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UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA

Wavve Americas, Inc., a Delaware  
corporation,

Plaintiff,

vs.

Unknown Registrant Of dramacool.ba;  
Asian C, an individual;  
Tommy USA, an individual;  
Watch Asia, an individual;  
Dorothy Bradshaw, an individual;  
Najeeb Ullah Mirani, an individual;  
Baidar Bakht, an individual; and  
Minh Van Ngoc Mym, an individual,

Defendants.

Case No. 2:24-cv-02667-PHX-KML

**FIRST AMENDED COMPLAINT  
FOR:**

- 1. COPYRIGHT  
INFRINGEMENT  
[17 U.S.C. § 501]; AND**
- 2. CONTRIBUTORY  
COPYRIGHT  
INFRINGEMENT  
[17 U.S.C. § 501]**

**DEMAND FOR JURY TRIAL**

Plaintiff wavve Americas, Inc. (“wA” or “Plaintiff”), by and through its attorneys, asserts this First Amended Complaint (“FAC”) as a matter of course pursuant to Fed. Rule Civ. Proc. 15(a)(1)(A), and in response to the Court’s Order at Dkt. 31, against an online



copyright piracy ring focusing on Korea-language shows and movies operating under the name Dramacool.<sup>1</sup>

At present, the various actors in this piracy ring include the following Defendants:

Defendant	Related Domain Name or Application
Asian C.	registrant of <asianc.sh>
Tommy USA	registrant of <dramanice.la>, <runasian.net>, and <asianwiki.co>
Watch Asia	registrant of <watchasia.to>
Najeeb Ullah Mirani	registrant of <dramacool.com.so>, <dramacool.co.ba>, <dramacool.bg>, <dramacool.tr> and <dramacool.sr>;
Dorothy Bradshaw	registrant of <dramacool9.co>;
Baidar Bakht	registrant of <dramacool.com.tr>, <dramacool.com.vc>, <dramacooltv.cz>, and <dramacooli.cz>
Unknown	registrant of <dramacool.ba>

<sup>1</sup> To a less extent, this group also operates under the name Dramanice.



Defendant	Related Domain Name or Application
Minh Van Ngoc Mym	developer of the Dramacool - Kdrama Video Movie application previously available for download on the Apple App Store

The domain names at issue in this case are <dramanice.la>, <runasian.net>, <watchasia.to>, <asianc.sh>, <asianwiki.co>, <dramacool.bg>, <dramacool.com.tr>, <dramacool.com.so>, <dramacool.com.vc>, <dramacool9.co>, <dramacool.tr>, <dramacool.co.ba>, <dramacool.ba>, <dramacool.sr>, <dramacooltv.cz>, and <dramacooli.cz> (collectively, the “Domain Names”)<sup>2</sup>. The true identity/identities of the registrants and/or owners of <dramacool.ba> is/are presently unknown, as set forth below.

Further, the digital application at issue in this case is entitled Dramacool - Kdrama Video Movie (the “DRAMACOOOL App”), developed by Minh Van Ngoc Mym. The DRAMACOOOL App is available for download via Apple Inc.’s (“Apple”) digital app marketplace, the App Store (the “Apple App Store”), which is available on electronic devices having Apple’s iOS software installed therein (e.g., iPhones and iPads).

### **JURISDICTION AND VENUE**

1. This is an action for copyright infringement under 17 U.S.C. § 501.

2. This Court has jurisdiction over the subject matter of this lawsuit pursuant to, *inter alia*, 28 U.S.C. §§ 1331 and 1338(a).

<sup>2</sup> Since the filing of wA’s initial complaint (Dkt. 1), wA’s counsel discovered that the newly added Domain Names of <dramacool.sr>, <dramacooltv.cz>, and <dramacooli.cz> are also being used to offer digital content that infringes upon wA’s intellectual property rights. Specifically, upon information and belief, Defendant Najeeb Ullah Mirani further operates <dramacool.sr>, and similarly offers infringing content via this domain name. *See* Ex. I-13. Further, upon information and belief, Defendant Baidar Bakht further operates <dramacooltv.cz> and <dramacooli.cz> to offer infringing content, with access to <dramacool.com.vc> and <Fdramacooli.cz>, as of the filing of this FAC, being redirected to <dramacooltv.cz>. *See* Ex. I-14.



1           3.       The Court has specific personal jurisdiction over Asian C., Tommy USA, and  
2 Watch Asia, as the registrants of <dramanice.la>, <runasian.net>, <watchasia.to>,  
3 <asianc.sh>, <asianwiki.co> (the “Affiliated Domain Names”), because they<sup>3</sup> have  
4 registered these Domain Names with Namecheap, Inc., an Arizona-based domain registrar  
5 with a website at <namecheap.com> (“Namecheap”). True and correct copies of the  
6 WHOIS information available for each of these Domain Names listing Namecheap under  
7 Registrar Information are attached as Exhibits A-1 through A-5.

8           4.       Namecheap requires its registrants to consent to personal jurisdiction in this  
9 Court for disputes between Namecheap registrants, such as those of the Affiliated Domain  
10 Names, and third parties, such as wA. Specifically, the Namecheap Registration  
11 Agreement, to which all Namecheap registrants must agree, provides that:

12                   [F]or the adjudication of third party disputes (i.e., disputes between you and  
13 another party, not us) concerning or arising from use of domain names  
14 registered hereunder, you shall submit without objection, without prejudice  
15 to other potentially applicable jurisdictions, to the subject matter and personal  
16 jurisdiction of the courts (i) of the domicile of the registrant as it appears in  
17 the public WHOIS record for the domain name(s) in controversy, and  
18 (ii) where we are located, currently those State or federal courts whose  
19 geographic districts include Maricopa County, State of Arizona.

20           A true and correct copy of the Namecheap Registration Agreement is attached as  
21 Exhibit B-1.

22           5.       Similarly, the Court has specific jurisdiction over Defendant Dorothy  
23 Bradshaw, the registrant of <dramacool9.co> because they have registered this Domain  
24 Name with NameSilo, LLC (“NameSilo”), an Arizona-based domain registrar with a  
25 website at <namesilo.com>. A true and correct copy of the WHOIS information for  
26 <dramacool9.co> is attached as Exhibit A-10.

27           <sup>3</sup> For clarity, Defendants will be jointly referred to using the third-person pronoun “they.”  
28 However, it is unknown at this time if the registrants of any of the Domain Names are different  
individuals or entities, or if they are the same individual or entity, and the use of “they” should not  
be understood as a representation that the registrants of any of the Domain Names are different  
individuals or entities operating separately from each other.



1           6. According to its Terms and Conditions<sup>4</sup>, NameSilo also requires its  
2 registrants to consent to personal jurisdiction in this State where it is located for disputes  
3 between NameSilo parties, such as the registrant of <dramacool9.co>, and third parties,  
4 such as wA. Specifically, NameSilo's Terms and Conditions, to which all NameSilo  
5 registrants must agree, provides that:

6           [F]or the adjudication of third party disputes (i.e., disputes between you and  
7 another party, not us) concerning or arising from use of domain names  
8 registered hereunder, you shall submit without objection, without prejudice  
9 to other potentially applicable jurisdictions, to the subject matter and personal  
10 jurisdiction of the courts (i) of the domicile of the registrant as it appears in  
the public WHOIS record for the domain name(s) in controversy, and (ii)  
where we are located.

11 A true and correct copy of the NameSilo's Terms and Conditions is attached as  
12 Exhibit B-2.

13           7. Further, this Court has personal jurisdiction over Minh Van Ngoc Mym, the  
14 developer of the DRAMACOOOL App because this digital application is distributed within  
15 this State through the Apple App Store, the content of which is accessible, without  
16 restriction, in this State.

17           8. Additionally, this Court has specific jurisdiction over each Defendant on  
18 account of their distribution of infringing content within this State. The Court's exercise of  
19 personal jurisdiction over Defendants is reasonable.

20           9. Furthermore, if the Court finds that any Defendant has not consented to  
21 jurisdiction in this Court or that the requirements for specific personal jurisdiction are  
22 otherwise unmet, this Court has general personal jurisdiction over Defendants under at least  
23 Fed. R. Civ. P. 4(k)(2) because Plaintiff's claim arises under federal copyright law, any  
24 such Defendant would not be subject to jurisdiction in any one state's courts of general  
25 jurisdiction, and the exercise of jurisdiction over any such Defendant would comport with  
26 due process.

27  
28 <sup>4</sup> <https://www.namesilo.com/support/v2/articles/general-terms/terms-and-conditions> (last accessed  
September 25, 2024).



10. Venue is appropriate in this district under 28 U.S.C. § 1391 because the claim asserted arises out of wrongful acts that occurred and are occurring within this judicial district.

### **THE PARTIES**

11. Plaintiff wavve Americas, Inc. is a Delaware corporation with its principal place of business at 515 S. Figueroa St., Suite 1230, Los Angeles, California 90071.

12. Upon information and belief, Defendants are: Asian C., Tommy USA, Watch Asia, Najeeb Ullah Mirani, Dorothy Bradshaw, Baidar Bakht, the unknown registrant of <dramacool.ba>, and Minh Van Ngoc Mym.<sup>5</sup>

#### ***The Domain Names Operated by Defendants Asian C., Tommy USA, and Watch Asia***

13. Defendant Asian C. is the purported registrant of <asianc.sh>, according to its publicly available WHOIS information. Based on the WHOIS information for <asianc.sh>, Defendant Asian C. is associated with the organization “NOne,” and is located in Pathum Wan, Thailand. *See* Ex. A-4.

14. Upon information and belief, Defendant Tommy USA is the purported registrant of <dramanice.la>, <runasian.net> and <asianwiki.co>, and Defendant Watch Asia is the purported registrant of <watchasia.to>.

15. Upon information and belief, Defendant Asian C., Defendant Tommy USA and Defendant Watch Asia are either the same individual or entity, or, are working in concert with each other, to operate each of <asianc.sh>, <dramanice.la>, <runasian.net>, <watchasia.to> and <asianwiki.co>.

16. In this case, the registrant details for <runasian.net> are protected by a “privacy protection” service offered by the company Withheld for Privacy ehf (“Withheld for Privacy”). *See* Ex. A-2. Withheld for Privacy allows a registrant to register a domain name without listing the registrant’s true name, email address, or contact information in the

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<sup>5</sup> To the extent temporary and/or final resolution of this matter requires action by Namecheap, wA understands that Namecheap consents to this Court’s jurisdiction without being a named party in the lawsuit. Exhibit C is a true and correct copy of Namecheap’s Court Order & Subpoena Policy, which states “No, you do not need to name Namecheap or Withheld for Privacy in a legal action.”



1 publicly available “WHOIS” database of domain name registrants. Instead, Withheld for  
2 Privacy submits generated “proxy” information to the WHOIS database to “identify” the  
3 registrant.

4 17. According to Withheld for Privacy’s Terms of Service, a true and correct copy  
5 of which is attached as Exhibit D, Withheld for Privacy “provide[s] anonymized email  
6 solutions that allow third parties to contact your Customer directly without disclosing your  
7 Customers personal email information.” This process is further explained at Namecheap’s  
8 website addressing “How does Domain Privacy work?,” where Namecheap explains that  
9 “Your personal email address will be replaced with a unique Withheldforprivacy.com one  
10 (e.g., 35180ba032214a9387fe517f46b6037d.protect@withheldforprivacy.com), and every  
11 email sent to this email address will be forwarded to your Registrant email address.” A true  
12 and correct screenshot of this website is attached as Exhibit E.

13 18. The registrant details of <dramanice.la> are missing from its publicly  
14 available WHOIS information. *See* Ex. A-1. It is yet unknown whether Defendant Tommy  
15 USA uses a WHOIS privacy service to conceal their identity or if the WHOIS information  
16 is simply incomplete.

17 19. The registrant details for <asianwiki.co> are unavailable in its publicly  
18 available WHOIS information, which simply lists “REDACTED FOR PRIVACY” for each  
19 field. *See* Ex. A-5. It is yet unknown whether Defendant Tommy USA also uses Withheld  
20 for Privacy to conceal their identity.

21 20. The registrant details for <watchasia.to> are unavailable in its publicly  
22 available WHOIS information, which simply lists “REDACTED” for each field. *See* Ex.  
23 A-3. It is yet unknown whether Defendant Watch Asia uses a WHOIS privacy service to  
24 conceal their identity or if the publicly available WHOIS information is simply entered  
25 as REDACTED.

26 //

27 //





***The Domain Names Operated by Defendant Najeeb Ullah Mirani***

21. Upon information and belief, Defendant Najeeb Ullah Mirani, is the purported registrant of <dramacool.com.so>, <dramacool.co.ba>, <dramacool.bg>, <dramacool.tr> and <dramacool.sr>.

22. According to publicly available WHOIS information, the registrant details for <dramacool.bg> have not been published by its registrar in apparent compliance with European General Data Protection Regulation (GDPR) 2016/679. A true and correct copy of this Domain Name's publicly available WHOIS information is attached as Exhibit A-6.

23. According to publicly available WHOIS information, the registrant details for <dramacool.com.tr> have been "hidden upon user request." A true and correct copy of this Domain Name's publicly available WHOIS information is attached as Exhibit A-7.

24. According to publicly available WHOIS information, the identity of the Defendant registrant of <dramacool.com.so> is apparently an individual named "Najeeb Ullah," residing in Pakistan. However, all other information pertaining to this registrant's identity (for e.g., registrant organization, registrant city, registrant email, etc.) has been "REDACTED FOR PRIVACY" from its WHOIS information, a true and correct copy of which is attached as Exhibit A-8.

25. As to the Domain Names of <dramacool.co.ba> and <dramacool.sr>, upon information and belief, the complete WHOIS records for these domain names are unavailable, and the domain names are either "invalid or unsupported." See Exs. A-12 and A-15.

***The Domain Name Operated by Defendant Dorothy Bradshaw***

26. Upon information and belief, Defendant Dorothy Bradshaw is the purported registrant of <dramacool9.co>.

27. The registrant details for <dramacool9.co> are protected by a "privacy protection" service offered by the company PrivacyGuardian.org LLC ("PrivacyGuardian"). See Ex. A-10. Similar to Withheld for Privacy, PrivacyGuardian also allows a registrant to register a domain name without listing the registrant's true name,





1 email address, or contact information in the publicly available “WHOIS” database of  
 2 domain name registrants<sup>6</sup>. Further, PrivacyGuardian’s services are offered only through  
 3 certain domain name registrars, including NameSilo, and Defendant Dorothy Bradshaw  
 4 uses these services to conceal their identity.

5 ***The Domain Names Operated by Defendant Baidar Bakht***

6 28. Upon information and belief, Defendant Baidar Bakht, is the purported  
 7 registrant of <dramacool.com.tr>, <dramacool.com.vc>, <dramacooltv.cz> and  
 8 <dramacooli.cz>.

9 29. Apart from the province and country of residence, Punjab, Pakistan, the  
 10 registrant details for <dramacool.com.vc> are unavailable in its WHOIS information, which  
 11 simply lists “REDACTED FOR PRIVACY” for every other field. *See* Ex. A-9.

12 30. According to publicly available WHOIS information, the registrant details for  
 13 <dramacool.tr> have been “hidden upon user request.” A true and correct copy of this  
 14 Domain Name’s publicly available WHOIS information is attached as Exhibit A-11.

15 31. According to publicly available WHOIS information, the registrant details for  
 16 <dramacooltv.cz> and <dramacooli.cz> are the same. The Defendant registrant of each of  
 17 these domain is apparently named “[B]dar [B]akht,” with an address at “care plus  
 18 pharmacy new coolege road taunsa sharif” in the city of Taunsa Sharif, Pakistan. *See* Exs.  
 19 A-16 and A-17. However, the publicly available WHOIS information does not identify any  
 20 email address or phone number associated with Defendant Baidar Bakht.

21 ***The Unknown Registrant of <dramacool.ba>***

22 32. As to the Domain Name of <dramacool.ba>, upon information and belief, the  
 23 complete WHOIS records for this domain name is unavailable, and the domain names are  
 24 either “invalid or unsupported.” *See* Ex. A-13. The identity of the Defendant registrant of  
 25 this domain name is yet unknown.

26 //  
 27  
 28

<sup>6</sup> <https://www.privacyguardian.org/> (last accessed September 25, 2024).



***The Digital Application Operated by Defendant Minh Van Ngoc Mym***

33. According to Apple, and the publicly available information available on the App Store, the developer of the DRAMACOOOL App is Minh Van Ngoc Mym. A web capture of the download page of the DRAMACOOOL App as it appears on the App Store, which includes information directed to the identity of the developer, is attached as Exhibit A-14.

**FACTUAL BACKGROUND**

**wavve Americas' KOCOWA® Service and Exclusive Copyright Rights**

34. wA is a leading entertainment company and distributor of Korea-originating media content in the Americas. wA is a joint partnership between Content Wavve, SK Telecom, Kwangju Broadcasting Corporation (KBS), Munhwa Broadcasting Corporation (MBC), and Seoul Broadcasting System (SBS). KBS, MBC, and SBS are the three largest Korean broadcast networks.

35. Recognizing a growing demand for Korea-produced programming in the United States, wA built its KOCOWA® platform to provide K-drama, K-reality, K-variety, and K-pop content in the United States and elsewhere. wA's KOCOWA platform is an over-the-top (OTT) media service that distributes (*i.e.*, streams) media content directly to viewers via the Internet. wA owns and maintains the domain name KOCOWA.COM, through which it provides information about, accepts subscriptions to, and provides an on-line version of its KOCOWA® service. The KOCOWA® service is also available via applications available on, for example, the Apple App Store and the Google Play Store.

36. wA does not currently create original content. Instead, wA licenses original programming that first airs in Korea<sup>7</sup> for distribution in the United States and elsewhere via its KOCOWA® service. wA currently offers more than 1,300 shows through its Kocowa service, and new programming is added regularly.

<sup>7</sup> All references to "Korea" herein refer to the Republic of Korea, colloquially known as South Korea.



37. wA has been granted exclusive licenses from the copyright owners including, *inter alia*, the three largest Korean broadcast networks—KBS, SBS, and MBC—to distribute (*i.e.*, stream) over 1,100 different programs in the United States and elsewhere.

38. A current list of content that is presently exclusively licensed to wA for distribution (*i.e.*, streaming) in, *inter alia*, the United States is attached as Exhibit F. In addition to bulk licensing, some programs are individually licensed to wA for distribution. A sample of such license agreements, each of which grants wA, *inter alia*, the exclusive right to distribute the listed program in the United States, is attached as Exhibit G (the exclusively licensed programs listed in Exhibits F and G are collectively referred to as the “Works”).<sup>8</sup>

39. The KOCOWA<sup>®</sup> service provides content, including the Works, as a Video-on-Demand service to registered users. Some content is available to registered users for free with ads, from which wA generates revenue. This is called Advertising Video-on-Demand (AVOD). However, the vast majority of content is provided without ads to registered users that pay a recurring subscription fee to wA. This is called Subscription Video-on-Demand (SVOD).

### **Infringement of wA’s Exclusive Distribution Rights**

40. Defendants are the presently Asian C., Tommy USA, Watch Asia, Najeeb Ullah Mirani, Dorothy Bradshaw, Baidar Bakht, the unknown registrant of <dramacool.ba>, and Minh Van Ngoc Mym, with each of respective Domain Names and the digital application operated by Defendants being accessible to and targeting individuals in the United States. Upon information and belief, each of these Defendants, to the extent they are different individuals, are cooperating together in furtherance of the Dramacool piracy ring. A printout of the webpage that resolves from each of the Domain Names as it appears in the United States is attached as Exhibits H-1 through H-16, with the corresponding access date printed in the footer of each printout. Further, a screenshot of

<sup>8</sup> Some agreements are in English while others are in Korean. The Korean-language agreements have a translation appended thereto.



1 the DRAMACOOOL App, as it appeared in the United States as of September 24, 2024, is  
2 attached as Exhibit H-14.

3 41. Upon reaching the webpages that resolve from the various Domain Names<sup>9</sup>,  
4 users can select from a wide variety of media content, including TV shows and movies, for  
5 viewing entirely free of charge, many of which are exclusively licensed to wA for  
6 distribution in the United States.

7 42. The webpages specifically resolving from each of the Affiliated Domain  
8 Names of <runasian.net>, <watchasia.to>, <asianc.sh>, and <asianwiki.co> are of virtually  
9 identical appearance (for e.g., color scheme) and layout (for e.g., the labelling and  
10 placement of menu buttons), with the term “DRAMACOOOL” proudly displayed in the  
11 upper-right corner of each of these webpages. *See* Exs. H-2, H-3, H-4, H-5.

12 43. While the domain name of <dramanice.la> has a different appearance from  
13 the rest of the Affiliated Domain Names, its webpages advertise “DRAMACOOOL,” along  
14 with several other infringing groups of websites. *See* Ex. H-1. Further, the “About Us”  
15 webpages associated with each of <dramanice.la>, <runasian.net>, <watchasia.to>, and  
16 <asianc.sh> have virtually identical descriptions: “[w]e are a group of College Student that  
17 love to watch Drama and we want to share what we love with the whole world. I hope that  
18 you like our website and enjoy your stay here at [relevant Domain Name].” *See* Exs. K-1,  
19 K-2, K-3, K-4. Even the “Contact Us” webpage for <asianwiki.co> is, in fact, hyperlinked  
20 to the “Contact Us” webpage for <asianc.sh>. *See* Exs. H-4, H-5.

21 ***The Domain Name Of <asianwiki.co>***

22 44. Additionally, the Domain Name of <asianwiki.co> promotes and directly  
23 offers access to at least the copyright piracy operations occurring on the Domain Names of  
24 <dramanice.la>, <runasian.net>, <watchasia.to>, and <asianc.sh>.

25  
26  
27  
28 <sup>9</sup> The Domain Name of <asianwiki.co> promotes and directly offers infringing content present on  
webpages resolving from the Domain Names of <dramanice.la>, <runasian.net>, <watchasia.to>,  
and <asianc.sh>, as discussed further herein.



45. Upon information and belief, the Defendant registrants of the Affiliated Domain Names use the same Affiliated Domain Name, <asianwiki.co><sup>10</sup>, and social media pages, including <https://x.com/dramacoolcom> (X, formerly Twitter) <https://t.me/dramacoolreal> (Telegram) and <https://discord.com/invite/X3VGtbDQYn> (Discord) to promote their illegal distribution network. Indeed, Defendants regularly update their viewers with specific links to the Domain Names via <asianwiki.co> and their social media pages, an example of which is reproduced as Figure A and Figure B, respectively, evidencing their established practice of evading copyright enforcement by moving their operation to new domains, even after having a judgement rendered against them.<sup>11</sup>

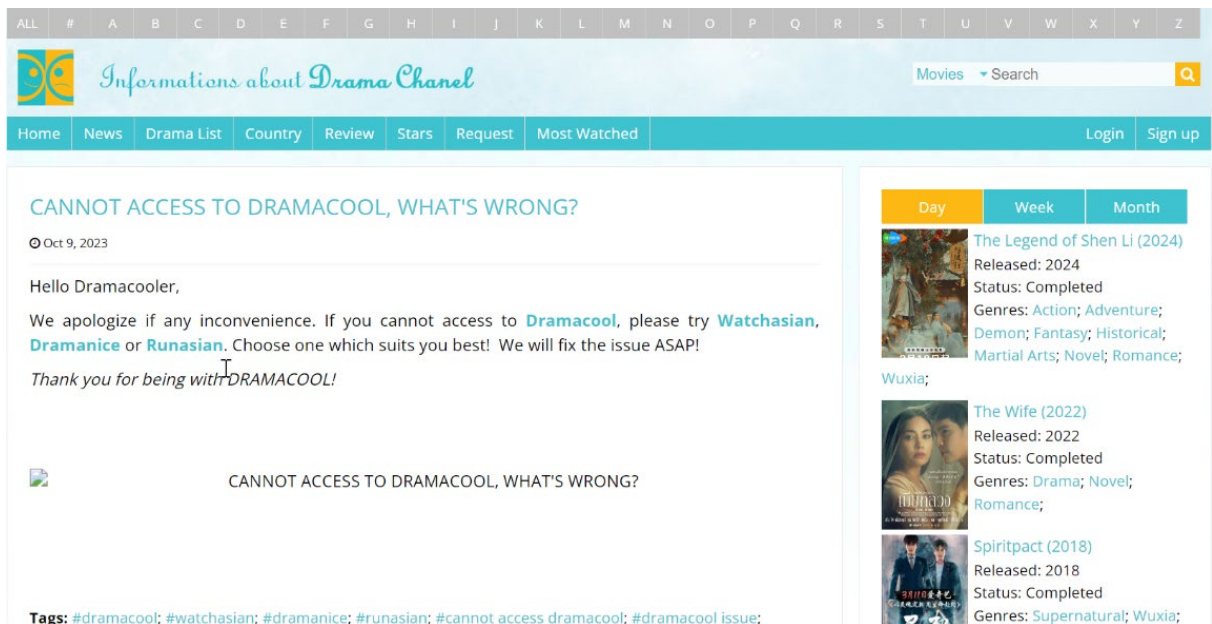


FIG. A

//

//

<sup>10</sup> <https://asianwiki.co/announcement.html> (last accessed August 27, 2024.)

<sup>11</sup> A preliminary injunction was issued as far back as 2016 against several infringing domain names whose webpages were also of a "DRAMACOOOL" appearance. *ABS-CBN Corporation et. al v. Dramacool.com et. al*, No. 0:15-cv-62651-JIC, Dkt 20 (S. D. Fla Jan. 4, 2016).



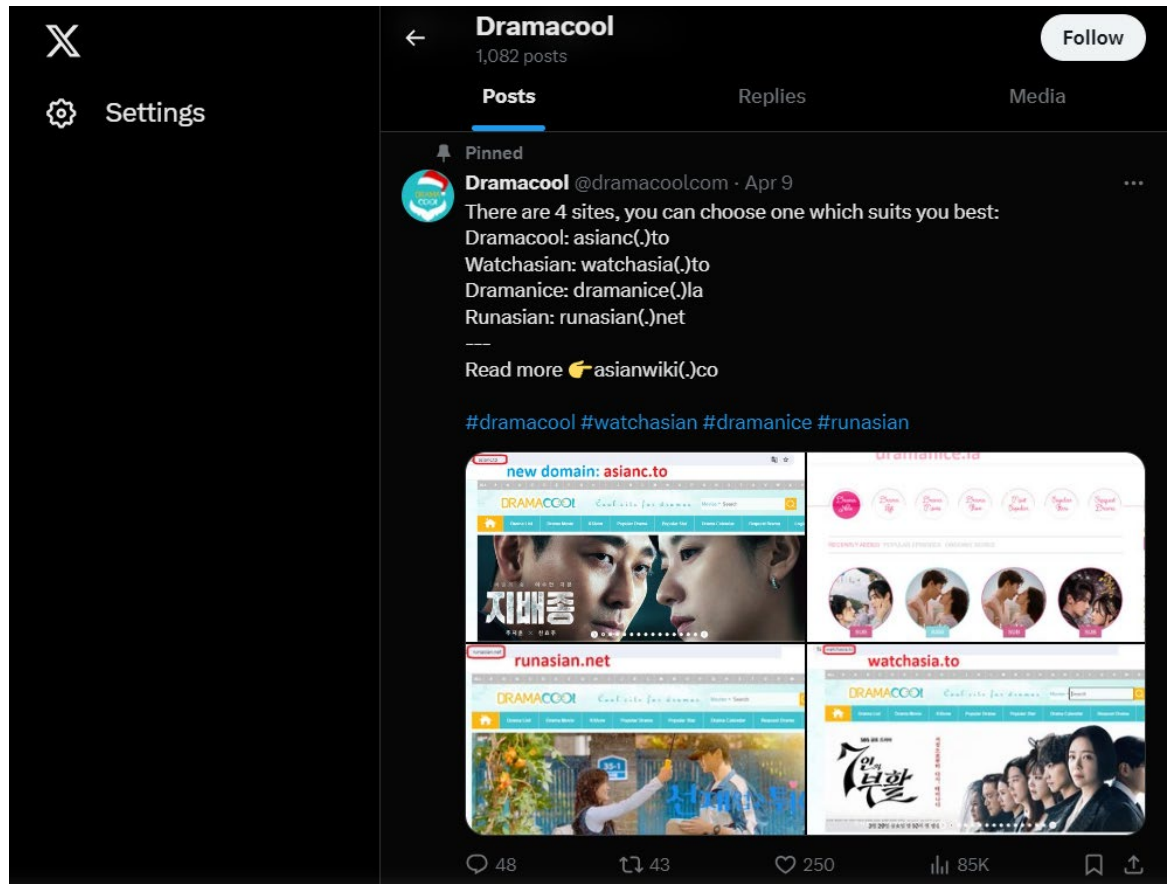


FIG. B

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//

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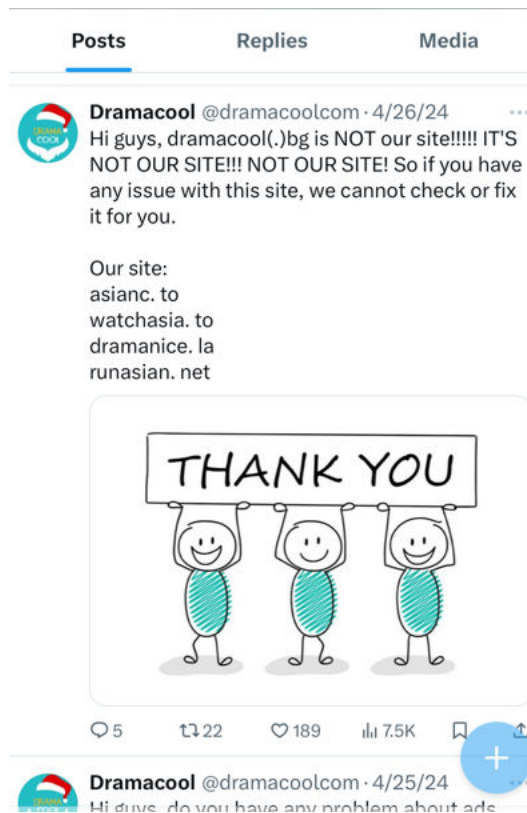
//





### *The Copycat Infringing Domain Names*

46. Additionally, the Domain Names of <dramacool.bg>, <dramacool.com.tr>, <dramacool.com.so>, <dramacool.com.vc>, <dramacool9.co>, <dramacool.tr>, <dramacool.co.ba>, <dramacool.ba>, and <dramacool.sr>, <dramacooltv.cz>, and <dramacooli.cz> (collectively, the “Copycat Domain Names”) are believed to be copycat websites, with each having a virtually identical appearance and layout as that of <asianc.sh>, <runasian.net>, <watchasia.to>, and <asianwiki.co>. Although the dramacool-associated social media page at X (formerly Twitter) disclaims the domain name <dramacool.bg> in a post dated April 26, 2024 (reproduced below as Figure C), this domain remains active and, at the very least, relies upon the Affiliated Domain Names to copy from, if the below-reproduced post on X is to be believed.



*FIG. C*

47. It is currently believed that the Affiliated Domain Names, the Copycat Domain Names, and the DRAMACOOOL App together are part of a large-scale copyright





1 piracy ring, lacking legitimate rights to distribute much, if any, of the content it distributes.  
2 On information and belief, the Defendants are responsible for uploading the infringing  
3 content to the webpages resolving from these domain names and informing viewers of new  
4 dramacool-branded domain names, including via <asianwiki.co> and dramacool-branded  
5 social media channels.

6 ***The Infringing DRAMACOOOL App***

7 48. Store, the DRAMACOOOL App, is offering infringing content that is directly  
8 available through the DRAMACOOOL App. Indeed, a potential user simply has to download  
9 the DRAMACOOOL App to access a vast quantity of infringing content, all on their personal  
10 device.

11 49. Specifically, upon opening the DRAMACOOOL App, a user is first shown an  
12 array of thumbnails featuring infringing content. *See* Ex. H-14. In an effort to determine  
13 whether any of the content exclusively licensed to wA was available on the DRAMACOOOL  
14 App (which it is), counsel for wA searched for the Korean show “Taxi Driver.” This search  
15 yielded several infringing results, including not only “Taxi Driver,” but “Taxi Driver 2” as  
16 well, both of which are exclusively licensed to wA. A true and correct copy of the search  
17 results is attached as Exhibit S-1.

18 50. Upon interacting with any of the search results, the infringing material is  
19 shown. For example, upon clicking the thumbnail of “Taxi Driver 2,” counsel for wA was  
20 shown the related infringing content. A true and correct copy of “Taxi Driver 2” as shown  
21 on the DRAMACOOOL App is attached as Exhibit S-2.

22 51. Further, the appearance of the DRAMACOOOL App closely resembles that of  
23 some of the Affiliated Domain Names. For example, the application icon of the  
24 DRAMACOOOL App (reproduced below as FIG. D) is virtually identical to two-faces logo  
25 shown in the upper left-hand corner of the webpages resolving from <runasian.net>,  
26 <watchasia.to>, <asianc.sh>, and <asianwiki.co> (reproduced below as FIG. E), with both  
27 displaying what appears to be opposing faces, each with opposing expressions. *See* Exs.  
28 H-2, H-3, H-4, H-5. The application icon of the DRAMACOOOL App (reproduced below



as FIG. D) is also nearly identical to the dramacool-branded Telegram channel icon (reproduced below as FIG. F). Accordingly, it is believed that the registrants of the Affiliated Domain Names and/or the Copycat Domain Names are the same as, or working in coordination with, the developer of the DRAMACOOOL App, at least to the extent that these registrants and the developer may have knowledge of each other.



### ***Frustration of Enforcement Efforts***

52. To frustrate enforcement efforts, many of the Domain Names use rotating or varying Country code top-level domains (ccTLDs). CcTLDs are generally reserved for countries and some territories. Infringing websites, such as Defendants', have traditionally used a network of ccTLDs to evade enforcement.<sup>12</sup> This allows infringing websites to quickly "move," in a virtual sense, the infringing content without requiring the purchase and maintenance of a new domain name.

53. For example, the Domain Name of <asianc.sh> (<.sh> is the ccTLD corresponding to the British Overseas Territory of Saint Helena<sup>13</sup>) was accessible at <asianc.to> (<.to> is the ccTLD corresponding to Tonga, an island country in Polynesia<sup>14</sup>) until at least April 26, 2024<sup>15</sup>. See Ex. A-4.

54. In some other instances, the infringing content is moved to similar but different domain names altogether but with little to no change in the website layout, design, or content. For example, the infringing content previously accessible at the Domain Name of <watchasian.id> was moved to <watchasian.to> and was subsequently moved to

<sup>12</sup> <https://torrentfreak.com/pirate-bay-moves-to-guyana-131218/> (last accessed August 16, 2024).

<sup>13</sup> [https://www.ionos.com/digitalguide/domains/domain-extensions/cctlds-a-list-of-every-country-domain/?srsltid=AfmBOorteeZVrrHdMIL\\_4rIjE6K2rmoVXSb4wmI\\_nVD2DWLgIT41ZOR9](https://www.ionos.com/digitalguide/domains/domain-extensions/cctlds-a-list-of-every-country-domain/?srsltid=AfmBOorteeZVrrHdMIL_4rIjE6K2rmoVXSb4wmI_nVD2DWLgIT41ZOR9) (last accessed August 16, 2024).

<sup>14</sup> See supra.

<sup>15</sup> <https://x.com/dramacoolcom/status/1784068191141986649?s=46> (last accessed September 24, 2024).



1 <watchasia.to> (omitting the “n”), while the website design, layout, and content remained  
 2 essentially unchanged, as shown in the Wayback Archive snapshot of <watchasian.id>  
 3 attached as Exhibit J. Indeed, in each instance, the website uses the same distinctive  
 4 “DRAMACOOOL” trademark evidencing that the same individual or entity owns and is  
 5 responsible for each of these slightly different domain names.

6 55. Even the DRAMACOOOL App is believed to furtively disable access to the  
 7 infringing content hosted therein, only to resume its distribution of the infringement content  
 8 mere hours later. In fact, a user stated in an App Store review posted on August 13, 2024  
 9 (reproduced below as FIG. G) that “today at 3pm it [the DRAMACOOOL App] switched to  
 10 **video editor** and since I mostly just delete it and reinstall it after two hours and it’s back to  
 11 the kdrama things” (*emphasis* added). Accordingly, the DRAMACOOOL App appears to  
 12 convert to a “video editor” temporarily, to presumably avoid being removed from the Apple  
 13 App Store.

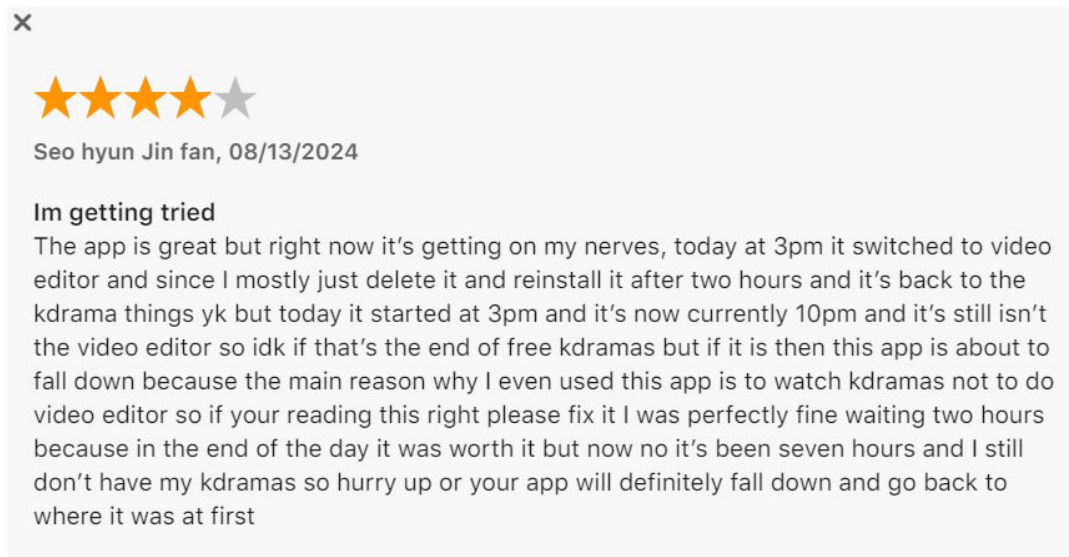


FIG. G

25 56. Because many of the Domain Names and the DRAMACOOOL App use such  
 26 methods of concealment to hide their infringing activities and frustrate enforcement efforts,  
 27 the only remedy available to wA is that each of the Domain Names itself be terminated or  
 28 canceled and the DRAMACOOOL App be removed from the Apple App Store, with an Order



1 preventing Defendants from “virtually” moving the infringing content to a new domain  
2 name and publishing any digital applications for download on the Apple App Store.

3 57. As explained above, wA has the exclusive right to distribute (*i.e.*, stream) in  
4 the United States over 1,300 shows created by Korean networks and companies and that  
5 first air in Korea. wA distributes the Works through its KOCOWA® OTT service and  
6 receives remuneration in the form of advertising revenue for AVOD programming and  
7 subscription revenue for SVOD content.

8 58. Defendants do not have permission to copy, host, publish, and/or distribute  
9 any of the Works. A small sample of the Works illegitimately available via the Domain  
10 Names, along with where these Works are available for legitimate viewing via wA’s  
11 KOCOWA service, is attached as Exhibits I-1 through I-14.

12 59. Defendants are promoting and/or distributing unauthorized copies of at least  
13 the Works listed in Exhibit I free of charge via their respective Domain Names. Further,  
14 Defendants are distributing the unauthorized copies of the Works in the same OTT format  
15 as wA’s KOCOWA® service to users in the United States.

16 60. As their domain name registrar, Namecheap has the authority to control and  
17 manage at least the Affiliated Domain Names by handling reservation of these domain  
18 names, assignment of available IP addresses, and if so ordered, transfer, suspension, or  
19 cancellation of the domain names.

20 61. Defendant registrants of the Affiliated Domain Names rely on Namecheap’s  
21 services to operate their respective domain names.

22 62. Defendants are profiting from the unauthorized distribution of the Works at  
23 least through the extensive placement of advertisements on their respective Domain Names.

24 63. Each of the Domain Names specifically targets United States individuals  
25 because their respective webpages are entirely in English, with even the Korean-language  
26 program titles thereon being translated to English for easier viewing by individuals in the  
27 United States.



64. Additionally, at least each of the Affiliated Domain Names, and <dramacool.bg>, specifically targets United States individuals because each of them includes a copyright disclaimer webpage, entirely in English, thereby addressing legal compliance exclusively relevant to individuals in the United States.

65. Furthermore, each of the Domain Names specifically targets United States individuals because they respectively utilize Cloudflare's North American CDN (Content Delivery Network) service, for faster and more reliable viewing by individuals in the United States.

66. Additionally, the DRAMACOOOL App specifically targets United States individuals because it is available for download via the Apple App Store. The DRAMACOOOL App even shows users advertisements in English, which further demonstrates that the DRAMACOOOL App is targeted to the United States. A few examples of such advertisements targeting United states individuals is attached as Exhibits S-3, S-4, and S-5.

67. None of the Defendants have a registered agent for the notification of copyright infringement as required by the Digital Millennium Copyright Act, 17 U.S.C. § 512, ("DMCA") and, therefore, are ineligible for any safe harbor against liability that the DMCA provides.

#### **wA's Attempts to Stop the Infringing Conduct**

68. Counsel for wA contacted Namecheap, the registrar for each of <dramanice.la>, <runasian.net>, <watchasia.to>, and <asianc.sh>, by email on August 19, 2024. A true and correct copy of this email is attached as Exhibit L. In the August 19<sup>th</sup> email, wA's counsel informed Namecheap of the infringement occurring on the websites associated with each of the Affiliated Domain Names, and states that these websites "are respectively unlawfully providing, *inter alia*, numerous Korean television shows and films to viewers in the United States." wA further states that "wA is authorized to take this action by the copyright holder," and that wA has a good faith belief that each of these infringing websites "do not have the right to present this show to viewers in the United States." wA



1 also requests Namecheap “to immediately disable access to the infringing material”  
2 available on each of these websites.

3 69. That same day, on August 19, 2024, wA’s counsel received a response from  
4 Namecheap confirming receipt of wA’s email, and assigning the matter Namecheap ticket  
5 ID: FXT-956-93890. A true and correct copy of Namecheap’s email acknowledging receipt  
6 is attached as Exhibit M. To date, wA has not received any substantive response from  
7 Namecheap.

8 70. On August 19, 2024, counsel for wA also attempted to directly contact the  
9 registrants and/or owners of the Affiliated Domain Names via an email address  
10 ([drama.reply@gmail.com](mailto:drama.reply@gmail.com)) listed on the “Contact Us” webpage of the Affiliated Domain  
11 Name of <asianc.sh><sup>16</sup>, to notify the registrants of the Affiliated Domain Names of their  
12 copyright infringement. Within this email, wA’s counsel specifically informs each of these  
13 Defendants that the domain names of <dramanice.la>, <runasian.net>, <watchasia.to>, and  
14 <asianc.sh> are “unlawfully providing numerous Korean television shows to viewers in the  
15 United States in violation of wA’s exclusive rights,” and demands that each of these  
16 Defendants “remove all infringing works from the same,” including “the removal of all  
17 unauthorized copies of wA’s licensed material, as well as any related content, links, or  
18 materials associated with the infringement.” A true and correct copy of this email to  
19 [drama.reply@gmail.com](mailto:drama.reply@gmail.com) is attached as Exhibit N.

20 71. However, upon information and belief, this email never reached its intended  
21 recipient(s), and the email address of [drama.reply@gmail.com](mailto:drama.reply@gmail.com) apparently “does not exist,”  
22 as stated in the Microsoft Digest Notification attached as Exhibit O.

23 72. On August 19, 2024, counsel for wA further attempted to contact the  
24 registrants and/or owners of the Affiliated Domain Names via an email address  
25 ([contact.dramacool@gmail.com](mailto:contact.dramacool@gmail.com)) identified on a webpage resolving from the Affiliated  
26 Domain Name of <asianwiki.co><sup>17</sup>. Within its email, counsel for wA notifies the registrants

27 <sup>16</sup> <https://asianc.sh/contact-us> (last accessed August 27, 2024); *see also* Ex. R-1.

28 <sup>17</sup> <https://asianwiki.co/new-site-of-dramacool.html> (last accessed August 27, 2024); *see also* Ex. R-2.





1 of the Affiliated Domain Names of their copyright infringement. In fact, wA's counsel  
2 specifically informs each of these Defendants that the domain names of <dramanice.la>,  
3 <runasian.net>, <watchasia.to>, and <asianc.sh> are "unlawfully providing numerous  
4 Korean television shows to viewers in the United States in violation of wA's exclusive  
5 rights." wA's counsel also demands that each of these Defendants "remove all infringing  
6 works from the same," including "the removal of all unauthorized copies of wA's licensed  
7 material, as well as any related content, links, or materials associated with the  
8 infringement." In its letters, wA further states its intent to file suit if these demands are not  
9 met. A true and correct copy of this email to [contact.dramacool@gmail.com](mailto:contact.dramacool@gmail.com) is attached as  
10 Exhibit P. To date, wA has not received any response to this August 19<sup>th</sup> email.

11 73. Namecheap has been aware of the copyright infringement occurring on the  
12 webpages resolving from each of <dramanice.la>, <runasian.net>, <watchasia.to>, and  
13 <asianc.sh>, since at least August 19, 2024.

14 74. On August 19, 2024, counsel for wA lodged a complaint against the  
15 DRAMACOOOL App through the Apple App Store Content Dispute form<sup>18</sup>, in an effort to  
16 remove this infringing digital application from App Store, and prevent further downloads  
17 of the same. In the complaint lodged with Apple, wA's counsel states that the  
18 DRAMACOOOL App "is available for download via the Apple App Store, [and] is  
19 unlawfully providing numerous Korean television shows and films to viewers in the United  
20 States, that are exclusively licensed to wA ... [o]ne specific example is the Korean show  
21 Taxi Driver," and that "wA has not authorized use of its copyright-protected content." wA's  
22 counsel further requests Apple to "immediately disable access to the Application and the  
23 infringing material therein" and establish "an open line of communication between it [wA]  
24 and Apple so any future copyright infringement can be promptly addressed." A true and  
25 correct copy of an automated email from Apple detailing wA's complaint against the  
26 DRAMACOOOL App is attached as Exhibit Q-1.

27  
28 <sup>18</sup> <https://www.apple.com/legal/intellectual-property/dispute-forms/app-store/app-store-dispute.html> (last accessed September 9, 2024).





1           75. On August 19, 2024, Apple acknowledged receipt of wA's complaint via  
2 email, and assigned wA's complaint with a reference number of APP213288. That same  
3 day, Apple also notified the developer of the DRAMACOOOL App of wA's allegations of  
4 copyright infringement against it. Till date, wA has not received any communication from  
5 the developer of the DRAMACOOOL App generally, or in response to Apple's notification.  
6 True and correct copies of Apple's emails acknowledging receipt of wA's complaint and  
7 notifying the developer of the DRAMACOOOL App are attached as Exhibits Q-2 and Q-3,  
8 respectively.

9           76. On September 3, 2024, Apple sent wA a follow-up email seeking an update  
10 on the status of wA's communications with the developer of the DRAMACOOOL App. A  
11 true and correct copy of Apple's September 3, 2024 email is attached as Exhibit Q-4. wA's  
12 counsel responded that same day, and, in its email, specifically requests Apple for the  
13 identity of the recipient "who owns the email address <[reed85098@gmail.com](mailto:reed85098@gmail.com)> that was  
14 included on this thread." Apple has not provided the identity of the owner of this email  
15 address till date. Counsel for wA then followed up on September 6, 2024, and informed  
16 Apple that "[w]e have not heard from the developer, and the infringing content is still  
17 available on the app," and that "[w]e will be filing a copyright lawsuit shortly including this  
18 app, likely the District of Arizona." True and correct copies of wA's September 3, 2024  
19 and September 6, 2024 emails are attached as Exhibits Q-5 and Q-6, respectively.

20           77. The initial Complaint was filed on October 2, 2024 (Dkt. 1). Since then, wA  
21 has moved this Court for a Temporary Restraining Order against each of the Domain Names  
22 originally identified in wA's initial Complaint, which this Court separately granted on  
23 November 4, 2024 (Dkt. 15) and November 8, 2024 (Dkt. 17). The Court further converted  
24 the Temporary Restraining Orders against Defendants to a preliminary injunction on  
25 March 17, 2025 (Dkt. 31).

26           78. Upon information and belief, as of the filing of this FAC, wA's attempts to  
27 enforce the Temporary Restraining Orders have resulted in the disabling of at least the  
28 Affiliated Domain Names, the Copycat Domain Names of <dramacool.com.so> and



1 <dramacool9.co>, and the DRAMACOOOL App. To note, while the Affiliated Domain  
2 Names have been disabled, the X account associated with the Affiliated Domain Names  
3 remains active, posting as recently as March of 2025.

4 79. wA further moved for expedited discovery (Dkt. 9) to identify the true and  
5 complete identities of the Defendants in this case, which this Court granted on November  
6 4, 2024 (Dkt. 15). Since then, wA has attempted and continues to attempt to obtain  
7 information regarding Defendants' respective identities from various entities that provide  
8 services to each of the Domain Names.

9 80. Upon information and belief, as of the filing of this FAC, the Copycat Domain  
10 Names of <dramacool.bg>, <dramacool.com.tr>, <dramacool.com.vc>, <dramacool.tr>,  
11 <dramacool.co.ba>, <dramacool.ba>, <dramacool.sr>, <dramacooltv.cz>, and  
12 <dramacooli.cz> have not yet been disabled, and the webpages resolving thereto continue  
13 to show infringing content.

14 **COUNT 1**

15 **(Copyright Infringement by All Defendants)**

16 **[17 U.S.C. § 501]**

17 81. wA repeats and realleges the allegations of paragraphs 1 through 80 of this  
18 Complaint as if fully set forth herein.

19 82. wA is the exclusive licensee having the right to distribute the Works in the  
20 United States under 17 U.S.C. § 106(3) & (5) and is entitled to seek damages for  
21 infringement of these rights under 17 U.S.C. § 501(b).

22 83. The Works are not United States works as defined by Section 101 of the  
23 Copyright Act at least because each Work was first published in Korea. Korea is a party to  
24 the Berne Convention, having become a member on August 21, 1996. Thus, the registration  
25 requirement of 15 U.S.C. § 411(a) is excused as to the Works.

26 84. Defendants Asian C, Tommy USA, Dorothy Bradshaw, Najeeb Ullah Mirani,  
27 Baidar Bakht, and Minh Van Ngoc Mym, the developer of the DRAMACOOOL App,  
28



1 unlawfully created copies of the Works and distributed the Works into the United States via  
2 the Domain Names and the DRAMACOOOL App.

3 85. By distributing the Works to third parties in the United States via the Domain  
4 Names and the DRAMACOOOL App, the above-mentioned Defendants distributed the  
5 Works without wA's authorization and in contravention of wA's exclusive rights to do the  
6 same.

7 86. Defendants' unauthorized copying and distribution of the Works violates  
8 wA's exclusive rights under 17 U.S.C. § 106.

9 87. Defendants' infringements have been deliberate, willful, and in utter  
10 disregard of wA's exclusive rights.

11 88. As a direct and proximate result of Defendants' willful copyright  
12 infringement, wA has suffered, and will continue to suffer, monetary loss to its business,  
13 reputation, and goodwill. wA is entitled to recover from Defendants, in amounts to be  
14 determined at trial, the damages it has sustained and will sustain, and any gains, profits, and  
15 advantages obtained by Defendants through their acts of infringement and distribution of  
16 the infringing content pursuant to 17 U.S.C. § 504(b). At present, the amount of such  
17 damages, gains, profits, and advantages cannot be fully ascertained by wA but will be  
18 established according to proof at trial.

19 89. wA is also entitled to a preliminary and permanent injunction preventing  
20 Defendants from further infringing wA's exclusive rights.

## 21 **COUNT 2**

### 22 **(Contributory Copyright Infringement by Defendant Tommy USA)**

23 90. wA repeats and realleges the allegations of paragraphs 1 through 89 of this  
24 Complaint as if fully set forth herein.

25 91. At all times relevant herein, Defendant Tommy USA induced, encouraged,  
26 assisted, facilitated, and profited from the infringement of the Works occurring at  
27 <dramanice.la>, <runasian.net>, <watchasia.to>, and <asianc.sh>, access to which is  
28 advertised and distributed on <asianwiki.co>.



92. Defendant Tommy USA's conduct, as set forth herein, constitutes contributory infringement of the Works and wA's exclusive rights under the Copyright Act in violation of 17 U.S.C. §§ 106, 115, and 501.

93. Additionally, since at least August 19, 2024, Defendant Tommy USA, who is presently believed to be the same registrant or working in conjunction with Defendants Asian C. and Watch Asia, knew that the hyperlink promoted and distributed on <asianwiki.co> directly leads visitors to infringing copies of the Works hosted by <asianwiki.co>. Indeed, the only plausible reason why a website like <asianwiki.co> would exist, solely to provide a link to another webpage, is because Defendant Tommy USA understands, knows, and expects that each of <dramanice.la>, <runasian.net>, <watchasia.to>, and <asianc.sh> is likely to be shut down or blocked due to its illegal activity and will subsequently move to a new domain name to be provided by <asianwiki.co>.

94. Defendant Tommy USA has taken affirmative steps to foster infringement occurring on <dramanice.la>, <runasian.net>, <watchasia.to>, and <asianc.sh> by providing, advertising, and distributing updated links to the infringing content present on these domain names, if such infringing content were to move to different domain names.

95. wA is also entitled to a preliminary and permanent injunction preventing Defendant Tommy USA from furthering the infringement of wA's exclusive rights.

### **PRAYER FOR RELIEF**

WHEREFORE, wavve Americas, Inc. prays for:

1. Pursuant to 17 U.S.C. § 502, a temporary, preliminary, and permanent injunction preventing Defendants from reproducing, distributing, or publicly displaying the Works or derivatives thereof, including but not limited to termination or cancellation of the Domain Names and the DRAMACOOOL App and a temporary, preliminary, and permanent injunction restraining Defendants from operating, registering, and/or hosting websites and operating and/or offering downloadable digital applications that infringe wA's exclusive rights to distribute the Works in the United States;



2. Pursuant to 17 U.S.C. § 504, an award of all actual damages suffered by wavve Americas, Inc. including all direct and indirect profits earned by Defendants attributable to the infringement of the copyrighted Works;

3. Pursuant to 17 U.S.C. § 505, an award of all costs and reasonable attorneys' fees incurred prosecuting this action;

4. Recovery of any gains, profits and advantages Defendants have obtained as a result of Defendants' unlawful actions; and

5. All such other and further relief as the Court deems proper.

DATED this 27th day of March, 2025.

Respectfully submitted,

WOMBLE BOND DICKINSON (US) LLP

By: /s/Kyle W. Kellar

Kyle W. Kellar

Ryan D. Pont

Nikith Chavali

*Attorneys for Plaintiff wavve Americas, Inc.*

201 East Washington Street, Suite 1200  
Phoenix, AZ 85004

WOMBLE BOND DICKINSON



**JURY DEMAND**

wavve Americas, Inc. demands a jury trial on all issues for which a jury trial is permitted.

DATED this 27th day of March, 2025.

Respectfully submitted,

WOMBLE BOND DICKINSON (US) LLP

By: /s/Kyle W. Kellar

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