

JUL 11 2008

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

WESLEY VAN KIRK ROBBINS,

Plaintiff - Appellant,

v.

CHRISTOPHER LEE, d/b/a LCD USA,
KOREAN AMERICAN MUSEUM OF
ART & CULTURAL CENTER, KOMA, a
sole proprietorship, KOREAN
AMERICAN ART & CULTURAL
CENTER, a sole proprietorship
KAMACC, a sole proprietorship, ANET
COMMUNICATIONS, a partnership and
DEMOLINE PRODUCTIONS, a
partnership,

Defendants - Appellees,

and

COLOR WEST, a business of unknown
form e/s/a COLOR WEST INC.,

Defendant.

No. 06-56450

D.C. No. CV-01-01032-JTL

MEMORANDUM*

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

Appeal from the United States District Court
for the Central District of California
Jennifer T. Lum, Magistrate Judge, Presiding**

Submitted July 1, 2008***

Before: WALLACE, HAWKINS, and THOMAS, Circuit Judges.

Wesley Van Kirk Robbins appeals pro se from the district court's judgment, following a bench trial, in favor of defendants in Robbins' action under the Copyright Act. We have jurisdiction under 28 U.S.C. § 1291. We review the district court's conclusions of law de novo, and its factual findings for clear error. *Twentieth Century Fox Film Corp. v. Entm't Distrib.*, 429 F.3d 869, 879 (9th Cir. 2005). We affirm.

The district court properly concluded that Robbins is equitably estopped from asserting a copyright infringement claim against defendant Lee because (1) Robbins knew of Lee's allegedly infringing conduct, (2) Robbins caused Lee to believe that he had volunteered the works that were allegedly copyrighted for Lee's use, (3) Lee was ignorant of the true facts at the time of the alleged infringing conduct, and (4) Lee detrimentally relied on Robbins' representations. *See*

** The parties consented to the jurisdiction of the magistrate judge.

*** The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Hampton v. Paramount Pictures Corp., 279 F.2d 100, 104 (9th Cir. 1960) (setting forth elements of equitable estoppel in copyright context).

Robbins' remaining contentions are unpersuasive.

AFFIRMED.