

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

Strike 3 Holdings, LLC v. John Doe Subscriber Assigned IP Address 71.204.145.189

Strike 3 Holdings · No. 25-cv-10205-TSH · Decided December 29, 2025

SUMMARY

The United States District Court for the Northern District of California grants Strike 3 Holdings, LLC leave to serve a third-party Rule 45 subpoena on Comcast Cable Communications, LLC before a Rule 26(f) conference. The order establishes notice, challenge, preservation, production, and confidentiality requirements concerning identification of the subscriber assigned the specified IP address.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Thomas S. Hixson
JURISDICTION	United States District Court for the Northern District of California
DECIDED	December 29, 2025
DOCKET	25-cv-10205-TSH
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved ex parte for leave to serve a third-party subpoena on the defendant's internet service provider before the Rule 26(f) conference.
STANDARD OF REVIEW	The court determined whether plaintiff had established good cause for expedited third-party discovery before the Rule 26(f) conference.
PRECEDENTIAL VALUE	Unpublished, nonprecedential district court order

TOPICS

- discovery dispute
- civil procedure
- copyright infringement

PRACTICE AREAS

- civil procedure
- copyright law
- third-party discovery

QUESTIONS PRESENTED

1. Whether plaintiff showed good cause to serve a Rule 45 subpoena on the internet service provider before the Rule 26(f) conference.
2. What notice, objection, preservation, confidentiality, and use restrictions should govern the subpoena and any identifying information disclosed.

HOLDINGS

1. Plaintiff established good cause to serve a Rule 45 subpoena on Comcast Cable Communications, LLC, and on any subsequently identified internet service provider, before the Rule 26(f) conference.
2. The subpoena must be accompanied by the order and must provide the subscriber and the ISP specified periods to contest the subpoena; the ISP must preserve responsive information, provide required notice, and maintain the confidentiality of the subscriber's identity pending further court authorization or an opportunity to seek anonymous litigation.

KEY QUOTATIONS

"Plaintiff has established "good cause" exists to serve a third-party subpoena on the internet service provider, Comcast Cable Communications, LLC (the "ISP")." (§ 1)

FACTUAL BACKGROUND

Strike 3 Holdings brought a copyright infringement action against an unidentified subscriber associated with IP address 71.204.145.189. Because the defendant's identity was unknown, plaintiff sought identifying information from the internet service provider to which the IP address had been assigned. The court found good cause to permit the subpoena and imposed procedures protecting the subscriber's notice, ability to object, and anonymity.

PROCEDURAL HISTORY

Strike 3 Holdings filed a copyright infringement action against an unidentified John Doe subscriber associated with a specified IP address. Before a Rule 26(f) conference, it sought leave to subpoena Comcast Cable Communications, LLC, or another identified service provider, for the subscriber's identifying information. The court granted the application subject to notice, challenge, preservation, confidentiality, and use restrictions.

DISPOSITION

other

CASES CITED

- UMG Recording, Inc. v. Doe, 2008 WL 4104214, *4 (N.D. Cal. Sep. 3, 2008)
- Strike 3 Holdings, LLC v. Doe, 2023 WL 6542326, at *2 (N.D. Cal. Sept. 22, 2023)