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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

AF Holdings, LLC, a St. Kitts and Nevis
limited liability company,

Plaintiff,

v.

David Harris,

Defendant.

No. CV-12-02144-PHX-GMS

ORDER

This Court has received Defendant David Harris’s Objection (Doc. 37) to the Court’s ruling. The Court notes for Defendant’s information that one person can assign his legal right to sue another for copyright infringement, even if the assignment occurs after an alleged infringement. *See Silvers v. Sony Pictures Entm’t, Inc.*, 402 F.3d 881, 889–90 (9th Cir. 2005) (holding that the right to sue for past infringement can be transferred to another party so long as it is expressly included in the assignment along with the copyright); *Giddings v. Vision House Prod., Inc.*, 584 F. Supp. 2d 1222, 1229 (D. Ariz. 2008); *see also Davis v. Blige*, 505 F.3d 90, 99 (2d Cir. 2007) (“An owner may also convey his interest in prosecuting accrued causes of action for infringement.”). *See Silvers v. Sony Pictures Entm’t, Inc.*, 402 F.3d 881, 889–90 (9th Cir. 2005) (holding that the right to sue for past infringement can be transferred to another party so long as it is expressly included in the assignment along with the copyright); *Giddings v. Vision House Prod., Inc.*, 584 F. Supp. 2d 1222, 1229 (D. Ariz. 2008); *see also Davis v. Blige*, 505 F.3d

1 90, 99 (2d Cir. 2007) (“An owner may also convey his interest in prosecuting accrued
2 causes of action for infringement.”). Therefore, even if Plaintiff received the assignment
3 of the right to sue for copyright infringement after the infringement occurred, this Court
4 is not deprived of jurisdiction over AF Holdings’ claims against Defendant on that basis.

5 Further, although the Court as a matter of course requires the parties to participate
6 in the preparation of the Case Management Report, parties that are represented are
7 customarily represented by their attorneys during such preparation. Therefore,
8 Defendant’s continued refusal to appear and participate in the preparation of a Case
9 Management Report because a person who is associated with Plaintiff refused to appear
10 at Defendant’s demand is no excuse for Defendant to refuse to appear and assist in the
11 preparation of the report with Plaintiff’s counsel. Although the Court understands
12 Defendant’s frustration due to his lack of familiarity with the law and legal practice in the
13 Courts of the United States, it is Defendant who chooses to proceed on a pro se basis.
14 Merely because Defendant is pro se does not mean that he is not bound by the laws and
15 applicable legal procedures of this Court. *Ghazali v. Moran*, 46 F.3d 52, 54 (9th Cir.
16 1995) (“Although we construe pleadings liberally in their favor, pro se litigants are bound
17 by the rules of procedure.”).

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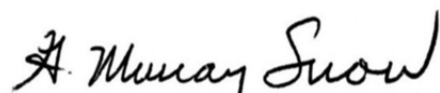
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1 Defendant is advised to again consider engaging an attorney to assist him in this
2 matter. Defendant is further advised that if, as he indicates, he “will not participate in
3 any further litigation” in this matter, that he risks having sanctions entered against him up
4 to and including a default judgment. Defendant is further advised that this Court requires
5 that Defendant treat it and opposing counsel in a civil manner even if Defendant
6 disagrees with this Court or opposing counsel. Defendant may state the substance of his
7 disagreement without engaging in sarcasm or demeaning terms. To the extent Defendant
8 engages in such motion practice in the future, his motions are subject to being stricken.

9 Dated this 5th day of February, 2013.

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12 G. Murray Snow
13 United States District Judge
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