

**FILED**

**FEB 14 2020**

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

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7  
8 UNITED STATES DISTRICT COURT

**DMR**

9 **NORTHERN DISTRICT OF CALIFORNIA**

10 **CV 20 80044 MISC.**

11 In re DMCA Subpoena to Reddit, Inc.

MISC. CASE NO.

12 **REQUEST FOR SUBPOENA TO**  
13 **REDDIT, INC. PURSUANT TO 17 U.S.C.**  
14 **§ 512(H)**

15  
16  
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](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)  
27 [ge\\_online\\_not\\_sure\\_what\\_it\\_is/?utm\\_source=share&utm\\_medium=ios\\_app&](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 [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)

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).

19

20 DATED: February 14, 2020

MARC E. MAYER  
MITCHELL SILBERBERG & KNUPP LLP

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