

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

Maxwell Olson v. News Nation Network Pvt. Ltd.

Olson · No. 25-cv-01544-SI · Decided July 8, 2025

SUMMARY

The United States District Court for the Northern District of California denied without prejudice plaintiff Maxwell Olson’s ex parte application to authorize service of process by email on an Indian defendant under Federal Rule of Civil Procedure 4(f)(3). The court held that the application was premature because Olson had not attempted service through India’s Central Authority under the Hague Convention or developed a factual record showing that such service would be futile. The court continued the initial case management conference to September 19, 2025.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Susan Illston
JURISDICTION	United States District Court for the Northern District of California
DECIDED	July 8, 2025
DOCKET	25-cv-01544-SI
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff sought ex parte authorization to serve a foreign defendant by email under Federal Rule of Civil Procedure 4(f)(3).
STANDARD OF REVIEW	The court evaluated whether the circumstances and factual showing justified discretionary authorization of an alternative method of service under Federal Rule of Civil Procedure 4(f)(3).
PRECEDENTIAL VALUE	unpublished district court order; precedential status unknown
PARTIES	Maxwell Olson v. News Nation Network Pvt. Ltd.

TOPICS

- service of process
- copyright infringement
- copyright law
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the court should authorize service of process on an Indian defendant by email under Federal Rule of Civil Procedure 4(f)(3) before the plaintiff attempted service through India's Central Authority under the Hague Convention.
2. Whether the plaintiff made a sufficient factual showing that the particularities and necessities of the case justified alternative service.

HOLDINGS

1. The application for alternative service was premature and did not establish circumstances justifying email service because the plaintiff had not attempted service through India's Central Authority or developed a factual record demonstrating difficulties with Hague Convention service.

KEY QUOTATIONS

“Rule 4(f)(3) is an equal means of effecting service of process . . . when the particularities and necessities of a given case require alternate service of process under Rule 4(f)(3).” (at 2)

“The Court concludes that Olson’s application is premature and that he has not made an adequate showing to justify alternative service at this time.” (at 4)

FACTUAL BACKGROUND

Olson alleged that News Nation, an Indian private limited company, misappropriated, distributed, and published his copyrighted videos depicting extreme weather events. He requested permission to serve the summons, first amended complaint, and waiver-of-service form at two email addresses associated with News Nation, but counsel received no response. Olson had not attempted service through India's Central Authority under the Hague Convention and had not developed a factual record showing that conventional service would be futile or impracticable.

PROCEDURAL HISTORY

Olson filed a copyright infringement action against News Nation Network Pvt. Ltd. and Doe defendants. He then applied ex parte for authorization to serve News Nation by email, asserting that email service was appropriate because of difficulties associated with service in India. The court denied the application without prejudice and continued the initial case management conference.

DISPOSITION

other

CASES CITED

- *Rio Properties, Inc. v. Rio International Interlink*, 284 F.3d 1007, 1016 (9th Cir. 2002)

- *Richmond Technologies, Inc. v. Aumtech Business Solutions*, No. 11-CV-02460-LHK, 2011 WL 2607158, at *11 (N.D. Cal. July 1, 2011)

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