

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

Strike 3 Holdings, LLC v. John Doe Subscriber Assigned IP Address
73.92.161.251

Strike 3 Holdings · No. 25-cv-10268-KAW · Decided January 27, 2026

SUMMARY

The United States District Court for the Northern District of California grants Strike 3 Holdings, LLC leave to serve subpoenas before the Rule 26(f) conference to identify the subscriber associated with a specified IP address. The order establishes notice, objection, preservation, production, sealing, and limited-use requirements for the subpoenas and disclosed information.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	A. Westmore
JURISDICTION	United States District Court for the Northern District of California
DECIDED	January 27, 2026
DOCKET	25-cv-10268-KAW
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff sought ex parte leave to serve a third-party Rule 45 subpoena before the Rule 26(f) conference in a copyright infringement action against an unidentified subscriber.
STANDARD OF REVIEW	Good-cause standard for expedited third-party discovery before the Rule 26(f) conference.
PRECEDENTIAL VALUE	Unpublished district court order; precedential status not stated in the opinion.

TOPICS

- discovery dispute
- civil procedure
- copyright infringement

PRACTICE AREAS

- Civil procedure
- Copyright

QUESTIONS PRESENTED

1. Whether good cause existed to permit service of a third-party Rule 45 subpoena before the Rule 26(f) conference.
2. What procedural safeguards should govern subpoenas seeking the identifying information of an Internet subscriber.

HOLDINGS

1. Good cause existed for Strike 3 Holdings to serve a Rule 45 subpoena on Comcast Cable Communications, LLC before the Rule 26(f) conference to obtain only the true name and address of the subscriber assigned IP address 73.92.161.251.
2. The authorized subpoenas were limited to identifying information, required notice to subscribers, allowed subscribers and ISPs 30 days to challenge the subpoenas, required preservation of subpoenaed information, restricted use of disclosed information to protecting copyright rights, and required filing documents containing identifying information under seal.

KEY QUOTATIONS

“Plaintiff has established that good cause exists for it to serve a third party subpoena on Comcast Cable Communications, LLC (“Initial ISP Provider”).” (1)

“any information disclosed to Plaintiff in response to a subpoena may be used by Plaintiff solely for the purpose of protecting its rights under the Copyright Act, 17 U.S.C. § 101 et seq.” (2)

FACTUAL BACKGROUND

Strike 3 Holdings alleged copyright infringement by a defendant identified only through IP address 73.92.161.251. The plaintiff sought the subscriber's true name and address from Comcast Cable Communications, LLC and any subsequently identified Internet service provider so that the Doe defendant could be identified.

PROCEDURAL HISTORY

Strike 3 Holdings filed an action against a John Doe defendant identified by an Internet Protocol address and moved ex parte for leave to subpoena the defendant's Internet service provider before the Rule 26(f) conference. The district court granted the motion and established notice, objection, preservation, production, confidentiality, and limited-use procedures.

DISPOSITION

other

CASES CITED

- UMG Recording, Inc. v. Doe, No. C 08-1193 SBA, 2008 WL 4104214, at *4 (N.D. Cal. Sept. 3, 2008)
- Arista Records LLC v. Does 1–19, 551 F. Supp. 2d 1, 6–7 (D.D.C. 2008)

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