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8 Attorney for Plaintiff,  
9 LIBERTY MEDIA HOLDINGS, LLC

10 UNITED STATES DISTRICT COURT

11 SOUTHERN DISTRICT OF CALIFORNIA, SAN DIEGO DIVISION

12 Liberty Media Holdings, LLC,  
13 Plaintiff,

14 vs.

15 Travis Noble

16 Defendant

Case No. '11CV0571 JAH BLM

**COMPLAINT**

**(1) COPYRIGHT INFRINGEMENT –  
17 U.S.C. § 501**

17  
18 Plaintiff, Liberty Media Holdings (“Liberty” or “Plaintiff”) files this complaint against  
19 Travis Noble and alleges as follows:

20 **JURISDICTION AND VENUE**

21 1. This is a suit for copyright infringement under the U.S. Copyright Act of 1976, as  
22 amended, 17 U.S.C §§ 101 et seq. (the Copyright Act). This Court has jurisdiction pursuant to  
23 28 U.S.C. §§ 1331 and 1338(a)

24 2. Venue in this District is proper pursuant to 28 U.S.C. § 1391(b) and 28 U.S.C. §  
25 1400(a).

26 3. This Court has personal jurisdiction over the Defendant as he has committed  
27 tortious acts within this district and/or aimed his tortious acts toward this district with the  
28 knowledge that the negative consequences thereof would be felt in this jurisdiction.

Furthermore, the Defendant contractually consented to jurisdiction in this district

1 **THE PARTIES**

2 **THE PLAINTIFF, LIBERTY MEDIA HOLDINGS, LLC**

3 4. Liberty is a California LLC with a mailing address of 302 Washington Street,  
4 Suite 321, San Diego, CA 92103.

5 5. Liberty creates and publishes original works of creative expression in the form of  
6 gay-themed adult entertainment films.

7 **DEFENDANT TRAVIS NOBLE**

8 6. Defendant Noble has been identified as a “seeder” or supplier of pirated  
9 copyrighted works belonging to Plaintiff.

10 **FIRST CAUSE OF ACTION**

11 **(Copyright Infringement 17 U.S.C. § 501)**

12 7. The Plaintiff re-alleges and incorporates by reference as if verbatim contained in  
13 each paragraph above.

14 8. Plaintiff is, and at all relevant times has been, the copyright owner of certain  
15 copyrighted and audiovisual works (the “Works”). The Works include but are not limited to  
16 “Travis and Miles,” and “Aiden and Dru.” These Works are the subject of a pending application  
17 for a valid Certificate of Copyright Registration issued by the Register of Copyrights.

18 9. Among the exclusive rights granted to each Plaintiff under the Copyright Act are  
19 the exclusive rights to reproduce the Works and to distribute them—rights which Noble  
20 maliciously and intentionally infringed upon.

21 10. Plaintiff is informed and believes, and on that basis alleges, that Defendant,  
22 without the permission or consent of Plaintiffs, has used, and continues to use, an online media  
23 distribution system (Bit Torrent) to distribute the Works to the public, and/or make the Works  
24 available for distribution to others. In doing so, Defendant has violated Plaintiff’s exclusive  
25 rights of reproduction and distribution. Defendant’s actions constitute infringement of Plaintiff’s  
26 copyrights and exclusive rights under the Copyright Act.

27 11. Plaintiff is informed and believes and on that basis alleges that the foregoing acts  
28 of infringement have been willful and intentional.

1 12. As a result of Defendant's infringement of Plaintiff's copyrights and exclusive  
2 rights under the Copyright Act, Plaintiff is entitled to either actual or statutory damages pursuant  
3 to 17 U.S.C. § 504(c).

4 13. The conduct of Defendant is causing and will continue to cause Plaintiff great and  
5 irreparable injury that cannot fully be compensated or measured in financial terms and such harm  
6 will continue unless the Defendant is enjoined from such conduct by the Honorable Court.  
7 Plaintiff has no adequate remedy at law. Pursuant to 17 U.S.C. §§ 502 and 503, Plaintiff is  
8 entitled to injunctive relief prohibited Defendant from further infringing Plaintiff's copyrights,  
9 and ordering Defendant to destroy all copies of the Works made in violation of Plaintiff's  
10 exclusive rights.

11 **WHEREFORE; PLAINTIFF PRAYS**

12 1. For an injunction providing:

13 Defendant shall be and hereby is enjoined from directly or indirectly infringing  
14 upon the Plaintiff's copyrights in the works listed in this Complaint or any other  
15 works, whether now in existence or later created, that are owned or controlled by  
16 Plaintiff (or any parent, subsidiary, or affiliate of Plaintiff), including without  
17 limitation by using the Internet or any online media distribution system to  
18 reproduce (i.e. download) any of Plaintiff's works, to distribute (i.e. upload) any of  
19 Plaintiff's works, or to make any of Plaintiff's works available for distribution to  
20 the public, except pursuant to a lawful license or with the Plaintiff's express  
21 authority. Defendant also shall destroy all copies of Plaintiff's works that  
22 Defendant has downloaded onto any computer hard drive or server and shall  
23 destroy all copies of those downloaded works transferred onto any physical  
24 medium or device in Defendant's possession, custody, or control.

25 2. For damages for each infringement of each copyrighted work pursuant to 17  
26 U.S.C. § 504.

27 3. Since Defendant's actions were willful and malicious in nature, the Plaintiff seeks  
28 the maximum statutory damages of \$150,000 per infringement. At this time, that would equal  
\$300,000, but Plaintiff reserves the right to amend this complaint if, and when, other  
circumstances of infringement are discovered.

4. For Plaintiff's costs in this action.

5. For Plaintiff's attorney's fees incurred in bringing this action.

1           6.       For such other and further relief, either at law or in equity, general or special, to  
2 which the may be entitled.

3 Date: March 22, 2011.

4                               s/ Marc Randazza  
5 Marc Randazza, SBN 269535  
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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 THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

Liberty Media Holdings

DEFENDANTS

Travis Noble

(b) County of Residence of First Listed Plaintiff San Diego

(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)

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

(c) Attorney's (Firm Name, Address, and Telephone Number)

Marc Randazza, Randazza Legal Group
3969 4th Ave., Ste 204, San Diego, CA 92103
888-667-1113

Attorneys (If Known)

'11CV0571 JAH BLM

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

- 1 U.S. Government Plaintiff
2 U.S. Government Defendant
3 Federal Question (U.S. Government Not a Party)
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)

- Citizen of This State
Citizen of Another State
Citizen or Subject of a Foreign Country
PTF DEF
1 1
2 2
3 3
4 4
5 5
6 6

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

Table with 5 columns: CONTRACT, REAL PROPERTY, TORTS, CIVIL RIGHTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES. Includes various legal categories like Insurance, Real Estate, Personal Injury, etc.

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
7 Appeal to District Judge from Magistrate Judgment

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. Section 501
Copyright Infringement

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23
DEMAND \$ 150,000 per infringement
CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE DOCKET NUMBER

DATE SIGNATURE OF ATTORNEY OF RECORD

3/22/11 s/ Marc Randazza

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFF JUDGE MAG. JUDGE