

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA, SAN JOSE DIVISION

Todd Yao v. Coco Altatis, et al.

Yao · No. 25-cv-08745-VKD · Decided December 19, 2025

SUMMARY

The United States District Court for the Northern District of California denied without prejudice Todd Yao’s motion to serve defendants Coco Altatis and Conan Daily by email and social media under Federal Rule of Civil Procedure 4(f)(3). The court concluded that Yao had not shown the proposed methods were permissible under the Hague Service Convention, given the Philippines’ objection to certain Article 10 channels, or that defendants had no known physical address. The court also found insufficient evidence that the proposed electronic methods were reasonably calculated to provide actual notice.

CASE DETAILS

COURT	United States District Court for the Northern District of California, San Jose Division
WRITING FOR THE COURT	Virginia K. DeMarchi
JURISDICTION	United States District Court for the Northern District of California
DECIDED	December 19, 2025
DOCKET	25-cv-08745-VKD
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved under Federal Rule of Civil Procedure 4(f)(3) for authorization to serve foreign defendants by email and messages to social-media accounts. The district court denied the motion without prejudice.
STANDARD OF REVIEW	Whether to authorize alternative service under Rule 4(f)(3) is committed to the district court's discretion. The proposed method must not be prohibited by international agreement and must satisfy due process by being reasonably calculated to apprise the defendants of the action and provide an opportunity to respond.
PRECEDENTIAL VALUE	Unknown; district court order with no reported citation.
PARTIES	Todd Yao v. Coco Altatis, Conan Daily, unnamed Doe defendants

TOPICS

service of process

civil procedure

defamation

PRACTICE AREAS

civil procedure

defamation

QUESTIONS PRESENTED

1. Whether the court could authorize service by email and social-media messages under Federal Rule of Civil Procedure 4(f)(3) when the Philippines had objected to certain Article 10 channels of the Hague Service Convention.
2. Whether the proposed email and social-media methods were reasonably calculated under due process principles to apprise the defendants of the action and provide them an opportunity to respond.
3. Whether plaintiff had shown that conventional service was unavailable or impracticable.

HOLDINGS

1. The court would not authorize the proposed alternative service because plaintiff failed to establish that service by email or social-media messages was not prohibited by an applicable international agreement.
2. Plaintiff failed to demonstrate that service by email or social-media messages was reasonably calculated to provide defendants actual notice of the action.

KEY QUOTATIONS

“Any alternate means of service must comport with due process, and thus “must be reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their objections.”” (at 2)

“The rule does not “create a hierarchy of preferred methods of service of process,” and “service of process under Rule 4(f)(3) is neither a last resort nor extraordinary relief.”” (at 2)

“Accordingly, nothing in Rio Properties suggests that a Court may authorize service under Rule 4(f)(3) where a signatory to the Hague Service Convention has objected to the proposed method of service, a point Dr. Yao has not addressed.” (at 4)

FACTUAL BACKGROUND

Todd Yao sued Coco Altatis, Conan Daily, and Doe defendants for alleged defamation arising from an online article concerning accusations of misconduct against Yao. Yao alleged that Altatis lived in the Philippines and that Conan Daily operated online, with website servers located in California. After unsuccessful attempts to contact the defendants by email and social media, Yao sought authorization to serve them through those channels.

PROCEDURAL HISTORY

Yao filed a defamation action on October 13, 2025, and later moved for alternative service after reporting that he could not identify defendants' physical addresses or a United States registered agent. The court concluded that he had not shown that the proposed methods were not prohibited by the Hague Service Convention or that they were reasonably calculated to provide actual notice. The motion was denied without prejudice.

DISPOSITION

other

CASES CITED

- Rio Props., Inc. v. Rio Int'l Interlink, 284 F.3d 1007, 1014-16 (9th Cir. 2002)
- Volkswagenwerk Aktiengesellschaft v. Schlunk, 486 U.S. 694, 705 (1988)
- Facebook, Inc. v. 9 Xiu Network (Shenzhen) Tech. Co., 480 F. Supp. 3d 977, 984-85 (N.D. Cal. 2020)
- CarMax Enter. Servs., LLC v. Precision Glob. Med. Distributors, LLC, No. 22-cv-463, 2023 WL 6797493, at *4 (E.D. Va. Oct. 13, 2023)
- Vaswani, Inc. v. Manjunathamurthy, No. 20-cv-20288-KSH-CLW, 2021 WL 1541071, at *4 (D.N.J. Apr. 19, 2021)
- Media Trademark & Licensing Ltd. v. COINGEEKLTD.COM, No. 21-cv-00214-PHX-DWL, 2021 WL 2895289, at *5 (D. Ariz. July 9, 2021)
- Panamerica Trade, Inc. v. Boys, No. 3:25-cv-473-MMH-SJH, 2025 WL 1580817, at *2 (M.D. Fla. June 4, 2025)
- Amazon.com, Inc. v. Tian, No. 21-cv-00159-TL, 2022 WL 486267, at *3 (W.D. Wash. Feb. 17, 2022)
- Viral DRM LLC v. Margarita, No. 24-cv-00747-JSC, 2024 WL 2112897, at *2-3 (N.D. Cal. Apr. 11, 2024)