

1 STEVEN A. GIBSON, ESQ.
Nevada Bar No. 6656
sgibson@righthaven.com

2 J. CHARLES COONS, ESQ.
Nevada Bar No. 10553
ccoons@righthaven.com

3 Righthaven LLC
4 9960 West Cheyenne Avenue, Suite 210
Las Vegas, Nevada 89129-7701
5 (702) 527-5900
6 Attorneys for Plaintiff

7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**

10 RIGHTHAVEN LLC, a Nevada limited-
liability company,

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12 Plaintiff,

13 v.

14 DR. SHEZAD MALIK LAW FIRM P.C., a
Texas domestic professional corporation,

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16 Defendant.

Case No.: 2:10-cv-0636

**COMPLAINT AND DEMAND FOR JURY
TRIAL**

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19 Righthaven LLC (“Righthaven”) complains as follows against Dr. Shezad Malik Law
20 Firm P.C. (the “Malik Firm”), a Texas domestic professional corporation, on information and
21 belief:

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23 **NATURE OF ACTION**

- 24 1. This is an action for copyright infringement pursuant to 17 U.S.C. §501.
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FACTS

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2 22. Righthaven is the copyright owner of the literary work entitled “Florida woman
3 suing over Monte Carlo fire” (the “Work”), attached hereto as Exhibit 4.

4 23. The Work was originally published on January 19, 2010.

5 24. The Work constitutes copyrightable subject matter, pursuant to 17 U.S.C.
6 §102(a)(1).

7 25. On April 12, 2010, 2010, the United States Copyright Office (the “USCO”)
8 granted Righthaven the registration to the Work, copyright registration number TX0007125673
9 (the “Registration”) and attached hereto as Exhibit 5 is evidence of the Registration in the form
10 of a printout of the official USCO database record depicting the occurrence of the Registration.

11 26. The Malik Firm owns the Website.

12 27. At all times relevant, the Malik Firm had and has maintained beneficial control of
13 the Website.

14 28. At all times relevant, the Malik Firm has and had maintained the administrative
15 duties to add to, delete from and arrange content on the Website.

16 29. No later than January 20, 2010, the Malik Firm reproduced an unauthorized copy
17 of the Work on the Website.

18 30. No later than January 20, 2010, the Malik Firm displayed the Infringement on the
19 Website.

20 31. As of April 27, 2010, the Malik Firm continues to display the Infringement on the
21 Website.

22 32. The Malik Firm did not seek permission, in any manner, to reproduce, display, or
23 otherwise exploit the Work.

24 33. The Malik Firm was not granted permission, in any manner, to reproduce, display,
25 or otherwise exploit the Work.
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CLAIM FOR RELIEF: COPYRIGHT INFRINGEMENT

34. Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through 33 above.

35. Righthaven holds the exclusive right to reproduce the Work, pursuant to 17 U.S.C. §106(1).

36. Righthaven holds the exclusive right to prepare derivative works based upon the Work, pursuant to 17 U.S.C. §106(2).

37. Righthaven holds the exclusive right to distribute copies of the Work, pursuant to 17 U.S.C. §106(3).

38. Righthaven holds the exclusive right to publicly display the Work, pursuant to 17 U.S.C. §106(5).

39. The Malik Firm reproduced the Work, in derogation of Righthaven's exclusive rights under 17 U.S.C. §106(1).

40. The Malik Firm created an unauthorized derivative of the Work, in derogation of Righthaven's exclusive rights under 17 U.S.C. §106(2).

41. The Malik Firm distributes unauthorized reproductions of the Work via the Website, in derogation of Righthaven's exclusive rights under 17 U.S.C. §106(3).

42. The Malik Firm publicly display an unauthorized reproduction of the Work at the Website, in derogation of Righthaven's exclusive rights under 17 U.S.C. §106(5).

43. The Malik Firm has willfully engaged in the copyright infringement of the Work.

44. The Malik Firm's acts as alleged herein, and the ongoing direct results of those acts, have caused and will continue to cause irreparable harm to Righthaven in an amount Righthaven cannot ascertain, leaving Righthaven with no adequate remedy at law.

45. Unless the Malik Firm is preliminarily and permanently enjoined from further infringement of the Work, Righthaven will be irreparably harmed, and Righthaven is thus entitled to preliminary and permanent injunctive relief against further infringement by the Malik Firm of the Work, pursuant to 17 U.S.C. §502.

PRAYER FOR RELIEF

Righthaven requests that this Court grant Righthaven’s claim for relief herein as follows:

1. Preliminarily and permanently enjoin and restrain the Malik Firm, and the Malik Firm’s officers, agents, servants, employees, attorneys, parents, subsidiaries, related companies, partners, and all persons acting for, by, with, through, or under the Malik Firm, from directly or indirectly infringing the Work by reproducing the Work, preparing derivative works based on the Work, distributing the Work to the public, and/or displaying the Work, or ordering, directing, participating in, or assisting in any such activity;

2. Direct the Malik Firm to preserve, retain, and deliver to Righthaven in hard copies or electronic copies:

a. All evidence and documentation relating in any way to the Malik Firm’s use of the Work, in any form, including, without limitation, all such evidence and documentation relating to the Website;

b. All evidence and documentation relating to the names and addresses (whether electronic mail addresses or otherwise) of any person with whom the Malik Firm has communicated regarding the Malik Firm’s use of the Work; and

c. All financial evidence and documentation relating to the Malik Firm’s use of the Work;

3. Direct GoDaddy.com, Inc., and any successor domain name registrar for the Website domain, to lock the Website domain and transfer control of the Website domain to Righthaven;

4. Award Righthaven statutory damages for the willful infringement of the Work, pursuant to 17 U.S.C. §504(c);

5. Award Righthaven pre- and post-judgment interest in accordance with applicable law; and

6. Grant Righthaven such other relief as this Court deems appropriate.

DEMAND FOR JURY TRIAL

Righthaven requests a trial by jury pursuant to Fed.R.Civ.P. 38.

Dated this fourth day of May, 2010.

RIGHTHAVEN LLC

By: /s/ J. Charles Coons
STEVEN A. GIBSON, ESQ.
Nevada Bar No. 6656
J. CHARLES COONS, ESQ.
Nevada Bar No. 10553
9960 West Cheyenne Avenue, Suite 210
Las Vegas, Nevada 89129-7701
Attorneys for Plaintiff

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