BlocBoy JB sues Epic Games over popular ‘Shoot’ dance emote

James Baker, also known as rapper BloBoy JB, is the latest person to file a lawsuit against *Fortnite* developer Epic Games, this time over the use of his “Shoot” dance move in the popular battle royale hit. Known as “Hype” in the *Fortnite* community, “Shoot” is one of the most popular emotes that millions have people have seen performed. It requires the dancer to swing their arm and leg back and forth in a choreographed motion, as seen in the GIFs below. It was included as an unlockable emote in *Fortnite*’s battle pass subscription service, which costs $10 for up to three months. The emote was not, however, ever sold directly for money.

BlocBoy JB first asked his fans on Twitter if he should sue Epic Games, especially in wake of other artists including 2 Milly, *Fresh Prince of Bel-Air*’s Alphonso Ribeiro, and Russell “Backpack Kid” Horning launching their own lawsuits over stolen dance moves. It’s the same move that Donald Faison, who played the character Dr. Chris Turk on *Scrubs,* did when he learned his dance was included in the game, although Faison has yet to file a suit of his own.

“I just don’t think it’s fair what Epic is doing,” BlocBoy JB said in a press release. ”I started the dance and made it popular through my music. Epic didn’t ask me if they could put it in Fortnite.” Similar to past cases, BlocBoy JB is alleging copyright infringement, violation of the right to publicity for profiting off his likeness, and trademark infringement. It’s not clear whether BlocBoy JB has successfully acquired either the copyright or trademark regarding his “Shoot” dance, or whether he’s in the process of doing so.

BlocBoy JB has teamed up with attorney David L. Hecht, who is also representing 2 Milly and Horning in their cases against Epic Games. Hecht called Epic's continuous decision to incorporate dance moves that originate online and often within the hip-hop community as "brazenly misappropriating the likeness and intellectual property of talent."

"That is exactly the type of cultural misappropriation that other rappers have called Epic out on and we are seeking to remedy with this case," Hecht said. Hecht has issued similar statements in past *Fortnite*-related cases.

The plethora of artists and celebrities coming forward against Epic Games has caused other personalities, including the mother of a *Fortnite* player known as Orange Shirt Kid, to also demand compensation from the company for using their dances in the game. Unlike the majority of cases, however, Orange Justice was an emote that the player submitted to Epic Games via a recording of himself dancing. It was part of a contest that he ended up losing, but he was thankful when fan pushback led Epic Games to include it in *Fortnite*.

Epic Games hasn't commented on any of the lawsuits, and it has told *The Verge* in the past it does not comment on ongoing litigation.

https://www.theverge.com/2019/1/23/18194912/blocboy-jb-fortnite-sues-epic-games-shoot-dance-emote-backpack-kid-2-milly