

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

MAR 8 2018

FOR THE NINTH CIRCUIT

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

MUNEEFA ABDULLAH,

No. 16-55888

Plaintiff-Appellant,

D.C. No.

v.

2:15-cv-09581-SVW-JPR

THE WALT DISNEY COMPANY; et al.,

MEMORANDUM*

Defendants-Appellees.

Appeal from the United States District Court
for the Central District of California
Stephen V. Wilson, District Judge, Presiding

Submitted February 8, 2018**
Pasadena, California

Before: CALLAHAN and NGUYEN, Circuit Judges, and BATAILLON,^{***}
District Judge.

Muneefa Abdullah appeals from the district court's judgment in favor of The
Walt Disney Company in this copyright action. We have jurisdiction pursuant to

* This disposition is not appropriate for publication and is not precedent
except as provided by Ninth Circuit Rule 36-3.

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

*** The Honorable Joseph F. Bataillon, United States District Judge for
the District of Nebraska, sitting by designation.

28 U.S.C. § 1291. After a careful examination of each alleged similarity between *The Snow Princess* and *Frozen*, the district court concluded that the two works are not substantially similar under the extrinsic test as a matter of law. We agree and therefore affirm for the reasons stated by the district court in its well-reasoned decision granting The Walt Disney Company’s motion to dismiss.¹

AFFIRMED.

¹ For the first time on appeal, Abdullah contends that the witch is the princess’s subconscious. Even if that were apparent from the text of *The Snow Princess*, which it is not, the outcome is the same because it is an entirely different expression of the idea of a princess with ice powers than presented in *Frozen*. See *Funky Films, Inc. v. Time Warner Entm’t Co.*, 462 F.3d 1072, 1078–79 (9th Cir. 2006) (rejecting appellants’ “attempt to link up” the main characters in the works because the expression of the generic traits of those characters was different).