

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Global Brother SRL v. Tushar Popat

Global Brother · No. 2:25-cv-02319-DJC-CSK · Decided December 9, 2025

SUMMARY

The United States District Court for the Eastern District of California considers Global Brother SRL’s motions for alternative service, an extension of time to serve, and attorneys’ fees and costs in a copyright infringement action against Tushar Popat. The court authorizes personal or substitute service under California law accompanied by documented email service, grants an additional 90 days for service, and denies attorneys’ fees without prejudice. The court also vacates the scheduled hearing.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Daniel J. Calabretta
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	December 9, 2025
DOCKET	2:25-cv-02319-DJC-CSK
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for authorization to serve Defendant by email or other alternative means, an extension of time for service, and attorneys’ fees and costs. The district court granted the motions in part and denied them in part.
STANDARD OF REVIEW	The court applied the statutory and rule-based standards governing service of process, including whether the proposed method was reasonably calculated to provide actual notice and whether good cause supported an extension under Federal Rule of Civil Procedure 4(m).
PRECEDENTIAL VALUE	unpublished, nonprecedential district court order
PARTIES	Global Brother SRL v. Tushar Popat

TOPICS

- service of process
- civil procedure
- attorney fees
- copyright law

PRACTICE AREAS

civil procedure

copyright

QUESTIONS PRESENTED

1. Whether Plaintiff could serve Defendant through email under Federal Rule of Civil Procedure 4(e) and California law.
2. Whether Plaintiff demonstrated good cause for an additional 90-day extension to serve Defendant under Federal Rule of Civil Procedure 4(m).
3. Whether Plaintiff was entitled at that time to attorneys' fees and costs under the court's inherent authority.

HOLDINGS

1. The court declined to invoke California Code of Civil Procedure section 413.30 because California law provides other methods of service, but permitted Plaintiff to serve Defendant personally or by substitute service consistent with California law, together with documented service by email and a copy to Defendant's counsel.
2. Plaintiff established good cause for failing to serve Defendant within the applicable period, and the court granted Plaintiff an additional 90 days to effect service.
3. The court denied Plaintiff's request for attorneys' fees without prejudice to renewal once Defendant appears in the action.

KEY QUOTATIONS

"Where no provision is made in this chapter or other law for the service of summons, the court in which the action is pending may direct that summons be served in a manner which is reasonably calculated to give actual notice to the party to be served and that proof of such service be made as prescribed by the court." (2)

"But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period." (4)

FACTUAL BACKGROUND

Global Brother SRL, a Romanian publisher, sued Tushar Popat for allegedly disseminating its copyrighted works through online platforms. Popat initially contacted Plaintiff by email and requested delayed service, but did not execute a waiver of service or correct the allegedly invalid address listed in his DMCA counter-notice. Popat later retained counsel, but Plaintiff alleged that counsel did not respond to repeated requests concerning waiver and service. Plaintiff then sought authorization for email service, an extension of time, and attorneys' fees and costs.

PROCEDURAL HISTORY

Global Brother SRL filed a copyright-infringement action on August 13, 2025. After unsuccessful efforts to obtain a waiver and personally serve Popat at an allegedly invalid address, Plaintiff sought alternative service

and related relief. The court authorized personal or substitute service accompanied by documented email service, granted an additional 90 days for service, and denied attorneys' fees without prejudice to renewal after Defendant appears.

DISPOSITION

other

CASES CITED

- Oh My Green, Inc. v. Cuffe, No. 19-cv-25097-PAP (VCX), 2020 WL 3213715, at *2 (C.D. Cal. Mar. 20, 2020)
- Dellone v. Coinbase, Inc., No. 1:23-cv-01408-ADA-HBK, 2023 WL 8646925, at *2 (E.D. Cal. Dec. 14, 2023)
- Rio Properties, Inc. v. Rio International Interlink, 284 F.3d 1007, 1017-18 (9th Cir. 2002)
- Watts v. Crawford, 10 Cal. 4th 743, 749 n.5 (1995)
- Commodity Futures Trading Commission v. Ooki DAO, No. 3:22-cv-05416-WHO, 2022 WL 17822445, at *9-10 (N.D. Cal. Dec. 20, 2022)