

Edmund J. Ferdinand, III, Esq. (EF9885)
Alexander R. Malbin, Esq. (AM9385)
FERDINAND IP, LLC
125 Park Avenue, 25th Floor
New York, NY 10017
(212) 520-4296

Attorney for Plaintiff
ERIC JOHNSON

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

ERIC JOHNSON,

Plaintiff,

- against -

THE WALT DISNEY COMPANY; DISNEY/ABC
INTERNATIONAL TELEVISION, INC.; ABC
NEWS, INC.; and ABC NEWS RADIO,

Defendants.

Civil Action No. 14-CV-5725 (WHP)

COMPLAINT

Jury Trial Demanded

COMPLAINT

1. Mr. Eric Johnson (hereinafter "Plaintiff"), by and through his undersigned counsel, as and for his Complaint against The Walt Disney Company; Disney/ABC International Television, Inc.; ABC News, Inc.; and ABC Radio, Inc. (hereinafter, collectively, "Defendants"), states and alleges as follows:

THE PARTIES

2. Plaintiff Eric Johnson is a citizen of the State of New York, County of New York, with his residence and principal place of business at 472 9th Avenue, Apt. #3, New York, New York, 10018.

3. Upon information and belief, Defendant The Walt Disney Company (“Disney”) is a corporation organized and existing under the laws of the State of Delaware, having a principal place of business at 500 South Buena Vista Street, Burbank, California, 91521.

4. Upon information and belief, Defendant Disney/ABC International Television, Inc. (“Disney/ABC”) is a corporation organized and existing under the laws of the State of Delaware, having a principal place of business at 77 West 66th Street, New York, New York, 10023.

5. Upon information and belief, Defendant ABC News, Inc. (“ABC News”) is a corporation organized and existing under the laws of the State of Delaware, having a principal place of business at 47 West 66th Street, New York, New York, 10023.

6. Upon information and belief, Defendant ABC News Radio is a division of ABC News, Inc. having a principal place of business at 125 West End Avenue, New York, New York, 10023.

JURISDICTION AND VENUE

7. This is an action for copyright infringement in violation of the Copyright Law [17 U.S.C. §§ 501 *et seq*] (the “Copyright Act”), all of which activities have occurred in this district and elsewhere in U.S. interstate commerce.

8. This action arises from Defendants’ unauthorized and unlawful reproduction, modification, distribution, public display, licensing, offering for sale, and/or sale of certain copyrighted photographs owned by Plaintiff, and causing, inducing, and/or materially contributing to further unauthorized and unlawful use of such photographs, in willful infringement of Plaintiff’s U.S. Copyright Reg. No. VA 1-910-544.¹

¹ A copy of the Certificate of Registration is attached hereto at Exhibit 1.

9. This Court has subject matter jurisdiction pursuant to 17 U.S.C. § 501 and 28 U.S.C. §§ 1331 and 1338(a).

10. This Court has personal jurisdiction over Defendants because Defendants' principal place of business is in this State and/or because Defendants engage in continuous and systematic business activities in this district and/or regularly solicit business in New York and derive substantial revenue from interstate commerce. This Court also has personal jurisdiction over Defendants pursuant to C.P.L.R. § 302 because the causes of action alleged herein arise from transactions of business carried out by Defendants in this State and/or from transactions of business to supply goods or services in this State carried out by Defendants and/or from tortious acts causing injury to person and/or property within this State.

11. Venue is proper under 28 U.S.C. § 1391 because Defendants do business in this judicial district and/or because a substantial part of the events or omissions giving rise to this claims occurred in this judicial district.

FACTUAL ALLEGATIONS

A. PLAINTIFF AND HIS ORIGINAL CREATION AND USE OF HIS COPYRIGHTED PHOTOGRAPHS OF AALIYAH

12. Plaintiff, Eric Johnson, is a highly successful, award-winning professional photographer and artist.

13. Plaintiff is the legal and beneficial owner of a vast number of his original photographs, certain of which he licenses and/or sells, and many of which he does not license or sell and instead maintains in his private personal archive. Plaintiff has invested significant time, money, resources and manpower over his distinguished and longstanding career in building and maintaining his personal photograph archive.

14. One focus of Plaintiff's work is photographic portraiture. Plaintiff has been producing iconic photographic portraits of a wide, diverse group of musicians, artists, and celebrities for over twenty-five years. His photographs have been published in countless books, magazines, newspapers and periodicals, used as cover artwork for music albums, and shown in gallery shows. Many of his more well-known portraits have become truly etched into the public consciousness.

15. In June 2001, Plaintiff shot a series of photographic portraits of Aaliyah, the internationally renowned R&B recording artist and actress, just months before her tragic death in August of that year (the "Aaliyah Photographs").²

16. During his photo shoot with Aaliyah, Johnson captured a number of intimate, beautiful shots of the superstar. Certain photographs from that shoot have come to define Aaliyah's enduring image among the public and her devoted fans.³

17. Plaintiff has maintained the majority of the Aaliyah Photographs in his private personal archive since the June 2001 photo shoot. These photographs have never been commercially exploited in any manner, or even shown to the public, prior to the events described in this Complaint.

18. In January 2014, Plaintiff provided an online photography magazine, *L'Oeil de la Photographie* ("L'Oeil"), with digital copies of thirteen of the Aaliyah Photographs and authorized L'Oeil to use those photographs for a non-commercial purpose, namely, in connection with an article about Plaintiff and his June 2001 photo shoot of Aaliyah (the "L'Oeil Article").⁴

² The certificate of copyright registration covering the Aaliyah Photographs (U.S. Reg. No. VA 1-910-554), which identifies Plaintiff as author and copyright claimant, is attached hereto at Exhibit 1.

³ One of Plaintiff's Aaliyah Photographs was published on the cover of the November 2001 "Aaliyah Memorial" issue of Vibe Magazine, a reproduction of which is attached hereto at Exhibit 2.

⁴ The L'Oeil Article can be seen online at <http://www.loeildelaphotographie.com/2014/01/16/portfolio/23963/eric-johnson-aaliyah-by-miss-rosen>.

19. The L'Oeil Article, with the thirteen Aaliyah Photographs embedded therein, was published on L'Oeil's web site on January 16, 2014.

20. Ten of the Aaliyah Photographs that Plaintiff provided to L'Oeil were maintained in Plaintiff's archive and never seen by the public prior to the L'Oeil Article's publication.

21. The L'Oeil Article contains a copyright notice identifying the Aaliyah Photographs as the copyrighted works of Plaintiff: "Aaliyah © Eric Johnson".

B. THE DEFENDANTS AND THEIR BUSINESS OPERATIONS

22. Upon information and belief, Defendant Disney/ABC is a broadcasting company that operates radio and television stations and networks throughout the United States and worldwide, including in this district.

23. Upon information and belief, Disney/ABC is a wholly-owned subsidiary of Defendant Disney.

24. Upon information and belief, Disney has directed, controlled, ratified, participated in and/or been the moving force behind Defendants' activities infringing upon Plaintiff's rights in the Aaliyah Photographs that are the subject matter of this litigation.

25. Upon information and belief, Defendant ABC News is the news gathering and broadcasting division of Disney/ABC.

26. Upon information and belief, Defendant ABC News Radio is a division of ABC News that provides news content to entities, mainly radio stations, throughout the United States.

27. Upon information and belief, Defendants license ABC News Radio's content to third party entities, and receive substantial financial compensation from these third parties in consideration thereof.

28. Upon information and belief, as part of their content-licensing services, Defendants, acting through ABC News Radio, offer electronic news articles and images for reproduction, distribution, and/or public display on the web sites of their licensees.

29. Upon information and belief, Defendants reproduce and publicly display electronic news articles and images via web pages hosted by Defendants on the web site www.abcnewsradio.com (the "ABC News Radio Website"), and distribute the articles and images by making such web pages available to their licensees for reproduction.

30. Upon information and belief, the registered owner of the ABC News Radio Website is Jeffrey Fitzgerald. Upon information and belief, Mr. Fitzgerald is Executive Director of Operations for ABC News Radio.

31. Upon information and belief, Defendants operate the ABC News Radio Website and are responsible for all content that appears therein.

32. Upon information and belief, Defendants provide their licensees technological means and mechanisms to reproduce and/or distribute content on the ABC News Radio Website.

C. DEFENDANTS' INFRINGEMENTS OF PLAINTIFF'S PHOTOGRAPHS

33. Upon information and belief, on January 16, 2014, Defendants willfully and knowingly infringed on Plaintiff's exclusive rights in the Aaliyah Photographs by accessing and making unauthorized reproductions of some or all of the thirteen Aaliyah Photographs on the web page hosting the L'Oeil Article, and by copying and storing such reproductions on Defendants' computer hard drives and/or servers, without Plaintiff's permission or authorization.

34. Upon information and belief, Defendants were aware and/or should have been aware that the Aaliyah Photographs are Plaintiff's original copyright-protected works.

35. Upon information and belief, beginning on January 16, 2014, Defendants have willfully infringed Plaintiff's exclusive rights in two of the Aaliyah Photographs (the "Photographs At Issue")⁵ by reproducing, modifying, distributing, publicly displaying, and/or offering for further reproduction, distribution, and/or public display, unauthorized reproductions of the Photographs At Issue by means of hosting on their computer servers and displaying on the ABC News Radio Website web pages containing articles with the Photographs At Issue therein.⁶

36. Upon information and belief, the ABC News Radio Website contains technological means and mechanisms that allow ABC News Radio Website users to reproduce the Photographs At Issue for further unauthorized distribution and/or public display.

37. Upon information and belief, beginning on January 16, 2014 and continuing to date, Defendants have willfully infringed and have caused, induced, and/or materially contributed to further infringements of the Photographs At Issue by offering and entering into agreements purporting to authorize the reproduction, distribution, and/or public display of the Photographs At Issue, and by distributing digital reproductions of the Photographs At Issue to parties to such agreements ("Third Party Infringers") through the ABC News Radio Website.

38. Upon information and belief, Defendants have distributed unauthorized copies of the Photographs At Issue to hundreds of Third Party Infringers in the State of New York and throughout the United States.

39. Upon information and belief, Defendants have unlawfully profited from their infringing acts by receiving compensation from the Third Party Infringers as consideration for the purported authorization to use the Photographs At Issue.

⁵ Reproductions of the two Photographs At Issue (submitted to the U.S. Copyright Office as part of the deposit materials for Plaintiff's copyright application underlying Reg. No. VA 1-910-544) are attached hereto at Exhibit 3.

⁶ A printout of a web page on the ABC News Radio Website showing the two articles containing the Photographs At Issue (and the Photographs At Issue themselves) being offered for distribution is attached hereto at Exhibit 4.

40. The articles distributed by Defendants with infringing copies of the Photographs At Issue contain copyright notices falsely identifying the Photographs At Issue as the copyrighted works of ABC News Radio: "Copyright 2014 ABC News Radio".⁷

41. Plaintiff has not authorized, granted permission, assigned or licensed rights to any of the Defendants or Third Party Infringers to reproduce, modify, distribute, display, sell, license or use in any manner, any of the Aaliyah Photographs, including the Photographs At Issue.

42. Defendants' infringing activities were and are willfully done with knowledge of, and reckless disregard for, Plaintiff's rights and interests in the Photographs At Issue, and for the purpose of damaging Plaintiff's business and profiting from the unauthorized reproduction, distribution, public display, use, and sale of the Photographs At Issue.

43. Upon information and belief, as a direct result of Defendants' infringing activities, the Third Party Infringers provided were induced to infringe and did infringe Plaintiff's exclusive rights in the Photographs At Issue by hosting and making further reproductions of the Photographs At Issue on their computer hard drives and/or servers, by publicly displaying the Photographs At Issue on their own web sites beginning on January 16, 2014, and by making the Photographs At Issue available for further reproduction and/or distribution by the public on such web sites.⁸

44. Upon information and belief, the Third Party Infringers have received financial benefits directly attributable to their infringements of the Photographs At Issue. Specifically, the visibility of the Photographs At Issue on their web sites has led to increased visitor traffic, resulting in, *inter alia*, boosted advertising revenues and merchandise sales.

⁷ Printouts of the articles from the website www.k104.com, with the Photographs At Issue and the false ABC News Radio copyright notice displayed therein, are attached hereto at Exhibit 5. Upon information and belief, the registered owner and operator of the website www.k104.com is Service Broadcasting Group, LLC ("SBG"), which, upon information and belief, is a Third Party Infringer provided copies of the Photographs At Issue by Defendants.

⁸ Plaintiff may add certain Third Party Infringers as defendants to this action.

45. The infringing use of the Photographs At Issue by Defendants and Third Party Infringers has transformed Plaintiff's timeless portraits of a deceased music icon into common everyday stock images, resulting in devastating commercial harm to Plaintiff's financial interests in the Photographs At Issue including lost sales, lost opportunities to license, and diminution in the value of his copyrights therein.

D. PLAINTIFF'S DISCOVERY OF DEFENDANTS' INFRINGING ACTIVITIES AND UNSUCCESSFUL EFFORTS TO RESOLVE THE INFRINGEMENTS

46. On or about May 10, 2014, Plaintiff discovered the Photographs At Issue publicly displayed and freely available for further reproduction and distribution on web pages hosted on the website www.myk104.com (printouts of which are attached hereto at Exhibit 5).

47. On May 12, 2014, Plaintiff, through undersigned counsel, sent a notice of infringement and cease-and-desist demand to SBG, which, upon information and belief, is the registered owner and operator of the website www.myk104.com.

48. In the weeks following, Plaintiff discovered additional infringing copies of the Photographs At Issue publicly displayed and freely available for further reproduction and distribution on web pages with the false copyright notice "Copyright 2014 ABC News Radio".

49. On June 11, 2014, counsel for SBG informed undersigned counsel that the Photographs At Issue were provided to SBG by ABC News Radio, and provided information to reach Mr. Jeffrey Fitzgerald, identified as SBG's contact with ABC News Radio.

50. Undersigned counsel wrote Mr. Fitzgerald on June 11 and July 1, 2014, explaining the unique nature of the Photographs At Issue and stressing the time-sensitive nature of ceasing use thereof by Defendants and Third Party Infringers. The July 1 correspondence also contained a request that all infringing copies of the Photographs At Issue be removed from the

web sites of Defendants and the Third Party Infringers, and that undersigned counsel be notified when such removal had been done.

51. Defendants responded on June 11 and July 1 stating only that they were investigating and would be in touch shortly.

52. Since July 1, 2014, Plaintiff has not received any further communication from Defendants whatsoever. Plaintiff has not received any notification that the Photographs At Issue have been removed from the web sites of Defendants or the Third Party Infringers, nor any information identifying the Third Party Infringers.

53. Upon information and belief, infringing copies of the Photographs At Issue remain publicly displayed and available for further reproduction and distribution on web sites owned and operated by Defendants and/or Third Party Infringers.

54. Plaintiff has complied in all respects with Title 17 of the United States Code, secured the exclusive rights and privileges to the Aaliyah Photographs (including the Photographs At Issue), as well as obtained the appropriate certificate of copyright registration, U.S. Copyright Reg. No. VA 1-910-544 (attached hereto at Exhibit 1.)

55. Beginning after Plaintiff filed for registration of the Aaliyah Photographs and continuing to date, Defendants have infringed, and have caused, induced, and/or materially contributed to infringements of, Plaintiff's copyright rights in the Photographs At Issue.

56. As a result of Defendants' infringing acts, Plaintiff has been substantially harmed.

57. Plaintiff has no adequate remedy at law. Defendants' infringing acts have caused and, if not enjoined, will continue to cause irreparable harm to Plaintiff and, specifically, to the value of the Photographs At Issue.

FIRST COUNT

Direct Copyright Infringement – Against All Defendants

58. Plaintiff repeats and reincorporates the allegations contained in paragraphs 1 through 57 as though set forth in full herein.

59. At all times herein, Plaintiff has been and is still the owner, and proprietor of all right, title and interest in and to the Aaliyah Photographs, including the Photographs At Issue.

60. The Aaliyah Photographs are original, creative works of Plaintiff's authorship and constitute copyrightable subject matter under the Copyright Act.

61. Plaintiff has not licensed Defendants the right to use any of the Aaliyah Photographs in any manner, authorized or granted permission to Defendants to use any of the Aaliyah Photographs in any manner, nor assigned to Defendants any of his exclusive rights in his copyrights in any of the Aaliyah Photographs.

62. Without Plaintiff's permission or authorization and in willful violation of his exclusive rights under 17 U.S.C § 106, Defendants improperly and illegally reproduced, distributed, and/or publicly displayed some of all of the Aaliyah Photographs, including the Photographs At Issue.

63. Without Plaintiff's permission or authorization and in willful violation of his rights under 17 U.S.C § 106, Defendants improperly and illegally reproduced, distributed, offered for sale, sold, and/or licensed unauthorized reproductions of the Photographs At Issue to Third Party Infringers for further reproduction, distribution, modification, and public display.

64. Defendants' copying, reproduction, distribution, public display, offering for sale, sale and/or licensing of the Photographs At Issue violate Plaintiff's exclusive rights under the Copyright Act and constitute willful infringements of Plaintiff's copyrights.

65. Upon information and belief, thousands of people throughout the United States and worldwide have viewed and/or reproduced infringing copies of the Photographs At Issue illegally distributed by Defendants.

66. Upon information and belief, Defendants had knowledge of the copyright infringements alleged herein and knowingly carried out the infringing activities.

67. As a direct and proximate result of Defendants' infringements, Plaintiff has been substantially harmed in an amount to be proven at trial.

SECOND COUNT

Contributory Copyright Infringement – Against All Defendants

68. Plaintiff repeats and reincorporates the allegations contained in paragraphs 1 through 67 though set forth in full herein.

69. Without Plaintiff's permission or authorization and in willful violation of his exclusive rights under 17 U.S.C § 106, Defendants have caused, induced, and/or materially contributed to the infringing conduct of Third Party Infringers in violation of Plaintiff's copyrights by distributing to Third Party Infringers unauthorized copies of the Photographs At Issue and purporting to authorize their reproduction, distribution and/or public display.

70. Upon information and belief, as a result of Defendants' activities, hundreds of Third Party Infringers have further infringed Plaintiff's exclusive rights in the Photographs At Issue by hosting and making further reproductions of the Photographs At Issue on their computer hard drives and/or servers, publicly displaying the Photographs At Issue on their own web sites beginning on January 16, 2014, and making the Photographs At Issue available for further reproduction and/or distribution by the public on such web sites.

71. Defendants had knowledge of the infringing use of the Photographs At Issue by the Third Party Infringers.

72. Defendants' activities causing, inducing, and/or materially contributing to the infringements committed by Third Party Infringers have been willful, intentional, purposeful, and in disregard of Plaintiff's rights, and have caused substantial damage to Plaintiff.

73. As a direct and proximate result of Defendants causing, inducing, and/or materially contributing to the infringing conduct of Third Party Infringers, Plaintiff has been substantially harmed in an amount to be proven at trial.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully prays for the following relief against Defendants:

- a. That Defendants, and their agents, servants, employees, representatives, successors and assigns, and all persons, firms, or corporations in active concert or participation with any of them, be immediately and permanently enjoined from directly or indirectly infringing on Plaintiff's exclusive rights under 17 U.S.C. § 106 in any of the Aaliyah Photographs (including, but not limited to, the Photographs At Issue) in any manner, including generally, but not limited to, reproducing, modifying, distributing, publicly displaying, creating derivative works of, promoting, advertising, licensing, selling, and/or offering for sale, any of the Aaliyah Photographs (including, but not limited to, the Photographs At Issue) or any unauthorized products or materials that incorporate, adapt or display any of the Aaliyah Photographs (including, but not limited to, the Photographs At Issue); and
- b. That Defendants be required to effectuate the recall, removal, and return from commercial distribution and public display of all reproductions of any of the Aaliyah Photographs (including, but not limited to, the Photographs At Issue) in the possession

and/or control of Defendants and any individual and/or entity to which Defendants provided a reproduction of any of Aaliyah Photographs; and

- c. That Defendants be required to pay to Plaintiff, at Plaintiff's election before the entry of final judgment, either (A) all damages sustained by Plaintiff in consequence of the infringements of Plaintiff's rights in the Aaliyah Photographs committed by Defendants and the Third Party Infringers, as well as all gains, profits and advantages realized by Defendants and Third Party Infringers from said infringements, all increased to the maximum extent provided by law; or, (B) statutory damages that the Court shall deem just and proper under the provisions of the Copyright Laws, increased to the maximum extent provided by law;
- d. That Plaintiff recover from Defendants its costs in this action and reasonable attorneys' fees; and
- e. That Plaintiff have all other and further relief as the Court may deem just and proper under the circumstances.

Dated: July 25, 2014

By: /s/ Edmund J. Ferdinand, III

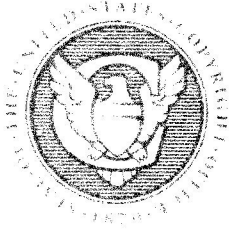


Edmund J. Ferdinand, III, Esq. (EF 9885)
Alexander Malbin, Esq. (AM 9385)
FERDINAND IP, LLC
125 Park Avenue, 25th Floor
New York, NY 10017
Telephone: (212) 520-4296

Attorney for Plaintiff
ERIC JOHNSON

EXHIBIT 1

Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, *United States Code*, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Maurin A. Pallante

Registrar of Copyrights, United States of America

Registration Number
VA 1-910-544

Effective date of
registration:

December 9, 2013

Title

Title of Work: Aaliyah photograph collection

Completion/Publication

Year of Completion: 2001

Date of 1st Publication: June 7, 2001

Nation of 1st Publication: United States

Author

■ Author: Eric Johnson

Author Created: photograph(s)

Citizen of: United States

Copyright claimant

Copyright Claimant: Eric Johnson

472 Ninth Avenue, Apt. #3, New York, NY, 10018, United States

Rights and Permissions

Name: Alex Malbin

Email: alex@eric-johnson.com

Certification

Name: Alexander Malbin

Date: December 9, 2013

Correspondence: Yes

EXHIBIT 2

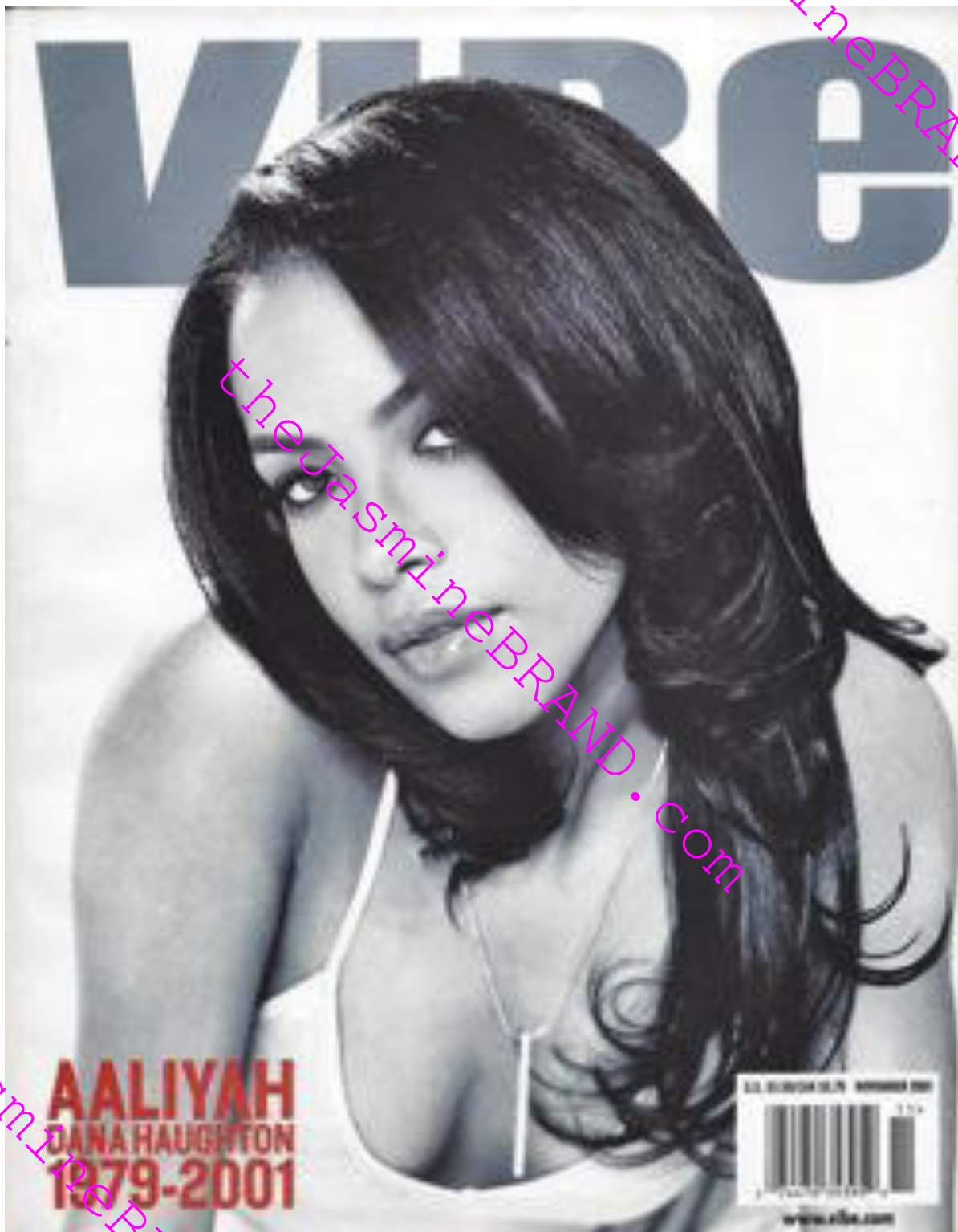


EXHIBIT 3





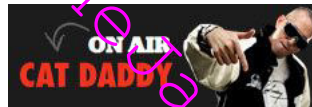
EXHIBIT 4



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EXHIBIT 5

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Aaliyah Fans Tweet “RIP,” Celebrities Wish the Late Singer Happy Birthday

January 16th, 2014 by K104

[Tweet](#)

It's hard to believe that **Aaliyah**, who died in 2001, would have turned 35 years old today, January 16.

On Thursday, fans tweeted “RIP” in her memory and several celebrities praised the singer, who was affectionately called “babygirl.”

Missy Elliott, her long-time collaborator, **wrote**, “#HappyBirthdayAaliyah we think of u everyday we miss u more than ever! U can never be duplicated. Your a 1 in a Million!”

Da Brat **tweeted**, “Happy birthday Aaliyah! “Stickin Chickens!” missyelliott...man did we have fun!! We miss u angel.”

Solange **wrote**, “Happy 35th our forever baby girl.... Our forever magic....”

Tank paid tribute by **re-posting** a performance of Aaliyah, in which he sang background vocals.


JoJo **wrote**, "Rest in paradise, Babygirl," and added the hashtag, "#ONEINAMILLION."

Jhene Aiko **added**, "Happy Birthday to the queens Sade and Aaliyah."

Tiffany Evans **tweeted**, "@AaliyahHaughton's music was groundbreaking & impacted so many people in a beautiful way. It's a true testament to who she really was."

After filming the music video for her song "Rock the Boat," Aaliyah and eight others were killed in a plane crash over the Bahamas.

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 aaliyah birthday Celebrities fans happy late RIP singer tweet wish

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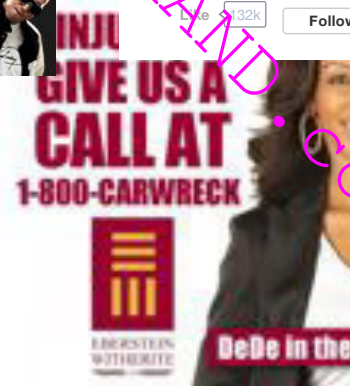
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Aaliyah's Legacy; Tyrese Disagrees with Recent Posthumous Collaborations

January 17th, 2014 by K104

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Before **Ginuwine** made up one third of the R&B trio, **TGT**, the singer had a thriving solo career, which included collaborations with the late **Aaliyah**, who would have turned 35 years old on January 16. The crooner recently gave his opinion about entertainers featuring unreleased vocals from the singer on their new material.

"I think it's a compliment, it keeps her legacy alive," he tells ABC News Radio. "It keeps people thinking about her."

Ginuwine admits he was initially on the fence about recent posthumous collaborations, including **Chris Brown's** duet, "**Don't Think They Know**," and **Drake's** "**Enough Said**."



Latest Photos



Lady Jade at Walmart for My Black is Beautiful and Road to Essence Fest



Lady Jade at M Dentistry



Bay Bay at Taco Bueno



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Latest News

"You know at first I thought about it and I was like, 'Ugh, I don't kind of like it, they don't even know her.' That's just one of those things that a person that knew her, you know, feels," he says. "But at the end of the day, it's business and it keeps her legacy alive and that's what we're trying to do. You know, at the end of my shows, I'm always giving a shout-out to her, you know what I mean. So, I don't think it's an issue. I like it now and I understand it now, so it's cool."

Tyrese, who is also a TGT member, chimed in and explained why he feels new music featuring Aaliyah can be insensitive, especially if her family has not given its blessing.

"I just think at the end of the day, if the family has a problem with them putting her music on their album, there's a lot of sensitivities with us losing her tragically on that level," he says referring to the plane crash that claimed her life back in 2001. "I just think people should respect it. If nobody around her and her immediate circle on any level, family and people that actually produced and knew her, are in support of what you're doing... I would leave it alone."

Still, Ginuwine insists that Aaliyah's legacy is not only living on, thanks in part to Drake and Breezy, but he adds that a new generation is now being exposed to her.

"I don't agree with that at all, if that's the case a lot of rappers wouldn't be who they are. Again, ultimately it allows people just to know her. Really a lot of the kids right now, they don't really know **Michael [Jackson]**," he says. "I came up on Michael, so for someone to really dance like Michael or do one of his songs, it's not a detriment, I think that just keeps his legacy alive and the same goes for her, so it's cool."

Earlier this month, **Noah "40" Shebib** confirmed that he is no longer spearheading the long-planned posthumous Aaliyah album with Drake, who recently previewed his second posthumous collaboration with the late singer via his **Instagram** page.

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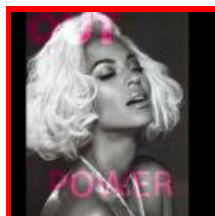
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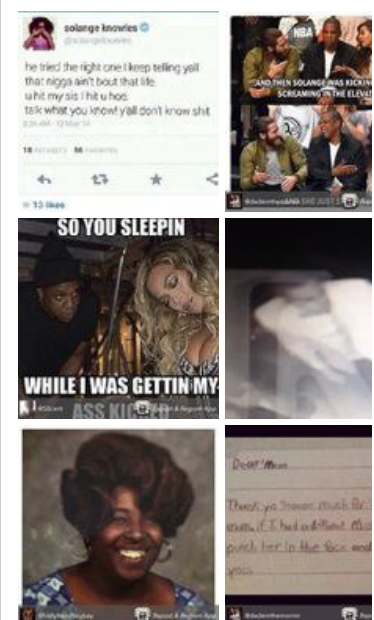
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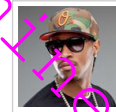
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