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UNITED STATES DISTRICT COURT  
IN AND FOR THE CENTRAL DISTRICT OF CALIFORNIA

HYDENTRA HLP INT. LIMITED, a  
foreign corporation, d/b/a METART, d/b/a  
SEXART, d/b/a The MetArt Network

Plaintiff,

vs.

MOTHERLESS, INC., a New York  
corporation; JOSHUA LANGE, an  
individual; and DOES 1-20,

Defendants.

CASE NO. \_\_\_\_\_

**COMPLAINT FOR DAMAGES  
AND INJUNCTIVE RELIEF**

Plaintiff, Hydentra HLP Int. Limited, d/b/a MetArt, d/b/a SexArt, d/b/a The MetArt Network  
(hereinafter referred to as “Plaintiff”) by and through its counsel, file this complaint against  
Defendants Motherless, Inc., Joshua Lange, and the Doe Defendants (collectively hereinafter  
referred to as “Defendant” or “Defendants”).

**JURISDICTION AND VENUE**

1  
2 1. Plaintiff is a foreign corporation organized under the laws of the Cyprus, with offices  
3 located in Los Angeles, California.

4 2. Upon information and belief, Motherless, Inc. is a New York Corporation and  
5 Joshua Lange is a resident of New York.

6  
7 3. Upon information and belief, the Defendants all transact business in this Judicial  
8 District by way of their interactive website and through their interactivity with subscription based  
9 and non-subscription based California members who have been offered the infringing and unlawful  
10 content at issue herein and who have, themselves, engaged in acts of infringement in this District  
11 and State. The Court has personal jurisdiction over the Defendants, who have engaged in business  
12 activities in and directed to this district, and have committed tortious acts within this district or  
13 directed at this district. The Defendants are amenable to service of process pursuant to the  
14 California Long-Arm Statute, Cal. Cod of Civ. Proc. § 413.10, and Fed.R.Civ.P. 4(e).

15  
16 4. Any alien defendant is subject to jurisdiction in any district. See 28 U.S.C. 1391  
17 (“An alien may be sued in any district.”) See also Fed. R. Civ. P. 4(k)(2).

18 5. This Court has subject matter jurisdiction over Plaintiff’s federal claims pursuant to  
19 17 U.S.C. § 101 et seq., Section 32 of the Lanham Act, 15 U.S.C. §1114(1), 15 U.S.C. § 1121, 15  
20 U.S.C. §1125, 28 U.S.C. §1331 and 28 U.S.C. §1338.

21  
22 6. Venue is appropriate in this District pursuant to 28 U.S.C. § 1391(b) and/or (c).

23 7. This Court has personal jurisdiction pursuant to 28 U.S.C. §§ 1391(b), (c) and/or (d)  
24 and 28 U.S.C. § 1400(a).

**PARTIES**

8. The named Plaintiff is the rightful copyright and intellectual property owner of the respective United States copyrights and intellectual property that is the basis for this action.

9. Plaintiff, more commonly known as the MetArt Network of adult entertainment properties, is a group of erotic websites that explore and deliver sensuality and sexuality through artistic photography, video, erotic stories, and through articles about beauty, culture, and nudity. These websites include MetArt.com, SexArt.com, Errotica-Archives.com, EroticBeauty.com, TheLifeErotic.com, RylskyArt.com, MichealNinn.com, ALSScan.com, VivThomas.com, EternalDesire.com, Stunning18.com, HollyRandall.com, domai.com, goddessnudes.com, MagikSex.com, and bbfilms.com. Since 1999, Plaintiff has grown its trademark brands into a globally recognized leader of sensual art garnering numerous industry awards through the use of studios around the globe, exotic locations, high budget productions, engaging storylines, famed photographers and directors coupled with the dedication from its artists and technicians.

10. The MetArt library is comprised of exclusive content that features over 5000 models shot by 250 photographers/directors including such notables as Vivian Thomas and the late Zalman King, who also brought Hollywood films such as Wild Orchid, Two Moon Junction, 9 ½ Weeks, and the Showtime network groundbreaking series Red Shoes Diaries.

11. The MetArt websites are paid membership sites. MetArt engages in extremely limited licensing of its content to other entities or websites for viewing, in addition to the small sample of promotional materials provided to MetArt affiliates for the sole purpose of the affiliates' promoting MetArt property. Any licensing is done with the intent for brand exposure and is limited to a small subset of hand-selected content. Predominantly, the MetArt business model is simply that a user must be a paid member to a MetArt site to view MetArts works.

1           12. Plaintiff is the respective producer, distributor, and exclusive licensor of its own  
2 motion pictures in the United States as well as throughout the world.

3           13. Plaintiff has registered with the United States Copyright Office the copyrighted  
4 works identified in this Complaint. Plaintiff has taken industry standard steps to identify its  
5 products, including placing recorded warnings at the beginning and end of video productions that  
6 appear whenever those videos are played. Plaintiff's videos are watermarked with Plaintiff's  
7 readily identifiable logo.  
8

9           14. Plaintiff's MetArt trademark and service mark have been continuously used in  
10 commerce since May 2002. U.S. Trademark Registration No. 3152759 was registered on October  
11 10, 2006.  
12

13           15. Plaintiff has expended considerable effort and expense in promoting its trademark  
14 and the goods sold under the trademark MetArt. As a result, the purchasing public has come to  
15 know, rely upon and recognize the mark MetArt as an international brand of high quality adult  
16 entertainment.

17           16. Plaintiff's SexArt trademark and service mark have been continuously used in  
18 commerce since April 2011. U.S. Trademark Registration No. 4191754 was registered on August  
19 14, 2012.  
20

21           17. Plaintiff has expended considerable effort and expense in promoting its trademark  
22 and the goods sold under the trademark SexArt. As a result, the purchasing public has come to  
23 know, rely upon and recognize the mark SexArt as an international brand of high quality adult  
24 entertainment.

25           18. Upon information and belief, Defendant Motherless, Inc. is the owner of the website  
26 located at [www.motherless.com](http://www.motherless.com). Motherless, Inc. is a New York corporation.



1 for copyright infringement resulting from the actions and/or postings of their users. As a primary  
2 example, the safe harbor protections provide YouTube.com with protection from liability should  
3 one of its users post a copyright protected video without authority or license.

4 25. The DMCA safe harbor provisions have been systematically abused by internet  
5 copyright infringers in an attempt to garner protection for pirate websites displaying copyrighted  
6 adult entertainment content without license or authority for free viewing to the public. Under a  
7 veneer of DMCA compliance, the owners and operators attempt to hide behind the safe harbor  
8 provisions while monetizing the website through premium membership programs and substantial  
9 advertising contracts.  
10

11 26. Motherless.com, is such a pirate website, displaying copyrighted adult entertainment  
12 content without authorization or license.  
13

14 27. Defendants host adult entertainment videos and/or host embedded code for adult  
15 entertainment videos to permit a user to view the videos on Motherless.com for free.

16 28. Defendants sell advertising space on Motherless.com in several forms, including  
17 front load pop-up advertising and advertising banners on space in close proximity to free videos,  
18 often geocentric.

19 29. Defendants directly earn money from the videos posted on Motherless.com through  
20 the sale of a "Premium Membership." In order to view the videos in high definition or to download  
21 the videos, a user must have purchased a premium membership.  
22

23 30. Defendants directly award users that post popular videos. Defendants provide a user  
24 with money or credits on motherless.com for posting videos that obtain a certain number of views.  
25 The more views that a video obtains, the more money or credit given to the poster of the video.  
26

1           31. Videos on Motherless.com may be shared on other sites, in addition to the user being  
2 provided with direct links for posting on or to any social media site including, but not limited to,  
3 Facebook, Twitter, Google or via to Email to anyone regardless of age or location. Such  
4 functionality makes it impossible to know how many times and where an unlicensed copyrighted  
5 video has been posted and displayed illegally as a direct result of Defendants unlawful display.  
6

7           32. Motherless.com fails to fulfill the requisite conditions precedent to qualify for the  
8 safe harbor provisions of the DMCA. Specifically, while a registered Internet Service Provider and  
9 appointing a registered DMCA Agent, the Defendants fail to honor the take-down notices sent to  
10 the DMCA Agent and fails to implement a reasonable repeat infringer policy.

11           33. On or about February 18, 2015, and for an unknown time before, Defendants'  
12 website Motherless.com displayed 28 of Plaintiff's copyright registered works over 88 separate and  
13 distinct URLs - each a part of Motherless.com. These copyrighted works and their corresponding  
14 Motherless.com page are listed in Exhibit A, attached hereto. Defendants have no authority or  
15 license to display or distribute any portion of Plaintiffs' copyrighted works.  
16

17           34. On or about February 27, 2015, DMCA compliant take-down notices, for each of the  
18 88 separate and distinct URLs, were delivered to the DMCA Agent appointed for Motherless.com.  
19

20           35. On or about March 30, 2015, Defendants' website Motherless.com continued to  
21 display Plaintiff's copyright registered works over 56 separate and distinct URLs – each a part of  
22 Motherless.com. Each of these URLs were specifically listed in the DMCA compliant take down  
23 notices delivered to Defendants on February 27, 2015. These copyrighted works and their  
24 corresponding Motherless.com page are listed in Exhibit B, attached hereto. Defendants have no  
25 authority or license to display or distribute any portion of Plaintiffs' copyrighted works.  
26

1           36. On or about May 8, 2015, Defendants' website Motherless.com continued to display  
2 Plaintiff's copyright registered works over 22 separate and distinct URLs – each a part of  
3 Motherless.com. Each of these URLs were specifically listed in the DMCA compliant take down  
4 notices delivered to Defendants on February 27, 2015. These copyrighted works and their  
5 corresponding Motherless.com page are listed in Exhibit C, attached hereto. Defendants have no  
6 authority or license to display or distribute any portion of Plaintiffs' copyrighted works.  
7

8           37. Upon information and belief, the 88 DMCA compliant take down notices included  
9 registered works that were posted by repeat infringers. A reasonable repeat infringer policy would  
10 require that these infringers' accounts be terminated or prevented from further postings. Upon  
11 information and belief, no action was taken against these infringers.  
12

13           38. The intellectual property infringement on Motherless.com is not limited to the  
14 unlawful display of Plaintiff's copyrighted works. Defendants have also infringed Plaintiff's  
15 registered trademarks.

16           39. For a meaningful and substantial portion of Plaintiff's videos displayed without  
17 authority on Motherless.com, the Defendants have caused Plaintiff's trademarks to be used in the  
18 meta tags and/or meta descriptions for the URL of the infringing video.  
19

20           40. A meta tag is an HTML (hypertext markup language) code embedded on a Web page  
21 that is used by the website owner to identify the site content. Meta tags are powerful tools because  
22 they have a direct effect on the frequency with which many search engines will find a website.

23           41. Meta tags and/or meta descriptions are used by Internet search engines as an  
24 indexing tool to determine which web sites correspond to search terms provided by a user.

25           42. Meta tags do not affect the appearance of a website and are not visible when you  
26 look at a Web page, but they provide information regarding the content of the site.

1           43.     Some websites use meta tags in a deceptive manner to lure Web surfers. Instead of  
2 using terms that properly describe the site, some programmers substitute the names of competing  
3 companies. For example, a rival shoe manufacturer may bury the meta tag "Nike" in its Web page  
4 to lure Web surfers searching for Nike products. In the case of the website selling handmade  
5 watches, the meta tag might include "Rolex, Swatch, Bulova, or Cartier."

6           44.     By using Plaintiff's trademarks in Defendants' meta tags and/or meta descriptions,  
7 Defendants use Plaintiff's trademarks in commerce and in connection with their promotions, sales,  
8 and advertising.

9           45.     The use of Plaintiff's trademarks in Defendants' meta tags and/or meta descriptions  
10 is likely to cause confusion to the end users/consumers.

11           46.     For example, for many of the videos displayed without authority or license on  
12 Motherless.com, "SexArt," a Plaintiff trademark, is included in the meta tags and/or meta  
13 description. Therefore, a user utilizing an internet search engine searching for "SexArt" will  
14 discover that Plaintiff's videos can be viewed for free on Motherless.com. This will and does create  
15 confusion on behalf of the user that Motherless.com is an authorized distributor of Plaintiff's videos  
16 and, importantly, a belief that Plaintiff's videos are available for free viewing.

17           47.     The take-down notices delivered to the Motherless.com DMCA Agent on February  
18 27, 2015 included notice of the trademark infringements and demanded that such action cease.

19           48.     The demand to cease the use of Plaintiff's trademarks was ignored in totality. In  
20 fact, for the limited videos that were disabled on Motherless.com pursuant to the take-down notices,  
21 the meta data for these videos remained and remains active.

22           49.     Upon information and belief, Defendants have actual knowledge and clear notice of  
23 the infringement of Plaintiff's titles or else is willfully blind to the rampant infringement. The  
24  
25  
26

1 infringement is clear and obvious even to the most naïve observer. Plaintiff's films are indexed,  
2 displayed and distributed on Defendants' website through Defendant and the Doe Defendants acting  
3 in concert. Plaintiff's and other major producers' trademarks are used to index infringing material  
4 along with obfuscation of watermarks and other identifiers which is evidence of knowledge and  
5 intent.

6  
7 50. By virtue of the conduct alleged herein, Defendants knowingly promote, participate  
8 in, facilitate, assist, enable, materially contribute to, encourage, and induce copyright infringement,  
9 and thereby have infringed, secondarily infringed, and induced infringement by others, the  
10 copyrights in Plaintiffs' copyrighted work.

11 51. Defendants, either jointly, severally, actually, constructively, and with or without  
12 direct concert with one another, deprived Plaintiffs of the lawful monetary rewards that accompany  
13 its rights in the copyrighted works. Defendants disregard for copyright trademark laws threaten  
14 Plaintiff's business.

15  
16 52. Defendants intentionally, knowingly, negligently, or through willful blindness  
17 avoided reasonable precautions to deter rampant copyright infringement on their website.

18 53. Defendants make no attempt to identify any individual providing the works, where  
19 the individual obtained the works, whether the individuals had authority to further reproduce and  
20 distribute the works or if such parties even exist.

21  
22 54. Defendants' acts and omissions allow them to profit from their infringement while  
23 imposing the burden of monitoring Defendants' website onto copyright holders, without sufficient  
24 means to prevent continued and unabated infringement.

**FIRST CAUSE OF ACTION**  
**Copyright Infringement – 17 U.S.C. §§ 101 *et. seq.***  
**Against All Defendants**

55. Plaintiff repeats, re-alleges, and incorporates by reference each and every preceding allegation set forth herein.

56. Plaintiff holds the copyright on each of the infringed works alleged herein.

57. Plaintiff registered each copyright with the United States Copyright Office.

58. At all pertinent times, Plaintiff is the producer and registered owner of the audiovisual works illegally and improperly reproduced and distributed by Defendants.

59. Defendants copied, reproduced, reformatted, and distributed Plaintiffs copyrighted works by and through servers and/or hardware owned, operated and/or controlled by Defendants.

60. Defendants did not have authority or license to copy and/or display Plaintiffs original works.

61. Defendants infringed Plaintiff's copyrighted works by reproducing and distributing works through Defendants' website without property approval, authorization, or license of Plaintiff.

62. Defendants knew or reasonably should have known they did not have permission to exploit Plaintiffs' works on Motherless.com and further knew or should have known their acts constituted copyright infringement.

63. Defendants made no attempt to discover the copyright owners of the pirated works before exploiting them. Defendants failed and refused to take any reasonable measure to determine the owner or license holder of the copyrighted works.

64. Defendants engaged in intentional, knowing, negligent, or willfully blind conduct sufficient to demonstrate they engaged actively in the improper collection and distribution of Plaintiffs' copyrighted works.

1           65.     The quantity and quality of copyright files available to Internet users increased the  
2 attractiveness of Defendants' service to its customers, increased its membership base, and increased  
3 its ad sales revenue.

4           66.     Based on information and belief, Defendants actively uploaded pirated  
5 copyrighted files and/or embedded code, enabling users of Motherless.com to view copyrighted  
6 videos and images for free.

7  
8           67.     Defendants controlled the files owned by Plaintiff and determined which files  
9 remained for display and distribution.

10          68.     Defendants never adopted procedures to ensure that distribution of Plaintiff's  
11 copyrighted materials would not occur. Further, Defendants never implemented or enforced a  
12 "repeat infringer" policy.

13  
14          69.     Defendants either were aware, actually or constructively, should have been aware, or  
15 were willfully blind that pirated copyrighted materials comprised the most popular videos on  
16 the Defendants websites.

17          70.     Defendants, through Motherless.com, affirmatively and willfully accommodated  
18 Internet traffic generated by the illegal acts.

19          71.     Defendants' conduct was willful within the meaning of 17 U.S.C. § 101, *et seq.* At a  
20 minimum, Defendants acted with willful blindness and reckless disregard of Plaintiff's  
21 registered copyrights.

22  
23          72.     Because of their wrongful conduct, Defendants are liable to Plaintiff for copyright  
24 infringement. See 17 U.S.C. §501. Plaintiff suffers and will continue to suffer substantial  
25 losses, including, but not limited to, damage to its business reputation and goodwill.  
26

1           73.     The law permits Plaintiff to recover damages, including readily ascertainable direct  
2 losses and all profits Defendants made by their wrongful conduct. 17 U.S.C. §504.

3 Alternatively, the law permits Plaintiff to recover statutory damages. 17 U.S.C. §504(c).

4           74.     Because of Defendants' willful infringement, the law permits enhancement of  
5 the allowable statutory damages. 17 U.S.C. §504(c) (2).

6           75.     The law permits Plaintiff injunctive relief. 17 U.S.C. §502. Further, the law  
7 permits a Court Order impounding any and all infringing materials. 17 U.S.C. §503.

8  
9  
10                   **SECOND CAUSE OF ACTION**  
11                   **Contributory Copyright Infringement**  
12                   **Against All Defendants**

13           76.     Plaintiff repeats, re-alleges, and incorporates by reference each and every preceding  
14 allegation set forth herein.

15           77.     Unknown individuals, without authorization, reproduced and distributed Plaintiff's  
16 works through Defendants' websites, directly infringing Plaintiff's copyrighted works.

17           78.     Defendants contributed to the infringing acts of those individuals.

18           79.     Defendants were aware, should have been aware, or were willfully blind to the  
19 infringing activity.

20           80.     Defendants aided, abetted, allowed, and encouraged those individuals to reproduce  
21 and distribute Plaintiff's copyrighted works through Defendants' website without regard to  
22 copyright ownership.

23           81.     Defendants had the ability and obligation to control and stop the infringements.  
24 Defendants failed to do so.

25           82.     Defendants have engaged in the business of knowingly inducing, causing, and/or  
26 materially contributing to unauthorized reproduction, adaptation, public display and/or distribution

1 of copies of the Plaintiff's copyrighted works, and thus to the direct infringement of Plaintiff's  
2 copyrighted works.

3 83. Defendants received direct financial benefits from the infringements.

4 84. On information and belief, Defendants' actions constitute contributory infringement  
5 of Plaintiff's copyrights and exclusive rights under copyright in the Plaintiffs' copyrighted works in  
6 violation of the Copyright Act, 17 U.S.C. §§ 106 and 501.  
7

8 85. The unauthorized reproduction, distribution, and public display of Plaintiff's  
9 copyrighted works that Defendant enables, causes, materially contributes to and encourages through  
10 the acts described above are without Plaintiff's consent and are not otherwise permissible under the  
11 Copyright Act.

12 86. The acts of infringement by Defendants have been willful, intentional, and  
13 purposeful and in reckless disregard of and with indifference to Plaintiff's rights.  
14

15 87. As a direct and proximate result of the infringements by Defendants of Plaintiff's  
16 copyrights and exclusive rights under copyright in the Plaintiff's copyrighted works, Plaintiff is  
17 entitled to its actual damages and Defendants' profits pursuant to 17 U.S.C. § 504(b).

18 88. Alternatively, Plaintiff is entitled to maximum statutory damages, pursuant to 17  
19 U.S.C. § 504(c ), in the amount of \$150,000 with respect to each work infringed, or such other  
20 amounts as may be proper under 17 U.S.C. § 504(c ).  
21

22 89. Plaintiff is further entitled to their attorneys' fees and full costs pursuant to 17 U.S.C.  
23 § 505.  
24  
25  
26

**THIRD CAUSE OF ACTION**  
**Vicarious Copyright Infringement**  
**Against All Defendants**

90. Plaintiff repeats, re-alleges, and incorporates by reference each and every preceding allegation set forth herein.

91. Without authorization, individuals reproduced, distributed, and publicly displayed Plaintiff's works through Defendants' website, directly infringing Plaintiff's copyrighted works.

92. Defendants were actually or constructively aware or should have been aware or were willfully blind to the infringing activity.

93. Defendants were able to control or completely end the illegal and improper infringement, but failed to do so.

94. Defendants contributed materially to the infringement.

95. Defendants received directly financial gain and profit from those infringing activities.

96. The acts, omissions, and conduct of all Defendants constitute vicarious copyright infringement.

97. The acts of infringement by Defendants have been willful, intentional, purposeful and in reckless disregard of and with indifference to Plaintiff's rights. As a direct and proximate result of the infringements by Defendants of Plaintiff's copyrights and exclusive rights under copyright in the Plaintiffs' copyrighted works, Plaintiff is entitled to its actual damages and Defendants' profits pursuant to 17 U.S.C. § 504(b).

98. Alternatively, Plaintiff is entitled to maximum statutory damages, pursuant to 17 U.S.C. § 504(c ), in the amount of \$150,000 with respect to each work infringed, or such other amounts as may be proper under 17 U.S.C. § 504(c ).

1           99. Plaintiff is further entitled to their attorneys' fees and full costs pursuant to 17 U.S.C.  
2 § 505.

3  
4                           **FOURTH CAUSE OF ACTION**  
5                           **Inducement of Copyright Infringement**  
6                           **Against All Defendants**

7           100. Plaintiff repeats, re-alleges, and incorporates by reference each and every preceding  
8 allegation set forth herein.

9           101. Defendants designed and/or distributed technology and/or devices and/or  
10 induced individuals to use this technology to promote the use of infringed and copyrighted  
11 material. As a direct and proximate result of Defendants' inducement, individuals infringed  
12 Plaintiff's copyrighted works. These individuals reproduced, distributed and publicly disseminated  
13 Plaintiff's copyrighted works through Defendants' website.

14           102. On information and belief, Defendants have encouraged the illegal uploading and  
15 downloading of Plaintiff's copyrighted works, thus inducing the unauthorized reproduction,  
16 adaptation, public display and/or distribution of copies of the Plaintiff's copyrighted works, and  
17 thus to the direct infringement of Plaintiff's copyrighted works.

18           103. Defendants' actions constitute inducing copyright infringement of Plaintiffs'  
19 copyrights and exclusive rights under copyright in the Plaintiffs' copyrighted works in violation of  
20 the Copyright Act, 17 U.S.C. §§ 106 and 501.

21           104. The infringement of Plaintiff's rights in and to each of the Plaintiff's copyrighted  
22 works constituted a separate and distinct infringement.

23           105. The acts of infringement by Defendants have been willful, intentional, purposeful  
24 and in reckless disregard of and with indifference to Plaintiff's rights.  
25  
26

1           106. As a direct and proximate result of the infringements by Defendants of Plaintiff's  
2 copyrights and exclusive rights under copyright in the Plaintiff's copyrighted works, Plaintiffs are  
3 entitled to its actual damages and Defendants' profits pursuant to 17 U.S.C. § 504(b).

4           107. Alternatively, Plaintiff is entitled to maximum statutory damages, pursuant to 17  
5 U.S.C. § 504(c ), in the amount of \$150,000 with respect to each work infringed, or such other  
6 amounts as may be proper under 17 U.S.C. § 504(c).

7  
8           108. Plaintiff is further entitled to their attorneys' fees and full costs pursuant to 17 U.S.C.  
9 § 505.

10  
11                                   **FIFTH CAUSE OF ACTION**  
12                                   **Trademark Infringement – 15 U.S.C. §§ 1111 *et. seq.***  
13                                   **Against All Defendants**

14           109. Plaintiff repeats, re-alleges, and incorporates by reference each and every preceding  
15 allegation set forth herein.

16           110. By virtue of its trademark registrations, Plaintiff has the exclusive right to use of the  
17 trademarks, trade dress and service marks enumerated in this Complaint in the adult-oriented audio-  
18 visual markets, including Internet markets.

19           111. Defendants' use of Plaintiff's registered trademarks and service marks is in a manner  
20 likely to cause consumer confusion, as alleged herein, constitutes trademark infringement pursuant  
21 to 15 U.S.C. § 1114.

22  
23           112. Defendants' infringement is intentional and willful, has caused and will continue to  
24 cause damage to Plaintiff in an amount to be proven at trial, and is causing irreparable harm to  
25 Plaintiff for which there is no adequate remedy at law, thus Plaintiff are entitled to statutory and  
26 treble damages.

**SIXTH CAUSE OF ACTION**  
**Contributory Trademark Infringement – 15 U.S.C. §§ 1111 *et. seq.***  
**Against All Defendants**

113. Plaintiff repeats, re-alleges, and incorporates by reference each and every preceding allegation set forth herein.

114. By virtue of its trademark registrations, Plaintiff has the exclusive right to use of the trademarks, trade dress and service marks enumerated in this Complaint in the adult-oriented audio-visual markets, including Internet markets.

115. Defendants' actions that encouraged use of Plaintiff's registered trademarks and service marks in manners likely to cause consumer confusion, as alleged herein, constitutes trademark infringement pursuant to 15 U.S.C. § 1114.

116. Defendants' infringement is intentional and willful, has caused and will continue to cause damage to Plaintiff in an amount to be proven at trial, and is causing irreparable harm to Plaintiff for which there is no adequate remedy at law, thus Plaintiff are entitled to statutory and treble damages.

**SEVENTH CAUSE OF ACTION**  
**False Designation of Origin under the Lanham Act – 15 U.S.C. §§ 1125 *et. seq.***  
**Against All Defendants**

117. Plaintiff repeats, re-alleges, and incorporates by reference each and every preceding allegation set forth herein.

118. Upon information and belief, Defendants' conduct is likely to cause confusion, mistake or deception as to Defendants' affiliations, connection, or association with Plaintiff, or as to the origin, sponsorship or approval of their goods or commercial activities.

1 119. Defendants' conduct as alleged herein, including but not necessarily limited to their  
2 use of Plaintiff's marks, constitutes false designation of origin pursuant to 15 U.S.C. § 1125(a).

3 120. Plaintiff has been damaged by these acts in an amount to be proven at trial. Plaintiff  
4 is also entitled under the Lanham Act to injunctive and equitable relief against Defendants.  
5

6 **PRAYER FOR RELIEF**

7 A. That Defendants, their agents, servants, officers, directors, employees, attorneys, privies,  
8 representatives, successors and assigns and parent and subsidiary corporations or other related  
9 entities, and any or all persons in act of concert or participation with any of them, be preliminarily  
10 and permanently enjoined from:  
11

12 (1) Any and all reproduction, adaptation, public display and/or distribution of  
13 copies of the Plaintiff's copyrighted works by Defendants on any website, including  
14 but not limited to www. Motherless.com,.  
15

16 (2) Permitting any user to upload for reproduction, adaptation, public display  
17 and/or distribution of copies of the Plaintiffs' copyrighted works by Defendants on  
18 any website, including but not limited to www. Motherless.com.  
19

20 and

21 (3) Marketing or selling any product containing or utilizing Plaintiff's  
22 intellectual property or business values.  
23

24 B. That Defendants be ordered to transfer the domain www. Motherless.com and all similar  
25 domains held by Defendants found in discovery, such as misspellings of the enumerated domains,  
26 domains held by Defendants linked to www. Motherless.com and the content therein to Plaintiff.

1 C. That Defendants be ordered to file with the Court and serve upon Plaintiff, within thirty (30)  
2 after the entry of an injunction, a report in writing and under oath, setting forth in detail the manner  
3 and form in which Defendants have complied with any ordered injunction;  
4

5 D. That Plaintiffs be awarded damages in an amount to be determined at trial for all infringing  
6 activities, including statutory damages of \$2,000 to \$200,000 for each instance of unlawful use of  
7 Plaintiff's trademark, up to \$2,000,000 per act if deemed willful, and/or Plaintiff's damages and lost  
8 profits, Defendants' profits, plus any costs incurred in preventing future confusion, mistake or  
9 deception, all from the date of first infringement; and statutory damages for each instance of  
10 copyright infringement;  
11

12 E. That Defendants pay Plaintiff a sum sufficient to cover the cost of corrective advertising  
13 necessary to alleviate any existing or lingering confusion resulting from Defendants' unauthorized  
14 use of Plaintiff's trade dress and terms;  
15

16 F. That Defendants be ordered to account to Plaintiff for all profits, gains and advantages  
17 which they have realized as a consequence of their unauthorized use of Plaintiff's copyrighted  
18 works;  
19

20 G. That Plaintiff be awarded enhanced damages and attorney's fees;

21 H. That Plaintiff be awarded pre-judgment and post-judgment interest;  
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23 I. That Plaintiff be awarded costs and expenses incurred in prosecuting this action, including  
24 expert witness fees; and  
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1 J. That such other and further preliminary and permanent relief be awarded to Plaintiff as the  
2 Court deems appropriate.

3  
4 DATED: May 20, 2015

Respectfully submitted,

5  
6 By: /s/ Alex Volchegursky

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