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

10 RIGHTHAVEN LLC, a Nevada limited-  
liability company,

11  
12 Plaintiff,

13 v.

14 RICK ALLEC, an individual; and RX  
ADVERTISING, INC. LLC, a limited-  
15 liability company of unknown origin,

16 Defendants.  
17

Case No.: 2:11-cv-00532- KJD-PAL

**FIRST AMENDED COMPLAINT AND  
DEMAND FOR JURY TRIAL AS A  
MATTER OF RIGHT PURSUANT TO  
FEDERAL RULE OF CIVIL  
PROCEDURE 15(a)(1)\_**

18 Righthaven LLC (“Righthaven”) complains through this amended filing as follows  
19 against Rick Allec aka Michael Richard Allec (“Mr. Allec”), and RX Advertising, Inc. LLC  
20 (“RX”; collectively with Mr. Allec known herein as the “Defendants”), on information and  
21 belief, and at all times relevant lawsuit, unless otherwise specifically indicated herein to the  
22 contrary:

23  
24 **NATURE OF ACTION**

25 1. This is an action for copyright infringement, and vicarious copyright  
26 infringement, pursuant to 17 U.S.C. §501 (“Complaint”).  
27  
28

**PARTIES**

2. Righthaven is a Nevada limited-liability company with its principal place of business in Nevada.

3. Righthaven is in good standing with the Nevada Secretary of State.

4. Mr. Allec is a resident of Nevada. Upon service of the original Complaint in this action, Mr. Allec claimed that he was not the Rick Allec identified therein and as set forth in the accompanying Summons. Mr. Allec subsequently retracted this position and admitted that his middle name was Richard.

5. Mr. Allec was identified by the registrar, Safenames LTD (“Safenames”), as the registrant of the Internet domain found at <therxforum.com> (the “Domain”) as of the time of the allegations set forth herein.

6. As registrant of the Domain at the time of the allegations set forth herein, Mr. Allec was in control of the content accessible through the Domain (said content accessible through the Domain and the Domain itself collectively known herein as the “Website”).

7. Mr. Allec was also identified as the owner of the Domain as of the time of the allegations set forth herein, which is evidenced by information found at the Internet domain <website.informer.com> that was attached to the original Complaint (Doc. # 1) on file in this action as Exhibit 1 (Doc. # 1-1).<sup>1</sup> Shortly after service of the original Complaint, Mr. Allec’s identification as registrar and owner of the Website was removed through transfer to a foreign entity. Upon information and belief, Mr. Allec caused or otherwise contributed to this transfer of registrant and ownership status to occur as a means to mitigate potential liability in view of the allegations set forth in Righthaven’s original Complaint.

8. RX is a limited-liability company of unknown origin. Upon information and belief, Mr. Allec has intimate knowledge of and potentially is in possession of material concerning RX’s origin, ownership and management.

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<sup>1</sup> Unless otherwise stated, all Exhibits referenced in this First Amended Complaint are to those attached to Righthaven’s original Complaint filed in this action. (Doc. # 1; Doc. # 1-1.)

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

5 10. RX is in control of the content accessible through the Website. To the extent  
6 some other entity, individual(s) and/or organization controls content accessible through the  
7 Website, Mr. Allec is believed to have knowledge related to the identity of such other entity,  
8 individual(s) and/or organizations.

9 11. RX is the self-proclaimed owner of the copyright(s) in the literary works posted  
10 on the Website as evidenced by a copyright notice displayed on the Website: "(c) 2007 RX  
11 Advertising, Inc. LLC, All Rights Reserved" (the "Copyright Notice").

12 12. As of the date of the filing of the original Complaint, RX continued to claim  
13 ownership of the copyright(s) in the literary works posted on the Website, inclusive of the  
14 Infringing Works, as evidenced by the Copyright Notice.

15  
16 **JURISDICTION**

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

19 14. Mr. Allec is a resident of Nevada with a current address of 2856 Barrow Downs  
20 Street, Las Vegas, Nevada 89135.

21 15. Mr. Allec purposefully conducts activities in the State of Nevada, which have  
22 resulted in the copyright infringement alleged herein.

23 16. RX purposefully conducts activities in the State of Nevada, which have resulted  
24 in the copyright infringement alleged herein.

25 17. RX purposefully utilized a Nevada resident as the registrant of the Domain, at  
26 least as of the filing of the original Complaint.

**VENUE**

1  
2 18. The United States District Court for the District of Nevada is an appropriate  
3 venue, pursuant to 28 U.S.C. § 1391(b)(3), because Mr. Allec may be found in Nevada.

4 19. The United States District Court for the District of Nevada is an appropriate  
5 venue, pursuant to 28 U.S.C. § 1391(b)(2), because a substantial part of the events or omissions  
6 giving rise to the claim occurred in Nevada.

7 20. The United States District Court for the District of Nevada is an appropriate  
8 venue, pursuant to 28 U.S.C. § 1400 (a), because the Defendants are subject to personal  
9 jurisdiction in Nevada.

10  
11 **FACTS**

12 21. On January 19, 2010, Stevo Design, Inc. (“Stevo Design”) and Righthaven  
13 entered into a Copyright Alliance Agreement (the “CAA”), which governed the relationship  
14 between the two parties.

15 22. Stevo Design, the original publisher and owner of the works placed at issue  
16 through the original Complaint and through this First Amended Complaint, assigned all rights,  
17 title and interest in and to the works to Righthaven, which is the current copyright owner of said  
18 works, as well as expressly conveying to Righthaven authority to seek redress for any and all  
19 past, present and future infringements of the works (the “Assignments”).

20 23. On July 11, 2011, Stevo Design and Righthaven entered into a Clarification and  
21 Amendment of Copyright Alliance Agreement (the “Clarification”), which further clarifies,  
22 corrects, amends and/or otherwise addresses issues identified in judicial decisions from this  
23 District, which Righthaven respectfully disagrees with, that have determined Righthaven lacked  
24 standing to sue for past, present or future infringements of other copyrighted works in other  
25 cases. In view of the Assignments, the CAA, and the Clarification, Righthaven unquestionably  
26 owns the works placed at issue in the original Complaint and through the First Amended  
27 Complaint together with having been properly conveyed the right to sue for past, present and  
28 future infringements of the works, which include Defendants’ infringing conduct alleged herein.

1 24. Righthaven is the owner of the copyright in the literary work entitled, “Rockets  
2 11-10-10” (the “Rockets Work”). (Doc. # 1-1, Ex. 2.)

3 25. The Rockets Work was originally published on November 10, 2010.

4 26. On or about November 10, 2010, the Defendants displayed, and continued to  
5 display at least as of the filing of the original Complaint, an unauthorized reproduction of the  
6 Rockets Work (the “Rockets Infringement”). (Doc. # 1-1, Ex. 3.)

7 27. On February 7, 2011, the United States Copyright Office (the “USCO”) received  
8 Righthaven’s official submittal for the registration of the Rockets Work, including the  
9 application, the deposit copy, and the registration fee (the “Complete Application”), Service  
10 Request No. 1-561050694 (Doc. # 1-1, Ex. 4).

11 28. Righthaven is the owner of the copyright in the literary work entitled, “Hawks 11-  
12 10-10” (the “Hawks Work”). (Doc. # 1-1, Ex. 5.)

13 29. The Hawks Work was originally published on November 10, 2010.

14 30. On or about November 10, 2010, the Defendants displayed, and continued to  
15 display at least as of the filing of the original Complaint, an unauthorized reproduction of the  
16 Hawks Work (the “Hawks Infringement”) on the Website. (Doc. # 1-1, Ex. 6.)

17 31. On February 7, 2011, the USCO received Righthaven’s Complete Application for  
18 the registration of the Hawks Work, Service Request No. 1-561090692 (Doc. # 1-1, Ex. 6).

19 32. Righthaven is the owner of the copyright in the literary work entitled, “Ravens  
20 These two very good teams meet 11-11-10” (the “Good Teams Work”). (Doc. # 1-1, Ex. 8.)

21 33. The Good Teams Work was originally published on November 11, 2010.

22 34. On or about November 11, 2010, the Defendants displayed, and continued to  
23 display at least as of the filing of the original Complaint, an unauthorized reproduction of the  
24 Good Teams Work (the “Good Teams Infringement”) on the Website. (Doc. # 1-1, Ex. 9.)

25 35. On February 9, 2011, the USCO received Righthaven’s Complete Application for  
26 the registration of the Good Teams Work, Service Request No. 1-562371672 (Doc. # 1-1, Ex.  
27 10).

1 36. Righthaven is the owner of the copyright in the literary work entitled, “Ravens If  
2 you haven't heard it by now 11-11-10” (the “Ravens Work”). (Doc. # 1-1, Ex. 11.)

3 37. The Ravens Work was originally published on November 11, 2010.

4 38. On or about November 11, 2010, the Defendants displayed, and continued to  
5 display at least as of the filing of the original Complaint, an unauthorized reproduction of the  
6 Ravens Work (the “Ravens Infringement”) on the Website. (Doc. # 1-1 at 12.)

7 39. On February 9, 2011, USCO received Righthaven’s Complete Application for the  
8 registration of the Ravens Work, Service Request No. 1-562553716 (Doc. # 1-1 at 13).

9 40. Righthaven is the owner of the copyright in the literary work entitled, “Cardinal  
10 Arizona State has been in every game 11-13-10” (the “Cardinal Work”). (Doc. # 1-1 at 14.)

11 41. The Cardinal Work was originally published on November 13, 2010.

12 42. On or about November 13, 2010, the Defendants displayed, and continued to  
13 display at least as of the filing of the original Complaint, an unauthorized reproduction of the  
14 Cardinal Work (the “Cardinal Infringement”) on the Website. (Doc. # 1-1 at 15.)

15 43. On February 11, 2011, the USCO received Righthaven’s Complete Application  
16 for the registration of the Cardinal Work, Service Request No. 1-563204602 (Doc. # 1-1 at 16).

17 44. Righthaven is the owner of the copyright in the literary work entitled, “Over the  
18 total Michigan is going to score points 11-13-10” (the “Michigan Work”). (Doc. # 1-1 at 17.)

19 45. The Michigan Work was originally published on November 13, 2010.

20 46. On or about November 13, 2010, the Defendants displayed, and continue to  
21 display, an unauthorized reproduction of the Michigan Work (the “Michigan Infringement”) on  
22 the Website. (Doc. # 1-1 at Ex. 18.)

23 47. On February 11, 2011, the USCO received Righthaven’s Complete Application  
24 for the registration of the Michigan Work, Service Request No. 1-563204636 (Doc. # 1-1 at 19).

25 48. Righthaven is the owner of the copyright in the literary work entitled, “49ers Both  
26 of these teams are coming off 11-14-10” (the “49ers Work”). (Doc. # 1-1 at 20.)

27 49. The 49ers Work was originally published on November 14, 2010.

28

1           50.       On or about November 14, 2010, the Defendants displayed, and continued to  
2 display at least as of the filing of the original Complaint, an unauthorized reproduction of the  
3 49ers Work (the “49ers Infringement”) on the Website. (Doc. # 1-1, Ex. 21.)

4           51.       On February 11, 2011, the USCO received Righthaven’s Complete Application  
5 for the registration of the 49ers Work, Service Request No. 1-563204669 (Doc. # 1-1, Ex. 22).

6           52.       Righthaven is the owner of the copyright in the literary work entitled, “Browns  
7 Damn right I'm backing Cleveland 11-14-10” (the “Browns Work”). (Doc. # 1-1, Ex. 23.)

8           53.       The Browns Work was originally published on November 14, 2010.

9           54.       On or about November 14, 2010, the Defendants displayed, and continued to  
10 display at least as of the filing of the original Complaint, an unauthorized reproduction of the  
11 Browns Work (the “Browns Infringement”) on the Website. (Doc. # 1-1, Ex. 24.)

12           55.       On February 11, 2011, the USCO received Righthaven’s Complete Application  
13 for the registration of the Browns Work, Service Request No. 1-563365704 (Doc. # 1-1, Ex. 25).

14           56.       Righthaven is the owner of the copyright in the literary work entitled, “Temple  
15 How can a team 11-16-10” (the “Temple Work”). (Doc. # 1-1, Ex. 26.)

16           57.       The Temple Work was originally published on November 16, 2010.

17           58.       On or about November 16, 2010, the Defendants displayed, and continued to  
18 display at least as of the filing of the original Complaint, an unauthorized reproduction of the  
19 Temple Work (the “Temple Infringement”) on the Website. (Doc. # 1-1, Ex. 27.)

20           59.       On February 11, 2011, the USCO received Righthaven’s Complete Application  
21 for the registration of the Temple Work, Service Request No. 1-563365729 (Doc. # 1-1, Ex. 28).

22           60.       Righthaven is the owner of the copyright in the literary work entitled, “Analysis  
23 Thank Ohio University for this play 11-17-10” (the “Ohio Work”). (Doc. # 1-1, Ex. 29.)

24           61.       The Ohio Work was originally published on November 17, 2010.

25           62.       On or about November 17, 2010, the Defendants displayed, and continue to  
26 display, an unauthorized reproduction of the Ohio Work (the “Ohio Infringement”) on the  
27 Website. (Doc. # 1-1, Ex. 30.)  
28

1           63.       On February 11, 2011, the USCO received Righthaven’s Complete Application  
2 for the registration of the Ohio Work, Service Request No. 1-563365754 (Doc. # 1-1, Ex. 31).

3           64.       Righthaven is the owner of the copyright in the literary work entitled, “Suns  
4 Absolutely ridiculous pointspread 11-17-10” (the “Suns Work”). (Doc. # 1-1, Ex. 32.)

5           65.       The Suns Work was originally published on November 17, 2010.

6           66.       On or about November 17, 2010, the Defendants displayed, and continued to  
7 display at least as of the filing of the original Complaint, an unauthorized reproduction of the  
8 Suns Work (the “Suns Infringement”) on the Website. (Doc. # 1-1, Ex. 33.)

9           67.       On February 11, 2011, the USCO received Righthaven’s Complete Application  
10 for the registration of the Suns Work, Service Request No. 1-563365779 (Doc. # 1-1, Ex. 34).

11           68.       Righthaven is the owner of the copyright in the literary work entitled, “Don’t look  
12 now, but the defending champs have won six in a row overall (4-2\_ATS and four in a row on the  
13 highway. 12-19-10” (the “Defending Champs Work”). (Doc. # 1-1, Ex. 35.)

14           69.       The Defending Champs Work was originally published on December 19, 2010.

15           70.       On or about December 19, 2010, the Defendants displayed, and continued to  
16 display at least as of the filing of the original Complaint, an unauthorized reproduction of the  
17 Defending Champs Work (the “Defending Champs Infringement”) on the Website. (Doc. # 1-1  
18 at 36.)

19           71.       On March 18, 2011, the USCO received Righthaven’s Complete Application for  
20 the registration of the Defending Champs Work, Service Request No. 1-583999148 (Doc. # 1-1,  
21 Ex. 37).

22           72.       Righthaven is the owner of the copyright in the literary work entitled, “BEARS  
23 Yep, one week after cashing in big 01-16-11” (the “Bears Work”). (Doc. # 1-1, Ex. 38.)

24           73.       The Bears Work was originally published on January 16, 2011.

25           74.       On or about January 16, 2011, the Defendants displayed, and continued to display  
26 at least as of the filing of the original Complaint, an unauthorized reproduction of the Bears  
27 Work (the “Bears Infringement”) on the Website. (Doc. # 1-1, Ex. 39.)  
28



1           75.       On March 22, 2011, the USCO received Righthaven's Complete Application for  
2 the registration of the Bears Work, Service Request No. 1-585573660 (Doc. # 1-1, Ex. 40).

3           76.       Righthaven is the owner of the copyright in the literary work entitled, "1<sup>st</sup> Ever  
4 Bowl 2500 Game of my Life, and it is a play on Fresno State as the small underdog versus  
5 Northern Illinois. 12-18-10" (the "Fresno State Work"). (Doc. # 1-1, Ex. 41.)

6           77.       The Fresno State Work was originally published on December 18, 2010.

7           78.       On or about December 18, 2010, the Defendants displayed, and continued to  
8 display at least as of the filing of the original Complaint, an unauthorized reproduction of the  
9 Fresno State Work (the "Fresno State Infringement") on the Website. (Doc. # 1-1, Ex. 42.)

10          79.       On March 18, 2011, the USCO received Righthaven's Complete Application for  
11 the registration of the Fresno State Work, Service Request No. 1-583999213 (Doc. # 1-1, Ex.  
12 43).

13          80.       Righthaven is the owner of the copyright in the literary work entitled,  
14 "ROCKETS (plus the points and money-line) 7-0 That's the Rockets' record 01-21-11" (the  
15 "Rockets II Work"). (Doc. # 1-1, Ex. 44.)

16          81.       The Rockets II Work was originally published on January 21, 2011.

17          82.       On or about January 21, 2011, the Defendants displayed, and continued to display  
18 at least as of the filing of the original Complaint, an unauthorized reproduction of the Rockets II  
19 Work (the "Rockets II Infringement") on the Website. (Doc. # 1-1, Ex. 45.)

20          83.       On March 22, 2011, the USCO received Righthaven's Complete Application for  
21 the registration of the Rockets II Work, Service Request No. 1-585621705 (Doc. # 1-1, Ex. 46).

22          84.       Righthaven is the owner of the copyright in the literary work entitled,  
23 "TENNESSEE How do you lay points 01-05-11" (the "Tennessee Work"). (Doc. # 1-1, Ex. 47.)

24          85.       The Tennessee Work was originally published on January 5, 2011.

25          86.       On or about January 5, 2011, the Defendants displayed, and continued to display  
26 at least as of the filing of the original Complaint, an unauthorized reproduction of the Tennessee  
27 Work (the "Tennessee Infringement") on the Website. (Doc. # 1-1, Ex. 48.)  
28

1 87. On March 22, 2011, the USCO received Righthaven's Complete Application for  
2 the registration of the Tennessee Work, Service Request No. 1-585573450 (Doc. # 1-1, Ex. 49).

3 88. Righthaven is the owner of the copyright in the literary work entitled, "Iron" Joel  
4 Tyson for Saturday, 30 Dime Stone Cold Lock is an Absolute Blowout winner on Ohio State to  
5 step it up against South Carolina. 12-18-10 (the "Stone Cold Work"). (Doc. # 1-1, Ex. 50.)

6 89. The Stone Cold Work was originally published on December 18, 2010.

7 90. On or about December 18, 2010, the Defendants displayed, and continued to  
8 display at least as of the filing of the original Complaint, an unauthorized reproduction of the  
9 Stone Cold Work (the "Stone Cold Infringement") on the Website. (Doc. # 1-1, Ex. 51.)

10 91. On March 18, 2011, the USCO received Righthaven's Complete Application for  
11 the registration of the Stone Cold Work, Service Request No. 1-583999238 (Doc. # 1-1, Ex. 52).

12 92. Righthaven is the owner of the copyright in the literary work entitled, "BYU  
13 playing in the New Mexico Bowl isn't exactly exciting for Cougar fans. 12-18-10" (the "BYU  
14 Work"). (Doc. # 1-1, Ex. 53.)

15 93. The BYU Work was originally published on December 18, 2010.

16 94. On or about December 18, 2010, the Defendants displayed, and continued to  
17 display at least as of the filing of the original Complaint, an unauthorized reproduction of the  
18 BYU Work (the "BYU Infringement") on the Website. (Doc. # 1-1, Ex. 54.)

19 95. On March 18, 2011, the USCO received Righthaven's Complete Application for  
20 the registration of the BYU Work, Service Request No. 1-583999303 (Doc. # 1-1, Ex. 55).

21 96. Righthaven is the owner of the copyright in the literary work entitled, "TROY  
22 TROJANS (be sure to by the ½ point) --- Saturday's rather boring slate of football games  
23 concludes this evening with the best value on the board. 12-18-10" (the "Trojans Work"). (Doc.  
24 # 1-1, Ex. 56.)

25 97. The Trojans Work was originally published on December 18, 2010.

26 98. On or about December 18, 2010, the Defendants displayed, and continued to  
27 display at least as of the filing of the original Complaint, an unauthorized reproduction of the  
28 Trojans Work (the "Trojans Infringement") on the Website. (Doc. # 1-1, Ex. 57.)

1 99. On March 18, 2011, the USCO received Righthaven's Complete Application for  
2 the registration of the Trojans Work, Service Request No. 1-583999328 (Doc. # 1-1, Ex. 58).

3 100. Righthaven is the owner of the copyright in the literary work entitled, "UTAH  
4 The pointspread took a big plunge on Tuesday 12-22-10" (the "Utah Work"). (Doc. # 1-1, Ex.  
5 59.)

6 101. The Utah Work was originally published on December 22, 2010.

7 102. On or about December 22, 2010, the Defendants displayed, and continued to  
8 display at least as of the filing of the original Complaint, an unauthorized reproduction of the  
9 Utah Work (the "Utah Infringement") on the Website. (Doc. # 1-1, Ex. 60.)

10 103. On March 22, 2011, the USCO received Righthaven's Complete Application for  
11 the registration of the Utah Work, Service Request No. 1-585573424 (Doc. # 1-1, Ex. 61).

12 104. Righthaven is the owner of the copyright in the literary work entitled, "OREGON  
13 Let's go over some undisputed facts. 01-10-11" (the "Oregon Work"). (Doc. # 1-1, Ex. 62.)

14 105. The Oregon Work was originally published on January 10, 2011.

15 106. On or about January 10, 2011, the Defendants displayed, and continued to display  
16 at least as of the filing of the original Complaint, an unauthorized reproduction of the Oregon  
17 Work (the "Oregon Infringement") on the Website. (Doc. # 1-1, Ex. 63.)

18 107. On March 22, 2011, the USCO received Righthaven's Complete Application for  
19 the registration of the Oregon Work, Service Request No. 1-585573570 (Doc. # 1-1, Ex. 64).

20 108. Righthaven is the owner of the copyright in the literary work entitled, "RAVENS  
21 80-116. You know what that is? 01-09-11" (the "Ravens II Work"). (Doc. # 1-1, Ex. 65.)

22 109. The Ravens II Work was originally published on January 9, 2011.

23 110. On or about January 9, 2011, the Defendants displayed, and continued to display  
24 at least as of the filing of the original Complaint, an unauthorized reproduction of the Ravens II  
25 Work (the "Ravens II Infringement") on the Website. (Doc. # 1-1, Ex. 66.)

26 111. On March 22, 2011, the USCO received Righthaven's Complete Application for  
27 the registration of the Ravens II Work, Service Request No. 1-585573545 (Doc. # 1-1, Ex. 67).

28

1 112. Righthaven is the owner of the copyright in the literary work entitled, “Love the  
2 Huskies here for a couple reasons, but none bigger than the public’s overreaction to the coaching  
3 change. 12-18-10” (the “Huskies Work”). (Doc. # 1-1, Ex. 68.)

4 113. The Huskies Work was originally published on December 18, 2010.

5 114. On or about December 18, 2010, the Defendants displayed, and continued to  
6 display at least as of the filing of the original Complaint, an unauthorized reproduction of the  
7 Huskies Work (the “Huskies Infringement”) on the Website. (Doc. # 1-1, Ex. 69.)

8 115. On March 18, 2011, the USCO received Righthaven’s Complete Application for  
9 the registration of the Huskies Work, Service Request No. 1-583999413 (Doc. # 1-1, Ex. 70).

10 116. Righthaven is the owner of the copyright in the literary work entitled, “5 dime  
11 pick on Baylor as the favorite against visiting Gonzaga in a game being played in Dallas. 12-18-  
12 10” (the “Baylor Work”). (Doc. # 1-1, Ex. 71.)

13 117. The Baylor Work was originally published on December 18, 2010.

14 118. On or about December 18, 2010, the Defendants displayed, and continued to  
15 display at least as of the filing of the original Complaint, an unauthorized reproduction of the  
16 Baylor Work (the “Baylor Infringement”) on the Website. (Doc. # 1-1, Ex. 72.)

17 119. On March 18, 2011, the USCO received Righthaven’s Complete Application for  
18 the registration of the Baylor Work, Service Request No. 1-583999458 (Doc. # 1-1, Ex. 73).

19 120. Righthaven is the owner of the copyright in the literary work entitled, “Although  
20 this pointspread has dropped from an opening number of Northern Illinois minus-3, still have to  
21 respect the underdog’s success in Fresno State bowl games. 12-18-10” (the “Northern Illinois  
22 Work”, Doc. # 1-1, Ex. 74; and collectively referred to herein with the Rockets Work, the Hawks  
23 Work, the Good Teams Work, the Ravens Work, the Cardinal Work, the Michigan Work, the  
24 49ers Work, the Browns Work, the Temple Work, the Ohio Work, the Suns Work, the Defending  
25 Champs Work, the Bears Work, the Fresno State Work, the Rockets II Work, the Tennessee  
26 Work, the Stone Cold Work, the BYU Work, the Trojans Work, the Utah Work, the Oregon  
27 Work, the Ravens II Work, the Huskies Work and the Baylor Work as the “Works”).  
28

1 121. The Northern Illinois Work was originally published on December 18, 2010.

2 122. On or about December 18, 2010, the Defendants displayed, and continued to  
3 display at least as of the filing of the original Complaint, an unauthorized reproduction of the  
4 Northern Illinois Work (the “Northern Illinois Infringement”, Doc. # 1-1, Ex. 75; collectively  
5 with the Rockets Infringement, the Hawks Infringement, the Good Teams Infringement, the  
6 Ravens Infringement, the Cardinal Infringement, the Michigan Infringement, the 49ers  
7 Infringement, the Browns Infringement, the Temple Infringement, the Ohio Infringement, the  
8 Suns Infringement, the Defending Champs Infringement, the Bears Infringement, the Fresno  
9 State Infringement, the Rockets II Infringement, the Tennessee Infringement, the Stone Cold  
10 Infringement, the BYU Infringement, the Trojans Infringement, the Utah Infringement, the  
11 Oregon Infringement, the Ravens II Infringement, the Huskies Infringement and the Baylor  
12 Infringement known herein as the “Infringing Works”) on the Website.

13 123. On March 18, 2011, the USCO received Righthaven’s Complete Application for  
14 the registration of the Northern Illinois Work, Service Request No. 1-583999483 (Doc. # 1-1,  
15 Ex. 76).

16 124. The Works constitute copyrightable subject matter pursuant to 17 U.S.C.  
17 §102(a)(1).

18 125. Righthaven is the owner of the copyrights in the Works based on the CAA, the  
19 associated assignments, and the Clarification. Righthaven has further been granted, along with  
20 ownership of the Works, the right to sue for all past, present and future infringements of the  
21 Works. Under the CAA, the associated assignments, and the Clarification, Righthaven has been  
22 granted Stevo Design a non-exclusive license to exploit the Works.

23 126. The Defendants did not seek permission, in any manner, to reproduce, display, or  
24 otherwise exploit the Works.

25 127. The Defendants were not granted permission, in any manner, to reproduce,  
26 display, or otherwise exploit the Works.

1           128.    The Defendants knew, or reasonably should have known, that websites, such as  
2 the Website, are and were the habitual subject of contributions by others of copyright-infringing  
3 content to the Website.

4           129.    The Defendants did not institute any proactive policy of precluding or attempting  
5 to preclude the contributions by others of copyright-infringing content to the Website.

6           130.    The Defendants did not institute any proactive policy of monitoring or attempting  
7 to monitor the contributions by others of copyright-infringing content to the Website.

8           131.    The Defendants did not institute any proactive policy of deleting or attempting to  
9 delete the contributions by others of copyright-infringing content to the Website.

10          132.    The Defendants' failure to institute any proactive policies intended to address the  
11 contributions by others of copyright-infringing content to the Website constituted and constitutes  
12 the Defendants' willful blindness to copyright infringements occurring on the Website.

13  
14                           **FIRST CLAIM FOR RELIEF: DIRECT COPYRIGHT**  
15                           **INFRINGEMENT OF THE ROCKETS WORK**

16          133.    Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through  
17 132 above.

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

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

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

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

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

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

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

6 141. The Defendants publicly displayed, and continue to display as of filing of the  
7 original Complaint, an unauthorized reproduction of the Rockets Work on the Website, in  
8 derogation of Righthaven's exclusive rights under 17 U.S.C. §106(5).

9 142. Mr. Allec has willfully engaged in the copyright infringement of the Rockets  
10 Work.

11 143. RX has willfully engaged in the copyright infringement of the Rockets Work.

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

15 145. Unless the Defendants are preliminarily and permanently enjoined from further  
16 infringement of the Rockets Work, Righthaven will be irreparably harmed, and Righthaven is  
17 thus entitled to preliminary and permanent injunctive relief against further infringement by the  
18 Defendants of the Rockets Work, pursuant to 17 U.S.C. §502.

19  
20 **SECOND CLAIM FOR RELIEF: DIRECT COPYRIGHT**

21 **INFRINGEMENT OF THE HAWKS WORK**

22 146. Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through  
23 145 above.

24 147. Righthaven holds the exclusive right to reproduce the Hawks Work, pursuant to  
25 17 U.S.C. §106(1).

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

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

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

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

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

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

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

15           155.     Mr. Allec has willfully engaged in the copyright infringement of the Hawks  
16 Work.

17           156.     RX has willfully engaged in the copyright infringement of the Hawks Work.

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

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



**THIRD CLAIM FOR RELIEF: DIRECT COPYRIGHT  
INFRINGEMENT OF THE GOOD TEAMS WORK**

159. Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through 158 above.

160. Righthaven holds the exclusive right to reproduce the Good Teams Work, pursuant to 17 U.S.C. §106(1).

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

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

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

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

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

166. The Defendants distributed, and continued to distribute as of filing of the original Complaint, an unauthorized reproduction of the Good Teams Work on the Website, in derogation of Righthaven's exclusive rights under 17 U.S.C. §106(3).

167. The Defendants publicly displayed, and continued to display as of filing of the original Complaint, an unauthorized reproduction of the Good Teams Work on the Website, in derogation of Righthaven's exclusive rights under 17 U.S.C. §106(5).

168. Mr. Allec has willfully engaged in the copyright infringement of the Good Teams Work.

169. RX has willfully engaged in the copyright infringement of the Good Teams Work.

170. 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.

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

5  
6 **FOURTH CLAIM FOR RELIEF: DIRECT COPYRIGHT**

7 **INFRINGEMENT OF THE RAVENS WORK**

8 172. Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through  
9 171 above.

10 173. Righthaven holds the exclusive right to reproduce the Ravens Work, pursuant to  
11 17 U.S.C. §106(1).

12 174. Righthaven holds the exclusive right to prepare derivative works based upon the  
13 Ravens Work, pursuant to 17 U.S.C. §106(2).

14 175. Righthaven holds the exclusive right to distribute copies of the Ravens Work,  
15 pursuant to 17 U.S.C. §106(3).

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

18 177. The Defendants reproduced the Ravens Work in derogation of Righthaven's  
19 exclusive rights under 17 U.S.C. §106(1).

20 178. The Defendants created an unauthorized derivative of the Ravens Work in  
21 derogation of Righthaven's exclusive rights under 17 U.S.C. §106(2).

22 179. The Defendants distributed, and continued to distribute as of filing of the original  
23 Complaint, an unauthorized reproduction of the Ravens Work on the Website, in derogation of  
24 Righthaven's exclusive rights under 17 U.S.C. §106(3).

25 180. The Defendants publicly displayed, and continued to display as of filing of the  
26 original Complaint, an unauthorized reproduction of the Ravens Work on the Website, in  
27 derogation of Righthaven's exclusive rights under 17 U.S.C. §106(5).  
28

1 181. Mr. Allec has willfully engaged in the copyright infringement of the Ravens  
2 Work.

3 182. RX has willfully engaged in the copyright infringement of the Ravens Work.

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

7 184. Unless the Defendants are preliminarily and permanently enjoined from further  
8 infringement of the Ravens Work, Righthaven will be irreparably harmed, and Righthaven is  
9 thus entitled to preliminary and permanent injunctive relief against further infringement by the  
10 Defendants of the Ravens Work, pursuant to 17 U.S.C. §502.

11  
12 **FIFTH CLAIM FOR RELIEF: DIRECT COPYRIGHT**  
13 **INFRINGEMENT OF THE CARDINAL WORK**

14 185. Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through  
15 184 above.

16 186. Righthaven holds the exclusive right to reproduce the Cardinal Work, pursuant to  
17 17 U.S.C. §106(1).

18 187. Righthaven holds the exclusive right to prepare derivative works based upon the  
19 Cardinal Work, pursuant to 17 U.S.C. §106(2).

20 188. Righthaven holds the exclusive right to distribute copies of the Cardinal Work,  
21 pursuant to 17 U.S.C. §106(3).

22 189. Righthaven holds the exclusive right to publicly display the Cardinal Work,  
23 pursuant to 17 U.S.C. §106(5).

24 190. The Defendants reproduced the Cardinal Work in derogation of Righthaven's  
25 exclusive rights under 17 U.S.C. §106(1).

26 191. The Defendants created an unauthorized derivative of the Cardinal Work in  
27 derogation of Righthaven's exclusive rights under 17 U.S.C. §106(2).  
28

1 192. The Defendants distributed, and continued to distribute as of filing of the original  
2 Complaint, an unauthorized reproduction of the Cardinal Work on the Website, in derogation of  
3 Righthaven's exclusive rights under 17 U.S.C. §106(3).

4 193. The Defendants publicly displayed, and continued to display as of filing of the  
5 original Complaint, an unauthorized reproduction of the Cardinal Work on the Website, in  
6 derogation of Righthaven's exclusive rights under 17 U.S.C. §106(5).

7 194. Mr. Allec has willfully engaged in the copyright infringement of the Cardinal  
8 Work.

9 195. RX has willfully engaged in the copyright infringement of the Cardinal Work.

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

13 197. Unless the Defendants are preliminarily and permanently enjoined from further  
14 infringement of the Cardinal Work, Righthaven will be irreparably harmed, and Righthaven is  
15 thus entitled to preliminary and permanent injunctive relief against further infringement by the  
16 Defendants of the Cardinal Work, pursuant to 17 U.S.C. §502.

17  
18 **SIXTH CLAIM FOR RELIEF: DIRECT COPYRIGHT**  
19 **INFRINGEMENT OF THE MICHIGAN WORK**

20 198. Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through  
21 197 above.

22 199. Righthaven holds the exclusive right to reproduce the Michigan Work, pursuant to  
23 17 U.S.C. §106(1).

24 200. Righthaven holds the exclusive right to prepare derivative works based upon the  
25 Michigan Work, pursuant to 17 U.S.C. §106(2).

26 201. Righthaven holds the exclusive right to distribute copies of the Michigan Work,  
27 pursuant to 17 U.S.C. §106(3).

1           202. Righthaven holds the exclusive right to publicly display the Michigan Work,  
2 pursuant to 17 U.S.C. §106(5).

3           203. The Defendants reproduced the Michigan Work in derogation of Righthaven's  
4 exclusive rights under 17 U.S.C. §106(1).

5           204. The Defendants created an unauthorized derivative of the Michigan Work in  
6 derogation of Righthaven's exclusive rights under 17 U.S.C. §106(2).

7           205. The Defendants distributed, and continued to distribute as of filing of the original  
8 Complaint, an unauthorized reproduction of the Michigan Work on the Website, in derogation of  
9 Righthaven's exclusive rights under 17 U.S.C. §106(3).

10           206. The Defendants publicly displayed, and continued to display as of filing of the  
11 original Complaint, an unauthorized reproduction of the Michigan Work on the Website, in  
12 derogation of Righthaven's exclusive rights under 17 U.S.C. §106(5).

13           207. Mr. Allec has willfully engaged in the copyright infringement of the Michigan  
14 Work.

15           208. RX has willfully engaged in the copyright infringement of the Michigan Work.

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

19           210. Unless the Defendants are preliminarily and permanently enjoined from further  
20 infringement of the Michigan Work, Righthaven will be irreparably harmed, and Righthaven is  
21 thus entitled to preliminary and permanent injunctive relief against further infringement by the  
22 Defendants of the Michigan Work, pursuant to 17 U.S.C. §502.

**SEVENTH CLAIM FOR RELIEF: DIRECT COPYRIGHT  
INFRINGEMENT OF THE 49ERS WORK**

1  
2  
3 211. Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through  
4 210 above.

5 212. Righthaven holds the exclusive right to reproduce the 49ers Work, pursuant to 17  
6 U.S.C. §106(1).

7 213. Righthaven holds the exclusive right to prepare derivative works based upon the  
8 49ers Work, pursuant to 17 U.S.C. §106(2).

9 214. Righthaven holds the exclusive right to distribute copies of the 49ers Work,  
10 pursuant to 17 U.S.C. §106(3).

11 215. Righthaven holds the exclusive right to publicly display the 49ers Work, pursuant  
12 to 17 U.S.C. §106(5).

13 216. The Defendants reproduced the 49ers Work in derogation of Righthaven's  
14 exclusive rights under 17 U.S.C. §106(1).

15 217. The Defendants created an unauthorized derivative of the 49ers Work in  
16 derogation of Righthaven's exclusive rights under 17 U.S.C. §106(2).

17 218. The Defendants distributed, and continued to distribute as of filing of the original  
18 Complaint, an unauthorized reproduction of the 49ers Work on the Website, in derogation of  
19 Righthaven's exclusive rights under 17 U.S.C. §106(3).

20 219. The Defendants publicly displayed, and continued to display as of filing of the  
21 original Complaint, an unauthorized reproduction of the 49ers Work on the Website, in  
22 derogation of Righthaven's exclusive rights under 17 U.S.C. §106(5).

23 220. Mr. Allec has willfully engaged in the copyright infringement of the 49ers Work.

24 221. RX has willfully engaged in the copyright infringement of the 49ers Work.

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

1           223. Unless the Defendants are preliminarily and permanently enjoined from further  
2 infringement of the 49ers 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 49ers Work, pursuant to 17 U.S.C. §502.

5  
6                           **EIGHTH CLAIM FOR RELIEF: DIRECT COPYRIGHT**

7                                   **INFRINGEMENT OF THE BROWNS WORK**

8           224. Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through  
9 223 above.

10           225. Righthaven holds the exclusive right to reproduce the Browns Work, pursuant to  
11 17 U.S.C. §106(1).

12           226. Righthaven holds the exclusive right to prepare derivative works based upon the  
13 Browns Work, pursuant to 17 U.S.C. §106(2).

14           227. Righthaven holds the exclusive right to distribute copies of the Browns Work,  
15 pursuant to 17 U.S.C. §106(3).

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

18           229. The Defendants reproduced the Browns Work in derogation of Righthaven's  
19 exclusive rights under 17 U.S.C. §106(1).

20           230. The Defendants created an unauthorized derivative of the Browns Work in  
21 derogation of Righthaven's exclusive rights under 17 U.S.C. §106(2).

22           231. The Defendants distributed, and continued to distribute as of filing of the original  
23 Complaint, an unauthorized reproduction of the Browns Work on the Website, in derogation of  
24 Righthaven's exclusive rights under 17 U.S.C. §106(3).

25           232. The Defendants publicly displayed, and continued to display as of filing of the  
26 original Complaint, an unauthorized reproduction of the Browns Work on the Website, in  
27 derogation of Righthaven's exclusive rights under 17 U.S.C. §106(5).

1 233. Mr. Allec has willfully engaged in the copyright infringement of the Browns  
2 Work.

3 234. RX has willfully engaged in the copyright infringement of the Browns Work.

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

7 Unless the Defendants are preliminarily and permanently enjoined from further  
8 infringement of the Browns Work, Righthaven will be irreparably harmed, and Righthaven is  
9 thus entitled to preliminary and permanent injunctive relief against further infringement by the  
10 Defendants of the Browns Work, pursuant to 17 U.S.C. §502.

11  
12 **NINTH CLAIM FOR RELIEF: DIRECT COPYRIGHT**

13 **INFRINGEMENT OF THE TEMPLE WORK**

14 236. Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through  
15 235 above.

16 237. Righthaven holds the exclusive right to reproduce the Temple Work, pursuant to  
17 17 U.S.C. §106(1).

18 238. Righthaven holds the exclusive right to prepare derivative works based upon the  
19 Temple Work, pursuant to 17 U.S.C. §106(2).

20 239. Righthaven holds the exclusive right to distribute copies of the Temple Work,  
21 pursuant to 17 U.S.C. §106(3).

22 240. Righthaven holds the exclusive right to publicly display the Temple Work,  
23 pursuant to 17 U.S.C. §106(5).

24 241. The Defendants reproduced the Temple Work in derogation of Righthaven's  
25 exclusive rights under 17 U.S.C. §106(1).

26 242. The Defendants created an unauthorized derivative of the Temple Work in  
27 derogation of Righthaven's exclusive rights under 17 U.S.C. §106(2).  
28



1           243.    The Defendants distributed, and continued to distribute as of filing of the original  
2 Complaint, an unauthorized reproduction of the Temple Work on the Website, in derogation of  
3 Righthaven's exclusive rights under 17 U.S.C. §106(3).

4           244.    The Defendants publicly displayed, and continued to display as of filing of the  
5 original Complaint, an unauthorized reproduction of the Temple Work on the Website, in  
6 derogation of Righthaven's exclusive rights under 17 U.S.C. §106(5).

7           245.    Mr. Allec has willfully engaged in the copyright infringement of the Temple  
8 Work.

9           246.    RX has willfully engaged in the copyright infringement of the Temple Work.

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

13          248.    Unless the Defendants are preliminarily and permanently enjoined from further  
14 infringement of the Temple Work, Righthaven will be irreparably harmed, and Righthaven is  
15 thus entitled to preliminary and permanent injunctive relief against further infringement by the  
16 Defendants of the Temple Work, pursuant to 17 U.S.C. §502.

17  
18                   **TENTH CLAIM FOR RELIEF: DIRECT COPYRIGHT**  
19                   **INFRINGEMENT OF THE OHIO WORK**

20          249.    Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through  
21 248 above.

22          250.    Righthaven holds the exclusive right to reproduce the Ohio Work, pursuant to 17  
23 U.S.C. §106(1).

24          251.    Righthaven holds the exclusive right to prepare derivative works based upon the  
25 Ohio Work, pursuant to 17 U.S.C. §106(2).

26          252.    Righthaven holds the exclusive right to distribute copies of the Ohio Work,  
27 pursuant to 17 U.S.C. §106(3).  
28

1 253. Righthaven holds the exclusive right to publicly display the Ohio Work, pursuant  
2 to 17 U.S.C. §106(5).

3 254. The Defendants reproduced the Ohio Work in derogation of Righthaven's  
4 exclusive rights under 17 U.S.C. §106(1).

5 255. The Defendants created an unauthorized derivative of the Ohio Work in  
6 derogation of Righthaven's exclusive rights under 17 U.S.C. §106(2).

7 256. The Defendants distributed, and continued to distribute as of filing of the original  
8 Complaint, an unauthorized reproduction of the Ohio Work on the Website, in derogation of  
9 Righthaven's exclusive rights under 17 U.S.C. §106(3).

10 257. The Defendants publicly displayed, and continued to display as of filing of the  
11 original Complaint, an unauthorized reproduction of the Ohio Work on the Website, in  
12 derogation of Righthaven's exclusive rights under 17 U.S.C. §106(5).

13 258. Mr. Allec has willfully engaged in the copyright infringement of the Ohio Work.

14 259. RX has willfully engaged in the copyright infringement of the Ohio Work.

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

18 261. Unless the Defendants are preliminarily and permanently enjoined from further  
19 infringement of the Ohio Work, Righthaven will be irreparably harmed, and Righthaven is thus  
20 entitled to preliminary and permanent injunctive relief against further infringement by the  
21 Defendants of the Ohio Work, pursuant to 17 U.S.C. §502.

22  
23 **ELEVENTH CLAIM FOR RELIEF: DIRECT COPYRIGHT**

24 **INFRINGEMENT OF THE SUNS WORK**

25 262. Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through  
26 261 above.

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

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

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

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

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

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

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

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

17           271.     Mr. Allec has willfully engaged in the copyright infringement of the Suns Work.

18           272.     RX has willfully engaged in the copyright infringement of the Suns Work.

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

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

**TWELFTH CLAIM FOR RELIEF: DIRECT COPYRIGHT  
INFRINGEMENT OF THE DEFENDING CHAMPS WORK**

1  
2  
3 275. Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through  
4 274 above.

5 276. Righthaven holds the exclusive right to reproduce the Defending Champs Work,  
6 pursuant to 17 U.S.C. §106(1).

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

9 278. Righthaven holds the exclusive right to distribute copies of Defending Champs  
10 Work, pursuant to 17 U.S.C. §106(3).

11 279. Righthaven holds the exclusive right to publicly display Defending Champs  
12 Work, pursuant to 17 U.S.C. §106(5).

13 280. The Defendants reproduced Defending Champs Work in derogation of  
14 Righthaven's exclusive rights under 17 U.S.C. §106(1).

15 281. The Defendants created an unauthorized derivative of Defending Champs Work  
16 in derogation of Righthaven's exclusive rights under 17 U.S.C. §106(2).

17 282. The Defendants distributed, and continued to distribute as of filing of the original  
18 Complaint, an unauthorized reproduction of Defending Champs Work on the Website, in  
19 derogation of Righthaven's exclusive rights under 17 U.S.C. §106(3).

20 283. The Defendants publicly displayed, and continued to display as of filing of the  
21 original Complaint, an unauthorized reproduction of Defending Champs Work on the Website, in  
22 derogation of Righthaven's exclusive rights under 17 U.S.C. §106(5).

23 284. Mr. Allec has willfully engaged in the copyright infringement of Defending  
24 Champs Work.

25 285. RX has willfully engaged in the copyright infringement of Defending Champs  
26 Work.

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

4 287. Unless the Defendants are preliminarily and permanently enjoined from further  
5 infringement of Defending Champs Work, Righthaven will be irreparably harmed, and  
6 Righthaven is thus entitled to preliminary and permanent injunctive relief against further  
7 infringement by the Defendants of Defending Champs Work, pursuant to 17 U.S.C. §502.

8  
9 **THIRTEENTH CLAIM FOR RELIEF: DIRECT COPYRIGHT**

10 **INFRINGEMENT OF THE BEARS WORK**

11 288. Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through  
12 287 above.

13 289. Righthaven holds the exclusive right to reproduce the Bears Work, pursuant to 17  
14 U.S.C. §106(1).

15 290. Righthaven holds the exclusive right to prepare derivative works based upon the  
16 Bears Work, pursuant to 17 U.S.C. §106(2).

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

19 292. Righthaven holds the exclusive right to publicly display the Bears Work, pursuant  
20 to 17 U.S.C. §106(5).

21 293. The Defendants reproduced the Bears Work in derogation of Righthaven's  
22 exclusive rights under 17 U.S.C. §106(1).

23 294. The Defendants created an unauthorized derivative of the Bears Work in  
24 derogation of Righthaven's exclusive rights under 17 U.S.C. §106(2).

25 295. The Defendants distributed, and continued to distribute as of filing of the original  
26 Complaint, an unauthorized reproduction of the Bears Work on the Website, in derogation of  
27 Righthaven's exclusive rights under 17 U.S.C. §106(3).

1           296.    The Defendants publicly displayed, and continued to display as of filing of the  
2 original Complaint, an unauthorized reproduction of the Bears Work on the Website, in  
3 derogation of Righthaven’s exclusive rights under 17 U.S.C. §106(5).

4           297.    Mr. Allec has willfully engaged in the copyright infringement of the Bears Work.

5           298.    RX has willfully engaged in the copyright infringement of the Bears Work.

6           299.    Defendants’ acts as alleged herein, and the ongoing direct results of those acts,  
7 have caused and will continue to cause irreparable harm to Righthaven in an amount Righthaven  
8 cannot ascertain, leaving Righthaven with no adequate remedy at law.

9           300.    Unless the Defendants are preliminarily and permanently enjoined from further  
10 infringement of the Bears Work, Righthaven will be irreparably harmed, and Righthaven is thus  
11 entitled to preliminary and permanent injunctive relief against further infringement by the  
12 Defendants of the Bears Work, pursuant to 17 U.S.C. §502.

13  
14                           **FOURTEENTH CLAIM FOR RELIEF: DIRECT COPYRIGHT**  
15                           **INFRINGEMENT OF THE FRESNO STATE WORK**

16           301.    Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through  
17 300 above.

18           302.    Righthaven holds the exclusive right to reproduce the Fresno State Work,  
19 pursuant to 17 U.S.C. §106(1).

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

22           304.    Righthaven holds the exclusive right to distribute copies of the Fresno State  
23 Work, pursuant to 17 U.S.C. §106(3).

24           305.    Righthaven holds the exclusive right to publicly display the Fresno State Work,  
25 pursuant to 17 U.S.C. §106(5).

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

1           307.     The Defendants created an unauthorized derivative of the Fresno State Work in  
2 derogation of Righthaven's exclusive rights under 17 U.S.C. §106(2).

3           308.     The Defendants distributed, and continued to distribute as of filing of the original  
4 Complaint, an unauthorized reproduction of the Fresno State Work on the Website, in derogation  
5 of Righthaven's exclusive rights under 17 U.S.C. §106(3).

6           309.     The Defendants publicly displayed, and continued to display as of filing of the  
7 original Complaint, an unauthorized reproduction of the Fresno State Work on the Website, in  
8 derogation of Righthaven's exclusive rights under 17 U.S.C. §106(5).

9           310.     Mr. Allec has willfully engaged in the copyright infringement of the Fresno State  
10 Work.

11           311.     RX has willfully engaged in the copyright infringement of the Fresno State Work.

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

15           313.     Unless the Defendants are preliminarily and permanently enjoined from further  
16 infringement of the Fresno State Work, Righthaven will be irreparably harmed, and Righthaven  
17 is thus entitled to preliminary and permanent injunctive relief against further infringement by the  
18 Defendants of the Fresno State Work, pursuant to 17 U.S.C. §502.

19  
20                           **FIFTEENTH CLAIM FOR RELIEF: DIRECT COPYRIGHT**

21   **INFRINGEMENT OF THE ROCKETS II WORK**

22           314.     Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through  
23 313 above.

24           315.     Righthaven holds the exclusive right to reproduce the Rockets II Work, pursuant  
25 to 17 U.S.C. §106(1).

26           316.     Righthaven holds the exclusive right to prepare derivative works based upon the  
27 Rockets II Work, pursuant to 17 U.S.C. §106(2).

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

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

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

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

9           321.     The Defendants distributed, and continued to distribute as of filing of the original  
10 Complaint, an unauthorized reproduction of the Rockets II Work on the Website, in derogation  
11 of Righthaven's exclusive rights under 17 U.S.C. §106(3).

12           322.     The Defendants publicly displayed, and continued to display as of filing of the  
13 original Complaint, an unauthorized reproduction of the Rockets II Work on the Website, in  
14 derogation of Righthaven's exclusive rights under 17 U.S.C. §106(5).

15           323.     Mr. Allec has willfully engaged in the copyright infringement of the Rockets II  
16 Work.

17           324.     RX has willfully engaged in the copyright infringement of the Rockets II Work.

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

21           326.     Unless the Defendants are preliminarily and permanently enjoined from further  
22 infringement of the Rockets II Work, Righthaven will be irreparably harmed, and Righthaven is  
23 thus entitled to preliminary and permanent injunctive relief against further infringement by the  
24 Defendants of the Rockets II Work, pursuant to 17 U.S.C. §502.



**SIXTEENTH CLAIM FOR RELIEF: DIRECT COPYRIGHT  
INFRINGEMENT OF THE TENNESSEE WORK**

1  
2  
3 327. Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through  
4 326 above.

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

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

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

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

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

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

17 334. The Defendants distributed, and continued to distribute as of filing of the original  
18 Complaint, an unauthorized reproduction of the Tennessee Work on the Website, in derogation  
19 of Righthaven's exclusive rights under 17 U.S.C. §106(3).

20 335. The Defendants publicly displayed, and continued to display as of filing of the  
21 original Complaint, an unauthorized reproduction of the Tennessee Work on the Website, in  
22 derogation of Righthaven's exclusive rights under 17 U.S.C. §106(5).

23 336. Mr. Allec has willfully engaged in the copyright infringement of the Tennessee  
24 Work.

25 337. RX has willfully engaged in the copyright infringement of the Tennessee Work.

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

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

5  
6 **SEVENTEENTH CLAIM FOR RELIEF: DIRECT COPYRIGHT**

7 **INFRINGEMENT OF THE STONE COLD WORK**

8 340. Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through  
9 339 above.

10 341. Righthaven holds the exclusive right to reproduce the Stone Cold Work, pursuant  
11 to 17 U.S.C. §106(1).

12 342. Righthaven holds the exclusive right to prepare derivative works based upon the  
13 Stone Cold Work, pursuant to 17 U.S.C. §106(2).

14 343. Righthaven holds the exclusive right to distribute copies of the Stone Cold Work,  
15 pursuant to 17 U.S.C. §106(3).

16 344. Righthaven holds the exclusive right to publicly display the Stone Cold Work,  
17 pursuant to 17 U.S.C. §106(5).

18 345. The Defendants reproduced the Stone Cold Work in derogation of Righthaven's  
19 exclusive rights under 17 U.S.C. §106(1).

20 346. The Defendants created an unauthorized derivative of the Stone Cold Work in  
21 derogation of Righthaven's exclusive rights under 17 U.S.C. §106(2).

22 347. The Defendants distributed, and continued to distribute as of filing of the original  
23 Complaint, an unauthorized reproduction of the Stone Cold Work on the Website, in derogation  
24 of Righthaven's exclusive rights under 17 U.S.C. §106(3).

25 348. The Defendants publicly displayed, and continued to display as of filing of the  
26 original Complaint, an unauthorized reproduction of the Stone Cold Work on the Website, in  
27 derogation of Righthaven's exclusive rights under 17 U.S.C. §106(5).  
28

1 349. Mr. Allec has willfully engaged in the copyright infringement of the Stone Cold  
2 Work.

3 350. RX has willfully engaged in the copyright infringement of the Stone Cold Work.

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

7 352. Unless the Defendants are preliminarily and permanently enjoined from further  
8 infringement of the Stone Cold Work, Righthaven will be irreparably harmed, and Righthaven is  
9 thus entitled to preliminary and permanent injunctive relief against further infringement by the  
10 Defendants of the Stone Cold Work, pursuant to 17 U.S.C. §502.

11  
12 **EIGHTEENTH CLAIM FOR RELIEF: DIRECT COPYRIGHT**

13 **INFRINGEMENT OF THE BYU WORK**

14 353. Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through  
15 352 above.

16 354. Righthaven holds the exclusive right to reproduce the BYU Work, pursuant to 17  
17 U.S.C. §106(1).

18 355. Righthaven holds the exclusive right to prepare derivative works based upon the  
19 BYU Work, pursuant to 17 U.S.C. §106(2).

20 356. Righthaven holds the exclusive right to distribute copies of the BYU Work,  
21 pursuant to 17 U.S.C. §106(3).

22 357. Righthaven holds the exclusive right to publicly display the BYU Work, pursuant  
23 to 17 U.S.C. §106(5).

24 358. The Defendants reproduced the BYU Work in derogation of Righthaven's  
25 exclusive rights under 17 U.S.C. §106(1).

26 359. The Defendants created an unauthorized derivative of the BYU Work in  
27 derogation of Righthaven's exclusive rights under 17 U.S.C. §106(2).  
28

1           360.    The Defendants distributed, and continued to distribute as of filing of the original  
2 Complaint, an unauthorized reproduction of the BYU Work on the Website, in derogation of  
3 Righthaven's exclusive rights under 17 U.S.C. §106(3).

4           361.    The Defendants publicly displayed, and continued to display as of filing of the  
5 original Complaint, an unauthorized reproduction of the BYU Work on the Website, in  
6 derogation of Righthaven's exclusive rights under 17 U.S.C. §106(5).

7           362.    Mr. Allec has willfully engaged in the copyright infringement of the BYU Work.

8           363.    RX has willfully engaged in the copyright infringement of the BYU Work.

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

12           365.    Unless the Defendants are preliminarily and permanently enjoined from further  
13 infringement of the BYU Work, Righthaven will be irreparably harmed, and Righthaven is thus  
14 entitled to preliminary and permanent injunctive relief against further infringement by the  
15 Defendants of the BYU Work, pursuant to 17 U.S.C. §502.

16  
17                           **NINETEENTH CLAIM FOR RELIEF: DIRECT COPYRIGHT**

18   **INFRINGEMENT OF THE TROJANS WORK**

19           366.    Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through  
20 365 above.

21           367.    Righthaven holds the exclusive right to reproduce the Trojans Work, pursuant to  
22 17 U.S.C. §106(1).

23           368.    Righthaven holds the exclusive right to prepare derivative works based upon the  
24 Trojans Work, pursuant to 17 U.S.C. §106(2).

25           369.    Righthaven holds the exclusive right to distribute copies of the Trojans Work,  
26 pursuant to 17 U.S.C. §106(3).

27           370.    Righthaven holds the exclusive right to publicly display the Trojans Work,  
28 pursuant to 17 U.S.C. §106(5).

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

3 372. The Defendants created an unauthorized derivative of the Trojans Work in  
4 derogation of Righthaven's exclusive rights under 17 U.S.C. §106(2).

5 373. The Defendants distributed, and continued to distribute as of filing of the original  
6 Complaint, an unauthorized reproduction of the Trojans Work on the Website, in derogation of  
7 Righthaven's exclusive rights under 17 U.S.C. §106(3).

8 374. The Defendants publicly displayed, and continued to display as of filing of the  
9 original Complaint, an unauthorized reproduction of the Trojans Work on the Website, in  
10 derogation of Righthaven's exclusive rights under 17 U.S.C. §106(5).

11 375. Mr. Allec has willfully engaged in the copyright infringement of the Trojans  
12 Work.

13 376. RX has willfully engaged in the copyright infringement of the Trojans Work.

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

17 378. Unless the Defendants are preliminarily and permanently enjoined from further  
18 infringement of the Trojans Work, Righthaven will be irreparably harmed, and Righthaven is  
19 thus entitled to preliminary and permanent injunctive relief against further infringement by the  
20 Defendants of the Trojans Work, pursuant to 17 U.S.C. §502.

21  
22 **TWENTIETH CLAIM FOR RELIEF: DIRECT COPYRIGHT**  
23 **INFRINGEMENT OF THE UTAH WORK**

24 379. Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through  
25 378 above.

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

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

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

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

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

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

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

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

17 388. Mr. Allec has willfully engaged in the copyright infringement of the Utah Work.

18 389. RX has willfully engaged in the copyright infringement of the Utah Work.

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

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

**TWENTY-FIRST CLAIM FOR RELIEF: DIRECT COPYRIGHT  
INFRINGEMENT OF THE OREGON WORK**

1  
2  
3 392. Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through  
4 391 above.

5 393. Righthaven holds the exclusive right to reproduce the Oregon Work, pursuant to  
6 17 U.S.C. §106(1).

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

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

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

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

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

17 399. The Defendants distributed, and continued to distribute as of filing of the original  
18 Complaint, an unauthorized reproduction of the Oregon Work on the Website, in derogation of  
19 Righthaven's exclusive rights under 17 U.S.C. §106(3).

20 400. The Defendants publicly displayed, and continued to display as of filing of the  
21 original Complaint, an unauthorized reproduction of the Oregon Work on the Website, in  
22 derogation of Righthaven's exclusive rights under 17 U.S.C. §106(5).

23 401. Mr. Allec has willfully engaged in the copyright infringement of the Oregon  
24 Work.

25 402. RX has willfully engaged in the copyright infringement of the Oregon Work.

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

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

5  
6 **TWENTY-SECOND CLAIM FOR RELIEF: DIRECT COPYRIGHT**  
7 **INFRINGEMENT OF THE RAVENS II WORK**

8 405. Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through  
9 404 above.

10 406. Righthaven holds the exclusive right to reproduce the Ravens II Work, pursuant  
11 to 17 U.S.C. §106(1).

12 407. Righthaven holds the exclusive right to prepare derivative works based upon the  
13 Ravens II Work, pursuant to 17 U.S.C. §106(2).

14 408. Righthaven holds the exclusive right to distribute copies of the Ravens II Work,  
15 pursuant to 17 U.S.C. §106(3).

16 409. Righthaven holds the exclusive right to publicly display the Ravens II Work,  
17 pursuant to 17 U.S.C. §106(5).

18 410. The Defendants reproduced the Ravens II Work in derogation of Righthaven's  
19 exclusive rights under 17 U.S.C. §106(1).

20 411. The Defendants created an unauthorized derivative of the Ravens II Work in  
21 derogation of Righthaven's exclusive rights under 17 U.S.C. §106(2).

22 412. The Defendants distributed, and continued to distribute as of filing of the original  
23 Complaint, an unauthorized reproduction of the Ravens II Work on the Website, in derogation of  
24 Righthaven's exclusive rights under 17 U.S.C. §106(3).

25 413. The Defendants publicly displayed, and continued to display as of filing of the  
26 original Complaint, an unauthorized reproduction of the Ravens II Work on the Website, in  
27 derogation of Righthaven's exclusive rights under 17 U.S.C. §106(5).  
28



1 414. Mr. Allec has willfully engaged in the copyright infringement of the Ravens II  
2 Work.

3 415. RX has willfully engaged in the copyright infringement of the Ravens II Work.

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

7 417. Unless the Defendants are preliminarily and permanently enjoined from further  
8 infringement of the Ravens II Work, Righthaven will be irreparably harmed, and Righthaven is  
9 thus entitled to preliminary and permanent injunctive relief against further infringement by the  
10 Defendants of the Ravens II Work, pursuant to 17 U.S.C. §502.

11  
12 **TWENTY-THIRD CLAIM FOR RELIEF: DIRECT COPYRIGHT**

13 **INFRINGEMENT OF THE HUSKIES WORK**

14 418. Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through  
15 417 above.

16 419. Righthaven holds the exclusive right to reproduce the Huskies Work, pursuant to  
17 17 U.S.C. §106(1).

18 420. Righthaven holds the exclusive right to prepare derivative works based upon the  
19 Huskies Work, pursuant to 17 U.S.C. §106(2).

20 421. Righthaven holds the exclusive right to distribute copies of the Huskies Work,  
21 pursuant to 17 U.S.C. §106(3).

22 422. Righthaven holds the exclusive right to publicly display the Huskies Work,  
23 pursuant to 17 U.S.C. §106(5).

24 423. The Defendants reproduced the Huskies Work in derogation of Righthaven's  
25 exclusive rights under 17 U.S.C. §106(1).

26 424. The Defendants created an unauthorized derivative of the Huskies Work in  
27 derogation of Righthaven's exclusive rights under 17 U.S.C. §106(2).  
28

1 425. The Defendants distributed, and continued to distribute as of filing of the original  
2 Complaint, an unauthorized reproduction of the Huskies Work on the Website, in derogation of  
3 Righthaven's exclusive rights under 17 U.S.C. §106(3).

4 426. The Defendants publicly displayed, and continued to display as of filing of the  
5 original Complaint, an unauthorized reproduction of the Huskies Work on the Website, in  
6 derogation of Righthaven's exclusive rights under 17 U.S.C. §106(5).

7 427. Mr. Allec has willfully engaged in the copyright infringement of the Huskies  
8 Work.

9 428. RX has willfully engaged in the copyright infringement of the Huskies Work.

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

13 430. Unless the Defendants are preliminarily and permanently enjoined from further  
14 infringement of the Huskies Work, Righthaven will be irreparably harmed, and Righthaven is  
15 thus entitled to preliminary and permanent injunctive relief against further infringement by the  
16 Defendants of the Huskies Work, pursuant to 17 U.S.C. §502.

17  
18 **TWENTY-FOURTH CLAIM FOR RELIEF: DIRECT COPYRIGHT**  
19 **INFRINGEMENT OF THE BAYLOR WORK**

20 431. Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through  
21 430 above.

22 432. Righthaven holds the exclusive right to reproduce the Baylor Work, pursuant to  
23 17 U.S.C. §106(1).

24 433. Righthaven holds the exclusive right to prepare derivative works based upon the  
25 Baylor Work, pursuant to 17 U.S.C. §106(2).

26 434. Righthaven holds the exclusive right to distribute copies of the Baylor Work,  
27 pursuant to 17 U.S.C. §106(3).  
28

1 435. Righthaven holds the exclusive right to publicly display the Baylor Work,  
2 pursuant to 17 U.S.C. §106(5).

3 436. The Defendants reproduced the Baylor Work in derogation of Righthaven's  
4 exclusive rights under 17 U.S.C. §106(1).

5 437. The Defendants created an unauthorized derivative of the Baylor Work in  
6 derogation of Righthaven's exclusive rights under 17 U.S.C. §106(2).

7 438. The Defendants distributed, and continued to distribute as of filing of the original  
8 Complaint, an unauthorized reproduction of the Baylor Work on the Website, in derogation of  
9 Righthaven's exclusive rights under 17 U.S.C. §106(3).

10 439. The Defendants publicly displayed, and continued to display as of filing of the  
11 original Complaint, an unauthorized reproduction of the Baylor Work on the Website, in  
12 derogation of Righthaven's exclusive rights under 17 U.S.C. §106(5).

13 440. Mr. Allec has willfully engaged in the copyright infringement of the Baylor  
14 Work.

15 441. RX has willfully engaged in the copyright infringement of the Baylor Work.

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

19 443. Unless the Defendants are preliminarily and permanently enjoined from further  
20 infringement of the Baylor Work, Righthaven will be irreparably harmed, and Righthaven is thus  
21 entitled to preliminary and permanent injunctive relief against further infringement by the  
22 Defendants of the Baylor Work, pursuant to 17 U.S.C. §502.

**TWENTY-FIFTH CLAIM FOR RELIEF: DIRECT COPYRIGHT  
INFRINGEMENT OF THE NORTHERN ILLINOIS WORK**

1  
2  
3 444. Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through  
4 443 above.

5 445. Righthaven holds the exclusive right to reproduce the Northern Illinois Work,  
6 pursuant to 17 U.S.C. §106(1).

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

9 447. Righthaven holds the exclusive right to distribute copies of the Northern Illinois  
10 Work, pursuant to 17 U.S.C. §106(3).

11 448. Righthaven holds the exclusive right to publicly display the Northern Illinois  
12 Work, pursuant to 17 U.S.C. §106(5).

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

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

17 451. The Defendants distributed, and continued to distribute as of filing of the original  
18 Complaint, an unauthorized reproduction of the Northern Illinois Work on the Website, in  
19 derogation of Righthaven's exclusive rights under 17 U.S.C. §106(3).

20 452. The Defendants publicly displayed, and continued to display as of filing of the  
21 original Complaint, an unauthorized reproduction of the Northern Illinois Work on the Website,  
22 in derogation of Righthaven's exclusive rights under 17 U.S.C. §106(5).

23 453. Mr. Allec has willfully engaged in the copyright infringement of the Northern  
24 Illinois Work.

25 454. RX has willfully engaged in the copyright infringement of the Northern Illinois  
26 Work.

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

4 456. Unless the Defendants are preliminarily and permanently enjoined from further  
5 infringement of the Northern Illinois Work, Righthaven will be irreparably harmed, and  
6 Righthaven is thus entitled to preliminary and permanent injunctive relief against further  
7 infringement by the Defendants of the Northern Illinois Work, pursuant to 17 U.S.C. §502.

8  
9 **TWENTY-SIXTH CLAIM FOR RELIEF: VICARIOUS COPYRIGHT**  
10 **INFRINGEMENT OF THE ROCKETS WORK**

11 457. Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through  
12 456 above.

13 458. RX has directly profited and continued to directly profit from infringement of the  
14 Rockets Work as of at least the filing of the original Complaint.

15 459. The Defendants had as of the as of filing of the original Complaint, and RX  
16 continues to have, the right to stop or limit infringement of the Rockets Work by contributors to  
17 the Website, but have declined to meaningfully exercise that right.

18 460. Righthaven has been damaged as a result of RX's acts as alleged herein, and it is  
19 liable to Righthaven for such damages pursuant to 17 U.S.C. § 504(a)(2).

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

23 462. Unless RX and those acting in concert with it are preliminarily and permanently  
24 enjoined from further infringement of the Rockets Work, Righthaven will be irreparably harmed,  
25 and Righthaven is thus entitled to preliminary and permanent injunctive relief against further  
26 infringement of the Rockets Work, pursuant to 17 U.S.C. § 502.

1                   **TWENTY-SEVENTH CLAIM FOR RELIEF: VICARIOUS COPYRIGHT**  
2                   **INFRINGEMENT OF THE HAWKS WORK**

3           463.     Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through  
4 462 above.

5           464.     RX has directly profited and continued to directly profit from infringement of the  
6 Hawks Work as of at least the filing of the original Complaint.

7           465.     The Defendants had as of the as of filing of the original Complaint, and RX  
8 continues to have, the right to stop or limit infringement of the Hawks Work by contributors to  
9 the Website, but have declined to meaningfully exercise that right.

10          466.     Righthaven has been damaged as a result of the RX's acts as alleged herein, and it  
11 is liable to Righthaven for such damages pursuant to 17 U.S.C. § 504(a)(2).

12          467.     RX's acts as alleged herein, and the ongoing direct results of those acts, have  
13 caused and will continue to cause irreparable harm to Righthaven in an amount Righthaven  
14 cannot ascertain, leaving Righthaven with no adequate remedy at law.

15          468.     Unless RX and those acting in concert with it are preliminarily and permanently  
16 enjoined from further infringement of the Hawks Work, Righthaven will be irreparably harmed,  
17 and Righthaven is thus entitled to preliminary and permanent injunctive relief against further  
18 infringement of the Hawks Work, pursuant to 17 U.S.C. § 502.

19  
20                   **TWENTY-EIGHTH CLAIM FOR RELIEF: VICARIOUS COPYRIGHT**  
21                   **INFRINGEMENT OF THE GOOD TEAMS WORK**

22          469.     Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through  
23 468 above.

24          470.     RX has directly profited and continued to directly profit from infringement of the  
25 Good Teams Work as of at least the filing of the original Complaint.

26          471.     The Defendants had as of the as of filing of the original Complaint, and RX  
27 continues to have, the right to stop or limit infringement of the Good Teams Work by  
28 contributors to the Website, but have declined to meaningfully exercise that right.

1 472. Righthaven has been damaged as a result of the Defendants' acts as alleged  
2 herein, and RX is liable to Righthaven for such damages pursuant to 17 U.S.C. § 504(a)(2).

3 473. RX's acts as alleged herein, and the ongoing direct results of those acts, have  
4 caused and will continue to cause irreparable harm to Righthaven in an amount Righthaven  
5 cannot ascertain, leaving Righthaven with no adequate remedy at law.

6 474. Unless RX and those acting in concert with it the are preliminarily and  
7 permanently enjoined from further infringement of the Good Teams Work, Righthaven will be  
8 irreparably harmed, and Righthaven is thus entitled to preliminary and permanent injunctive  
9 relief against further infringement of the Good Teams Work, pursuant to 17 U.S.C. § 502.

10  
11 **TWENTY-NINTH CLAIM FOR RELIEF: VICARIOUS COPYRIGHT**  
12 **INFRINGEMENT OF THE RAVENS WORK**

13 475. Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through  
14 474 above.

15 476. RX has directly profited and continued to directly profit from infringement of the  
16 Ravens Work as of at least the filing of the original Complaint.

17 477. The Defendants had as of the as of filing of the original Complaint, and RX  
18 continues to have, the right to stop or limit infringement of the Ravens Work by contributors to  
19 the Website, but have declined to meaningfully exercise that right.

20 478. Righthaven has been damaged as a result of the RX's acts as alleged herein, and  
21 RX is liable to Righthaven for such damages pursuant to 17 U.S.C. § 504(a)(2).

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

25 480. Unless RX and those acting in concert with it are preliminarily and permanently  
26 enjoined from further infringement of the Ravens Work, Righthaven will be irreparably harmed,  
27 and Righthaven is thus entitled to preliminary and permanent injunctive relief against further  
28 infringement of the Ravens Work, pursuant to 17 U.S.C. § 502.

1                                   **THIRTIETH CLAIM FOR RELIEF: VICARIOUS COPYRIGHT**

2                                   **INFRINGEMENT OF THE CARDINAL WORK**

3           481.     Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through  
4 480 above.

5           482.     RX has directly profited and continued to directly profit from infringement of the  
6 Cardinal Work as of at least the filing of the original Complaint.

7           483.     The Defendants had as of the as of filing of the original Complaint, and RX  
8 continues to have, the right to stop or limit infringement of the Cardinal Work by contributors to  
9 the Website, but have declined to meaningfully exercise that right.

10          484.     Righthaven has been damaged as a result of RX's acts as alleged herein, and RX  
11 is liable to Righthaven for such damages pursuant to 17 U.S.C. § 504(a)(2).

12          485.     RX's acts as alleged herein, and the ongoing direct results of those acts, have  
13 caused and will continue to cause irreparable harm to Righthaven in an amount Righthaven  
14 cannot ascertain, leaving Righthaven with no adequate remedy at law.

15          486.     Unless RX and those acting in concert with it are preliminarily and permanently  
16 enjoined from further infringement of the Cardinal Work, Righthaven will be irreparably  
17 harmed, and Righthaven is thus entitled to preliminary and permanent injunctive relief against  
18 further infringement of the Cardinal Work, pursuant to 17 U.S.C. § 502.

19  
20                                   **THIRTY-FIRST CLAIM FOR RELIEF: VICARIOUS COPYRIGHT**

21                                   **INFRINGEMENT OF THE MICHIGAN WORK**

22          487.     Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through  
23 486 above.

24          488.     RX has directly profited and continued to directly profit from infringement of the  
25 Michigan Work as of at least the filing of the original Complaint.

26          489.     The Defendants had as of the as of filing of the original Complaint, and RX  
27 continues to have, the right to stop or limit infringement of the Michigan Work by contributors to  
28 the Website, but have declined to meaningfully exercise that right.



1 490. Righthaven has been damaged as a result of RX's acts as alleged herein, and RX  
2 is liable to Righthaven for such damages pursuant to 17 U.S.C. § 504(a)(2).

3 491. RX's acts as alleged herein, and the ongoing direct results of those acts, have  
4 caused and will continue to cause irreparable harm to Righthaven in an amount Righthaven  
5 cannot ascertain, leaving Righthaven with no adequate remedy at law.

6 492. Unless RX and those acting in concert with it are preliminarily and permanently  
7 enjoined from further infringement of the Michigan Work, Righthaven will be irreparably  
8 harmed, and Righthaven is thus entitled to preliminary and permanent injunctive relief against  
9 further infringement of the Michigan Work, pursuant to 17 U.S.C. § 502.

10  
11 **THIRTY-SECOND CLAIM FOR RELIEF: VICARIOUS COPYRIGHT**  
12 **INFRINGEMENT OF THE 49ERS WORK**

13 493. Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through  
14 492 above.

15 494. RX has directly profited and continued to directly profit from infringement of the  
16 49ers Work as of at least the filing of the original Complaint.

17 495. The Defendants had as of the as of filing of the original Complaint, and RX  
18 continues to have, the right to stop or limit infringement of the 49ers Work by contributors to the  
19 Website, but have declined to meaningfully exercise that right.

20 496. Righthaven has been damaged as a result of RX's acts as alleged herein, and RX  
21 is liable to Righthaven for such damages pursuant to 17 U.S.C. § 504(a)(2).

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

25 498. Unless RX and those acting in concert with it are preliminarily and permanently  
26 enjoined from further infringement of the 49ers Work, Righthaven will be irreparably harmed,  
27 and Righthaven is thus entitled to preliminary and permanent injunctive relief against further  
28 infringement of the 49ers Work, pursuant to 17 U.S.C. § 502.

1                                   **THIRTY-THIRD CLAIM FOR RELIEF: VICARIOUS COPYRIGHT**  
2                                   **INFRINGEMENT OF THE BROWNS WORK**

3           499.     Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through  
4 498 above.

5           500.     RX has directly profited and continued to directly profit from infringement of the  
6 Browns Work as of at least the filing of the original Complaint.

7           501.     The Defendants had as of the as of filing of the original Complaint, and RX  
8 continues to have, the right to stop or limit infringement of the Browns Work by contributors to  
9 the Website, but have declined to meaningfully exercise that right.

10          502.     Righthaven has been damaged as a result of RX's acts as alleged herein, and RX  
11 is liable to Righthaven for such damages pursuant to 17 U.S.C. § 504(a)(2).

12          503.     RX's acts as alleged herein, and the ongoing direct results of those acts, have  
13 caused and will continue to cause irreparable harm to Righthaven in an amount Righthaven  
14 cannot ascertain, leaving Righthaven with no adequate remedy at law.

15          504.     Unless RX and those acting in concert with it are preliminarily and permanently  
16 enjoined from further infringement of the Browns Work, Righthaven will be irreparably harmed,  
17 and Righthaven is thus entitled to preliminary and permanent injunctive relief against further  
18 infringement of the Browns Work, pursuant to 17 U.S.C. § 502.

19  
20                                   **THIRTY-FOURTH CLAIM FOR RELIEF: VICARIOUS COPYRIGHT**  
21                                   **INFRINGEMENT OF THE TEMPLE WORK**

22          505.     Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through  
23 504 above.

24          506.     RX has directly profited and continued to directly profit from infringement of the  
25 Temple Work as of at least the filing of the original Complaint.

26          507.     The Defendants had as of the as of filing of the original Complaint, and RX  
27 continues to have, the right to stop or limit infringement of the Temple Work by contributors to  
28 the Website, but have declined to meaningfully exercise that right.

1 508. Righthaven has been damaged as a result of RX's acts as alleged herein, and RX  
2 is liable to Righthaven for such damages pursuant to 17 U.S.C. § 504(a)(2).

3 509. RX's acts as alleged herein, and the ongoing direct results of those acts, have  
4 caused and will continue to cause irreparable harm to Righthaven in an amount Righthaven  
5 cannot ascertain, leaving Righthaven with no adequate remedy at law.

6 510. Unless the RX and those acting in concert with it are preliminarily and  
7 permanently enjoined from further infringement of the Temple Work, Righthaven will be  
8 irreparably harmed, and Righthaven is thus entitled to preliminary and permanent injunctive  
9 relief against further infringement of the Temple Work, pursuant to 17 U.S.C. § 502.

10 **THIRTY-FIFTH CLAIM FOR RELIEF: VICARIOUS COPYRIGHT**  
11 **INFRINGEMENT OF THE OHIO WORK**

12 511. Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through  
13 510 above.

14 512. RX has directly profited and continued to directly profit from infringement of the  
15 Ohio Work as of at least the filing of the original Complaint.

16 513. The Defendants had as of the as of filing of the original Complaint, and RX  
17 continues to have, the right to stop or limit infringement of the Ohio Work by contributors to the  
18 Website, but have declined to meaningfully exercise that right.

19 514. Righthaven has been damaged as a result of RX's acts as alleged herein, and RX  
20 is liable to Righthaven for such damages pursuant to 17 U.S.C. § 504(a)(2).

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

24 516. Unless RX and those acting in concert with it are preliminarily and permanently  
25 enjoined from further infringement of the Ohio Work, Righthaven will be irreparably harmed,  
26 and Righthaven is thus entitled to preliminary and permanent injunctive relief against further  
27 infringement of the Ohio Work, pursuant to 17 U.S.C. § 502.  
28

1                                   **THIRTY-SIXTH CLAIM FOR RELIEF: VICARIOUS COPYRIGHT**  
2   **INFRINGEMENT OF THE SUNS WORK**

3           517.     Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through  
4 516 above.

5           518.     RX has directly profited and continued to directly profit from infringement of the  
6 Suns Work as of at least the filing of the original Complaint.

7           519.     The Defendants had as of the as of filing of the original Complaint, and RX  
8 continues to have, the right to stop or limit infringement of the Suns Work by contributors to the  
9 Website, but have declined to meaningfully exercise that right.

10          520.     Righthaven has been damaged as a result of RX's acts as alleged herein, and RX  
11 is liable to Righthaven for such damages pursuant to 17 U.S.C. § 504(a)(2).

12          521.     RX's acts as alleged herein, and the ongoing direct results of those acts, have  
13 caused and will continue to cause irreparable harm to Righthaven in an amount Righthaven  
14 cannot ascertain, leaving Righthaven with no adequate remedy at law.

15          522.     Unless RX and those acting in concert with it are preliminarily and permanently  
16 enjoined from further infringement of the Suns Work, Righthaven will be irreparably harmed,  
17 and Righthaven is thus entitled to preliminary and permanent injunctive relief against further  
18 infringement of the Suns Work, pursuant to 17 U.S.C. § 502.

19  
20                                   **THIRTY-SEVENTH CLAIM FOR RELIEF: VICARIOUS COPYRIGHT**  
21   **INFRINGEMENT OF THE DEFENDING CHAMPS WORK**

22          523.     Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through  
23 522 above.

24          524.     RX has directly profited and continued to directly profit from infringement of the  
25 Defending Champs Work as of at least the filing of the original Complaint.

26          525.     The Defendants had as of the as of filing of the original Complaint, and RX  
27 continues to have, the right to stop or limit infringement of the Defending Champs Work by  
28 contributors to the Website, but have declined to meaningfully exercise that right.

1 526. Righthaven has been damaged as a result of RX's acts as alleged herein, and RX  
2 is liable to Righthaven for such damages pursuant to 17 U.S.C. § 504(a)(2).

3 527. RX's acts as alleged herein, and the ongoing direct results of those acts, have  
4 caused and will continue to cause irreparable harm to Righthaven in an amount Righthaven  
5 cannot ascertain, leaving Righthaven with no adequate remedy at law.

6 528. Unless the RX and those working in concert with it are preliminarily and  
7 permanently enjoined from further infringement of the Defending Champs Work, Righthaven  
8 will be irreparably harmed, and Righthaven is thus entitled to preliminary and permanent  
9 injunctive relief against further infringement of the Defending Champs Work, pursuant to 17  
10 U.S.C. § 502.

11  
12 **THIRTY-EIGHTH CLAIM FOR RELIEF: VICARIOUS COPYRIGHT**  
13 **INFRINGEMENT OF THE BEARS WORK**

14 529. Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through  
15 528 above.

16 530. RX has directly profited and continued to directly profit from infringement of the  
17 Bears Work as of at least the filing of the original Complaint.

18 531. The Defendants had as of the as of filing of the original Complaint, and RX  
19 continues to have, the right to stop or limit infringement of the Bears Work by contributors to the  
20 Website, but have declined to meaningfully exercise that right.

21 532. Righthaven has been damaged as a result of RX's acts as alleged herein, and RX  
22 is liable to Righthaven for such damages pursuant to 17 U.S.C. § 504(a)(2).

23 533. RX's acts as alleged herein, and the ongoing direct results of those acts, have  
24 caused and will continue to cause irreparable harm to Righthaven in an amount Righthaven  
25 cannot ascertain, leaving Righthaven with no adequate remedy at law.

26 534. Unless RX and those acting in concert with it are preliminarily and permanently  
27 enjoined from further infringement of the Bears Work, Righthaven will be irreparably harmed,  
28

1 and Righthaven is thus entitled to preliminary and permanent injunctive relief against further  
2 infringement by the Defendants of the Bears Work, pursuant to 17 U.S.C. § 502.

3  
4 **THIRTY-NINTH CLAIM FOR RELIEF: VICARIOUS COPYRIGHT**  
5 **INFRINGEMENT OF THE FRESNO STATE WORK**

6 535. Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through  
7 534 above.

8 536. RX has directly profited and continued to directly profit from infringement of the  
9 Fresno State Work as of at least the filing of the original Complaint.

10 537. The Defendants had as of the as of filing of the original Complaint, and RX  
11 continues to have, the right to stop or limit infringement of the Fresno State Work by  
12 contributors to the Website, but have declined to meaningfully exercise that right.

13 538. Righthaven has been damaged as a result of RX's acts as alleged herein, and RX  
14 is liable to Righthaven for such damages pursuant to 17 U.S.C. § 504(a)(2).

15 539. RX's acts as alleged herein, and the ongoing direct results of those acts, have  
16 caused and will continue to cause irreparable harm to Righthaven in an amount Righthaven  
17 cannot ascertain, leaving Righthaven with no adequate remedy at law.

18 540. Unless RX and those acting in concert with it are preliminarily and permanently  
19 enjoined from further infringement of the Fresno State Work, Righthaven will be irreparably  
20 harmed, and Righthaven is thus entitled to preliminary and permanent injunctive relief against  
21 further infringement of the Fresno State Work, pursuant to 17 U.S.C. § 502.

22  
23 **FORTIETH CLAIM FOR RELIEF: VICARIOUS COPYRIGHT**  
24 **INFRINGEMENT OF THE ROCKETS II WORK**

25 541. Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through  
26 540 above.

27 542. RX has directly profited and continued to directly profit from infringement of the  
28 Rockets II Work as of at least the filing of the original Complaint.

1           543.     The Defendants had as of the as of filing of the original Complaint, and RX  
2 continues to have, the right to stop or limit infringement of the Rockets II Work by contributors  
3 to the Website, but have declined to meaningfully exercise that right.

4           544.     Righthaven has been damaged as a result of RX's acts as alleged herein, and RX  
5 is liable to Righthaven for such damages pursuant to 17 U.S.C. § 504(a)(2).

6           545.     RX's acts as alleged herein, and the ongoing direct results of those acts, have  
7 caused and will continue to cause irreparable harm to Righthaven in an amount Righthaven  
8 cannot ascertain, leaving Righthaven with no adequate remedy at law.

9           546.     Unless RX and those acting in concert with it are preliminarily and permanently  
10 enjoined from further infringement of the Rockets II Work, Righthaven will be irreparably  
11 harmed, and Righthaven is thus entitled to preliminary and permanent injunctive relief against  
12 further infringement of the Rockets II Work, pursuant to 17 U.S.C. § 502.

13  
14                   **FORTY-FIRST CLAIM FOR RELIEF: VICARIOUS COPYRIGHT**  
15                   **INFRINGEMENT OF THE TENNESSEE WORK**

16           547.     Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through  
17 546 above.

18           548.     The Defendants directly profited and continue to directly profit from infringement  
19 of the Tennessee Work.

20           549.     RX has directly profited and continued to directly profit from infringement of the  
21 Tennessee Work as of at least the filing of the original Complaint.

22           550.     The Defendants had as of the as of filing of the original Complaint, and RX  
23 continues to have, the right to stop or limit infringement of the Tennessee Work by contributors  
24 to the Website, but have declined to meaningfully exercise that right.

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

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

5  
6                   **FORTY-SECOND CLAIM FOR RELIEF: VICARIOUS COPYRIGHT**  
7                   **INFRINGEMENT OF THE STONE COLD WORK**

8           553. Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through  
9 552 above.

10           554. RX has directly profited and continued to directly profit from infringement of the  
11 Stone Cold Work as of at least the filing of the original Complaint.

12           555. The Defendants had as of the as of filing of the original Complaint, and RX  
13 continues to have, the right to stop or limit infringement of the Stone Cold Work by contributors  
14 to the Website, but have declined to meaningfully exercise that right.

15           556. Righthaven has been damaged as a result of RX's acts as alleged herein, and RX  
16 is liable to Righthaven for such damages pursuant to 17 U.S.C. § 504(a)(2).

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

20           558. Unless RX and those acting in concert with it are preliminarily and permanently  
21 enjoined from further infringement of the Stone Cold Work, Righthaven will be irreparably  
22 harmed, and Righthaven is thus entitled to preliminary and permanent injunctive relief against  
23 further infringement of the Stone Cold Work, pursuant to 17 U.S.C. § 502.



**FORTY-THIRD FOR RELIEF: VICARIOUS COPYRIGHT**

**INFRINGEMENT OF THE BYU WORK**

1  
2  
3 559. Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through  
4 558 above.

5 560. RX has directly profited and continued to directly profit from infringement of the  
6 BYU Work as of at least the filing of the original Complaint.

7 561. The Defendants had as of the as of filing of the original Complaint, and RX  
8 continues to have, the right to stop or limit infringement of the BYU Work by contributors to the  
9 Website, but have declined to meaningfully exercise that right.

10 562. Righthaven has been damaged as a result of RX's acts as alleged herein, and RX  
11 is liable to Righthaven for such damages pursuant to 17 U.S.C. § 504(a)(2).

12 563. RX's acts as alleged herein, and the ongoing direct results of those acts, have  
13 caused and will continue to cause irreparable harm to Righthaven in an amount Righthaven  
14 cannot ascertain, leaving Righthaven with no adequate remedy at law.

15 564. Unless RX and those acting in concert with it are preliminarily and permanently  
16 enjoined from further infringement of the BYU Work, Righthaven will be irreparably harmed,  
17 and Righthaven is thus entitled to preliminary and permanent injunctive relief against further  
18 infringement of the BYU Work, pursuant to 17 U.S.C. § 502.

19  
20 **FORTY-FOURTH CLAIM FOR RELIEF: VICARIOUS COPYRIGHT**

21 **INFRINGEMENT OF THE TROJANS WORK**

22 565. Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through  
23 564 above.

24 566. RX has directly profited and continued to directly profit from infringement of the  
25 Trojans Work as of at least the filing of the original Complaint.

26 567. The Defendants had as of the as of filing of the original Complaint, and RX  
27 continues to have, the right to stop or limit infringement of the Trojans Work by contributors to  
28 the Website, but have declined to meaningfully exercise that right.

1 568. Righthaven has been damaged as a result of the RX's acts as alleged herein, and  
2 RX is liable to Righthaven for such damages pursuant to 17 U.S.C. § 504(a)(2).

3 569. RX's acts as alleged herein, and the ongoing direct results of those acts, have  
4 caused and will continue to cause irreparable harm to Righthaven in an amount Righthaven  
5 cannot ascertain, leaving Righthaven with no adequate remedy at law.

6 570. Unless RX and those acting in concert with it are preliminarily and permanently  
7 enjoined from further infringement of the Trojans Work, Righthaven will be irreparably harmed,  
8 and Righthaven is thus entitled to preliminary and permanent injunctive relief against further  
9 infringement of the Trojans Work, pursuant to 17 U.S.C. § 502.

10  
11 **FORTY-FIFTH FOR RELIEF: VICARIOUS COPYRIGHT**  
12 **INFRINGEMENT OF THE UTAH WORK**

13 571. Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through  
14 570 above.

15 572. RX has directly profited and continued to directly profit from infringement of the  
16 Utah Work as of at least the filing of the original Complaint.

17 573. The Defendants had as of the as of filing of the original Complaint, and RX  
18 continues to have, the right to stop or limit infringement of the Utah Work by contributors to the  
19 Website, but have declined to meaningfully exercise that right.

20 574. Righthaven has been damaged as a result of RX's acts as alleged herein, and RX  
21 is liable to Righthaven for such damages pursuant to 17 U.S.C. § 504(a)(2).

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

25 576. Unless RX and those acting in concert with it are preliminarily and permanently  
26 enjoined from further infringement of the Utah Work, Righthaven will be irreparably harmed,  
27 and Righthaven is thus entitled to preliminary and permanent injunctive relief against further  
28 infringement of the Utah Work, pursuant to 17 U.S.C. § 502.

**FORTY-SIXTH CLAIM FOR RELIEF: VICARIOUS COPYRIGHT  
INFRINGEMENT OF THE OREGON WORK**

577. Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through 576 above.

578. RX has directly profited and continued to directly profit from infringement of the Oregon Work as of at least the filing of the original Complaint.

579. The Defendants had as of the as of filing of the original Complaint, and RX continues to have, the right to stop or limit infringement of the Oregon Work by contributors to the Website, but have declined to meaningfully exercise that right.

580. Righthaven has been damaged as a result of RX's acts as alleged herein, and RX is liable to Righthaven for such damages pursuant to 17 U.S.C. § 504(a)(2).

581. RX's 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.

582. Unless RX and those acting in concert with it are preliminarily and permanently enjoined from further infringement of the Oregon Work, Righthaven will be irreparably harmed, and Righthaven is thus entitled to preliminary and permanent injunctive relief against further infringement of the Oregon Work, pursuant to 17 U.S.C. § 502.

**FORTY-SEVENTH CLAIM FOR RELIEF: VICARIOUS COPYRIGHT  
INFRINGEMENT OF THE RAVENS II WORK**

583. Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through 582 above.

584. RX has directly profited and continued to directly profit from infringement of the Ravens II Work as of at least the filing of the original Complaint.

585. The Defendants had as of the as of filing of the original Complaint, and RX continues to have, the right to stop or limit infringement of the Ravens II Work by contributors to the Website, but have declined to meaningfully exercise that right.

1 586. Righthaven has been damaged as a result of RX's acts as alleged herein, and RX  
2 is liable to Righthaven for such damages pursuant to 17 U.S.C. § 504(a)(2).

3 587. RX's acts as alleged herein, and the ongoing direct results of those acts, have  
4 caused and will continue to cause irreparable harm to Righthaven in an amount Righthaven  
5 cannot ascertain, leaving Righthaven with no adequate remedy at law.

6 588. Unless RX and those acting in concert with it are preliminarily and permanently  
7 enjoined from further infringement of the Ravens II Work, Righthaven will be irreparably  
8 harmed, and Righthaven is thus entitled to preliminary and permanent injunctive relief against  
9 further infringement of the Ravens II Work, pursuant to 17 U.S.C. § 502.

10  
11 **FORTY-EIGHTH CLAIM FOR RELIEF: VICARIOUS COPYRIGHT**  
12 **INFRINGEMENT OF THE HUSKIES WORK**

13 589. Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through  
14 588 above.

15 590. RX has directly profited and continued to directly profit from infringement of the  
16 Huskies Work as of at least the filing of the original Complaint.

17 591. The Defendants had as of the as of filing of the original Complaint, and RX  
18 continues to have, the right to stop or limit infringement of the Huskies Work by contributors to  
19 the Website, but have declined to meaningfully exercise that right.

20 592. Righthaven has been damaged as a result of RX's acts as alleged herein, and RX  
21 is liable to Righthaven for such damages pursuant to 17 U.S.C. § 504(a)(2).

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

25 594. Unless RX and those acting in concert with it are preliminarily and permanently  
26 enjoined from further infringement of the Huskies Work, Righthaven will be irreparably harmed,  
27 and Righthaven is thus entitled to preliminary and permanent injunctive relief against further  
28 infringement of the Huskies Work, pursuant to 17 U.S.C. § 502.

1                                   **FORTY-NINTH CLAIM FOR RELIEF: VICARIOUS COPYRIGHT**  
2                                   **INFRINGEMENT OF THE BAYLOR WORK**

3           595.     Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through  
4 594 above.

5           596.     RX has directly profited and continued to directly profit from infringement of the  
6 Baylor Work as of at least the filing of the original Complaint.

7           597.     The Defendants had as of the as of filing of the original Complaint, and RX  
8 continues to have, the right to stop or limit infringement of the Baylor Work by contributors to  
9 the Website, but have declined to meaningfully exercise that right.

10          598.     Righthaven has been damaged as a result of the RX's acts as alleged herein, and  
11 RX is liable to Righthaven for such damages pursuant to 17 U.S.C. § 504(a)(2).

12          599.     RX's acts as alleged herein, and the ongoing direct results of those acts, have  
13 caused and will continue to cause irreparable harm to Righthaven in an amount Righthaven  
14 cannot ascertain, leaving Righthaven with no adequate remedy at law.

15          600.     Unless RX and those acting in concert with i are preliminarily and permanently  
16 enjoined from further infringement of the Baylor Work, Righthaven will be irreparably harmed,  
17 and Righthaven is thus entitled to preliminary and permanent injunctive relief against further  
18 infringement by Defendants of the Baylor Work, pursuant to 17 U.S.C. § 502.

19  
20                                   **FIFTIETH CLAIM FOR RELIEF: VICARIOUS COPYRIGHT**  
21                                   **INFRINGEMENT OF THE NORTHERN ILLINOIS WORK**

22          601.     Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through  
23 600 above.

24          602.     RX has directly profited and continued to directly profit from infringement of the  
25 Northern Illinois Hawks Work as of at least the filing of the original Complaint.

26          603.     The Defendants had as of the as of filing of the original Complaint, and RX  
27 continues to have, the right to stop or limit infringement of the Northern Illinois Work by  
28 contributors to the Website, but have declined to meaningfully exercise that right.



1           3.       Order the surrender to Righthaven of all hardware, software, electronic media and  
2 domains, including the Domain, used to store, disseminate and display the unauthorized versions  
3 of any and all copyrighted Works as provided for under 17 U.S.C. § 505(b) and/or as authorized  
4 by Federal Rule of Civil Procedure 64;

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

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

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

11           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 11<sup>th</sup> day of July, 2011.

SHAWN A. MANGANO, LTD.

By: /s/ Shawn A. Mangano  
By: Shawn A. Mangano  
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*Attorney for Plaintiff Righthaven LLC*

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**CERTIFICATE OF SERVICE**

Pursuant to Federal Rule of Civil Procedure 5(b), I hereby certify that I am an employee of Righthaven LLC and that on this 11<sup>th</sup> day of July, 2011, I caused the **FIRST AMENDED COMPLAINT AND DEMAND FOR JURY TRIAL** to be served by the Court's CM/ECF system.

By: /s/ Shawn A. Mangano  
Shawn A. Mangano, Esq.  
SHAWN A. MANGANO, LTD.

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