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**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA**

MG PREMIUM LTD, a limited liability company organized under the laws of the Republic of Cyprus,

Plaintiff,

vs.

VASILY KHARCHENKO, an individual and DOES 1-20, d/b/a DAFTSEX.COM, ARTSPORN.COM,

Defendants.

Case No.: 3:21-cv-05733-BHS

DECLARATION OF STEVEN SALWAY IN SUPPORT OF PLAINTIFF MG PREMIUM LTD'S *EX PARTE* MOTION FOR FINDING OF CIVIL CONTEMPT

I, Steven Salway, declare:

- 1. I am a citizen of the United Kingdom, over the age of 18 years old, and make this declaration based upon personal knowledge and, if called to testify could and would testify competently to the facts set forth herein.
- 2. I am the Anti-Piracy Strategy Manager for MG Premium Ltd.
- 3. I previously served as a Detective within the City of London Police's Intellectual Property Crime Unit and National Fraud Intelligence Bureau, specializing in the identification and disruption of online criminal activity.

1 4. On November 7, 2022, I emailed a copy the Order of Final Judgment and
2 Permanent Injunction (the “Order”), United States District Court Western District of Washington
3 Cause No. 3:21-cv-05733 BHS to Verisign, Inc. to start the process of having the registrar of
4 Daftsex.com, Artsporn.com, Daxab.com, and Biqle.com changed to EuroDNS, and then MG
5 Premium listed as the registrant in accordance with the Order.

6 5. On November 9, 2022, Verisign informed me via email they received contact from
7 mgpremiumltd@gmail.com purporting to be MG Premium Ltd, asking for the domain names
8 concerned to be unlocked and to have authorization codes provided.

9 6. On November 10, 2022, Verisign sent me a copy of a letter Verisign received
10 regarding the Order and requesting authorization codes to the domains to be sent to
11 mgpremiumltd@gmail.com. Attached hereto as Exhibit A is a true and correct copy of the letter
12 Verisign sent to me.

13 7. The letter is fraudulent, it did not come from MG Premium and
14 mgpremiumltd@gmail.com is not an email address owned by or utilized by MG Premium.

15 8. The letter was an attempt to circumvent the Order and get Verisign to transfer the
16 domains to someone besides MG Premium. I believe that Defendant Vasily Kharchenko would
17 be motivated to send this type of letter or direct someone to do so.

18 9. By November 11, 2022, Verisign had transferred the domains to EuroDNS and
19 EuroDNS then made MG Premium the registrant of the domains. At that point, MG Premium
20 was able to take control of the domains and stop the display of the Daft Sex Network.

21 10. MG Premium was made aware that the Daft Sex Network announced it would
22 continue on daft.sex, Dsex.to, biqle.org, and biqle.ru.

23 11. I have reviewed Daft.sex. It is operational and displaying videos. The web site is
24 a mirror of the web site that had been located at Daftsex.com.

25 12. Currently, all 2,143 of MG Premium’s copyrighted works that had been infringed
26 on Daftsex.com, Artsporn.com, and Biqle.com are displayed without authority on Daft.sex.

1 13. I have reviewed Dsex.to. It is operational and displaying videos. The web site is
2 a mirror of Daft.sex and what had been on Daftsex.com.


3 14. Currently, all 2,143 of MG Premium's copyrighted works that had been infringed
4 on Daftsex.com, Artsporn.com, and Biqle.com are displayed without authority on Dsex.to.

5 15. I have reviewed Biqle.org. It is operational and displaying videos. The web site
6 is a mirror of Daft.sex and what had been Biqle.com.

7 16. Currently, all 2,143 of MG Premium's copyrighted works that had been infringed
8 on Daftsex.com, Artsporn.com, and Biqle.com are displayed without authority on Biqle.com.

9 I declare under the penalty of perjury under the laws of the United States of America that
10 the foregoing is true and correct.

11
12 Execute on the 19th day of December 2022 at London, England.

13
14 

15
16 _____
17 Steve Salway

EXHIBIT A

Fake Letter Sent to **Verisign**



November 10, 2022

To the Attention of: Verisign Customer Service
Verisign Inc.
12061 Bluemont Way
Reston, Virginia 20190
United States

**Order of final judgment and permanent injunction. Case No.: 3:21-cv-05733-BHS.
Transfer domains to MG Premium.**

Hello Verisign Inc,

According to court order dated 7th day of November, 2022, Please change the registrant of the domain names Daftsex.com, Artsporn.com, Daxab.com, and Biqle.com to MG Premium. Unlock these domains and send an email with authorization code so we can transfer them to our registrar of choice. A copy of this letter was sent to legal@verisign.com.

Please find an enclosed court order intended for you. [Exhibit A]

Kind regards,

MG Premium ltd
7777 boulevard Decarie, Suite 600
Montreal, Quebec H4P 2H2
Canada
+1514 312 6517

Email: mgpremiumltd@gmail.com

EXHIBIT A

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**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA**

MG PREMIUM LTD, a limited liability company organized under the laws of the Republic of Cyprus,

Plaintiff,

vs.

VASILY KHARCHENKO, an individual and DOES 1-20, d/b/a DAFTSEX.COM, ARTSPORN.COM,

Defendants.

Case No.: 3:21-cv-05733-BHS

ORDER OF FINAL JUDGMENT AND PERMANENT INJUNCTION

This matter came before the Court in the Motion for Default Judgment filed by Plaintiff MG Premium Ltd (“MG Premium”) pursuant to Fed. R. Civ. P. and Local Rule 55(b)(2) for entry of Final Judgment and Permanent Injunction against Defendant Vasily Kharchenko.

Having considered the submissions in support of MG Premium’s Motion and the pleadings on file, the Court grants the Motion and finds:

I. FINDINGS OF FACT

1. MG Premium owns copyrights in works that are displayed on MG Premium owned or operated paid membership Internet web sites.

1 2. Vasily Kharchenko owns and/or operates the web sites Daftsex.com,
2 Artsporn.com, Daxab.com, and Biqle.com.

3 3. Daftsex.com, Artsporn.com, Daxab.com, and Biqle.com were utilized by Vasily
4 Kharchenko to display adult oriented videos and content to millions of viewers in the United
5 States. These actions were done to earn money from the sales of advertising space on
6 Daftsex.com, Artsporn.com, and Biqle.com to United States advertisers.

7 4. Between July 2020 and July 2021, Vasily Kharchenko displayed 2,143 of MG
8 Premium's copyrighted works on Daftsex.com.

9 5. In July 2021, Vasily Kharchenko displayed 2,143 of MG Premium's copyrighted
10 works on Artsporn.com.

11 6. Since July 2021, Vasily Kharchenko displayed 2,143 of MG Premium's
12 copyrighted works on Biqle.com.

13 7. Vasily Kharchenko displayed the 2,143 MG Premium copyrighted works on
14 Daftsex.com, Artsporn.com, and Biqle.com for a commercial purpose.

15 8. Vasily Kharchenko earned advertising revenue from Daftsex.com, Artsporn.com,
16 and Biqle.com. The more Internet traffic on Daftsex.com Artsporn.com, and Biqle.com resulted
17 in increased advertising revenue.

18 9. Vasily Kharchenko created and utilized vendor accounts with Cloudflare, Inc.,
19 FDC Servers, Inc., Namecheap.com, NameSilo LLC, PrivacyGuardian.org, and Multi Media
20 LLC for purposes of operation and display in the United States of Daftsex.com, Artsporn.com,
21 Daxab.com, and Biqle.com.

22 10. Vasily Kharchenko displayed 2,143 of MG Premium's copyrighted works to
23 increase advertising revenue.

24 11. MG Premium's copyrighted works displayed on Daftsex.com, Artsporn.com, and
25 Biqle.com may be shared on other sites, in addition to users being provided direct links for posting
26 on other web sites, social media accounts, and direct messaging. Such functionality makes it

1 impossible to know how many times and where an unlicensed copyrighted video has been posted
2 and displayed as a result of Defendants' conduct.

3 12. Vasily Kharchenko did not register Daftsex.com, Artsporn.com, or Biqle.com as
4 an Internet Service Provider with the United States Copyright Office and did not have a registered
5 DMCA Agent.

6 13. Vasily Kharchenko did not have authority to display, duplicate or distribute any
7 of the 2,143 MG Premium copyrighted videos on Daftsex.com, Artsporn.com, or Biqle.com.

8 14. MG Premium's ability to garner Internet traffic and sell memberships to its paid
9 membership web sites was directly damaged by Defendants display of its works for free. Potential
10 customers of MG Premium's web sites will not pay membership fees to MG Premium if its
11 movies as available for free.

12 15. Between October 2020 and end of December 2020, Daftsex.com averaged
13 approximately 107 million visitors monthly and in June 2021 the site had 125 million viewers.
14 In June 2021, Artsporn.com had 4.3 million viewers.

15 16. Applying MG Premium's least expensive membership of \$9.99 per month,
16 potential lost revenue for MG Premium in June 2021 alone had a value of \$1,248,750,000

17 17. Vasily Kharchenko knowingly and willfully infringed MG Premium's copyrighted
18 works.

19 18. Service of process was made on Vasily Kharchenko via email pursuant to this
20 Court's Order.

21 19. Vasily Kharchenko is not a minor nor incompetent person.

22 II. CONCLUSIONS OF LAW

23 1. Service on Vasily Kharchenko was made pursuant to express provisions of
24 Fed.R.Civ.P. 4(f)(3), 4(h)(2) and 4(m).

25 2. A Court Order entering default judgment against Vasily Kharchenko is now
26 proper pursuant to Fed.R.Civ.P. 55.

1 3. Vasily Kharchenko displayed MG Premium’s 2,143 copyrighted works on
2 Daftsex.com and Artsporn.com without authority or license, utilizing Daxab.com to deliver
3 the videos in the United States.

4 4. MG Premium established valid copyright in each of the 2,143 works displayed
5 on Daftsex.com and Artsporn.com.

6 5. Vasily Kharchenko infringed MG Premium’s 2,143 copyrighted works.

7 6. MG Premium is entitled to statutory damages for willful copyright
8 infringement. 17 U.S.C. § 504(c).

9 7. It is proper to award maximum damages for intentional and willful
10 infringement of MG Premium’s copyright works.

11 8. At \$15,000 per work for 2,143 works, statutory damages of \$32,145,000 are
12 appropriate.

13 9. 17 U.S.C. § 502(a) makes express that the Court may issue “final injunctions on
14 such terms as it may deem just to prevent or restrain infringement of a copyright.” Thus, such
15 relief is authorized here by Defendants’ conduct.

16 10. 17 U.S.C. § 505 provides that the Court may “award a reasonable attorney’s fee to
17 the prevailing party as part of the costs.”

18 11. MG Premium would be prejudiced if default judgment is not entered.

19 12. MG Premium has established prima facie claim for copyright infringement and
20 the complaint states a claim for copyright infringement.

21 13. There is no evidence that there is a dispute concerning material facts or that default
22 was due to excusable neglect.

23 **III. FINAL JUDGMENT AND INJUNCTIVE RELIEF**

24 It is hereby **ORDERED, ADJUDGED and DECREED** that DEFENDANT Vasily
25 Kharchenko is PERMANENTLY ENJOINED from using on or in connection with any product
26 or service or the manufacture, importation, exportation, sale, offering for sale, distribution,

1 advertising, promotion, labeling or packaging of any product or service, or from using for any
2 commercial purpose whatsoever any copyrighted work of MG Premium, Ltd.

3 It is further **ORDERED, ADJUDGED and DECREED** that DEFENDANT Vasily
4 Kharchenko, in accordance with 17 U.S.C. § 504(c)(2), shall PAY TO PLAINTIFF statutory
5 damages in the amount of \$32,145,000, with interest on these principal amounts according to the
6 statutory rate pursuant to 18 U.S.C. § 1961(a). This amount consists of \$15,000 for each of the
7 registered copyrighted works that MG Premium own and that Defendants willfully and
8 maliciously infringed.

9 It is further **ORDERED, ADJUDGED and DECREED** that DEFENDANT Vasily
10 Kharchenko, in accordance with 17 U.S.C. § 502(a), shall PAY TO PLAINTIFF Plaintiff's
11 reasonable attorney's fees and costs in the amount of \$27,297.50.

12 It is further **ORDERED, ADJUDGED and DECREED** that Verisign, Inc., the operator
13 of the .COM registry, change the registrar of record for the domain names Daftsex.com,
14 Artsporn.com, Daxab.com, and Biqle.com to MG Premium's registrar of choice, EuroDNS, and
15 that EuroDNS change the registrant of the domain names Daftsex.com, Artsporn.com,
16 Daxab.com, and Biqle.com to MG Premium. These efforts shall be done at MG Premium's
17 reasonable expense.

18 Violation of this Order shall subject Defendants and all other persons bound by the Order
19 to all applicable penalties, including contempt of Court.

20 The Court shall retain jurisdiction over this action for the purpose of enforcing this final
21 judgment and permanent injunction.

22 DATED this 7th day of November, 2022.

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BENJAMIN H. SETTLE
United States District Judge