

Work in various product lines and for A.I. training, which is expected to generate a considerable amount of revenue.

4. Sci Spark is the owner and sole rights holder in and to multiple works registered with the United States Copyright Office. Such works include a registration covering a repeating shark pattern for digital and physical use. Sci Spark registered this works with the United States Copyright Office under registration VA 2-443-741 (the “Copyrighted Work”):



5. A true and correct copy of the registration certificate for the Copyrighted Work is attached as Exhibit 1.

6. Plaintiff licenses the use of the Copyrighted Work to a limited number of manufacturers of products that are sold online around the world (collectively, the “Plaintiff’s Products”). After obtaining the copyright registration and in the ordinary course of its business, Sci Spark conducted an Internet investigation and discovered that the Defendants were selling Infringing Products that make use of Sci Spark’s Copyrighted Work and are otherwise exploiting

Plaintiff's exclusive intellectual property to market and sell their Infringing Products, despite having no license or authorization to use the Copyrighted Work.

7. Defendants have offered for sale, sold, and distributed the Infringing Products within this district and throughout the United States by operating e-commerce stores using their respective Store Names and Seller Names set forth in Schedule "A" hereto (collectively, the "Seller Aliases").

8. Upon information and belief, Defendants' infringing activities of offering for sale, marketing, and selling Infringing Products using Plaintiff's Copyrighted Work arise from the same transaction, occurrence, or series of transactions or occurrences. Specifically, upon information and belief, Defendants are actively participating in a conspiracy to distribute and sell Infringing Products to United States consumers. Further, upon information and belief, Defendants are working together to manufacture, arrange the manufacture of and/or sell and otherwise distribute the Infringing Products. Moreover, the Infringing Products and their corresponding listings share similar characteristics suggestive of common ownership or a coordinated scheme.

9. Plaintiff has been and continues to be irreparably harmed by Defendants' infringement and, therefore, Plaintiff seeks injunctive relief to halt such infringement and irreparable harm. Plaintiff also seeks monetary relief for this sustained and ongoing injury.

10. Plaintiff therefore brings this action for federal copyright infringement pursuant to 17 U.S.C. § 501(a), *et seq.*, 28 U.S.C. § 1338(a)–(b), and 28 U.S.C. § 1331.

### **JURISDICTION AND VENUE**

11. This Court has original subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338 because the claims in this action are brought under the Copyright Act, 17 U.S.C. § 101, *et seq.*

### **Personal Jurisdiction**

12. This Court may exercise personal jurisdiction over a non-resident of the State in which the Court sits to the extent authorized by the state's laws. Fed. R. Civ. P. 4(e). Pennsylvania authorizes personal jurisdiction over each Defendant pursuant to 42 Pa. Cons. Stat. § 5322 (a) which provides in pertinent part: "A tribunal of this Commonwealth may exercise personal jurisdiction over a person . . . as to a cause of action or other matter arising from such person: (1) Transacting any business in this Commonwealth. Without excluding other acts which may constitute transacting business for the purpose of this paragraph: (ii) The doing of a single act in this Commonwealth for the purpose of thereby realizing pecuniary benefit . . . (3) Causing harm or tortious injury by an act or omission in this Commonwealth. (4) Causing harm or tortious injury by an act or omission outside this Commonwealth . . . (10) Committing any violation within the jurisdiction of the Commonwealth of any statute, home rule charter, local ordinance or resolution, or rule or regulation promulgated thereunder by any government unit or of any order of court or other government unit." Therefore, Pennsylvania authorizes personal jurisdiction over a defendant who commits even a single tortious act in the Commonwealth for the purpose of thereby realizing pecuniary benefit. 42 Pa. Cons. Stat. § 5322 (a).

13. Alternatively, Federal Rule of Civil Procedure 4(k) confers personal jurisdiction over the Defendants because, upon information and belief, Defendants regularly conduct, transact and/or solicit business in Pennsylvania and in this judicial district, and/or derive substantial revenue from their business transactions in Pennsylvania and in this judicial district and/or otherwise avail themselves of the privileges and protections of the laws of the Commonwealth of Pennsylvania such that this Court's assertion of jurisdiction over Defendants does not offend traditional notions of fair play and due process, and/or Defendants' illegal infringing actions