

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

LIONS GATE FILMS INC.,
Plaintiff,

v.

JOHN DOES 1-10 inclusive, d/b/a,
<limetorrents.com>,
<billionuploads.com>, <hulkfile.eu>
<played.to>, <swankshare.com> and
<dotsemper.com>, *et al.*,
Defendants.

Case No. 2:14-cv-06033-MMM-AGR
PRELIMINARY INJUNCTION

1 This matter came on before the Court on August 8, 2014 at 4 p.m. on the
2 motion for a preliminary injunction filed by plaintiff Lions Gate Films Inc. (“Lions
3 Gate”). The Court ordered that any opposition to Lions Gate’s motion be filed and
4 served on all parties no later than August 6, 2014 at 12 p.m. No oppositions were
5 timely filed, nor has any been filed since that time. Based on the findings of fact and
6 conclusions of law entered concurrently herewith, the Court hereby **ORDERS AS**
7 **FOLLOWS:**

8 1. Each and every one of the Defendants and their officers, agents,
9 servants, employees, and attorneys, and all other persons who are in active concert or
10 participation with them, including but not limited to persons and entities providing
11 any services to or in connection with the domain names <limetorrents.com>,
12 <billionuploads.com>, <hulkfile.eu> <played.to>, <swankshare.com> and/or
13 <dotsemper.com> or the websites to which any of those domain names resolve and
14 who have actual notice of this injunction are **PRELIMINARILY ENJOINED** from:

- 15 a. Hosting, linking to, distributing, reproducing, performing, selling,
16 offering for sale, making available for download, streaming or making
17 any other use of any unauthorized copy or copies of the Film or any
18 portion thereof in any form;
- 19 b. Taking any action that induces, causes or materially contributes to the
20 direct infringement of Lions Gate’s rights in the Film by any third party,
21 including without limitation hosting, linking to or otherwise providing
22 access to any torrent files, trackers, links (including without limitation
23 magnet links), hash values or other instruction sets of any kind that
24 enable users to locate or access any “swarm” or other location where any
25 unauthorized copy or copies of the Film or any portion thereof are being
26 distributed, reproduced, performed or otherwise exploited in any form;
- 27 c. Otherwise infringing Lions Gate’s rights in the Film in any manner,
28 whether directly, contributorily, vicariously or in any other way; and

1 d. Transferring or performing any function that results in the transfer of the
2 registration of the domain names <limetorrents.com>,
3 <billionuploads.com>, <hulkfile.eu> <played.to>, <swankshare.com>
4 and <dotsemper.com>, or any of them, to any other registrant or
5 registrar.

6 2. Lions Gate is not required to post any bond prior to the issuance of this
7 Preliminary Injunction.

8 3. All banks, savings and loan associations, payment processors or other
9 financial institutions, payment providers, third party processors and advertising
10 service providers of Defendants or any of them must, upon receiving notice of this
11 Order, immediately locate all accounts connected to Defendants or to
12 <limetorrents.com>, <billionuploads.com>, <hulkfile.eu> <played.to>,
13 <swankshare.com> and/or <dotsemper.com> and immediately cease transferring or
14 disposing of any money or other assets residing in such accounts, cease allowing such
15 funds to be transferred or withdrawn, and cease allowing any diminutions to be made
16 by Defendants from such accounts pending further order of this Court.


17 4. In light of counsel's efforts to locate and identify defendants as well as
18 the urgency necessitated by Lions Gate's application for a temporary restraining
19 order and preliminary injunction, the court approved service by email of the
20 temporary restraining order and order to show cause why the court should not issue a
21 preliminary injunction. The court makes no determination herein whether service by
22 email of the complaint and summons is appropriate under Rule 4. Lions Gate is
23 directed to serve limetorrents.com at the email address kof_javed@hotmail.com as
24 well as by mail at its physical address in Pakistan. Lions Gate is directed to serve
25 billionuploads.com at dmca@billionuploads.com and at admin@billionuploads.com.
26 It is directed to serve hulkfile.eu at abuse@hulkfile.com. It is directed to serve
27 played.to by service on its counsel John A. Arsenault by electronic and postal mail. It
28 is directed to serve swankshare.com at swankshare@gmail.com as well as by mail at

1 its physical address in Singapore. Finally, it is directed to serve dotsemper.com at
2 dotsemper.com@domainbyproxy.com. Lions Gate's obligations under this
3 Paragraph 4 shall be satisfied upon transmission of the notices by email and postal
4 mail as provided herein. Lions Gate has no obligation to confirm that the notice is
5 successfully delivered to any Defendant. Lions Gate shall file a declaration attesting
6 to its compliance with this Paragraph 4 no later than August 11, 2014 at 10 a.m.

7 5. Lions Gate shall include a copy of this Order in any correspondence it
8 sends to any person or entity it believes is acting in active concert or participation
9 with any of the Defendants, including without limitation any person or entity who
10 provides hosting services for one or more of the websites specified in this Order.
11 Lions Gate may apply to this Court for modifications of this Preliminary Injunction
12 as appropriate, including without limitation to request that the terms of this
13 Preliminary Injunction be extended to such further and additional domain names as
14 Lions Gate may discover are being used by any or all of the Defendants or their
15 officers, agents, servants, employees, attorneys, or anyone in active concert or
16 participation with any of them to infringe any of Lions Gate's rights.

17
18 IT IS SO ORDERED.

19
20 Entered this Eighth day of August, 2014 at 4:10 p.m.

21
22 
23 _____
24 Hon. Margaret M. Morrow
25 United States District Judge
26
27
28