

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

**CASE NO.: \*\*\*\***

<p>AJAY SURESH,</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>PRATT INSTITUTE,</p> <p style="text-align: center;">Defendant.</p>	
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**COMPLAINT FOR COPYRIGHT INFRINGEMENT**  
**(INJUNCTIVE RELIEF DEMANDED)**

Plaintiff AJAY SURESH by and through his undersigned counsel, brings this Complaint against Defendant PRATT INSTITUTE for damages and injunctive relief, and in support thereof states as follows:

**SUMMARY OF THE ACTION**

1. Plaintiff AJAY SURESH (“Suresh”) brings this action for violations of exclusive rights under the Copyright Act, 17 U.S.C. § 106, to copy and distribute Suresh's original copyrighted Work of authorship.

2. Suresh is an experienced, self-taught photographer, who has been capturing street and travel photographs for more than five years. He uses Olympus lenses and cameras for his work. He creates photographs with the intention of capturing artistic moments and offering licenses of those photographs to third-parties.

3. Defendant PRATT INSTITUTE (“Pratt”) is is an internationally ranked college offering nearly 50 undergraduate and graduate degree programs in art, design, architecture,

liberal arts and sciences, and information studies. At all times relevant herein, Pratt owned and operated the internet website located at the URL: <https://www.pratt.edu/>.

4. At all times relevant herein, Pratt owned and operated the social media website located at the URL: <https://mobile.twitter.com/prattischool/status/1375413229065736193/photo/1> (the “Website”).

5. Suresh alleges that Pratt copied Suresh’s copyrighted Work from the internet in order to advertise, market and promote its business activities. Pratt 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 Pratt's business.

#### **JURISDICTION AND VENUE**

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

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

8. Pratt is subject to personal jurisdiction in New York.

9. 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, Pratt engaged in infringement in this district, Pratt resides in this district, and Pratt is subject to personal jurisdiction in this district.

#### **DEFENDANT**

10. Pratt Institute is an academic institution, with its principal place of business at 200 Willoughby Avenue Brooklyn, NY 11205. They can be served by serving their Director of Legal Affairs, Thomas Greene, at that same address.

### **THE COPYRIGHTED WORK AT ISSUE**

11. In 2019, Suresh created the photograph entitled “Cooper Hewitt,” which is shown below and referred to herein as the “Work”.



12. Suresh registered the Work, along with several other works, with the Register of Copyrights on July 29, 2019 as part of a group registration. The Group Registration was assigned registration number VA 2-164-937. The Certificate of Registration is attached hereto as **Exhibit 1**.

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

### **INFRINGEMENT BY PRATT**

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

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

16. On or about August 5, 2022, Suresh discovered the unauthorized use of his Work on the Website.

17. Pratt copied Suresh's copyrighted Work without Suresh's permission.

18. After Pratt 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 Twitter Page to promote new admissions.

19. Pratt copied and distributed Suresh'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.

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

21. Suresh never gave Pratt permission or authority to copy, distribute or display the Work at issue in this case.

22. Suresh notified Pratt of the allegations set forth herein on July 29, 2024, and August 19, 2024. To date, the parties have failed to resolve this matter.

**COUNT I**  
**COPYRIGHT INFRINGEMENT**

23. Suresh incorporates the allegations of paragraphs 1 through 22 of this Complaint as if fully set forth herein.

24. Suresh owns a valid copyright in the Work at issue in this case.

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

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

27. Pratt performed the acts alleged in the course and scope of its business activities.

28. Defendant's acts were willful.

29. Suresh has been damaged.

30. The harm caused to Suresh has been irreparable.

WHEREFORE, the Plaintiff AJAY SURESH prays for judgment against the Defendant PRATT INSTITUTE that:

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

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

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

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

**JURY DEMAND**

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

Dated: March 11, 2025

Respectfully submitted,

/s/ Jordan I. Abisoror  
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