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15 Attorneys for Plaintiff  
16 Gaylord Flynn

2014 SEP 11 PM 3:30  
CENTRAL DISTRICT OF CALIFORNIA  
LOS ANGELES

FILED

LN

17 UNITED STATES DISTRICT COURT  
18 FOR THE CENTRAL DISTRICT OF CALIFORNIA

19 GAYLORD FLYNN, an individual,  
20 Plaintiff,

21 vs.

22 NAKOULA BASSELEY NAKOULA,  
23 an individual also known as SAM  
24 BACILE, MARK BASSELEY  
25 YOUSSEF, ABANOB BASSELEY  
26 NAKOULA, MATTHEW NEKOLA,  
27 AHMED HAMDY, AMAL NADA,  
28 DANIEL K. CARESMAN, KRITBAG  
DIFRAT, SOBHI BUSHRA, ROBERT  
BACILY, NICOLA BACILY, THOMAS  
J. TANAS, ERWIN SALAMEH,  
YOUSSEFF M. BASSELEY, and/or  
MALID AHLAWI; GOOGLE, INC., a  
Delaware Corporation; and DOES 1  
through 10, inclusive.

Defendants.

Case No. **DCV 14-01901 MMM(KKx)**

COMPLAINT FOR:

1. Direct Infringement of Copyright
2. Secondary Infringement of Copyright
3. Fraud
4. Unfair Business Practices
5. Libel
6. Intentional Infliction of Emotional Distress

[Demand For Jury Trial]

IS 21

SEP 11 2014  
Clerk, US District Court  
COURT 4612  
mat

1 Plaintiff Gaylord Flynn ("Flynn"), by and through his counsel, on personal knowledge as  
2 to his own actions and information and belief as to the actions, capabilities and motivation of  
3 others, hereby alleges as follows:

4 **NATURE OF CASE**

5 1. On July 2, 2012, Defendant Nakoula Basseley Nakoula ("Nakoula") uploaded a 14-  
6 minute trailer to the Internet, via YouTube.com, entitled "Muhammed Movie Trailer" among other  
7 titles (the "Film"), making it available for the entire world to see. Between July 2 and September  
8 11, 2012, the film gained worldwide recognition after it was translated into Arabic and posted on  
9 YouTube.com. An Arabic translation of the film was posted on YouTube, where it became the  
10 object of attention in many countries, particularly those that are predominantly Muslim.

11 2. In the Film, the Prophet Mohammed, the founder of the Islamic religion, is painted  
12 in a light that is considered to be blasphemous by many Muslims. More specifically, the Film  
13 portrays Mohammed as a child molester, a sexual deviant, and a barbarian. Immediately after the  
14 Film received worldwide recognition as described above, violence erupted in the Middle East.  
15 The violence included an attack on the United States Consulate in Benghazi, Libya, resulting in  
16 the deaths of four Americans, including United States Ambassador Christopher Stevens and two  
17 former Navy SEALs.

18 3. Following the episode in Benghazi, violence continued to erupt across the world,  
19 including Afghanistan, Algeria, Australia, Azerbaijan, Bahrain, Bangladesh, Belgium, Canada,  
20 Denmark, Egypt, France, Greece, Hong Kong, India, Indonesia, Iran, Iraq, Israel, Japan, Jordan,  
21 Lebanon, Kuwait, Macedonia, Malaysia, the Maldives, Mauritania, Morocco, the Netherlands,  
22 Niger, Nigeria, Oman, Pakistan, the Palestinian territories, the Philippines, Qatar, Saudi Arabia,  
23 Serbia, Somalia, Sri Lanka, Sudan, Switzerland, Syria, Thailand, Tunisia, Turkey, and the United  
24 Kingdom. Initially, observers across the globe held the Film directly responsible for that violence.  
25 Then-United States Secretary of State Hillary Clinton condemned the Film, calling it "disgusting  
26 and reprehensible." Reportedly, President Barack Obama asked YouTube to review taking down  
27 the Film; however, his Administration took no court action.

28

1           4.       Plaintiff is an actor who appears in the Film. At no time during the filming of  
2 *Desert Warrior* was he aware that it would contain *any* religious or sexual content.

3           5.       The finished film, which was overdubbed, contains words and messages extremely  
4 offensive to Muslims and to Plaintiff.

5           6.       When Plaintiff was first cast in the Film, which he was told was a desert adventure  
6 film titled *Desert Warrior*, he received pages of the script from Defendant Nakoula, who identified  
7 himself as "Sam Bacile." Defendant Nakoula held himself out as the writer and producer of the  
8 Film. He managed all of the aspects of production, and as far as Plaintiff observed, he was in  
9 charge of all aspects of the production.

10          7.       Plaintiff never signed a release of his rights with respect to any aspect of his  
11 copyrighted performance, which became his property and his copyright when it was affixed to a  
12 tangible medium.

13          8.       Despite the fact that Plaintiff was led to believe that he was providing a dramatic  
14 performance in an adventure film titled *Desert Warrior*, he never consented to be in a religiously  
15 oriented film nor in one that propagates hate speech. In short, Defendant Nakoula used Plaintiff  
16 and the other actors as puppets. The words contained in the film are so offensive, not only to  
17 Plaintiff but to millions worldwide, that it sparked a riots and violence around the globe. In the  
18 Film, Plaintiff is depicted as having participated in a bigoted piece of hate speech and as holding  
19 beliefs that are not only anti-Islamic but also antithetical to Plaintiff's world view.

20          9.       Plaintiff would never have, and in fact did not, agree to place his likeness, image,  
21 persona, or dramatic performance into a hateful production, nor did he agree to be associated with  
22 hate speech in any form or fashion.

23          10.       The fallout that occurred after Plaintiff's performance was published aside, it is  
24 clear that Plaintiff has a copyright claim in his dramatic performance, which was fixed in tangible  
25 form when it was filmed during the production of *Desert Warrior*. Because Plaintiff did not  
26 assign his rights or his copyright interests in his dramatic performance, nor was the Film a "work  
27 for hire," Plaintiff's copyright interests in his own dramatic performance remain intact.

28

1           11. Plaintiff has filed an application for federal copyright registration for the rights in  
2 his dramatic performance. The application is pending. Regardless of whether the Copyright  
3 Office has acted upon Plaintiff's application, federal law creates a copyright when the copyright is  
4 created, not upon registration. A true and correct copy of Plaintiff's copyright application, which  
5 identifies the works that are the subject of Plaintiff's copyright, is attached as Exhibit A.

6           12. Although the content that contains Plaintiff's performance was initially published  
7 on YouTube, YouTube and Google have already been ordered by the Ninth Circuit Court of  
8 Appeal to remove the content (at least insofar as it contains the performance of fellow actor Cindy  
9 Lee Garcia) from its platforms. After that order was issued, Google continued to enable its search  
10 engine to link consumers to torrent sites – pirate download sites—that contained the Film,  
11 including both the enjoined material containing Cindy Lee Garcia's performance and Plaintiff's  
12 copyrighted performance. Google has a history of responding to DMCA takedown notices by  
13 directing consumers to torrent sites. In this case, notwithstanding the fact that Google has been  
14 informed both by Ms. Garcia and by Plaintiff that its platforms continue to direct consumers to  
15 torrent sites that contain infringing content, Google has failed to act. Because Google has refused  
16 to adhere to Plaintiff's requests, it has lost any "safe harbor" immunities.

17           13. Plaintiff has issued DMCA "takedown notices" to Defendants YouTube and  
18 Google, who, by redirecting traffic to the torrent sites to the Film 24 hours a day, 7 days a week,  
19 are infringing Plaintiff's protected rights in his performance, which fell within the scope of the  
20 protection of copyright laws the instant his dramatic performance was fixed on film. Google has  
21 thus far refused to expeditiously remove or disable the infringing content and/or links on its  
22 platforms, despite being under a valid order from the Ninth Circuit Court of Appeals to remove  
23 content (at least that depicting fellow actor Cindy Lee Garcia) from all of its platforms worldwide.  
24 The DMCA Notices are hereby attached as Exhibit B.

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1 GENERAL ALLEGATIONS

2 **A. Jurisdiction and Venue**

3 14. This is a civil action seeking damages and injunctive relief for copyright  
4 infringement under the copyright laws of the United States, 17 U.S.C. § 101 et seq. Plaintiff also  
5 seeks damages and injunctive relief under California state law, were not preempted by Federal  
6 law.

7 15. This Court has subject matter jurisdiction pursuant to 28 U.S.C. § 1331 (federal  
8 question jurisdiction), 28 U.S.C. § 1338(a) (jurisdiction over copyright actions), 28 U.S.C. §  
9 1338(b) action asserting a state claim of unfair competition joined with a substantial and related  
10 federal claim under the patent, copyright, or trademark laws), 28 U.S.C. § 1367 (supplemental  
11 jurisdiction), and the doctrines of ancillary and pendent jurisdiction.

12 16. This Court has personal jurisdiction over Defendants because all Defendants have  
13 “continuous, systematic” ties to California, and/or reside in California.

14 17. Venue in this District is proper because a substantial part of the acts and omissions  
15 giving rise to the claims occurred in this district.

16 **B. The Parties**

17 18. Plaintiff Gaylord Flynn is an individual and at all relevant times herein was a  
18 resident of Riverside County, California.

19 19. Defendant Nakoula Basseley Nakoula, also known as Sam Bacile (“Defendant  
20 Nakoula” or “Bacile”) is an individual and at all relevant times herein as a resident of Los Angeles  
21 County, California.

22 20. Defendant Google, Inc., is a corporation incorporated in Delaware with its principal  
23 place of business at 1600 Amphitheatre Parkway, Mountain View, California 94043. Google  
24 conducts business throughout California, the nation, and the world.

25 21. Plaintiff lacks knowledge of the true names and capacities of the defendants sued  
26 herein as DOES 1-10, inclusive, and therefore sues these defendants by such fictitious names.  
27 These are unidentified posters of the film, as further described below and are individuals who  
28

1 assisted in the production of the film, as further described below. Plaintiff will amend this  
2 complaint to allege their true names and capacities when they have been ascertained.

3 22. At all relevant times, each defendant was the agent of each of the other defendants  
4 and was acting within the course and scope of such agency. Defendants are jointly and severally  
5 liable to Plaintiff.

6 23. Plaintiff is informed and believes that each of the defendants designated herein as a  
7 DOE is responsible in some manner for the events and happenings herein alleged, as well as for  
8 the damages alleged.

9 24. Plaintiff is informed and believes that each of the defendants was the agent or  
10 employee of each of the remaining defendants and, at all relevant times herein, acted within the  
11 course and scope of such agency and/or employment.

#### 12 **FACTUAL BACKGROUND**

13 25. Plaintiff Gaylord Flynn is an experienced actor.

14 26. In July of 2011, Plaintiff responded to a casting call for a film titled "Desert  
15 Warrior," which was represented to be an "historical Arabian Desert adventure film." He was  
16 cast in the Film. The producers of the film, including DOES 151-200, and Defendant Nakoula,  
17 intentionally concealed the purpose and content of the film.

18 27. Plaintiff was given only specific pages of a script titled *Desert Warrior*. There was  
19 no mention of "Mohammed" during filming or on the set. There were no references made to  
20 religion nor was there any sexual content of which Plaintiff was aware. The purported writer and  
21 producers of *Desert Warrior*, Defendant Nakoula a/k/a "Sam Bacile," represented to Plaintiff that  
22 the Film was indeed an adventure film and about ancient Egyptians. Based on those specific  
23 representations made, his parts of the script, and the manner in which the Film was shot, Plaintiff  
24 agreed to deliver an acting performance for "Desert Warrior."

25 28. On July 2, 2012, Defendant Nakoula published a video titled *The Innocence of*  
26 *Muslims* (the "Film") to the Internet site [www.youtube.com](http://www.youtube.com), making the Film available publicly  
27 and globally. The Film includes Plaintiff's acting work from *Desert Warrior* and has been  
28 changed horrifically to make it appear that Plaintiff voluntarily performed in a hateful anti-Islamic

1 production. The Film is vile and reprehensible. Plaintiff was unaware of the vile content  
2 contained in the Film, as the content and overall purpose of the Film was concealed from him, and  
3 others who appear in the Film, at all times by Defendant Nakoula and DOES 151 through 200.  
4 This lawsuit is not an attack on the First Amendment, nor on the right of Americans to say what  
5 they think, but does request that the offending content be removed from the Internet because not  
6 only it is not speech protected by the First Amendment, it violates Plaintiff's copyright in his  
7 performance.

8 29. Based on information and belief, in around September of 2012, Defendant Nakoula  
9 published the Film, with the voices of Plaintiffs and his cast mates dubbed into Arabic, on  
10 YouTube. The availability of the Film in Arabic has set off protests and violence first in the  
11 Middle East, then worldwide. On information and belief, Defendant YouTube made an editorial  
12 decision to block the Film from being shown on computers located in Libya, Saudi Arabia, India,  
13 Indonesia, and Egypt, but not in most of the other countries in the world.

14 30. The content of the actors' words in Arabic is currently unknown to Plaintiff.

15 31. After the Film was published on YouTube, Plaintiff received death threats, which  
16 have increased in numerosity and threat level, despite Plaintiff's efforts to publicly clear his name.

17 32. After the Film was published on YouTube, Plaintiff's life changed substantially as  
18 a direct result of the Film in that he is now considered a target and the safety of those in his  
19 presence cannot be guaranteed.

20 33. On September 19, 2012, an Egyptian Cleric issued a fatwa against Plaintiff: "I issue  
21 a fatwa and call on the Muslim Youth in American and Europe to do this duty, which is to kill the  
22 director, the producer and the actors and everyone who helped and promoted the film."

23 34. Plaintiff requested that Google remove the Film from its search engine linking  
24 consumers to torrent sites for the Film. Google refused to respond to the requests.

25 35. On March 5, 11, and 18, 2014, Plaintiff issued "takedown notices" to Defendant  
26 Google pursuant to the Digital Millenium Copyright Act. The notices informed Defendants  
27 Google that continued broadcast of the Film, or enabling downloads through its search engine,  
28 violated Plaintiff's copyright in his performance. The takedown notices identified an aggregate of

1 111 URLs to be taken down. Defendant Google has refused to respond to the DMCA takedown  
2 notices.

3 36. As a result, Plaintiff has suffered the violation of his copyright in his performance,  
4 and general damages. He has been subjected to credible death threats and is in fear for his life and  
5 the life and safety of anyone associated with him.

6 **FIRST CAUSE OF ACTION**

7 **Direct Infringement of Copyright**

8 **Against All Defendants**

9 37. Plaintiff repeats and realleges paragraphs 1 through 36 of this Complaint as though  
10 set forth in full.

11 38. Plaintiff has properly applied to register, and he owns and controls, the copyright in  
12 his performance in *Desert Warrior a/k/a Innocence of Muslims*.

13 39. Without authorization from Plaintiff, or any right under law, Defendants, via  
14 YouTube, have unlawfully distributed Plaintiff's copyrighted performance millions of times, by  
15 transmitting unauthorized copies of those works to YouTube users upon demand in violation of  
16 the Copyright Act, 17 U.S.C. § 106. Defendant Google refused to remove the links on its search  
17 engine to torrent sites for the Film.

18 40. Defendant Nakoula is directly liable for these acts of infringement under the  
19 Copyright Act. It was Defendant Nakoula who initially posted an infringing copy of Plaintiff's  
20 performance onto YouTube without authorization.

21 41. The infringing files reside on servers controlled by Google. Google causes and  
22 affects the infringing act of enabling consumers to directly access performance works from their  
23 servers to the computers of their users. Google is actively involved in creating the supply of  
24 infringing content, making that content broadly available for distribution to the worldwide public  
25 at large. It further exercises active control over the distribution process, in exercising editorial  
26 control over where it will and will not make the Film available through its search engine. For these  
27 reasons, among others, Google engages in active conduct in unlawfully distributing Plaintiff's  
28 copyrighted performance to its users.



1           49. Plaintiff repeats and realleges paragraphs 1 through 48 of this Complaint as though  
2 set forth in full.

3           50. Users of torrent sites have infringed, and continue to infringe, Plaintiff's copyright,  
4 including without limitation those copyrighted works identified in Exhibit B, by reproducing and  
5 distributing works owned by Plaintiff through their various sites, without authorization from  
6 Plaintiff, or right under law, in violation of the Copyright Act, 17 U.S.C. § 106. Defendants are  
7 liable as secondary infringers under the Copyright Act for each infringing reproduction and  
8 distribution of Plaintiff's performance by torrent sites.

9           51. Defendant Google is liable under the Copyright Act for inducing the infringing acts  
10 of torrent site users. As set forth above, Defendant Google operates its search engine, with the  
11 object of promoting the use of torrent sites to infringe Plaintiff's copyrighted performance, as  
12 shown by Google's clear expression and other affirmative steps to foster infringement. As set forth  
13 above, Defendants Google's inducement of copyright infringement is evident from, among other  
14 things: (i) the continuing infringing content available through Google's search engine; (ii)  
15 technical measures designed to facilitate the widespread dissemination of Plaintiff's copyrighted  
16 content, even after he has requested takedown of the infringing content; and (iii) Defendants'  
17 failure to use any of the readily-available means to curtail infringement through its search engine's  
18 access to torrent sites. Defendant Google is liable for inducing the unauthorized reproduction and  
19 distribution of Plaintiff's copyrighted work in violation of the Copyright Act, 17 U.S.C. § 106.

20           52. Defendant Nakoula is jointly and severally liable for each act of infringement for  
21 which Google is liable because he initially posted the infringing copy of Plaintiff's performance,  
22 thus directing, participating in, and benefitting from Google's infringing conduct as alleged herein.

23           53. Defendants DOES 1-10 are liable under the Copyright Act for the acts of  
24 infringement identified above, for acting in concert with Defendants to operate YouTube and/or  
25 for unlawfully inducing, knowingly facilitating, and profiting from copyright infringement by  
26 YouTube users.

27           54. The foregoing acts of infringement by Defendants have been willful, intentional  
28 and purposeful, in disregard of and indifferent to Plaintiff's rights.







1           77.     Furthermore, these statements are defamatory because they carry the meaning that  
2 Plaintiff is a religious bigot.

3           78.     The statements have been understood by those who saw and heard them on  
4 YouTube to mean that Plaintiff is a religious bigot.

5           79.     Plaintiff is informed and believes and thereon alleges that the statements that  
6 Defendant Nakoula, along with DOE Defendants 1-10, which Google refuses to remove from  
7 YouTube and from its platforms including the Google search engine, have been seen and heard by  
8 millions of individuals throughout the world, whose names are not presently known to Plaintiff.

9           80.     These words were slanderous because they tend to injure Plaintiff in his profession,  
10 trade and business by imputing to him a general disqualification for working with the public,  
11 something that the occupation and duties of his profession peculiarly require, and the profitability  
12 of which is naturally lessened if he is believed to be a religious bigot.

13           81.     These words published by Defendant Nakoula and the DOE Defendants were stated  
14 not as a matter of opinion, but as a matter of fact, and therefore were not protected or privileged in  
15 any way.

16           82.     The words published by Defendant Nakoula and the DOE Defendants also were  
17 slanderous because Plaintiff did not make statements considered blasphemous to the Islamic  
18 religion while on the set of the Film, nor would he willingly participate in such a heinous venture.

19           83.     At no relevant time did Plaintiff ratify or consent to the dissemination of his  
20 performance on YouTube or anywhere else. In fact, Plaintiff believes that Google failed to honor  
21 its own policies and protocols with respect to the removal of links to torrent sites on its platforms  
22 including the Google search engine.

23           84.     Plaintiff is informed and believes and thereon alleges that Defendant Nakoula and  
24 the DOE Defendants repeated the false statements to others, including a worldwide audience on  
25 YouTube.

26           85.     The words that Defendant Nakoula and the DOE Defendants put, and kept, in  
27 Plaintiff's mouth carried a defamatory meaning by their very terms and were understood by those  
28 who saw and heard them in a way that defamed Plaintiff.



1 respective officers, agents, servants, employees, and attorneys, and all persons in active concert or  
2 participation with each or any of them, from directly committing, aiding, encouraging, enabling,  
3 inducing, causing, materially contributing to, or otherwise facilitating the unauthorized  
4 reproduction or distribution of copies of Plaintiff's copyrighted performance.

5       2. For all damages to which Plaintiff may be entitled, including but not limited to  
6 Defendants' profits, in such amounts as may be found. Alternatively, as Plaintiff's election, for  
7 statutory damages in the maximum amount allowed by law.

8       3. For special damages arising from the loss of business and business opportunities,  
9 according to proof at trial.

10       4. For restitution.

11       5. For exemplary and punitive damages.

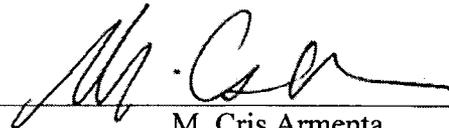
12       6. For attorney fees and costs of suit incurred herein.

13       7. For such other and further relief as the Court deems just and proper.

14  
15 THE ARMENTA LAW FIRM, A.P.C.

16 Dated: September 11, 2014

17  
18 By: \_\_\_\_\_



M. Cris Armenta  
Attorneys for Plaintiff  
Gaylord Flynn

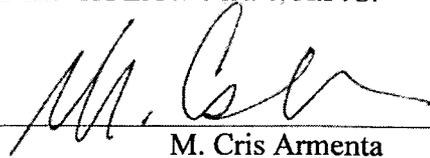
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**REQUEST FOR JURY TRIAL**

Plaintiff hereby requests a trial for jury.

Dated: September 11, 2014

THE ARMENTA LAW FIRM, A.P.C.

By: 

M. Cris Armenta  
Attorneys for Plaintiff  
Gaylord Flynn



**Form PA**  
 For a Work of Performing Arts  
 UNITED STATES COPYRIGHT OFFICE  
 REGISTRATION NUMBER

Privacy Act Notice: Sections 408-410 of title 17 of the United States Code authorize the Copyright Office to collect the personally identifying information requested on this form in order to process the application for copyright registration. By providing this information you are agreeing to routine uses of the information that include publication to give legal notice of your copyright claim as required by 17 U.S.C. §705. It will appear in the Office's online catalog. If you do not provide the information requested, registration may be refused or delayed, and you may not be entitled to certain relief, remedies, and benefits under the copyright law.

PA	PAU
EFFECTIVE DATE OF REGISTRATION	
Month	Day
Year	

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

TITLE OF THIS WORK ▼  
 "Desert Warrior"

PREVIOUS OR ALTERNATIVE TITLES ▼  
 "Innocence of Muslims"

NATURE OF THIS WORK ▼ See instructions

Audio-visual work, pertaining to Gaylord Flynn's dramatic performance in "Desert Warrior" and put on film.

NAME OF AUTHOR ▼  
 Gaylord Flynn

DATES OF BIRTH AND DEATH  
 Year Born ▼ 1949 Year Died ▼

Was this contribution to the work a "work made for hire"?  
 Yes  
 No

AUTHOR'S NATIONALITY OR DOMICILE  
 Name of Country  
 OR { Citizen of USA  
 Domiciled in

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK  
 Anonymous?  Yes  No  
 Pseudonymous?  Yes  No  
 If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼  
 Dramatic performance in film entitled "Desert Warrior" affixed to film

**NOTE**  
 Under the law, the "author" of a "work made for hire" is generally the employer, not the employee (see instructions). For any part of this work that was "made for hire" check "Yes" in the space provided, give the employer (or other person for whom the work was prepared) as "Author" of that part, and leave the space for dates of birth and death blank.

NAME OF AUTHOR ▼

DATES OF BIRTH AND DEATH  
 Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"?  
 Yes  
 No

AUTHOR'S NATIONALITY OR DOMICILE  
 Name of Country  
 OR { Citizen of  
 Domiciled in

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK  
 Anonymous?  Yes  No  
 Pseudonymous?  Yes  No  
 If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼

NAME OF AUTHOR ▼

DATES OF BIRTH AND DEATH  
 Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"?  
 Yes  
 No

AUTHOR'S NATIONALITY OR DOMICILE  
 Name of Country  
 OR { Citizen of  
 Domiciled in

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK  
 Anonymous?  Yes  No  
 Pseudonymous?  Yes  No  
 If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼

YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED  
 2011 Year

DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK  
 Complete this information ONLY if this work has been published. Month July Day 2 Year 2011 Nation

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2. ▼  
 Gaylord Flynn c/o The Armenta Law Firm, 11900 W. Olympic Boulevard, Suite 730, Los Angeles, CA 90064

TRANSFER If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼

DO NOT WRITE HERE OFFICE USE ONLY

APPLICATION RECEIVED \_\_\_\_\_

ONE DEPOSIT RECEIVED \_\_\_\_\_

TWO DEPOSITS RECEIVED \_\_\_\_\_

FUNDS RECEIVED \_\_\_\_\_

See instructions before completing this space.

MORE ON BACK ► • Complete all applicable spaces (numbers 5-9) on the reverse side of this page.  
 • See detailed instructions. • Sign the form at line 8.

DO NOT WRITE HERE  
 Page 1 of \_\_\_\_\_ pages

EXAMINED BY

FORM PA

CHECKED BY

CORRESPONDENCE  
Yes

FOR  
COPYRIGHT  
OFFICE  
USE  
ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

Yes  No If your answer is "Yes," why is another registration being sought? (Check appropriate box.) If your answer is No, do not check box A, B, or C.

a.  This is the first published edition of a work previously registered in unpublished form.

b.  This is the first application submitted by this author as copyright claimant.

c.  This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes," give: Previous Registration Number

Year of Registration

DERIVATIVE WORK OR COMPILATION Complete both space 6a and 6b for a derivative work; complete only 6b for a compilation.  
Preexisting Material Identify any preexisting work or works that this work is based on or incorporates.

See instructions  
before completing  
this space.

Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed.

Flynn gave a dramatic performance for "Desert Warrior" fixed in film in 2011. He signed no release nor was this a work for hire and his performance was used in a property in which he could not have imagined it would have been used.

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.  
Name Account Number

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/Zip

M. Cris Armenta, The Armenta Law Firm APC 11900 W. Olympic Boulevard, Suite 730, Los Angeles, CA 90064

Area code and daytime telephone number ( 310 ) 826-2826

Fax number ( 310 ) 826-5456

Email

CERTIFICATION\* I, the undersigned, hereby certify that I am the

- Check only one
- author
  - other copyright claimant
  - owner of exclusive right(s)
  - authorized agent of \_\_\_\_\_

Name of author or other copyright claimant, or owner of exclusive right(s)

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Typed or printed name and date If this application gives a date of publication in space 3, do not sign and submit it before that date.

Gaylord Flynn

Date March 4, 2014

Handwritten signature

x

*Gaylord Flynn*

Certificate will be mailed in window envelope to this address:

Name
Number/Street/Apt
City/State/Zip

**YOU MUST**

- Complete all necessary spaces
- Sign your application in space 8

**SEND ALL ELEMENTS IN THE SAME ENVELOPE:**

1. Application form
2. Nonrefundable filing fee in check or money order payable to Register of Copyrights
3. Deposit material

**MAIL TO**

Library of Congress  
Copyright Office-PAD  
101 Independence Avenue SE  
Washington, DC 20559-6230

\*17 U.S.C. §506(e): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 408, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.



## DMCA Solutions

31 Hastings Street  
Mendon, MA 01756

March 5, 2014

### Sent by Email

Google, Inc.

Attn: Shantal Rands Poovala, Designated Agent  
1600 Amphitheatre Pkwy  
Mountain View, CA 94043  
Email: dmca-agent@google.com

Re: DMCA Takedown Request: Copyright Infringement  
Video – ***Innocence of Muslims*** – Takedown Request #1

Dear Ms. Shantal Rands Poovala:

DMCA Solutions, LLC, acting as agent on behalf of copyright holder Gaylord Flynn for the purposes of filing this Takedown Request, hereby submits the following:

### What is the Issue:

Copyright Infringement: Gaylord Flynn, an actor, has an original copyright that remains vested in his audio-visual dramatic performance in a film in which his performance has been altered and adulterated without his consent and made available for download on websites, blogs, file-sharing and torrent sites published in the google search index, infringing his copyright.

### Copyright Infringement: Who is Affected

Gaylord Flynn, the copyright owner

### Identification of the Copyrighted Work Claimed to have been Infringed:

Gaylord Flynn's audio-visual dramatic performance in a film originally titled *The Desert Warrior* but altered without his consent and made available for download on websites, blogs, file-sharing and torrent sites under variations of the title ***Innocence of Muslims*** and published in the Google search index.

### Identification of the material that is claimed to be infringing

Video made available for download on websites, blogs, file-sharing and torrent sites under variations of the title ***Innocence of Muslims*** (but originally titled *The Desert Warrior*) and published in the Google search index.

### URLs of the Offending Videos:

<http://kickass.to/innocence-of-muslims-2011-t6721368.html>

## DMCA Solutions

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[http://pirateproxy.net/torrent/7646360/Innocence of Muslims - Full Movie \(74 min\)](http://pirateproxy.net/torrent/7646360/Innocence_of_Muslims_-_Full_Movie_(74_min))

<http://bayproxy.me/torrent/7694513/>

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<http://torrentz.eu/5b65f79572c7fca080279907492cf09690e8649f>

<http://torrentz.eu/680074758784312a3a6cce1e7fd885c6f0ca74ba>

<http://answers.yahoo.com/question/index?qid=20120914181435AAb5t12>

[http://thepiratebay.se/torrent/7639180/Innocence of Muslims \(HD 720p\)](http://thepiratebay.se/torrent/7639180/Innocence_of_Muslims_(HD_720p))

[http://thepiratebay.se/torrent/7637365/Innocence of Muslims](http://thepiratebay.se/torrent/7637365/Innocence_of_Muslims)

<http://thepiratebay.se/torrent/7646661/>

<http://thepiratebay.org/torrent/7639180/>

<http://bayproxy.me/torrent/7637365/>

[http://bayproxy.me/torrent/7637365/Innocence of Muslims](http://bayproxy.me/torrent/7637365/Innocence_of_Muslims)

<http://torrentz.eu/5cbc7cb7e01df17879b0458dba6dca9ffc3ebe55>

[http://pirateproxy.net/torrent/7658796/innocence of muslims full movie](http://pirateproxy.net/torrent/7658796/innocence_of_muslims_full_movie)

<http://pirateproxy.net/torrent/7639180/>

<http://torrentz.eu/c6193a3da218e6295545831d11118edf8959aa1d>

<http://torrentz.eu/60b490dbfe26511979d154f7a3cc0bcaad533d04>

<http://bayproxy.me/torrent/7646360/>

<http://torrentz.me/77b512290380ee34c2ea4f319bfd74a056bc1eec>

<http://torrentmedia.org/innocence+of+muslims+hindi+dubbed+torrents.html>

<http://www.torrentroom.com/torrent/4104777-Sam-Bacile-Muhammad-Movie-FULL-HD-Innocence-of-Muslims-YouTube-flv.html>

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[http://www.torrentroom.com/torrent/4110003-Muhammad-full-movie-Innocence-of-Muslims-74-Min-](http://www.torrentroom.com/torrent/4110003-Muhammad-full-movie-Innocence-of-Muslims-74-Min-YouTube-WebM.html)

[YouTube-WebM.html](http://www.torrentroom.com/torrent/4110003-Muhammad-full-movie-Innocence-of-Muslims-74-Min-YouTube-WebM.html)

<http://torrentz.eu/5a6fc8c251e1ef4e664fe4b18411593886cb9936>

Page 3

<http://torrentz.eu/94efc7922d85f0dea12c62212a16c560a04b0686>

<http://torrentz-proxy.com/818f5b1b832b82797584bbc23d41b408496d49a2>

<http://www.88torrent.com/c6193a3da218e6295545831d11118edf8959aa1d>

[http://pirateproxy.net/torrent/7637365/Innocence\\_of\\_Muslims](http://pirateproxy.net/torrent/7637365/Innocence_of_Muslims)

<http://torrentz.eu/7a0749325db8bbe2955f2a6f604e6caa6bb1f031>

<http://torrentz.eu/b2f3f06be00b3acd6346877bb72703a4b926fe65>

<http://torrentz.eu/b9e1c2229a372d3de26e156d03b0f6c9f49a0c41>

[http://pirateproxy.net/torrent/7694513/Innocence\\_of\\_Muslims\\_\(Greek\\_Subbed\)](http://pirateproxy.net/torrent/7694513/Innocence_of_Muslims_(Greek_Subbed))

<http://www.proxybay.eu/torrent/7639180/>

[http://thepiratebay.se/torrent/7694513/Innocence\\_of\\_Muslims\\_\(Greek\\_Subbed\)](http://thepiratebay.se/torrent/7694513/Innocence_of_Muslims_(Greek_Subbed))

<http://pastebin.com/bBDq0Quf>

[http://www.torrentroom.com/torrent/4104055-Sam-Bacile-Muhammad-Movie-FULL-HD-Innocence-of-](http://www.torrentroom.com/torrent/4104055-Sam-Bacile-Muhammad-Movie-FULL-HD-Innocence-of-Muslims-720p-mp4.html)

[Muslims-720p-mp4.html](http://www.torrentroom.com/torrent/4104055-Sam-Bacile-Muhammad-Movie-FULL-HD-Innocence-of-Muslims-720p-mp4.html)

[http://194.71.107.82/torrent/7694513/Innocence\\_of\\_Muslims\\_\(Greek\\_Subbed\)](http://194.71.107.82/torrent/7694513/Innocence_of_Muslims_(Greek_Subbed))

[http://isohunt.to/torrent\\_details/5898403/Innocence-of-Muslims-2012-1080p-MultiSubs-HDD](http://isohunt.to/torrent_details/5898403/Innocence-of-Muslims-2012-1080p-MultiSubs-HDD)

<http://torrentz.eu/9017e86e576bca29df9f2f162b0a5eff64bf8bb0>

<http://bitsnoop.com/innocence-of-muslims-2012-multisubs-q40260943.html>

<http://torrentz-proxy.com/d2189e90af30e46ae7950d5b6229f062ba29edf2>

<http://torrentmedia.org/innocence+of+muslims+full+movie+dual+audio+hindi+.html>

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<http://www.torrentreactor.net/torrents/5829500/Innocence-of-Muslims>

<http://freeware-hub.blogspot.com/2012/09/innocence-of-muslims-full-movie-74-min.html>

<http://torrentz-proxy.com/5a6fc8c251e1ef4e664fe4b18411593886cb9936>

Page 4

<http://www.torrenttab.com/movies/innocence+of+muslims>

<http://kickass.to/muhammad-movie-trailer-avi-t6655726.html>

[http://www.limetorrents.com/Innocence-of-Muslims-2012-1080p-MultiSubs--\[DDR\]-torrent-1386812.html](http://www.limetorrents.com/Innocence-of-Muslims-2012-1080p-MultiSubs--[DDR]-torrent-1386812.html)

<http://answers.yahoo.com/question/index?qid=20120921063945AATTLkV>

<http://torrentz.eu/5c6b03f9319858c3768395dad6ca51cc2959a890>

<http://www.ulozto.net/xuNZYrb/sam-bacile-presents-innocence-of-muslims-small-version-full-movie-by-anonymoust-3gp>

<http://www.torrentdownload.ws/Muhammad-full-movie--Innocence-of-Muslims-74-Min+webm/680074758784312A3A6CCE1E7FD885C6F0CA74BA>

<http://www.scribd.com/doc/106160683/Innocence-of-Muslims-on-YouTube-By-Sam-Bacile-first-spark-of-WWIII>

<http://www.scribd.com/doc/106160683/Innocence-of-Muslims-on-YouTube-By-Sam-Bacile-first-spark-of-WWIII>

<http://www.torrentmedia.org/Free+download+english+movie+innocence+of+muslims+in+3gp+format.html>

<http://torrentz.eu/759db52bd934fd18661bd917769520d033ada426>

<http://www.88torrent.com/f293f25a177f5e8fa8d64c2b31fc96cedbeaa9b4>

<http://torrentz-proxy.com/e82fb9bb3daaa55e8f0eb8639d9188df20100b45>

<http://downloadtorrentgo2.net/bokep+muslim.html>

<http://www.torrentroom.com/torrent/5124658-The-Innocence-Of-Youth-7.html>

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<http://www1.zmovie.tw/movies/view/innocence-of-muslims-2012>

<http://www.jupiterbroadcasting.com/24637/the-blowback-decade-unfilter-17/>

Page 5

<http://www.torrentv.org/5043321/download-the-innocence-of-youth-7-2014-digitil-sin-split-scenes-torrent.html>

<http://www.torrentroom.com/torrent/5086385-The-Innocence-Of-Youth-7-2013-DVDRip.html>

<http://downloadtorrentgo2.net/free+dawnload+full+hd+bolywood+movies.html>

<http://downloadtorrentgo2.net/commando+movie+full+download+bestwap.html>

<http://torrentz-proxy.com/e64d6b83733b90ba2c3af871b47938baea89b092>

<http://www.torrentroom.com/torrent/5093146-The-Innocence-Of-Youth7-Kimber-Day-mp4.html>

<http://www.torrentroom.com/torrent/5042858-The-Innocence-Of-Youth-7.html>

<http://downloadtorrentgo2.net/bollywood+full+hd+movies+free+download.html>

<http://www.torrenttree.com/tarzan-x-shame-of-jane-full-movie/>

<http://downloadtorrentgo2.net/free+download+full+hd+bollywood+movie.html>

<http://downloadtorrentgo2.net/free+download+full+hd+bollywood+movies.html>

<http://www.picktorent.com/torrents/43/swarabhishekam-etv-episodes/>

<http://www.themediافire.com/a-inocencia-dos-muculmanos-innocence-of-muslims-2012-webrip-mp4-720p-flv-480p-legendado>

<http://iamtherealnick2.ru/child-of-rage-full-movie/>

<http://downloadtorrentgo2.net/hollywood+full+hd+movie+free+download.html>

<http://downloadtorrentgo2.net/free+download+full+hd+hollywood+movies.html>

<http://downloadtorrentgo2.net/djmaza+full+hd+movies+download.html>

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<http://stagetorrentz.ru/bulandi-movie-full-anil-kapoor-hd/>

<http://downloadtorrentgo2.net/hd+mp4+of+funny+cartoon+dance+on+bollywood+song.html>

<http://downloadtorrentgo2.net/free+download+movies+mkv+format+full+hd+hmmatwala.html>

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<http://www.torrentv.org/5124658/download-the-innocence-of-youth-7-torrent.html>

<http://stagetorrentz.ru/manual-of-love-3-watch-online-megavideo/>

<http://downloadtorrentgo2.net/download+free+hd+cartoon+movie+in+hindi+flv.html>

<http://www.filestube.to/i2/innocence+of+muslims>

<http://downloadtorrentgo2.net/odl+movies+full+mp4.html>

<http://www.filestube.to/i2/innocents+of+muslims>

<http://aflamdvd.ru/search/watch+online+adults+hollywood+movies/>

<http://downloadtorrentgo2.net/youtube+full+movie+hemat+wala+2013+indian.html>

<http://foundsuccess.ru/nenu-devudni-telugu-movie-watch-online/>

<http://www.filestube.com/download/files/innocence+muslims+movie>

<http://downloadtorrentgo2.net/youtube+film+dua+kalimah+full+movie.html>

<http://www.limedor.com/Islam--Empire-of-Faith--Full-Set--PBS-ZigCOM-torrent-4247801.html>

<http://www.torrentroom.com/torrent/4997650-The-Innocence-Of-Youth-5-Mia-Malkova.html>

<http://www.torrentroom.com/torrent/5043431-The-Innocence-Of-Youth-7-Digital-Sin.html>

<http://www.limetorrents.com/Islam--Empire-of-Faith--Full-Set--PBS-ZigCOM-torrent-4247801.html>

<http://www.torrentsnap.com/tarzan-x-shame-of-jane-full-movie>

<http://nl.torrentfunk.com/all/torrents/innocence-of-muslims.html>

<http://it.limetorrents.com/Islam--Empire-of-Faith--Full-Set--PBS-ZigCOM-torrent-4247801.html>

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<http://www.torrentfunk.com/torrent/4768699/sam-bacile-muhammad-movie-full-hd-innocence-of-muslims-720p-mp4.html>

<http://www.torrentfunk.com/torrent/4780505/muhammad-innocence-of-muslims-74-min-youtube-webm.html>

Page 7

<http://www.torrentfunk.com/torrent/4771564/sam-bacile-muhammad-innocence-of-muslims-720p-mp4.html>

[http://unblocked-piratebay.com/?loadurl=/torrent/7646360/Innocence of Muslims - Full Movie \(74 min\)](http://unblocked-piratebay.com/?loadurl=/torrent/7646360/Innocence_of_Muslims_-_Full_Movie_(74_min))

[http://unblocked-piratebay.com/?loadurl=/torrent/7637365/Innocence of Muslims](http://unblocked-piratebay.com/?loadurl=/torrent/7637365/Innocence_of_Muslims)

<http://torrentus.to/47df217b65e6ffc42ca6c8f2563660c551cd77b2-innocence-of-muslims-2011.html>

[http://thepiratebay.mk/music-torrents/Innocence-of-Muslims-2012-1080p-MultiSubs-HDScam\\_412595565.html](http://thepiratebay.mk/music-torrents/Innocence-of-Muslims-2012-1080p-MultiSubs-HDScam_412595565.html)

<http://www.torrenttree.com/innocence-of-muslims>

<http://www.torrentv.org/5105600/download-the-innocence-of-youth-digital-sin-dvdrip-avi-torrent.html>

<http://foundsuccess.ru/talespin-hindi-episodes-watch-online/>

<http://yogizhatke.blogspot.com/2012/09/innocence-of-muslims-full-movie-74-min.html>

<http://www.torrentv.org/4110003/download-muhammad-full-movie-innocence-of-muslims-74-min-youtube-webm-torrent.html>

<http://stagetorrentz.ru/talespin-hindi-episodes-watch-online/>

**Copyright Owner's Name:** Gaylord Flynn

**Authorized Agent:** DMCA Solutions, LLC  
31 Hastings Street  
Mendon, MA 01756

**DMCA Solutions**

31 Hastings Street  
Mendon, MA 01756

USA  
(202) 350-0200  
[Eric@DMCASolutions.com](mailto:Eric@DMCASolutions.com)

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DMCA Solutions, LLC, has a good faith belief that use of the material in the manner complained of is not authorized by the copyright owner, its agent, or the law.

The information in this notification is accurate, and under penalty of perjury, DMCA Solutions, LLC, is authorized to act on behalf of Gaylord Flynn, the owner of an exclusive right that is infringed.

DMCA Solutions, LLC

By:



Eric Bullock 3/05/2014

## DMCA Solutions

31 Hastings Street  
Mendon, MA 01756

March 11, 2014

### Sent by Email

Google, Inc.

Attn: Shantal Rands Poovala, Designated Agent

1600 Amphitheatre Pkwy

Mountain View, CA 94043

Email: dmca-agent@google.com

Re: DMCA Takedown Request: Copyright Infringement (Gaylord Flynn Copyright Holder)  
Video – **Innocence of Muslims** – Takedown Request #2

Dear Ms. Shantal Rands Poovala:

DMCA Solutions, LLC, acting as agent on behalf of copyright holder Gaylord Flynn for the purposes of filing this Takedown Request, hereby submits the following:

### What is the Issue:

Copyright Infringement: Gaylord Flynn, an actor, has an original copyright that remains vested in his audio-visual dramatic performance in a film in which his performance has been altered and adulterated without his consent and made available for viewing on Internet websites **www.dailymotion.com** and **www.liveleak.com**, infringing his copyright. *The Google search engine is currently posting URL links to infringing videos on these websites. Additionally, the Google search index is displaying video thumbnails that enable one click play of the infringing video content.*

### Copyright Infringement: Who is Affected

Gaylord Flynn, a United States citizen, the copyright owner.

### Identification of the Copyrighted Work Claimed to have been Infringed:

Gaylord Flynn's audio-visual dramatic performance in a film originally titled *The Desert Warrior* but altered without his consent and posted on the Internet under the title ***Innocence of Muslims***.

### Identification of the material that is claimed to be infringing

Video posted on the Internet under the title ***Innocence of Muslims*** but originally titled *The Desert Warrior*.

### URLs of the Offending Video:

[http://www.liveleak.com/view?i=cda\\_1347507079](http://www.liveleak.com/view?i=cda_1347507079)

[http://www.liveleak.com/view?i=88b\\_1347424714](http://www.liveleak.com/view?i=88b_1347424714)

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31 Hastings Street  
Mendon, MA 01756

[http://www.liveleak.com/view?i=4cb\\_1347495950](http://www.liveleak.com/view?i=4cb_1347495950)  
Page 2

[http://www.liveleak.com/view?i=4cb\\_1347495950&comments=1](http://www.liveleak.com/view?i=4cb_1347495950&comments=1)

[http://www.liveleak.com/view?i=cda\\_1347507079&comments=1](http://www.liveleak.com/view?i=cda_1347507079&comments=1)

[http://www.liveleak.com/view?i=861\\_1347416319](http://www.liveleak.com/view?i=861_1347416319)

[http://www.liveleak.com/view?i=449\\_1347402024](http://www.liveleak.com/view?i=449_1347402024)

[http://www.liveleak.com/view?i=8c1\\_1393551707](http://www.liveleak.com/view?i=8c1_1393551707)

[http://www.liveleak.com/view?i=010\\_1393548898](http://www.liveleak.com/view?i=010_1393548898)

[http://www.liveleak.com/view?i=cda\\_1347507079&comments=1&safe\\_mode=off](http://www.liveleak.com/view?i=cda_1347507079&comments=1&safe_mode=off)

[http://www.liveleak.com/view?i=cda\\_1347507079&comments=1&use\\_old\\_player=0&safe\\_mode=off](http://www.liveleak.com/view?i=cda_1347507079&comments=1&use_old_player=0&safe_mode=off)

[http://www.dailymotion.com/video/xtlx66\\_extraits-du-film-anti-islam-innocence-of-muslims-l-innocence-des-musulmans-video-dailymotion\\_webcam](http://www.dailymotion.com/video/xtlx66_extraits-du-film-anti-islam-innocence-of-muslims-l-innocence-des-musulmans-video-dailymotion_webcam)

[http://www.dailymotion.com/video/xtsikf\\_mohammad-islam-innocence-of-muslims-trailer-2-egypt-protest-movie\\_news](http://www.dailymotion.com/video/xtsikf_mohammad-islam-innocence-of-muslims-trailer-2-egypt-protest-movie_news)

[http://www.dailymotion.com/video/xtlu6i\\_innocence-of-muslims-trailer-hd-egypt-protest-film\\_news](http://www.dailymotion.com/video/xtlu6i_innocence-of-muslims-trailer-hd-egypt-protest-film_news)

[http://www.dailymotion.com/video/xtm5n\\_innocence-of-muslims-egypt-protest-film-a-inocencia-dos-muculmanos\\_news](http://www.dailymotion.com/video/xtm5n_innocence-of-muslims-egypt-protest-film-a-inocencia-dos-muculmanos_news)

[http://www.dailymotion.com/video/xthpui\\_extraits-du-film-choc-anti-islam-innocence-of-muslims\\_news](http://www.dailymotion.com/video/xthpui_extraits-du-film-choc-anti-islam-innocence-of-muslims_news)

[http://www.dailymotion.com/video/xtk8hd\\_innocence-of-muslims-movie-muslims-don-t-want-people-to-see\\_shortfilms](http://www.dailymotion.com/video/xtk8hd_innocence-of-muslims-movie-muslims-don-t-want-people-to-see_shortfilms)

[http://www.dailymotion.com/video/xthfmf\\_innocence-of-muslims-trailer\\_shortfilms](http://www.dailymotion.com/video/xthfmf_innocence-of-muslims-trailer_shortfilms)

[http://www.dailymotion.com/video/xtlu61\\_innocence-of-muslims-movie-trailer\\_news](http://www.dailymotion.com/video/xtlu61_innocence-of-muslims-movie-trailer_news)

[http://www.dailymotion.com/video/xtn4x3\\_extraits-du-film-anti-islam-l-innocence-des-musulmans-innocence-of-muslims\\_shortfilms](http://www.dailymotion.com/video/xtn4x3_extraits-du-film-anti-islam-l-innocence-des-musulmans-innocence-of-muslims_shortfilms)

[http://www.dailymotion.com/video/xtq3gp\\_extrait-du-film-Innocence-of-muslims-l-innocence-des-musulmans-video-dailymotion\\_webcam](http://www.dailymotion.com/video/xtq3gp_extrait-du-film-Innocence-of-muslims-l-innocence-des-musulmans-video-dailymotion_webcam)

**DMCA Solutions**

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Mendon, MA 01756

<http://www.dailymotion.com/f100004362064498>

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[http://www.dailymotion.com/video/x1wy\\_sam-bacile-s-the-muhammad-movie-720p\\_animals](http://www.dailymotion.com/video/x1wy_sam-bacile-s-the-muhammad-movie-720p_animals)

[http://www.dailymotion.com/video/x1dlb49\\_innocence-of-muslims-unschuld-der-muslime-2012-2014-turkisch-ukraine\\_shortfilms](http://www.dailymotion.com/video/x1dlb49_innocence-of-muslims-unschuld-der-muslime-2012-2014-turkisch-ukraine_shortfilms)

Copyright Owner's Name: Gaylord Flynn, a Unites States citizen

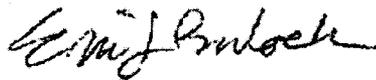
Authorized Agent: DMCA Solutions, LLC  
31 Hastings Street  
Mendon, MA 01756  
USA  
(202) 350-0200  
Eric@DMCASolutions.com

DMCA Solutions, LLC, has a good faith belief that use of the material in the manner complained of is not authorized by the copyright owner, its agent, or the law.

The information in this notification is accurate, and under penalty of perjury, DMCA Solutions, LLC, is authorized to act on behalf of Gaylord Flynn, the owner of an exclusive right that is infringed.

DMCA Solutions, LLC

By:



Eric Bullock 3/11/2014

## DMCA Solutions

31 Hastings Street  
Mendon, MA 01756

March 18, 2014

### Sent by Email

Google, Inc.

Attn: Shantal Rands Poovala, Designated Agent  
1600 Amphitheatre Pkwy  
Mountain View, CA 94043  
Email: dmca-agent@google.com

Re: DMCA Takedown Request: Copyright Infringement  
Video – ***Innocence of Muslims*** – Takedown Request #3

Dear Ms. Shantal Rands Poovala:

DMCA Solutions, LLC, acting as agent on behalf of copyright holder Gaylord Flynn for the purposes of filing this Takedown Request, hereby submits the following:

### What is the Issue:

Copyright Infringement: Gaylord Flynn, an actor, has an original copyright that remains vested in his audio-visual dramatic performance in a film in which his performance has been altered and adulterated without his consent and made available for viewing and/or download on websites, blogs, file-sharing, video sharing and torrent sites under variations of the title ***Innocence of Muslims*** and published in the Google search index, infringing his copyright.

### Copyright Infringement: Who is Affected

Gaylord Flynn, the copyright owner

### Identification of the Copyrighted Work Claimed to have been Infringed:

Gaylord Flynn's audio-visual dramatic performance in a film originally titled *The Desert Warrior* but altered without his consent and made available for viewing and/or download on websites, blogs, file-sharing, video sharing and torrent sites under variations of the title ***Innocence of Muslims*** and published in the Google search index.

### Identification of the material that is claimed to be infringing

Video made available for viewing and/or download on websites, blogs, file-sharing, video sharing and torrent sites under variations of the title ***Innocence of Muslims*** (but originally titled *The Desert Warrior*) and published in the Google search index.

**DMCA Solutions**

31 Hastings Street  
Mendon, MA 01756

URLs of the Offending Videos:

<http://facedl.com/fvideo.php?f=inikaquiaeaxqi&nedolnost-muslimanov-innocence-of-muslims>

<http://facedl.com/fvideo.php?f=uakiakeakanowwu&13-minute780p-trailer-of-innocence-of-mus>

<http://facedl.com/fvideo.php?f=iigexexqqogewix&innocence-of-muslims-based-on-authentic-s>

Copyright Owner's Name: Gaylord Flynn

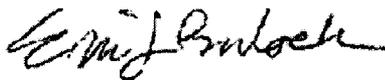
Authorized Agent: DMCA Solutions, LLC  
31 Hastings Street  
Mendon, MA 01756  
USA  
(202) 350-0200  
[Eric@DMCASolutions.com](mailto:Eric@DMCASolutions.com)

DMCA Solutions, LLC, has a good faith belief that use of the material in the manner complained of is not authorized by the copyright owner, its agent, or the law.

The information in this notification is accurate, and under penalty of perjury, DMCA Solutions, LLC, is authorized to act on behalf of Gaylord Flynn, the owner of an exclusive right that is infringed.

DMCA Solutions, LLC

By:



Eric Bullock 3/18/2014

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

I (a) PLAINTIFFS (Check box if you are representing yourself)
GAYLORD FLYNN
DEFENDANTS
NAKOULA BASSELEY NAKOULA, an individual also known as SAM
BACILE: et al, (See Attachment A)
(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same)
M. CRIS ARMENTA, THE ARMENTA LAW FIRM, APC
11900 OLYMPIC BOULEVARD, SUITE 730, LOS ANGELES, CA 90064
(310) 826-2826, (310) 826-5456 FAX
Attorneys (If Known)
Tim Alger, attorney for Defendant Google, Inc.

II. BASIS OF JURISDICTION (Place an X in one box only.)
III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only
(Place an X in one box for plaintiff and one for defendant.)
PTF DEF PTF DEF
Citizen of This State [ ] 1 [ ] 1 Incorporated or Principal Place of Business in this State [ ] 4 [ ] 4
Citizen of Another State [ ] 2 [ ] 2 Incorporated and Principal Place of Business in Another State [ ] 5 [ ] 5
Citizen or Subject of a Foreign Country [ ] 3 [ ] 3 Foreign Nation [ ] 6 [ ] 6

IV. ORIGIN (Place an X in one box only.)
[ ] 1 Original Proceeding [ ] 2 Removed from State Court [ ] 3 Remanded from Appellate Court [ ] 4 Reinstated or Reopened [ ] 5 Transferred from another district (specify): [ ] 6 Multi-District Litigation [ ] 7 Appeal to District Judge from Magistrate Judge

V. REQUESTED IN COMPLAINT: JURY DEMAND: [ ] Yes [ ] No (Check 'Yes' only if demanded in complaint.)
CLASS ACTION under F.R.C.P. 23: [ ] Yes [ ] No
MONEY DEMANDED IN COMPLAINT: \$ actual or/and statutory damages

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)
17 U.S.C. Section 101 - Copyright Infringement

VII. NATURE OF SUIT (Place an X in one box only.)
OTHER STATUTES: [ ] 400 State Reapportionment [ ] 410 Antitrust [ ] 430 Banks and Banking [ ] 450 Commerce/ICC Rates/etc. [ ] 460 Deportation [ ] 470 Racketeer Influenced and Corrupt Organizations [ ] 480 Consumer Credit [ ] 490 Cable/Sat TV [ ] 810 Selective Service [ ] 850 Securities/Commodities/Exchange [ ] 875 Customer Challenge 12 USC 3410 [ ] 890 Other Statutory Actions [ ] 891 Agricultural Act [ ] 892 Economic Stabilization Act [ ] 893 Environmental Matters [ ] 894 Energy Allocation Act [ ] 895 Freedom of Info Act [ ] 900 Appeal of Fee Determination Under Equal Access to Justice [ ] 950 Constitutionality of State Statutes
CONTRACT: [ ] 110 Insurance [ ] 120 Marine [ ] 130 Miller Act [ ] 140 Negotiable Instrument [ ] 150 Recovery of Overpayment & Enforcement of Judgment [ ] 151 Medicare Act [ ] 152 Recovery of Defaulted Student Loan (Excl. Veterans) [ ] 153 Recovery of Overpayment of Veteran's Benefits [ ] 160 Stockholders' Suits [ ] 190 Other Contract [ ] 195 Contract Product Liability [ ] 196 Franchise
REAL PROPERTY: [ ] 210 Land Condemnation [ ] 220 Foreclosure [ ] 230 Rent Lease & Ejectment [ ] 240 Torts to Land [ ] 245 Tort Product Liability [ ] 290 All Other Real Property
TORTS: PERSONAL INJURY: [ ] 310 Airplane [ ] 315 Airplane Product Liability [ ] 320 Assault, Libel & Slander [ ] 330 Fed. Employers' Liability [ ] 340 Marine [ ] 345 Marine Product Liability [ ] 350 Motor Vehicle [ ] 355 Motor Vehicle Product Liability [ ] 360 Other Personal Injury [ ] 362 Personal Injury-Med Malpractice [ ] 365 Personal Injury-Product Liability [ ] 368 Asbestos Personal Injury Product Liability
IMMIGRATION: [ ] 462 Naturalization Application [ ] 463 Habeas Corpus-Alien Detainee [ ] 465 Other Immigration Actions
TORTS: PERSONAL PROPERTY: [ ] 370 Other Fraud [ ] 371 Truth in Lending [ ] 380 Other Personal Property Damage [ ] 385 Property Damage Product Liability
BANKRUPTCY: [ ] 422 Appeal 28 USC 158 [ ] 423 Withdrawal 28 USC 157
CIVIL RIGHTS: [ ] 441 Voting [ ] 442 Employment [ ] 443 Housing/Accommodations [ ] 444 Welfare [ ] 445 American with Disabilities - Employment [ ] 446 American with Disabilities - Other [ ] 440 Other Civil Rights
PRISONER PETITIONS: [ ] 510 Motions to Vacate Sentence Habeas Corpus [ ] 530 General [ ] 535 Death Penalty [ ] 540 Mandamus/Other [ ] 550 Civil Rights [ ] 555 Prison Condition
FORFEITURE/PENALTY: [ ] 610 Agriculture [ ] 620 Other Food & Drug [ ] 625 Drug Related Seizure of Property 21 USC 881 [ ] 630 Liquor Laws [ ] 640 R.R. & Truck [ ] 650 Airline Regs [ ] 660 Occupational Safety /Health [ ] 690 Other
LABOR: [ ] 710 Fair Labor Standards Act [ ] 720 Labor/Mgmt. Relations [ ] 730 Labor/Mgmt. Reporting & Disclosure Act [ ] 740 Railway Labor Act [ ] 790 Other Labor Litigation [ ] 791 Empl. Ret. Inc. Security Act
PROPERTY RIGHTS: [ ] 820 Copyrights [ ] 830 Patent [ ] 840 Trademark
SOCIAL SECURITY: [ ] 861 HIA (1395ff) [ ] 862 Black Lung (923) (405(g)) [ ] 864 SSID Title XVI [ ] 865 RSI (405(g))
FEDERAL TAX SUITS: [ ] 870 Taxes (U.S. Plaintiff or Defendant) [ ] 871 IRS-Third Party 26 USC 7609

FOR OFFICE USE ONLY: Case Number: EDCV 14-01901
AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEET**

VIII(a). **IDENTICAL CASES:** Has this action been previously filed in this court and dismissed, remanded or closed?  No  Yes  
If yes, list case number(s): \_\_\_\_\_

VIII(b). **RELATED CASES:** Have any cases been previously filed in this court that are related to the present case?  No  Yes  
If yes, list case number(s) CV12-8315-MWF(VBKx)

**Civil cases are deemed related if a previously filed case and the present case:**

- (Check all boxes that apply)  A Arise from the same or closely related transactions, happenings, or events, or  
 B Call for determination of the same or substantially related or similar questions of law and fact; or  
 C. For other reasons would entail substantial duplication of labor if heard by different judges; or  
 D Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present

**IX. VENUE:** (When completing the following information, use an additional sheet if necessary )

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named plaintiff resides.  
 Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b)

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Riverside County	

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named defendant resides.  
 Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c)

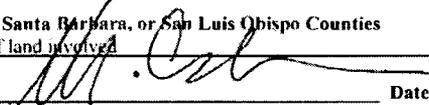
County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles, Palo Alto	

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH claim arose.  
**Note: In land condemnation cases, use the location of the tract of land involved.**

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country

\* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

Note: In land condemnation cases, use the location of the tract of land involved.

X. SIGNATURE OF ATTORNEY (OR PRO PER):  Date 09/11/2014

**Notice to Counsel/Parties:** The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet (For more detailed instructions, see separate instructions sheet )

**Key to Statistical codes relating to Social Security Cases:**

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969 (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended (42 U.S.C. (g))

Gaylord Flynn  
VS.  
Nakoula Basseley Nakoula, et al

**ATTACHMENT A PLAINTIFFS**

GAYLORD FLYNN, an individual,  
Plaintiffs,

**DEFENDANTS**

NAKOULA BASSELEY NAKOULA, an individual also known as SAM BACILE, MARK BASSELEY YOUSSEF, ABANOB BASSELEY NAKOULA, MATTHEW NEKOLA, AHMED HAMDY, AMAL NADA, DANIEL K. CARESMAN, KRITBAG DIFRAT, SOBHI BUSHRA, ROBERT BACILY, NICOLA BACILY, THOMAS J. TANAS, ERWIN SALAMEH, YOUSSEFF M. BASSELEY, and/or MALID AHLAWI; GOOGLE, INC., a Delaware Corporation; ALAN ROBERTS an individual also known as Robert BROWNELL, DOES 1-10 inclusive.

Defendants.