

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

Strike 3 Holdings, LLC v. John Doe Subscriber Assigned IP Address 73.223.62.6

Strike 3 Holdings · No. 4:25-cv-10231-KAW · Decided January 5, 2026

SUMMARY

The United States District Court for the Northern District of California grants Strike 3 Holdings, LLC leave to serve Comcast and other identified internet service providers with subpoenas before the Rule 26(f) conference. The order establishes notice, objection, preservation, production, confidentiality, and permitted-use requirements for identifying the John Doe subscriber associated with IP address 73.223.62.6.

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	January 5, 2026
DOCKET	4:25-cv-10231-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.
PRECEDENTIAL VALUE	Unknown; district court order with no stated precedential status

TOPICS

- discovery dispute
- civil procedure
- copyright infringement
- service of process

PRACTICE AREAS

- civil procedure
- copyright litigation
- third-party discovery

QUESTIONS PRESENTED

1. Whether Plaintiff established good cause to serve a third-party subpoena before the Rule 26(f) conference.
2. What notice, challenge, preservation, confidentiality, and use restrictions should govern the authorized subpoenas.

HOLDINGS

1. Plaintiff established good cause to serve a Rule 45 subpoena on Comcast Cable Communications, LLC, and on any subsequently identified Internet service provider, before the Rule 26(f) conference, limited to obtaining the defendant's true name and address.
2. The authorized subpoenas must provide notice to affected subscribers, allow 30 days to challenge the subpoenas, require preservation of subpoenaed information, restrict use of disclosed information to protecting Plaintiff's rights under the Copyright Act, and require 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”).” (at 1)

“a cable operator may disclose [personally identifying] information if the disclosure is . . . made pursuant to a court order authorizing such disclosure, if the subscriber is notified of such order by the person to whom the order is directed.” (at 1)

FACTUAL BACKGROUND

Strike 3 Holdings brought a copyright infringement action against a subscriber associated with IP address 73.223.62.6. Because the defendant's identity was unknown, Plaintiff sought permission to subpoena Comcast Cable Communications, LLC and any subsequently identified Internet service providers for the defendant's true name and address. The court found good cause for the early third-party discovery and imposed procedures to protect subscriber privacy and allow challenges to the subpoenas.

PROCEDURAL HISTORY

Strike 3 Holdings filed an action against a John Doe defendant identified only by an IP address and sought early discovery from the defendant's Internet service provider. The court granted leave to serve subpoenas before the Rule 26(f) conference, subject to notice, an opportunity to move to quash or modify, preservation, sealing, 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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