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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 TEB MEDIA, an entity of unknown origin and  
17 nature; BUY DOG BEDS, an entity of  
18 unknown origin and nature; and RONALD  
BAXTER, an individual,

19 Defendants.  
20

Case No.: 2:10-cv-01328

**COMPLAINT AND DEMAND  
FOR JURY TRIAL**

21  
22 Righthaven LLC (“Righthaven”) complains as follows against TEB Media (“TEB”), Buy  
23 Dog Beds (“Dog Beds”) and Ronald Baxter (“Mr. Baxter”; collectively with TEB and Dog Beds  
24 known herein as the “Defendants”), on information and belief:

25  
26 **NATURE OF ACTION**

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

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

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

12 6. TEB is, and has been at all times relevant to this lawsuit, identified by the current  
13 registrar, GoDaddy.com, Inc. (“GoDaddy”), as the registrant for the Internet domain found at  
14 <buydogbeds.org> (the “Domain”).

15 7. TEB is, and has been at all times relevant to this lawsuit, identified by GoDaddy  
16 as an administrative and technical contact for the Domain.

17 8. Mr. Baxter is, and has been at all times relevant to this lawsuit, identified by  
18 GoDaddy as an administrative and technical contact for the Domain.

19 9. Dog Beds is, and has been at all times relevant to this lawsuit, an entity of  
20 unknown origin and nature.

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

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

**JURISDICTION**

1  
2 12. This Court has original subject matter jurisdiction over this copyright  
3 infringement action pursuant to 28 U.S.C. § 1331 and 28 U.S.C. § 1338(a).

4 13. Righthaven is the owner of the copyright in the literary work entitled: “Slain Store  
5 Clerk, 77, mourned” (the “Work”), attached hereto as Exhibit 1.

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

8 15. The Defendants willfully copied, on an unauthorized basis, a substantial and  
9 significant portion of the Work from a source emanating from Nevada.

10 16. On or about July 28, 2010, the Defendants displayed, and continue to display, an  
11 unauthorized reproduction of the Work (the “Infringement”), attached hereto as Exhibit 2, on the  
12 Website.

13 17. The subject matter, at least in part, of the Work and Infringement, is a clerk that  
14 allegedly shot and killed a thief during the attempted robbery of a store located in Las Vegas,  
15 Nevada.

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

18 19. At all times relevant to this lawsuit, the Defendants knew that the infringement  
19 was and is of specific interest to Nevada residents.

20 20. The Defendants’ display of the Infringement was and is purposefully directed at  
21 Nevada residents.

22 21. The Defendants directly caused the public display of the Infringement on the  
23 Website.

24  
25 **VENUE**

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



1 34. Righthaven holds the exclusive right to distribute copies of the Work, pursuant to  
2 17 U.S.C. § 106(3).

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

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

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

9 38. The Defendants distributed, and continue to distribute, an unauthorized  
10 reproduction of the Work on the Website, in derogation of Righthaven's exclusive rights under  
11 17 U.S.C. § 106(3).

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

15 40. TEB has willfully engaged in the copyright infringement of the Work.

16 41. Dog Beds has willfully engaged in the copyright infringement of the Work.

17 42. Mr. Baxter has willfully engaged in the copyright infringement of the Work.

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

21 44. Unless the Defendants are preliminarily and permanently enjoined from further  
22 infringement of the Work, Righthaven will be irreparably harmed, and Righthaven is thus  
23 entitled to preliminary and permanent injunctive relief against further infringement by the  
24 Defendants 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 Defendants, and the Defendants’ officers, agents, servants, employees, attorneys, parents, subsidiaries, related companies, partners, and all persons acting for, by, with, through, or under the Defendants, 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 Defendants to preserve, retain, and deliver to Righthaven in hard copies or electronic copies:

a. All evidence and documentation relating in any way to the Defendants’ 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 Defendants have communicated regarding the Defendants’ use of the Work; and

c. All financial evidence and documentation relating to the Defendants’ use of the Work;

3. Direct GoDaddy and any successor domain name registrar for the Domain to lock the Domain and transfer control of the 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 costs, disbursements, and attorneys’ fees incurred by Righthaven in bringing this action, pursuant to 17 U.S.C. § 505;

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

7. 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 sixth day of August, 2010.

RIGHTHAVEN LLC

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