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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 FRANCES LEVI, an individual;  
 FILMDAILY.CO, an unknown business  
 18 entity; and DOES 1 through 10, inclusive,

19 Defendants.  
 20

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  
2 (“Plaintiff” or “Triller”) hereby complains against Defendants Frances Levi (“Levi”),  
3 FilmDaily.co, an unknown business entity (“FilmDaily”), and Does 1 through 10,  
4 inclusive (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  
7 broadcast of the “Jake Paul vs. Ben Askren” boxing event, including all undercard  
8 bouts and the entire television broadcast, exhibited via closed circuit television and via  
9 encrypted satellite signal (hereinafter referred to as the “Broadcast”). Plaintiff’s  
10 copyright in the Broadcast bears Registration Number PA 2-290-040, became  
11 effective on April 30, 2021, and was decided on May 4, 2021. A true and correct copy  
12 of Plaintiff’s unofficial certificate of copyright registration is attached hereto as

13 **Exhibit A.**

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

22 3. Defendants, and each of them, utilized the website <https://filmdaily.co>  
23 (the “Website”) to unlawfully upload, distribute, and publicly display the Broadcast to  
24 the users of the Website, without first requesting or receiving from Fight Club  
25 authorization therefore.

26 4. On April 17, 2021, Defendant created and published to the Website at  
27 least four (4) posts advising consumers how to unlawfully view the Broadcast.

28 a. On April 17, 2021, Defendants created and published a post titled

1 “Live Reddit! Jake Paul vs Ben Askren Stream Free, How to  
2 Watch?,” advising consumers “How to watch Jake Paul vs Ben  
3 Askren Live Stream Free Online” and providing a clickable link titled  
4 “Click to Watch Paul vs Askren Live Free.” A true and correct  
5 screenshot of the aforementioned post is attached hereto as **Exhibit B**.

6 b. On April 17, 2021, Defendants created and published a post titled  
7 “Boxing Streams Reddit: Watch Paul vs Askren live free FITE TV,”  
8 noting that “In the past Reddit has proven to be a convenient platform  
9 to stream Boxing Pay-Per-View events live.” A true and correct  
10 screenshot of the aforementioned post is attached hereto as **Exhibit C**.

11 c. On April 17, 2021, Defendant created and published a post titled  
12 “Stream Free! Jake Paul vs Ben Askren Live Fight on Reddit!,”  
13 providing a clickable link titled “Click To Watch Paul vs Askren Live  
14 Stream Free.” A true and correct screenshot of the aforementioned  
15 post is attached hereto as **Exhibit D**.

16 d. On April 17, 2021, Defendant created and published a post titled “Jake  
17 Paul vs Ben Askren ‘Reddit’ Live! Free Stream, How to Watch?,”  
18 providing a clickable link titled “Click To Watch Paul vs Askren Live  
19 Stream Free.” A true and correct screenshot of the aforementioned  
20 post is attached hereto as **Exhibit E**.

21 5. Upon information and belief, Defendants, and each of them, acted  
22 knowingly, willfully, unlawfully and with blatant disregard to Plaintiff’s copyright in  
23 the Broadcast by using the Website to unlawfully upload, distribute, and publicly  
24 display, without authorization, the Broadcast to the users of the Website. Defendants’  
25 calculated and reprehensible infringement, theft, and other unlawful acts—committed  
26 in knowing violation of the law—has resulted in damages suffered by Plaintiff by  
27 stealing and diverting unique viewers of the illegal and unauthorized viewings of the  
28 Broadcast from Plaintiff.



1 of the Copyright in its programing, including but not limited to the Broadcast, Plaintiff  
2 possesses the exclusive rights to, *inter alia*, exhibit, distribute, disseminate and  
3 perform the Broadcast publicly.

4 13. Upon information and belief, Levi is an individual residing in London,  
5 England. Upon information and belief, Levi owns, operates, or otherwise controls the  
6 Website for the purpose of permitting, encouraging, facilitating, and inducing the  
7 sharing of videos and live programming of audiovisual materials between users of the  
8 Website. Those materials include programming owned and/or controlled by Plaintiff,  
9 including the Broadcast, which was offered by Levi through her illegal uploading and  
10 distribution of the Broadcast via the Website.

11 14. Upon information and belief, FilmDaily is a business entity, the exact  
12 nature of which is unknown, registered in Nevada and doing business in the State of  
13 California. Upon information and belief, FilmDaily owns, operates, or otherwise  
14 controls the Website for the purpose of permitting, encouraging, facilitating, and  
15 inducing the sharing of videos and live programing of audiovisual materials between  
16 users of the Website. Those materials include programming owned and/or controlled  
17 by Plaintiff, including the Broadcast, which was offered by FilmDaily through its  
18 illegal uploading and distribution of the Broadcast.

19 15. The true names and capacities, whether individual, corporate, associate,  
20 or otherwise, of Defendants named herein as Does 1 through 10, inclusive, and each  
21 of them, are unknown to Plaintiff at this time. Plaintiff therefore sues said Defendants,  
22 and each of them, by such fictitious names. Plaintiff will advise the Court and seek  
23 leave to amend this Complaint when the true names and capacities of each such  
24 Defendant has been ascertained. Plaintiff is informed and believes, and based thereon  
25 alleges, that each such Defendant designated as a Doe is responsible in some manner  
26 for the events and happenings referred to herein or as hereinafter specifically alleged.

27 **ALTER EGO ALLEGATIONS**

28 16. Upon information and belief, at all relevant times, there existed a unity of

1 interest between Defendants such that any individuality or separateness between them  
2 has ceased. FilmDaily is the alter ego of Levi in that:

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

23 17. Adherence to the fiction of the separate existence of FilmDaily and Levi  
24 would permit an abuse of the corporate privilege and would sanction fraud, promote  
25 injustice, and otherwise aid in the commission of unlawful conduct. This is true  
26 because, as Plaintiff is informed and believes, at all relevant times, Defendants were  
27 commingling assets in a manner that allowed Defendants to utilize and freely transfer  
28 those assets amongst themselves. The commingling of assets and unlawful business

1 conduct, as alleged more fully herein, by Defendants was intended, among other  
2 things, to allow Levi to avoid liability to Plaintiff and others.

3 **COUNT ONE**

4 **Copyright Infringement**  
5 **(Against All Defendants)**

6 18. Plaintiff hereby realleges, and by this reference incorporates herein, each  
7 and every allegation of preceding and subsequent paragraphs as though fully set forth  
8 herein.

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

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

18 21. Defendants, and each of them, failed to obtain the proper authority or  
19 license from Plaintiff to copy, publicly perform or distribute the Broadcast.

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

23 23. Defendants, and each of them, utilized the Website to upload, distribute,  
24 and publicly display the Broadcast to the users of the Website in direct violation of  
25 the exclusive rights owned by Plaintiff.

26 24. Specifically, upon information and belief, the Defendants, and each of  
27 them, obtained the Broadcast through internet websites, cable and/or satellite pay-per-  
28 view purchase intended for private, non-commercial viewing, and subsequently

1 illegally re-transmitted the Broadcast and publicly exhibited the Broadcast by illegally  
2 copying and uploading the Broadcast to the Website for other users to also illegally  
3 view, download, access, share, and distribute.

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

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

11 27. By reason of Defendants' conduct as described herein, Defendants, and  
12 each of them, willfully violated 17 U.S.C. § 501.

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

18 29. Plaintiff is further entitled to its attorney's fees and full costs pursuant to  
19 17 U.S.C. § 505.

20 **COUNT TWO**

21 **Violation of the Federal Communications Act, 47 U.S.C. §605**

22 **(Against All Defendants)**

23 30. Plaintiff hereby realleges, and by this reference incorporates herein, each  
24 and every allegation of preceding and subsequent paragraphs as though fully set forth  
25 herein.

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

1           32. The Broadcast was available for non-commercial, private viewing  
2 through Plaintiff, its authorized online vendors, as well as through pay-per-view  
3 purchase through authorized satellite TV providers. Defendants, in a calculated effort  
4 to use Plaintiff’s Broadcast for their own commercial benefit, obtained access to  
5 Plaintiff’s Broadcast by purchasing the programming and subsequently copying the  
6 Broadcast and uploading it to the Website.

7           33. In order to purchase and view the Broadcast through a satellite TV  
8 provider intended for private, non-commercial viewing, an individual purchaser was  
9 subject to the copyright language contained therein which expressly stated that the  
10 “unauthorized reproduction or distribution of the copyrighted work is illegal.”

11           34. Upon information and belief, with full knowledge that the Broadcast was  
12 not to be received, distributed, reproduced and or publicly exhibited by individuals  
13 unauthorized to do so, Defendants, without authorization from Plaintiff, unlawfully  
14 intercepted, received and/or de-scrambled Plaintiff’s satellite signal for purposes of  
15 direct commercial advantage and subsequently divulged the Broadcast to the public  
16 by copying and distributing said Broadcast to the users of the Website in exchange for  
17 payments to aid, encourage, support, or otherwise endorse Defendants’ infringing  
18 conduct.

19           35. Upon information and belief, Plaintiff alleges that Defendants effected  
20 unauthorized interception and receipt of Plaintiff’s Broadcast via Defendants’ satellite  
21 TV service by ordering programming for residential use and subsequently copying,  
22 uploading, distributing and publicly displaying the Broadcast without authorization,  
23 or by such other means which are unknown to Plaintiff and known only to Defendants.

24           36. 47 U.S.C. § 605(a) prohibits the unauthorized reception and publication  
25 or use of communications such as the Broadcast for which Plaintiff had the distribution  
26 rights thereto.

27           37. By reason of Defendants’ conduct as described herein, Defendants, and  
28 each of them, willfully violated 47 U.S.C. § 605(a)



1 programming containing Plaintiff's copyrighted Broadcast.

2 44. Defendants had the right and ability to control and prevent the users on  
3 the Website from directly accessing and infringing on Plaintiff's Broadcast which was  
4 copied, uploaded, and distributed by Defendants, and each of them.

5 45. Defendants derived a financial benefit from such users' activities on the  
6 Website by generating advertising Defendants' infringement of Plaintiff's Broadcast.

7 46. By reason of Defendants' conduct as described herein, Defendants, and  
8 each of them, willfully violated 17 U.S.C. § 501.

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

14 48. Plaintiff is further entitled to its attorney's fees and full costs pursuant to  
15 17 U.S.C. § 505.

16 **PRAYER FOR RELIEF**

17 WHEREFORE, Plaintiff prays for judgment against Defendants, and each of  
18 them, as follows:

19 **AS TO COUNT ONE:**

- 20 1. That Defendants, Defendants' employees, representatives, and agents be  
21 enjoined from copying, uploading, distributing, selling, or otherwise  
22 infringing on Plaintiff's copyright in the Broadcast;
- 23 2. That Plaintiff be awarded all profits of Defendants plus all losses of  
24 Plaintiff, the exact sum to be proven at the time of trial; and
- 25 3. That an order be issued requiring Defendants, and each of them, to  
26 account to Plaintiff for profits attributable to their use of Plaintiff's  
27 copyright, in accordance with proof.

28 ///

1 AS TO COUNT TWO:

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

5 AS TO COUNT THREE:

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

14 AS TO ALL COUNTS:

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

19  
20 Dated: August 12, 2021

NOVIAN & NOVIAN, LLP  
Attorneys at Law

21  
22 By: /s/ Farhad Novian

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