U.S.C. § 501, and have violated 17 U.S.C. § 1202;

B. Preliminary and permanent injunctions under 17 U.S.C. § 502 enjoining Defendants and their officers, agents, employees, and all persons acting in concert with them from further copying, reproducing, distributing, publicly displaying, or preparing derivative works from the Works, and from removing or altering Plaintiff's copyright management information, and requiring Defendants to remove all infringing content from North Shore Weekly and any related platform;

C. An order under 17 U.S.C. § 503 for the impoundment and destruction or other reasonable disposition of all infringing copies and the means by which they were made;

D. An award of Plaintiff's actual damages and Defendants' profits attributable to the infringement under 17 U.S.C. § 504(b), or, at Plaintiff's election for each eligible Work, statutory damages under 17 U.S.C. § 504(c), including enhanced statutory damages for willful infringement;

E. An award of Plaintiff's actual damages and Defendants' profits, or, at Plaintiff's election, statutory damages of up to $25,000 per violation under 17 U.S.C. § 1203(c), for Defendants' violations of 17 U.S.C. § 1202;

F. An award of Plaintiff's costs and reasonable attorneys' fees under 17 U.S.C. §§ 505 and 1203(b);

G. An award of pre-judgment and post-judgment interest as allowed by law; and

H. Such other and further relief as the Court deems just and proper.

DEMAND FOR JURY TRIAL

Pursuant to Federal Rule of Civil Procedure 38(b), Plaintiff demands a trial by jury on all issues so triable.

Dated: November 9, 2026

Respectfully submitted,

THE RECORD COMMUNITY NEWS GROUP

By: /s/ Jennifer L. Gordon
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