

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
MISSOURI, EASTERN DIVISION

Arteaga Photos, Ltd. v. Robert Honz, et al.

Arteaga Photos · No. No. 4:24-cv-01664-CMS · Decided December 19, 2025

SUMMARY

The United States District Court for the Eastern District of Missouri denied Jordan Parnass Digital Architecture, LLC’s motion to dismiss a copyright infringement action brought by Arteaga Photos, Ltd. The court held that the complaint adequately alleged ownership of the copyrighted photograph and established standing, and that the plaintiff was not required to plead that the photograph was not a work made for hire. The court treated the copyright registration as sufficient to support the ownership allegations at the motion-to-dismiss stage.

CASE DETAILS

COURT	United States District Court for the Eastern District of Missouri, Eastern Division
WRITING FOR THE COURT	Cristian M. Stevens
JURISDICTION	United States District Court for the Eastern District of Missouri, Eastern Division
DECIDED	December 19, 2025
DOCKET	No. 4:24-cv-01664-CMS
DISPOSITION	other
PROCEDURAL POSTURE	Defendant Jordan Parnass Digital Architecture, LLC, moved to dismiss the copyright-infringement complaint under Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), challenging plaintiff's ownership of the copyright and standing to sue.
STANDARD OF REVIEW	For a facial Rule 12(b)(1) challenge, the court examines the face of the pleadings and accepts well-pleaded factual allegations as true. Under Rule 12(b)(6), the complaint must contain sufficient factual matter, accepted as true and viewed in the light most favorable to the plaintiff, to state a plausible claim for relief.
PRECEDENTIAL VALUE	unknown

TOPICS

copyright infringement

motions to dismiss

standing

subject matter jurisdiction

civil procedure

PRACTICE AREAS

copyright law

civil procedure

federal jurisdiction

QUESTIONS PRESENTED

1. Whether plaintiff adequately pleaded ownership of a valid copyright and an injury in fact sufficient to establish Article III standing.
2. Whether the complaint was subject to dismissal under Rule 12(b)(1) or Rule 12(b)(6) because it did not expressly allege that the photograph was not a work made for hire.
3. Whether the copyright-registration certificate could be considered on the motion to dismiss and supplied prima facie evidence supporting plaintiff's ownership allegations.

HOLDINGS

1. Plaintiff adequately pleaded ownership of the copyright and an injury in fact resulting from defendants' alleged use of the photograph, establishing standing at the pleading stage.
2. Plaintiff was not required to plead that the photograph was not a work made for hire; the absence of such an allegation was not a basis for dismissal.

KEY QUOTATIONS

"Plaintiff need only plead ownership of the copyright, Feist, 499 U.S. at 361; MPAY, 970 F.3d at 1016, and these are factual allegations of ownership that the Court must accept as true"

"Thus, to plead a copyright infringement claim and its ownership of the Work, Plaintiff need not plead the Work was not a "work for hire," and its failure to do so is not a legal basis to dismiss the Complaint."

"As a matter of law, whether the Work was a "work for hire" is not a basis to dismiss Plaintiff's complaint."

FACTUAL BACKGROUND

Plaintiff alleged that Robert F. Arteaga photographed the partially completed Gateway Arch in 1965, later transferred the assets and rights of his sole proprietorship, Arteaga Photos, to his sons, and that the sons created Arteaga Photos, Ltd. to own those assets and rights. Plaintiff alleged that defendants participated in designing a motorcycle dealership showroom and promoted or sold a wall-sized reproduction of the photograph, which the dealership continued to display. A copyright-registration certificate identified Arteaga Photos, Ltd. as the copyright claimant and owner of rights and permissions.

PROCEDURAL HISTORY

Arteaga Photos, Ltd. filed a one-count copyright-infringement action in the Eastern District of Missouri. Digital Architecture moved to dismiss, arguing that plaintiff had not adequately pleaded ownership of the copyright or facts showing that the photograph was not a work made for hire. The court treated the Rule 12(b)(1)

jurisdictional challenge as facial, accepted the complaint's factual allegations as true, considered the referenced and attached copyright-registration certificate, and denied the motion.

DISPOSITION

other

CASES CITED

- Schumacher v. SC Data Ctr., Inc., 912 F.3d 1104, 1105 (8th Cir. 2019)
- Miller v. Redwood Toxicology Lab., Inc., 688 F.3d 928, 934 (8th Cir. 2012)
- Spokeo, Inc. v. Robins, 578 U.S. 330, 338 (2016)
- Lujan v. Defs. of Wildlife, 504 U.S. 555, 560–61 (1992)
- Branson Label, Inc. v. City of Branson, Mo., 793 F.3d 910, 914–15 (8th Cir. 2015)
- Menchaca v. Chrysler Credit Corp., 613 F.2d 507, 511 (5th Cir. 1980)
- Osborn v. United States, 918 F.2d 724, 729 n. 6 (8th Cir. 1990)
- Feist Publ'ns, Inc. v. Rural Telephone Serv. Co., Inc., 499 U.S. 340, 361 (1991)
- MPAY Inc. v. Erie Custom Comput. Applications, Inc., 970 F.3d 1010, 1016 (8th Cir. 2020)
- Ashcroft v. Iqbal, 556 U.S. 662, 677–78 (2009)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555, 570 (2007)
- Lustgraaf v. Behrens, 619 F.3d 867, 873 (8th Cir. 2010)
- Usenko v. MEMC LLC, 926 F.3d 468, 472 (8th Cir. 2019)
- Stodghill v. Wellston Sch. Dist., 512 F.3d 472, 476 (8th Cir. 2008)
- Burton v. Richmond, 276 F.3d 973, 975 (8th Cir. 2002)
- R&R Propane, LLC v. Tiger Payment Solutions, LLC, 756 F. Supp. 3d 734, 738 n. 2 (E.D. Mo. 2024)
- Ashtanti v. City of Golden Valley, 666 F.3d 1148, 1151 (8th Cir. 2012)
- Kennedy v. Gish, Sherwood & Friends, Inc., 143 F. Supp. 3d 898, 905 (E.D. Mo. 2015)
- Capitol Records, Inc. v. MP3 Tunes, LLC, 821 F. Supp. 2d 627, 633, 646–47 (S.D.N.Y. 2011)
- Arthur Retlaw & Assocs., Inc. v. Travenol Labs., Inc., 582 F. Supp. 1010, 1013–14 (N.D. Ill. 1984)