

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
OHIO, WESTERN DIVISION

Strike 3 Holdings, LLC v. John Doe subscriber assigned IP Address
174.97.26.248

Strike 3 Holdings · No. 1:25-cv-969 · Decided February 6, 2026

SUMMARY

The United States District Court for the Southern District of Ohio grants Strike 3 Holdings, LLC leave to serve a third-party subpoena on the internet service provider associated with the identified IP address before the Rule 26(f) conference. The order limits the subpoena to the subscriber’s name and residential address, establishes notice and preservation procedures, and permits the defendant to proceed anonymously for a limited time under a protective order.

CASE DETAILS

COURT	United States District Court for the Southern District of Ohio, Western Division
WRITING FOR THE COURT	Timothy S. Black
JURISDICTION	United States District Court for the Southern District of Ohio, Western Division
DECIDED	February 6, 2026
DOCKET	1:25-cv-969
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for leave to serve a third-party subpoena on the Internet service provider before the Rule 26(f) conference and for related protection of the defendant's identity. The district court granted the motion and issued a protective order.
STANDARD OF REVIEW	Good-cause standard for authorizing expedited discovery under Federal Rule of Civil Procedure 26(d)(1); protective-order determination under Federal Rule of Civil Procedure 26(c).
PRECEDENTIAL VALUE	Unpublished district court order; precedential status unknown.

TOPICS

- discovery dispute
- copyright infringement
- civil procedure

PRACTICE AREAS

civil procedure

copyright litigation

discovery

QUESTIONS PRESENTED

1. Whether Plaintiff showed good cause for expedited discovery before the Rule 26(f) conference.
2. Whether Plaintiff should be permitted to serve a Rule 45 subpoena on the ISP to obtain the alleged infringer's identifying information.
3. Whether a protective order should permit the defendant to proceed anonymously for a limited period while the subpoena-related discovery proceeds.

HOLDINGS

1. Plaintiff demonstrated good cause for expedited discovery because it alleged direct copyright infringement, sought narrowly tailored identifying information, faced the need to obtain information that was otherwise unavailable, and showed that the discovery would materially advance the case.
2. Plaintiff may serve a Rule 45 subpoena on the ISP associated with the identified IP address to obtain Defendant's full name and residential address, but may not seek email addresses or telephone numbers and may use the information only to protect and enforce the rights alleged in the complaint.
3. The defendant may proceed anonymously for a limited time while discovery determines whether the defendant is the individual connected to the IP address, subject to modification by the parties or the Court.

KEY QUOTATIONS

“Good cause may be found based upon “(1) allegations of copyright infringement, (2) the danger that the ISP will not preserve the information sought, (3) the narrow scope of the information sought, and (4) the conclusion that expedited discovery would substantially contribute to moving the case forward.””

FACTUAL BACKGROUND

Plaintiff alleged that Defendant directly infringed its copyright and identified Defendant through an IP address associated with an ISP. Plaintiff sought narrowly tailored discovery consisting of the subscriber's full name and residential address because the information was necessary to prosecute the claim and otherwise unavailable. The Court also considered the sensitive nature of the allegations, the risk of false-positive subscriber identifications, and the public's common-law right of access.

PROCEDURAL HISTORY

Strike 3 Holdings filed a copyright-infringement action against an unidentified subscriber associated with a specified IP address. Before the Rule 26(f) conference, Plaintiff sought expedited third-party discovery from the associated ISP. The district court granted leave subject to limitations, notice requirements, preservation obligations, and a protective order allowing the defendant to proceed anonymously for a limited time.

DISPOSITION

other

CASES CITED

- Malibu Media, LLC v. Doe, No. 2:15-CV-1202, 2015 WL 12732859, at *1 (S.D. Ohio Apr. 13, 2015)
- Strike 3 Holdings, LLC v. Doe, No. 19-10720, 2019 WL 2523591, at *1 (E.D. Mich. June 19, 2019)

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