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 GOOGLE LLC and ALPHABET INC.

10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA

12 DAVID L. GREENE,
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 Plaintiff,
 14
 v.
 15
 GOOGLE LLC and ALPHABET INC.,
 16
 Defendants.
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Case No.
**DEFENDANTS GOOGLE LLC AND
 ALPHABET INC.'S NOTICE OF
 REMOVAL OF CIVIL ACTION**
**Removal Pursuant to 28 U.S.C. §§ 1441(a),
 1446 (Federal Question).**
 Removed from the Superior Court for the
 State of California, County Santa Clara.
 Complaint Filed: January 23, 2026
 Action Removed: March 2, 2026

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1 PLEASE TAKE NOTICE that Defendants Google LLC and Alphabet Inc. (collectively,
2 “Defendants”) hereby remove the state-court action (the “Action”) filed as Case No. 26-CV-
3 485291 in the Superior Court of the State of California of the County of Santa Clara to the United
4 States District Court of the Northern District of California. Removal is authorized by 17 U.S.C. §
5 301(a) and 28 U.S.C. §§ 1331, 1338, 1367, 1441, 1446, and 1454. In removing this action,
6 Defendants expressly reserve all defenses and rights.

7 **I. STATEMENT OF THE CASE**

8 1. On January 23, 2026, Plaintiff David L. Greene (“Mr. Greene”) filed suit against
9 Defendants in the Superior Court of the State of California, Santa Clara County, in *David L.*
10 *Greene v. Google LLC*, Case No. 26-CV-485291.¹

11 2. Mr. Greene served Defendants with a copy of the Complaint and Summons on
12 February 2, 2026. See Exs. E and F (Proofs of Service).

13 3. Google is an “internet company that creates, markets, and sells software and
14 hardware technology products.”² Ex. B, Complaint ¶ 32. In July 2023, Google launched an
15 artificial intelligence (“AI”) product called *NotebookLM*. *Id.* ¶ 34. *NotebookLM* enables users to,
16 among other things, “create podcasts with AI-generated virtual hosts from documents they have
17 shared with *NotebookLM*, such as course readings or legal briefs.” *Id.* ¶ 43. Mr. Greene, a
18 journalist, author, and podcast host, alleges that Google used “copies” of his voice recordings “to
19 develop, train, and refine” *NotebookLM*. *Id.* ¶¶ 1, 2, 16.

20 4. Based on these allegations, Mr. Greene asserts four causes of action purportedly
21 arising under California law: (1) violation of California’s right of publicity statute under
22 California Civil Code section 3344; (2) unfair competition under California Business &
23 Professions Code section 17200; (3) violation of right of publicity under California common law;
24 and (4) a quasi-contract/unjust enrichment claim. *See id.* at 21–24.

25
26 ¹ Pursuant to 28 U.S.C. § 1446(a), true and correct copies of “all process, pleadings, and orders
27 served upon” Defendants are attached as exhibits herewith as **Exhibit A** (Civil Case Cover
28 Sheet), **Exhibit B** (Complaint), **Exhibit C** (Summons), **Exhibit D** (Notice of Manual Filing),
Exhibit E (Proof of Service - Alphabet Inc.), and **Exhibit F** (Proof of Service - Google LLC).

² Google is a subsidiary of Defendant Alphabet Inc. *See* Ex. B, Complaint ¶ 24.

1 5. All four causes of action concern the alleged unauthorized use, copying,
2 duplication, reproduction, performance, display, and distribution of recordings of Mr. Greene’s
3 voice. *See id.* ¶ 16 (“Google downloaded, copied, and/or otherwise imitated Mr. Greene’s voice
4 without his consent and without any just compensation. . . . [H]is singular voice . . . would not be
5 in the podcast productions without having been in the training data in the first place.”); *id.* ¶ 18
6 (Google uses Mr. Greene’s “voice, performance, and words”); *id.* ¶ 65 (“Google took, copied, or
7 otherwise imitated recordings of Mr. Greene’s distinctive, marketable, and widely recognizable
8 voice and used data it obtained from doing so to train” *NotebookLM*). Mr. Greene further alleges
9 that Google “creates a competing product” with Mr. Greene’s podcasts, which reflect his
10 “editorial style,” “journalistic voice,” “creative expression,” and “show formats.” *Id.* ¶¶ 68, 70;
11 *see also id.* ¶ 72 (alleging that Google has created “a competing product derived from his
12 works”).

13 6. In this Action, Mr. Greene seeks, *inter alia*, “a declaration that such infringement
14 in willful”; actual, statutory, and punitive damages; injunctive relief “including but not limited to
15 the deletion of data acquired from or related to Mr. Greene”; and attorneys’ fees and costs. *Id.* at
16 24.

17 7. As discussed in more detail below, the Action is properly removed to this Court
18 under the complete preemption doctrine pursuant to 28 U.S.C. §§ 1331 and 1441(a). Causes of
19 action that are not preempted by the Copyright Act, if any, are removable under 28 U.S.C. §
20 1441(c) and within the supplemental jurisdiction of this Court under 28 U.S.C. § 1367(a).

21 **II. JURISDICTION**

22 8. A defendant may remove to this Court any state-court civil action over which this
23 Court has original subject matter jurisdiction. 28 U.S.C. § 1441(a).

24 9. This Court has original subject matter jurisdiction over federal questions—that is,
25 “all civil actions arising under the Constitution [or] laws . . . of the United States.” 28 U.S.C. §
26 1331.

27 10. Defendants remove this Action based on federal question jurisdiction under 28
28 U.S.C. §§ 1338(a) and 1454, which vest in this Court original and exclusive subject matter

1 jurisdiction over claims arising under the Copyright Act. 28 U.S.C. § 1338(a) (“The district courts
 2 shall have original jurisdiction of any civil action arising under any Act of Congress relating to . .
 3 . copyrights No State court shall have jurisdiction over any claim for relief arising under any
 4 Act of Congress relating to . . . copyrights.”); 28 U.S.C. § 1454(a) (“A civil action in which any
 5 party asserts a claim for relief arising under any Act of Congress relating to . . . copyrights may
 6 be removed to the district court of the United States[.]”). This Court also has original jurisdiction
 7 over claims of unfair competition joined with a copyright claim. 28 U.S.C. § 1338(b).

8 11. In enacting the Copyright Act, Congress completely preempted any state law that
 9 intrudes on the field of copyright. 17 U.S.C. § 301(a); *see also Firoozye v. Earthlink Network*,
 10 153 F. Supp. 2d 1115, 1122–23 (N.D. Cal. 2001) (holding that “the Copyright Act completely
 11 preempts state-law claims within the scope of” § 301 (collecting cases)); *Pizarro v. Aguilar*, No.
 12 CV 10-2252-GHK (SSx), 2010 WL 11598015, at *2 (C.D. Cal. July 6, 2010) (noting that the
 13 “Copyright Act has complete preemptive force”). This Court’s removal jurisdiction encompasses
 14 state-law claims that are preempted by the Copyright Act. *See, e.g., JustMed, Inc. v. Byce*, 600
 15 F.3d 1118, 1124 (9th Cir. 2010); *Worth v. Universal Pictures, Inc.*, 5 F. Supp. 2d 816, 820 (C.D.
 16 Cal. 1997) (finding removal of state law claims proper on copyright preemption grounds);
 17 *Firoozye*, 153 F. Supp. 2d at 1123 (noting that finding complete preemption would justify
 18 denying a motion to remand); *Daniher v. Pixar Animation Studios*, No. 22-cv-00372-BLF, 2022
 19 WL 1470480, at *5–6 (N.D. Cal. May 10, 2022).

20 12. Although nominally denoted under state law theories, Mr. Greene’s causes of
 21 action are preempted by the Copyright Act. *See* 17 U.S.C. § 301(a). All four causes of action set
 22 forth in the Complaint concern the alleged unauthorized use, copying, duplication, reproduction,
 23 performance, display, and distribution of sound recordings of Mr. Greene’s voice. *See* Ex. B,
 24 Complaint ¶¶ 16, 65. Accordingly, Mr. Greene’s causes of action are within the original
 25 jurisdiction of the federal courts under 28 U.S.C. §§ 1331 and 1338(a).

26 13. Mr. Greene’s claims are preempted by the Copyright Act, thereby vesting this
 27 Court with subject matter jurisdiction. Even if fewer than all of the claims are preempted, the

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1 preemption of just one claim is enough to sustain removal. *See NTD Architects v. Baker*, No.
2 12cv0020 AJB (JMA), 2012 WL 2498868, at *8 (S.D. Cal. June 27, 2012).

3 14. If the Court determines that it has original jurisdiction over only some of Mr.
4 Greene’s claims, it may exercise supplemental jurisdiction over Mr. Greene’s remaining claims
5 under 28 U.S.C. § 1367.

6 **III. PROCEDURAL REQUIREMENTS**

7 15. This Notice of Removal is timely because Mr. Greene served Defendants with a
8 copy of the Complaint and Summons on February 2, 2026. *See* Exs. E and F (Proofs of Service);
9 *see also* 28 U.S.C. § 1446(b) (party has thirty days to file notice of removal); *Murphy Bros., Inc.*
10 *v. Michetti Pipe Stringing, Inc.*, 526 U.S. 344, 347–48 (1999) (“[A] named defendant’s time to
11 remove is triggered by simultaneous service of the summons and complaint”).

12 16. Defendants jointly file this Notice of Removal. *See* 28 U.S.C. § 1446(b)(2)(A).
13 There is no other defendant in this Action.

14 17. Defendants will serve this Notice on Plaintiff’s counsel and on the Clerk of the
15 Superior Court of the State of California of the County of Santa Clara. *See* 28 U.S.C. § 1446(d).

16 **IV. VENUE, INTRA-DISTRICT ASSIGNMENT & RELATED CASES**

17 18. Defendants may remove the Action to this District because this District embraces
18 the Superior Court of the State of California of the County of Santa Clara, where Mr. Greene
19 originally filed his Complaint. *See* 28 U.S.C. § 1441(a).

20 19. Because this case pertains to intellectual property rights, it is excluded from this
21 Court’s Local Rule pertaining to intra-district assignment. *See* Civ. L.R. 3-2(c).

22 20. To the extent that intra-district assignment is appropriate, this case should be
23 assigned to the San Jose Division of this District because a substantial part of the events or
24 omissions alleged in the Complaint occurred in Santa Clara County, where Defendants maintain
25 their principal places of business. *See id.*

26 21. Defendants are not aware of any related cases currently pending in this District.

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1 **V. CONCLUSION**

2 Defendants respectfully request that the Action be removed to this Court pursuant to 17
3 U.S.C. § 301(a) and 28 U.S.C. §§ 1331, 1338, 1367, 1441, 1446, and 1454. By this Notice of
4 Removal, Defendants intend no admission of fact, law, or liability, and expressly reserve all
5 defenses, motions, and/or pleas.

6 Dated: March 2, 2026

KEKER, VAN NEST & PETERS LLP

7
8 By: /s/ Michelle Ybarra

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