

AMPHIBIA

How Disney's "Amphibia" Infringes Plaintiff's Nakota's Great Adventure

Disney's animated children's TV series "Amphibia," which debuted in 2019, infringes the Plaintiff's 2016 children's picture book "Nakota's Great Adventure" (referred to herein as "Nakota", in quotations), which the Plaintiff released on Amazon.com and other online outlets. Originally, the Plaintiff's central character, *Nakota*, had medium-dark brown skin. But later, the Plaintiff, rather uniquely, chose to release 3 versions of the book: one featuring a Black or dark brown main character (the "Mahogany Edition"); one featuring a medium-brown skinned main character (the "Chestnut Edition"); one featuring a White main character (the "Aspen Edition").

Amphibia's infringement is proved by the fact that both works share the following aspects:

1. Both stories involve a primary human child character (named *Nakota* in the Plaintiff's book; *Anne* in Amphibia) who magically arrives in a strange "new world."
2. Upon entering the strange new world, the main human character quickly realizes that he/she cannot find their way home because their point of entry has disappeared.
3. Much of the remaining story-line involves the human trying to get home, but having fun adventures with his/her new friends along the way.
4. The main characters of both works are similar in appearance.
5. Humans are not native to the strange new world.
6. In this new world, the central human character makes friends with animal characters.
7. The new central characters that the main human character befriends are animals that can speak English, and at least some of the works' animal characters wears clothes.
8. The new animal friends try to help the main character find his/her way home.
9. The animal friends live in houses that are very similar to houses found in America or the

developed world, with windows, doors and rooves.

10. One of the animal characters lives in a **signature house** that is situated partially on the land and partial on a river/lake, and uniquely features a land entry AND a **water** entry.
11. In addition to advanced home building skills, the animal society has some semi-advanced technologies (“Nakota” features trains; Amphibia features windmills and telescopes).
12. Both stories feature a unique (**signature**) aerial/sky/map view of the strange new world.
13. The strange new world feature lush plant-life, and over-representation of **mushrooms**.
14. The weather in the story is very dynamic; sunny, rainy, thunder and lighting.
15. The characters are **ingested** by another creature, but escape. (1st and 2nd ep, Amphibia).
16. The main character and his new friend hide in a cave and wait until its safe to leave.
17. The characters leap/race over a steep cliff, but they survive, unharmed.
18. A substantial portion of the story unfolds on land, and much unfolds in, or under, **water**.
19. The story/setting art features a small bridge going over a brook.
20. The story art features dragonflies, rainbows, butterflies, mountains, lakes, rivers, bays...
21. The story features strange, giant creatures.
22. Amphibia’s plant-life (mushrooms, dandelions, etc.) seems derived from Plaintiff’s art.
23. The story art makes “signature” utility of the magenta, plum, crimson and purple family.
24. The story takes full advantage of the beauty of its settings in day and night lighting.

All episodes of Amphibia infringe the Plaintiff’s work, as they all flow from the Plaintiff’s core ideas/expressions. To support his claims, in the following 11 pages, the Plaintiff provides a visual comparison of the works. The Plaintiff has limited his comparison to the first two Amphibia episodes. 14 of the following 27 Amphibia illustrations are taken from the recurring opening sequence; one is from the outro, the remaining 12 are taken from the first two episodes.



Above, the *aerial, satellite or map* view of Amphibia (seen **7** seconds into the opening **theme** of every episode) blatantly infringes the Plaintiff's arial, satellite or map view of the land of Oohwah, featured in Nakota's great Adventure, seen **below**. Both illustrations are similar in composition, and feature oceans, isands, bays, lakes rivers, snow-capped mountains, and man-made features. The man-made features in both illustrations are **railroad tracks**.



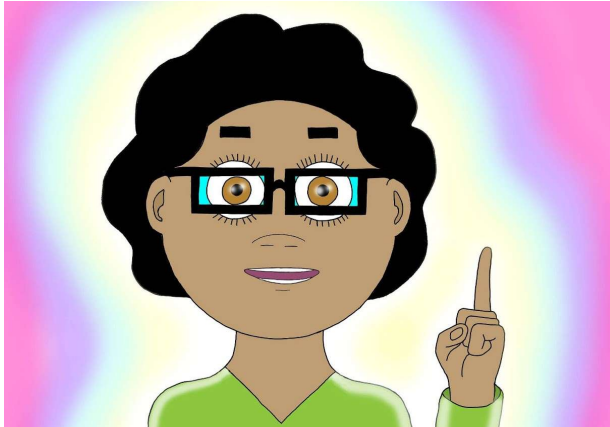
The man-made railroad feature in “Nakota’s” aerial/satellite view is on the left side of the image (below, left). The man-made railroad feature in Amphibia’s aerial view is a circular railroad track in the center of their aerial view (below, right).



Both works feature a character’s whose house are situated on both land and water, with both land and water entrances. (See below; the water entrances are magnified in the bottom row.)



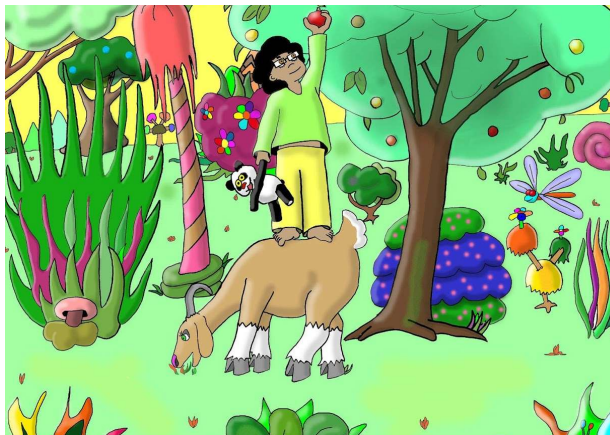
Anne resembles Nakota; thick, wavy-curly hair. (Below: Nakota, left; Anne, right)



Both stories utilize dynamic weather patterns, such as lighting and rain. (Below: left, page 45 Nakota; right, lightning and rain in Amphibia's recurring opening sequence).



Both stories feature scenes under dense vegetation. (Below: Nakota, left; Amphibia, right).



Both stories feature scenes inside cave-like structures, and both feature scenes in which the central characters retreat to cave-like structures (or, in Amphibia's case, a hollowed out log).



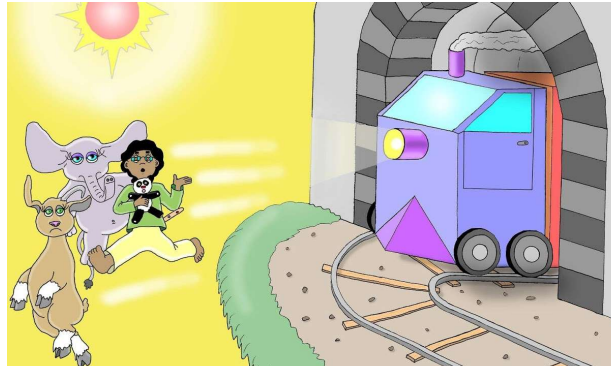
Above: four illustrations, which transpire in caves or tunnels, from the Plaintiff's book.

Below: "Anne" and "Sprig", in Amphibia, hide in a hollow log (first episode, first season).



Both the Plaintiff's and the Defendant's work show the characters leaping off cliffs, but somehow surviving; both feature **mountains**, large water features, and **rainbows** (see below).

Right, the characters of "Nakota" run off a cliff. They survive by holding onto Jamal The Elefin's trunk and tail, as Jamal uses his ears to parachute down (bottom left). Below, right, top and bottom panels, Amphibia's characters fall and leap from cliffs and mountains.



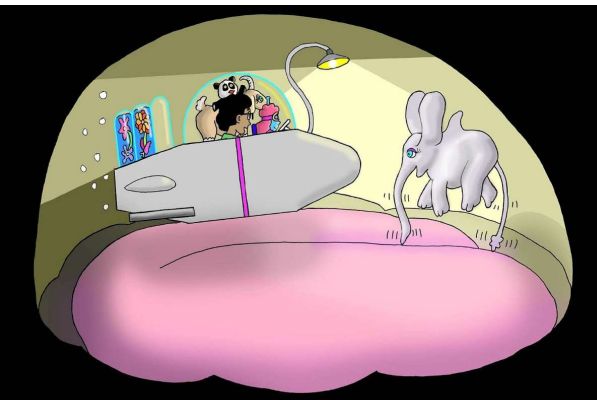
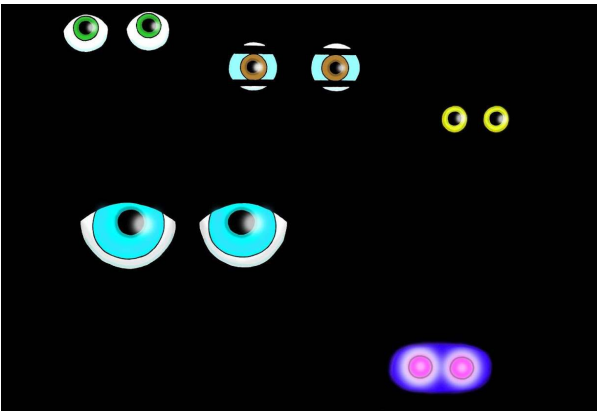
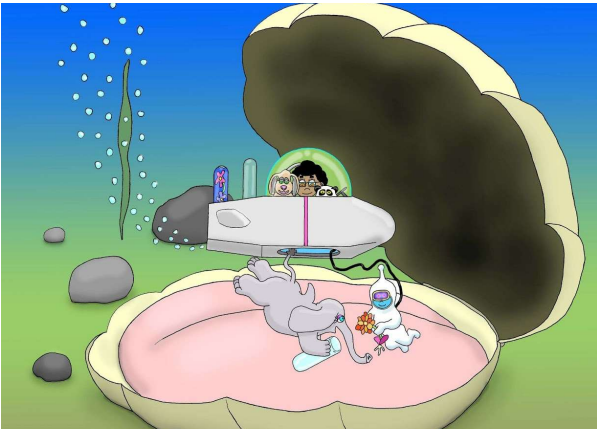
A great deal of Plaintiff's "Nakota" transpires in and under water. Amphibia also borrows This element. (Below: left, images from "Nakota"; left, images from Amphibia.



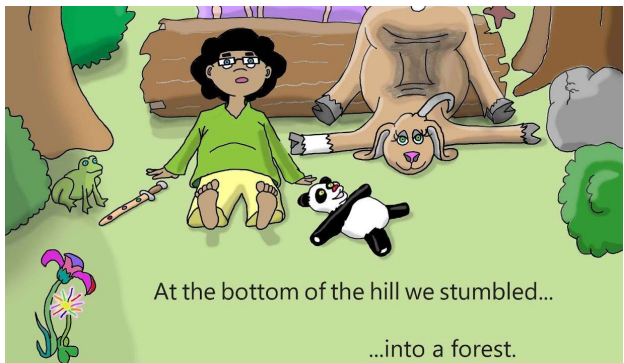
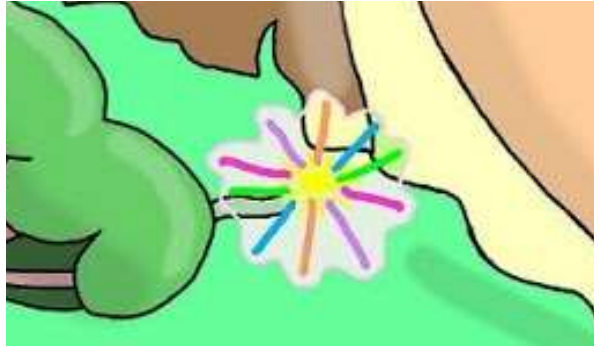
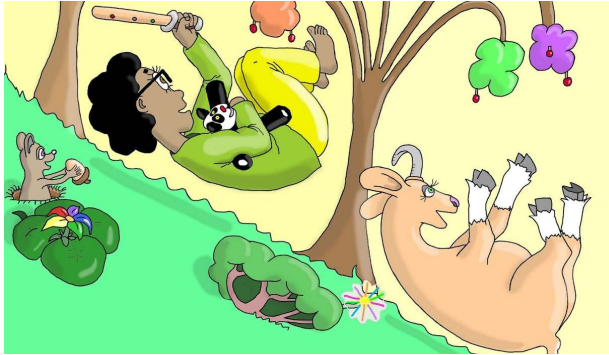
Below, left, once in the new world, Nakota and Bjorn quickly begin to explore and frolick. Amphibia borrows this, from the outset, as seen in the recurring opening sequence (right).



Character eaten by water beasts. Below, in the left panels, going down, as Nakota and his/her new friends try to collect a rare water flower sample, seated on the body of a giant clam, the giant clam's shell closes to eat them. The characters think quickly and tickle their way to freedom. Below, on the right, going down, 19 minutes into the first episode, Anne and Sprig face a giant water beast. Sprig is eaten, but uses **hot peppers** to escape. In the second episode (bottom right panel) Anne and Sprig's family are eaten by a giant tomato plant, but eat their way out.



Below, in the top 4 panels of Plaintiff's "Nakota", as Nakota and Bjorn roll, we see an odd colorful dandelion-like plant (magnified in the top right panel). Similar dandelion-esque plants appear in Amphibia (bottom four panels), but are absent in other Disney works. (NOTE: the illustrations on the rights are magnified views of the dandelion-esque plants found in the illustrations on the left.)



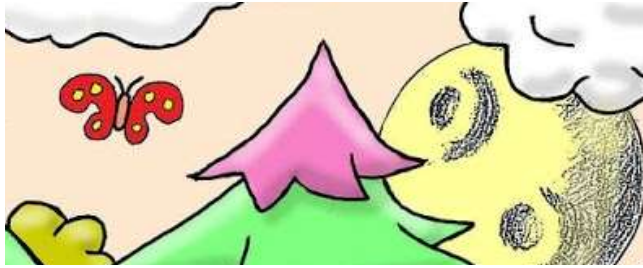
Mushrooms are generously featured in both works.



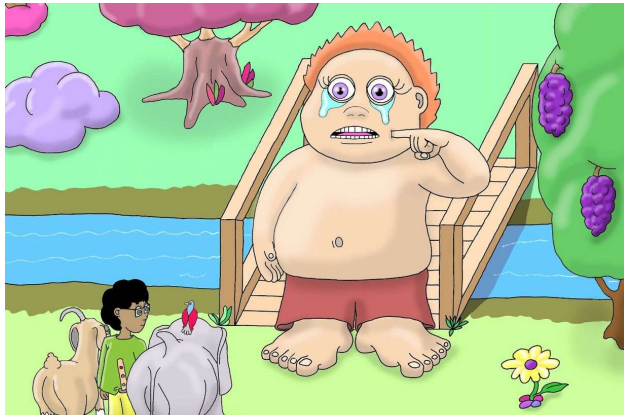
Dragonflies are featured in both works.



Butterflies are featured in both works.



Both works feature a small bridge over a small brook.



Both works take beautiful advantage of night.

