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5 *Attorney for Plaintiff Righthaven LLC*

6
 7 **UNITED STATES DISTRICT COURT**
 8 **DISTRICT OF NEVADA**
 9

10 RIGHTHAVEN LLC, a Nevada limited-
 liability company,

11
 12 **Plaintiff,**

13 v.

14 BOB SIEBER, an individual

15
 16 **Defendant.**

Case No.:

**COMPLAINT AND DEMAND
 FOR JURY TRIAL**

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 18 Righthaven LLC (“Righthaven”) complains as follows against Bob Sieber (“Mr. Sieber”),
 19 on information and belief, and at all times relevant to this lawsuit, unless otherwise specifically
 20 indicated herein to the contrary:

21
 22 **NATURE OF ACTION**

- 23 1. This is an action for copyright infringement pursuant to 17 U.S.C. § 501.
 24

25 **PARTIES**

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

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

1 **VENUE**

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

5 18. The United States District Court for the District of Nevada is an appropriate
6 venue, pursuant to 28 U.S.C. § 1400 (a), because Mr. Sieber is subject to personal jurisdiction in
7 Nevada.

8
9 **FACTS**

10 19. The Work constitutes copyrightable subject matter, pursuant to 17 U.S.C. §
11 102(a)(1).

12 20. Righthaven is the owner of the copyrights in and to the Work.

13 21. The Work was originally published on April 17, 2011.

14 22. On or about April 29, 2011, the United States Copyright Office (the “USCO”)
15 received Righthaven’s official submittal for the registration of the Work, including the
16 application, the deposit copy, and the registration fee (the “Complete Application”), Service
17 Request No. 1-602631518, and attached hereto as Exhibit 3 is the official USCO application
18 submittal for the Work depicting the occurrence of the Complete Application.

19 23. On or about April 17, 2011, Mr. Sieber displayed the Infringement on the
20 Website.

21 24. Mr. Sieber did not seek permission, in any manner, to reproduce, display or
22 otherwise exploit the Work.

23 25. Mr. Sieber was not granted permission, in any manner, to reproduce, display, or
24 otherwise exploit the Work.

25
26 **CLAIM FOR RELIEF: COPYRIGHT INFRINGEMENT**

27 26. Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through
28 25 above.

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

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

5 29. Righthaven holds the exclusive right to distribute copies of the Work, pursuant to
6 17 U.S.C. § 106(3).

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

9 31. Mr. Sieber reproduced the Work in derogation of Righthaven's exclusive rights
10 under 17 U.S.C. § 106(1).

11 32. Mr. Sieber created an unauthorized derivative of the Work in derogation of
12 Righthaven's exclusive rights under 17 U.S.C. § 106(2).

13 33. Mr. Sieber distributed an unauthorized reproduction of the Work on the Website,
14 in derogation of Righthaven's exclusive rights under 17 U.S.C. § 106(3).

15 34. Mr. Sieber publicly displayed an unauthorized reproduction of the Work on the
16 Website, in derogation of Righthaven's exclusive rights under 17 U.S.C. § 106(5).

17 35. Mr. Sieber has willfully engaged in the copyright infringement of the Work.

18 36. Mr. Sieber's 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 37. Unless Mr. Sieber is preliminarily and permanently enjoined from further
22 infringement of the Work, Righthaven will be irreparably harmed, and Righthaven is thus
23 entitled to preliminary and permanent injunctive relief against further infringement by Mr. Sieber
24 of the Work, pursuant to 17 U.S.C. § 502.

1 b. All evidence and documentation relating to the names and addresses
2 (whether electronic mail addresses or otherwise) of any person with whom the Mr. Sieber
3 has communicated regarding Mr. Sieber's use of the Work; and

4 c. All financial evidence and documentation relating to Mr. Sieber's use of
5 the Work;

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

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

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

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

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