

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

|                        |   |                        |
|------------------------|---|------------------------|
| Flava Works, Inc.,     | ) |                        |
|                        | ) |                        |
| Plaintiff,             | ) | Case No. 1:10-cv-06517 |
|                        | ) |                        |
| v.                     | ) |                        |
|                        | ) |                        |
| Marques Rondale Gunter | ) |                        |
| d/b/a                  | ) |                        |
| myVidster.com, et. al. | ) |                        |
|                        | ) |                        |
| Defendants.            | ) |                        |

**ORDER**

This cause coming before the Court on Plaintiff, Flava Works, Inc.'s motion for preliminary injunction, due notice being given, the Court having heard the evidence and testimony of the parties;

It is hereby ordered that Defendants Marques Rondale Gunter d/b/a myVidster.com, myVidster.com, and Salsaindy, LLC shall:

- 1) Comply with U.S. Copyright law. The fact that a video is available publicly on the Internet shall not be reason for Defendants' abdication of its responsibility to make a determination as to whether or not a video is copyrighted.
- 2) Implement digital fingerprinting a/k/a "video dna signature matching" of all videos bookmarked, posted or shared on myVidster.com to prevent the posting of copyrighted videos, in accordance with industry standards.
- 3) Implement filtering of all keywords and tags of trademarks owned by Plaintiff Flava Works, Inc. to prevent the posting of copyrighted videos.
- 4) Filter the following keywords and tags to prevent the upload of copyrighted software, including intentional or inadvertent misspellings of keywords and tags:

**Flava  
Flava Works, Inc.  
Flava Works  
FlavaMen  
CocoDorm  
CocoBoy  
Thugboy  
PapiCock  
Raw Rods  
Mix It Up Boy  
Arquez  
Baby Star  
Cayden Cooper  
Cody Kyler  
DeAngelo Jackson  
Romeo Storm  
Usher Richbanks  
Malo  
Flamez  
Golden Secret  
Domino Star  
Romeo St. James  
Breion Diamond**

- 5) **Implement a repeat infringer policy to disable the account of any user who posts copyrighted videos more than once. The fact that the video is available publicly on the Internet shall not be reason for not investigating a repeat infringer or user accused of copyright infringement.**
- 6) **Implement flag buttons on the website that immediately removes a video flagged as “copyright infringement” and places the video in a queue for the webmaster to review.**
- 7) **Expediently remove, or disable access to, the infringing material when a DMCA notice is received by taking the following steps:**
  - a. **Deleting the copyrighted video;**
  - b. **Deleting the video page, comments to the video, posts associated with the video;**
  - c. **Deleting the thumbnails of the video and all images associated and/or hyperlinked with the video;**
  - d. **Deleting the video page including all Myvidster user comments to that**

- video page;
- e. **Deleting all electronic content that were created when the video was posted;**
  - f. **Warn or ban the user who posted the video.**
- 8) **Disable the accounts of the users John Does 1-26, using screen names and remove all of materials posted by these users:  
Abank, Amaterialhag, Azzfetishfreak, Blka2cutie, Bootysmell, Brod706, Cmoneyw, Damon1420, Diamonds, Fifthcharactermuppet, FuQnHot, Iiluvbtms76, In4deep, Johnjackson, Kblkmusicman, Maalik, Nellyhayes, Neumagic, Nycbigdikknigg2010, Onlidingding, , Phatboi01, Sexy909boy, Sexyblk223, Smilez, Taylormade99, Tazze\_t.**
- 9) **Store, archive, and protect any information regarding John Does 1-26, including, but not limited to, username, email address, IP Address, and any other information or data.**
- 10) **Order Defendants to pay for the attorneys' fees and costs associated with the bringing of this motion.**
- 11) **In the alternative, Plaintiff, Flava Works, Inc. requests that the Defendant website, myVidster.com be shut down and be enjoined from creating, owning, or operating any website pending the trial of this matter.**

**DATE:**

**ENTERED:**

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**JUDGE**

**PROOF SERVICE**

Under penalties of law, I served the following document or items electronically on all counsel of record for all parties:

1. Plaintiff's Proposed Order for Preliminary Injunction

by email on June 3, 2011 before 5:00 pm and by electronic filing on June 10, 2011 before 5:00 p.m.

Respectfully submitted,  
/s/ Meanith Huon  
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