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	UNITED STATES DISTRICT COURT		
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1.0	DISTRICT	OF NEVADA	
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	RIGHTHAVEN LLC, a Nevada limited-	Case No.: 2:10-cy-01404	
12	liability company,		
		COMPLAINT AND DEMAND	
13		FOR JURY TRIAL	
14	Plaintiff,		
T 4	Tiumiti,		
15	v.		
16	HUSH-HUSH ENTERTAINMENT, INC., a		
1 7	suspended California company; and PN		
17	MEDIA, INC., a California company,		
18			
	Defendants.		
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20	Pighthayan I I C ("Pighthayan") compl	ains as follows against Hush-Hush Entertainment	
21	Righthaven LLC (Righthaven) compi	anis as follows against Hush-Hush Entertainment	
	Inc. ("Hush-Hush") and PN Media, Inc. ("PN M	Media"; collectively with Hush-Hush known	
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	herein as the "Defendants"), on information and	d belief:	
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24	NATURE	OF ACTION	
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	1. This is an action for copyright in	afringement pursuant to 17 U.S.C. § 501.	
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PARTIES

- 2. Righthaven is, and has been at all times relevant to this lawsuit, a Nevada limited-liability company with its principal place of business in Nevada.
- 3. Righthaven is, and has been at all times relevant to this lawsuit, in good standing with the Nevada Secretary of State.
- 4. PN Media is, and has been at all times relevant to this lawsuit, a California company.
- 5. Hush-Hush is, and has been at all times relevant to this lawsuit, a suspended California company.
- 6. PN Media is, and has been at all times relevant to this lawsuit, identified by the current registrar, GoDaddy.com, Inc. ("GoDaddy"), as the registrant, administrative contact and technical contact for the Internet domain found at cpornnewz.com (the "Domain").
- 7. Hush-Hush is, and has been at all times relevant to this lawsuit, identified by the content found on the Domain (the content accessible through the Domain and the Domain itself herein known as the "Website"), as the "Owner" of the Website, attached hereto as Exhibit 1.
- 8. PN Media is, and has been at all times relevant to this lawsuit, the self-proclaimed owner of the copyright(s) in the work(s) posted on the Website, as evidenced by a copyright notice displayed on the Website: "Copyright © 2008-2009 PornNewz.com, PN Media Inc. All rights reserved."

JURISDICTION

- 9. This Court has original subject matter jurisdiction over this copyright infringement action pursuant to 28 U.S.C. § 1331 and 28 U.S.C. § 1338(a).
- 10. Righthaven is the owner of the copyright in the literary work entitled: "XXXChurch.com strives to demonstrate Jesus' love overcomes any stigma" (the "Work"), attached hereto as Exhibit 2.
- 11. At all times relevant to this lawsuit, the Work has depicted and depicts the original source publication as the Las Vegas *Review-Journal*.

- 12. The Defendants willfully copied, on an unauthorized basis, the Work from a source emanating from Nevada.
- 13. On or about July 7, 2010, the Defendants displayed, and continue to display, an unauthorized reproduction of the Work (the "Infringement"), attached hereto as Exhibit 3, on the Website.
- 14. The subject matter, at least in part, of the Work and the Infringement, is a church that ministers to pornography stars, exotic dancers and prostitutes in the Las Vegas, Nevada area.
- 15. At all times relevant to this lawsuit, the Defendants knew that the Work was originally published in the Las Vegas *Review-Journal*.
- 16. The Defendants knew, or reasonably should have known, that websites, such as the Website, are and were at all times relevant to this lawsuit, the habitual subject of postings by others of copyright-infringing content.
- 17. At all times relevant to this lawsuit, the Defendants did not institute any proactive policy of precluding or attempting to preclude the posting by others of copyright-infringing content on the Website.
- 18. At all times relevant to this lawsuit, the Defendants did not institute any proactive policy of monitoring or attempting to monitor the posting by others of copyright-infringing content on the Website.
- 19. At all times relevant to this lawsuit, the Defendants did not institute any proactive policy of deleting or attempting to delete the posting by others of copyright-infringing content on the Website.
- 20. At all times relevant to this lawsuit, the Defendants' failure to institute any proactive policies intended to address the posting by others of copyright-infringing content on the Website constituted and constitutes the Defendants' willful blindness to copyright infringements occurring on the Website.
- 21. At all times relevant to this lawsuit, the Defendants knew that the infringement was and is of specific interest to Nevada residents.

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22. The Defendants' display of the Infringement was and is purposefully directed at Nevada residents.

VENUE

- 23. The United States District Court for the District of Nevada is an appropriate venue, pursuant to 28 U.S.C. § 1391(b)(2), because a substantial part of the events giving rise to the claim for relief are situated in Nevada.
- 24. The United States District Court for the District of Nevada is an appropriate venue, pursuant to 28 U.S.C. § 1391(c), because Hush-Hush is subject to personal jurisdiction in Nevada.
- 25. The United States District Court for the District of Nevada is an appropriate venue, pursuant to 28 U.S.C. § 1391(c), because PN Media is subject to personal jurisdiction in Nevada.
- 26. The United States District Court for the District of Nevada is an appropriate venue, pursuant to 28 U.S.C. § 1400(a), because the Defendants are subject to personal jurisdiction in Nevada.

FACTS

- 27. The Work constitutes copyrightable subject matter, pursuant to 17 U.S.C. § 102(a)(1).
 - 28. Righthaven is the owner of the copyright in and to the Work.
 - 29. The Work was originally published on May 30, 2010.
- 30. On August 11, 2010, the United States Copyright Office (the "USCO") granted Righthaven the registration to the Work, copyright registration number TX0007190316 (the "Registration") and attached hereto as Exhibit 4 is evidence of the Registration from the official USCO database record depicting the occurrence of the Registration.
- 31. On or about July 7, 2010, the Defendants displayed, and continue to display, the Infringement on the Website.

- 32. The Defendants did not seek permission, in any manner, to reproduce, display, or otherwise exploit the Work.
- 33. The Defendants were not granted permission, in any manner, to reproduce, display, or otherwise exploit the Work.

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 Defendants reproduced the Work in derogation of Righthaven's exclusive rights under 17 U.S.C. § 106(1).
- 40. The Defendants created an unauthorized derivative of the Work in derogation of Righthaven's exclusive rights under 17 U.S.C. § 106(2).
- 41. The Defendants distributed, and continue to distribute, an unauthorized reproduction of the Work on the Website, in derogation of Righthaven's exclusive rights under 17 U.S.C. § 106(3).
- 42. The Defendants publicly displayed, and continue to publicly display, an unauthorized reproduction of the Work on the Website, in derogation of Righthaven's exclusive rights under 17 U.S.C. § 106(5).
 - 43. Hush-Hush has willfully engaged in the copyright infringement of the Work.
 - 44. PN Media has willfully engaged in the copyright infringement of the Work.

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- 45. The Defendants' 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.
- 46. Unless the Defendants are 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 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:
 - All evidence and documentation relating in any way to the Defendants' a. 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;
- Direct GoDaddy and any successor domain name registrar for the Domain to lock the Domain and transfer control of the Domain to Righthaven;

1	4.	Award Righthaven statutory damages for the willful infringement of the Work,
2	pursuant to 1	7 U.S.C. § 504(c);
3	5.	Award Righthaven costs, disbursements, and attorneys' fees incurred by
4	Righthaven i	n bringing this action, pursuant to 17 U.S.C. § 505;
5	6.	Award Righthaven pre- and post-judgment interest in accordance with applicable
6	law; and	
7	7.	Grant Righthaven such other relief as this Court deems appropriate.
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9		DEMAND FOR JURY TRIAL
10	Right	thaven requests a trial by jury pursuant to Fed. R. Civ. P. 38.
11	Dated	d eighteenth day of August, 2010.
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13		RIGHTHAVEN LLC
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15		By: /s/ J. Charles Coons STEVEN A. GIBSON, ESQ.
16		Nevada Bar No. 6656 J. CHARLES COONS, ESQ.
17		Nevada Bar No. 10553 JOSEPH C. CHU, ESQ.
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19		Las Vegas, Nevada 89129-7701 Attorneys for Plaintiff
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