

1 FARHAD NOVIAN (SBN 118129)  
 farhad@novianlaw.com  
 2 MICHAEL O'BRIEN (SBN 277244)  
 michaelo@novianlaw.com  
 3 ALEXANDER BRENDON GURA (SBN 305096)  
 4 gura@novianlaw.com  
 5 **NOVIAN & NOVIAN, LLP**  
 1801 Century Park East, Suite 1201  
 6 Los Angeles, California 90067  
 7 Telephone: (310) 553-1222  
 Facsimile: (310) 553-0222  
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9 *Attorneys for Plaintiff TRILLER FIGHT CLUB II LLC*

10 **UNITED STATES DISTRICT COURT**  
 11 **CENTRAL DISTRICT OF CALIFORNIA**

12 TRILLER FIGHT CLUB II LLC, a  
 13 Delaware Limited Liability Company,

14 Plaintiff,

15 vs.

16  
 17 MAHFUZ ALAM, an individual;  
 18 ACCESSTVPRO.CO, an unknown  
 19 business entity; and DOES 1 through 10,  
 inclusive,

20 Defendants.  
21

CASE NO.:

**COMPLAINT FOR:**

1. **COPYRIGHT INFRINGEMENT**
2. **VIOLATION OF THE FEDERAL COMMUNICATIONS ACT, 47 U.S.C. § 605**
3. **VICARIOUS COPYRIGHT INFRINGEMENT**

**JURY TRIAL DEMANDED**

1 Plaintiff Triller Fight Club II LLC, a Delaware limited liability company (“Plaintiff” or  
2 “Triller”) hereby complains against Defendants Mahfuz Alam, an individual (“Alam”),  
3 AccessTVPro.co, an unknown business entity (“ATVP”), and Does 1 through 10, inclusive  
4 (collectively, the “Defendants”), and alleges as follows:

5 **NATURE OF THIS ACTION**

6 1. Plaintiff is the copyright owner and publisher of the Triller Fight Club broadcast of  
7 the “Jake Paul vs. Ben Askren” boxing event, including all undercard bouts and the entire television  
8 broadcast, exhibited via closed circuit television and via encrypted satellite signal (hereinafter  
9 referred to as the “Broadcast”). Plaintiff’s copyright in the Broadcast bears Registration Number PA  
10 2-290-040, became effective on April 30, 2021, and was decided on May 4, 2021. An unofficial  
11 copy of the Copyright Registration Certificate is attached as Exhibit A.

12 2. The Broadcast was filmed by cameras at the event which were connected to satellite  
13 trucks also at the event. The satellite trucks uplinked a satellite transmission which was then  
14 downlinked to different networks, such as FITE TV (“FITE”). FITE downlinked the Broadcast from  
15 a satellite using equipment and services from PSSI Global Services, LLC (“PSSI”), and made the  
16 Broadcast available to paying customers worldwide through its applications and supported devices.  
17 Plaintiff institutes this action to obtain remedy for—and to permanently hinder—the blatantly  
18 unlawful infringement and rampant theft of its copyrighted work by the Defendants.

19 3. Upon information and belief, Defendants, and each of them, own and operate the  
20 website located at <https://accesstvpro.co> (the “Website”). Upon information and belief, Defendants,  
21 and each of them, unlawfully uploaded, distributed and publicly displayed, without authorization,  
22 and with no supplemental commentary or other attempt at transformation, the Broadcast to the users  
23 of the Website, including at <https://accesstvpro.co/boxing/>.

24 4. Defendants’ calculated and reprehensible infringement, theft, and other unlawful  
25 acts—committed in knowing violation of the law—has resulted in damages suffered by Plaintiff by  
26 stealing and diverting unique viewers of the illegal and unauthorized viewings of the Broadcast from  
27 Plaintiff.

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**JURISDICTION AND VENUE**

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2           5.       This Court has subject matter jurisdiction pursuant to 17 U.S.C. § 101, et seq. and 28  
3 U.S.C. § 1331, which states that district courts shall have original jurisdiction over all civil actions  
4 arising under the Constitution, laws, or treaties of the United States. This Court also has subject  
5 matter jurisdiction pursuant to 28 U.S.C. § 1338(a), which states that district courts shall have  
6 original jurisdiction of any civil action relating to, among other things, copyrights.

7           6.       This Court has specific personal jurisdiction over Defendants as a result of  
8 Defendants' contacts with this District.

9           7.       Venue is proper in this District pursuant to 28 U.S.C § 1391(b)(2) because a  
10 substantial part of the events or omissions giving rise to the claims occurred in this district.

**PARTIES**

11  
12           8.       Plaintiff is a limited liability company organized under the laws of Delaware and  
13 having its principal place of business in the State of California.

14           9.       Plaintiff is engaged in the business of distributing its copyrighted materials as defined  
15 in 17 U.S.C. § 101, and offering such content, including the Broadcast, for purchase on a Pay-Per-  
16 View basis to its paying customers over the internet or via cable or satellite TV. Plaintiff invests  
17 substantial money, time, and effort in advertising, promoting, selling, and licensing programming  
18 such as the Broadcast.

19           10.      Plaintiff owns the copyrights to the Broadcast. As the exclusive owner of the  
20 Copyright in its programing, including but not limited to the Broadcast, Plaintiff possesses the  
21 exclusive rights to, *inter alia*, exhibit, distribute, disseminate and perform the Broadcast publicly.

22           11.      Upon information and belief, Alam is an individual residing in Dhaka, Bangladesh.  
23 Upon information and belief, Alam owns, operates, or otherwise controls the Website for the purpose  
24 of permitting, encouraging, facilitating, and inducing the sharing of videos and live programing of  
25 audiovisual materials between users of the Website. Those materials include programming owned  
26 and/or controlled by Plaintiff, including the Broadcast, which was offered by Alam through his illegal  
27 uploading and distribution of the Broadcast via the Website.

28           12.      Upon information and belief, ATVP is a business entity, the exact nature of which is

1 unknown, doing business in the State of California. Upon information and belief, ATVP owns,  
2 operates, or otherwise controls the Website for the purpose of permitting, encouraging, facilitating,  
3 and inducing the sharing of videos and live programming of audiovisual materials between users of  
4 the website. Those materials include programming owned and/or controlled by Plaintiff, including  
5 the Broadcast, which was offered by ATVP through its illegal uploading and distribution of the  
6 Broadcast via the Website.

7 **ALTER EGO ALLEGATIONS**

8 13. Upon information and belief, at all relevant times, there existed a unity of interest  
9 between Defendants such that any individuality or separateness between them has ceased. ATVP is  
10 the alter ego of Alam in that:

- 11 a. ATVP is, and at all relevant times was, a mere shell, instrumentality, and conduit  
12 through which Alam carried on business in the name of ATVP, while exercising  
13 complete control and dominance over ATVP, its business and assets, to such an  
14 extent that any individuality or separateness between ATVP and Alam.
- 15 b. ATVP was conceived, intended, and used by Alam as a device to avoid liability  
16 and for the purpose of substituting an undercapitalized entity—namely, ATVP—  
17 in the place of Alam. ATVP is, and at all times herein mentioned was, so  
18 inadequately capitalized that, compared with the business done by Alam and the  
19 risks of loss, its capitalization was illusory and trifling. In addition, many assets  
20 of ATVP were transferred without adequate consideration to Alam.
- 21 c. Alam diverted assets from ATVP to himself to suit his own convenience in  
22 carrying out business matters which were and should have been the domain of  
23 ATVP.
- 24 d. ATVP is, and at all times herein mentioned was, controlled, dominated, and  
25 operated by Alam as his alter ego, in that the activities and business of ATVP  
26 were carried out without annual meetings, and without keeping records or minutes  
27 of any proceedings, or maintaining written resolutions.

28 14. Adherence to the fiction of the separate existence of ATVP and Alam would permit

1 an abuse of the corporate privilege and would sanction fraud, promote injustice, and otherwise aid  
2 in the commission of unlawful conduct. This is true because, as Plaintiff is informed and believes,  
3 at all relevant times, Defendants were commingling assets in a manner that allowed Defendants to  
4 utilize and freely transfer those assets amongst themselves. The commingling of assets and unlawful  
5 business conduct, as alleged more fully herein, by Defendants was intended, among other things, to  
6 allow Alam to avoid liability to Plaintiff and others.

7 **COUNT ONE**

8 **(Copyright Infringement)**

9 15. Plaintiff hereby realleges, and by this reference incorporates herein, each and every  
10 allegation of preceding and subsequent paragraphs as though fully set forth herein.

11 16. Plaintiff is the owner of the copyrights to the Broadcast, including all undercard bouts  
12 and the entire television Broadcast. Plaintiff's rights include, but are not limited to, all moving  
13 images and other audio/video content which were broadcasted via encrypted satellite signal. The  
14 Broadcast originated via satellite uplink and were subsequently retransmitted to cable systems and  
15 satellite companies via satellite signal and/or retransmitted via satellite signal to licensed content  
16 distributors such as Plaintiff's authorized, online platforms.

17 17. As the copyright holder to the rights of the Broadcast, Plaintiff has the exclusive right  
18 to copy, publicly perform and distribute it.

19 18. Defendants failed to obtain the proper authority or license from Plaintiff to copy,  
20 publicly perform or distribute the Broadcast.

21 19. Upon information and belief, Defendants illegally copied, uploaded, publicly  
22 performed and distributed the Broadcast via the internet with full knowledge that the Broadcast could  
23 only be obtained by purchasing a license from Plaintiff.

24 20. Defendants utilized the YouTube Channel to upload, distribute, and publicly display  
25 the Broadcast to the users of such website in direct violation of the exclusive rights owned by  
26 Plaintiff.

27 21. Specifically, upon information and belief, the Defendants obtained the Broadcast  
28 through internet websites, cable and/or satellite Pay-Per-View purchase intended for private, non-

1 commercial viewing, and subsequently illegally re-transmitted the Broadcast and publicly exhibited  
2 the Broadcast by illegally copying and uploading the Broadcast to the YouTube Channel.

3 22. Defendants have infringed on Plaintiff's copyright in the Broadcast by reproducing,  
4 adapting distributing, uploading, copying, and publicly displaying the copyrighted works without  
5 Plaintiff's authorization in violation of the Copyright Act, 17 U.S.C. § 501, and have recouped profits  
6 from the YouTube Channel through the generation of advertising revenue gained by consumer  
7 viewership of the Broadcast.

8 23. Defendants' acts of infringement were willful, in blatant disregard of, and committed  
9 with indifference to Plaintiff's rights.

10 24. By reason of Defendants' conduct as described herein, Defendants willfully violated  
11 17 U.S.C. § 501.

12 25. Due to Defendants' acts of copyright infringement as alleged herein, Defendants  
13 have obtained direct and indirect profits Defendants would not otherwise have realized but for  
14 Defendants' infringement of the Broadcast. As such, Plaintiff is entitled to disgorgement of  
15 Defendant's profits directly and indirectly attributable to Defendants' infringement of the  
16 Broadcast, in an amount to be established at trial.

17 26. Plaintiff is further entitled to its attorney's fees and full costs pursuant to 17 U.S.C. §  
18 505.

19 **COUNT TWO**

20 **(Violation of the Federal Communications Act, 47 U.S.C. § 605)**

21 27. Plaintiff hereby realleges, and by this reference incorporates herein, each and every  
22 allegation of preceding and subsequent paragraphs as though fully set forth herein.

23 28. Plaintiff is the owner of the Broadcast, including all undercard matches and the entire  
24 television broadcast, aired via closed circuit television and via encrypted satellite signal.

25 29. The Broadcast was available for non-commercial, private viewing through Plaintiff,  
26 its authorized online vendors, as well as through Pay-Per-View purchase through authorized satellite  
27 TV providers. Defendants, in a calculated effort to use Plaintiff's Broadcast for their own commercial  
28 benefit, obtained access to Plaintiff's Broadcast and uploaded it to the YouTube Channel.



1 originated via satellite uplink and were subsequently retransmitted to cable systems and satellite  
2 companies via satellite signal and/or retransmitted via satellite signal to licensed content distributors  
3 such as Plaintiff's authorized, online platforms.

4 38. Upon information and belief, Defendants directly infringed on Plaintiff's Broadcast  
5 by illegally uploading the Broadcast and/or portions thereof via the internet on the YouTube Channel  
6 in direct violation of Plaintiff's exclusive copyright.

7 39. Upon information and belief, Defendants encouraged online users to copy, share,  
8 download, distribute, and share content, including the Broadcast, on the YouTube Channel, and  
9 Defendants facilitated, participated in and induced users to engage in the unauthorized reproduction,  
10 adaptation, public display and public performance of programming containing Plaintiff's  
11 copyrighted Broadcast.

12 40. Defendants had the right and ability to control and prevent the users on the YouTube  
13 Channel from directly accessing and infringing on Plaintiff's Broadcast which was copied, uploaded,  
14 and distributed by Defendants.

15 41. Defendants derived a financial benefit from such users' activities on the YouTube  
16 Channel through the generation of advertising revenue gained by consumer viewership of the  
17 Broadcast.

18 42. By reason of Defendants' conduct as described herein, Defendants willfully violated  
19 17 U.S.C. § 501.

20 43. Due to Defendants' acts of copyright infringement as alleged herein, Defendants  
21 have obtained direct and indirect profits Defendants would not otherwise have realized but for  
22 Defendants' infringement of the Broadcast. As such, Plaintiff is entitled to disgorgement of  
23 Defendant's profits directly and indirectly attributable to Defendants' infringement of the  
24 Broadcast, in an amount to be established at trial.

25 44. Plaintiff is further entitled to its attorney's fees and full costs pursuant to 17 U.S.C. §  
26 505.

27 **PRAYER FOR RELIEF**

28 WHEREFORE, Plaintiff prays for judgment against Defendants as follows:



1 AS TO COUNT ONE:

- 2 1. That Defendants, Defendants' employees, representatives, and agents be enjoined  
3 from copying, uploading, distributing, selling, or otherwise infringing on Plaintiff's  
4 copyright in the Broadcast;
- 5 2. That Plaintiff be awarded all profits of Defendants plus all losses of Plaintiff, the exact  
6 sum to be proven at the time of trial; and
- 7 3. That an order be issued requiring Defendants to account to Plaintiff for profits  
8 attributable to their use of Plaintiff's copyright, in accordance with proof.

9 AS TO COUNT TWO:

- 10 4. For statutory penalties in an amount, in the discretion of this Court, of up to the  
11 maximum amount of \$110,000.00 for each of the Defendants' willful violations of 47  
12 U.S.C. § 605(a).

13 AS TO COUNT THREE:

- 14 5. That Defendants, Defendants' employees, representatives, and agents be enjoined  
15 from copying, uploading, distributing, selling, or otherwise infringing on Plaintiff's  
16 copyright in the Broadcast;
- 17 6. That Plaintiff be awarded all profits of Defendants plus all losses of Plaintiff, the exact  
18 sum to be proven at the time of trial; and
- 19 7. That an order be issued requiring Defendants to account to Plaintiff for profits  
20 attributable to their use of Plaintiff's copyright, in accordance with proof.

21 AS TO ALL COUNTS:

- 22 8. For pre-judgment and post-judgment interest on all damages awarded;
- 23 9. For attorneys' fees and costs of suit incurred herein according to proof; and
- 24 10. For such other and further relief as the Court may deem just and proper.

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1 Dated: June 22, 2021

NOVIAN & NOVIAN, LLP  
Attorneys at Law

2 By: /s/ Farhad Novian

3 FARHAD NOVIAN  
4 MICHAEL O'BRIEN  
5 ALEXANDER BRENDON GURA

6 *Attorneys for Plaintiff TRILLER FIGHT CLUB II LLC*  
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