

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

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STRIKE 3 HOLDINGS, LLC,	:	
	:	Case No. _____
Plaintiff,	:	
	:	<u>COMPLAINT FOR COPYRIGHT</u>
vs.	:	<u>INFRINGEMENT</u>
	:	
JOHN DOE subscriber assigned IP address	:	
76.180.116.10,	:	
	:	
Defendant.	:	
-----X	:	

Plaintiff, Strike 3 Holdings, LLC (“Strike 3” or “Plaintiff”), brings this complaint against John Doe subscriber assigned IP address 76.180.116.10 (“Defendant”), and alleges as follows:

Introduction

1. This is a case about the ongoing and wholesale copyright infringement of Plaintiff’s motion pictures by Defendant, currently known only by an IP address.
2. Plaintiff is the owner of award winning, critically acclaimed adult motion pictures.
3. Strike 3’s motion pictures are distributed through the *Blacked*, *Tushy*, *Vixen*, and *Blacked Raw* adult websites and DVDs. With millions of unique visitors to its websites each month, the brands are famous for redefining adult content, creating high-end, artistic, and performer-inspiring motion pictures produced with a Hollywood style budget and quality.
4. Defendant is, in a word, stealing these works on a grand scale. Using the BitTorrent protocol, Defendant is committing rampant and wholesale copyright infringement by downloading Strike 3’s motion pictures as well as distributing them to others. Defendant did not infringe just one or two of Strike 3’s motion pictures, but has been recorded infringing 60 movies

over an extended period of time.

5. Although Defendant attempted to hide this theft by infringing Plaintiff's content anonymously, Defendant's Internet Service Provider ("ISP"), Spectrum, can identify Defendant through his or her IP address 76.180.116.10.

6. In an effort to conserve Federal judicial resources, Strike 3 originally moved to discover Defendant's identity utilizing a state court procedure in Florida where Strike 3's infringement detection servers are located. Defendant objected asserting that the action is more properly litigated in the federal court of his or her domicile. Because Plaintiff is amenable to litigating the matter in either forum, this suit was initiated.

Jurisdiction and Venue

7. This is a civil action seeking damages under the United States Copyright Act of 1976, as amended, 17 U.S.C. §§ 101 et seq. (the "Copyright Act").

8. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1331 (federal question); and 28 U.S.C. § 1338 (jurisdiction over copyright actions).

9. This Court has personal jurisdiction over Defendant because Defendant used an Internet Protocol address ("IP address") traced to a physical address located within this District to commit copyright infringement. Therefore: (i) Defendant committed the tortious conduct alleged in this Complaint in this State; and, (ii) Defendant resides in this State and/or; (iii) Defendant has engaged in substantial – and not isolated – business activity in this State.

10. Plaintiff used IP address geolocation technology by Maxmind Inc. ("Maxmind"), an industry-leading provider of IP address intelligence and online fraud detection tools, to determine that Defendant's IP address traced to a physical address in this District. Over 5,000 companies, along with United States federal and state law enforcement, use Maxmind's GeoIP

data to locate Internet visitors, perform analytics, enforce digital rights, and efficiently route Internet traffic.

11. Pursuant to 28 U.S.C. § 1391(b) and (c), venue is proper in this district because: (i) a substantial part of the events or omissions giving rise to the claims occurred in this District; and, (ii) the Defendant resides (and therefore can be found) in this District and resides in this State. Additionally, venue is proper in this District pursuant 28 U.S.C. § 1400(a) (venue for copyright cases) because Defendant or Defendant's agent resides or may be found in this District.

Parties

12. Strike 3 is a Delaware limited liability company located at 2140 S. Dupont Hwy, Camden, DE.

13. Plaintiff currently can only identify Defendant by his or her IP address. Defendant's IP address is 76.180.116.10. Defendant's name and address can be provided by Defendant's Internet Service Provider.

Factual Background

Plaintiff's Award-Winning Copyrights

14. Strike 3's subscription based websites proudly boast a paid subscriber base that is one of the highest of any adult-content sites in the world. Strike 3 also licenses its motion pictures to popular broadcasters and Strike 3's motion pictures are the number one selling adult DVDs in the United States.

15. Strike 3's motion pictures and websites have won numerous awards, such as "best cinematography," "best new studio," and "adult site of the year."

16. Strike 3's motion pictures have had positive global impact, leading more adult

studios to invest in better content, higher pay for performers, and to treat each performer with respect and like an artist.

17. Unfortunately, Strike 3, like a large number of other makers of motion picture and television works, has a major problem with Internet piracy. Often appearing among the most infringed popular entertainment content on torrent websites, Strike 3's motion pictures are among the most pirated content in the world.

Defendant Used the BitTorrent File Distribution Network to Infringe Plaintiff's Copyrights

18. BitTorrent is a system designed to quickly distribute large files over the Internet. Instead of downloading a file, such as a movie, from a single source, BitTorrent users are able to connect to the computers of other BitTorrent users in order to simultaneously download and upload pieces of the file from and to other users.

19. BitTorrent's popularity stems from the ability of users to directly interact with each other to distribute a large file without creating a heavy load on any individual source computer and/or network. It enables Plaintiff's motion pictures, which are often filmed in state of the art 4kHD, to be transferred quickly and efficiently.

20. To share a movie within the BitTorrent network, a user first uses BitTorrent software to create a .torrent file from the original digital media file. This process breaks the original digital media file down into numerous pieces.

21. The entire movie file being shared has a hash value (*i.e.*, the "File Hash"). A hash value is an alpha-numeric value of a fixed length that uniquely identifies data.

22. Hash values are not arbitrarily assigned to data merely for identification purposes, but rather are the product of a cryptographic algorithm applied to the data itself. As such, while two identical sets of data will produce the same cryptographic hash value, any change to the

underlying data – no matter how small – will change the cryptographic hash value that correlates to it.

23. To find and re-assemble the pieces of the digital media file, *i.e.*, to download the file using BitTorrent, a user must obtain the .torrent file for the specific file that has been broken down into pieces.

24. Each .torrent file contains important metadata with respect to the pieces of the file. When this data is put into the cryptographic algorithm, it results in a hash value called the “Info Hash.”

25. The “Info Hash” is the data that the BitTorrent protocol uses to identify and locate the other pieces of the desired file (in this case, the desired file is the respective file for the infringing motion pictures that are the subject of this action) across the BitTorrent network.

26. Using the Info Hash in the metadata of a .torrent file, a user may collect all the pieces of the digital media file that correlates with the specific .torrent file.

27. Once a user downloads all of the pieces of that digital media file from other BitTorrent users, the digital media file is automatically reassembled into its original form, ready for playing.

28. Plaintiff has developed, owns, and operates an infringement detection system, named “VXN Scan.”

29. Using VXN Scan, Plaintiff discovered that Defendant used the BitTorrent file network to illegally download and distribute Plaintiff’s copyrighted motion pictures.

30. To explain, while Defendant was using the BitTorrent file distribution network, VXN Scan established direct TCP/IP connections with Defendant’s IP address.

31. VXN Scan downloaded from Defendant one or more pieces of numerous digital

media files.

32. Plaintiff identified these pieces as portions of infringing copies of Strike 3's motion pictures.

33. To explain, the VXN Scan system first searched for and obtained .torrent files claiming to be infringing copies of Plaintiff's works, and then downloaded complete copies of the digital media files that correlate to those .torrent files.

34. Plaintiff then compared the completed digital media files to Plaintiff's copyrighted works to determine whether they are infringing copies of one of Plaintiff's copyrighted works.

35. The digital media files have been verified to contain a digital copy of a motion picture that is identical (or, alternatively, strikingly similar or substantially similar) to Plaintiff's corresponding original copyrighted Works.

36. VXN Scan then used the "Info Hash" value, contained within the metadata of the .torrent file correlated with a digital media file that was determined to be identical (or substantially similar) to a copyrighted work, to download a piece (or pieces) of the same digital media file from Defendant using the BitTorrent network.

37. At no point did VXN Scan upload content to any BitTorrent user. Indeed, it is incapable of doing so.

38. The VXN Scan captured transactions from Defendant sharing specific pieces of 60 digital media files that have been determined to be identical (or substantially similar) to a copyrighted work(s) that Plaintiff owns.

39. VXN Scan recorded each transaction in a PCAP file.

40. VXN Scan recorded multiple transactions in this matter.

41. For each work infringed a single transaction is listed on Exhibit A.

42. For each transaction listed, Exhibit A sets forth the Universal Time Coordinated (UTC) time and date of each transaction, along with (1) the Info Hash value obtained from the metadata of the corresponding .torrent file that formed the basis of the VXN Scan's request for data , and (2) the File Hash value of the digital media file itself.

43. Exhibit A also sets forth relevant copyright information for each work at issue: the date of publication, the date of registration, and the work's copyright registration number. In a showing of good faith, Plaintiff has intentionally omitted the title of the work from this public filing due to the adult nature of its content, but can provide a version of Exhibit A containing the works' titles to the Court or any party upon request.

44. Thus, Defendant downloaded, copied, and distributed Plaintiff's Works without authorization.

45. Defendant's infringement was continuous and ongoing.

46. Plaintiff owns the copyrights to the Works and the Works have been registered with the United States Copyright Office.

47. Plaintiff seeks statutory damages, attorneys' fees, and costs under 17 U.S.C. § 501 of the United States Copyright Act.

COUNT I

Direct Copyright Infringement

48. The allegations contained in paragraphs 1-47 are hereby re-alleged as if fully set forth herein.

49. Plaintiff is the owner of the Works, which is an original work of authorship.

50. Defendant copied and distributed the constituent elements of Plaintiff's Works

using the BitTorrent protocol.

51. At no point in time did Plaintiff authorize, permit or consent to Defendant's distribution of its Works, expressly or otherwise.

52. As a result of the foregoing, Defendant violated Plaintiff's exclusive right to:

(A) Reproduce its Works in copies, in violation of 17 U.S.C. §§ 106(1) and 501;

(B) Distribute copies of the Works to the public by sale or other transfer of ownership, or by rental, lease or lending, in violation of 17 U.S.C. §§ 106(3) and 501;

(C) Perform the copyrighted Works, in violation of 17 U.S.C. §§ 106(4) and 501, by showing the Works' images in any sequence and/or by making the sounds accompanying the Works' audible and transmitting said performance of the work, by means of a device or process, to members of the public capable of receiving the display (as set forth in 17 U.S.C. § 101's definitions of "perform" and "publicly" perform); and

(D) Display the copyrighted Works, in violation of 17 U.S.C. §§ 106(5) and 501, by showing individual images of the works non-sequentially and transmitting said display of the works by means of a device or process to members of the public capable of receiving the display (as set forth in 17 U.S.C. § 101's definition of "publicly" display).

53. Defendant's infringements were committed "willfully" within the meaning of 17 U.S.C. § 504(c)(2).

WHEREFORE, Plaintiff respectfully requests that the Court:

(A) Permanently enjoin Defendant from continuing to infringe Plaintiff's copyrighted Works;

(B) Order that Defendant delete and permanently remove the digital media files relating to Plaintiff's Works from each of the computers under Defendant's possession, custody

or control;

(C) Order that Defendant delete and permanently remove the infringing copies of the Works Defendant has on computers under Defendant's possession, custody or control;

(D) Award Plaintiff statutory damages per infringed work pursuant to 17 U.S.C. § 504(a) and (c);

(E) Award Plaintiff its reasonable attorneys' fees and costs pursuant to 17 U.S.C. § 505; and

(F) Grant Plaintiff any other and further relief this Court deems just and proper.

DEMAND FOR A JURY TRIAL

Plaintiff hereby demands a trial by jury on all issues so triable.

Respectfully submitted,

By: /s/ Jacqueline M. James
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E-mail: jjames@jacquelinejameslaw.com
Attorneys for Plaintiff

Exhibit A to the Complaint

Location: Buffalo, NY
 Total Works Infringed: 60

IP Address: 76.180.116.10
 ISP: Spectrum

Work	Hashes	UTC	Site	Published	Registered	Registration
1	Info Hash: FF16D5C558E22B9BA334778EF92DDCAC4B9C219F File Hash: 0A6AC3A4977BD540B7DF072701AB010EE0AFC960275C3F4BBE458E3B8FAEF669	03/24/2020 05:33:48	Vixen	01/29/2020	02/20/2020	PA0002229058
2	Info Hash: 549D81C2E31A1CB34CE19937D9D3CEE671D29A4C File Hash: C8CCB78689D918D0D79665B3B33C13341BA46849EA640AFB43423CF912D9BAE6	02/22/2020 06:42:12	Blacked	02/19/2020	03/18/2020	PA0002241617
3	Info Hash: CB89CE5E87D35FBDB4850C2D61FC60A26CBC0CD6 File Hash: 3DA90096BBAC8B52C7CA996B548B56334706A89E908058C880D09D5ABD4AD571	01/27/2020 06:11:43	Blacked	01/25/2020	02/20/2020	PA0002229054
4	Info Hash: 4E94ED79494685938C1A0B5F42BCD1C30F137C0D File Hash: 4A44419A681C9E6241CCB8B2699BED33A47675D5848ED22EE581BD39525AD13C	01/27/2020 06:11:39	Blacked	01/20/2020	02/04/2020	PA0002225586
5	Info Hash: BE004F277CF50A57D8D98BB095A285A64FDEBE15 File Hash: 52CFB0547575D480EF9F6F76B165351A2B96D0C9B6C42A0761F55DAEFA9EB46	01/22/2020 07:53:22	Tushy	10/23/2019	11/05/2019	PA0002227103
6	Info Hash: 050511E544A94851EDE7195D2AEE4D38A1102E4D File Hash: DC4563E3B6ED3B0430999D1C4AF87781C5743A85D800AD1BC19ED5185A4D2AEC	01/22/2020 07:48:21	Tushy	06/15/2018	07/14/2018	PA0002128159
7	Info Hash: AF5E9F5A7C0F50A3A0CCCA08C875B36921047704 File Hash: 21CAD60EE506BBDED08963BA90DAE8F45CB680BDC66E1BB515F46060D4549B4C	01/22/2020 07:46:46	Tushy	09/28/2019	10/21/2019	PA0002207776
8	Info Hash: 966AF5D11568D7D5896168F66E882245BA8A5F07 File Hash: 13ABD2A124FF486B57001E7FB865A719FBB18B92F74EF38F6CD5ECA9744EBBE2	01/20/2020 09:20:47	Blacked Raw	01/12/2020	02/04/2020	PA0002225587

Work	Hashes	UTC	Site	Published	Registered	Registration
9	Info Hash: F70A608080EE69C5B9D8441C04342D089F1A8C1E File Hash: B63EE77DA3835713F6183CA52EB03E35D955AFD6C771DD869F3A6921953BB5AC	01/20/2020 09:19:32	Blacked	01/15/2020	02/04/2020	PA0002225584
10	Info Hash: 63D8D9B3820167570E8ABB7E82A37DA24954AB7D File Hash: D943C0B89D441D28D1E72D25829F743130C67F0A9BC6E273ADBA6EA6560A9116	01/05/2020 07:28:07	Blacked Raw	01/02/2020	02/04/2020	PA0002225581
11	Info Hash: FF4AA172ECOD469A97A0693DDDBA0DC1A4ECC701C File Hash: 3DECFOAAB8057B9C37D101B6C483E9EF52900F7E0F64F19DB44D782FD9354CF9	12/26/2019 05:47:53	Blacked Raw	12/23/2019	01/03/2020	PA0002219636
12	Info Hash: 609925695807CF8D58C61A83C0667EBFACA3059B File Hash: AA82A2D655EFAE26069B693C159D006EA3D308A84159E1F920E2BB80F6B5A1B8	12/17/2019 05:12:17	Blacked Raw	11/25/2019	12/09/2019	PA0002216263
13	Info Hash: 00D4C51A29C9BECB409301B771D686F17B05B89B File Hash: 2517AD4C9EBD5958B7B53277E98727CB70A48CAE5960B8795E50AD33A0666CBE	11/18/2019 05:09:28	Blacked Raw	11/13/2019	11/27/2019	PA0002213997
14	Info Hash: D7849F96160CA679A287B837FEFE40DDEA87571B File Hash: 0A445E74466B1700F1F7402E2C9F03169006656C8BA6A80CD36958EF9C0589E1	11/09/2019 06:43:14	Blacked	11/06/2019	11/15/2019	PA0002211857
15	Info Hash: 6EE9D27B1772B74F4F7591E27F1D891AF691827E File Hash: F6582466A541550D31D0B4F9D2BAAE83363D9762DBD9F0A386F1E2B9513BCE32	10/28/2019 04:41:58	Blacked Raw	10/24/2019	11/05/2019	PA0002210293
16	Info Hash: 44C0E963C521EACC951B6321E18F5F8AAF1760F0 File Hash: 756358947414347B4B5014BF7862A09A458C8FD89F9C29734EAA6D60CEAE398C	10/28/2019 04:40:28	Blacked	10/27/2019	11/15/2019	PA0002211841
17	Info Hash: D7F572C202E1ADE468D535AA10CC8F1E0949D524 File Hash: F54440D227104D744F7F7BDC13E7EE51FEC66808054A09858D3B806E37E45E06	10/28/2019 04:40:01	Blacked	10/22/2019	11/05/2019	PA0002210294

Work	Hashes	UTC	Site	Published	Registered	Registration
18	Info Hash: 1ED7894C730F91D284F9451A87ECDC8F5187BF50 File Hash: 38583D10BC13553F985C29BAE89EF5FBF0C3DE0603CF9C41C598EDB9A7D3426E	10/03/2019 04:07:10	Blacked Raw	05/12/2018	05/24/2018	PA0002101380
19	Info Hash: 48FC851FEDE158FA68466F2C2EC15D57A24CE18A File Hash: 12B63C03986585E66F366B94BF78B3EFB37104EF78E6543F97EC1F35C586A1AD	10/03/2019 04:04:52	Blacked Raw	06/21/2018	07/26/2018	PA0002112156
20	Info Hash: 5EBAA857DB4CB94E7B579561C0FBE666094E0A10 File Hash: 1FC7F6CAF9BCD0764A89E8ABD1F6E4A77DC4710FA7FAE67E76670DF36E184092	10/03/2019 04:04:00	Blacked Raw	06/16/2018	07/14/2018	PA0002128317
21	Info Hash: 09E4DD5DED8676D79433C09E76F73797D7C23802 File Hash: 27913E8D3B680A47B51E91359D932EFC4985BE2BA58F603609F69E1041FC55AE	10/03/2019 04:03:27	Blacked Raw	06/11/2018	07/09/2018	PA0002109330
22	Info Hash: 7D0D6DA35D52C71A720392F45BDE107C238414E5 File Hash: 2A0A10EA1D499AA72570759AE8686D273D001FD5C2CA174451D22FA55D33CF5F	10/03/2019 04:01:23	Blacked Raw	01/02/2019	02/02/2019	PA0002155379
23	Info Hash: 16532C1256F1D8936C056A44AAECF4E274B576EB File Hash: A96D177318D1B6E7045F96F5FC80064D60A1D95D1C3D2CB1273B78D2ED349D5D	10/03/2019 04:00:13	Blacked Raw	03/13/2019	04/17/2019	PA0002186977
24	Info Hash: C20D8CE638A46CD39FA65004C565F7F85846691D File Hash: EA5B48145CBAF733479368D9256BC9D6AA8EC5702C56014718B4A1CBA7E39563	10/03/2019 03:58:22	Blacked Raw	03/28/2019	05/28/2019	PA0002200777
25	Info Hash: BBBB491861320973D32925E36DF7B437100D9861 File Hash: 0FFCE13191120060DC13FA5B30568447FBC5884690A60428EB2C2ADA9F289D9F	10/03/2019 03:55:43	Blacked Raw	07/01/2019	07/17/2019	PA0002188302
26	Info Hash: D306BA77FFF8FB1950408ABBB8A5B60FCC00B122 File Hash: 62F978246DFABCFA5E6D15572F70F8A97ADFD0D485406942557FD8BF6E48BE77	10/03/2019 03:54:51	Blacked Raw	04/12/2019	05/11/2019	PA0002173884

Work	Hashes	UTC	Site	Published	Registered	Registration
27	Info Hash: B1FE877176D6B0ADC33A5EB57CCE4D0BC08E4C59 File Hash: 3AAD91A88727C55253F2F574838428888C68E11268A37CA7A941F7144D108050	10/03/2019 03:54:10	Blacked Raw	04/27/2019	07/05/2019	PA0002206379
28	Info Hash: FE27534F0A43907D070795DDF984F707E0FEDCF1 File Hash: 2E2112D600A76F0B030C381DB306667268C759E220CEE041A5B523D6CB631DAA	10/03/2019 03:53:57	Blacked Raw	06/06/2019	08/02/2019	PA0002192288
29	Info Hash: 727C2698471403826A0D17EAF0010FFEAD561BCC File Hash: D9812DE8B99DBA8CDD8EF04CC5E2BFA310CA71BF155F2C5CC8D38E14C2017017	10/03/2019 03:52:01	Blacked Raw	07/16/2019	08/02/2019	PA0002192306
30	Info Hash: 6478D6818B6843DC1DEE5BD5A6C05F7B6D37EC2E File Hash: B98513AE2490FF3F323AE1CC7F75EC58C20154B89A409B54083E456853E5E623	10/03/2019 03:52:00	Blacked Raw	07/11/2019	09/17/2019	PA0002216212
31	Info Hash: EE2D2419FD8E51C81E34A5A1C8F2AD421F56C8FD File Hash: 411F1CB3C68384F51A66A437E9BF61A78803A58B46C2A4C70FCFF39AF58C5689	10/03/2019 03:51:24	Blacked Raw	09/24/2019	10/07/2019	PA0002205464
32	Info Hash: 877CD2EF65650B65AE36534CD44A1B88C0A42192 File Hash: BCB006FAFFD32404E81E74166FEB5052316F095060F68C373CAD0F97C7E39BF4	10/03/2019 03:49:11	Blacked Raw	08/30/2019	09/17/2019	PA0002216138
33	Info Hash: BEDDD07C8D08DE1A0535D9D81CD3966F12A38D79 File Hash: 9ABB61920F8EBE5DADDF5FFB4E28A6BCD14954C7C08E5E867E4D1B1655554D96	09/03/2019 03:53:09	Blacked	08/28/2019	09/13/2019	PA0002200704
34	Info Hash: 3A54C2D1498FBCEFB12D88C3A8679662FE0B440B File Hash: 49478B9A5A0DE609D68FCF73946C83E36F6A895193143EF44BF6C2F82582A5C3	08/27/2019 04:28:55	Blacked	08/23/2019	09/11/2019	PA0002199989
35	Info Hash: DE77246EE34EE1CDD79ED93E2A72D390952AEDBA File Hash: 7A9703274C30670E88D5C893C87B8F218D90C72E0AE6635F0BFB38807695E4B7	08/26/2019 04:43:02	Blacked Raw	07/26/2019	09/10/2019	PA0002199417

Work	Hashes	UTC	Site	Published	Registered	Registration
36	Info Hash: C9A5B7BC35E2355AAD9E999F9D4B511F4C5063D2 File Hash: 6A98B75D75CFA6B60C654F9229C5BC7DB7D34C7A0BE1D6B07888471F6283E915	08/20/2019 05:21:08	Blacked	07/24/2019	09/10/2019	PA0002199414
37	Info Hash: A035AD89D17FFA204EA1669362F8A2B2947F1D32 File Hash: CF5FB70A15A302ADB5C7DC51AA916F5E8F5D7D52373FBEEAB74056948FEF6203	08/20/2019 05:21:03	Blacked	08/03/2019	09/10/2019	PA0002199412
38	Info Hash: 8DA5786A10FFA71B1F5FF1C2D4A1394FCB8A3717 File Hash: C9D25135B90E91BB6451557A25CFF18DF7E804114218FB4E7CB112E333D037EA	08/20/2019 05:18:24	Blacked	11/06/2018	11/25/2018	PA0002136603
39	Info Hash: F088E9FE391D002A658FA69508945AB1351AD2BC File Hash: AC5BB1888297FED9B97F1164E3A45ED39291959DE736C7EF7CBE3EBFB8E067BE	08/20/2019 05:18:02	Blacked	07/14/2019	08/02/2019	PA0002192303
40	Info Hash: 16E587AD543EBBB558C87739193CA3AE77B370D6 File Hash: 5E27A0458B72C6D803880871DF27DACA94012E7B8B48AE69B798C9AFE26CDD40	08/20/2019 05:17:56	Blacked	08/13/2019	08/22/2019	PA0002195504
41	Info Hash: 6FB44F108F880FEBB9AD61EE0B455688DA340AC1 File Hash: 24FFFBCC065C36F02A425FF5A8FCC164FF5792E35BBEBB12B98E2D35219C25F4	08/20/2019 05:16:24	Blacked	07/19/2019	09/10/2019	PA0002199415
42	Info Hash: D96F8C20E061086C60C82D54324AADA7E73CC8C8 File Hash: E25C9BEE5FF4CB1816EC16874706797F8A9F1189026EDD67401BBBDD18F50C95	05/21/2019 05:16:10	Blacked	05/20/2019	08/02/2019	PA0002192291
43	Info Hash: D2B4C2613F8E4D42CDA01E8D2703FBBDE0C97200 File Hash: E405FE35A132796271E2ADBEA8A8C4C82459515753C2BB36CE694B726C3CF3A3	05/11/2019 06:40:54	Blacked	03/21/2019	04/17/2019	PA0002186999
44	Info Hash: 6B8E400282C3C9C50A8C00AEB5CD52F0B967DA0A File Hash: 8B1D77EE7A014B7106E69A34DB5318ADFB95AB580E12B4E69E44CE4A4D0FC85D	05/11/2019 06:39:40	Blacked	05/10/2019	07/05/2019	PA0002206368

Work	Hashes	UTC	Site	Published	Registered	Registration
45	Info Hash: 80494AFA4036C921B131676C3D1A61F5DE378231 File Hash: 85424ED7263189BB726B267E8436C95A6813BF8FA9C33CFAB19E35095E7FBBC4	05/11/2019 06:39:22	Blacked	04/10/2019	05/11/2019	PA0002173883
46	Info Hash: E39547E0E5CD17BF41AD4FD5134CBBAA9EBCDAFF File Hash: C39179CF7BCDC0DE34348557BD438568B7595E3363A8200B4CA22D66151D7633	05/11/2019 06:39:17	Blacked	04/15/2019	05/11/2019	PA0002173886
47	Info Hash: 72A1E3BF06A14C51D5B94015C5BB3C509B381699 File Hash: 3592A9D20AC5312D6034B66F17F68545754793226D2FE6F46E570F43593032E2	05/11/2019 06:38:46	Blacked	04/20/2019	05/28/2019	PA0002200782
48	Info Hash: F9B92290296A3DF4D4981A2EB881ECBD9591750C File Hash: FB5B3789E4048125B9665266C55CBA91F9F4B53AFC0E29A6F9617CEDF5F9D963	05/11/2019 06:38:39	Blacked	04/30/2019	06/03/2019	PA0002178774
49	Info Hash: 49E920F163B2C9EF2C175D4BDF8A8E00D957F0478 File Hash: EC0A7B41FAC1631FA099BE682C6FD8A4C367B0A6C18AE62A24E272827DF7BA5D	05/11/2019 06:36:48	Blacked	04/25/2019	05/28/2019	PA0002200766
50	Info Hash: 5FA59DD2A87C8333BF37865F57F8DD8429250516 File Hash: 26D181357D18F58D64D4BC97CD1F8D78F6C4D413F030998D2E921674F15F5796	04/03/2019 04:26:06	Blacked	03/31/2019	05/28/2019	PA0002200773
51	Info Hash: 6C38232F41EA64DAA5575DD592D16021BEEE98A2 File Hash: 52B6F5E4395B792AF8568C229C3F22FD6EAE978F7A3F0C55B21C0ED0216A95D3	03/21/2019 05:20:25	Blacked	05/24/2018	07/14/2018	PA0002128376
52	Info Hash: 72555676245CA53C457541455A41821330714A7A File Hash: 4FF404477E05C99BDAB75A2082DAD57AF4A52BF2271449F1448891B4CD1A1BC9	03/14/2019 05:02:57	Blacked	03/11/2019	03/31/2019	PA0002163979
53	Info Hash: 7F94C59C008CA99211BC357AA9829B7372D082F3 File Hash: 18F29D4BFDC7C28F9DDCE5E862D459D4F644732FF6A2BDDC2144DB599D4DD66C	02/27/2019 05:48:39	Blacked	02/19/2019	03/24/2019	PA0002184061

Work	Hashes	UTC	Site	Published	Registered	Registration
54	Info Hash: 259A2C3790345E1C8DE8609B1D36987D0AA87E7C File Hash: F8706D2AC4AD84950FE809E3931FA53CB4295A3A8C21442E8B83FBBC680A592C	02/27/2019 05:47:40	Blacked	10/12/2018	10/28/2018	PA0002130455
55	Info Hash: D4130E59A4F7FAA536754AB19E46653D45AA46FF File Hash: CBB560E940E2451C8A2A665F1ABFB9091234B6B474242BE14C8888C1CDE9F342	02/19/2019 05:17:35	Blacked	02/13/2019	03/11/2019	PA0002158597
56	Info Hash: C60F238231FA7D72F30AD0AC8AEE75366CE5E5E8 File Hash: 86718A831FFFC7E5DB83BC490E1467BCC568C94B6FBF1B32F074F50FABE991C6	02/13/2019 06:07:31	Blacked	02/09/2019	03/11/2019	PA0002158599
57	Info Hash: E2BB05E86116A0CDAD606375C7B9C9EB44B6F769 File Hash: 31382C19D0B2EDBD00250E62E5F055C9A09921F1CA2BB18494E6CC89BFFB9BE1	02/13/2019 06:07:29	Blacked	02/04/2019	03/24/2019	PA0002183208
58	Info Hash: 340388F38581DF5E919342C8EBB209978EEA9633 File Hash: C6EADA660D518FE1F1BE432D3C0ABF2A095E0B0E0CDF5A2D7FE4C87E0A364900	02/03/2019 06:34:44	Blacked	01/30/2019	02/22/2019	PA0002155138
59	Info Hash: AA9D6ED52E9FECEA19124A8F7FE433617F801994 File Hash: 3A24DE8F7A7AF1CE8D0BF9896895AC6606FE5CCF057E77AF300CFA9F83F06ACB	01/20/2019 05:38:49	Blacked	01/10/2019	02/02/2019	PA0002155382
60	Info Hash: B606ABAA47476F9563F9F17086AF3C58F57D4960 File Hash: F950B702A847AF99FCD90A04BEA848594B121365C3E9ED0475DB8E58B03861B8	01/20/2019 05:38:14	Blacked	01/15/2019	02/02/2019	PA0002155371

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS
 STRIKE 3 HOLDINGS, LLC

(b) County of Residence of First Listed Plaintiff Out of State
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys *(Firm Name, Address, and Telephone Number)*
 The James Law Firm, PLLC
 445 Hamilton Avenue, Suite 1102, White Plains, New York 10601
 (914) 358-6423

DEFENDANTS
 JOHN DOE subscriber assigned IP address 76.180.116.10

County of Residence of First Listed Defendant Erie
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys *(If Known)*

II. BASIS OF JURISDICTION *(Place an "X" in One Box Only)*

1 U.S. Government Plaintiff

3 Federal Question *(U.S. Government Not a Party)*

2 U.S. Government Defendant

4 Diversity *(Indicate Citizenship of Parties in Item III)*

III. CITIZENSHIP OF PRINCIPAL PARTIES *(Place an "X" in One Box for Plaintiff and One Box for Defendant)*
(For Diversity Cases Only)

	PTF	DEF		PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. NATURE OF SUIT *(Place an "X" in One Box Only)*

Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input checked="" type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609

V. ORIGIN *(Place an "X" in One Box Only)*

1 Original Proceeding 2 Removed from State Court 3 Remanded from Appellate Court 4 Reinstated or Reopened 5 Transferred from Another District *(specify)* 6 Multidistrict Litigation - Transfer 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing *(Do not cite jurisdictional statutes unless diversity)*:
17 U.S.C. § 101

Brief description of cause:
Copyright Infringement

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ 150000 CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY *(See instructions):* JUDGE _____ DOCKET NUMBER _____

DATE 6/24/2020 SIGNATURE OF ATTORNEY OF RECORD /s/ Jacqueline M. James

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
 United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
 United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
 Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
 Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.
 Original Proceedings. (1) Cases which originate in the United States district courts.
 Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.
 Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
 Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
 Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
 Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
 Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7. Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
 Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
 Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.

AO 121 (Rev. 06/16)

TO: <p style="text-align: center;">Register of Copyrights U.S. Copyright Office 101 Independence Ave. S.E. Washington, D.C. 20559-6000</p>	<p>REPORT ON THE FILING OR DETERMINATION OF AN ACTION OR APPEAL REGARDING A COPYRIGHT</p>
----------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------

In compliance with the provisions of 17 U.S.C. 508, you are hereby advised that a court action or appeal has been filed on the following copyright(s):

<input checked="" type="checkbox"/> ACTION <input type="checkbox"/> APPEAL		COURT NAME AND LOCATION	
DOCKET NO.		DATE FILED	
		6/24/2020	
		United States District Court - Western District of New York 2 Niagara Square Buffalo, NY 14202	
PLAINTIFF		DEFENDANT	
STRIKE 3 HOLDINGS, LLC		JOHN DOE subscriber assigned IP address 76.180.116.10	
COPYRIGHT REGISTRATION NO.	TITLE OF WORK		AUTHOR OR WORK
1	SEE ATTACHED		
2			
3			
4			
5			

In the above-entitled case, the following copyright(s) have been included:

DATE INCLUDED	INCLUDED BY			
	<input type="checkbox"/> Amendment	<input type="checkbox"/> Answer	<input type="checkbox"/> Cross Bill	<input type="checkbox"/> Other Pleading
COPYRIGHT REGISTRATION NO.	TITLE OF WORK		AUTHOR OF WORK	
1				
2				
3				

In the above-entitled case, a final decision was rendered on the date entered below. A copy of the order or judgment together with the written opinion, if any, of the court is attached.

COPY ATTACHED		WRITTEN OPINION ATTACHED		DATE RENDERED
<input type="checkbox"/> Order	<input type="checkbox"/> Judgment	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
CLERK		(BY) DEPUTY CLERK		DATE

DISTRIBUTION:

- | | | |
|----------------------------------------------------------------------|----------------------------------------------------------------------------------------|-----------------------------------------------------------------------|
| 1) Upon initiation of action,
mail copy to Register of Copyrights | 2) Upon filing of document adding copyright(s),
mail copy to Register of Copyrights | 3) Upon termination of action,
mail copy to Register of Copyrights |
| 4) In the event of an appeal, forward copy to Appellate Court | 5) Case File Copy | |