

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF  
CALIFORNIA

Strike 3 Holdings, LLC v. John Doe Subscriber Assigned IP Address  
162.234.254.79

Strike 3 Holdings · No. 25-cv-06468-KAW · Decided August 25, 2025

SUMMARY

The court grants Strike 3 Holdings, LLC leave to serve Rule 45 subpoenas on AT&T Internet and any subsequently identified internet service providers before the Rule 26(f) conference. The subpoenas may seek only the name and address associated with IP address 162.234.254.79, subject to notice, preservation, challenge, sealing, and permitted-use requirements.

CASE DETAILS

|                       |                                                                                                                                                                            |
|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Northern District of California                                                                                                       |
| WRITING FOR THE COURT | Andis A. Westmore                                                                                                                                                          |
| JURISDICTION          | United States District Court for the Northern District of California                                                                                                       |
| DECIDED               | August 25, 2025                                                                                                                                                            |
| DOCKET                | 25-cv-06468-KAW                                                                                                                                                            |
| DISPOSITION           | other                                                                                                                                                                      |
| PROCEDURAL POSTURE    | Plaintiff moved ex parte for leave to serve a third-party subpoena before the Rule 26(f) conference in a copyright-infringement action against an unidentified subscriber. |
| STANDARD OF REVIEW    | Good-cause standard for authorization of expedited discovery before the Rule 26(f) conference.                                                                             |
| PRECEDENTIAL VALUE    | Unknown; district court order with no reported citation or stated precedential designation.                                                                                |

TOPICS

- discovery dispute
- third party practice
- copyright infringement
- copyright law
- civil procedure

PRACTICE AREAS

- civil procedure
- copyright infringement
- intellectual property

## QUESTIONS PRESENTED

1. Whether Plaintiff established good cause to serve a third-party subpoena seeking the identity and address of an unknown defendant before the Rule 26(f) conference.
2. What procedural protections should govern the subpoenas and disclosure of subscriber-identifying information.

## HOLDINGS

1. Plaintiff established good cause to serve a Rule 45 subpoena on AT&T Internet, and on any subsequently identified Internet service provider, for the true name and address of the subscriber assigned IP address 162.234.254.79.
2. The authorized subpoenas must be accompanied by this order, provide notice to affected subscribers, allow 30 days to contest the subpoena, require preservation pending resolution, restrict use of disclosed information to protection of Plaintiff's Copyright Act rights, and require filing identifying information under seal.

## KEY QUOTATIONS

*"IT IS FURTHER ORDERED that subpoenas authorized by this order, and issued pursuant thereto, shall be deemed appropriate court orders under 47 U.S.C. § 551" (§ 4)*

*"If the 30-day period lapses without the subscriber contesting the subpoena, the ISP shall have 10 days to produce to Plaintiff the information responsive to the subpoena with respect to that subscriber." (§ 6)*

## FACTUAL BACKGROUND

Strike 3 Holdings alleged copyright-related claims against a Doe defendant associated with IP address 162.234.254.79. Because the defendant's identity was unknown, Plaintiff sought permission to subpoena AT&T Internet and any subsequently identified Internet service providers for the defendant's true name and address. The court found good cause for the requested early discovery and imposed procedural safeguards governing notice, challenges, preservation, sealing, and use of the information.

## PROCEDURAL HISTORY

Strike 3 Holdings filed an action against John Doe, identified by an IP address, and sought early discovery from the subscriber's Internet service provider. The court granted leave to serve subpoenas on the initial ISP and subsequently identified Internet service providers, subject to notice, an opportunity to move to quash or modify, preservation, confidentiality, and use restrictions.

## 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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