

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 JOSEPH C. CHU, ESQ.
4 Nevada Bar No. 11082
jchu@righthaven.com
5 Righthaven LLC
9960 West Cheyenne Avenue, Suite 210
6 Las Vegas, Nevada 89129-7701
(702) 527-5900
7 Attorneys for Plaintiff

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

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

13
14 Plaintiff,

15 v.

16 INKONET NETWORKS, an entity of
unknown origin and nature; SONICVIBES
17 ENTERTAINMENT LLC, a New York
general partnership; INKOSONIC
18 NETWORKS, an entity of unknown origin
and nature; and ANTONIO LAROSA, an
19 individual,

20 Defendants.
21

Case No.: 2:10-cv-01280

**COMPLAINT AND DEMAND
FOR JURY TRIAL**

22
23 Righthaven LLC (“Righthaven”) complains as follows against INKONET Networks
24 (“Inkonet”), SonicVibes Entertainment LLC (“SonicVibes”), INKOSONIC Network
25 (“Inkosonic”), and Antonio LaRosa (“Mr. LaRosa”; collectively with Inkonet, SonicVibes, and
26 Inkosonic known herein as the “Defendants”), on information and belief:
27
28

1 **NATURE OF ACTION**

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

3
4 **PARTIES**

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

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

9 4. Inkonet is, and has been at all times relevant to this lawsuit, an entity of unknown
10 origin and nature.

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

15 6. Inkonet is, and has been at all times relevant to this lawsuit, identified by the
16 current registrar, GoDaddy.com, Inc. (“GoDaddy”), as the registrant, administrative contact, and
17 technical contact for the Internet domain found at <wnytruthers.org> (the “Domain”).

18 7. Inkosonic is, and has been at all times relevant to this lawsuit, an entity of
19 unknown origin and nature.

20 8. Attempts to find evidence of formal organizational status in the respective
21 Secretary of State offices of Delaware, California, Illinois, New York, Texas, Tennessee, and
22 Nevada demonstrate that, at least with respect to these states, Inkosonic is not a formally
23 organized business entity.

24 9. Inkosonic is, and has been at all times relevant to this lawsuit, the self-proclaimed
25 owner of the copyright(s) in the work(s) posted as part of the content accessible through the
26 Domain (said content accessible through the Domain known herein as the “Website”), as
27 evidenced by a copyright notice displayed on the Website: “© 2010 Inkosonic Networks.”
28

CLAIM FOR RELIEF: COPYRIGHT INFRINGEMENT

1
2 31. Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through
3 30 above.

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

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

8 34. Righthaven holds the exclusive right to distribute copies of the Work, pursuant to
9 17 U.S.C. § 106(3).

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

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

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

16 38. The Defendants distributed, and continue to distribute, an unauthorized
17 reproduction of the Work on the Website, in derogation of Righthaven's exclusive rights under
18 17 U.S.C. § 106(3).

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

22 40. Inkonet has willfully engaged in the copyright infringement of the Work.

23 41. SonicVibes has willfully engaged in the copyright infringement of the Work.

24 42. Inkosonic has willfully engaged in the copyright infringement of the Work.

25 43. Mr. LaRosa has willfully engaged in the copyright infringement of the Work.

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

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

5
6
7 **PRAYER FOR RELIEF**

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

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

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

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

20 b. All evidence and documentation relating to the names and addresses
21 (whether electronic mail addresses or otherwise) of any person with whom the
22 Defendants have communicated regarding the Defendants' use of the Work; and

23 c. All financial evidence and documentation relating to the Defendants' use
24 of the Work;

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

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

