

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

VCX Ltd., INC.,	§	
A NEVADA CORPORATION,	§	
PLAINTIFF,	§	
	§	
VS.	§	
	§	
DOES 1-113	§	C.A. NO.: _____
	§	
DEFENDANTS.	§	

PLAINTIFF’S ORIGINAL COMPLAINT

Plaintiff, VCX Ltd., Inc., by its attorney, files this Original Complaint and for cause, respectfully shows the court as follows:

JURISDICTION AND VENUE

1. This is a suit for copyright infringement under the United States Copyright Act of 1976, as amended, 17 U.S.C. §§ 101 et seq. (the “Copyright Act”). This Court has jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

2. Venue in this District is proper pursuant to 28 U.S.C. § 1391(b) and 28 U.S.C. § 1400(a).

3. This court has personal jurisdiction over Defendants because Defendants are residents of this State, including this District, and/or because Defendants’ acts of copyright infringement occurred in this State, including this District and Defendants should anticipate being haled into court in this State.

NATURE OF THE CASE

4. Defendants collectively participated, via the internet, in the unlawful reproduction and

distribution of Plaintiff's copyrighted motion picture, "*Debbie Does Dallas*," by means of file transfer technology called, BitTorrent. Defendants initiated their infringing conduct by first logging into the public BitTorrent website www.fulltdls.com, (or a related site) known for its large index of copyrighted movies, television shows, software and adult videos. Defendants each then obtained a reference file for Plaintiff's motion picture from the video index and loaded that reference file into a computer program designed to read such files. With the reference file loaded, this BitTorrent program employed the BitTorrent protocol to initiate simultaneous connections to hundreds of other users possessing and "sharing" copies of the digital media described in the reference file, namely, Plaintiff's motion picture. Once connected, the program began coordinating the copying of Plaintiff's film to the Defendants' computers from the other users sharing the film. As the film was copied to the Defendants' computers piece by piece, the downloaded pieces were immediately made available to other users seeking to obtain the file. It is in this way that each defendant simultaneously reproduced and/or distributed the motion picture.

PARTIES

5. Plaintiff is a motion picture production company that markets and distributes adult entertainment videos in various media. Plaintiff brings this action to stop Defendants from copying and distributing unauthorized copies of the classic adult motion picture, "*Debbie Does Dallas*," over the internet. Plaintiff is the registered copyright owner of the motion picture in question. Defendants' infringements allow them and others to unlawfully obtain and distribute unauthorized copies of Plaintiff's work for which Plaintiff spent a substantial amount of time, money and effort to market and distribute. Each time a Defendant unlawfully distributes a free copy of Plaintiff's copyrighted motion picture to others over the internet, particularly via BitTorrent, each recipient can then distribute that unlawful copy to others without degradation in sound or picture quality. Thus, a

Defendant's distribution of even one unlawful copy of a motion picture can result in the nearly instantaneous worldwide distribution of that single copy to a limitless number of people. Plaintiff now seeks redress for this rampant infringement of its exclusive rights in the motion picture, "*Debbie Does Dallas*."

6. The true names of Defendants are unknown to Plaintiff at this time. Each Defendant is known to Plaintiff only by the Internet Protocol ("IP") address assigned to that Defendant by his or her Internet Service Provider on the date and at the time at which the infringing activity of each Defendant was observed. The IP address of each Defendant thus far identified, together with the date and time at which his or her infringing activity was observed, is included on Exhibit A hereto. Plaintiff believes that information obtained in discovery will lead to the identification of each Defendant's true name and permit the Plaintiff to amend this Complaint to state the same. Plaintiff further believes that the information obtained in discovery may lead to the identification of additional infringing parties to be added to this Complaint as defendants, since monitoring of online infringement of Plaintiff's motion picture is ongoing.

COPYRIGHT INFRINGEMENT AND BITTORRENT

7. Copying media with BitTorrent technology requires three principal components: (1) a BitTorrent "client" application, (2) indexing websites known as "torrent sites" and (3) computer servers known as BitTorrent "trackers." Each is necessary for normal BitTorrent transfers.

8. The process works as follows: users download a small program that they install on their computers – the BitTorrent "client" application. The BitTorrent client is the user's interface during the downloading/uploading process. There are many different BitTorrent clients, all of which are readily available on the internet for free. BitTorrent client applications typically lack the ability to search for files. To find files available for download, users must visit torrent sites using any

standard web browser.

9. A torrent site is a website that contains an index of files being made available by other users (generally an extensive listing of movies and television programs, among other copyrighted content). The torrent site hosts and distributes small reference files known as “torrents.” Although torrents do not contain actual audio/visual media, they instruct a user’s computer where to go and how to get the desired file. Torrents interact with specific trackers, allowing the user to download the desired file.

10. A BitTorrent tracker manages the distribution of files, connecting uploaders (those who are distributing content) with downloaders (those who are copying the content). A tracker directs a BitTorrent user’s computer to other users who have a particular file, and then facilitates the download process from those users. When a BitTorrent user seeks to download a movie or television file, he or she merely clicks on the appropriate torrent file on a torrent site, and the torrent file instructs the client software how to connect to a tracker that will identify where the file is available and begin downloading it.

11. Files downloaded in this method are downloaded in hundreds of individual pieces. Each piece that is downloaded is immediately thereafter made available for distribution to other users seeking the same file. The effect of this technology makes every downloader also an uploader of the content. This means that every user who has a copy of the infringing material on a torrent network must necessarily also be a source of download for that material.

CLAIMS OF COPYRIGHT INFRINGEMENT

12. Plaintiff repeats and realleges each of the allegations contained in Paragraphs 1 through 11 as if fully set forth herein.

13. The Plaintiff alleges that each Defendant, without the permission or consent of the

Plaintiff, has used, and continues to use, BitTorrent software to reproduce and/or distribute Plaintiff's motion picture to hundreds of other BitTorrent users. Exhibit A identifies the John Doe Defendants known to Plaintiff as of the date of this Complaint who have, without the permission or consent of Plaintiff, distributed the copyrighted work en masse, through a public website and any one of various public BitTorrent trackers such as, tracker.openbittorrent.com/announce, tracker.torrentbox.com:2710/announce, or tracker.publicbt.com/announce. In doing so, Defendants have violated Plaintiff's exclusive rights of reproduction and distribution.

14. The foregoing acts of infringement have been willful, intentional, and in disregard of and with indifference to the rights of Plaintiff.

15. As a result of each Defendant's infringement of Plaintiff's exclusive rights under copyright, Plaintiff is entitled to relief pursuant to 17 U.S.C. § 504 and to its attorney's fees and costs pursuant to 17 U.S.C. § 505.

16. The conduct of each Defendant is causing and, unless enjoined and restrained by this Court, will continue to cause Plaintiff great and irreparable injury. Pursuant to 17 U.S.C. §§ 502 and 503, Plaintiff is entitled to injunctive relief prohibiting each Defendant from further infringing Plaintiff's copyright and ordering that each Defendant destroy all copies of the copyrighted motion picture "*Debbie Does Dallas*," made in violation of Plaintiff's exclusive rights to the copyright.

WHEREFORE, Plaintiff prays for judgment against each Defendant as follows:

- a. For entry of preliminary and permanent injunctions providing that each Defendant shall be enjoined from directly or indirectly infringing Plaintiff's rights in the copyrighted motion picture, "*Debbie Does Dallas*," and any motion picture, whether now in existence or later created, that is owned, licensed to, or controlled by Plaintiff ("Plaintiff's Motion Pictures"), including without limitation by using the internet to

reproduce or copy Plaintiff's Motion Pictures, to distribute Plaintiff's Motion Pictures, or to make Plaintiff's Motion Pictures available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiff. Defendant also shall destroy all copies of Plaintiff's Motion Pictures that Defendant has downloaded onto any computer hard drive or server without Plaintiff's authorization and shall destroy all copies of those downloaded motion pictures transferred onto any physical medium or device in each Defendant's possession, custody, or control.

- b. For actual damages or statutory damages pursuant to 17 U.S.C. § 504, at the election of the Plaintiff.
- c. For Plaintiff's costs.
- d. For Plaintiff's reasonable attorney's fees.
- e. For such other and further relief as the Court deems proper.

Respectfully Submitted,

s/ 

Evan Stone
State Bar No. 24072371
624 W. University Dr., #386
Denton, Texas 76201
Office: 469-248-5238

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

(b) County of Residence of First Listed Plaintiff Las Vegas, NV (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

Law Offices of Evan Stone -- 469-248-5238
624 W. University Dr., #386, Denton, TX 76201

DEFENDANTS

County of Residence of First Listed Defendant (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff
2 U.S. Government Defendant
3 Federal Question (U.S. Government Not a Party)
4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State
Citizen of Another State
Citizen or Subject of a Foreign Country
PTF DEF
1 1 Incorporated or Principal Place of Business In This State
2 2 Incorporated and Principal Place of Business In Another State
3 3 Foreign Nation
4 4
5 5
6 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Table with 5 columns: CONTRACT, TORTS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES. Includes sub-sections like REAL PROPERTY, CIVIL RIGHTS, PRISONER PETITIONS, LABOR, IMMIGRATION, SOCIAL SECURITY, FEDERAL TAX SUITS.

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding
2 Removed from State Court
3 Remanded from Appellate Court
4 Reinstated or Reopened
5 Transferred from another district (specify)
6 Multidistrict Litigation
7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

17 U.S.C. § 501

Brief description of cause:

Copyright Infringement

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 DEMAND \$ 650,000

CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S) (See instructions) PENDING OR CLOSED:

JUDGE DOCKET NUMBER

DATE 8/27/2010

SIGNATURE OF ATTORNEY OF RECORD

[Signature]

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

Exhibit A

Defendant	Host IP	Time (GMT)	ISP
Doe 1	24.48.131.105	08/07/10 04:17 AM	FLORIDA CABLE
Doe 2	66.91.186.198	08/07/10 04:17 AM	Road Runner
Doe 3	67.49.246.17	08/07/10 04:17 AM	Road Runner
Doe 4	67.81.240.215	08/07/10 04:17 AM	Optimum Online
Doe 5	67.211.130.147	08/07/10 04:17 AM	Ntelos
Doe 6	68.6.230.191	08/07/10 04:17 AM	Cox Communications
Doe 7	70.183.164.151	08/07/10 04:17 AM	Cox Communications
Doe 8	70.233.170.116	08/07/10 04:17 AM	SBC Internet Services
Doe 9	70.251.132.156	08/07/10 04:17 AM	SBC Internet Services
Doe 10	71.173.199.156	08/07/10 04:17 AM	Verizon Internet Services
Doe 11	71.235.180.202	08/07/10 04:17 AM	Comcast Cable
Doe 12	74.138.207.165	08/07/10 04:17 AM	Insight Communications Company
Doe 13	74.243.63.14	08/07/10 04:17 AM	BellSouth.net
Doe 14	75.36.178.241	08/07/10 04:17 AM	SBC Internet Services
Doe 15	76.122.6.66	08/07/10 04:17 AM	Comcast Cable
Doe 16	96.228.68.227	08/07/10 04:17 AM	Verizon Internet Services
Doe 17	98.196.96.157	08/07/10 04:17 AM	Comcast Cable
Doe 18	99.179.155.18	08/07/10 04:17 AM	SBC Internet Services
Doe 19	206.53.80.212	08/07/10 04:17 AM	MetroCast Cablevision
Doe 20	64.140.231.225	08/10/10 02:01 AM	WorldPath Internet Services
Doe 21	65.32.108.2	08/10/10 02:01 AM	Road Runner
Doe 22	68.53.170.76	08/10/10 02:01 AM	Comcast Cable
Doe 23	69.181.70.54	08/10/10 02:01 AM	Comcast Cable
Doe 24	71.56.6.209	08/10/10 02:01 AM	Comcast Cable
Doe 25	74.70.203.62	08/10/10 02:01 AM	Road Runner
Doe 26	74.102.75.173	08/10/10 02:01 AM	Verizon Internet Services
Doe 27	74.242.166.58	08/10/10 02:01 AM	BellSouth.net
Doe 28	76.118.220.178	08/10/10 02:01 AM	Comcast Cable
Doe 29	76.174.111.53	08/10/10 02:01 AM	Road Runner
Doe 30	76.208.133.53	08/10/10 02:01 AM	SBC Internet Services
Doe 31	96.245.117.231	08/10/10 02:01 AM	Verizon Internet Services
Doe 32	97.118.47.167	08/10/10 02:01 AM	Qwest Communications
Doe 33	98.207.33.14	08/10/10 02:01 AM	Comcast Cable
Doe 34	173.168.221.44	08/10/10 02:01 AM	Road Runner
Doe 35	24.26.72.191	08/21/10 02:56 AM	Road Runner
Doe 36	24.218.121.65	08/21/10 02:56 AM	Comcast Cable
Doe 37	24.239.190.88	08/21/10 02:56 AM	EarthLink
Doe 38	68.203.68.103	08/21/10 02:56 AM	Road Runner
Doe 39	71.215.24.220	08/21/10 02:56 AM	Qwest Communications

Doe 40	71.236.84.103	08/21/10 02:56 AM	Comcast Cable
Doe 41	75.177.157.155	08/21/10 02:56 AM	Road Runner
Doe 42	96.231.237.231	08/21/10 02:56 AM	Verizon Internet Services
Doe 43	97.84.133.98	08/21/10 02:56 AM	Charter Communications
Doe 44	98.220.116.205	08/21/10 02:56 AM	Comcast Cable
Doe 45	98.233.203.204	08/21/10 02:56 AM	Comcast Cable
Doe 46	173.68.82.226	08/21/10 02:56 AM	Verizon Internet Services
Doe 47	173.95.190.175	08/21/10 02:56 AM	Road Runner
Doe 48	174.20.14.166	08/21/10 02:56 AM	Qwest Communications
Doe 49	24.254.56.22	08/22/10 12:42 PM	Cox Communications
Doe 50	67.176.52.68	08/22/10 12:42 PM	Comcast Cable
Doe 51	69.130.120.176	08/22/10 12:42 PM	TDS TELECOM
Doe 52	70.185.219.56	08/22/10 12:42 PM	Cox Communications
Doe 53	71.12.192.63	08/22/10 12:42 PM	Charter Communications
Doe 54	75.65.108.249	08/22/10 12:42 PM	Comcast Cable
Doe 55	76.25.230.168	08/22/10 12:42 PM	Comcast Cable
Doe 56	99.74.184.253	08/22/10 12:42 PM	SBC Internet Services
Doe 57	174.56.146.99	08/22/10 12:42 PM	Comcast Cable
Doe 58	71.107.52.223	08/22/10 01:47 PM	Verizon Internet Services
Doe 59	72.51.240.60	08/22/10 01:47 PM	New Wave Communications
Doe 60	75.36.175.241	08/22/10 01:47 PM	SBC Internet Services
Doe 61	204.45.98.61	08/27/10 02:32 AM	FDCservers.net
Doe 62	24.5.20.211	08/27/10 02:32 AM	Comcast Cable
Doe 63	69.37.249.122	08/27/10 02:32 AM	SBC Internet Services
Doe 64	74.97.47.126	08/27/10 03:43 AM	Verizon Internet Services
Doe 65	76.188.227.235	08/27/10 03:43 AM	Road Runner
Doe 66	207.192.215.62	08/26/10 05:08 AM	Pony Express.Net
Doe 67	99.155.94.100	08/26/10 04:46 AM	SBC Internet Services
Doe 68	98.235.114.243	08/26/10 04:46 AM	Comcast Cable
Doe 69	98.210.248.46	08/27/10 02:32 AM	Comcast Cable
Doe 70	97.124.194.95	08/26/10 05:08 AM	Qwest Communications
Doe 71	97.100.7.200	08/26/10 05:08 AM	Road Runner
Doe 72	76.102.34.150	08/26/10 04:46 AM	Comcast Cable
Doe 73	76.83.204.122	08/26/10 05:22 AM	Road Runner
Doe 74	74.37.179.136	08/26/10 05:08 AM	Frontier Communications
Doe 75	72.201.255.247	08/27/10 03:43 AM	Cox Communications
Doe 76	71.192.162.182	08/26/10 05:08 AM	Comcast Cable
Doe 77	71.126.80.188	08/27/10 03:43 AM	Verizon Internet Services
Doe 78	71.3.95.146	08/26/10 05:08 AM	Embarq Corporation
Doe 79	70.92.224.212	08/26/10 04:46 AM	Road Runner
Doe 80	69.112.36.140	08/26/10 05:08 AM	Optimum Online

Doe 81	69.43.224.88	08/26/10 05:08 AM	Hawaii Pacific Teleport LP
Doe 82	67.169.169.76	08/27/10 03:43 AM	Comcast Cable
Doe 83	65.31.216.35	08/26/10 05:08 AM	Road Runner
Doe 84	64.121.56.18	08/26/10 05:08 AM	RCN Corporation
Doe 85	74.195.223.236	08/26/10 05:08 AM	Suddenlink Communications
Doe 86	76.29.9.205	08/26/10 05:08 AM	Comcast Cable
Doe 87	75.32.189.223	08/27/10 03:43 AM	SBC Internet Services
Doe 88	208.72.192.156	08/26/10 05:08 AM	BitTorrent
Doe 89	24.223.119.158	08/26/10 05:08 AM	USA COMPANIES, LP
Doe 90	99.156.217.143	08/27/10 03:43 AM	SBC Internet Services
Doe 91	71.202.124.198	08/26/10 05:08 AM	Comcast Cable
Doe 92	208.72.192.166	08/26/10 05:08 AM	BitTorrent
Doe 93	66.42.170.229	08/26/10 05:40 AM	Fuse Internet Access
Doe 94	96.60.20.145	08/26/10 05:40 AM	TDS TELECOM
Doe 95	24.121.132.225	08/27/10 02:42 AM	NPG Cable
Doe 96	174.106.6.32	08/27/10 02:42 AM	Road Runner
Doe 97	174.98.106.205	08/27/10 02:32 AM	Road Runner
Doe 98	204.45.98.23	08/27/10 03:43 AM	FDCservers.net
Doe 99	204.45.98.28	08/27/10 03:43 AM	FDCservers.net
Doe 100	67.140.212.215	08/27/10 02:42 AM	Windstream Communications
Doe 101	67.176.156.201	08/27/10 02:32 AM	Comcast Cable
Doe 102	68.197.143.201	08/27/10 02:32 AM	Optimum Online
Doe 103	68.7.1.13	08/27/10 02:32 AM	Cox Communications
Doe 104	71.142.139.98	08/27/10 02:32 AM	SBC Internet Services
Doe 105	71.3.91.195	08/27/10 03:43 AM	Embarq Corporation
Doe 106	72.185.235.14	08/27/10 02:32 AM	Road Runner
Doe 107	74.44.100.234	08/27/10 02:32 AM	Frontier Communications
Doe 108	74.51.130.104	08/27/10 03:43 AM	GLENWOOD TELEPHONE MEMBERSHIP
Doe 109	75.51.80.133	08/27/10 03:43 AM	SBC Internet Services
Doe 110	76.174.111.74	08/27/10 02:42 AM	Road Runner
Doe 111	98.142.219.57	08/27/10 03:43 AM	WireSix
Doe 112	99.142.61.98	08/27/10 02:32 AM	SBC Internet Services
Doe 113	99.72.100.65	08/27/10 02:32 AM	SBC Internet Services