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13
14 **UNITED STATES DISTRICT COURT**
15 **DISTRICT OF NEVADA**

16 RIGHTHAVEN LLC, a Nevada limited-
17 liability company,

18
19 Plaintiff,

20 v.

21 KEITH COMBS, an individual,

22 Defendant.
23

Case No.: 2:10-cv-02145

24
25 **COMPLAINT AND DEMAND**
26 **FOR JURY TRIAL**

27
28 Righthaven LLC (“Righthaven”) complains as follows against Keith Combs (“Mr. Combs”) on information and belief:

1 application, the deposit copy, and the registration fee (the “Complete Application”), Service
2 Request No. 1-524088592, and attached hereto as Exhibit 3 is the official USCO application
3 submittal for the Work depicting the occurrence of the Complete Application.

4 23. On or about September 28, 2010, Mr. Combs displayed, and continues to display,
5 the Infringement on the Website.

6 24. Mr. Combs did not seek permission, in any manner, to reproduce, display, or
7 otherwise exploit the Work.

8 25. Mr. Combs was not granted permission, in any manner, to reproduce, display, or
9 otherwise exploit the Work.

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

12 26. Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through
13 25 above.

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

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

18 29. Righthaven holds the exclusive right to distribute copies of the Work, pursuant to
19 17 U.S.C. § 106(3).

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

22 31. Mr. Combs reproduced the Work in derogation of Righthaven’s exclusive rights
23 under 17 U.S.C. § 106(1).

24 32. Mr. Combs created an unauthorized derivative of the Work in derogation of
25 Righthaven’s exclusive rights under 17 U.S.C. § 106(2).

26 33. Mr. Combs distributed, and continues to distribute, an unauthorized reproduction
27 of the Work on the Website, in derogation of Righthaven’s exclusive rights under 17 U.S.C. §
28 106(3).

1 c. All financial evidence and documentation relating to Mr. Combs' use of
2 the Work;

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

5 4. Award Righthaven statutory damages for the willful infringement of the Work,
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.

12
13 **DEMAND FOR JURY TRIAL**

14 Righthaven requests a trial by jury pursuant to Fed. R. Civ. P. 38.

15 Dated this ninth day of December, 2010.

16
17 RIGHTHAVEN LLC

18 By: /s/ J. Charles Coons
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