

Trey D. Brown (SBN 314469)
In-House Counsel
Strike 3 Holdings, LLC
11271 Ventura Blvd., Ste. 717
Los Angeles, CA 91604
Telephone: (323) 347-4271
Email: trey@strike3holdings.com

Christian W. Waugh (FL SBN 71093)
(*pro hac vice application pending*)
WAUGH PLLC
201 E. Pine Street, Ste. 315
Orlando, FL 32801
Telephone: (321) 800-6008
Email: cwaugh@waugh.legal

Jeremy J. Thompson (MN SBN 402173)
(*pro hac vice application pending*)
The Law Office of Jeremy J. Thompson PLLC
5200 Wilson Road, Ste. 150
Edina, MN 55424
Telephone: (952) 952-1883
Email: jeremy@jthompson.law

Attorneys for Plaintiffs
STRIKE 3 HOLDINGS, LLC
COUNTERLIFE MEDIA, LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

STRIKE 3 HOLDINGS, LLC, a Delaware
limited liability company, and
COUNTERLIFE MEDIA, LLC, a Delaware
limited liability company,

Plaintiff,

vs.

META PLATFORMS, INC.,
a Delaware corporation,

Defendant.

Case Number:

**COMPLAINT FOR COPYRIGHT
INFRINGEMENT - DEMAND FOR JURY
TRIAL**

Plaintiffs, Strike 3 Holdings, LLC (“Strike 3” or “Plaintiff”), and Counterlife Media, LLC (“Counterlife” or “Plaintiff”) (collectively, “Plaintiffs”) bring this complaint against

Defendant, Meta Platforms, Inc. (“Meta” or “Defendant”), and allege as follows:

Introduction

1. This is a case about the ongoing, wholesale copyright infringement of Plaintiffs’ motion pictures by Defendant.

2. Plaintiffs are the owners of award-winning, critically acclaimed adult motion pictures (“Works”).

3. Strike 3’s Works are distributed through the *Blacked*, *Tushy*, *Vixen*, *Tushy Raw*, *Blacked Raw*, *Milfy*, *Wifey*, and *Slayed* adult content websites. Counterlife’s Works are distributed through the *Deeper* website. Strike 3 has a majority ownership interest in Counterlife, and all brands are together distributed through Vixen Plus, an online media streaming platform.

4. The brands are famous for redefining adult content with Hollywood style and quality, resulting in over 25 million unique monthly visitors to the above websites.

5. Defendant is infringing these works on a grand scale. Using the BitTorrent protocol, Defendant is committing rampant copyright infringement by both downloading Plaintiffs’ Works as well as engaging in methodical and persistent distribution of those Works to others. Defendant has continuously infringed Plaintiffs’ Works for years, often infringing the very same day the motion pictures are released.

6. Since 2018, Defendant has infringed at least 2,396 movies owned by Plaintiffs.

7. Defendant’s infringement is intentional. Defendant downloaded Plaintiffs’ Works from pirate sources for purposes of acquiring content to train its Meta Movie Gen, Large Language Model (“LLaMA”), as well as various other Meta AI Models that rely on video training content.

8. Defendant also distributes Plaintiffs’ content on BitTorrent in order to capitalize on the reciprocal, “tit-for-tat” mechanism embedded within the BitTorrent Protocol. Due to the popularity of Plaintiffs’ content within BitTorrent, Defendant has specifically targeted Plaintiffs’ Works for distribution as currency to support its downloading of a vast array of other content necessary to train its AI models.

1 17. Meta is a Delaware corporation with its principal place of business located at 1
2 Meta Way, Menlo Park, CA.

3 **Agents and Co-Conspirators**

4 18. Meta's infringement was authorized, ordered, or performed by its respective
5 officers, agents, employees, representatives, or shareholders while actively engaged in the
6 management, direction, or control of Meta's businesses and affairs. Meta's agents operated
7 under the explicit and apparent authority of Meta's principals. Meta and its subsidiaries,
8 affiliates, employees, contractors, and agents operated as a single unified entity.

9 19. On information and belief, Meta engaged various companies, individuals, or
10 firms to participate as co-conspirators in the infringement of Plaintiffs' Works and these co-
11 conspirators have performed acts and made statements in furtherance of the infringement. Each
12 acted as a principal, agent, or joint venture on behalf of Meta with respect to the acts, violations,
13 and common course of conduct alleged herein.

14 **Factual Background**

15 ***Plaintiffs' Award-Winning Copyrights***

16 20. Plaintiffs' subscription-based websites proudly host a paid subscriber base that is
17 one of the highest in the adult industry. Plaintiffs also license their motion pictures to popular
18 broadcasters. Additionally, Plaintiffs' motion pictures are distributed as DVDs garnering some
19 of the highest sales within its niche in the United States.

20 21. Plaintiffs' philosophy has always been to create high-end, sophisticated adult
21 content. Plaintiffs have adopted a business model seeking to treat their employees and
22 performers with respect along with offering some of the highest pay rates for actresses and
23 actors in the industry. Plaintiffs believed that making these investments would result in superior
24 content generating a widespread and loyal fan base.

25 22. Unlike the majority of producers within this niche, Plaintiffs have made
26 significant investments in expensive, Hollywood grade equipment including cameras, lighting,
27 and sound. All of their movies are filmed in 4KHD with award-winning directors and
28 performers with shoots often done at exotic and expensive locations.

1 23. To achieve their goal of producing high-end motion pictures, Plaintiffs have also
2 invested in their employees. To date, Plaintiffs employ over 100 people in offices around the
3 world. The people who work for Plaintiffs include writers, directors, producers, editors,
4 cinematographers, as well as casting, creative, and marketing professionals. Several of
5 Plaintiffs' employees have been inducted into the AVN Hall of Fame which commemorates
6 those who have achieved great success working in the adult industry for at least a decade.
7 Rolling Stone magazine has even profiled the people who work for Plaintiffs.¹

8 24. Plaintiffs also employ a wide array of traditional staff with roles necessary for
9 any successful business. These include accountants, lawyers, human resources managers, and
10 sophisticated tech teams who ensure their movies can be delivered seamlessly in multiple
11 formats. Plaintiffs also make significant investments to keep their operations on the cutting edge
12 by employing business growth and PhD level data science professionals who are supported by
13 state-of-the-art software.

14 25. In doing so, Plaintiffs provide competitive, reliable salaries, health care, 401K,
15 and a multitude of other benefits designed to ensure they exist as a competitive and positive
16 workforce.

17 26. No other company in the adult industry comes close to maintaining the same
18 level of seasoned, creative, accomplished, and professional talent as Plaintiffs do.

19 27. Plaintiffs also dedicate significant expense and resources to ensure their
20 professional adult film actresses and actors receive among the highest pay rates in the industry.

21 28. Plaintiffs ensure safety on their film sets and a comfortable, creative, and
22 exciting environment. They have been recognized for creating feminist, ethical porn.²

23 29. Not surprisingly, Plaintiffs' motion pictures and brands have won many awards.

24 30. A sample of some of the recent awards Plaintiffs' have won include:
25

26 ¹ Jennifer Swan, *Versace, Champagne and Gold: Meet the Director Turning Porn into High*
27 *Art*, ROLLING STONE (Apr. 5, 2018), [https://www.rollingstone.com/culture/culture-](https://www.rollingstone.com/culture/culture-features/versace-champagne-and-gold-meet-the-director-turning-porn-into-high-art-629908/)
28 [features/versace-champagne-and-gold-meet-the-director-turning-porn-into-high-art-629908/](https://www.rollingstone.com/culture/culture-features/versace-champagne-and-gold-meet-the-director-turning-porn-into-high-art-629908/).

² Emma Glassman-Hughes, *Here's Your Ultimate Guide to Feminist, Ethical Porn (You're Welcome)*, ELITE DAILY (Feb. 20, 2024), [https://www.elitedaily.com/dating/what-is-feminist-](https://www.elitedaily.com/dating/what-is-feminist-porn-where-to-watch)
[porn-where-to-watch](https://www.elitedaily.com/dating/what-is-feminist-porn-where-to-watch).

- a. Best Actress – Featurette, Maitland Ward for *Deeper* (AVN, 2025)
- b. Best All Girl Movie or Collected Release – *Slayed* (AVN, 2025)
- c. Best Anthology Series – Club VVN (AVN, 2025)
- d. Best Director – International (AVN, 2025)
- e. Best Director – Narrative – Kayden Kross (AVN, 2025)
- f. Best Editing – American MILF (AVN, 2025)
- g. Best Outstanding Comedy – American MILF (AVN, 2025), (XBIZ, 2025)
- h. Best Vignette Series – *BlackedRaw* (XBIZ, 2025)
- i. Director of the Year – Derek Dozer (XBIZ, 2025)
- j. Best Acting – Lead - Maitland Ward, American MILF (XBIZ, 2025)
- k. Other awards in the past have included: “Studio of the Year” (XBIZ), “Global Brand of the Year” (AVN), “Best Marketing Campaign – Company Image” (AVN), “Best Cinematography” (AVN), “Best Production Company” (XRCO), “Mainstream Venture of the Year” (for a collaboration on music videos with famed rapper G-Eazy) (AVN) and “Best Membership Website” (AVN), “Best Paid Site” (Askmen.com).

31. Plaintiffs’ movies have even been advertised on billboards in Hollywood.³

32. Plaintiffs are also known for innovation. Just this year, Strike 3 launched its latest brand *Wifey*,⁴ which combines the concepts of reality television and adult content. *Wifey* has gained enormous worldwide attention, even prompting discussion on The View.⁵

33. Unfortunately, Plaintiffs have a major problem with Internet piracy. Plaintiffs’ Works are often within the most infringed files on BitTorrent websites. Arguably, Plaintiffs’ movies are among the most pirated entertainment content in the world.

Meta Is in the Business of Developing AI Applications and Technologies

34. Meta is a multinational technology company that owns and operates several social media platforms including Facebook, Instagram, and WhatsApp.

35. It was originally established in 2004 as “TheFacebook, Inc.” In 2021, it rebranded as Meta Platforms, Inc. demonstrating its commitment to expand beyond social media and develop virtual and augmented reality technologies (“VR” and “AR” respectively) as well as AI platforms and technologies.

36. Currently, Meta is a publicly traded NASDAQ 100 company with a market capitalization of in excess of \$1.75 trillion.

³ Maitland Ward, *The Women Behind That History-Making Porn Billboard in Hollywood*, DAILY BEAST (Nov. 13 2021 12:20AM EST), <https://www.thedailybeast.com/whats-behind-that-history-making-porn-billboard-in-hollywood/>.

⁴ WIFEY, <https://wifey.vmg.studio/>.

⁵ The View, *How Is ‘Hotwifing’ Trend Saving Marriages?*, YOUTUBE (Apr. 4, 2025), <https://www.youtube.com/watch?v=sMW2jnglCM8>.

1 37. Meta began developing research into AI in 2013, with the launch of Facebook
2 Artificial Intelligence Research (“FAIR”). Its initial goal was to research data science, machine
3 learning, and artificial intelligence.

4 38. Meta began using videos to train its AI platforms sometime in 2018.

5 39. In 2019, it released SlowFast networks designed specifically for action
6 recognition in videos. Meta expanded efforts in video-text alignment, audio-visual fusion, and
7 temporal modeling.

8 40. In October 2021, Meta officially launched the Ego4D initiative. This was a
9 global effort to collect egocentric, first-person video to fuel next-gen models for virtual and
10 augmented realities. Mark Zuckerberg, Meta’s CEO, tied this launch directly to Meta’s
11 metaverse vision. Meta then intensified its research into real-world tasks like episodic memory,
12 hand-object interaction, and video question answering.

13 41. In 2022, it began researching Multimodal Models and Generative Video and
14 released ImageBind, a model trained to align multiple modalities including video, audio, and
15 text. Meta also began research into Make-A-Video, Meta’s first major text-to-video generation
16 model.

17 42. From 2023 to 2024, Meta continued its AI research and focused on foundation
18 models and generative AI. It enhanced its efforts to create foundation models that learn from
19 video, image, text, and audio simultaneously. Meta began to incorporate multimodal
20 embeddings for use in AR, VR, and AI assistants.

21 43. It also invested in models that power video understanding in Ray-Ban Meta
22 smart glasses, AI avatars, and assistants.

23 44. Meta has recently invested a purported \$3.5 billion to acquire a significant stake
24 in EssilorLuxottica, the maker of Ray-Ban glasses.

25 45. In 2024, Meta released Movie Gen, a “suite of AI models that show how you can
26 use simple text inputs to produce custom videos and sounds, edit existing videos, and transform
27
28

1 your personal image into a unique video.”⁶

2 46. Movie Gen models generate high-quality, 1080p HD video with corresponding
3 audio tracks. MovieGen is trained on “internet scale image, video, and audio data.”

4 47. According to Meta’s website, “[g]enerative AI models take a large amount of
5 data to effectively train, so a combination of sources are used for training, including information
6 that’s publicly available online, licensed data and information from Meta’s products and
7 services.”⁷

8 48. However, Meta does not identify what “publicly available online” data it used.

9 49. Just recently, Meta released V-JEPA 2, a powerful self-supervised video world
10 model for understanding, predicting and planning in physical environments. V-JEPA 2 trained
11 on over 1 million hours of “Internet video.” Meta has not specified what it identifies as “Internet
12 video.”⁸

13 50. Meta also recently released LLaMA 4, the first version of LLaMA to incorporate
14 video training. LLaMA 4 is a multimodal large language model (“LLM”) that analyzes and
15 understands text, images and video data. LLaMA also supports multiple languages from all
16 parts of the globe.

17 51. LLaMA 4 is an open-source technology, enabling others to further develop and
18 use the technology for multiple AI developmental uses.

19 52. Meta has not disclosed what exact training data was used for LLaMA 4,
20 however, its website hints that it may be “biased” because of “training data available on the
21 Internet.”⁹

22 ***Plaintiffs Discovered Meta Torrenting its Movies through its Corporate IPs***

23 53. Recently, Meta admitted to using hundreds of thousands of pirated books it

24 ⁶ *Partnering with Blumhouse, creators, and the entertainment industry as we develop Meta*
25 *Movie Gen*, META (Oc. 17, 2024), <https://ai.meta.com/blog/movie-gen-video-sound-generation-blumhouse/>.

26 ⁷ Mike Clark, *Privacy Matters: Meta’s Generative AI Features*, META (Sep. 27, 2023),
<https://about.fb.com/news/2023/09/privacy-matters-metas-generative-ai-features/>.

27 ⁸ *Introducing V-JEPA 2: A self-supervised foundation world model*, META,
<https://ai.meta.com/vjepa/> (last visited Jul. 17, 2025).

28 ⁹ *The Llama 4 herd: The beginning of a new era of natively multimodal AI innovation*,
META (Apr. 5, 2025), <https://ai.meta.com/blog/llama-4-multimodal-intelligence/>.

1 obtained through BitTorrent to train its LLaMA platforms in a separate lawsuit, *Kadrey v. Meta*
2 *Platforms, Inc.* filed on July 7, 2023. No. 23-3417, D.E. 1 (N.D. Cal.) [hereinafter *Kadrey*].

3 54. Internal documents and court filings revealed that Meta employees and agents
4 downloaded over 81.7 terabytes of pirated books and academic papers using BitTorrent
5 protocols.

6 55. The lawsuit received a large amount of press coverage. Around January 2025,
7 Plaintiffs became aware of Meta’s infringement activity on BitTorrent through such coverage.

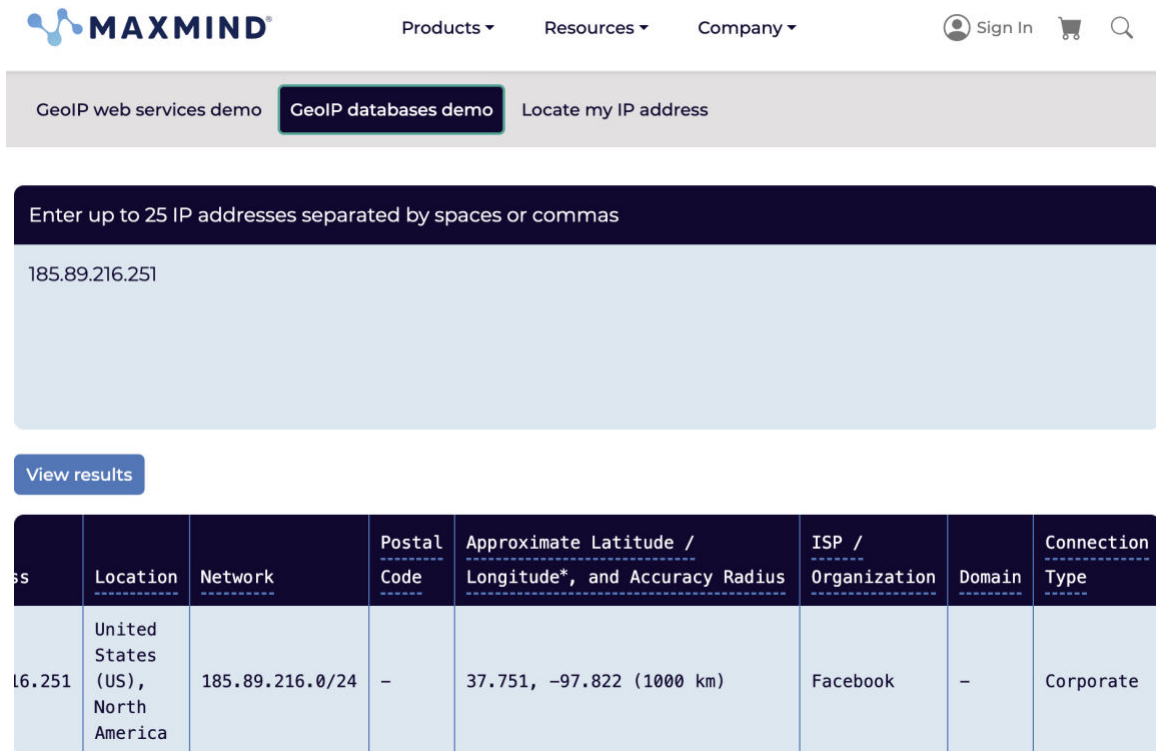
8 56. Upon learning of Meta’s use, Plaintiffs researched its archive of recorded
9 infringement captured by its VXN Scan and Cross Reference tools, discussed *infra*, and found
10 forty-seven IP addresses identified as owned by Facebook infringing its copyright protected
11 Works. *See* Exhibit A.

12 57. Each IP address listed on Exhibit A shows the earliest recorded infringement of
13 Plaintiffs’ works from that IP Address. Many of the IP addresses listed on Exhibit A continued
14 unauthorized distribution of multiple other Works owned by Plaintiffs over several years.

15 58. Plaintiffs confirmed each IP address enumerated in Exhibit A belonged to Meta
16 by utilizing IP address geolocation technology by Maxmind Inc. (“Maxmind”).

17 59. Maxmind is an industry-leading provider of IP address intelligence and online
18 fraud detection tools. Over 5,000 companies, along with United States federal and state law
19 enforcement, use Maxmind’s GeoIP data to locate Internet visitors, perform analytics, enforce
20 digital rights, and efficiently route Internet traffic.

21 60. An example of Maxmind’s records show that IP address 185.89.216.251 is
22 registered to “Facebook” as a corporate IP address.



IP Address	Location	Network	Postal Code	Approximate Latitude / Longitude*, and Accuracy Radius	ISP / Organization	Domain	Connection Type
185.89.216.251	United States (US), North America	185.89.216.0/24	-	37.751, -97.822 (1000 km)	Facebook	-	Corporate

The BitTorrent File Distribution

Network is Used to Infringe Plaintiffs' Copyrights

61. BitTorrent is a system designed to quickly distribute large files over the Internet. Instead of downloading a file, such as a movie, from a single source, BitTorrent users are able to connect to the computers of other BitTorrent users in order to simultaneously download and upload pieces of the file from and to other users.

62. BitTorrent's popularity stems from the ability of users to directly interact with each other to distribute a large file without creating a heavy load on any individual source computer and/or network. It enables Plaintiffs' motion pictures to be transferred quickly and efficiently.

63. To share a movie within the BitTorrent network, a user first uses BitTorrent software to create a .torrent file from the original digital media file. This process breaks the original digital media file down into numerous pieces.

64. The entire movie file being shared has a hash value (i.e. the "File Hash"). A hash value is an alpha-numeric value of a fixed length that uniquely identifies data.

65. Hash values are not arbitrarily assigned to data merely for identification

1 purposes, but rather are the product of a cryptographic algorithm applied to the data itself. As
2 such, while two identical sets of data will produce the same cryptographic hash value, any
3 change to the underlying data – no matter how small – will change the cryptographic hash value
4 that correlates to it.

5 66. To find and re-assemble the pieces of the digital media file, i.e., to download the
6 file using BitTorrent, a user must obtain the .torrent file for the specific file that has been broken
7 down into pieces.

8 67. Each .torrent file contains important metadata with respect to the pieces of the
9 file. When this data is put into the cryptographic algorithm, it results in a hash value called the
10 “Info Hash.”

11 68. The “Info Hash” is the data that the BitTorrent protocol uses to identify and
12 locate the other pieces of the desired file (in this case, the desired file is the respective file for
13 the infringing motion pictures that are the subject of this action) across the BitTorrent network.

14 69. Using the Info Hash in the metadata of a .torrent file, a user may collect all the
15 pieces of the digital media file that correlates with the specific .torrent file.

16 70. Once a user downloads all of the pieces of that digital media file from other
17 BitTorrent users, the digital media file is automatically reassembled into its original form, ready
18 for playing.

19 71. Strike 3 has developed, owns, and operates infringement detection systems
20 named “VXN Scan” and the “Cross Reference Tool.” Each infringement detection system
21 identifies infringement in two distinct ways.

22 72. The Cross Reference Tool first searched for and obtained .torrent files claiming
23 to be infringing copies of Plaintiffs’ works, and then VXN Scan downloaded complete copies of
24 the digital media files that correlate to those .torrent files.

25 73. Plaintiffs then compared the completed digital media files to Plaintiffs’ copyright
26 protected works to determine whether they are infringing copies of one of Plaintiffs’
27 copyrighted works.

28 74. The digital media files have been verified to contain a digital copy of a motion

1 picture that is identical (or, alternatively, strikingly similar or substantially similar) to Plaintiffs’
2 corresponding copyrighted Works.

3 75. VNX Scan used the “Info Hash” value, contained within the metadata of the
4 .torrent file which correlated with a digital media file that was determined to be identical (or
5 substantially similar) to a copyrighted work, to download a piece (or pieces) of multiple digital
6 media files from Meta using the BitTorrent network.

7 76. VNX Scan only downloads pieces of digital media files from Plaintiffs’
8 copyrighted works. At no point did VNX Scan upload content to any BitTorrent user. Indeed, it
9 is incapable of doing so.

10 77. While Defendant was using the BitTorrent file distribution network, VNX Scan
11 established multiple direct Transmission Control Protocol/Internet Protocol (“TCP/IP”)
12 connections with Defendant’s IP addresses.

13 78. Plaintiffs identified these pieces as portions of infringing copies of Plaintiffs’
14 motion pictures.

15 79. The VNX Scan detected, captured and documented Defendant transmitting
16 pieces of Plaintiffs’ copyrighted motion pictures and recorded those transactions in Packet
17 Capture (“PCAP”) files.

18 80. Plaintiffs have documented with PCAP evidence well over 100,000 unauthorized
19 distribution transactions of Plaintiffs’ Works by Defendant.

20 81. Plaintiffs also recorded Defendant’s activity on BitTorrent using its Cross
21 Reference Tool.

22 82. The Cross Reference Tool is designed on the basis of a distributed hash table
23 (“DHT”) that is a class of decentralized distributed systems that provides an identification
24 service similar to a hash table: (key, value) pairs are stored in a DHT, and any participating
25 node can efficiently retrieve the value associated with a given key.

26 83. BitTorrent clients use a DHT to locate peers who are participating in the
27 distribution of the digital media files related to the Info Hash. Specifically, a BitTorrent client
28 locates and connects to the DHT network. That way it registers its own IP address while

1 requesting IP addresses of other peers, which are distributing the same .torrent file.

2 84. Using this process BitTorrent users are able to locate and connect to a number of
3 peers within a particular swarm, and download the data related to each .torrent file.

4 85. A BitTorrent client registers the IP address of the user into the DHT with the
5 purpose of participating in the distribution of constituent pieces of the relevant digital media
6 file.

7 86. The Cross Reference Tool uses servers that locate .torrent files and their related
8 Info Hashes. The servers subsequently download the torrent information from popular torrent
9 websites. The Cross Reference Tool is incapable of downloading any digital media file
10 associated with an Info Hash, and it only has the ability to download torrent file metadata.

11 87. Similar to BitTorrent clients, the Cross Reference Tool uses a DHT to obtain the
12 IP Addresses of peers registered to each .torrent file listed in the DHT.

13 88. The Cross Reference Tool detected and documented that Defendant used the
14 BitTorrent File Distribution Network with the purpose of distributing digital media files that
15 have been determined to be identical (or substantially similar) to Plaintiffs' Works.

16 89. At no point did the Cross Reference Tool upload content to any BitTorrent user.
17 As with VNX Scan, it is incapable of doing so.

18 ***Strike 3 Discovered Meta Using Hidden***

19 ***Data Centers to Further Infringe Its Works***

20 90. The *Kadrey* lawsuit also revealed that Meta used what it described as "off-infra"
21 IP addresses to conduct its infringement so that it could conceal its BitTorrent activities. *See*,
22 *e.g.*, *Kadrey*, D.E. 562-13, at p3 ("Meta employees indicated they wanted to keep torrenting
23 activity off of Meta infrastructure so that seeders could not be traced back to Meta IP
24 addresses."); D.E. 568-3, D.E. 479-1, D.E. 417-1, D.E. 408-1.

25 91. One employee specifically stated, "not sure we can use Meta's IPs to load
26 through torrents pirate[sic] content, ahah." *Id.* D.E. 567-50, at p1.

27 92. Meta's employees testified that Meta configured six Virtual Private Clouds
28 ("VPCs") to torrent content. *Id.* D.E. 490-37, at p3.

93. Strike 3's Cross Reference Tool not only captures evidence of Plaintiffs' Works being infringed, but it also captures evidence of other activity on the BitTorrent network including ebooks, movies, television shows, music, and software.

94. Strike 3 conducted an analysis attempting to find Meta's hidden IP addresses by looking for certain correlations to data patterns that matched infringement patterns seen on Meta's corporate IP Addresses. These include, but are not limited to, such instances as:

- a. Similar patterns involving mass infringement beyond what a human could consume;
- b. Similar methodical downloads of disparate content based on the patterns shown by Meta's corporate IP addresses;
- c. Similar content being downloaded on the same day or at or near the same time as on Meta's corporate IP addresses;
- d. Similar targeting of certain types of content featuring specific languages at or around the same date and time that followed a shifting pattern (i.e. IP addresses that targeted French language versions of TV shows or films on the same day as Meta's corporate IP addresses and then shifted in apparent connection with Meta's corporate IP addresses to target Russian language versions of TV shows); and
- e. Correlations to Meta's corporate IP addresses where the same content is being torrented in different resolutions at or around the same time.

95. Exhibit B highlights two years of this analysis.

96. Exhibit C mirrors Exhibit B but contains the full raw file data.¹⁰

97. Meta's IP addresses are acting in conjunction with the IP addresses outlined in these exhibits. These IP addresses include ones which reside in seven ranges (A–G) along with a Comcast residential IP address:

IP Range A	102.129.234.0 – 102.129.234.255
IP Range B	102.129.235.0 – 102.129.235.255
IP Range C	102.129.255.0 – 102.129.255.255
IP Range D	102.129.154.0 – 102.129.154.255
IP Range E	102.129.164.0 – 102.129.164.255
IP Range F	102.129.252.0 – 102.129.252.255
IP Range G	45.45.152.0 – 45.45.155.255
Residence #1	76.132.71.116

98. Upon information and belief, Ranges A–F are (or were at the time of infringement) installed on six different servers managed by a major third-party datacenter

¹⁰ Because Exhibit B and Exhibit C detail infringement of works owned by other rights holders, Plaintiffs have filed these exhibits under seal.

1 provider. Upon information and belief, these servers are the six VPCs referenced in the *Kadrey*
 2 lawsuit.

3 99. Range G is owned by VDS Corp, LLC, a non-profit registered with the State of
 4 Hawaii listing its main address as 2138 Randall Dr. Honolulu, Hawaii 96815.

5 100. Plaintiffs' investigation has not been able to locate this street address nor find
 6 any public information related to this entity's purported Director.

7 101. These correlations show IP addresses in these seven ranges are clearly operating
 8 in conjunction with Meta's corporate IP addresses all of which are being centrally driven by
 9 sophisticated algorithms and scripts.

10 102. These correlations also quantify that both the "off-infra" as well as the Meta
 11 Corporate IP addresses act consistently in non-human patterns and that the acquisition of this
 12 content is for AI training data and not for personal use.

13 ***Strike 3 Discovered At Least One Meta***

14 ***Employee Infringing Through a Home Residential IP***

15 103. Strike 3 has identified through its anti-piracy litigation the subscriber in control
 16 of Comcast IP address 76.132.71.116 which was identified (per Exhibit B) to be infringing on
 17 BitTorrent in conjunction with both Meta corporate IPs as well as the stealth IP Addresses.

18 104. [REDACTED]

19 105. [REDACTED]

20 106. [REDACTED]

21 107. [REDACTED]

22 ***Meta Infringed Plaintiffs' Works Using BitTorrent***

23 108. Meta infringed 2,396 of Plaintiffs' Works. All of these Works have been
 24 registered with the United States Copyright Office. These Works, including the website of
 25 publication, date of publication, registration date and Registration Number with the United
 26 States Copyright Office are outlined on Exhibit D.

27 109. Exhibit E contains an infringing transaction for each Work present on Exhibit D.
 28 As illustrated on this exhibit, 157 of these motion pictures were infringed by IP Addresses

1 directly owned by Meta.

2 110. Defendant infringed Plaintiffs' Works multiple times from multiple locations.
3 Exhibit F outlines each Work infringed on Exhibit D showing Defendant infringed from its
4 corporate owned IP Addresses, IP Addresses located on stealth data center servers and at least
5 one residential IP address of a Meta employee.

6 ***Meta Intentionally and Willfully Distributed***
7 ***Plaintiffs' Works for Its Own Commercial Benefit***

8 111. Meta specifically targeted Plaintiffs' content for distribution in order to
9 accelerate its downloads of vast amounts of other content.

10 112. BitTorrent operates on a "tit for tat" basis where Meta's seeding (uploading),
11 enables Meta to obtain better download speeds so that it can consume more content, faster.

12 113. The tit-for-tat mechanism within the BitTorrent Protocol rewards users who
13 distribute the most desired content. This ensures that users distribute content on BitTorrent as
14 opposed to solely downloading. If all BitTorrent users were to avoid distribution, then there
15 would be no content available on the network for users desiring to download it.

16 114. Defendant was specifically aware of this issue and, discovery will likely show, is
17 the reason why Defendant elected to continuously distribute Plaintiffs' content as opposed to
18 just purchasing a subscription or modifying its BitTorrent clients to download only.

19 115. In the *Kadrey* lawsuit, Meta testified that it wrote a script to intentionally limit
20 distributing popular books on BitTorrent. *Kadrey*, D.E. 568-2, at p3-6 ("Rebuttal Expert
21 Report of Barbara Frederickson-Cross").

22 116. However, Defendant remained in swarms distributing Plaintiffs' content long
23 after acquiring a full copy for training. *See* Exhibit G (outlining Defendant's continuous
24 distribution of 1,335 of Plaintiffs' movies for at least three full days after acquiring the full copy
25 of the movie for training purposes).

26 117. The only reason to incur the server and bandwidth expense of remaining in a
27 swarm for these long durations is to leverage the extended distribution as tit-for-tat currency in
28 order to efficiently download millions of other files from BitTorrent.

1 118. Although Meta may have intentionally limited seeding of large amounts of
2 content it sourced from BitTorrent, Meta hand-picked Plaintiffs' Works for intense periods of
3 distribution.

4 119. There are many such periods. Exhibit H illustrates five episodes where a specific
5 site operated by Plaintiffs was targeted for distribution.

6 120. Defendant often infringed Plaintiffs' Works shortly after publication, and the
7 infringement continued for extended durations. Exhibit I enumerates each Work distributed
8 along with its publication date, earliest detected distribution by Defendant, and the most recent
9 unauthorized distribution of the Work by the Defendant.

10 121. Defendant illegally sacrificed Plaintiffs' copyrights into the swarm for Meta's
11 corporate gain.

12 122. Meta's unauthorized distribution causes serious harm to Plaintiffs. Meta's
13 distribution not only enables others to take Plaintiffs' content for free, but it also bypasses
14 important federal and state legislation designed to ensure safe distribution of adult content.

15 123. For example, age verification laws exist in over two dozen states. Meta's
16 distribution of Plaintiffs' content bypasses age verification safeguards and allows for anyone
17 capable of using BitTorrent, including minors, to access it.

18 124. Plaintiffs have devoted significant resources to complying with state and federal
19 laws regulating the adult industry. Plaintiffs cannot compete against Meta when it ignores
20 federal and state laws and offers Plaintiffs' works for free.

21 125. Meta is also damaging Plaintiffs' hard-earned reputations as respected and
22 ethical sources for high-quality adult motion pictures by potentially allowing minors unfettered
23 to access Plaintiffs' content against Plaintiffs' consent.

24 126. Meta's willful infringement was for commercial use, with expected profits to
25 generate between "\$460 billion to \$1.4 trillion of total revenue by 2035." *See Kadrey*, D.E. 574.

26 127. Just recently, Mr. Zuckerberg announced an intent to spend "hundreds of billions
27 of dollars . . . to build superintelligence" including through huge AI data centers in the United
28

1 States. One of the sites is expected to cover an area the size of Manhattan.¹¹

2 128. Meta has also reinvested in its talent pool, in some cases offering up to \$100
3 million dollars to AI researchers to work for them.¹²

4 129. Meta made the deliberate choice to seed Plaintiffs' motion pictures in order to
5 capitalize on faster download speeds so it could infringe other content faster. Despite Meta's
6 enormous capital and opportunity for profits, it still chose to use Plaintiffs' Works without
7 license or authorization, to download massive amounts of content through the BitTorrent
8 network.

9 130. Plaintiffs did not authorize Meta to distribute its motion pictures through the
10 BitTorrent network.

11 131. Indeed, even *after* Plaintiffs notified Meta's attorneys that it was infringing
12 Plaintiffs' Works (including providing forensic evidence and asking Meta to cease), Meta's
13 infringement continued and continues to this day.

14 ***Meta Intentionally Targeted Plaintiffs' Works for AI Training***

15 132. On information and belief, Meta is also using Plaintiffs' content to train its AI
16 Models, knowing that such models will eventually create identical content for little to no cost.
17 This will effectively eliminate Plaintiffs' future ability to compete in the marketplace.

18 133. Based on the scale of infringement recorded by VXN Scan and the Cross
19 Reference Tool, no human being has the capacity to download and consume as much content as
20 Meta infringed.

21 134. That being said, Meta's infringement has also specifically targeted Plaintiffs'
22 Works, often infringing the very same day Plaintiffs' release their motion pictures.

23 135. Repeated training on Plaintiffs' Works is likely to provide Meta's AI programs
24 with unique advantages compared to other companies who complied with copyright laws,

25
26 ¹¹ Helen Sullivan, *Meta to Spend Hundreds of Millions to Build AI Data Centers*, BBC (Jul.
15, 2025), <https://www.bbc.com/news/articles/c1e02vx55wpo>.

27 ¹² Annie Minoff & Meghan Bobrowsky, *Why Meta is Offering \$100 Million for AI*
28 *Geniuses*, WALL STREET JOURNAL (Jul. 3, 2025), <https://www.wsj.com/podcasts/the-journal/why-meta-is-offering-100-million-for-ai-geniuses/19e12016-466d-4c8c-877c-68eab5018530>.

1 resisting the temptation to acquire free content.

2 136. Importantly, Plaintiffs' Works provide for a large volume of high-resolution, 4K
3 UHD, video data consisting of diverse images and actions not seen in traditional mainstream
4 videos. Plaintiffs' Works provide natural, human-centric imagery, which shows parts of the
5 body not found in regular videos, and a unique form of human interactions and facial
6 expressions.

7 137. Plaintiffs' motion pictures contain extended scenes without director cuts which
8 enable AI models to experience continuity in a way that cannot be derived from most television
9 shows or mainstream motion pictures. Plaintiffs' Works additionally provide unique dialog,
10 sound effects, and non-verbal vocalizations not found within either mainstream or competing
11 adult content.

12 138. Moreover, Plaintiffs' Works are released in multiple versions and formats,
13 providing for a diversity of quality of the same film, enabling AI models to understand the
14 differences in resolution, encoding and camera capabilities.

15 139. In short, Plaintiffs' motion pictures provide a distinct visual model of human
16 form, motion, and interaction with technically rich diverse video quality, containing real-world
17 data, something that is rarely found elsewhere on the Internet.

18 140. Meta's AI models benefit from training on diverse human movement data, which
19 Plaintiffs' motion pictures uniquely offer.

20 141. For obvious reasons, Meta has not disclosed that it trains its AI models on
21 Plaintiffs' content. However, an investigation by the Wall Street Journal ("WSJ") recently
22 found that Meta's chat bots are quick to engage in explicit content in the context of romantic
23 role playing.¹³

24 142. Repeated training on the same type of content can heavily influence AI models.
25 For example, models will become specialized and learn narrow heuristics that often have
26 difficulty translating to different situations.

27 ¹³ Jeff Horwitz, *Meta's Digital Companions Will Talk Sex with Users – Even Children*,
28 WALL STREET JOURNAL (Apr. 28, 2025), <https://www.wsj.com/tech/ai/meta-ai-chatbots-sex-a25311bf>.

1 143. The WSJ investigation found that “staffers across multiple departments have
2 raised concerns that the company’s rush to popularize these bots may have crossed ethical lines,
3 including by quietly endowing AI personas with the capacity for fantasy sex, according to
4 people who worked on them.”¹⁴

5 144. As set forth above, Plaintiffs have created some of the most award-winning and
6 successful “fantasy sex” brands of all time.

7 145. By training so specifically on Plaintiffs’ Works, Meta’s AI Movie Gen may very
8 well soon produce full length films with Plaintiffs’ identical style and quality, which other real
9 world adult studios cannot replicate.

10 146. Meta’s AI programs will soon be able to produce motion pictures that look as
11 real as Plaintiffs’ Works, and without the significant costs, time, care, and expense that
12 Plaintiffs invest into their motion pictures.

13 ***Plaintiffs Did Not Authorize Meta to Use Its Works***

14 147. Meta’s infringement was without Plaintiffs’ knowledge and permission.
15 Plaintiffs did not authorize Meta to use their Works in anyway, including, but not limited to,
16 excessively downloading and distributing Plaintiffs’ content through unauthorized sources, or
17 by using Plaintiffs’ content for AI training.

18 148. Both VXN Scan and the Cross Reference Tool independently recorded multiple
19 infringements in the manner described above. Collectively, they detected Meta distributing
20 without authorization 2,396 of Plaintiffs’ Works. Each of these infringing transactions was
21 recorded with PCAP evidence.

22 149. Thus, Meta downloaded, copied, and distributed Plaintiffs’ Works without
23 authorization.

24 150. Defendant’s infringement was continuous and ongoing.

25 151. Plaintiffs own the copyrights to the Works and the Works have been registered
26 with the United States Copyright Office.

27 152. Plaintiffs seeks statutory damages, attorneys’ fees, and costs under 17 U.S.C. §

28 ¹⁴ *Id.*

1 501 of the United States Copyright Act.

2 153. In a recent Senate hearing titled: “Too Big to Prosecute?: Examining the AI
3 Industry’s Mass Ingestion of Copyrighted Works for AI Training,” the Chairman of the Senate
4 Judiciary Subcommittee on Crime and Counterterrorism described the current scale of copyright
5 infringement by Meta, and other AI companies, to be “the largest Intellectual Property theft in
6 American history.”¹⁵ The Chairman further stated: “[a]re we going to protect [Americans’
7 creative community], or are we going to allow a few mega corporations to vacuum it all up,
8 digest it, and make billions of dollars in profits—maybe trillions—and pay nobody for it?
9 That’s not America.”

10 154. Plaintiffs, like all copyright holders, have fundamental rights that are
11 being violated by one of the wealthiest companies on the planet. To add insult to injury, Meta’s
12 selective and continuous distribution of Plaintiffs’ content ensures anyone in the world is
13 always able to access Plaintiffs’ content for free, for Meta’s own selfish purposes.

14 155. Meta’s massive, willful, and unrelenting copyright infringement of Plaintiffs’
15 Works has harmed Plaintiffs. Plaintiffs have no choice but to bring this lawsuit in order to stop
16 Meta from continuing to infringe their content and seek redress for the harm Meta’s
17 infringement has caused.

18 **COUNT I**

19 **Direct Copyright Infringement**

20 156. The allegations contained in paragraphs 1–155 are hereby re-alleged as if fully
21 set forth herein.

22 157. Plaintiffs are the owner of the Works, which are original works of authorship.
23 The Works have been registered with the Copyright Office.

24 158. Defendant copied and distributed the constituent elements of Plaintiffs’ Works
25 using the BitTorrent protocol.

26 159. At no point in time did Plaintiffs authorize, permit or consent to Defendant’s
27

28 ¹⁵ <https://www.judiciary.senate.gov/committee-activity/hearings/too-big-to-prosecute-examining-the-ai-industrys-mass-ingestion-of-copyrighted-works-for-ai-training>

1 distribution of its Works, expressly or otherwise.

2 160. As a result of the foregoing, Defendant violated Plaintiffs' exclusive rights to:

3 (A) Reproduce its Works in copies, in violation of 17 U.S.C. §§ 106(1) and 501;

4 (B) Distribute copies of the Works to the public by sale or other transfer of
5 ownership, or by rental, lease or lending, in violation of 17 U.S.C. §§ 106(3) and 501;

6 (C) Perform the copyrighted Works, in violation of 17 U.S.C. §§ 106(4) and 501, by
7 showing the Works' images in any sequence and/or by making the sounds accompanying the
8 Works' audible and transmitting said performance of the work, by means of a device or process,
9 to members of the public capable of receiving the display (as set forth in 17 U.S.C. § 101's
10 definitions of "perform" and "publicly" perform); and

11 (D) Display the copyrighted Works, in violation of 17 U.S.C. §§ 106(5) and 501, by
12 showing individual images of the works non-sequentially and transmitting said display of the
13 works by means of a device or process to members of the public capable of receiving the
14 display (as set forth in 17 U.S.C. § 101's definition of "publicly" display).

15 161. Defendant's infringements were committed "willfully" within the meaning of 17
16 U.S.C. § 504(c)(2).

17 WHEREFORE, Plaintiffs respectfully requests that the Court:

18 (A) Permanently enjoin Defendant from continuing to infringe Plaintiffs'
19 copyrighted Works;

20 (B) Order that Defendant delete and permanently remove the digital media files
21 relating to Plaintiffs' Works from each of the computers, data centers, AI clusters, models, and
22 training data under Defendant's possession, custody or control;

23 (C) Order that Defendant delete and permanently remove the infringing copies of the
24 Works Defendant has under Defendant's possession, custody or control, including that of its
25 agents, employees and contractors;

26 (D) Award Plaintiffs statutory damages per infringed work pursuant to 17 U.S.C. §
27 504(a) and (c);

28 (E) Award Plaintiffs its reasonable attorneys' fees and costs pursuant to 17 U.S.C. §

1 505; and

2 (F) Grant Plaintiffs any other and further relief this Court deems just and proper.

3 **COUNT 2**

4 **Secondary Copyright Infringement**

5 162. The allegations contained in paragraphs 1–155 are hereby re-alleged as if fully
6 set forth herein. Plaintiffs allege that Meta is the direct copyright infringer of the Copyrighted
7 Works at issue in this litigation. However, in the event that Meta argues that it is not the direct
8 infringer because its agents or contractors infringed Plaintiffs’ Works, then Plaintiffs plead, in
9 the alternative, that Meta is liable for secondary copyright infringement.

10 163. Plaintiffs are the owner of the Works, which are original works of authorship.
11 The Works have been registered with the Copyright Office.

12 164. In the event Meta contends that someone other than Meta infringed Plaintiffs’
13 Works, Meta is contributorily liable for these acts of direct copyright infringement.

14 165. Meta knowingly and materially contributes to, encourages, and induces such
15 infringement by its agents, employees and contractors by paying those infringing Plaintiffs’
16 Works to obtain content for its AI training and providing access to its servers, data centers, IP
17 addresses, computers, networks, accounts, and other tools to facilitate the infringement.

18 166. Meta knew or is willfully blind to the infringement because it knows that in order
19 to train AI, it must acquire massive amounts of diverse content. Meta intentionally decided not
20 to license copyrighted works for AI training purposes. Meta knows that in order for its AI
21 programs to be successful, it must train its AI programs on copyrighted content, including
22 Plaintiffs’ Works. Meta knew it could obtain Plaintiffs’ Works and other copyrighted content
23 through pirate websites and networks such as BitTorrent, which is why it forwent efforts to
24 license the content.

25 167. Moreover, Plaintiffs informed Meta of the infringement, providing forensic
26 evidence, and Meta still allowed it to continue.

27 168. In the event Meta contends that someone other than Meta infringed Plaintiffs’
28 Works, Meta is also vicariously liable for these acts of direct copyright infringement.

1 169. Meta has the right and ability to supervise and/or control its own corporate IP
2 addresses, as well as the IP addresses hosted in off-infra data centers, and the acts of its
3 employees and agents infringing Plaintiffs' Works through their residential IPs by using Meta's
4 AI script to obtain content through BitTorrent.

5 170. Meta stands to profit billions from its AI models and obtaining content, including
6 Plaintiffs' Works from BitTorrent, enables Meta to avoid licensing Plaintiffs' and others Works.

7 171. Instead of taking steps to stop the infringement of Plaintiffs' works on BitTorrent
8 through its corporate IPs, data center IPs, and acts of its employees and contractors, Meta
9 facilitated the infringement by continuing to pay for and provide the tools for the infringement.

10 172. Each act of secondary infringement by Meta constitutes a separate and distinct
11 act of infringement.

12 173. Meta's acts of secondary infringement are willful, in disregard of and with
13 indifference to Plaintiffs' rights. Meta is purposefully exploiting Plaintiffs' Works to obtain
14 more content on BitTorrent and will immensely profit from its AI programs because they were
15 trained on Plaintiffs' content and the content of others obtained at Plaintiffs' expense.

16 174. As a result of the foregoing, Defendant violated Plaintiffs' exclusive rights to:

17 (A) Reproduce its Works in copies, in violation of 17 U.S.C. §§ 106(1) and 501;

18 (B) Distribute copies of the Works to the public by sale or other transfer of
19 ownership, or by rental, lease or lending, in violation of 17 U.S.C. §§ 106(3) and 501;

20 (C) Perform the copyrighted Works, in violation of 17 U.S.C. §§ 106(4) and 501, by
21 showing the Works' images in any sequence and/or by making the sounds accompanying the
22 Works' audible and transmitting said performance of the work, by means of a device or process,
23 to members of the public capable of receiving the display (as set forth in 17 U.S.C. § 101's
24 definitions of "perform" and "publicly" perform); and

25 (D) Display the copyrighted Works, in violation of 17 U.S.C. §§ 106(5) and 501, by
26 showing individual images of the works non-sequentially and transmitting said display of the
27 works by means of a device or process to members of the public capable of receiving the
28 display (as set forth in 17 U.S.C. § 101's definition of "publicly" display).

175. Defendant's infringements were committed "willfully" within the meaning of 17 U.S.C. § 504(c)(2).

WHEREFORE, Plaintiffs respectfully requests that the Court:

(A) Permanently enjoin Defendant from continuing to infringe Plaintiffs' copyrighted Works;

(B) Order that Defendant delete and permanently remove the digital media files relating to Plaintiffs' Works from each of the computers, data centers, AI clusters, models, and training data under Defendant's possession, custody or control;

(C) Order that Defendant delete and permanently remove the infringing copies of the Works Defendant has under Defendant's possession, custody or control, including that of its agents, employees and contractors;

(D) Award Plaintiffs statutory damages per infringed work pursuant to 17 U.S.C. § 504(a) and (c);

(E) Award Plaintiffs its reasonable attorneys' fees and costs pursuant to 17 U.S.C. § 505; and

(F) Grant Plaintiffs any other and further relief this Court deems just and proper.

DEMAND FOR A JURY TRIAL

Plaintiffs hereby demand a trial by jury on all issues so triable.

DATED: July 23, 2025

Respectfully submitted,

By: /s/ Trey D. Brown

Trey D. Brown (SBN 314469)
Strike 3 Holdings, LLC
11271 Ventura Blvd., Ste. 717
Los Angeles, CA 91604
tre@strike3holdings.com
Tel: (323) 347-4721

Christian W. Waugh (FL SBN 71093) *
WAUGH PLLC

1 201 E. Pine St., Ste. 315
2 Orlando, FL 32901
3 *cwaugh@waugh.legal*
4 Tel: (321) 800-6008

5 Jeremy J. Thompson (MN SBN 402173) *
6 Law Office of Jeremy J. Thompson PLLC
7 5200 Wilson Rd., Ste. 150
8 Edina, MN 55424
9 *jeremy@jthompson.law*
10 Tel: (952) 952-1883

11 *Attorneys for Plaintiffs,*
12 STRIKE 3 HOLDINGS, LLC and
13 COUNTERLIFE MEDIA, LLC

14 **Pro Hac Vice application pending*
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