

United States District Court  
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CADENCE DESIGN SYSTEMS, INC.,  
a corporation,

No. C 10-80227 MISC CRB (EDL)

Plaintiff,

**ORDER GRANTING PLAINTIFF'S  
REQUEST FOR SUBPOENA**

v.

JOHN DOES 1 through 15, inclusive,

Defendants.

On September 13, 2010, Plaintiff Cadence Design Systems, Inc., filed a Request for Subpoena Pursuant to 17 U.S.C. § 512(h) for Twitter, Inc. “to identify the individual(s) who, under the anonymous username ‘Dr. UVM,’ repeatedly published (1) a hyperlink on Twitter.com directing users to a website hosting an unauthorized copy of Cadence’s copyrighted work, and (2) commentary discussing contents of, and providing unauthorized experts of, that copyrighted work.” On September 17, 2010, this matter was referred to this Court. In its October 6, 2010 order, the Court found that the proposed subpoena appeared overbroad, and requested Plaintiff to either narrow their request to identification only, or provide supplemental briefing supporting the proposed subpoena. Plaintiff immediately responded on October 6, 2010, and submitted an amended proposed subpoena limited to Request for Production number one, requesting: “documents sufficient to identify the name(s), residential and/or business address(es), email address(es), and telephone number(s)” of the alleged infringers. Pl.’s Req. Ex. B.

In order to request a subpoena to identify an infringer, 17 U.S.C.A. § 512(h)(2) requires that the requesting party present the Court with:

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(A) a copy of a notification described in subsection (c)(3)(A);  
(B) a proposed subpoena; and  
(C) a sworn declaration to the effect that the purpose for which the subpoena is sought is to obtain the identity of an alleged infringer and that such information will only be used for the purpose of protecting rights under this title.

Plaintiff has complied with § 512(h)(2) and has appropriately narrowed its subpoena to seek information regarding the alleged infringer's identity. Therefore, the Court grants Plaintiff's request and orders the Court Clerk to issue the subpoena.

**IT IS SO ORDERED.**

Dated: October 12, 2010

*Elizabeth D. Laporte*  
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ELIZABETH D. LAPORTE  
United States Magistrate Judge