

**UNITED STATES DISTRICT COURT
IN AND FOR THE SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION**

HYDENTRA, L.P. HLP GENERAL
PARTNER, INC, a foreign corporation,
d/b/a METART d/b/a SEXART;
HYDENTRA HLP INT. LIMITED, a
foreign corporation, d/b/a METART d/b/a
SEXART; and HYDENTRA LP, a foreign
corporation, d/b/a METART d/b/a
SEXART

Plaintiffs,

vs.

MINDGEEK USA INC., a Delaware
corporation, individually and d/b/a
PORNHUBPREMIUM.COM; MG
FREESITES, LTD, a Delaware
corporation, individually and d/b/a
PORNHUBPREMIUM.COM; MG
BILLING US, a Delaware corporation,
individually and d/b/a
PORNHUBPREMIUM.COM; MG
BILLING EU, a Delaware corporation,
individually and d/b/a
PORNHUBPREMIUM.COM; MG
BILLING IRELAND, a Delaware
corporation, individually and d/b/a
PORNHUBPREMIUM.COM;
LICENSING IP INTERNATIONAL
S.A.R.L, a foreign corporation d/b/a
PORNHUBPREMIUM.COM; FERAS
ANTOON, an individual; OUISSAM
YOUSEF, an individual; and John Does 1-
20,

Defendants.

CASE NO. _____

**COMPLAINT FOR DAMAGES, INJUNCTIVE RELIEF
AND DEMAND FOR JURY TRIAL**

Plaintiffs, HYDENTRA L.P. HLP General Partner, Inc., d/b/a Metart, d/b/a Sexart; Hydentra HLP Int. Limited, d/b/a Metart, d/b/a Sexart; Hydentra L.P., d/b/a Metart, d/b/a Sexart (hereinafter referred to as “Plaintiff”) by and through its counsel, file this complaint against Defendants Mindgeek USA Inc., individually and d/b/a Pornhubpremium.com, MG Freesites, Ltd, individually and d/b/a Pornhubpremium.com, MG Billing US, individually and d/b/a Pornhubpremium.com, MG Billing EU, individually and d/b/a Pornhubpremium.com, MG Billing Ireland, individually and d/b/a Pornhubpremium.com, Licensing IP International S.à.r.l, a foreign corporation d/b/a Pornhubpremium.com, Feras Antoon, Ouissam Yousef, and the Doe Defendants (collectively hereinafter referred to as “Defendant” or “Defendants”).

JURISDICTION AND VENUE

1. Plaintiff Hydentra L.P. HLP General Partner, Inc. is a foreign corporation organized under the laws of Cyprus, with offices located in Los Angeles, California.
2. Plaintiff Hydentra HLP Int. Limited is a foreign corporation organized under the laws of Cyprus, with offices located in Los Angeles, California.
3. Plaintiff Hydentra L.P. is a foreign corporation organized under the laws of Cyprus, with offices located in Los Angeles, California.
4. Defendant Mindgeek USA, Inc. is a corporation organized and existing under the laws of the State of Delaware, with a place of business located in Miami, Florida. Herein, “Mindgeek” refers to Mindgeek USA, Inc. and all of its parents, subsidiaries and affiliates. Upon information and belief, in conjunction with the other Defendants, Mindgeek owns and operates

Pornhub.com and Pornhubpremium.com, internet web sites that display and distribute adult oriented videos, photographs, content, and services.

5. Defendant MG Freesites, Ltd. is a corporation organized and existing under the laws of Cyprus. Upon information and belief, MG Freesites, Ltd. is a subsidiary of Mindgeek and, in conjunction with the other Defendants, owns and operates Pornhub.com and/or Pornhubpremium.com, internet web sites that display and distribute adult oriented videos, photographs, content, and services.

6. Defendant MG Billing US is a corporation organized and existing under the laws of the State of Delaware. Upon information and belief, MG Billing US is a subsidiary of Mindgeek and, in conjunction with the other Defendants, owns and operates Pornhub.com and/or Pornhubpremium.com, internet web sites that display and distribute adult oriented videos, photographs, content, and services.

7. Defendant MG Billing EU is a foreign corporation. Upon information and belief, MG Billing EU is a subsidiary of Mindgeek and, in conjunction with the other Defendants, owns and operates Pornhub.com and/or Pornhubpremium.com, internet web sites that display and distribute adult oriented videos, photographs, content, and services.

8. Defendant MG Billing Ireland is a corporation organized and existing under the laws of Ireland. Upon information and belief, MG Billing Ireland is a subsidiary of Mindgeek and, in conjunction with the other Defendants, owns and operates Pornhub.com and/or Pornhubpremium.com, internet web sites that display and distribute adult oriented videos, photographs, content, and services.

9. Defendant Licensing IP International S.à.r.l. is a corporation organized and existing under the laws of Luxembourg. Upon information and belief, Licensing IP International S.à.r.l. is a

subsidiary of Mindgeek and, in conjunction with the other Defendants, owns and operates Pornhub, Pornhub.com and/or Pornhubpremium.com, internet web sites and brands that display and distribute adult oriented videos, photographs, content, and services.

10. Defendant Feras Antoon is a resident of Canada. Upon information and belief, Defendant Antoon directs, controls, and/or assists in determining the content on Pornhubpremium.com.

11. Defendant Ouissam Yousef is a resident of Canada. Upon information and belief, Defendant Yousef directs, controls, and/or assists in determining the content on Pornhubpremium.com.

12. Defendants contract with United States advertisers, which use geotracking to target advertisements directly into districts of the United States, including Florida.

13. Defendants, by and/or through subsidiaries, contract with Florida based companies and individuals to manufacture video content for their web properties.

14. Defendants specifically target Internet users in the United States, including Florida.

15. Upon information and belief, the Defendants all transact business in this Judicial District by way of their interactive website and through their interactivity with subscription based and non-subscription based Florida members who have been offered the infringing and unlawful content at issue herein and who have, themselves, engaged in acts of infringement in this District and State. The Court has personal jurisdiction over the Defendants, who have engaged in business activities in and directed to this district, and have committed tortious acts within this district or directed at this district.

16. The Court has personal jurisdiction over the Defendants, foreign companies and individuals who have engaged in business activities in and directed to the United States and this

district, and have committed tortious acts within the United States and this district or directed at the United States and this district.

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

18. This Court has subject matter jurisdiction over Plaintiff’s federal claims pursuant to 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 U.S.C. §1125, 28 U.S.C. §1331 and 28 U.S.C. §1338.

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

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

PARTIES

21. The named Plaintiffs are the rightful copyright, trademark and intellectual property owners of the respective United States copyrights, trademarks and intellectual property that are the basis for this action.

22. Plaintiffs, 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, Erotica-Archives.com, EroticBeauty.com, TheLifeErotic.com, RylskyArt.com, ALSScan.com, VivThomas.com, EternalDesire.com, Stunning18.com, HollyRandall.com, domai.com, goddessnudes.com, and bbfilms.com. Since 1999, Plaintiffs have grown their 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.

23. 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.

24. 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 MetArt's works.

25. Plaintiffs are the respective producer, distributor, and exclusive licensor of their own motion pictures in the United States as well as throughout the world.

26. Plaintiffs have registered with the United States Copyright Office the copyrighted works identified in this Complaint. Plaintiffs have taken industry standard steps to identify its products. Plaintiffs' videos and photographs are watermarked with Plaintiffs' readily identifiable logo.

27. Plaintiffs' MetArt trademark and service mark have been continuously used in commerce since May 2002. U.S. Trademark Registration No. 3152759 was registered on October 10, 2006.

28. Plaintiffs have expended considerable effort and expense in promoting their trademark and the goods sold under the trademark MetArt. As a result, the purchasing public has

come to know, rely upon and recognize the mark MetArt as an international brand of high quality adult entertainment.

29. Plaintiffs' SexArt trademark and service mark have been continuously used in commerce since April 2011. U.S. Trademark Registration No. 4191754 was registered on August 14, 2012.

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

31. Defendants Mindgeek USA Inc., MG Freesites, Ltd, MG Billing US, MG Billing EU, MG Billing Ireland, and Licensing International S.a.r.l. are owners and/or operators of Pornhubpremium.com and/or are doing business as Pornhubpremium.com. Defendants Feras Antoon and Ouissam Yousef are each one of the directors and/or executives of the companies and direct, control, and/or assist in determining the content on Pornhubpremium.com. Collectively and individually, this group is referred to in the adult entertainment industry as "Mindgeek," formerly known as "Manwin," a massive consortium of web properties and service companies all working together to support one another for profit.

32. MindGeek owns and licenses one of the largest and most heavily trafficked portfolios of premium adult-oriented domain names and trademarks. Among MindGeek's most popular websites are YouPorn, located at www.youporn.com; Redtube, located at www.Redtube.com; Tube8, located at www.tube8.com; XTube, located at www.xtube.com; GayPorn, located at www.gayporn.com; Digital Playground, located at www.digitalplayground.com; Brazzers, located at www.brazzers.com; Florida based Reality Kings, located at

www.realitykings.com; and Pornhub, located at www.pornhub.com. MindGeek has invested considerable resources designing and maintaining these websites, marketing the websites, and ensuring that these websites convey a unique and recognizable image and commercial impression. MindGeek's affiliations and licensees include Playboy Plus Entertainment, Inc.

33. Defendants' own statistical reporting illustrates the scope and size of Pornhub.com. According to the Defendants review of 2014, Pornhub.com delivered *78.9 billion* video views and the site averaged *2.1 million visits per hour*, or *5,800 visits per second*. The rate that Pornhub.com is viewed by internet users is astounding.

34. Similar Web, a leading web metrics company, ranks Pornhub as the 18th most popular website in the United States and 34th most popular worldwide, receiving an estimated *623.5 million* visits a month.

35. Defendants conduct business as Pornhubpremium.com, operate the website, and derive direct financial benefit through memberships on the website.

36. To support their operation, Mindgeek claims to employ over 1000 full time employees with offices in Luxembourg, Germany, London, Ireland, Canada, Florida, California, Cyprus, and Belize.

37. Defendants compete against Plaintiffs in the distribution, display, and sale of adults-only audio-visual works through Internet distribution and divert potential customers from Plaintiffs.

38. Does 1-20 are individuals or entities that own Pornhubpremium.com, and/or act in concert with Pornhubpremium.com, the true names and capacities of which are presently unknown to Plaintiff. It is for that reason Plaintiff sues these Defendants by fictitious names. Plaintiff avers that each of the Doe Defendants, along with the named Defendants, jointly or severally, are responsible for the damages alleged herein.

STATEMENT OF FACTS

39. Congress' implementation of safe harbor provisions in the Digital Millennium Copyright Act ("DMCA") provides true internet service providers with protection against liability for copyright infringement resulting from the actions and/or postings of their users. As a primary example, the safe harbor protections provide YouTube.com with protection from liability should one of its users post a copyright protected video without authority or license.

40. The DMCA safe harbor provisions have been systematically abused by internet copyright infringers in an attempt to garner protection for websites displaying copyrighted adult entertainment content without license or authority for free viewing to the public. Commonly, these websites attracted internet user attention through the combination of offering free viewing of copyrighted materials and the unauthorized use of trademarks, providing the user a road to the free website through the use of these marks.

41. Pornhub.com is such a website, displaying copyrighted adult entertainment content and utilizing trademarks without authorization in order to attract users, and distract them from the trademark owners' services for financial gain.

42. Pornhub.com displays adult entertainment content for free, earning money, in large part, through the sale of advertising on the site. Defendants own and/or operate Pornhub.com.

43. Pornhub.com has been utilized by Defendants to collect Plaintiffs' copyrighted works and trademarks for unlawful and unauthorized display on Defendants' new pay-only membership site Pornhubpremium.com, where Defendants charge a fee to view Plaintiffs' works.

44. Plaintiffs discovered numerous copyrighted works on Pornhub.com that were not mere promotional materials, were not provided by Plaintiffs, and were not authorized for display on

Pornhub.com. In the spring of 2015, Plaintiffs demanded that all of its' copyrighted works be removed from Pornhub.com.

45. Defendants promised to remove all of Plaintiffs' copyrighted content from Pornhub.com. Defendants failed to do so.

46. In addition to failing to remove Hydentra's copyrighted materials and trademarks as requested and promised, Defendants took these same materials and utilized them for direct financial gain, directly charging internet users money to view the videos in high definition, without interruption of advertising, and to download the videos.

47. Defendants recently developed Pornhubpremium.com. Pornhubpremium.com is not an internet service provider, nor is it registered as such. Rather, Pornhubpremium.com is a paid membership web site, wherein Defendants offer its viewers access to the same videos on Pornhub.com in but in higher level HD format, with downloading capability and without advertisements, for a fee of \$9.99 per month.

48. Specifically, users of Pornhub.com are now prompted to join Pornhubpremium.com at a cost of \$9.99 per month if they desire to watch the videos displayed on Pornhub.com in high definition, download the videos, or watch the videos without advertisements. Internet users can also go directly to Pornhubpremium.com directly and purchase a membership to Pornhubpremium.com.

49. Defendants approached Plaintiffs in the spring of 2015 seeking permission to display Plaintiffs' works on Pornhubpremium.com. Plaintiffs refused to grant such permission.

50. Defendants displayed Plaintiffs' copyrighted works in the Pornhubpremium library, the same videos Plaintiffs demanded to be removed from Pornhub.com and the same videos that Defendants confirmed would be removed from Pornhub.com.

51. The Terms of Service for Pornhubpremium.com indicate that members of Pornhubpremium are permitted to upload videos on Pornhubpremium.com, granting Defendants license to display the videos upon uploading to the site. The Terms of Service also dictate that a user's upload is confirmation by the user that the user has license to post the video and to grant Defendants further license to use the video.

52. Plaintiffs' copyrighted videos on Pornhubpremium.com were not uploaded by members of Pornhubpremium.com. The posting dates of the videos predate the inception of Pornhubpremium. The videos mirror Plaintiffs' copyrighted works displayed without authorization on Pornhub.com, the same works that Plaintiffs demanded to be removed from Pornhub.com and which Defendants promised to have removed.

53. Defendants posted Plaintiffs' videos on Pornhubpremium.com, charging a fee for users to view and download the videos, with full knowledge that no license or authority existed to display and/or distribute the videos. Defendants engaged in such conduct with full knowledge that Plaintiffs forbade such use, display, and distribution.

54. In or about August 2015, and for an unknown time before and up to and including the present, Defendants' website Pornhubpremium.com displayed Plaintiffs' 100 copyright registered works and over 523 separate and distinct URLs - each a part of Pornhubpremium.com. Defendants have no authority or license to display or distribute any portion of Plaintiffs' copyrighted works. These works are purported by Defendants to have been uploaded by third party internet users. These copyrighted works and their corresponding Pornhubpremium.com page are listed in Exhibit A, attached hereto.

55. Defendants have also infringed Plaintiffs' registered trademarks.

56. For Plaintiffs' videos and photographs that are displayed without authority on Pornhub.com, the Defendants have caused Plaintiffs' trademarks to be used in the meta tags and/or meta descriptions for the URL of the infringing video.

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

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

59. Meta tags do not affect the appearance of a website and are not visible when one looks at a Web page, but they provide information regarding the content of the site.

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

61. By using Plaintiffs' trademarks in Defendants' meta tags and/or meta descriptions, Defendants use Plaintiffs' trademarks in commerce and in connection with their promotions, sales, and advertising.

62. The use of Plaintiffs' trademarks in Defendants' meta tags and/or meta descriptions is likely to cause confusion to the end users/consumers.

63. For example, for many of the videos displayed without authority or license on Pornhubpremium.com, "SexArt," a Plaintiffs trademark, is included in the meta tags and/or meta description. Therefore, a user utilizing an internet search engine searching for "SexArt" will

discover that Plaintiffs' videos can be viewed for free on Pornhubpremium.com. This will and does create confusion on behalf of the user that Pornhubpremium.com is an authorized distributor of Plaintiffs' videos and, importantly, a belief that Plaintiffs' videos are available for free viewing. This also directly steals a paying customer from Plaintiff and directs them to Defendants' site to the direct and sole benefit of Defendants.

64. In or about August 2015, and for an unknown time before and up to the present, Defendants' website Pornhubpremium.com utilized Plaintiffs' trademark "Metart" and/or Plaintiffs' trademark "Sexart" in the meta data for 456 separate and distinct URLs connected to Pornhubpremium.com, each displaying a separate and distinct copyright work belonging to Plaintiffs. These web pages, each containing Plaintiffs' trademark in the meta data, are listed in Exhibit B. Defendants have no authority or license to utilize Plaintiffs' trademark on Pornhubpremium.com.

65. An internet user searching for Metart or Sexart may likely discover Plaintiffs' videos on Pornhub.com. If this user desires to download the video or watch in High Definition or without advertisements, Defendants provide such options through its paid membership site Pornhubpremium.com. Therefore, an Internet user seeking Plaintiffs' copyrighted works may actually end up paying the Defendants to view Plaintiffs' works.

66. Pornhubpremium.com is not a registered internet service provider and sells monthly memberships to view Plaintiffs' copyrighted works displayed and distributed on Pornhubpremium.com. Plaintiffs did not provide any license or other authority for Plaintiffs' copyrighted works to be displayed on Pornhubpremium.com.

67. All conditions precedent to the filing of the lawsuit have been met, satisfied or waived.

COUNT I
Copyright Infringement – 17 U.S.C. §§ 101 *et. seq.*
Against All Defendants

68. Plaintiffs repeat, re-allege, and incorporate paragraphs 1 – 67 as if fully set forth herein.

69. Plaintiffs hold the copyright on each of the infringed works alleged herein.

70. Plaintiffs registered each copyright with the United States Copyright Office.

71. At all pertinent times, Plaintiffs were the producers and registered owners of the audiovisual works illegally and improperly reproduced and distributed by Defendants.

72. Defendants copied, reproduced, reformatted, and distributed Plaintiffs' copyrighted works to Pornhubpremium.com by and through servers and/or hardware owned, operated and/or controlled by Defendants.

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

74. Defendants infringed Plaintiffs' copyrighted works by reproducing and distributing works through Defendants' website Pornhubpremium.com without proper approval, authorization, or license of Plaintiffs.

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

76. 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.

77. 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.

78. The quantity and quality of copyright files available to internet users increased the attractiveness of Defendants' service to its customers, increased its membership base, and increased its ad sales revenue.

79. Based on information and belief, Defendants actively uploaded and/or distributed pirated copyrighted files and/or embedded code, enabling users of Pornhubpremium.com to view copyrighted videos and images for a fee.

80. Defendants controlled the files owned by Plaintiffs and determined which files remained for display and distribution.

81. Defendants never adopted procedures to ensure that distribution of Plaintiffs' copyrighted materials would not occur. Further, Defendants never implemented or enforced a "repeat infringer" policy.

82. Defendants either were aware, actually or constructively, should have been aware, or were willfully blind that pirated copyrighted materials comprised the most popular videos on the Defendants' websites.

83. Defendants, through Pornhubpremium.com, affirmatively and willfully accommodated internet traffic generated by the illegal acts.

84. Defendants' conduct was willful within the meaning of 17 U.S.C. § 101, *et seq.* At a minimum, Defendants acted with willful blindness and reckless disregard of Plaintiffs' registered copyrights.

85. Because of their wrongful conduct, Defendants are liable to Plaintiffs for copyright infringement. See 17 U.S.C. §501. Plaintiffs suffer and will continue to suffer substantial losses, including, but not limited to, damage to their business reputation and goodwill.

86. The law permits Plaintiffs to recover damages, including readily ascertainable direct losses and all profits Defendants made by their wrongful conduct. 17 U.S.C. §504. Alternatively, Plaintiffs are 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). 17 U.S.C. §504(c).

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

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

WHEREFORE, Plaintiffs Hydentra L.P. HLP General Partner, Inc., d/b/a Metart, d/b/a Sexart; Hydentra HLP Int. Limited, d/b/a Metart, d/b/a Sexart; Hydentra L.P., d/b/a Metart, d/b/a Sexart, request the following relief:

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

(1) Any and all reproduction, adaptation, public display and/or distribution of copies of the Plaintiffs' copyrighted works by Defendants on any website, including but not limited to Pornhubpremium.com;

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

(3) Marketing or selling any product containing or utilizing Plaintiffs' intellectual property or business values.

B. That Defendants be ordered to transfer the domain Pornhubpremium.com, and all similar domains held by Defendants found in discovery, such as misspellings of the enumerated domains, domains held by Defendants linked to www.Pornhubpremium.com, and the content therein to Plaintiffs;

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

D. That Plaintiffs be awarded damages in an amount to be determined at trial for all infringing activities, including Plaintiffs' damages and lost profits, Defendants' profits, plus any costs incurred in preventing future confusion, mistake or deception, all from the date of first infringement;

E. That Defendants be ordered to account to Plaintiffs for all profits, gains and advantages that they have realized as a consequence of their unauthorized use of Plaintiffs' copyrighted works;

F. That Plaintiffs be awarded enhanced damages and attorney's fees;

G. That Plaintiffs be awarded pre-judgment and post-judgment interest;

H. That Plaintiffs be awarded costs and expenses incurred in prosecuting this action, including expert witness fees; and

I. That such other and further preliminary and permanent relief be awarded to Plaintiffs as the Court deems appropriate.

COUNT II
Contributory Copyright Infringement
Against All Defendants

89. Plaintiffs repeat, re-allege, and incorporate paragraphs 1 – 67 as if fully set forth herein.

90. Unknown individuals, without authorization, reproduced and distributed Plaintiffs' works through Defendants' websites, directly infringing Plaintiffs' copyrighted works.

91. Defendants contributed to the infringing acts of those individuals.

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

93. Defendants aided, abetted, allowed, and encouraged those individuals to reproduce and distribute Plaintiffs' copyrighted works through Defendants' website without regard to copyright ownership.

94. Defendants had the ability and obligation to control and stop the infringements. Defendants failed to do so.

95. Defendants have engaged in the business of knowingly inducing, causing, and/or materially contributing to unauthorized reproduction, adaptation, public display and/or distribution of copies of the Plaintiffs' copyrighted works, and thus to the direct infringement of Plaintiffs' copyrighted works.

96. Defendants received direct financial benefits from the infringements.

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

98. The unauthorized reproduction, distribution, and public display of Plaintiffs' copyrighted works that Defendants enable, cause, materially contribute to and encourage through the acts described above are without Plaintiffs' consent and are not otherwise permissible under the Copyright Act.

99. The acts of infringement by Defendants have been willful, intentional, and purposeful and in reckless disregard of and with indifference to Plaintiffs' rights.

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

101. Alternatively, Plaintiffs are 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).

102. Plaintiffs are further entitled to their attorneys' fees and full costs pursuant to 17 U.S.C. § 505.

WHEREFORE, Plaintiffs Hydentra L.P. HLP General Partner, Inc., d/b/a Metart, d/b/a Sexart; Hydentra HLP Int. Limited, d/b/a Metart, d/b/a Sexart; Hydentra L.P., d/b/a Metart, d/b/a Sexart, request the following relief:

A. That Defendants, their agents, servants, officers, directors, employees, attorneys, privies, representatives, successors and assigns and parent and subsidiary corporations or other

related entities, and any or all persons in act of concert or participation with any of them, be preliminarily and permanently enjoined from:

- (1) Any and all reproduction, adaptation, public display and/or distribution of copies of the Plaintiffs' copyrighted works by Defendants on any website, including but not limited to Pornhubpremium.com;
- (2) Permitting any user to upload for reproduction, adaptation, public display and/or distribution of copies of the Plaintiffs' copyrighted works by Defendants on any website, including but not limited to Pornhubpremium.com; and
- (3) Marketing or selling any product containing or utilizing Plaintiffs' intellectual property or business values.

B. That Defendants be ordered to transfer the domain Pornhubpremium.com, and all similar domains held by Defendants found in discovery, such as misspellings of the enumerated domains, domains held by Defendants linked to www.Pornhubpremium.com, and the content therein to Plaintiffs;

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

D. That Plaintiffs be awarded damages in an amount to be determined at trial for all infringing activities, including Plaintiffs' damages and lost profits, Defendants' profits, plus any costs incurred in preventing future confusion, mistake or deception, all from the date of first infringement;

E. That Defendants be ordered to account to Plaintiffs for all profits, gains and advantages that they have realized as a consequence of their unauthorized use of Plaintiffs' copyrighted works;

F. That Plaintiffs be awarded enhanced damages and attorney's fees;

G. That Plaintiffs be awarded pre-judgment and post-judgment interest;

H. That Plaintiffs be awarded costs and expenses incurred in prosecuting this action, including expert witness fees; and

I. That such other and further preliminary and permanent relief be awarded to Plaintiffs as the Court deems appropriate.

COUNT III
Vicarious Copyright Infringement
Against All Defendants

103. Plaintiffs repeat, re-allege, and incorporate paragraphs 1 – 67 as if fully set forth herein.

104. Without authorization, individuals reproduced, distributed, and publicly displayed Plaintiffs' works through Defendants' website, directly infringing Plaintiffs' copyrighted works.

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

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

107. Defendants contributed materially to the infringement.

108. Defendants received direct financial gain and profit from those infringing activities.

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

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

111. Alternatively, Plaintiffs are 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).

112. Plaintiffs are further entitled to their attorneys' fees and full costs pursuant to 17 U.S.C. § 505.

WHEREFORE, Plaintiffs Hydentra L.P. HLP General Partner, Inc., d/b/a Metart, d/b/a Sexart; Hydentra HLP Int. Limited, d/b/a Metart, d/b/a Sexart; Hydentra L.P., d/b/a Metart, d/b/a Sexart, request the following relief:

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

- (1) Any and all reproduction, adaptation, public display and/or distribution of copies of the Plaintiffs' copyrighted works by Defendants on any website, including but not limited to Pornhubpremium.com;
- (2) Permitting any user to upload for reproduction, adaptation, public display and/or distribution of copies of the Plaintiffs' copyrighted works by Defendants on any website, including but not limited to Pornhubpremium.com; and

(3) Marketing or selling any product containing or utilizing Plaintiffs' intellectual property or business values.

B. That Defendants be ordered to transfer the domain Pornhubpremium.com, and all similar domains held by Defendants found in discovery, such as misspellings of the enumerated domains, domains held by Defendants linked to www.Pornhubpremium.com, and the content therein to Plaintiffs;

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

D. That Plaintiffs be awarded damages in an amount to be determined at trial for all infringing activities, including Plaintiffs' damages and lost profits, Defendants' profits, plus any costs incurred in preventing future confusion, mistake or deception, all from the date of first infringement;

E. That Defendants be ordered to account to Plaintiffs for all profits, gains and advantages that they have realized as a consequence of their unauthorized use of Plaintiffs' copyrighted works;

F. That Plaintiffs be awarded enhanced damages and attorney's fees;

G. That Plaintiffs be awarded pre-judgment and post-judgment interest;

H. That Plaintiffs be awarded costs and expenses incurred in prosecuting this action, including expert witness fees; and

I. That such other and further preliminary and permanent relief be awarded to Plaintiffs as the Court deems appropriate.

COUNT IV
Inducement of Copyright Infringement
Against All Defendants

113. Plaintiffs repeat, re-allege, and incorporate paragraphs 1 – 67 as if fully set forth herein.

114. Defendants designed and/or distributed technology and/or devices and/or induced individuals to use this technology to promote the use of infringed and copyrighted material. As a direct and proximate result of Defendants' inducement, individuals infringed Plaintiffs' copyrighted works. These individuals reproduced, distributed and publicly disseminated Plaintiffs' copyrighted works through Defendants' website.

115. On information and belief, Defendants have encouraged the illegal uploading and downloading of Plaintiffs' copyrighted works, thus inducing the unauthorized reproduction, adaptation, public display and/or distribution of copies of the Plaintiffs' copyrighted works, and thus to the direct infringement of Plaintiffs' copyrighted works.

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

117. The infringement of Plaintiffs' rights in and to each of the Plaintiffs' copyrighted works constituted a separate and distinct infringement.

118. The acts of infringement by Defendants have been willful, intentional, purposeful and in reckless disregard of and with indifference to Plaintiffs' rights.

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

120. Alternatively, Plaintiffs are 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).

121. Plaintiffs are further entitled to their attorneys' fees and full costs pursuant to 17 U.S.C. § 505.

WHEREFORE, Plaintiffs Hydentra L.P. HLP General Partner, Inc., d/b/a Metart, d/b/a Sexart; Hydentra HLP Int. Limited, d/b/a Metart, d/b/a Sexart; Hydentra L.P., d/b/a Metart, d/b/a Sexart, request the following relief:

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

- (1) Any and all reproduction, adaptation, public display and/or distribution of copies of the Plaintiffs' copyrighted works by Defendants on any website, including but not limited to Pornhubpremium.com;
- (2) Permitting any user to upload for reproduction, adaptation, public display and/or distribution of copies of the Plaintiffs' copyrighted works by Defendants on any website, including but not limited to Pornhubpremium.com; and
- (3) Marketing or selling any product containing or utilizing Plaintiffs' intellectual property or business values.

B. That Defendants be ordered to transfer the domain Pornhubpremium.com, and all similar domains held by Defendants found in discovery, such as misspellings of the enumerated

domains, domains held by Defendants linked to www.Pornhubpremium.com, and the content therein to Plaintiffs;

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

D. That Plaintiffs be awarded damages in an amount to be determined at trial for all infringing activities, including Plaintiffs' damages and lost profits, Defendants' profits, plus any costs incurred in preventing future confusion, mistake or deception, all from the date of first infringement;

E. That Defendants be ordered to account to Plaintiffs for all profits, gains and advantages that they have realized as a consequence of their unauthorized use of Plaintiffs' copyrighted works;

F. That Plaintiffs be awarded enhanced damages and attorney's fees;

G. That Plaintiffs be awarded pre-judgment and post-judgment interest;

H. That Plaintiffs be awarded costs and expenses incurred in prosecuting this action, including expert witness fees; and

I. That such other and further preliminary and permanent relief be awarded to Plaintiffs as the Court deems appropriate.

COUNT V
Trademark Infringement – 15 U.S.C. §§ 1111 *et. seq.*
Against All Defendants

122. Plaintiffs repeat, re-allege, and incorporate paragraphs 1 – 67 as if fully set forth herein.

123. By virtue of their trademark registrations, Plaintiffs have 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.

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

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

WHEREFORE, Plaintiffs Hydentra L.P. HLP General Partner, Inc., d/b/a Metart, d/b/a Sexart; Hydentra HLP Int. Limited, d/b/a Metart, d/b/a Sexart; Hydentra L.P., d/b/a Metart, d/b/a Sexart, request the following relief:

- A. Enter judgment against Defendants finding that Defendants have engaged in, and continue to engage in, unfair competition in violation of 15 U.S.C. § 1125(a);
- B. Finding that Defendants have and continue to infringe Plaintiffs' '3152759 trademark in violation of 15 U.S.C. § 1114;

- C. Finding that Defendants have and continue to infringe Plaintiffs' '4191754 trademark in violation of 15 U.S.C. § 1114;
- D. That Defendants, their agents, servants, officers, directors, employees, attorneys, privies, representatives, successors and assigns and parent and subsidiary corporations or other related entities, and any or all persons in act of concert or participation with any of them, be preliminarily and permanently enjoined from:
 - (1) Any and all reproduction, adaptation, public display and/or distribution of copies of the Plaintiffs' copyrighted works by Defendants on any website, including but not limited to Pornhubpremium.com;
 - (2) Permitting any user to upload for reproduction, adaptation, public display and/or distribution of copies of the Plaintiffs' copyrighted works by Defendants on any website, including but not limited to Pornhubpremium.com; and
 - (3) Marketing or selling any product containing or utilizing Plaintiffs' intellectual property or business values.
- E. That Defendants be ordered to file with the Court and serve upon Plaintiffs, within thirty (30) days after the entry of an injunction, a report in writing and under oath, setting forth in detail the manner and form in which Defendants have complied with any ordered injunction;
- F. That pursuant to 15 U.S.C. § 1117, Defendants be held liable for all damages suffered by Plaintiffs resulting from the acts alleged herein;
- G. That Defendants be ordered to transfer the domain Pornhubpremium.com, and all similar domains held by Defendants found in discovery, such as misspellings of the

enumerated domains, domains held by Defendants linked to Pornhubpremium.com, and the content therein to Plaintiffs;

- H. That Plaintiffs be awarded damages in an amount to be determined at trial for all infringing activities, including Plaintiffs' damages and lost profits, Defendants' profits, plus any costs incurred in preventing future confusion, mistake or deception, all from the date of first infringement;
- I. That pursuant to 15 U.S.C. § 1117 Defendants be ordered to account to Plaintiffs for all profits, gains and advantages which they have realized as a consequence of their unauthorized use of Plaintiffs' copyrighted works;
- J. That the Court declare this to be an exceptional case and award Plaintiffs' reasonable attorney fees pursuant to 15 U.S.C. § 1117;
- K. That Plaintiffs be awarded enhanced damages and attorney's fees;
- L. For all other damages to the extent permitted by law;
- M. Ordering that this Court retain jurisdiction of this action for the purpose of enabling Plaintiffs to apply to the Court at any time for such further orders and interpretation or execution of any order entered in this action; for the modification of any such order; for the enforcement or compliance therewith; or for the punishment of any violations thereof; and
- N. Such other and further preliminary and permanent relief be awarded to Plaintiffs as the Court deems appropriate.

COUNT VI
Contributory Trademark Infringement – 15 U.S.C. §§ 1111 *et. seq.*
Against All Defendants

126. Plaintiffs repeat, re-allege, and incorporate paragraphs 1 – 67 as if fully set forth herein.

127. By virtue of their trademark registrations, Plaintiffs have 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.

128. Defendants' actions that encouraged use of Plaintiffs' registered trademarks and service marks in a manner likely to cause consumer confusion, as alleged herein, constitute trademark infringement pursuant to 15 U.S.C. § 1114.

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

WHEREFORE, Plaintiffs Hydentra L.P. HLP General Partner, Inc., d/b/a Metart, d/b/a Sexart; Hydentra HLP Int. Limited, d/b/a Metart, d/b/a Sexart; Hydentra L.P., d/b/a Metart, d/b/a Sexart, request the following relief:

- A. Enter judgment against Defendants finding that Defendants have engaged in, and continue to engage in, unfair competition in violation of 15 U.S.C. § 1125(a);
- B. Finding that Defendants have and continue to infringe Plaintiffs' '3152759 trademark in violation of 15 U.S.C. § 1114;

- C. Finding that Defendants have and continue to infringe Plaintiffs' '4191754 trademark in violation of 15 U.S.C. § 1114;
- D. That Defendants, their agents, servants, officers, directors, employees, attorneys, privies, representatives, successors and assigns and parent and subsidiary corporations or other related entities, and any or all persons in act of concert or participation with any of them, be preliminarily and permanently enjoined from:
 - (1) Any and all reproduction, adaptation, public display and/or distribution of copies of the Plaintiffs' copyrighted works by Defendants on any website, including but not limited to Pornhubpremium.com;
 - (2) Permitting any user to upload for reproduction, adaptation, public display and/or distribution of copies of the Plaintiffs' copyrighted works by Defendants on any website, including but not limited to Pornhubpremium.com; and
 - (3) Marketing or selling any product containing or utilizing Plaintiffs' intellectual property or business values.
- E. That Defendants be ordered to file with the Court and serve upon Plaintiffs, within thirty (30) days after the entry of an injunction, a report in writing and under oath, setting forth in detail the manner and form in which Defendants have complied with any ordered injunction;
- F. That pursuant to 15 U.S.C. § 1117, Defendants be held liable for all damages suffered by Plaintiffs resulting from the acts alleged herein;
- G. That Defendants be ordered to transfer the domain Pornhubpremium.com, and all similar domains held by Defendants found in discovery, such as misspellings of the

enumerated domains, domains held by Defendants linked to www.Pornhubpremium.com, and the content therein to Plaintiff;

- H. That Plaintiffs' be awarded damages in an amount to be determined at trial for all infringing activities, including Plaintiffs' damages and lost profits, Defendants' profits, plus any costs incurred in preventing future confusion, mistake or deception, all from the date of first infringement;
- I. That pursuant to 15 U.S.C. § 1117, Defendants be ordered to account to Plaintiffs for all profits, gains and advantages which they have realized as a consequence of their unauthorized use of Plaintiffs' copyrighted works;
- J. That the Court declare this to be an exceptional case and award Plaintiffs reasonable attorney fees pursuant to 15 U.S.C. § 1117;
- K. That Plaintiffs be awarded enhanced damages and attorney's fees;
- L. For all other damages to the extent permitted by law;
- M. Ordering that this Court retain jurisdiction of this action for the purpose of enabling Plaintiffs to apply to the Court at any time for such further orders and interpretation or execution of any order entered in this action; for the modification of any such order; for the enforcement or compliance therewith; or for the punishment of any violations thereof; and
- N. Such other and further preliminary and permanent relief be awarded to Plaintiffs as the Court deems appropriate.

COUNT VII
False Designation of Origin under the Lanham Act – 15 U.S.C. §§ 1125 et. seq.
Against All Defendants

130. Plaintiffs repeat, re-allege, and incorporate paragraphs 1 – 67 as if fully set forth herein.

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

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

133. Plaintiffs have been damaged by these acts in an amount to be proven at trial. Plaintiffs are also entitled under the Lanham Act to injunctive and equitable relief against Defendants.

WHEREFORE, Plaintiffs Hydentra L.P. HLP General Partner, Inc., d/b/a Metart, d/b/a Sexart; Hydentra HLP Int. Limited, d/b/a Metart, d/b/a Sexart; Hydentra L.P., d/b/a Metart, d/b/a Sexart, request the following relief:

- A. Enter judgment against Defendants finding that Defendants have engaged in, and continue to engage in, unfair competition in violation of 15 U.S.C. § 1125(a);
- B. Finding that Defendants have and continue to infringe Plaintiffs' '3152759 trademark in violation of 15 U.S.C. § 1114;

- C. Finding that Defendants have and continue to infringe Plaintiffs' '4191754 trademark in violation of 15 U.S.C. § 1114;
- D. That Defendants, their agents, servants, officers, directors, employees, attorneys, privies, representatives, successors and assigns and parent and subsidiary corporations or other related entities, and any or all persons in act of concert or participation with any of them, be preliminarily and permanently enjoined from:
 - (1) Any and all reproduction, adaptation, public display and/or distribution of copies of the Plaintiffs' copyrighted works by Defendants on any website, including but not limited to Pornhubpremium.com;
 - (2) Permitting any user to upload for reproduction, adaptation, public display and/or distribution of copies of the Plaintiffs' copyrighted works by Defendants on any website, including but not limited to Pornhubpremium.com; and
 - (3) Marketing or selling any product containing or utilizing Plaintiffs' intellectual property or business values.
- E. That Defendants be ordered to file with the Court and serve upon Plaintiffs, within thirty (30) days after the entry of an injunction, a report in writing and under oath, setting forth in detail the manner and form in which Defendants have complied with any ordered injunction;
- F. That pursuant to 15 U.S.C. § 1117, Defendants be held liable for all damages suffered by Plaintiffs resulting from the acts alleged herein;
- G. That Defendants be ordered to transfer the domain Pornhubpremium.com, and all similar domains held by Defendants found in discovery, such as misspellings of the

enumerated domains, domains held by Defendants linked to www.Pornhubpremium.com, and the content therein to Plaintiffs;

- H. That Plaintiffs be awarded damages in an amount to be determined at trial for all infringing activities, including Plaintiffs' damages and lost profits, Defendants' profits, plus any costs incurred in preventing future confusion, mistake or deception, all from the date of first infringement;
- I. That pursuant to 15 U.S.C. § 1117, Defendants be ordered to account to Plaintiffs for all profits, gains and advantages which they have realized as a consequence of their unauthorized use of Plaintiffs' copyrighted works;
- J. That the Court declare this to be an exceptional case and award Plaintiffs reasonable attorney fees pursuant to 15 U.S.C. § 1117;
- K. That Plaintiffs be awarded enhanced damages and attorney's fees;
- L. For all other damages to the extent permitted by law;
- M. Ordering that this Court retain jurisdiction of this action for the purpose of enabling Plaintiffs to apply to the Court at any time for such further orders and interpretation or execution of any order entered in this action; for the modification of any such order; for the enforcement or compliance therewith; or for the punishment of any violations thereof; and
- N. Such other and further preliminary and permanent relief be awarded to Plaintiffs as the Court deems appropriate.

COUNT VIII
Unauthorized Publication of Name and Likeness in Violation
Of Section 540.08, Florida Statutes
Against All Defendants

134. Plaintiffs repeat, re-allege, and incorporate paragraphs 1 – 67 as if fully set forth herein.
135. Plaintiffs’ erotic photographs and motion pictures depict models who performed under contract.
136. Said contract contains a release of each model’s rights and interest for their appearance in an erotic motion picture, and an assignment in ownership of the same to Plaintiffs.
137. Defendants published, printed, displayed or otherwise used publicly images that depict numerous models that signed Plaintiffs’ release agreement.
138. Defendants’ websites commercially exploit Plaintiffs’ images without the Plaintiffs’ knowledge or consent.
139. Defendants gained pecuniary benefit from the unauthorized use of Plaintiffs’ names, images and likeness.
140. The Defendants use of Plaintiffs’ names, images and likeness was not part of a bona fide news report, nor did it have a legitimate public interest, but rather, was used by Defendants for their sole commercial benefit.
141. The use of Plaintiffs’ names, image and likeness for commercial purposes, without express consent, violates Florida Statute §540.08.

WHEREFORE, Plaintiffs Hydentra L.P. HLP General Partner, Inc., d/b/a Metart, d/b/a Sexart; Hydentra HLP Int. Limited, d/b/a Metart, d/b/a Sexart; Hydentra L.P., d/b/a Metart, d/b/a Sexart, request the following relief:

- A. That Defendants be enjoined from using the name, image, and likeness of any MetArt models for commercial, advertising, or any other unauthorized use on Pornhubpremium.com, and all similar domains held by Defendants found in discovery, such as misspellings of the enumerated domains, and domains held by Defendants linked to www.Pornhubpremium.com;
- B. That Plaintiffs be awarded damages for any loss or injury resulting from Defendants' unauthorized use of Plaintiffs' name and likeness;
- C. That Defendants be ordered, pursuant to Florida Statute § 540.08, to pay Plaintiffs a reasonable royalty, plus exemplary and/or punitive damages; and
- D. Such other and further preliminary and permanent relief be awarded to Plaintiffs as the Court deems appropriate.

DEMAND FOR JURY TRIAL

Plaintiffs hereby respectfully demand a jury trial as provided by Rule 38(a) of the Federal Rules of Civil Procedure.

DATED: August 27, 2015.

Respectfully submitted,

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By: /s/Aaron Behar
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Florida Bar No.: 166286
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And: Spencer D. Freeman
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Facsimile: (253) 383-4501
E-mail: sfreeman@freemanlawfirm.org
Counsel for Plaintiffs
(Moving for Admission pro hac vice)

EXHIBIT A

Copyright Registration No.	Title of Work	Unique PornhubPremium.com Link
PA0001916752	123 Fahrenheit	http://www.pornhubpremium.com/view_video.php?viewkey=1577923003
1-2673347552	Adel C in Defete	http://www.pornhubpremium.com/view_video.php?viewkey=748424746
PA0001922447	After Sunbathing	http://www.pornhubpremium.com/view_video.php?viewkey=2005737182
PA0001922447	After Sunbathing	http://www.pornhubpremium.com/view_video.php?viewkey=175611572
1-2627896072	Agua Fun	http://www.pornhubpremium.com/view_video.php?viewkey=1035873315
PA0001922451	Alluring Passion	http://www.pornhubpremium.com/view_video.php?viewkey=1287243951
	ALS SCAN CHANNEL	http://www.pornhubpremium.com/channels/alsscan
1-2673392620	Alyssa A in Verco	http://www.pornhubpremium.com/view_video.php?viewkey=1074425119
1-2628859081	Amoroso-Gisele-A	http://www.pornhubpremium.com/album/5334311
1-2628859081	Amoroso-Gisele-A	http://www.pornhubpremium.com/photo/78723221
1-2628859081	Amoroso-Gisele-A	http://www.pornhubpremium.com/photo/78723201
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	Anna AF in Presenting Anna	http://www.pornhubpremium.com/view_video.php?viewkey=133034506
1-2628859457	Anplis - Alyssa A	http://www.pornhubpremium.com/album/5081001
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1-2628859457	Anplis - Alyssa A	http://www.pornhubpremium.com/photo/74679861
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1-2628859457	Anplis - Alyssa A	http://www.pornhubpremium.com/photo/74679841
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PA0001922549	The Game VIII - Winner Takes All	http://www.pornhubpremium.com/view_video.php?viewkey=321341218
PA0001922527	The Heat	http://www.pornhubpremium.com/view_video.php?viewkey=534467643
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PA0001922530	The Promise	http://www.pornhubpremium.com/view_video.php?viewkey=196460255
PA0001922531	The Score	http://www.pornhubpremium.com/view_video.php?viewkey=2035516997
PA0001922623	The Writer - Night Train	http://www.pornhubpremium.com/view_video.php?viewkey=1441461349
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EXHIBIT B

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JS 44 (Rev. 12/12)

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 NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Hydentra, L.P. HLP GENERAL PARTNER, INC. d/b/a Metart d/b/a Sexart; Hydentra HLP INT. LIMITED, etc., et al.

(b) County of Residence of First Listed Plaintiff Los Angeles, California
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Aaron Behar, Esq., BeharBehar, 1840 North Commerce Parkway, Suite 1, Weston, Florida 33326, Telephone: (954) 688-7642

DEFENDANTS

MindGeek USA, Inc., d/b/a Pornhubpremium, et al.,

County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)

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

Attorneys (If Known)

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

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question
(U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 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)

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

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

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
☐ 110 Insurance ☐ 120 Marine ☐ 130 Miller Act ☐ 140 Negotiable Instrument ☐ 150 Recovery of Overpayment & Enforcement of Judgment ☐ 151 Medicare Act ☐ 152 Recovery of Defaulted Student Loans (Excludes Veterans) ☐ 153 Recovery of Overpayment of Veteran's Benefits ☐ 160 Stockholders' Suits ☐ 190 Other Contract ☐ 195 Contract Product Liability ☐ 196 Franchise	PERSONAL INJURY ☐ 310 Airplane ☐ 315 Airplane Product Liability ☐ 320 Assault, Libel & Slander ☐ 330 Federal Employers' Liability ☐ 340 Marine ☐ 345 Marine Product Liability ☐ 350 Motor Vehicle ☐ 355 Motor Vehicle Product Liability ☐ 360 Other Personal Injury ☐ 362 Personal Injury - Medical Malpractice	PERSONAL INJURY ☐ 365 Personal Injury - Product Liability ☐ 367 Health Care/Pharmaceutical Personal Injury Product Liability ☐ 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY ☐ 370 Other Fraud ☐ 371 Truth in Lending ☐ 380 Other Personal Property Damage ☐ 385 Property Damage Product Liability	☐ 625 Drug Related Seizure of Property 21 USC 881 ☐ 690 Other LABOR ☐ 710 Fair Labor Standards Act ☐ 720 Labor/Management Relations ☐ 740 Railway Labor Act ☐ 751 Family and Medical Leave Act ☐ 790 Other Labor Litigation ☐ 791 Employee Retirement Income Security Act IMMIGRATION ☐ 462 Naturalization Application ☐ 465 Other Immigration Actions	☐ 422 Appeal 28 USC 158 ☐ 423 Withdrawal 28 USC 157 PROPERTY RIGHTS ☒ 820 Copyrights ☐ 830 Patent ☐ 840 Trademark SOCIAL SECURITY ☐ 861 HIA (1395ff) ☐ 862 Black Lung (923) ☐ 863 DIWC/DIWW (405(g)) ☐ 864 SSID Title XVI ☐ 865 RSI (405(g)) FEDERAL TAX SUITS ☐ 870 Taxes (U.S. Plaintiff or Defendant) ☐ 871 IRS--Third Party 26 USC 7609	☐ 375 False Claims Act ☐ 400 State Reapportionment ☐ 410 Antitrust ☐ 430 Banks and Banking ☐ 450 Commerce ☐ 460 Deportation ☐ 470 Racketeer Influenced and Corrupt Organizations ☐ 480 Consumer Credit ☐ 490 Cable/Sat TV ☐ 850 Securities/Commodities/Exchange ☐ 890 Other Statutory Actions ☐ 891 Agricultural Acts ☐ 893 Environmental Matters ☐ 895 Freedom of Information Act ☐ 896 Arbitration ☐ 899 Administrative Procedure Act/Review or Appeal of Agency Decision ☐ 950 Constitutionality of State Statutes
REAL PROPERTY ☐ 210 Land Condemnation ☐ 220 Foreclosure ☐ 230 Rent Lease & Ejectment ☐ 240 Torts to Land ☐ 245 Tort Product Liability ☐ 290 All Other Real Property	CIVIL RIGHTS ☐ 440 Other Civil Rights ☐ 441 Voting ☐ 442 Employment ☐ 443 Housing/Accommodations ☐ 445 Amer. w/Disabilities - Employment ☐ 446 Amer. w/Disabilities - Other ☐ 448 Education	PRISONER PETITIONS Habeas Corpus: ☐ 463 Alien Detainee ☐ 510 Motions to Vacate Sentence ☐ 530 General ☐ 535 Death Penalty Other: ☐ 540 Mandamus & Other ☐ 550 Civil Rights ☐ 555 Prison Condition ☐ 560 Civil Detainee - Conditions of Confinement			

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

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. 101; 15 U.S.C. 1114, 1121, 1125; 28 U.S.C. 1331 and 1338

Brief description of cause:

Plaintiff Demands damages for copyright and trademark Infringements occurring on Defendant website(s)

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

08/27/2015

SIGNATURE OF ATTORNEY OF RECORD

/s/ Aaron Behar, Esq.

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

AO 120 (Rev. 08/10)

TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been
 filed in the U.S. District Court _____ on the following

☐ Trademarks or ☐ Patents. (☐ the patent action involves 35 U.S.C. § 292.):

DOCKET NO.	DATE FILED	U.S. DISTRICT COURT
PLAINTIFF		DEFENDANT
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1		
2		
3		
4		
5		

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY ☐ Amendment ☐ Answer ☐ Cross Bill ☐ Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1		
2		
3		
4		
5		

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK	(BY) DEPUTY CLERK	DATE
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Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
 Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

AO 121 (6/90)

TO: Register of Copyrights Copyright Office Library of Congress Washington, D.C. 20559	REPORT ON THE FILING OR DETERMINATION OF AN ACTION OR APPEAL REGARDING A COPYRIGHT
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In compliance with the provisions of 17 U.S.C. 508, you are hereby advised that a court action or appeal has been filed on the following copyright(s):

☐ ACTION ☐ APPEAL		COURT NAME AND LOCATION
DOCKET NO.	DATE FILED	
PLAINTIFF		DEFENDANT
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1		
2		
3		
4		
5		

In the above-entitled case, the following copyright(s) have been included:

DATE INCLUDED	INCLUDED BY ☐ Amendment ☐ Answer ☐ Cross Bill ☐ Other Pleading		
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3			

In the above-entitled case, a final decision was rendered on the date entered below. A copy of the order or judgment together with the written opinion, if any, of the court is attached.

COPY ATTACHED ☐ Order ☐ Judgment	WRITTEN OPINION ATTACHED ☐ Yes ☐ No	DATE RENDERED
CLERK	(BY) DEPUTY CLERK	DATE

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PA0001808865	Watercolors	Hydentra HLP, LLC
PA0001950777	Wet Dreams	Hydentra HLP Int Limited
PA0001931431	White Room	Hydentra HLP Int Limited
PA0001917316	Yes	Hydentra HLP Int Limited
PA0001916853	You And Me	Hydentra HLP Int Limited