



July 17, 2019

FOR IMMEDIATE RELEASE

On July 15, 2019, our client, White Shadows LLC, filed suit in federal court in the Northern District of Texas against the popular band 5 Seconds of Summer, its individual members, and numerous music publishers and other related entities. White Shadows LLC alleges that substantial portions of 5 Seconds of Summer's chart-topping 2018 hit song "Youngblood" have been directly copied from "White Shadows," a song written and performed in 2016 by Hungary-based musicians David Henderson, David Toth, and Peter Ferencz, the owners of White Shadows LLC.

"White Shadows" was made widely available on YouTube, iTunes, and Spotify in November of 2016. Henderson performed the song on international television and radio, including in January and February 2017 when Henderson performed "White Shadows" on the Hungarian television competition show *A Dal 2017* ("The Song 2017"), advancing to the semi-finals of the competition. These performances for *A Dal 2017* were also subsequently made available on YouTube.

5 Seconds of Summer rose to fame as a YouTube cover band, known for covering popular songs, posting them to YouTube, and interacting with fans through YouTube videos and comments.

On April 12, 2018, 5 Seconds of Summer, pressed for time and facing the prospect of commercial irrelevancy, released "Youngblood," a single which would become the titular song of their third studio album. The song was an immediate success, climbing the charts and maintaining the #1 spot in Australia for eight weeks. The song also enjoyed tremendous success in the United States (#7 on *Billboard Hot 100*), New Zealand (#1), and the United Kingdom (#4). The song's success propelled the band to new heights of fame and fortune, virtually single-handedly. Unfortunately, substantial portions of the song were copied directly from "White Shadows."

The substantial similarity between "Youngblood" and "White Shadows" is readily apparent, and is so striking that it could not be the result of mere coincidence. The first melodic phrase of "Youngblood" is virtually identical to the melodic phrase from "White Shadows," and the phrases are repeated four times in each respective song. It is clear that 5 Seconds of Summer had access, means, and motive to appropriate the melodic phrase of "White Shadows," and we firmly believe that any listener who hears both songs will notice the substantial similarities:

"White Shadows": <https://www.youtube.com/watch?v=7zMzXQU5dkA>

"Youngblood": <https://www.youtube.com/watch?v=RJSbO8UZVY>

In short, 5 Seconds of Summer misappropriated an earworm melody from Henderson, Toth, and Ferencz, claimed it was their own creation, and rode the riff to world-wide success; we believe this is jaw-droppingly obvious and, frankly, it shocks the conscience. We look forward to presenting evidence that 5 Seconds of Summer not only infringed on our client's copyright and misappropriated portions of "White Shadows," but that the band has experienced worldwide acclaim and derived substantial revenue by exploiting the work of three young songwriters. We are confident that our clients will be vindicated in court.

All inquiries regarding this matter should be directed to lead counsel for Plaintiffs:

Brad J. Davidson: brad@davidsonsheen.com

Davidson Sheen, LLP

July 17, 2019