

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
OHIO, WESTERN DIVISION

Strike 3 Holdings, LLC v. John Doe subscriber assigned IP Address
74.140.107.48

Strike 3 Holdings v. Doe · No. 2:25-cv-1350 · Decided January 9, 2026

SUMMARY

The United States District Court for the Southern District of Ohio grants Strike 3 Holdings, LLC leave to serve an Internet service provider with a Rule 45 subpoena before the Rule 26(f) conference to identify an alleged copyright infringer. The order limits the information sought, establishes notice and preservation procedures, and permits the defendant to proceed anonymously under a protective order.

CASE DETAILS

COURT	United States District Court for the Southern District of Ohio, Western Division
WRITING FOR THE COURT	Timothy S. Black
JURISDICTION	United States District Court for the Southern District of Ohio, Western Division
DECIDED	January 9, 2026
DOCKET	2:25-cv-1350
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for leave to serve a third-party subpoena on the Internet service provider before the Rule 26(f) conference and requested limited anonymity for the Doe defendant.
STANDARD OF REVIEW	The court applied the good-cause standard for expedited discovery under Federal Rule of Civil Procedure 26(d)(1) and the protective-order standard under Rule 26(c).
PRECEDENTIAL VALUE	unpublished district court order

TOPICS

- discovery dispute
- copyright infringement
- copyright law
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Plaintiff demonstrated good cause for expedited discovery before the Rule 26(f) conference.
2. What limitations and notice procedures should govern the Rule 45 subpoena to the ISP.
3. Whether the Doe defendant should be permitted to proceed anonymously under a protective order while the subpoena process proceeds.

HOLDINGS

1. Plaintiff demonstrated good cause for expedited discovery because it alleged direct copyright infringement, sought narrowly tailored information identifying the alleged infringer, showed that the information was necessary and otherwise unavailable, and showed that the discovery would advance the case.
2. Plaintiff may serve a Rule 45 subpoena on the ISP to obtain the defendant's full name and residential address, but may not seek the defendant's email addresses or telephone numbers and may use the disclosed information only to protect and enforce the rights alleged in the complaint.
3. The Doe defendant may proceed anonymously for a limited period, until discovery suggests that the defendant is the individual connected to the IP address identified in Plaintiff's subpoena.

KEY QUOTATIONS

“Generally, a party “may not seek discovery from any source before the parties have conferred as required by Rule 26(f),” but the Federal Rules allow early discovery “when authorized . . . by court order.””

“Plaintiff has alleged a claim for direct copyright infringement and has narrowly tailored the discovery it seeks to identifying the alleged infringer.”

FACTUAL BACKGROUND

Plaintiff alleged that Defendant directly infringed its copyright and identified Defendant through an IP address associated with an Internet service provider. Plaintiff sought narrowly tailored discovery from the ISP to obtain the defendant's full name and residential address because that information was necessary to prosecute the claim and otherwise unavailable. The court also considered the sensitive nature of the allegations, the risk of false-positive subscriber identifications, and the need to preserve the defendant's anonymity temporarily.

PROCEDURAL HISTORY

Strike 3 Holdings filed a copyright-infringement action against an unidentified subscriber associated with a specified IP address. Before the Rule 26(f) conference, Plaintiff sought expedited third-party discovery to identify the defendant. The district court granted the motion and issued a protective order governing the subpoena, notice, preservation, and the defendant's temporary anonymity.

DISPOSITION

other

CASES CITED

- Malibu Media, LLC v. Doe, No. 2:15-CV-1202, 2015 WL 12732859, at *1 (S.D. Ohio Apr. 13, 2015)
- Strike 3 Holdings, LLC v. Doe, No. 19-10720, 2019 WL 2523591, at *1 (E.D. Mich. June 19, 2019)

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