

1 J. CHARLES COONS, ESQ.  
 Nevada Bar No. 10553  
[cchoons@righthaven.com](mailto:cchoons@righthaven.com)  
 2 *Assistant General Counsel at Righthaven*  
 JOSEPH C. CHU, ESQ.  
 Nevada Bar No. 11082  
[jchu@righthaven.com](mailto:jchu@righthaven.com)  
 4 *Staff Attorney at Righthaven*  
 Righthaven LLC  
 5 9960 West Cheyenne Avenue, Suite 210  
 Las Vegas, Nevada 89129-7701  
 6 (702) 527-5900  
*Attorneys for Plaintiff*

7  
 8 **UNITED STATES DISTRICT COURT**  
 9 **DISTRICT OF NEVADA**

10  
 11 RIGHTHAVEN LLC, a Nevada limited-  
 liability company,

Case No.: 2:10-cv-01575

**COMPLAINT AND DEMAND  
 FOR JURY TRIAL**

12  
 13 Plaintiff,

14 v.

15 PAHRUMP LIFE, an entity of unknown origin  
 16 and nature; MAREN SCACCIA, an  
 individual; and MICHAEL SCACCIA, an  
 17 individual,

18 Defendants.  
 19

20  
 21 Righthaven LLC (“Righthaven”) complains as follows against Pahrump Life, Maren  
 22 Scaccia (“Ms. Scaccia”), and Michael Scaccia (“Mr. Scaccia”; collectively with Pahrump Life  
 23 and Ms. Scaccia known herein as the “Defendants”) on information and belief:  
 24

25 **NATURE OF ACTION**

26 1. This is an action for copyright infringement pursuant to 17 U.S.C. § 501.  
 27  
 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. Pahrump Life is, and has been at all times relevant to this lawsuit, an entity of  
7 unknown 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, Pahrump Life is not a formally  
11 organized business entity.

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

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

17 8. Mr. Scaccia reproduced an unauthorized copy of the Righthaven-owned literary  
18 work entitled: “Warden, other employees resign from prison in escape fallout” (the “Work”),  
19 attached hereto as Exhibit 1, and posted said unauthorized copy (the “Infringement”), attached  
20 hereto as Exhibit 2, as part of the content accessible through the Domain (said content accessible  
21 through the Domain known herein as the “Website”).

22  
23  
24 **JURISDICTION**

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

27 10. Righthaven is the owner of the copyright in the Work.  
28



1 application, the deposit copy, and the registration fee (the “Complete Application”), Service  
2 Request No. 1-484454233, and attached hereto as Exhibit 3 is the official USCO application  
3 submittal for the Work depicting the occurrence of the Complete Application.

4 22. On or about August 15, 2010, Mr. Scaccia posted the Infringement on the  
5 Website, and the indication of Mr. Scaccia’s posting of the Infringement is depicted in Exhibit 2,  
6 wherein the Website states: “POSTED BY MICHAEL SCACCIA PAHRUMLIFE AT  
7 8/15/2010 02:00:00 PM,” immediately beneath the Infringement.

8 23. On or about August 15, 2010, the Defendants displayed, and continue to display,  
9 the Infringement on the Website.

10 24. The Defendants did not seek permission, in any manner, to reproduce, display, or  
11 otherwise exploit the Work.

12 25. The Defendants were not granted permission, in any manner, to reproduce,  
13 display, or otherwise exploit the Work.

14  
15  
16 **CLAIM FOR RELIEF: COPYRIGHT INFRINGEMENT**

17 26. Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through  
18 25 above.

19 27. Righthaven holds the exclusive right to reproduce the Work, pursuant to 17  
20 U.S.C. § 106(1).

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

23 29. Righthaven holds the exclusive right to distribute copies of the Work, pursuant to  
24 17 U.S.C. § 106(3).

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

27 31. The Defendants reproduced the Work in derogation of Righthaven’s exclusive  
28 rights under 17 U.S.C. § 106(1).



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

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

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

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

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

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

15           5.       Award Righthaven costs, disbursements, and attorneys' fees incurred by  
16 Righthaven in bringing this action, pursuant to 17 U.S.C. § 505;

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

19           7.       Grant Righthaven such other relief as this Court deems appropriate.  
20  
21  
22  
23  
24  
25  
26  
27  
28

**DEMAND FOR JURY TRIAL**

Righthaven requests a trial by jury pursuant to Rule 38 of the Federal Rules of Civil Procedure.

Dated this fourteenth day of September, 2010.

RIGHTHAVEN LLC

By: /s/ J. Charles Coons  
J. CHARLES COONS, ESQ.  
Nevada Bar No. 10553  
JOSEPH C. CHU, ESQ.  
Nevada Bar No. 11082  
9960 West Cheyenne Avenue, Suite 210  
Las Vegas, Nevada 89129-7701  
*Attorneys for Plaintiff*