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

11 RIGHTHAVEN LLC, a Nevada limited-
 liability company,

13 Plaintiff,

14 v.

15 RAWGURU, INC., an Illinois domestic
 16 corporation; MICHAEL PETRUSHANSKY,
 an individual; and ALEX MALINSKY, an
 17 individual,

18 Defendants.

Case No.: 2:10-cv-01570

**COMPLAINT AND DEMAND
 FOR JURY TRIAL**

21 Righthaven LLC (“Righthaven”) complains as follows against RawGuru, Inc.
 22 (“RawGuru”), Michael Petrushansky (“Mr. Petrushansky”), and Alex Malinsky (“Mr.
 23 Malinsky”; collectively with RawGuru and Mr. Petrushansky known herein as the “Defendants”) on information and belief:

26 **NATURE OF ACTION**

27 1. This is an action for copyright infringement pursuant to 17 U.S.C. § 501.
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1 31. Righthaven holds the exclusive right to prepare derivative works based upon the
2 Work, pursuant to 17 U.S.C. § 106(2).

3 32. Righthaven holds the exclusive right to distribute copies of the Work, pursuant to
4 17 U.S.C. § 106(3).

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

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

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

11 36. The Defendants distributed, and continue to distribute, an unauthorized
12 reproduction of the Work on the Website, in derogation of Righthaven's exclusive rights under
13 17 U.S.C. § 106(3).

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

17 38. RawGuru has willfully engaged in the copyright infringement of the Work.

18 39. Mr. Petrushansky has willfully engaged in the copyright infringement of the
19 Work.

20 40. Mr. Malinsky has willfully engaged in the copyright infringement of the Work.

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

24 42. Unless the Defendants are preliminarily and permanently enjoined from further
25 infringement of the Work, Righthaven will be irreparably harmed, and Righthaven is thus
26 entitled to preliminary and permanent injunctive relief against further infringement by the
27 Defendants of the Work, pursuant to 17 U.S.C. § 502.

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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 eNom, 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 Rule 38 of the Federal Rules Civil Procedure.

Dated this fourteenth day of September, 2010.

RIGHTHAVEN LLC

By: /s/ J. Charles Coons
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