

EXHIBIT 2

Copyright troll Righthaven sues for control of Drudge Report domain

By [Eriq Gardner](#) | Last updated 3 months ago

News aggregation impresario Matt Drudge is being sued for copyright infringement for reproducing a copyrighted photo along with a link to a story about airport security on the *Las Vegas Review-Journal* website.

The plaintiff in the case is Righthaven, a company that's earned a reputation this year as a world-class copyright troll. Righthaven has sued nearly 200 parties this year alone. Righthaven has typically gone after those who post news excerpts of its partners, such as the *Las Vegas Review-Journal*, but pledged to be more discretionary after being handed a defeat in court by a judge who recently ruled that one of its targets had "fair use" to its work.

Instead, Righthaven announced it had teamed up with the nation's second-biggest news chain, owners of the *Denver Post* among others, and has now filed a lawsuit that arguably takes the mass-suer to a whole new level with its biggest target yet.

In the new lawsuit, Righthaven asks a judge to "lock the Drudge Report Domain and transfer control of the Drudge Report Domain to Righthaven."

Why?

According to the complaint filed yesterday in Nevada District Court, the Drudge Report website is alleged to have posted a photo first found in the *Denver Post* showing a TSA agent giving a pat-down at an airport.



TSA XXX: AIRPORT WANTS 'OPT OUT' **DRUDGE REPORT**

The photo in question as it appeared on Drudge Report

Drudge's post also allegedly contained "an embedded hyperlink entitled: 'VEGAS CONFIDENTIAL,' linking directly to a section of the *Las Vegas Review-Journal* website."

Drudge has been sued before for committing libel via his provocative linking. In 1997, former Clinton White House aide Sidney Blumenthal sued Drudge for defamation, a case that was later settled on favorable terms to Drudge four years later. The topic of linking liability in the defamation context is also being examined this week at Canada's Supreme Court.

This lawsuit, though, is a rarity insofar as copyright infringement being connected to linking. Righthaven takes issue with the fact that the Drudge Report has no DMCA takedown regime to respond to those who alleged violations of copyright.

The plaintiff demands statutory damages for willful infringement, costs, and an injunction that would allow Righthaven to seize the Drudge Report domain.