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 10 **UNITED STATES DISTRICT COURT**
 11 **DISTRICT OF NEVADA**

13 RIGHTHAVEN LLC, a Nevada limited-
 liability company,
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 15 Plaintiff,
 16 v.
 17 CITADEL BROADCASTING COMPANY,
 a Nevada corporation; and MATT ALLEN,
 18 an individual,
 19 Defendants.
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Case No.: 2:11-cv-00308

**COMPLAINT AND DEMAND
 FOR JURY TRIAL**

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 22 Righthaven LLC (“Righthaven”) complains as follows against Citadel Broadcasting
 23 Company, a Nevada corporation (“Citadel”) and Matt Allen (“Mr. Allen”; collectively with
 24 Citadel known herein as the “Defendants”) on information and belief:

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1 **FACTS**

2 19. The Work constitutes copyrightable subject matter, pursuant to 17 U.S.C. §
3 102(a)(5).

4 20. Righthaven is the owner of the copyright in and to the Work.

5 21. The Work was originally published on or about November 18, 2010.

6 22. On December 8, 2010, the United States Copyright Office (the “USCO”) granted
7 Righthaven the registration to the Work, copyright registration number VA0001751279 (the
8 “Registration”) and attached hereto as Exhibit 3 is evidence of the Registration in the form of a
9 printout of the official USCO database record depicting the occurrence of the Registration.

10 23. On or about November 18, 2010, the Defendants displayed, and continue to
11 display, the Infringement on the Website.

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

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

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17 **CLAIM FOR RELIEF: COPYRIGHT INFRINGEMENT**

18 26. Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through
19 25 above.

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

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

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

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1 infringing the Work by reproducing the Work, preparing derivative works based on the Work,
2 distributing the Work to the public, and/or displaying the Work, or ordering, directing,
3 participating in, or assisting in any such activity;

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

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

9 b. All evidence and documentation relating to the names and addresses
10 (whether electronic mail addresses or otherwise) of any person with whom the
11 Defendants have communicated regarding the Defendants’ use of the Work; and

12 c. All financial evidence and documentation relating to the Defendants’ use
13 of the Work;

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

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

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

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

22 7. Grant Righthaven such other relief as this Court deems appropriate.

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