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Strike 3 Holdings, LLC

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

STRIKE 3 HOLDINGS, LLC,

Plaintiff,

vs.

JOHN DOE subscriber assigned IP address
98.51.14.243,

Defendant.

Case Number:

**COMPLAINT FOR COPYRIGHT
INFRINGEMENT - DEMAND FOR JURY
TRIAL**

Plaintiff, Strike 3 Holdings, LLC (“Strike 3” or “Plaintiff”), brings this complaint against Defendant, John Doe subscriber assigned IP address 98.51.14.243 (“Defendant”), and alleges as follows:

Introduction

1. This is a case about the ongoing and wholesale copyright infringement of Plaintiff’s motion pictures by Defendant, currently known only by an IP address.

2. Plaintiff is the owner of award-winning, critically acclaimed adult motion pictures.

3. Strike 3’s motion pictures are distributed through the *Blacked*, *Blacked Raw*, *MILFY*, *Slayed*, *Tushy*, *Tushy Raw*, *Vixen*, and *Wifey* adult websites and DVDs. With millions of unique visitors to its websites each month, the brands are famous for redefining adult content,

1 creating high-end, artistic, and performer-inspiring motion pictures produced with a Hollywood
2 style budget and quality.

3 4. Defendant is, in a word, stealing these works on a grand scale. Using the
4 BitTorrent protocol, Defendant is committing rampant and wholesale copyright infringement by
5 downloading Strike 3's motion pictures as well as distributing them to others. Defendant did
6 not infringe just one or two of Strike 3's motion pictures, but has been recorded infringing 41
7 movies over an extended period of time.

8 5. Although Defendant attempted to hide this theft by infringing Plaintiff's content
9 anonymously, Defendant's Internet Service Provider ("ISP"), Comcast Cable, can identify
10 Defendant through his or her IP address 98.51.14.243.

11 6. This is a civil action seeking damages under the United States Copyright Act of
12 1976, *as amended*, 17 U.S.C. §§ 101 et seq. (the "Copyright Act").

13 **Jurisdiction and Venue**

14 7. This Court has subject matter jurisdiction over this action pursuant to
15 28 U.S.C. § 1331 (federal question); and 28 U.S.C. § 1338 (jurisdiction over copyright actions).

16 8. This Court has personal jurisdiction over Defendant because Defendant used an
17 Internet Protocol address ("IP address") traced to a physical address located within this District
18 to commit copyright infringement. Therefore: (i) Defendant committed the tortious conduct
19 alleged in this Complaint in this State; (ii) Defendant resides in this State and/or; (iii) Defendant
20 has engaged in substantial – and not isolated – business activity in this State.

21 9. Plaintiff used IP address geolocation technology by Maxmind Inc. ("Maxmind"),
22 an industry-leading provider of IP address intelligence and online fraud detection tools, to
23 determine that Defendant's IP address traced to a physical address in this District. Over 5,000
24 companies, along with United States federal and state law enforcement, use Maxmind's GeoIP
25 data to locate Internet visitors, perform analytics, enforce digital rights, and efficiently route
26 Internet traffic.

27 10. Pursuant to 28 U.S.C. § 1391(b) and (c), venue is proper in this district because:
28 (i) a substantial part of the events or omissions giving rise to the claims occurred in this District;

1 and, (ii) the Defendant resides (and therefore can be found) in this District and resides in this
2 State. Additionally, venue is proper in this District pursuant 28 U.S.C. § 1400(a) (venue for
3 copyright cases) because Defendant or Defendant's agent resides or may be found in this
4 District.

5 **Parties**

6 11. Plaintiff, Strike 3 is a Delaware limited liability company located at 2140 S.
7 Dupont Hwy, Camden, DE.

8 12. Plaintiff currently can only identify Defendant by his or her IP address.
9 Defendant's IP address is 98.51.14.243. Defendant's name and address can be provided by
10 Defendant's Internet Service Provider.

11 **Factual Background**

12 ***Plaintiff's Award-Winning Copyrights***

13 13. Strike 3's subscription-based websites proudly boast a paid subscriber base that
14 is one of the highest of any adult-content sites in the world. Strike 3 also licenses its motion
15 pictures to popular broadcasters and Strike 3's motion pictures are some of the highest selling
16 adult DVDs in the United States.

17 14. Strike 3's motion pictures and websites have won numerous awards, such as
18 "best cinematography," "best new studio," and "adult site of the year."

19 15. Strike 3's motion pictures have had positive global impact, leading more adult
20 studios to invest in better content, higher pay for performers, and to treat each performer with
21 respect and like an artist.

22 16. Unfortunately, Strike 3, like a large number of other makers of motion picture
23 and television works, has a major problem with Internet piracy. Often appearing among the
24 most infringed popular entertainment content on torrent websites, Strike 3's motion pictures are
25 among the most pirated content in the world.

26 ***Defendant Used the BitTorrent File Distribution Network***
27 ***to Infringe Plaintiff's Copyrights***

28 17. BitTorrent is a system designed to quickly distribute large files over the Internet.

1 Instead of downloading a file, such as a movie, from a single source, BitTorrent users are able
2 to connect to the computers of other BitTorrent users in order to simultaneously download and
3 upload pieces of the file from and to other users.

4 18. BitTorrent's popularity stems from the ability of users to directly interact with
5 each other to distribute a large file without creating a heavy load on any individual source
6 computer and/or network. It enables Plaintiff's motion pictures, which are often filmed in state
7 of the art 4kHD, to be transferred quickly and efficiently.

8 19. To share a movie within the BitTorrent network, a user first uses BitTorrent
9 software to create a .torrent file from the original digital media file. This process breaks the
10 original digital media file down into numerous pieces.

11 20. The entire movie file being shared has a hash value (*i.e.*, the "File Hash"). A
12 hash value is an alpha-numeric value of a fixed length that uniquely identifies data.

13 21. Hash values are not arbitrarily assigned to data merely for identification
14 purposes, but rather are the product of a cryptographic algorithm applied to the data itself. As
15 such, while two identical sets of data will produce the same cryptographic hash value, any
16 change to the underlying data – no matter how small – will change the cryptographic hash value
17 that correlates to it.

18 22. To find and re-assemble the pieces of the digital media file, *i.e.*, to download the
19 file using BitTorrent, a user must obtain the .torrent file for the specific file that has been broken
20 down into pieces.

21 23. Each .torrent file contains important metadata with respect to the pieces of the
22 file. When this data is put into the cryptographic algorithm, it results in a hash value called the
23 "Info Hash."

24 24. The "Info Hash" is the data that the BitTorrent protocol uses to identify and
25 locate the other pieces of the desired file (in this case, the desired file is the respective file for
26 the infringing motion pictures that are the subject of this action) across the BitTorrent network.

27 25. Using the Info Hash in the metadata of a .torrent file, a user may collect all the
28 pieces of the digital media file that correlates with the specific .torrent file.

1 26. Once a user downloads all of the pieces of that digital media file from other
2 BitTorrent users, the digital media file is automatically reassembled into its original form, ready
3 for playing.

4 27. Plaintiff has developed, owns, and operates infringement detection systems
5 named “VXN Scan” and the “Cross Reference Tool”. Each infringement detection system
6 identifies infringement in two distinct ways.

7 28. The Cross Reference Tool first searched for and obtained .torrent files claiming
8 to be infringing copies of Plaintiff’s works, and then VXN Scan downloaded complete copies of
9 the digital media files that correlate to those .torrent files.

10 29. Plaintiff then compared the completed digital media files to Plaintiff’s
11 copyrighted works to determine whether they are infringing copies of one of Plaintiff’s
12 copyrighted works.

13 30. The digital media files have been verified to contain a digital copy of a motion
14 picture that is identical (or, alternatively, strikingly similar or substantially similar) to Plaintiff’s
15 corresponding original copyrighted Works.

16 31. VXN Scan used the “Info Hash” value, contained within the metadata of
17 the .torrent file which correlated with a digital media file that was determined to be identical (or
18 substantially similar) to a copyrighted work, to connect with Defendant, exchange information,
19 and download a piece (or pieces) of multiple digital media files from Defendant using the
20 BitTorrent network.

21 32. VXN Scan only downloads pieces of digital media files from Plaintiff’s
22 copyrighted works. At no point did VXN Scan upload content to any BitTorrent user. Indeed, it
23 is incapable of doing so.

24 33. While Defendant was using the BitTorrent file distribution network, VXN Scan
25 established multiple direct TCP/IP connections with Defendant’s IP address.

26 34. VXN Scan detected, captured and documented the TCP/IP connections with
27 Defendant including, but not limited to, Defendant transmitting pieces of Plaintiff’s copyrighted
28 motion pictures to Plaintiff and recorded those connections in a Packet Capture (“PCAP”) file.

1 35. Plaintiff identified these pieces as portions of infringing copies of Strike 3's
2 motion pictures.

3 36. Plaintiff also recorded infringement using its Cross Reference Tool.

4 37. The Cross Reference Tool is designed on the basis of a distributed hash table
5 ("DHT") and is a class of decentralized distributed systems that provides an identification
6 service similar to a hash table: (key, value) pairs are stored in a DHT, and any participating
7 node can efficiently retrieve the value associated with a given key.

8 38. BitTorrent clients use a DHT to locate peers who are participating in the
9 distribution of the digital media files related to the Info Hash. Specifically, a BitTorrent client
10 locates and connects to the DHT network. That way it registers its own IP address while
11 requesting IP addresses of other peers, which are distributing the same .torrent file.

12 39. Using this process BitTorrent users are able to locate and connect to a number of
13 peers within a particular swarm, and download the data related to each .torrent file.

14 40. A BitTorrent client registers the IP address of the user into the DHT with the
15 purpose of participating in the distribution of constituent pieces of the relevant digital media
16 file.

17 41. The Cross Reference Tool uses servers that locate .torrent files and their related
18 Info Hashes. The servers subsequently download the torrent information from popular torrent
19 websites. The Cross Reference Tool is incapable of downloading any digital media file
20 associated with an Info Hash, and it has only the ability to download torrent file metadata.

21 42. Similar to BitTorrent clients, the Cross Reference Tool uses a DHT to obtain the
22 IP Addresses of peers registered to each .torrent file listed in the DHT.

23 43. The Cross Reference Tool detected and documented that Defendant used the
24 BitTorrent File Distribution Network with the purpose of distributing digital media files that
25 have been determined to be identical (or substantially similar) to Plaintiff's copyrighted motion
26 pictures. At no point did the Cross Reference Tool upload content to any BitTorrent user.
27 Indeed, it is incapable of doing so.

28 44. Both VXN Scan and the Cross Reference Tool independently recorded multiple

1 infringements in the manner described above. Collectively, Plaintiff's proprietary software
2 detected 41 number of infringements.

3 45. Each work infringed by Defendant is listed on Exhibit A and sets forth the
4 Universal Time Coordinated (UTC) time and date of each infringement, along with the Info
5 Hash value obtained from the metadata of the corresponding .torrent file.

6 46. Exhibit A also sets forth relevant copyright information for each work at issue:
7 the date of publication, the date of registration, and the work's copyright registration number.
8 In a showing of good faith, Plaintiff has intentionally omitted the title of the work from this
9 public filing due to the adult nature of its content, but can provide a version of Exhibit A
10 containing the works' titles to the Court or any party upon request.

11 47. Thus, Defendant downloaded, copied, and distributed Plaintiff's Works without
12 authorization.

13 48. Defendant's infringement was continuous and ongoing.

14 49. Plaintiff owns the copyrights to the Works and the Works have been registered
15 with the United States Copyright Office.

16 50. Plaintiff seeks statutory damages, attorneys' fees, and costs under
17 17 U.S.C. § 501 of the United States Copyright Act.

18 **COUNT I**

19 **Direct Copyright Infringement**

20 51. The allegations contained in paragraphs 1-50 are hereby re-alleged as if fully set
21 forth herein.

22 52. Plaintiff is the owner of the Works, which is an original work of authorship.

23 53. Defendant copied and distributed the constituent elements of Plaintiff's Works
24 using the BitTorrent protocol.

25 54. At no point in time did Plaintiff authorize, permit or consent to Defendant's
26 distribution of its Works, expressly or otherwise.

27 55. As a result of the foregoing, Defendant violated Plaintiff's exclusive right to:

28 (A) Reproduce its Works in copies, in violation of 17 U.S.C. §§ 106(1) and 501;

1 (B) Distribute copies of the Works to the public by sale or other transfer of
2 ownership, or by rental, lease or lending, in violation of 17 U.S.C. §§ 106(3) and 501;

3 (C) Perform the copyrighted Works, in violation of 17 U.S.C. §§ 106(4) and 501, by
4 showing the Works' images in any sequence and/or by making the sounds accompanying the
5 Works' audible and transmitting said performance of the work, by means of a device or process,
6 to members of the public capable of receiving the display (as set forth in 17 U.S.C. § 101's
7 definitions of "perform" and "publicly" perform); and

8 (D) Display the copyrighted Works, in violation of 17 U.S.C. §§ 106(5) and 501, by
9 showing individual images of the works non-sequentially and transmitting said display of the
10 works by means of a device or process to members of the public capable of receiving the
11 display (as set forth in 17 U.S.C. § 101's definition of "publicly" display).

12 56. Defendant's infringements were committed "willfully" within the meaning of
13 17 U.S.C. § 504(c)(2).

14 WHEREFORE, Plaintiff respectfully requests that the Court:

15 (A) Permanently enjoin Defendant from continuing to infringe Plaintiff's
16 copyrighted Works;

17 (B) Order that Defendant delete and permanently remove the digital media files
18 relating to Plaintiff's Works from each of the computers under Defendant's possession, custody
19 or control;

20 (C) Order that Defendant delete and permanently remove the infringing copies of the
21 Works Defendant has on computers under Defendant's possession, custody or control;

22 (D) Award Plaintiff statutory damages per infringed work pursuant to
23 17 U.S.C. § 504(a) and (c);

24 (E) Award Plaintiff its reasonable attorneys' fees and costs pursuant to
25 17 U.S.C. § 505; and

26 (F) Grant Plaintiff any other and further relief this Court deems just and proper.
27
28

DATED this 25th day of September, 2026.

Law Offices of Lincoln Bandlow, PC

s/ Lincoln D. Bandlow
Lincoln D. Bandlow
Attorneys for Plaintiff
Strike 3 Holdings, LLC

DEMAND FOR A JURY TRIAL

Plaintiff hereby demands a trial by jury on all issues so triable.

DATED this 25th day of September, 2026.

Law Offices of Lincoln Bandlow, PC

s/ Lincoln D. Bandlow
Lincoln D. Bandlow
Attorneys for Plaintiff
Strike 3 Holdings, LLC