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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 ISAAC ROSETE, an individual; and
17 QUESTION AUTHORITY, an entity of
unknown origin and nature,

18 Defendants.
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Case No.: 2:10-cv-01158

**COMPLAINT AND DEMAND
FOR JURY TRIAL**

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21 Righthaven LLC (“Righthaven”) complains as follows against Isaac Rosete (“Mr.
22 Rosete”) and Question Authority (collectively with Mr. Rosete known herein as the
23 “Defendants”), on information and belief:
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25 **NATURE OF ACTION**

26 1. This is an action for copyright infringement pursuant to 17 U.S.C. § 501.
27
28

PARTIES

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

9 5. Question Authority is, and has been at all times relevant to this lawsuit, identified
10 by GoDaddy as the registrant of the Domain.

11 6. Question Authority is, and has been at all times relevant to this lawsuit, an entity
12 of unknown origin and nature.

13 7. Attempts to find evidence of formal organizational status in the respective
14 Secretary of State offices of Delaware, California, Illinois, New York, Texas, Tennessee, and
15 Nevada demonstrate that, at least with respect to these states, Question Authority is not a
16 formally organized business entity.

17 8. According to GoDaddy, Mr. Rosete’s contact information is identical to the
18 registrant contact information provided for Question Authority, evidence of which is attached
19 hereto as Exhibit 1.

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22 **JURISDICTION**

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

25 10. Righthaven is the owner of the copyright in the literary work entitled: “Exxon
26 Valdez oil risks spur warning for gulf cleanup crews” (the “Work”), attached hereto as Exhibit 2.

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

1 12. The Defendants willfully copied, on an unauthorized basis, the Work from a
2 source emanating from Nevada.

3 13. On or about June 24, 2010, the Defendants displayed, and continue to display, an
4 unauthorized reproduction of the Work (the “Infringement”), attached hereto as Exhibit 3, as part
5 of the content accessible through the Domain (said content accessible through the Domain
6 known herein as the “Website”).

7 14. At all times relevant to this lawsuit, the Defendants knew that the Work was
8 originally published in the *Las Vegas Review-Journal*.

9 15. The Defendants’ display of the Infringement was and is purposefully directed at
10 Nevada residents.

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13 **VENUE**

14 16. The United States District Court for the District of Nevada is an appropriate
15 venue, pursuant to 28 U.S.C. § 1391(b)(2), because a substantial part of the events giving rise to
16 the claim for relief are situated in Nevada.

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19 **FACTS**

20 17. The Work constitutes copyrightable subject matter, pursuant to 17 U.S.C. §
21 102(a)(1).

22 18. Righthaven is the owner of the copyright in and to the Work.

23 19. The Work was originally published on May 10, 2010.

24 20. On July 9, 2010, the United States Copyright Office (the “USCO”) granted
25 Righthaven the registration to the Work, copyright registration number TX0007171971 (the
26 “Registration”) and attached hereto as Exhibit 4 is evidence of the Registration in the form of a
27 printout of the official USCO database record depicting the occurrence of the Registration.
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1 21. On or about June 24, 2010, the Defendants displayed, and continue to display, the
2 Infringement on the Website.

3 22. The Defendants did not seek permission, in any manner, to reproduce, display, or
4 otherwise exploit the Work.

5 23. The Defendants were not granted permission, in any manner, to reproduce,
6 display, or otherwise exploit the Work.

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9 **CLAIM FOR RELIEF: COPYRIGHT INFRINGEMENT**

10 24. Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through
11 23 above.

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

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

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

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

20 29. The Defendants reproduced the Work in derogation of Righthaven's exclusive
21 rights under 17 U.S.C. § 106(1).

22 30. The Defendants created an unauthorized derivative of the Work in derogation of
23 Righthaven's exclusive rights under 17 U.S.C. § 106(2).

24 31. The Defendants distributed, and continue to distribute, an unauthorized
25 reproduction of the Work on the Website, in derogation of Righthaven's exclusive rights under
26 17 U.S.C. § 106(3).

1 32. The Defendants publicly displayed, and continue to publicly display, an
2 unauthorized reproduction of the Work on the Website, in derogation of Righthaven's exclusive
3 rights under 17 U.S.C. § 106(5).

4 33. Mr. Rosete has willfully engaged in the copyright infringement of the Work.

5 34. Question Authority has willfully engaged in the copyright infringement of the
6 Work.

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

10 36. Unless the Defendants are preliminarily and permanently enjoined from further
11 infringement of the Work, Righthaven will be irreparably harmed, and Righthaven is thus
12 entitled to preliminary and permanent injunctive relief against further infringement by the
13 Defendants of the Work, pursuant to 17 U.S.C. § 502.

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16 **PRAYER FOR RELIEF**

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

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

24 2. Direct the Defendants to preserve, retain, and deliver to Righthaven in hard copies
25 or electronic copies:

26 a. All evidence and documentation relating in any way to the Defendants'
27 use of the Work, in any form, including, without limitation, all such evidence and
28 documentation relating to the Website;

