

FILED

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SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA

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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

DMR

CV 20 80044 MISC.

11 In re DMCA Subpoena to Reddit, Inc.

MISC. CASE NO.

**REQUEST FOR SUBPOENA TO
REDDIT, INC. PURSUANT TO 17 U.S.C.
§ 512(H)**

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17 Petitioner, Activision Publishing, Inc. (hereinafter "Activision") through its
18 undersigned counsel of record, hereby requests that the Clerk of this Court issue a subpoena
19 to Reddit, Inc. to identify alleged infringers at issue, pursuant to the Digital Millennium
20 Copyright Act ("DMCA"), 17 U.S.C. § 512(h) (hereinafter the "DMCA Subpoena"). The
21 proposed DMCA Subpoena is attached hereto as Exhibit A.

22 The DMCA Subpoena is directed to Reddit, Inc. ("Reddit"). Reddit is the service
23 provider to which the subject of the subpoena – Reddit user "Assyrian2410" – posted
24 infringing Activision content (the "Content"). The Content was posted to the following
25 Reddit URL:

26 [https://www.reddit.com/r/modernwarfare/comments/f2ifa7/i_found_this_ima
27 ge_online_not_sure_what_it_is/?utm_source=share&utm_medium=ios_app&
utm_name=iossmf](https://www.reddit.com/r/modernwarfare/comments/f2ifa7/i_found_this_image_online_not_sure_what_it_is/?utm_source=share&utm_medium=ios_app&utm_name=iossmf)

28 Mitchell
Silberberg &
Knupp LLP

CASE NO.

REQUEST FOR DMCA SUBPOENA

1 The Content infringes Activision's exclusive rights under copyright law.
2 Specifically, it infringes Activision's rights in its popular video game "Call of Duty:
3 Modern Warfare." See Declaration of Marc E. Mayer dated February 14, 2020 (hereinafter
4 "Mayer Decl.").

5 Activision has satisfied the requirements for issuance of a subpoena pursuant to
6 U.S.C. § 512(h), namely:

- 7
- 8 1. Activision has submitted a copy of the notification sent pursuant to 17 U.S.C. §
9 512(c)(3)(A) as Exhibit 1 to the Declaration of Marc E. Mayer;
 - 10 2. Activision has submitted the proposed DMCA Subpoena attached hereto as Exhibit
11 A; and
 - 12 3. Activision, through its counsel of record, has submitted a sworn declaration
13 confirming that the purpose for which the DMCA subpoena is sought is to obtain the
14 identity of an alleged infringer, and that such information will only be used for the
15 purpose of protecting Activision's rights under Title 17 U.S.C. §§ 100, et. seq.
- 16

17 Activision respectfully requests that the Clerk expeditiously issue and sign the
18 proposed DMCA Subpoena pursuant to 17 U.S.C. § 512(h)(4).

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20 DATED: February 14, 2020

MARC E. MAYER
MITCHELL SILBERBERG & KNUPP LLP

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By: /s/ Marc E. Mayer
Marc E. Mayer
Attorneys for Activision Publishing, Inc.

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