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

10  
11 RIGHTHAVEN LLC, a Nevada limited-  
12 liability company,

13  
14 Plaintiff,

15 v.

16 BEN JONES, an individual,

17 Defendant.  
18

Case No.: 2:10-cv-01046

**COMPLAINT AND DEMAND  
FOR JURY TRIAL**

19  
20 Righthaven LLC (“Righthaven”) complains as follows against Ben Jones (“Mr. Jones”)   
21 on information and 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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**PARTIES**

1  
2 2. Righthaven is, and has been at all times relevant to this lawsuit, a Nevada limited-  
3 liability company with its principal place of business in Nevada.

4 3. Righthaven is, and has been at all times relevant to this lawsuit, in good standing  
5 with the Nevada Secretary of State.

6 4. Mr. Jones is, and has been at all times relevant to this lawsuit, identified by the  
7 current registrar, GoDaddy.com, Inc. (“GoDaddy”), as the administrative and technical contact  
8 for the Internet domain found at <thehousingbubbleblog.com> (the “Domain”).

9 5. Mr. Jones is, and has been at all times relevant to this lawsuit, identified as the  
10 author of the content accessible through the Domain (said content accessible through the Domain  
11 and the Domain itself, collectively known herein as the “Website”), on the Website, as evidenced  
12 by the “about me” section of the Website attached hereto as Exhibit 1.

13  
14 **JURISDICTION**

15 6. This Court has original subject matter jurisdiction over this copyright  
16 infringement action pursuant to 28 U.S.C. § 1331 and 28 U.S.C. § 1338(a).

17 7. Righthaven is the owner of the copyright in the literary work entitled: “Lake Las  
18 Vegas to leave bankruptcy in two months, official says” (the “Work”), attached hereto as Exhibit  
19 2.

20 8. At all times relevant to this lawsuit, the Work has depicted and depicts the  
21 original source publication as the Las Vegas *Review-Journal*.

22 9. Mr. Jones willfully copied, on an unauthorized basis, a substantial and significant  
23 portion of the Work from a source emanating from Nevada.

24 10. On or about April 9, 2010, Mr. Jones displayed, and continues to display, an  
25 unauthorized reproduction of the Work (the “Infringement”), attached hereto as Exhibit 3, on the  
26 Website.

27 11. At all times relevant to this lawsuit, the Infringement has depicted and depicts the  
28 original source publication as the Las Vegas *Review-Journal*.



**FACTS**

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

23. Righthaven is the owner of the copyright in the Work.

24. The Work was originally published on April 9, 2010.

25. On June 21, 2010, the United States Copyright Office (the “USCO”) granted Righthaven the registration to the Work, copyright registration number TX0007159691 (the “Registration”) and attached hereto as Exhibit 5 is evidence of the Registration from the official USCO database record depicting the occurrence of the Registration.

26. On or about April 9, 2010, Mr. Jones displayed, and continues to display, the Infringement on the Website.

27. Mr. Jones did not seek permission, in any manner, to reproduce, display, or otherwise exploit the Work.

28. Mr. Jones was not granted permission, in any manner, to reproduce, display, or otherwise exploit the Work.

**CLAIM FOR RELIEF: COPYRIGHT INFRINGEMENT**

29. Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through 28 above.

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

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

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

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



1           2.       Direct Mr. Jones to preserve, retain, and deliver to Righthaven in hard copies or  
2 electronic copies:

3               a.       All evidence and documentation relating in any way to Mr. Jones' use of  
4 the Work, in any form, including, without limitation, all such evidence and  
5 documentation relating to the Website;

6               b.       All evidence and documentation relating to the names and addresses  
7 (whether electronic mail addresses or otherwise) of any person with whom Mr. Jones has  
8 communicated regarding Mr. Jones' use of the Work; and

9               c.       All financial evidence and documentation relating to Mr. Jones' use of the  
10 Work;

11           3.       Direct GoDaddy and any successor domain name registrar for the Domain to lock  
12 the Domain and transfer control of the Domain to Righthaven;

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

15           5.       Award Righthaven costs, disbursements, and attorneys' fees incurred by  
16 Righthaven in bringing this action, pursuant to 17 U.S.C. § 505;

17           6.       Award Righthaven pre- and post-judgment interest in accordance with applicable  
18 law; and

19           7.       Grant Righthaven such other relief as this Court deems appropriate.  
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**DEMAND FOR JURY TRIAL**

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

Dated this twenty-eighth day of June, 2010.

RIGHTHAVEN LLC

By: /s/ J. Charles Coons  
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