Exhibit B

Redline of First Amended Complaint

BJORGUM LAW, PC
A. ~~Eric Bjorgum~~ERIC BJORGUM (State Bar No. 198392)
~~KARISH & BJORGUM, PC~~
eric.bjorgum@bjorgumlaw.com
119 E. Union ~~St.,~~Street, Suite ~~B~~ C
Pasadena, ~~California~~CA 91103
Telephone: (213) ~~785-8070~~ 596-6390
~~Facsimile: (213) 995-5010~~
~~E-Mail: eric.bjorgum@kb-ip.com~~

Attorneys for Plaintiff PCR Distributing, Co. ~~dba JAST USA~~

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

WESTERN DIVISION

PCR DISTRIBUTING CO., a company organized under the laws of California corporation, ,

Plaintiff

vs.

JOHN DOES 1 – 10, d/b/a NHENTAI.NET AND NHENTAI.TO JOHN DOES 1 – 10, d/b/a NHENTAI.NET and NHENTAI.TO; NEAL AKASH PALAVALI, an individual; NIKITA NIKISHIN, an individual; MICHAEL KIM, an individual; X SEPARATOR LLC, a Delaware limited liability company; and ACHERON INTERACTIVE LLC, a Delaware limited liability company,

Defendants

vs.

PCR DISTRIBUTING CO. and PCR DISTRIBUTING CO. d/b/a J18 Publishing and d/b/a JAST USA,

Counter-Defendants

Case No. 2:24-cv-07453-CVD-AJR

SECOND AMENDED COMPLAINT FOR:

1. **COPYRIGHT INFRINGEMENT**
2. **VICARIOUS COPYRIGHT INFRINGEMENT**
3. **CONTRIBUTORY COPYRIGHT INFRINGEMENT**
4. **INDUCEMENT OF COPYRIGHT INFRINGEMENT**
5. **FEDERAL TRADEMARK INFRINGEMENT,**
6. **FEDERAL COUNTERFETING**
7. **FALSE DESIGNATION OF ORIGIN, AND UNFAIR COMPETITION (15 §1125(a))**
8. **COMMON LAW TRADEMARK INFRINGEMENT**
9. **UNFAIR COMPETITION (CAL. BUS. & PROF. CODE § 17200 ET SEQ.)**
10. **COMMON LAW UNFAIR COMPETITION**

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DEMAND FOR JURY TRIAL
Honorable Judge Cynthia Valenzuela

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TO ALL PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that Plaintiff PCR Distributing, Co., dba JAST USA, a California corporation ("Plaintiff" or "PCR"), by and through its counsel of record, files this Second Amended Complaint against Defendants John Does 1–10, ~~DBA~~d/b/a nHentai.net and nHentai.to, Neal Akash Palavali, Nikita Nikishin, Michael Kim, X Separator, LLC, and Acheron Interactive, LLC (together, "Defendant" or "Defendants~~").~~"), and alleges as follows:

PRELIMINARY STATEMENT

1. This Second Amended Complaint is necessary because, during the course of this action, Defendants have exponentially increased their rate of infringement of Plaintiff's works. They have also begun a campaign of blatant trademark infringement, counterfeiting and unfair competition. The extent of these uses, and the identities of those involved have been identified only recently and expanded through a single deposition granted to Plaintiff. Plaintiff PCR is thus constrained to re-plead its case.

~~1.~~2. Plaintiff PCR Distributing Co. dba JAST USA (collectively, "PCR") owns, creates, acquires, translates, and distributes premium hentai art and ~~publications~~manga from Asia to the U.S. market, with a focus on delivering high-quality collectible products to a niche audience. Operating under the dba JAST USA, PCR also specializes in localizing and publishing Japanese visual novels and dating-~~sim~~simulation games for the English market.

~~2.~~ Plaintiff's content identified in this case is registered with the U.S. Copyright Office (the "Works").

3. By this lawsuit, Plaintiff seeks to protect its registered, copyrighted works from blatant infringement by Defendants.

4. Plaintiff also owns and uses the federally registered "J18" trademark (the "J18 Mark") to identify and distinguish its English-language publications. PCR publishes its premium translated works under the J18 Mark, which appears prominently on those publications (e.g., "Published by J18") and on PCR's related online presence at J18.co. Through PCR's investment in producing, marketing, and selling high-quality, authorized publications under the J18 Mark, the J18 Mark has come to identify PCR as the exclusive source of those goods and has acquired substantial goodwill.

4.5. Plaintiff monetizes its operations through online advertising and its online sales platforms that serve as a gateway to drive users toward purchasing games, physical books, and merchandise. Additionally, PCR capitalizes on its fanbase by offering high-value, one-of-a-kind art pieces at trade shows, enhancing revenue and customer loyalty.

5.6. The conduct that gives rise to this lawsuit is egregious and willful. Defendants do business as, own, and operate nHentai.net ("nHentai"). Collectively, Defendants use thethese domain namenames to reproduce, distribute, and publicly display infringing copies of image and text works, including Plaintiff's Works. — many of which bear the J18 Mark — without Plaintiff's authorization. nHentai.net is one of the most heavily trafficked adult websites, ranking 17th among adult websites worldwide in September 2026 and receiving approximately 74.05 million visits that month, including approximately 14.62 million visits from the United States, as detailed in **Exhibit B**.

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~~6.~~7. At the time this case was originally filed, Defendants ~~are~~were directly and knowingly involved in the trafficking of thousands of pirated works ~~—~~ including ~~multiple~~ registered works owned by Plaintiff ~~—~~ on at least 3,604 individual web pages. None of the infringing works posted on the sites are "user-generated content" or "third-party" uploads. That is, nHentai is not a user-generated content ("UGC") website. There is no user upload capability. Defendants are not "service providers," are not engaged in the storage of content at the direction of users, and thus ~~are not entitled to any of~~ cannot invoke the safe ~~harbors affordedharbor~~ for storage at the direction of users under Section 512(c) of the Digital Millennium Copyright Act ("DMCA~~") ("~~"), 17 U.S.C. § 512~~).~~, for content that Defendants themselves select, acquire, and upload. Defendants do not even attempt to comply with the takedown obligations under the DMCA that would afford them safe harbor. Instead, they systematically refuse to comply with proper and compliant DMCA takedown notices.

8. By reproducing and displaying Plaintiff's Works bearing the J18 Mark, and by distributing those Works to the public as if they were authorized, Defendants use the J18 Mark in commerce in a manner that is likely to cause confusion, mistake, or deception as to the source, sponsorship, or approval of the goods appearing on nHentai. Defendants thereby trade on the goodwill Plaintiff has built in the J18 Mark, and their reproduction of Plaintiff's own J18-branded publications constitutes trademark counterfeiting.

~~7.~~9. Defendants' actions are causing serious harm to Plaintiff and its business and must be stopped immediately. Because Defendants will not desist voluntarily, Plaintiff now comes before this Court to seek injunctive relief and damages.

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JURISDICTION AND VENUE

~~8.~~10. This is a civil action seeking damages and injunctive relief for copyright infringement under the Copyright Act, 17 U.S.C. § ~~101 *et seq*~~ 101 et seq., and for federal trademark infringement, trademark counterfeiting, false designation of origin, and unfair competition under the Trademark Act of 1946 (the "Lanham Act"), 15 U.S.C. § 1051 et seq., including 15 U.S.C. §§ 1114, 1116, and 1125(a), and for related trademark infringement and unfair competition under California statutory and common law.

~~9.~~11. Subject Matter Jurisdiction. This Court has subject matter jurisdiction over Plaintiff's claims for copyright infringement under 28 U.S.C. §§ ~~1331 and 1338~~ 1331 and 1338(a). This Court has subject matter jurisdiction over Plaintiff's claims arising under the Lanham Act under 28 U.S.C. §§ 1331 and 1338(a) and (b), and under 15 U.S.C. § 1121. This Court has supplemental jurisdiction over Plaintiff's California statutory and common-law claims under 28 U.S.C. §§ 1338(b) and 1367 because those claims are so related to the federal claims that they form part of the same case or controversy.

~~10. Defendants Does 1-7, d/b/a nHentai.net ("Defendants") are unknown individuals or entities that own and operate at least one website, located at the uniform resource locator ("URL") nHentai.net. Upon information and belief, the owners and/or operators of nHentai.net have a business presence in the United States.~~

12. Personal Jurisdiction: At time this case was filed, the residence of the owners and operators of nHentai.net was unknown. Since filing and service, counsel based in Dallas, Texas have appeared in this matter, traveled to California with their

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individual client Defendant Nikita Nikishin, all without contesting personal jurisdiction in this District. Further, Defendant Neal Akash Palavali resides in this District, specifically Glendale, California.

13. Based on information and belief, certain Doe Defendants also own and operate the URL nhentai.to.

~~11. On information and belief,~~ Defendants ~~Does 8-10 own and~~ operate ~~the URL~~ nHentai~~.~~ to~~. (Collectively, nHentai.net~~ generate revenue via advertising, and traffic to the nHentai~~.to may be referred~~ is tied to ~~as "nHentai.")~~

~~12. Defendants operate nHentai for purposes of the~~ the massive copyright and trademark infringement ~~allegations alleged here.~~

~~13.~~14.occurring on the sites. Defendants knowingly and purposefully market to and target the entire United States, including residents of this District, through nHentai.

~~14.~~15.~~Based on~~When this matter was initially filed, a website analysis overview report prepared by Similarweb.com, an industry-trusted website analytics company, dated August 22, 2024 (the "NHentai SimilarWeb Report"), showed that for the one month ending July 2024, nHentai.net averaged around 79.38 million monthly ~~visitors~~visits, with the average ~~viewer visiting~~visit encompassing at least 41 pages and ~~staying on nHentai.net for~~lasting at least ten minutes. Of these ~~users, visitors~~visits, traffic from the United States made up the largest market at 24.63%, with ~~visitors~~traffic from Japan comprising the next largest market at 22.14%.[1] Attached as **Exhibit A** is the NHentai SimilarWeb Report.

[1] ~~Attached as **Exhibit A** is the nHentai SimilarWeb Report.~~

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16. An updated Similarweb report for September 2026 shows that nHentai.net received approximately 74.05 million visits worldwide during that month, ranking 17th among adult websites globally. The United States remained the website's largest geographic market, accounting for 19.75% of worldwide traffic, or approximately 14.62 million visits from the United States in September 2026 alone. Visitors viewed an average of 47.86 pages per visit and spent an average of 10 minutes and 20 seconds on the website. The updated report further identifies that 78.70% of traffic originated from direct visits, demonstrating nHentai.net's substantial and continuing reach within the United States. A true and correct copy of the September 2026 Similarweb report is attached as **Exhibit B**.

~~15.~~17. On information and belief, Defendants have contractual relationships with United States companies to promote those companies' services on nHentai. For example, nHentai.net displays advertisements for Eden AI by Eva AI, whose adult entertainment website, located at edenai.world, is owned and operated by Lanoto Solutions Inc., a New York-based company.~~[2]~~

~~16.~~18. Namecheap, Inc., an ICANN-accredited registrar based in Phoenix, Arizona, serves as the registrar for nHentai.net. To use ~~Namecheap's~~Namecheap's services, users must complete a process that includes agreeing to terms and conditions governed by the laws of the United States of America. This process requires customers to provide essential information, such as their name, billing address, email, payment details, and DNS information. As a result, the Defendants have a direct contractual relationship with Namecheap, Inc.

~~[2] Source: https://lp2.edenai.world/termsus/ Last Visited August 27, 2024~~

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~~17.~~ Defendants use domain name servers (DNS) for nHentai which are located in California and are owned by Cloudflare, Inc., a corporation incorporated under the laws of the State of Delaware.[3]

~~18.~~19. with its principal place of business in California. On information and belief, Defendants have a direct contractual relationship with California-based Cloudflare for additional services, including its Cloudflare Insights Analytics product.[4]

~~19.~~20. Defendants' use of United States vendors for domain name servers, United States content delivery networks, and other key services ~~illustrate~~illustrates that Defendants are expressly aiming their website and business at the United States market.

~~20.~~21. On information and belief, Defendants all transact business in this Judicial District by way of their interactive website and through their interactivity with the United States and California residents who have been offered the infringing and unlawful content at issue here and who have, themselves, engaged in acts of infringement in this District and State. The Court has personal jurisdiction over

~~[3] The Domain Name System (DNS) acts as the internet's phonebook, translating human-friendly domain names like nytimes.com into the unique IP addresses that computers use to locate and load web resources, eliminating the need for users to memorize complex numerical addresses. If a URL does not have DNS servers, a web browser will not be able to find the website because it cannot translate the URL into the numerical address needed to load the page. This will result in an error message saying the site cannot be found. What is DNS, Source: https://www.cloudflare.com/learning/dns/what-is-dns/#:~:text=The%20Domain%20Name%20System%20(DNS,browsers%20can%20load%20Internet%20resources.~~

~~[4] Cloudflare Web Analytics provides website usage metrics. It allows the website owner(s) to collect essential data, such as top-performing pages and traffic sources. Source: https://www.cloudflare.com/web-analytics/~~

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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. Defendants are subject to service of process under the state Long-Arm Statute and Fed. R. Civ. P. 4(e).

22. Specifically, Defendant Neal Akash Palavali ("Palavali") is an individual residing in Glendale, California and a member of X Separator LLC.

23. Defendant Nikita Nikishin is a resident of Michigan and founder of nHentai who regularly travels to California to conduct business for nHentai and appeared at a deposition in California on behalf of X Separator LLC.

24. Defendant X Separator LLC, is a Delaware limited liability company doing business in California through its active member, Palavali (a California resident).

25. Defendant Acheron Interactive LLC is a Delaware limited liability company, and, on information and belief, a co-owner or successor to some of the rights of nHentai and X Separator and also pays for hosting of nHentai's websites.

26. Defendant "Maou" is an unknown individual who posts on the world wide web as a principal of nHentai.

27. This Court has personal jurisdiction over each of the individual and entity Defendants. Each of each these Defendants owns, operates, and/or controls nHentai and has purposefully directed its conduct at California and the United States. Those purposeful contacts include, among other things, maintaining and paying for the Cloudflare account and the California-based domain name servers used to deliver nHentai's content to users; registering, owning, and maintaining the nHentai.net

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domain and the United States-based server and hosting infrastructure through which nHentai operates; contracting with United States-based vendors; and targeting, serving, and deriving advertising revenue from United States and California users. Plaintiff's claims arise out of and relate to these California and United States-directed contacts, and the exercise of personal jurisdiction over each Defendant comports with due process. Each Defendant is further subject to service of process under California's Long-Arm Statute and Fed. R. Civ. P. 4(e), 4(h), or 4(f), as applicable, and, as to any Defendant not subject to jurisdiction in any state's courts of general jurisdiction, under Fed. R. Civ. P. 4(k)(2).

~~21.~~28. Any alien defendant is also subject to jurisdiction in any district. See 28 U.S.C. § 1391 ("An alien may be sued in any district~~.") *See*~~."); see also Fed. R. Civ. P. 4(k)(2).

~~22.~~29. Venue is appropriate in this District pursuant to 28 U.S.C. § 1391(b) because a substantial part of the events giving rise to the ~~claim~~claims occurred in this judicial district and/or because Defendants are subject to the ~~court's~~Court's personal jurisdiction with respect to this action.

PARTIES

~~23.~~30. PCR is a California corporation with its principal place of business at 8524 Commerce Ave., Suite B, San Diego, CA 92121. PCR operates a sophisticated business model focused on acquiring, translating, publishing, and distributing high-quality Japanese art and publications ~~for the~~to international ~~market~~markets. With an additional office in Japan, PCR negotiates contracts directly with Japanese artists and publishers to secure exclusive rights~~, and~~ to their works, which it then translates ~~and~~

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distributes these works, , primarily ininto English, and distributes internationally.

24. PCR operates under the has registered JAST USA and J18 as fictitious business name of JAST USA. JAST USA is registered names with the San Diego County Recorder's Office as a fictitious business name of PCR, and it has . JAST USA is registered under Fictitious Business Name Statement number of("FBN") No. 2019-9513905.

25. The production process at PCR is meticulous, involving multiple stages. It begins with initial file preparation, followed by translation, editing, lettering,PCR conducts business under these names and retouching. Quality control is conducted at various checkpoints throughout the process. The final stages include layout design, printing, shipping, warehousing, and fulfillment. These efforts result in high-quality, collectible items that cater to a discerning hentai fan market. Due to the intensive process, PCR's products are considered premium and are sold at a higher price point.

26. PCR's model has proven successful, as reflected in PCR's sales data. Furthermore, top customers can spend substantial sums, over $10,000 in total purchases. At trade shows, PCR engages directly with collectors, offering unique, one-of-a-kind hand-drawn art pieces priced between $1,000 and $3,000, further enhancing their revenue streams.

27.31. To reach its target audience, PCR strategically places ads on operates the websites that promote its products. This multi-faceted approach drives traffic to their platform and strengthens their sales funnel, contributing to PCR's continued successhttps://hmarket.io, https://doujin.io, and https://j18.io.

28. A schedule of the copyright registrations for Plaintiff's works identified in the original Complaint in this matter and at issue is attached as **Exhibit B** (the "Complaint Works").

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~~29. Since this matter was first filed, it has come to Plaintiff's attention that rampant copying and infringement of its works continues. Compiling and identifying all of Defendant's infringement will be an ongoing issue as discovery develops in this matter. A list of additional works with identifying information is attached hereto as **Exhibit C** (the "Amended Complaint Works"). (Exhibits B and C collectively are the "Subject Works.")~~

32. ~~For the Subject Works,~~ Defendant X Separator LLC ("X Separator") is a limited liability company formed in 2015 and organized under the laws of the State of Delaware. On information and belief, X Separator is identified as the account holder on the Cloudflare account used to provide services to nHentai.net. On information and belief, X Separator maintained, paid for, and/or exercised control over that account and the Cloudflare infrastructure supporting nHentai.

33. Defendant Acheron Interactive LLC ("Acheron") is a limited liability company formed on July 11, 2024, and organized under the laws of the State of Delaware. On information and belief, Acheron owns the nHentai.net domain name and pays for a substantial portion of the server and hosting infrastructure used to operate and maintain the website.

34. Defendant Michael Kim ("Kim") is an individual who, on information and belief, is a principal and/or representative of Acheron Interactive LLC and is the identified domain-owner contact for nHentai.net. On information and belief, Kim owns, operates, and/or controls nHentai and directs, authorizes, and participates in the infringing conduct alleged herein.

35. Defendant Neal Akash Palavali ("Palavali") is an individual residing in Glendale, California. On information and belief, Palavali is a principal of Defendant

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nHentai.net and of X Separator LLC, and through those entities owns, operates, and/or controls nHentai and directs, authorizes, and participates in the infringing conduct alleged herein. Palavali is therefore liable for the acts alleged herein as a direct participant in, and as a cause in fact and proximate cause of, the injuries suffered by Plaintiff.

36. Defendant Nikita Nikishin ("Nikishin") is an individual residing in Ann Arbor, Michigan. He traveled to California for a deposition in this matter and appeared for deposition in his individual capacity and as a representative of X Separator LLC.

37. On information and belief, Defendant "Maou" is an individual of unknown residence who publicly identifies as an administrator ("admin") of nHentai.net. "Maou" is also listed as the billing and account contact on the Cloudflare account used in connection with nHentai.net, under the email address maou@nhentai.net, and is associated with the website's operational infrastructure.

30. Defendants DOES 7-10 are unknown~~Plaintiff has entered into agreements with the original Artists or the assignees of the original Artists for the exclusive right to create and/or distribute English Language Derivative Works. For some of the Subject Works, the visual portions of the works must be re-drawn by Plaintiff, and Plaintiff contributes editorial and layout decisions for the Subject Works. For some of the Subject Works, Derivative Works in additional languages may be created upon separate consultation.~~

~~31. For every Subject Work that is registered, Plaintiff can provide a copy of the deposit copy sent to the U.S. Copyright Office. Such documents are too voluminous to be filed with this Complaint but will be made available in discovery.~~

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~~32. Plaintiff has never authorized or given consent to Defendants to use its copyrighted works on Defendants' websites.~~

~~33. Defendants own and operate the URL located at nHentai.net.~~

~~34. NHentai.net is a domain registered in the United States.~~

~~35. The nHentai.net website is available in the United States.~~

~~36. Defendants operate nHentai with the intention of broadcasting, distributing, or making available content in the United States and earning money from the United States market.~~

38. ~~Defendants are the~~ owners, operators, shareholders, executives, and/or affiliates of nHentai. Plaintiff is unaware of the true names or capacities of the ~~Defendants.~~ DOES 7-10 but reserve the right to amend to name them.

~~37.~~39. Plaintiff is informed and believes, and on that basis alleges, that all of the Defendants either (a) directly performed the acts alleged here, (b) were acting as the agents, principals, alter egos, employees, or representatives of the owners and operators of nHentai, and/or (c) otherwise participated in the acts alleged here with the owners and operators of nHentai. Accordingly, the Defendants are liable for all acts alleged herein because ~~they were~~their conduct was both ~~the cause in fact,~~an actual and ~~the~~ proximate cause of all injuries suffered by Plaintiff as described. Plaintiff will amend the complaint to state the true names of the Defendants when their identities are discovered.

STATEMENT OF FACTS

~~A.~~ Plaintiff's Works and Mark

40. PCR produces, publishes, sells, and distributes high-quality graphic

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novels, commercially known as "manga," that originate primarily in Japan. PCR works directly with authors and publishers from around the world to secure rights to produce and distribute premium editions of their works, primarily for English-speaking markets. Once these rights are secured, PCR undertakes an extensive production process that includes preparing the original files, professional human translation, editing, lettering, and retouching of artwork and text. Each stage involves multiple quality-control checkpoints to ensure accuracy, consistency, and preservation of the original artistic work. Following production, PCR manages layout design, printing, shipping, warehousing, and order fulfillment. Through this process, PCR creates authorized English-language derivative works containing original copyrightable contributions, including human translations and other creative adaptations of the underlying Japanese publications. PCR owns the copyrights in these original contributions through its employees' works made for hire and/or contractual assignments, as applicable. This comprehensive process results in high-quality, collectible publications that appeal to a discerning hentai consumer market. Because of the substantial labor, specialized expertise, production costs, and resources invested in each publication, PCR's products are positioned as premium offerings and command higher retail prices.

41. PCR's business model has proven successful, attracting a dedicated customer base of collectors and enthusiasts who place significant value on the quality and exclusivity of its publications. Some of PCR's most loyal customers have spent more than $10,000 in cumulative purchases. PCR also engages directly with collectors at trade shows, where it offers exclusive, one-of-a-kind, hand-drawn

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original artwork priced between $1,000 and $5,000 per piece.

42. To reach its target audience, PCR strategically advertises its products on websites offering related goods and services, directing prospective customers to its online platforms and supporting continued sales growth. PCR carefully selects its advertising partners to ensure alignment with its business standards, using best practices to avoid websites that feature exploitative content and reinforcing its reputation as a trusted source of high-quality artistic publications.

43. A schedule of the copyright registrations for Plaintiff's works identified in the original Complaint and the First Amended Complaint in this matter and at issue is attached as **Exhibit C** (the "Complaint Works").

44. Since the commencement of this action, PCR has identified additional instances of Defendants' unauthorized copying and infringement of its copyrighted works. Identifying and documenting the full extent of Defendants' alleged infringement remains an ongoing process as discovery proceeds in this matter. A list of additional works, together with their identifying information, is attached hereto as Exhibit D (the "Second Amended Complaint Works"). The works identified in Exhibits C and D are collectively referred to herein as the "Subject Works."

45. For the Subject Works, PCR has entered into agreements with the original artists or their assignees granting PCR the exclusive rights to create and/or distribute English-language derivative works. For certain Subject Works, these agreements also permit the creation of derivative works in additional languages, subject to separate consultation with the applicable rights holders. In exercising these rights, PCR makes substantial, independent creative contributions to the resulting

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derivative works. These contributions include original human translations requiring linguistic judgment, interpretation, and creative expression to accurately convey the meaning, tone, dialogue, and artistic intent of the original Japanese works to English-speaking audiences. PCR also exercises independent creative judgment in editing, lettering, typography, and layout, including the placement and presentation of translated dialogue and text within the original artwork. For certain Subject Works, PCR further undertakes the redrawing and retouching of portions of the original artwork to accommodate the English-language adaptations while preserving their visual integrity. These contributions involve creative decisions beyond mere mechanical reproduction and result in authorized derivative works containing original expression distinct from the underlying Japanese publications.

46. PCR owns valuable trademark rights associated with the publication, marketing, and distribution of its works. PCR publishes and distributes its English-language works under the J18 mark (the "J18 Mark"), which appears on its publications, including certain Subject Works, as "Published by J18," together with the associated domain name J18.co. PCR owns United States Trademark Registration No. 8,092,936 for the standard-character J18 Mark, registered on January 6, 2026, on the Principal Register of the United States Patent and Trademark Office ("USPTO") in International Classes 9, 16, 35, and 41. The registration covers, among other goods and services, downloadable multimedia files relating to comic books, printed comic books and manga, online retail services featuring downloadable electronic books and comics, and online non-downloadable comic books and manga. PCR also owns United States Trademark Registration Nos. 8,057,090 and 8,057,092 for the JAST

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and VAST marks, respectively, both registered on the USPTO Principal Register. The J18, JAST, and VAST marks are collectively referred to herein as the "Marks." True and correct copies of the registration certificates are attached as Exhibit E.

47. Plaintiff has continuously used the J18 Mark in commerce in the United States in connection with the sale and distribution of its publications since at least July 3, 2019, and long prior to the infringing conduct alleged below. As a result of Plaintiff's continuous and exclusive use, its federal registration, and its substantial investment in producing, marketing, and selling premium publications under the J18 Mark, the J18 Mark is a valid and protectable mark that identifies Plaintiff as the source of those goods and embodies substantial goodwill belonging to Plaintiff.

48. PCR has not granted Defendants any license, authorization, or consent to use the J18 Mark or to reproduce, distribute, publicly display, or otherwise exploit PCR's copyrighted Subject Works on Defendants' websites. Although PCR, at one time, discussed the possibility of a licensing arrangement with Defendants, no such agreement was reached, and no permission to engage in the challenged conduct was granted.

B. nHentai's Infringing Conduct Prior ~~To The~~to the Filing ~~Of~~of This Case

~~38. NHentai.net is a website that displays pirated copyright registered adult entertainment content without authorization or license.~~

49. ~~NHentai.net is a widely visited platform for~~Based on information and belief, nHentai.net is a website whose operators actively identify, source, copy,

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upload, reproduce, distribute, and publicly display copyrighted adult entertainment content, including federally registered works, without authorization or license from the applicable copyright owners. The infringing content is selected, acquired, and uploaded by Defendants through a system designed to aggregate content from third-party websites. nHentai.net does not rely on user-generated content ("UGC") or user submissions to populate its library of infringing works.

~~39.~~50. nHentai.net is a heavily trafficked adult entertainment website featuring manga[5] and doujinshi ~~content~~[6], attracting ~~over~~more than 79~~,000,000~~ million visits per month. ~~The website hosts a vast collection of hentai~~[7] ~~works, including~~ Its extensive library includes commercially ~~produced content, much~~published and copyrighted works, including the Subject Works, many of which, ~~based~~ on information and belief, ~~is shared~~are reproduced and made available to the public without ~~proper~~ authorization from the applicable copyright owners~~.~~.

~~40.~~51. ~~Based on~~On information and belief, ~~all content and Works~~the galleries displayed on nHentai ~~as galleries originate from~~ .net consist of digital ~~or~~ copies of works originally published in physical ~~books and are uploaded to the site by the domain's owners and/~~or ~~operators. That is, third~~digital form. These galleries are populated exclusively by Defendants through systems they operate and control. Third

~~[5] "*Manga* is an umbrella term for a wide variety of comic books and graphic novels originally produced and published in Japan." Source: https://www.nypl.org/blog/2018/12/27/beginners-guide-manga Last Visited August 27, 2024~~

~~[6] "A *doujinshi* is a fan-created or self-published work, sometimes in the form of erotic manga." Source: https://www.dictionary.com/e/pop-culture/doujinshi/ Last Visited August 27, 2024.~~

~~[7] "…a subgenre of Japanese manga, anime, computer games, etc., characterized by explicit sexual themes and imagery." Source: https://www.dictionary.com/browse/hentai Last Visited August 27, 2024.~~

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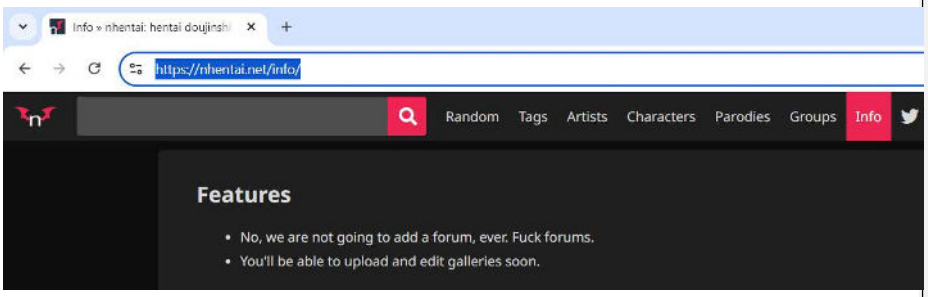
parties cannot independently upload ~~any~~or submit content to ~~nHentai.~~ the website, which does not operate as a user-generated content ("UGC") platform.

~~41. The top of nHentai's~~nHentai.net's information page ~~emphasizes operator control, stating~~states, "No, we are not going to add a forum, ever," and confirms that users ~~will not have the ability to~~ cannot upload or edit galleries.[8]



~~42.~~52. These statements demonstrate that Defendants, rather than users, control the content published on the website. Defendants are actively pirating content.

~~43.~~53. Defendants monetize their ~~copyright~~ infringement on nHentai.net through the ~~advertising banners visible~~display of paid advertisements on the ~~site. On information~~Website and ~~belief, advertising is~~ the ~~only way nHentai makes money~~sale of merchandise.

~~44.~~54. Besides displaying static banner advertisements, the nHentai website shows visitors monetized pop-up advertisements when they view Works on the site.

~~45.~~55. Advertisements on nHentai.net include those for competing adult products and services that target the hentai-specific user demographic.

[8] ~~Source: https://nhentai.net/info/ Last Visited August 27, 2024.~~

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~~46.~~56. ~~NHentai~~nHentai.net ~~doesn't~~doesn't incur the costs typically associated with content production. Based on information and belief, the owners and ~~operators'~~operators source and curate hentai content that will drive traffic to the website, which, in turn, increases ~~ad~~advertising impressions and revenue.

~~47.~~57. ~~NHentai~~nHentai.net allows users to download ~~Works~~copyrighted works from the ~~site~~website. This functionality, along with the ability to further copy and distribute the downloaded content, makes it impossible to ~~know~~determine where and how many times the copyrighted ~~videos~~works have subsequently been ~~saved, viewed, re-posted, and~~reproduced, reposted, or publicly displayed ~~illegally~~without authorization as a ~~direct~~ result of ~~Defendant's unlawful display~~Defendants' infringement.

~~48. NHentai does not meet the requirements for the safe harbor provisions of the DMCA. Specifically, Defendants do not honor take-down notices.~~

~~49.~~ On information and belief, ~~Defendants load infringing materials onto nHentai and are the sole infringers of Works on those websites.~~

~~50.~~58. Plaintiff's agents routinely police websites to identify infringement of Plaintiff's copyrighted works. Those investigations revealed that Plaintiff's copyrighted works are available on nHentai. ~~–~~Defendants have no license or authorization from Plaintiff to copy or display Plaintiff's works on nHentai.

~~51.~~59. ~~As of~~In August ~~29,~~ 2024, ~~Plaintiff~~when PCR filed its original complaint, it had identified ~~that the nHentai website displayed 5 of Plaintiff's~~ five of its federally registered copyrighted ~~registered~~ works displayed on nHentai.net across 3,604 URLs. ~~**Exhibit B to**~~ Since the filing of the original ~~complaint~~Complaint and the First

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Amended Complaint, PCR has identified ~~the copyright registrations and the URLs where Defendants displayed them.~~additional instances of Defendants' infringement of its copyrighted works, including the additional works identified in Exhibit D to this Second Amended Complaint. Defendants have no ~~authority~~authorization or license to ~~display or~~reproduce, distribute~~-~~, or publicly display any portion of ~~Plaintiff's~~PCR's copyrighted works on nHentai.net.

~~52.~~60.~~Plaintiffs have~~Plaintiff demanded that nHentai remove some of Plaintiff's content from nHentai by sending a series of takedown notices in accordance with the takedown provisions of the Digital Millennium Copyright Act, 17 U.S.C. § 512(c). Specifically, DMCA-compliant takedown notices seeking to remove its Works from ~~NHentai~~nHentai were sent to the abuse email displayed on the nHentai ~~'info'~~"info" page, the domain registrar, and service provider Cloudflare. Additional notices were sent to Google.com to report the infringing links.

~~53. In October 2023, the nHentai Defendants, through their attorneys John T. Wilson and Jennifer M. Rynell, attempted to have PCR enter into a 'HIGHLY CONFIDENTIAL SETTLEMENT AND RELEASE AGREEMENT' to settle claims, including copyright infringement, between the Plaintiffs and Defendants in this case. PCR declined the agreement and further requested the removal of its works from nHentai.~~

~~54. This "Settlement and Release Agreement" was not completed and does not constitute a waiver or release of any claims. Since those discussions stopped, Defendants have continued to infringe the Subject Works and have in fact escalated their infringement.~~

C. ~~B.~~ nHentai's Additional Unlawful Acts Since This Matter Was Filed

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~~55. Following the filing of this matter, Plaintiff identified additional acts of infringement. These are detailed below.~~

61. Despite receiving notice of PCR's infringement claims and the commencement of this litigation, on information and belief, Defendants continue to identify, reproduce, and upload additional copyrighted works to nHentai.net without authorization. Certain instances of this continued infringement are detailed below, with a more comprehensive list of the additional works attached as Exhibit D.

~~56.~~62. On May 7, 2024 ~~Plaintiff~~, PCR obtained U.S. Copyright Registration No. TXu002435667, entitled "Elven Bride ReBridal and 8 Other Unpublished Works" (the "~~667~~"667 Registration"). ~~One of the works in the '667 Registration was~~ The registration includes "Sexual Healing~~." The '667 Registration includes~~" and covers the English translation and layout of English text ~~with~~alongside the pre-existing Japanese drawings and text.

~~57. One of those works was "Sexual Healing." The English version of "Sexual Healing" was uploaded by nHentai in December, 2024. An English gallery was also uploaded on March 23, 2024.~~

63. "Sexual Healing" is a compilation of works by noted Japanese artist Shiwasu no Okina. On or about March 23, 2024, an English-language gallery containing more than 285 pages of PCR's copyrighted derivative works was uploaded to nHentai.net. In December 2024, Defendants uploaded an additional gallery containing the English-language version of "Sexual Healing," making PCR's copyrighted material available without authorization after the commencement of this litigation. Okina may testify at trial if necessary.

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~~58.~~64. As another example, "The Junior Spellcaster and the Succubus Curse" (U.S. Reg. No. TXu002409564) was registered on October 13, 2023, and the infringing gallery was uploaded on October 24, 2022. This gallery predates the commencement of this action and is identified as an example of Defendants' earlier unauthorized reproduction and display of Plaintiff's copyrighted works.

~~59.~~ A further example is ~~She's Somebody's~~"She's Somebody's Spouse" (TXu002391218~~)~~), with infringing gallery ~~https://nhentai.net/g/340116/. (There are also other infringing galleries)~~

~~60.~~65. ~~Based on information and belief, Counsel for Defendants, John T. Wilson~~https://nhentai.net/g/340116/. This gallery was previously identified in Exhibit C and is referenced here as an additional example of Defendants' unauthorized reproduction and ~~Jennifer M. Rynell had constructive if not actual knowledge of nHentai's copyright infringement of the Original Complaint Works at issue in this case since at least October 2023.~~ display of Plaintiff's copyrighted works.

~~61.~~66. As of the filing of this complaint, Plaintiff or its agents sent DMCA-compliant takedown notices identifying certain infringing works on ~~Defendants'~~Defendants' website to the email address provided for reporting abuse. Additional DMCA-~~complaint~~compliant takedown notices were sent to nHentai's known service providers. ~~However~~Despite these notices, 100% of the reported URLs remain active.

~~62.~~67. None of the DMCA takedown notices sent by Plaintiff to the Defendants or their service providers were returned as undeliverable.

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~~63. Defendants did not remove any content identified in the takedown notices or respond to any of Plaintiff's DMCA takedown notices. On information and belief, Defendants have actual knowledge and clear notice of the infringement of Plaintiff's works.~~

~~64.~~68. Through the conduct alleged here, Defendants knowingly promote, participate in, facilitate, assist, enable, materially contribute to, encourage, and induce copyright infringement, and thereby have infringed, secondarily infringed, and induced infringement by others, of the copyrights in Plaintiff's copyrighted ~~work~~works.

~~65.~~69. Defendants, either jointly, severally, actually, constructively, and with or without direct concert with one another, deprived Plaintiff of the lawful monetary rewards that accompany its rights in the copyrighted works. Defendants' disregard for copyright and trademark laws threatens Plaintiff's business and its Marks.

~~66.~~70. Defendants intentionally, knowingly, negligently, or through willful blindness avoided reasonable precautions to deter rampant copyright infringement, trademark infringement, and unfair competition on nHentai.

~~67.~~71. Defendants' acts and omissions allow them to profit from their infringement while imposing the burden of monitoring Defendants' website onto copyright holders, without sufficient means to prevent continued and unabated infringement.

D. Defendants' Unauthorized Use of the J18 Mark and Related Unfair Competition

72. Many of Plaintiff's Works reproduced and displayed on nHentai bear the J18 Mark. When Defendants copy Plaintiff's publications and post them as galleries

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on nHentai, they often reproduce and display the J18 Mark that appears on and within those publications, including the "Published by J18" designation.

Defendants use the J18 Mark in commerce within the meaning of the Lanham Act by reproducing, displaying, distributing, and offering the J18-branded Works to the public through nHentai, and by using the J18-branded content to attract visitors and generate advertising revenue. These works are available and displayed throughout the United States. Specific examples of Defendants' reproduction and display of the J18 Mark appear among the infringing galleries identified in Exhibit D.

73. Defendants' use of the J18 Mark is without Plaintiff's authorization, license, or consent.

74. Defendants' unauthorized use of the J18 Mark is likely to cause confusion, mistake, or deception among consumers as to the source, origin, sponsorship, or approval of the goods displayed on nHentai, including a likelihood that consumers will mistakenly believe that the J18-branded Works on nHentai are authorized, sponsored, or approved by Plaintiff, or that Plaintiff is the source of the goods offered on nHentai.

75. A likelihood of confusion is established by, among other things: the J18 Mark is strong and distinctive as used by Plaintiff; the marks are identical because Defendants display Plaintiff's actual J18 Mark; the goods are identical because Defendants display copies of Plaintiff's own publications; the parties reach an overlapping audience of hentai consumers through overlapping online marketing channels; and Defendants act with the intent to trade on Plaintiff's goodwill.

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76. The content displayed on nHentai is not genuine, authorized product. Plaintiff exercises meticulous quality control over goods bearing the J18 Mark, and Defendants' unauthorized reproductions deprive Plaintiff of control over the quality and presentation of goods bearing its mark, further increasing the likelihood of confusion and harming Plaintiff's goodwill.

77. Defendants also copy the colophons of Plaintiff's works – including the names of its principals and editors – creating the false impression that PCR and its personnel are associated with, sponsor, or endorse the infringing copies. This false association and implied endorsement constitute unfair competition and further violations of the Lanham Act.

78. Defendants' unauthorized use of the J18 Mark is knowing, willful, and deliberate, and is intended to trade upon Plaintiff's reputation and goodwill.

E. Defendants' Ownership, Operation, and Control of nHentai

79. On information and belief, Defendants operate nHentai through a coordinated structure in which X Separator LLC and, more recently, Acheron Interactive LLC, have maintained and controlled the infrastructure used to host, deliver, and monetize the content on nHentai. On information and belief, Defendants have themselves described nHentai as being owned and/or operated through X Separator LLC and Acheron Interactive LLC, and the domain, source code, databases, servers, advertising accounts, payment relationships, and related operating assets of nHentai have been held and/or transferred among these Defendants.

80. On information and belief, X Separator LLC is the entity identified on the Cloudflare account used in connection with nHentai.net, and the individual using

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the name "Maou" is the billing and account contact for that account under the email address maou@nhentai.net. On information and belief, Acheron Interactive LLC, through its principal and/or representative Michael Kim, is the owner of the nHentai.net domain and the payor of the server and hosting infrastructure through which nHentai operates.

81. On information and belief, Acheron Interactive LLC pays for substantial server and hosting infrastructure used in connection with nHentai.net, including four servers totaling approximately $15,660 per month. Each server provides 20 Gbps of unmetered bandwidth and significant storage capacity. The scale and capacity of this infrastructure support the high-volume storage, reproduction, and distribution of infringing content through nHentai.net.

82. On information and belief, nHentai is operated as a commercial, monetized enterprise rather than a passive repository. In a February 2020 communication, the operator using the "Maou" identity stated, via email, that nHentai was subject to an exclusive advertising contract and had no open advertising inventory, confirming that Defendants monetize nHentai's traffic — traffic driven in substantial part by the infringing content — through advertising revenue.

83. Defendants have at all relevant times possessed the technical ability to filter, block, and exclude PCR's copyrighted works from nHentai.net, including the ability to prevent identified works from being uploaded or re-ingested. Despite this ability, Defendants have deliberately failed to employ available filtering or exclusion tools to prevent infringement of PCR's works. Defendants have continued to operate nHentai.net, exercise control over content selection, and add additional copyrighted

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works owned by PCR after receiving notice of infringement and this instant matter. Defendants' continued infringement despite actual knowledge of PCR's rights demonstrates their knowing and willful conduct and their ability to control the infringing activity.

FIRST CAUSE OF ACTION

Copyright Infringement — 17 U.S.C. §§ 101 et seq.

(Against All Defendants)

~~68.~~84. Plaintiff realleges and reincorporates the allegations in paragraphs 1 – ~~57~~through 83 above as though fully set forth herein.

~~69.~~85. Plaintiff owns copyrights in the Subject Works. In particular, for each of the Subject Works, Plaintiff has at least the exclusive rights to create and/or distribute English-language derivative works. Such English-language derivative works include text, images, and layout choices that are the subject of registration with the Copyright Office.

~~70.~~86. Plaintiff has valid copyright registrations ~~with~~issued by the United States Copyright Office for each of the Subject Works.

~~71.~~87. Defendants have infringed, and are continuing to infringe, Plaintiff's copyrights by uploading, reproducing, adapting, distributing, publicly performing, and/or publicly displaying, and authorizing others to reproduce, adapt, distribute,

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publicly perform, and/or publicly display, copyright-protected portions, including the ~~Derivative Works,~~ derivative works, and elements of the Subject Works, and/or the Subject Works in their entireties, without authorization, in violation of the Copyright Act, 17 U.S.C. § 101 et seq.

~~72.~~88. Defendants did not have authority or license to copy or display the Subject Works.

~~73.~~89. Plaintiff has never authorized or given consent to Defendants to use the Subject Works in the manner displayed and exploited by Defendants.

~~74.~~90. Defendants knew or reasonably should have known they did not have permission to exploit the Subject Works on nHentai and further knew or should have known their acts constituted copyright infringement.

~~75.~~91. Defendants' acts of infringement are willful, in disregard of, and with indifference to ~~the manner displayed and exploited by Plaintiff~~Plaintiff's rights.

~~76.~~92. The quality of content such as the Subject Works available to users on nHentai increased the attractiveness of nHentai to its customers, increased its user base, and increased its advertising sales revenue.

~~77. On information and belief, Defendants actively uploaded pirated copyrighted files, enabling users of nHentai to view copyrighted Subject Works for free. On information and belief, the content at nHentai is not user-generated content but is uploaded by Defendants.~~

~~78. Defendants controlled the files owned by Plaintiff and determined which files remained for display and distribution.~~

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~~79. On information and belief, Defendants were aware of or were willfully blind to the fact that pirated copyrighted materials comprised popular works on nHentai.~~

~~80. Defendants, through nHentai, affirmatively and willfully accommodated Internet traffic generated by the illegal acts.~~

~~81.~~93. As a direct and proximate result of Defendants' infringement, Plaintiff is entitled to ~~itsactual~~its actual damages along with Defendants' profits that are attributable to their infringement; alternatively, where applicable, it is entitled to statutory damages for infringement in the maximum statutory amount allowed.

~~82.~~94. Because of Defendants' acts and conduct, Plaintiff has sustained and will continue to sustain substantial, immediate, and irreparable injury, for which there is no adequate remedy at law. Unless enjoined and restrained by the Court, Defendants will continue to infringe Plaintiff's rights in the Subject Works. Plaintiff is entitled to temporary, preliminary, and permanent injunctive relief to restrain and enjoin Defendants' continuing infringing conduct.

SECOND CAUSE OF ACTION

Contributory Copyright Infringement

(Against All Defendants)

~~83.~~95. Plaintiff realleges and reincorporates the allegations in paragraphs 1 – ~~82~~through 94 above as though fully set forth herein.

~~84. Unknown individuals, without authorization, reproduced and distributed Plaintiff's works through Defendants' websites, directly infringing Plaintiff's Subject Works.~~

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96. Defendants directly reproduce, upload, and publicly display Plaintiff's Subject Works on nHentai.net without authorization. In addition, on information and belief, visitors to nHentai.net download and reproduce unauthorized copies of the Subject Works and further distribute those copies to third parties, resulting in additional direct infringements of Plaintiff's copyrights. These acts are distinct from Defendants' own reproduction and uploading of the Subject Works.

~~85.~~97. On information and belief, Defendants either materially contributed to or induced that infringement.

~~86.~~98. Defendants were aware, should have been aware, or were willfully blind to the infringing activity.

~~87.~~99. Defendants aided, abetted, allowed, and encouraged those individuals to reproduce and distribute Plaintiff's copyrighted works through the downloading and redistribution functionality made available on nHentai.net without regard to copyright ownership.

~~88.~~100. Defendants had the ability and obligation to control and stop the infringements and failed to do so.

~~89.~~101. 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 Plaintiff's copyrighted works, and thus to the direct infringement of Plaintiff's copyrighted works.

~~90.1. On information and belief, Defendants, as the owners and/or operators of nHentai, received direct financial benefits from the infringements of the Subject Works on nHentai.~~

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~~91.~~102. Defendants' actions constitute contributory infringement of Plaintiff's copyrights and exclusive rights under copyright in Plaintiff's Subject Works in violation of the Copyright Act.

~~92.~~103. Defendants' acts of infringement were willful, intentional, and purposeful, and in reckless disregard of and with indifference to Plaintiff's rights.

104. On information and belief, Defendants, as the owners and/or operators of nHentai, received direct financial benefits from the infringements of the Subject Works on nHentai.

~~93.~~105. As a direct and proximate result of Defendants' infringement, Plaintiff is entitled to ~~his~~its actual damages along with Defendants' profits that are attributable to their infringement; alternatively, it is entitled to statutory damages for infringement in the maximum statutory amount allowed.

~~94.~~106. Because of Defendants' acts and conduct, Plaintiff has sustained and will continue to sustain substantial, immediate, and irreparable injury, for which there is no adequate remedy at law. Unless enjoined and restrained by the Court, Defendants will continue to infringe Plaintiff's rights in the Subject Works. Plaintiff is entitled to temporary, preliminary, and permanent injunctive relief to restrain and enjoin Defendants' continuing infringing conduct.

THIRD CAUSE OF ACTION

Vicarious Copyright Infringement

(Against All Defendants)

~~95.~~107. Plaintiff realleges and reincorporates the allegations in paragraphs 1 ~~94,~~through 106 above as though fully set forth herein.

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~~96. Unknown individuals, without authorization, reproduced and distributed Plaintiff's works through Defendants' websites, directly infringing Plaintiff's Subject Works.~~

108. On information and belief, visitors to nHentai.net directly infringe Plaintiff's copyrights by downloading, reproducing, and further distributing unauthorized copies of the Subject Works. Defendants control the website and the functionality through which those unauthorized copies are made available for downloading and derive financial benefits from the traffic attracted by that content.

~~97.~~109. Defendants had a right and ability to supervise or control that infringing conduct and failed to do so.

~~98.~~110. Defendants had a direct financial interest in that infringing activity.

~~99.~~111. The acts, omissions, and conduct of all Defendants constitute vicarious copyright infringement.

~~100.~~112. The acts of infringement by Defendants have been willful, intentional, and purposeful, and in reckless disregard of and with indifference to Plaintiff's rights.

~~101.~~113. As a direct and proximate result of Defendants' infringement, Plaintiff is entitled to ~~his~~its actual damages along with Defendants' profits that are attributable to their infringement; alternatively, it is entitled to statutory damages for infringement in the maximum statutory amount allowed.

~~102.~~114. Because of Defendants' acts and conduct, Plaintiff has sustained and will continue to sustain substantial, immediate, and irreparable injury, for which there is no adequate remedy at law. Unless enjoined and restrained by the Court,

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Defendants will continue to infringe Plaintiff's rights in the Subject Works. Plaintiff is entitled to temporary, preliminary, and permanent injunctive relief to restrain and enjoin Defendants' continuing infringing conduct.

FOURTH CAUSE OF ACTION

Inducement of Copyright Infringement

(Against All Defendants)

~~103.~~115. Plaintiff realleges and reincorporates the allegations in paragraphs 1 ~~–102,~~through 114 above as though fully set forth herein.

~~104.~~116. Defendants have induced copyright infringement. Defendants designed and/or distributed technology, devices, or products used in infringement at nHentai~~.~~, including an automated system configured to obtain copyrighted works from selected third-party websites, reproduce those works on nHentai.net, and make unauthorized copies available for visitors to view and download. Defendants control the selection of source websites and have the technical ability to exclude particular works from the system.

~~105.~~117. Acts of copyright infringement occurred at nHentai, as described~~,~~ ~~*supra*, in Paragraphs 6 - 72.~~ above.

~~106.~~ Through their website, Defendants distribute and make available the Subject Works with the object and goal of encouraging or assisting the copyright infringement alleged here, including unauthorized downloading, reproduction, and further distribution by visitors. Defendants make complete copies of the Subject Works available for downloading without authorization from Plaintiff or payment to

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Plaintiff.

~~107.~~ Defendants have an object of promoting the use of nHentai to infringe copyright.

118. On information and belief, that intent is demonstrated by Defendants' deliberate selection and unauthorized reproduction of copyrighted works, their operation of a website that offers complete copies for public viewing and downloading, and their continued provision of those copies after receiving notices identifying PCR's infringement claims. Defendants maintain these features despite possessing the technical ability to exclude identified copyrighted works from their automated aggregation system.

~~108.~~119. On information and belief, Defendants knowingly cause or materially contribute to the infringement on nHentai ~~because they are aware of the infringement, can~~by continuing to operate and control the systems responsible for the infringing activity, despite their knowledge of the infringement and their technical ability to take ~~simple~~reasonable measures to prevent ~~further infringement, and~~ it. Defendants have failed to implement those measures, allowing the infringement to continue.

~~109.~~120. Through both their inducement of infringement and material contribution to copyright infringement, Defendants have caused copyright infringement. As a direct and proximate result of Defendants' inducement and material contribution to infringement, individuals infringed Plaintiff's copyrighted works. These individuals downloaded and reproduced~~, distributed, and publicly disseminated~~ unauthorized copies of Plaintiff's copyrighted works ~~through~~made available on nHentai.net and, on information and belief, further distributed those

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copies to third parties. On information and belief, Defendants' ~~websites~~intentional operation of the website's content-selection and downloading systems facilitated and encouraged these additional acts of infringement.

~~110.~~121. On information and belief, Defendants have participated in the illegal uploading and encouraged the illegal downloading and/or viewing of Plaintiff's copyrighted works, thus inducing the unauthorized reproduction, adaptation, public display, and/or distribution of copies of Plaintiff's copyrighted works, and thus to the direct infringement of Plaintiff's copyrighted works.

~~111.~~122. Defendants' actions constitute inducing copyright infringement of Plaintiff's copyrights and exclusive rights under copyright in Plaintiff's copyrighted works in violation of the Copyright Act, 17 U.S.C. §§ 106 and 501.

~~112.~~123. The infringement of Plaintiff's rights in and to each of ~~Plaintiff's~~Plaintiff's copyrighted works constitutes a separate and distinct infringement.

~~113.~~124. The acts of infringement by Defendants have been willful, intentional, purposeful, and in reckless disregard of and with indifference to Plaintiff's rights.

~~114.~~125. As a direct and proximate result of Defendants' infringement, Plaintiff is entitled to its actual damages along with Defendants' profits that are attributable to their infringement; alternatively, it is entitled to statutory damages for infringement in the maximum statutory amount allowed. Plaintiff is also entitled to indirect profits for the revenue derived from wrongful display of the Subject Works.

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~~115.~~126. Because of Defendants' acts and conduct, Plaintiff has sustained and will continue to sustain substantial, immediate, and irreparable injury, for which there is no adequate remedy at law. Unless enjoined and restrained by the Court, Defendants will continue to infringe Plaintiff's rights in the Subject Works. Plaintiff is entitled to temporary, preliminary, and permanent injunctive relief to restrain and enjoin Defendants' continuing infringing conduct.

FIFTH CAUSE OF ACTION

Infringement of a Registered Mark — 15 U.S.C. §§ 1114

(Against All Defendants)

127. Plaintiff realleges and reincorporates the allegations in paragraphs 1 through 126 above as though fully set forth herein.

128. This claim for relief arises under 15 U.S.C. §§ 1114 and is alleged against all Defendants.

129. Plaintiff is the owner of the J18 Mark, including U.S. Trademark Registration No. 8,092,936 on the Principal Register, and is entitled to the sole use of the J18 Mark in relation to the business, goodwill, goods, and services associated with the mark. Plaintiff's registration is prima facie evidence of the validity of the J18 Mark, of Plaintiff's ownership of the mark, and of Plaintiff's exclusive right to use the mark in commerce on the goods and services identified in the registration.

130. None of the Defendants named herein have any claim or colorable right to use the J18 Mark in connection with goods or services related to comic books, manga, or adult entertainment publications.

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131. Plaintiff's J18 Mark serves as a designation of origin that identifies Plaintiff as the exclusive source of its publications and distinguishes Plaintiff's goods from the goods of others in the marketplace.

132. Defendants' unauthorized use of Plaintiff's J18 Mark in connection with their goods and services constitutes false designation of origin and/or false or misleading representation. Defendants' use of Plaintiff's actual J18 Mark, or identical or confusingly similar variations of it, is likely to cause confusion, or mistake, or to deceive others into believing that Defendants' products are manufactured, offered, sponsored, authorized, licensed by, of similar quality to, or otherwise connected or affiliated with Plaintiff and Plaintiff's goods and services.

133. Such unauthorized use is likely to cause confusion, mistake, or deception, and constitutes infringement of Plaintiff's registered J18 Mark in violation of § 32 of the Lanham Act, 15 U.S.C. § 1114.

134. On information and belief, Defendants' acts are deliberate and intended to confuse the public as to the source of Defendants' goods and services, to injure Plaintiff, and to reap the benefits of Plaintiff's goodwill associated with the J18 Mark.

135. As a direct and proximate result of Defendants' willful and unlawful conduct, Defendants have damaged and will continue to damage Plaintiff's business, market, reputation, and goodwill, and may discourage current and potential customers from dealing with Plaintiff. Such irreparable damage will continue unless Defendants are enjoined from infringing the J18 Mark.

136. In light of the foregoing, Plaintiff is entitled to injunctive relief prohibiting Defendants from using the J18 Mark or any confusingly similar mark for

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any purpose, and to recover from Defendants all damages that Plaintiff has sustained and will sustain as a result of such infringing acts, and all gains, profits, and advantages obtained by Defendants as a result thereof, together with the costs of this action pursuant to 15 U.S.C. § 1117(a), and attorneys' fees and treble damages pursuant to 15 U.S.C. § 1117(b).

137. Pursuant to 15 U.S.C. § 1118, Plaintiff also asks the Court for an order requiring Defendants to deliver up for destruction all products, labels, signs, prints, advertisements, and other articles in Defendants' possession that infringe upon Plaintiff's rights.

138. Defendants are using Plaintiff's J18 Mark so as to cause confusion as to Plaintiff's association with, affiliation with, or sponsorship of the goods and services offered on nHentai. On information and belief, the acts of Defendants complained of herein were undertaken willfully and with the intention of causing confusion, mistake, or deception.

139. Monetary relief alone is not adequate to address fully the irreparable injury that Defendants' illegal actions have caused and will continue to cause Plaintiff if Defendants' actions are not enjoined. Plaintiff will therefore also be entitled to preliminary and permanent injunctive relief to stop the ongoing acts of infringement and unfair competition by Defendants and anyone acting in concert with them.

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SIXTH CAUSE OF ACTION

False Designation of Origin and Unfair Competition

(15 U.S.C. § 1125(a)(1)(A))

(Against All Defendants)

140. Plaintiff realleges and reincorporates the allegations in paragraphs 1 through 139 above as though fully set forth herein.

141. This claim for relief arises under 15 U.S.C. § 1125(a)(1)(A) and is alleged against all Defendants.

142. Plaintiff is the owner of the J18 Mark, including U.S. Trademark Registration No. 8,092,936 on the Principal Register, and is entitled to the sole use of the J18 Mark in relation to the business, goodwill, goods, and services associated with the mark.

143. Plaintiff has been using its J18 Mark for seven years in connection with its high-quality art books and related products. Plaintiff is known for producing legitimate, authorized translations of the works it produces and publishes and maintaining high standards of quality approved by the original artists. Each of Plaintiff's works includes a colophon displaying the J18 Mark and typically identifying the individuals involved in the various stages of production.

144. None of the Defendants named herein have any claim or colorable right to use the J18 Mark in connection with goods or services related to comic books, manga, or adult entertainment publications.

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145. Plaintiff's J18 Mark functions as a designation of origin that identifies Plaintiff as the exclusive source of its publications and distinguishes Plaintiff's goods from the goods of others in the marketplace.

146. Defendants' use of Plaintiff's J18 Mark in connection with their goods and services, along with blatant copy of the colophon, constitutes false designation of origin and/or false or misleading representation. Defendants' use of Plaintiff's actual J18 Mark, or identical or confusingly similar variations of it, is likely to cause confusion, or mistake, or to deceive others into believing that Defendants' products are manufactured, offered, sponsored, authorized, licensed by, of similar quality to, or otherwise connected or affiliated with Plaintiff and Plaintiff's goods and services.

147. Defendants' conduct is likely to cause confusion, mistake, or deception concerning the origin, sponsorship, approval, or affiliation of the works displayed on nHentai.net, constituting false designation of origin and false or misleading representation in violation of Section 43(a) of the Lanham Act, 15 U.S.C. § 1125(a).

148. On information and belief, Defendants' acts are deliberate and intended to confuse the public as to the source of Defendants' goods and services, to injure Plaintiff, and to reap the benefits of Plaintiff's goodwill associated with the J18 Mark.

149. As a direct and proximate result of Defendants' willful and unlawful conduct, Defendants have damaged and will continue to damage Plaintiff's business, market, reputation, and goodwill, and may discourage current and potential customers from dealing with Plaintiff. Such irreparable injury will continue unless Defendants are enjoined from infringing the J18 Mark.

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150. In light of the foregoing, Plaintiff is entitled to injunctive relief prohibiting Defendants from using the J18 Mark or any confusingly similar mark for any purpose, and to recover from Defendants all damages that Plaintiff has sustained and will sustain as a result of such infringing acts, and all gains, profits, and advantages obtained by Defendants as a result thereof, together with the costs of this action pursuant to 15 U.S.C. § 1117(a), and attorneys' fees and treble damages pursuant to 15 U.S.C. § 1117(b).

151. Pursuant to 15 U.S.C. § 1118, Plaintiff also asks the Court for an order requiring Defendants to deliver up for destruction all products, labels, signs, prints, advertisements, and other articles in Defendants' possession that infringe upon Plaintiff's rights.

152. Defendants are using Plaintiff's J18 Mark so as to cause confusion as to Plaintiff's association with, affiliation with, or sponsorship of the goods and services offered on nHentai. On information and belief, the acts of Defendants complained of herein were undertaken willfully and with the intention of causing confusion, mistake, or deception.

153. Monetary relief alone is not adequate to address fully the irreparable injury that Defendants' illegal actions have caused and will continue to cause Plaintiff if Defendants' actions are not enjoined. Plaintiff therefore seeks preliminary and permanent injunctive relief to stop the ongoing acts of infringement and unfair competition by Defendants and anyone acting in concert with them.

SEVENTH CAUSE OF ACTION

Trademark Counterfeiting — 15 U.S.C. §§ 1114 and 1116

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(Against All Defendants)

154. Plaintiff realleges and reincorporates the allegations in paragraphs 1 through 153 above as though fully set forth herein.

155. The J18 Mark is registered on the Principal Register of the United States Patent and Trademark Office under U.S. Trademark Registration No. 8,092,936 for use in connection with, among other goods and services, downloadable multimedia files relating to comic books, printed comic books and printed manga comic books, and online retail store services featuring comic books. That registration is valid, subsisting, and in full force and effect.

156. Without Plaintiff's authorization, Defendants have used and are using in commerce a spurious mark that is identical with, or substantially indistinguishable from, the registered J18 Mark, on and in connection with the very same goods for which the J18 Mark is registered — namely, Plaintiff's own comic book and manga publications, which Defendants reproduce and display on nHentai bearing the J18 Mark. The J18 Mark was in use at the time of Defendants' conduct.

157. Defendants' spurious use of the J18 Mark is likely to cause confusion, to cause mistake, or to deceive consumers as to the source, origin, sponsorship, or approval of the goods displayed and distributed on nHentai, and Defendants' use constitutes the use of a "counterfeit mark" within the meaning of 15 U.S.C. §§ 1116(d) and 1127.

158. Defendants intentionally used the counterfeit J18 Mark, knowing the mark to be counterfeit, in connection with the reproduction, distribution, offering, and display of goods on nHentai. Plaintiff is therefore entitled to treble the amount of

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Defendants' profits or Plaintiff's damages, whichever is greater, together with reasonable attorney's fees, under 15 U.S.C. § 1117(b); alternatively, at Plaintiff's election, Plaintiff is entitled to statutory damages of not less than $1,000 and not more than $2,000,000 per counterfeit mark per type of goods, as the Court considers just, under 15 U.S.C. § 1117(c).

159. Because of Defendants' acts and conduct, Plaintiff has sustained and will continue to sustain substantial, immediate, and irreparable injury to its goodwill and reputation, for which there is no adequate remedy at law. Unless enjoined and restrained by the Court, Defendants will continue their use of the counterfeit J18 Mark. Plaintiff is entitled to temporary, preliminary, and permanent injunctive relief, and to seizure and destruction of the counterfeit goods, under 15 U.S.C. §§ 1116 and 1118, to restrain and enjoin Defendants' continuing counterfeiting.

EIGHTH CAUSE OF ACTION

California Common Law Trademark Infringement

(Against All Defendants)

160. Plaintiff realleges and reincorporates the allegations in paragraphs 1 through 159 above as though fully set forth herein.

161. Defendants' use of Plaintiff's J18 Mark has infringed on its distinctive features in a manner that tends to confuse, in the public mind, Plaintiff's products with those of others.

162. Defendants' acts, as alleged above, constitute infringement of Plaintiff's J18 Mark in violation of the common law of the State of California.

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163. Plaintiff has been and continues to be damaged in a manner that cannot be fully measured or compensated in economic terms and for which there is no adequate remedy at law. Defendants' actions have damaged and will continue to damage Plaintiff's market, reputation, and goodwill.

164. Plaintiff has been damaged by Defendants' actions in an amount to be proven at trial.

NINTH CAUSE OF ACTION

Unfair Competition — Cal. Bus. & Prof. Code § 17200 et seq.

(Against All Defendants)

165. Plaintiff realleges and reincorporates the allegations in paragraphs 1 through 164 above as though fully set forth herein.

166. Defendants' use of Plaintiff's J18 Mark to promote, market, distribute, or offer products and services in California constitutes an unlawful, unfair, or fraudulent business act or practice within the meaning of California Business and Professions Code § 17200 et seq.

167. Defendants' use of Plaintiff's J18 Mark is an unfair or deceptive practice occurring in trade or commerce that impacts the public interest and has caused injury to Plaintiff.

168. Defendants' actions violate California Business and Professions Code § 17200 et seq., entitling Plaintiff to injunctive relief and restitution under California Business and Professions Code § 17203, together with all other relief available under that chapter.

TENTH CAUSE OF ACTION

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Common Law Unfair Competition

(Against All Defendants)

169. Plaintiff realleges and reincorporates the allegations in paragraphs 1 through 168 above as though fully set forth herein.

170. Defendants have used Plaintiff's J18 Mark in a manner that tends to confuse, in the public mind, Plaintiff's products and/or advertising with the products and/or advertising of others.

171. The acts of Defendants complained of herein constitute unfair competition in violation of the common law of the State of California.

172. As a direct and proximate result of Defendants' conduct, Plaintiff has been and will continue to be damaged in its market, reputation, and goodwill in an amount to be proven at trial, and Plaintiff is entitled to injunctive relief to restrain Defendants' continuing unfair competition.

173. Defendants' wrongful actions of continuing and escalating infringement have been completed with oppression, fraud and malice and warrant and award of punitive or exemplary damages.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff PCR Distributing, Co. dba JAST USA prays that this Court enter judgment in its favor on every claim for relief set forth above and award PCR Distributing, Co. relief including, but not limited to, an Order:

A. A. Preliminarily and permanently enjoining Defendants, their agents, servants, officers, directors, employees, attorneys, representatives, successors and assigns and parent and subsidiary corporations or other related entities, and any

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or all persons acting in concert or participation with any of them, or under their direction or control, from any of the following activities:

1) ~~(1)~~ Hosting, linking to, distributing, reproducing, copying, downloading, uploading, making available for download, indexing, displaying, exhibiting, publicly performing, communicating to the public, streaming, transmitting, or otherwise exploiting or making any use of any of Plaintiff's copyrighted works, including the Subject Works, or any portion(s) thereof in any form;

2) ~~(2)~~ Enabling, facilitating, permitting, assisting, soliciting, encouraging, or inducing, whether directly or indirectly, any user or other third party (i) to host, link to, distribute, reproduce, copy, download, upload, make available for download, index, display, exhibit, publicly perform, communicate to the public, stream, transmit, or otherwise exploit or make any use of Plaintiff's copyrighted works, including the Subject Works, or portion(s) thereof; or (ii) to make available any of Plaintiff's copyrighted works, including the Subject Works, for ~~hosting, linking to, distributing, reproducing, copying, downloading, uploading, making available for download, indexing, displaying, exhibiting, publicly performing, communicating to the public, streaming, transmitting, or other exploitation or use~~any of the foregoing;

3) ~~(3)~~ Using, operating, maintaining, distributing, or supporting any computer server, website, software, domain name, email address, social media account, bank account, or payment processing system in connection with ~~the hosting, linking to, distributing, reproducing, copying, downloading, uploading, making available for download, indexing, displaying, exhibiting, publicly performing,~~

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~~communicating to the public, streaming, transmitting, or other~~any of the foregoing exploitation or use of any of Plaintiff's copyrighted works, including the Subject Works;

4) ~~(4)~~ Enabling, facilitating, permitting, assisting, soliciting, encouraging, or inducing, ~~whether~~ directly or indirectly, any ~~user or other third party~~person to visit ~~any website, including but not limited to~~ or access any website operated or controlled by Defendants~~,~~ that ~~hosts, links to~~reproduces, distributes, ~~reproduces, copies, downloads, uploads,~~publicly displays, or makes available for download~~, indexes, displays, exhibits, publicly performs, communicates to the public, streams, transmits, or otherwise exploits or makes any use~~ any of Plaintiff's copyrighted works, including the Subject Works, ~~or portion(s) thereof~~without Plaintiff's authorization;

5) ~~(5)~~ Using in commerce the J18 Mark, or any reproduction, counterfeit, copy, or colorable imitation of the J18 Mark, and from otherwise infringing or counterfeiting the J18 Mark or using any mark, name, or designation likely to cause confusion, mistake, or deception as to the source, origin, sponsorship, or approval of Defendants' goods or services;

6) Committing any acts calculated to cause consumers to believe that Defendants' goods or services are those authorized, sponsored, approved by, or affiliated or associated with Plaintiff, and from otherwise competing unfairly with Plaintiff in any manner;

7) Transferring or performing any function that results in the transfer of the registration of the domain name nHentai.net or nHentai.to, or any other domain

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name used in conjunction with Defendants' infringing activities, to any other registrant or registrar; and

8) ~~(6)~~ Assisting, aiding, or abetting any other person or business entity in engaging in or performing any of the activities referred to in this Paragraph.

B. ~~B.~~ Requiring Defendants and their officers, servants, employees, agents, and any persons who are, or on notice and upon continued provision of services would be, in active concert or participation with them, including but not limited to the domain name registrars and registries (including, but not limited to, Namecheap, Inc.) administering, holding, listing, or otherwise having control over the domain name nHentai.net, nHentai.to, or any other domain name used in conjunction with Defendants' infringing activities, to transfer such domain name to Plaintiff's ownership and control, including, inter alia, by changing the registrar of record to the registrar of Plaintiff's choosing, unless Plaintiff requests that such domain name be held and/or released rather than transferred.

C. ~~C.~~ Requiring 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 or ~~entity or~~ entities acting in concert or participation with any of them, or under their direction or control, including any internet search engines, web hosting and Internet service providers, domain name registrars, domain name registries, and other service or software providers, within five (5) business days from the issuance of this Order:

1) ~~(1)~~ To block or attempt to block access by United States users of the nHentai.net ~~website~~and nHentai.to websites by blocking or attempting to block

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access to all domains, subdomains, URLs, and/or IP ~~Addresses~~addresses that ~~has~~have as ~~its~~their sole or predominant purpose to enable ~~to~~or facilitate access to nHentai.net or nHentai.to;

2) ~~(2)~~ To re-route all domains, subdomains, URLs, and/or IP addresses that provide access to each and every URL available from nHentai.net or nHentai.to, their domains and subdomains.

D. ~~D.~~ That the Court find Defendants' acts complained of herein unlawful as constituting copyright infringement, trademark infringement, false designation of origin, trademark counterfeiting, unfair competition, and unjust enrichment under the causes of action asserted in this Second Amended Complaint;

E. That Defendants be ordered to file with the Court and serve upon Plaintiff, 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. ~~E. That~~That, on Plaintiff's copyright claims, Plaintiff be awarded statutory damages in an amount to be determined at trial for all infringing activities~~, or actual damages including Plaintiff's damages and lost profits, Defendants' profit, at Plaintiff's election~~;

G. ~~F.~~ That Defendants be ordered to account to Plaintiff for all direct and indirect profits, gains, and advantages that they have realized through their unauthorized use of Plaintiff's copyrighted works and the J18 Mark;

~~G. That Plaintiff be awarded enhanced damages and attorney's fees;~~

H. ~~H.~~ That, on Plaintiff's trademark infringement, false designation of origin, and unfair competition claims, Plaintiff be awarded Defendants'

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profits, Plaintiff's actual damages, and enhanced damages of up to three times actual damages under 15 U.S.C. § 1117(a); and, on Plaintiff's trademark counterfeiting claim, treble damages and reasonable attorney's fees under 15 U.S.C. § 1117(b), or, at Plaintiff's election, statutory damages under 15 U.S.C. § 1117(c), including up to $2,000,000 per counterfeit mark per type of goods or services upon a finding of willful counterfeiting;

I. That, on Plaintiff's claim under California Business and Professions Code § 17200 et seq., Plaintiff be awarded injunctive relief and restitution under California Business and Professions Code § 17203;

J. That the Court order the seizure, impoundment, and destruction of all counterfeit and infringing materials in Defendants' possession, custody, or control under 15 U.S.C. § 1118, and the impoundment and destruction or other reasonable disposition of infringing copies of Plaintiff's copyrighted works and materials used to reproduce them, pursuant to 17 U.S.C. § 503;

K. That Plaintiff be awarded enhanced damages and attorney's fees, including because this is an exceptional case within the meaning of 15 U.S.C. § 1117(a),

L. That Plaintiff be awarded pre-judgment and post-judgment interest;

M. ~~I.~~ That the Court issue, as necessary, Orders for prejudgment attachment so that any potential monetary judgment can be preserved;

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

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O. J. That such other and further preliminary and permanent relief be awarded to Plaintiff as the Court deems appropriate.

Dated: January 27, 2025 **KARISH & BJORGUM, PC**

/s/ A. Eric Bjorgum
A. Eric Bjorgum, State Bar No. 198392
119 E. Union St., Suite B
Pasadena, CA 91103
Telephone: (213) 785-8070
Facsimile: (213) 995-5010
Email: Eric.bjorgum@kb-ip.com
Attorneys for Plaintiff PCR Distributing, Co.

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DEMAND FOR JURY TRIAL

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

Dated: January 27, 2025

KARISH & BJORGUM, PC

/s/ A. Eric Bjorgum
A. Eric Bjorgum, State Bar No. 198392
119 E. Union St., Suite B
Pasadena, CA 91103
Telephone: (213) 785-8070
Facsimile: (213) 995-5010
Email: Eric.bjorgum@kb-ip.com
Attorneys for Plaintiff PCR Distributing, Co.

Dated: , 2026

Respectfully submitted,

By:
A. Eric Bjorgum
BJORGUM LAW, PC
Attorneys for Plaintiff
PCR Distributing Co.

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