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8 **UNITED STATES DISTRICT COURT**  
 9 **DISTRICT OF NEVADA**  
 10

11 RIGHTHAVEN LLC, a Nevada limited-  
 12 liability company,  
 13  
 14 Plaintiff,  
 15 v.  
 16 CENTER FOR INTERCULTURAL  
 ORGANIZING, a not-for-profit Oregon entity;  
 17 and KAYSE JAMA, an individual,  
 18  
 19 Defendants.

Case No.: 2:10-cv-01322  
**COMPLAINT AND DEMAND  
 FOR JURY TRIAL**

20 Righthaven LLC (“Righthaven”) complains as follows against Center for Intercultural  
 21 Organizing (“CIO”) and Kayse Jama (“Mr. Jama”); collectively with CIO known herein as the  
 22 “Defendants”), on information and belief:  
 23

24 **NATURE OF ACTION**

25 1. This is an action for copyright infringement pursuant to 17 U.S.C. § 501.  
 26  
 27  
 28

1 **PARTIES**

2 2. Righthaven is, and has been at all times relevant to this lawsuit, a Nevada limited-  
3 liability company with its principal place of business in Nevada.

4 3. Righthaven is, and has been at all times relevant to this lawsuit, in good standing  
5 with the Nevada Secretary of State.

6 4. CIO is, and has been at all times relevant to this lawsuit, a not-for-profit Oregon  
7 entity.

8 5. CIO is, and has been at all times relevant to this lawsuit, identified by the current  
9 registrar, Network Solutions (“Network Solutions”), as the registrant, administrative contact and  
10 technical contact for the Internet domain found at <interculturalorganizing.org> (the “Domain”).

11 6. Mr. Jama is, and has been at all times relevant to this lawsuit, identified as the  
12 executive director of CIO in the content accessible through the Domain (the content accessible  
13 through the Domain and the Domain itself, collectively known herein as the “Website”).  
14

15 **JURISDICTION**

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

18 8. Righthaven is the owner of the copyright in the literary work entitled:  
19 “Misdemeanor violations leading to deportations” (the “Work”), attached hereto as Exhibit 1.

20 9. At all times relevant to this lawsuit, the Work has depicted and depicts the  
21 original source publication as the Las Vegas *Review-Journal*.

22 10. The Defendants willfully copied, on an unauthorized basis, the Work from a  
23 source emanating from Nevada.

24 11. On or about July 8, 2010, the Defendants displayed, and continue to display, an  
25 unauthorized reproduction of the Work (the “Infringement”), attached hereto as Exhibit 2, on the  
26 Website.

27 12. At all times relevant to this lawsuit, the Infringement has depicted and depicts the  
28 original source publication as the Las Vegas *Review-Journal*.

1 13. The subject matter, at least in part, of the Work and the Infringement, is the  
2 alleged improper targeting of illegal aliens for misdemeanor infractions by the Las Vegas  
3 Metropolitan Police Department that is leading to deportations.

4 14. At all times relevant to this lawsuit, the Defendants knew that the Work was  
5 originally published in the *Las Vegas Review-Journal*.

6 15. At all times relevant to this lawsuit, the Defendants knew that the infringement  
7 was and is of specific interest to Nevada residents.

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

#### 10 11 VENUE

12 17. The United States District Court for the District of Nevada is an appropriate  
13 venue, pursuant to 28 U.S.C. § 1391(b)(2), because a substantial part of the events giving rise to  
14 the claim for relief are situated in Nevada.

15 18. The United States District Court for the District of Nevada is an appropriate  
16 venue, pursuant to 28 U.S.C. § 1391(c), because CIO is subject to personal jurisdiction in  
17 Nevada.

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

#### 21 22 FACTS

23 20. The Work constitutes copyrightable subject matter, pursuant to 17 U.S.C. §  
24 102(a)(1).

25 21. Righthaven is the owner of the copyright in and to the Work.

26 22. The Work was originally published on June 28, 2010.

27 23. On July 26, 2010, the United States Copyright Office (the "USCO") granted  
28 Righthaven the registration to the Work, copyright registration number TX0007181503 (the

1 “Registration”) and attached hereto as Exhibit 3 is evidence of the Registration in the form of a  
2 printout of the official USCO database record depicting the occurrence of the Registration.

3 24. On or about July 8, 2010, the Defendants displayed, and continue to display, the  
4 Infringement on the Website.

5 25. The Defendants did not seek permission, in any manner, to reproduce, display, or  
6 otherwise exploit the Work.

7 26. The Defendants were not granted permission, in any manner, to reproduce,  
8 display, or otherwise exploit the Work.

9  
10 **CLAIM FOR RELIEF: COPYRIGHT INFRINGEMENT**

11 27. Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through  
12 26 above.

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

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

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

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

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

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

25 34. The Defendants distributed, and continue to distribute, an unauthorized  
26 reproduction of the Work on the Website, in derogation of Righthaven’s exclusive rights under  
27 17 U.S.C. § 106(3).

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

4           36.     CIO has willfully engaged in the copyright infringement of the Work.

5           37.     Mr. Jama has willfully engaged in the copyright infringement of the Work.

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

9           39.     Unless the Defendants are preliminarily and permanently enjoined from further  
10 infringement of the 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 Work, pursuant to 17 U.S.C. § 502.

13  
14                                   **PRAAYER FOR RELIEF**

15           Righthaven requests that this Court grant Righthaven’s claim for relief herein as follows:

16           1.     Preliminarily and permanently enjoin and restrain the Defendants, and the  
17 Defendants’ officers, agents, servants, employees, attorneys, parents, subsidiaries, related  
18 companies, partners, and all persons acting for, by, with, through, or under the Defendants, from  
19 directly or indirectly infringing the Work by reproducing the Work, preparing derivative works  
20 based on the Work, distributing the Work to the public, and/or displaying the Work, or ordering,  
21 directing, participating in, or assisting in any such activity;

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

24                 a.     All evidence and documentation relating in any way to the Defendants’  
25 use of the Work, in any form, including, without limitation, all such evidence and  
26 documentation relating to the Website;

