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PARAMOUNT PICTURES
11 CORPORATION and CBS STUDIOS
INC.
12

13 UNITED STATES DISTRICT COURT
14 CENTRAL DISTRICT OF CALIFORNIA
15

16 PARAMOUNT PICTURES
CORPORATION, a Delaware
17 corporation; and CBS STUDIOS INC.,
a Delaware corporation,

18 Plaintiffs,

19 v.

20 AXANAR PRODUCTIONS, INC., a
21 California corporation; ALEC PETERS,
an individual, and DOES 1-20,

22 Defendants.
23
24

Case No.: _____

COMPLAINT FOR:

- 1. **COPYRIGHT INFRINGEMENT;**
- 2. **CONTRIBUTORY COPYRIGHT INFRINGEMENT**
- 3. **VICARIOUS COPYRIGHT INFRINGEMENT; AND**
- 4. **DECLARATORY JUDGMENT**

DEMAND FOR JURY TRIAL

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1 Plaintiffs Paramount Pictures Corporation (“Paramount”) and CBS Studios
2 Inc. (“CBS”) (collectively, “Plaintiffs”), by their attorneys, hereby bring this
3 complaint against Axanar Productions, Inc. (“AP”), Alec Peters (“Peters”), and
4 Does 1-20 (collectively, “Defendants”), and allege as follows:

5 **NATURE OF THE ACTION**

6 1. This is an action for copyright infringement arising out of Defendants’
7 unauthorized exploitation of Star Trek, one of the most successful entertainment
8 franchises of all time. Since its inception, Star Trek has become a cultural
9 phenomenon that is eagerly followed by millions of fans throughout the world.
10 Unlike virtually any other television series or motion picture, the fictional Star Trek
11 races and characters, their technology, personality traits, and even their makeup,
12 have been documented and given a historical texture by Plaintiffs that extends far
13 beyond the action on the screen. Plaintiffs own the copyrights in this treasured
14 franchise—which includes six television series and twelve motion pictures spanning
15 nearly fifty years—and they continue to produce new original content for the legion
16 of Star Trek fans.

17 2. Defendants have made a short film entitled *Star Trek: Prelude to*
18 *Axanar* (“*Prelude to Axanar*”), and are in the process of producing a film called
19 *Axanar* (the “*Axanar Motion Picture*”) (collectively, the “*Axanar Works*”). The
20 *Axanar Works* infringe Plaintiffs’ works by using innumerable copyrighted
21 elements of Star Trek, including its settings, characters, species, and themes. The
22 *Axanar Works* are intended to be professional quality productions that, by
23 Defendants’ own admission, unabashedly take Paramount’s and CBS’s intellectual
24 property and aim to “look and feel like a true Star Trek movie.” On information and
25 belief, Defendants have raised over \$1 million so far to produce these works,
26 including building out a studio and hiring actors, set designers, and costume
27 designers. The *Axanar Works* are substantially similar to, and unauthorized
28

1 derivative works of, Plaintiffs’ Star Trek television series and movies, in
2 contravention of the copyright laws of the United States.

3 **JURISDICTION AND VENUE**

4 3. This is a civil action seeking damages and declaratory and injunctive
5 relief for copyright infringement, arising under 17 U.S.C. §§ 101, *et seq.* This Court
6 has original subject matter jurisdiction over the action under 28 U.S.C. §§ 1331 and
7 1338(a), as this action asserts copyright claims arising under the laws of the United
8 States.

9 4. This Court has personal jurisdiction over Defendants because some or
10 all of them reside in this state, and because all Defendants conduct continuous,
11 systematic, and routine business within this state and this District.

12 5. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391(b),(c),
13 (d), and 1400(a) because Plaintiffs’ claims arose in this district and because
14 Defendants reside or may be found in this District.

15 **THE PARTIES**

16 6. Plaintiff Paramount Pictures Corporation (“Paramount”) is a
17 corporation organized under the laws of the State of Delaware with its principal
18 place of business in Los Angeles, California.

19 7. Plaintiff CBS Studios Inc. is a corporation organized under the laws of
20 the State of Delaware with its principal place of business in New York, New York.

21 8. Defendant Axanar Productions, Inc. (“AP”) is a corporation organized
22 under the laws of the State of California. On information and belief, AP is a motion
23 picture, television, and/or video production company.

24 9. On information and belief, defendant Alec Peters is, and at all relevant
25 times was, a citizen of California, residing in Los Angeles, California. On
26 information and belief, Peters is the controlling principal of AP, and Peters wrote
27 and produced the *Axanar Works*, and continues to write the script for and produce
28 the *Axanar Motion Picture*.

1 10. The Doe Defendants include, among others, those persons who aided in
2 the writing of the scripts for the *Axanar* Works or producing or directing the films,
3 and those persons who designed or caused to be designed the infringing sets,
4 costumes, props and other elements in the *Axanar* Works that infringe copyrighted
5 Star Trek elements.

6 11. The true names and capacities of the defendants named herein as Does
7 1 through 20, inclusive, are unknown to Plaintiffs, who therefore sue said
8 defendants by such fictitious names. Plaintiffs will amend this Complaint to allege
9 their true names and capacities when such have been ascertained. On information
10 and belief, each of the fictitiously named defendants herein is responsible in some
11 manner for the occurrences alleged herein and Plaintiffs' injuries as alleged herein
12 were proximately caused by such defendants' acts or omissions.

13 12. On information and belief, each defendant acted in concert with, as
14 agent or representative for, or at the request or on behalf of the other defendants, and
15 all of the acts alleged herein to have been done by each defendant were authorized,
16 approved, and/or ratified by each of the other defendants.

17 **ALLEGATIONS COMMON TO ALL CLAIMS**

18 **I. Plaintiffs' Copyrighted Star Trek Works**

19 13. Star Trek is a science fiction entertainment franchise created by Gene
20 Roddenberry. The original Star Trek television series ("*The Original Series*")
21 debuted in 1966, starring William Shatner, Leonard Nimoy, and DeForest Kelley,
22 and ran for three seasons, until 1969. The series chronicled the adventures of the
23 U.S.S. Enterprise and its crew as they traveled through space during the twenty-third
24 century, and featured numerous original and copyrightable elements, including but
25 not limited to elements such as the plots of the episodes, the Starship Enterprise, its
26 bridge and other interior construction, other original spacecraft, numerous original
27 and fictitious races and species, including the Vulcan race and the Klingon race, the
28 United Federation of Planets (the "Federation"), the history of the Federation, and

1 original weapons and technology. *The Original Series* focused on the officers of the
2 Federation and their adventures and battles. *The Original Series* was broadcast
3 nationwide, and since that time has been almost continuously in syndication on
4 television stations throughout the United States.

5 14. In one of the episodes of *The Original Series*, James T. Kirk, the
6 Captain of the U.S.S. Enterprise, meets his hero, Garth of Izar, a former Starship
7 captain. Kirk and Garth discuss Garth's victory in a battle at Axanar.

8 15. In addition to *The Original Series*, there have been five further Star
9 Trek television series totaling thousands of episodes (collectively with *The Original*
10 *Series*, the "Star Trek Television Series"):

- 11 a. *The Animated Series* (1973-1974)
- 12 b. *The Next Generation* (1987-1994)
- 13 c. *Deep Space Nine* (1993-1999)
- 14 d. *Voyager* (1995-2001)
- 15 e. *Enterprise* (2001-2005).

16 16. There have been twelve Star Trek motion pictures (the "Star Trek
17 Motion Pictures"):

- 18 a. *Star Trek – The Motion Picture* (1979)
- 19 b. *Star Trek II – The Wrath of Khan* (1982)
- 20 c. *Star Trek III The Search for Spock* (1984)
- 21 d. *Star Trek IV: The Voyage Home* (1986)
- 22 e. *Star Trek V: The Final Frontier* (1989)
- 23 f. *Star Trek VI – The Undiscovered Country* (1991)
- 24 g. *Star Trek Generations* (1994)
- 25 h. *Star Trek: First Contact* (1996)
- 26 i. *Star Trek: Insurrection* (1998)
- 27 j. *Star Trek Nemesis* (2002)
- 28 k. *Star Trek* (2009)

1 1. *Star Trek Into Darkness* (2013).

2 17. Plaintiffs continue to produce and develop Star Trek motion pictures
3 and television series and have announced plans to release a new Star Trek motion
4 picture in 2016 (“*Star Trek Beyond*”), and a new Star Trek television series in
5 January 2017.

6 18. Plaintiffs own United States copyrights in the Star Trek Television
7 Series and the Star Trek Motion Pictures (collectively, the “Star Trek Copyrighted
8 Works”). Plaintiffs have duly registered copyrights in and to the Star Trek
9 Copyrighted Works with the United States Copyright Office and have complied
10 with all applicable statutory registration and renewal requirements. The United
11 States Copyright Office has issued Certificates of Registration for the Star Trek
12 Copyrighted Works that bear the numbers identified in Appendix A.

13 19. The Star Trek Copyrighted Works are original works of authorship and
14 constitute copyrightable subject matter under the Copyright Act, 17 U.S.C. §§ 101,
15 *et seq.*

16 20. Plaintiffs own the exclusive right to develop, create, and/or produce
17 motion pictures and television shows based on the Star Trek Copyrighted Works,
18 including but not limited to the characters, themes, plots, dialogue, settings,
19 sequences, situations, and incidents therein, and also the props, character makeup,
20 costumes, sets, fictional language, events, and fictional history. Plaintiffs are
21 entitled to all of the protections and remedies for the Star Trek Copyrighted Works
22 accorded to a copyright owner.

23 **II. Defendants’ Axanar Works**

24 **A. Prelude to Axanar**

25 21. *Prelude to Axanar* is a short film that was funded on Kickstarter, a
26 crowdsourcing website where parties can raise money for future projects.

27 22. On information and belief, defendant Peters (possibly with the aid of
28 certain of the Doe Defendants) wrote the *Prelude to Axanar* screenplay.

1 23. On information and belief, defendant AP produced *Prelude to Axanar*.

2 24. On information and belief, certain Doe Defendants directed, created the
3 sets, and designed the costumes for *Prelude to Axanar*.

4 25. When they wrote and produced *Prelude to Axanar*, and at all times
5 relevant to this action, Defendants had access to the Star Trek Copyrighted Works.

6 26. On information and belief, Defendants are currently distributing and
7 publicly performing *Prelude to Axanar* online via Youtube.com, and by other means
8 not yet known to Plaintiffs.

9 27. *Prelude to Axanar* is directly and unabashedly intended to be a
10 derivative work of Star Trek, or a Star Trek work, and uses numerous copyrighted
11 elements from the Star Trek works. *Prelude to Axanar* tells the story of Captain
12 Kirk's hero, Garth of Izar, during the war between the Federation and the Klingon
13 Empire.

14 28. According to Defendants' Kickstarter campaign:

15 Prelude to Axanar is a short film that will give viewers a historical look
16 at the events leading up to the Battle of Axanar, the central event of the
17 film Axanar, to be filmed later this year. Shot like a History Channel
18 special, Prelude to Axanar will be Star Trek like you have never seen it
19 before, showing the central characters of Axanar giving both a
20 historical and personal account of the war. How did Starfleet build its
21 fleet? How did they hold off a Klingon fleet that had been conquering
22 star systems for centuries? What role did the various founding planets
23 play in Starfleet? Why were the Constitution class ships so important to
24 Starfleet? How did Garth of Izar come to be regarded as the greatest
25 Starfleet Captain of his time?

26 29. Defendants incorporated numerous elements of the Star Trek
27 Copyrighted Works into *Prelude to Axanar*, including but not limited to the concept
28 of the Battle of Axanar itself, the Klingons, the Starfleet, and characters such as
29 Garth of Izar.

30 **B. *Star Trek: Axanar***

31 30. The *Axanar* Motion Picture is a motion picture that was funded on
32 Kickstarter and is being funded on Indiegogo, a crowdsourcing website where
33 parties can raise funds for future projects.

1 31. On information and belief, Defendants have created a script for the
2 *Axanar* Motion Picture. Although Defendants have announced that filming will
3 begin in January 2016, they have already released the first scene from the *Axanar*
4 Motion Picture, which they call the “Vulcan Scene.”

5 32. On information and belief, defendant Peters (possibly with the aid of
6 certain Doe Defendants) wrote the screenplay for the *Axanar* Motion Picture.

7 33. On information and belief, defendant AP has produced and is in
8 production for the *Axanar* Motion Picture.

9 34. On information and belief, certain Doe Defendants aided in the writing
10 of the screenplay for the *Axanar* Motion Picture, as well as produced, directed,
11 created the sets, and designed the costumes for the *Axanar* Motion Picture. On
12 information and belief, certain Doe Defendants continue to write the screenplay and
13 are in the process of producing, directing, creating the sets, and designing the
14 costumes for the *Axanar* Motion Picture.

15 35. When they wrote the *Axanar* Motion Picture, and at all times relevant
16 to this action, Defendants had access to the Star Trek Copyrighted Works.

17 36. According to defendant AP’s website, the *Axanar* Motion Picture is a
18 feature film that will be broken down into four episodes following the four acts of
19 the script.

20 37. The Vulcan Scene from the *Axanar* Motion Picture is currently being
21 disseminated online via AP’s website (www.AxanarProductions.com), as well as on
22 Youtube.com.

23 38. According to defendant AP’s website, the plot of the *Axanar* Motion
24 Picture is as follows:

25 Axanar takes place 21 years before the events of ‘Where no Man Has
26 Gone Before’, the first Kirk episode of the original Star Trek. Axanar
27 is the story of Garth of Izar, the legendary Starfleet captain who is
28 Captain Kirk’s hero. We met Garth in the third season TOS [*The Original Series*] episode Whom Gods Destroy. Kirk called Garth the
role model for all future Starfleet Officers. Garth charted more planets
than any other Captain and was the hero of the Battle of Axanar, the

1 story of which is required reading at the academy. This is that story.
2 Axanar tells the story of Garth and his crew during the Four Years War,
3 the war with the Klingon Empire that almost tore the Federation apart.
4 Garth's victory at Axanar solidified the Federation and allowed it to
5 become the entity we know in Kirk's time. It is the year 2245 and the
6 war with the Klingons ends here.

7 39. On information and belief, Defendants incorporated numerous elements
8 of the Star Trek Copyrighted Works into the *Axanar* screenplay and the Vulcan
9 Scene, and will incorporate those elements into the *Axanar* Motion Picture,
10 including but not limited to the concept of the Battle of Axanar itself, the characters,
11 the species, the costumes, the makeup, weapons (and other props), and the starships.

12 **III. The *Axanar* Works Are Substantially Similar to the Star Trek**
13 **Copyrighted Works**

14 40. The *Axanar* Works are substantially similar to the Star Trek
15 Copyrighted Works, including but not limited to the similarities set forth below.

16 41. The *Axanar* Works' story centers around a character from *The Original*
17 *Series* named Garth of Izar. In *The Original Series* as well as in the *Axanar* Works,
18 Garth is Captain Kirk's hero and prevailed in the Battle of Axanar.

19 42. The *Axanar* Works use many of the other characters found in the Star
20 Trek Copyrighted Works, including:

21 a. Captain Robert April. In one of the Star Trek Copyrighted
22 Works, April was a commander of the U.S.S. Enterprise when it was launched in
23 2245 for its initial five-year mission. In the *Axanar* Works, April is the "Captain of
24 the USS Enterprise during its shakedown. One of Starfleet's most respected
25 officers. A close friend of Garth's and his mentor."

26 b. Soval. In the Star Trek Copyrighted Works, Soval is the Vulcan
27 ambassador to Earth. In the *Axanar* Works, Soval is "Vulcan Ambassador to the
28 Federation. Vulcan's most senior diplomat. A friend of Earth since before the
founding of the Federation."

1 c. Sarek. In the Star Trek Copyrighted Works, Sarek is a legendary
2 Vulcan Ambassador for the Federation. In the *Axanar* Works, Sarek is “Deputy
3 Ambassador [.] Soval’s aide. Soval has been grooming Sarek to take over for him
4 as Federation Ambassador.”

5 d. Richard Robau. In the Star Trek Copyrighted Works, Robau is
6 the Starfleet captain of the U.S.S. Kelvin. He is intelligent and curious yet cautious.
7 In the *Axanar* Works, Robau is “Captain, USS Hornet, Commanding 3rd Squadron[.]
8 The former captain of the Kelvin. 12 years later Robau is one of the most respected
9 captain’s [sic] in Starfleet. A friend of Garth’s.”

10 43. The *Axanar* Works also take many of the races and species from the
11 Star Trek Copyrighted Works, including:

12 a. Vulcans, which are a humanoid race with pointy ears from the
13 planet Vulcan that are responsible in a large part for the founding of the Federation.

14 b. Klingons, which are a warrior race from the planet Q’onoS.

15 c. Andorians, which are humanoid Federation members from the
16 planet Andoria.

17 44. The *Axanar* Works use various other elements from the Star Trek
18 Copyrighted Works, such as the Federation, which is an interstellar alliance of
19 several planetary governments.

20 45. The *Axanar* Works take the sets of the Star Trek Copyrighted Works,
21 including using a Federation starship bridge that copies the bridge from *The*
22 *Original Series*. They also incorporate Federation starships and planets.

23 46. The *Axanar* Works appropriate props and logos from the Star Trek
24 Copyrighted Works, such as the weapons, technology, and the insignia used on
25 uniforms.

26 47. The *Axanar* Works use costumes substantially similar to those of the
27 Star Trek Copyrighted Works, including the uniforms of the Starfleet, which are
28 bright solid-colored sweaters with black pants.

1 48. In the Vulcan Scene from the *Axanar* Motion Picture, Defendants
 2 replicate the Planet of Vulcan from the Star Trek Copyrighted Works, including the
 3 look and feel of the planet, the characters’ costumes, their pointy ears, and their
 4 distinctive hairstyle.

5 49. The *Axanar* Works take place in 2245, which is twenty-one years
 6 before the first episode from *The Original Series*.

7 50. The feel and the mood of the *Axanar* Works are the same as that of the
 8 Star Trek Copyrighted Works.

9 51. The *Axanar* Works are intended to be a prequel to the events chronicled
 10 in *The Original Series*; in other words, an unauthorized derivative work.

11 52. The *Axanar* Works are not a parody, nor do they constitute fair use of
 12 the Star Trek Copyrighted Works.

13 53. As the website of defendant AP concedes, the *Axanar* Works are not
 14 licensed by CBS or Paramount, but rather, “Axanar is an independent project that
 15 uses the intellectual property of CBS.”

16 **FIRST CLAIM FOR RELIEF**

17 **Copyright Infringement**

18 **(Against All Defendants)**

19 54. Plaintiffs incorporate by reference the allegations contained in
 20 paragraphs 1 through 53 as though fully set forth herein.

21 55. The Star Trek Copyrighted Works constitute copyrightable subject
 22 matter under the Copyright Act, 17 U.S.C. §§ 101, *et seq.* Plaintiffs have recorded
 23 the copyrights in and to the Star Trek Copyrighted Works with the United States
 24 Copyright Office and have complied with all applicable statutory registration and
 25 renewal requirements.

26 56. Plaintiffs own the United States copyrights in the Star Trek
 27 Copyrighted Works, and the exclusive right to develop, create, and/or produce
 28 motion pictures and television shows based on the Star Trek Copyrighted Works,

1 including but not limited to the characters, themes, plots, dialogue, settings,
2 sequences, situations, and incidents therein, and also the props, character makeup,
3 costumes, sets, fictional language, events, and fictional history. Plaintiffs are
4 entitled to all of the protections and remedies for the Star Trek Copyrighted Works
5 accorded to a copyright owner.

6 57. On information and belief, in direct violation of Plaintiffs' exclusive
7 rights, Defendants have directly infringed, and unless enjoined by this Court, will
8 continue to infringe the copyrights in the Star Trek Copyrighted Works by, among
9 other things:

- 10 a. Preparing unauthorized derivative works of the Star Trek
11 Copyrighted Works in the form of the *Axanar* Works;
- 12 b. Reproducing copyrighted elements of the Star Trek Copyrighted
13 Works in the *Axanar* Works;
- 14 c. Distributing copies of the *Axanar* Works, which contain
15 copyrighted elements of the Star Trek Copyrighted Works; and
- 16 d. Publicly performing the *Axanar* Works, which contain
17 copyrighted elements of the Star Trek Copyrighted Works.

18 **SECOND CAUSE OF ACTION**

19 **Contributory Copyright Infringement**

20 **(Against All Defendants)**

21 58. Plaintiffs incorporate by reference the allegations contained in
22 paragraphs 1 through 57 as though fully set forth herein.

23 59. On information and belief, Defendants knew or had reason to know that
24 the *Axanar* Works are unauthorized derivative works based on the Star Trek
25 Copyrighted Works that are, at least in part, substantially similar to the copyrighted
26 elements in the Star Trek Copyrighted Works.

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1 60. On information and belief, Defendants induced, caused, and materially
2 contributed to the unauthorized preparation, duplication, distribution, and public
3 performance of the infringing *Axanar* Works, and are continuing to do so.

4 61. In violation of Plaintiffs’ exclusive rights, Defendants have contributed
5 to the infringement and, unless enjoined by this Court, will continue to contribute to
6 the infringement of the copyrights in the Star Trek Copyrighted Works.

7 **THIRD CAUSE OF ACTION**

8 **Vicarious Copyright Infringement**

9 **(Against All Defendants)**

10 62. Plaintiffs incorporate by reference the allegations contained in
11 paragraphs 1 through 61 as though fully set forth herein.

12 63. On information and belief, Defendants have the right and ability to
13 supervise the other Defendants, and on information and belief, did supervise them in
14 their unlawful preparation, duplication, and distribution of the *Axanar* Works.

15 64. On information and belief, Defendants enjoy a direct financial benefit
16 from the preparation, duplication, and distribution of the infringing *Axanar* Works.

17 65. In direct violation of Plaintiffs’ exclusive rights and as a consequence
18 of the foregoing, Defendants have vicariously infringed the copyrights in the Star
19 Trek Copyrighted Works.

20 **FOURTH CLAIM FOR RELIEF**

21 **Declaratory Judgment**

22 **(Against All Defendants)**

23 66. Plaintiffs incorporate by reference the allegations contained in
24 paragraphs 1 through 65 as though fully set forth herein.

25 67. Defendants are in the process of producing the *Axanar* Motion Picture,
26 without obtaining Plaintiffs’ authorization.

27 68. An actual controversy has arisen and now exists relating to the rights
28 and duties of Plaintiffs and Defendants under the United States copyright laws in

1 that Plaintiffs contend that they are the sole owners of the Star Trek Copyrighted
2 Works and that the *Axanar* Works infringe Plaintiffs' rights in the Star Trek
3 Copyrighted Works. Defendants apparently contend that they are entitled to create,
4 distribute, market, advertise, promote, sell, or offer for sale derivative works of the
5 Star Trek Copyrighted Works, which contain elements that are substantially similar
6 to the Star Trek Copyrighted Works.

7 69. Pursuant to the Declaratory Judgment Act, 28 U.S.C. §§ 2201 and
8 2202, and Rule 57 of the Federal Rules of Civil Procedure, Plaintiffs request a
9 judicial determination of their rights, and a declaration that Defendants' continued
10 production the *Axanar* Motion Picture constitutes infringement of the Star Trek
11 Copyrighted Works.

12 70. A judicial declaration is necessary and appropriate at this time in order
13 that Plaintiffs may ascertain the parties' rights.

14 **PRAYER FOR RELIEF**

15 WHEREFORE, Plaintiffs respectfully requests that this Court enter judgment
16 against Defendants as follows:

17 1. That the Court find that:

18 a. Defendants have infringed the copyrights in the Star Trek
19 Copyrighted Works;

20 b. Defendants have contributed to the infringement of the
21 copyrights in the Star Trek Copyrighted Works;

22 c. Defendants have vicariously infringed the copyrights in the Star
23 Trek Copyrighted Works.

24 2. That the Court enter a declaration that Defendants' continued
25 production the *Axanar* Motion Picture constitutes infringement of the Star Trek
26 Copyrighted Works.

27 3. That the Court find that as a direct and proximate result of Defendants'
28 foregoing acts, Plaintiffs are entitled to the following damages:

1 a. At Plaintiffs' election, statutory damages of up to \$150,000 for
2 each separate Star Trek Copyrighted Work infringed, for willful infringement
3 pursuant to 17 U.S.C. § 504(c), or Plaintiffs' actual damages sustained as a result of
4 Defendants' acts of copyright infringement according to proof and Defendants'
5 profits obtained as a result of their acts of copyright infringement according to
6 proof; and

7 b. Plaintiffs' reasonable attorneys' fees and costs pursuant to the
8 Copyright Act of 1976, 17 U.S.C. §§ 101, *et seq.*, and 17 U.S.C. § 505.

9 4. That the Court find that the threat of irreparable harm to Plaintiffs as a
10 result of Defendants' conduct leaves Plaintiffs without adequate remedy at law, and
11 therefore that Plaintiffs are entitled to an injunction restraining Defendants, their
12 agents, servants, employees, attorneys, successors, assigns, subsidiaries, and all
13 persons, firms, and corporations acting in concert with them, from directly or
14 indirectly infringing the copyrights in the Star Trek Copyrighted Works, including
15 but not limited to continuing to distribute, market, advertise, promote, produce, sell,
16 or offer for sale the *Axanar Works* or any works derived or copied from the Star
17 Trek Copyrighted Works, and from participating or assisting in any such activity
18 whether or not it occurs in the United States.

19 5. That the Court enjoin Defendants, their agents, servants, employees,
20 attorneys, successors, assigns, subsidiaries, and all persons, firms, and corporations
21 acting in concert with them, from directly or indirectly infringing the copyrights in
22 the Star Trek Copyrighted Works, including but not limited to continuing to
23 distribute, copy, publicly perform, market, advertise, promote, produce, sell, or offer
24 for sale the *Axanar Works* or any works derived or copied from the Star Trek
25 Copyrighted Works, and from participating or assisting in any such activity whether
26 or not it occurs in the United States.

27 6. That the Court grant such other, further relief as it deems just and
28 proper.

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Dated: December 29, 2015

LOEB & LOEB LLP
JONATHAN ZAVIN
DAVID GROSSMAN
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By: /s/ David Grossman

David Grossman
Attorneys for Plaintiffs
PARAMOUNT PICTURES
CORPORATION and CBS STUDIOS
INC.

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DEMAND FOR JURY TRIAL

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

Dated: December 29, 2015

LOEB & LOEB LLP
JONATHAN ZAVIN
DAVID GROSSMAN
JENNIFER JASON

By: /s/ David Grossman
David Grossman
Attorneys for Plaintiffs
PARAMOUNT PICTURES
CORPORATION and CBS STUDIOS
INC.

1 **APPENDIX A: COPYRIGHTED STAR TREK WORKS**

2 A. Motion Pictures

- 3 1. Star Trek – The Motion Picture (PA 58-633)
- 4 2. Star Trek II – The Wrath of Khan (PA 147-513)
- 5 3. Star Trek III The Search for Spock (PA 214-571)
- 6 4. Star Trek IV: The Voyage Home (PA 313-406)
- 7 5. Star Trek V: The Final Frontier (PA 436-660)
- 8 6. Star Trek VI – The Undiscovered Country (PA 558-359)
- 9 7. Star Trek Generations (PA 735-978)
- 10 8. Star Trek: First Contact (PA 832-616)
- 11 9. Star Trek: Insurrection (PA 949-613)
- 12 10. Star Trek Nemesis (PA 1-113-097)
- 13 11. Star Trek (PA 1-626-900)
- 14 12. Star Trek Into Darkness (PA 1-837-943)

15 B. Television Series¹

- 16 1. The Original Series
- 17 i. Episode 1: The Man Trap (PA 58-307)
- 18 2. The Next Generation
- 19 i. Encounter at Farpoint (Pilot) (PA 348 301)
- 20 3. Deep Space Nine
- 21 i. The Emissary, Part I (PA 661-369)
- 22 4. The Voyager
- 23 i. Caretaker (PA 775-677 and PAu 1-801-831)
- 24 5. The Enterprise
- 25 i. Enterprise – Episode #001 and #002 “Broken Bow” (PA 1-072-515)

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27 ¹ Plaintiffs own the copyrights for all episodes of each Star Trek television

28 series, and have identified the copyright registrations for the first episode of each television series.

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6. Copyright Assignment from Paramount Pictures Corporation to CBS Studios Inc. (V3542 D684- V3542 D690)