1 2 3 4 5 6 UNITED STATES DISTRICT COURT 7 WESTERN DISTRICT OF WASHINGTON AT SEATTLE 8 9 THE POKÉMON COMPANY No. 19-1911 INTERNATIONAL, INC., a Delaware 10 **COMPLAINT** corporation, 11 WITH JURY DEMAND Plaintiff. 12 v. 13 JOHN/JANE DOES 1–3, 14 Defendants. 15 16 Plaintiff The Pokémon Company International, Inc. ("Plaintiff" or "TPCi"), by and 17 through its undersigned attorneys, for its Complaint against Defendants John/Jane Does 1–3 18 ("Defendants"), whose true names are currently unknown, hereby alleges and avers as follows: 19 20 INTRODUCTION 1. TPCi brings this action against Defendants to protect its valuable trade secrets. 21 Defendants stole trade secrets from TPCi by taking illicit pictures of pages from an unreleased 22 strategy guide created to accompany the release of two highly anticipated video games, Pokémon 23 Sword and Pokémon Shield. The pictures revealed never-before-seen Pokémon and evolutions 24 of Pokémon that TPCi and its partners intended to keep secret until the games' release on 25 26

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November 15, 2019. Over the course of 15 hours on November 1 and 2, 2019, Defendants disseminated TPCi's trade secrets on the Internet, causing TPCi harm.

- 2. Trade secrets are a form of intellectual property that provide legal protection for commercially valuable business and technical information that: (a) has been the subject of reasonable efforts to maintain its secrecy, and (b) derives independent economic value from not being generally known or readily ascertainable. Both the Defend Trade Secrets Act ("DTSA") and the Washington Uniform Trade Secrets Act ("WUTSA") protect trade secrets from misappropriation, which is the unauthorized acquisition, use, or disclosure of a trade secret.
- 3. TPCi owns valuable trade secrets in the images and content of the unreleased strategy guide for Pokémon Sword and Pokémon Shield. Before TPCi and its partners release a new game, they keep key components of that game—including certain of the new and returning Pokémon—secret.
- 4. There is value in this secrecy. The videogame industry is highly competitive with thousands of new games released annually. To maximize consumer interest and excitement in new Pokémon games, TPCi and its partners carefully time announcements about new Pokémon, features and functionality. When individuals disclose these details without TPCi's or its partners' consent (commonly called "leaks" or "spoilers") they threaten this value and undermine the carefully cultivated excitement and interest TPCi and its partners have worked so hard to generate. It also ruins the surprise for hundreds of thousands of Pokémon fans who are eagerly anticipating the release of the new game.
- 5. TPCi seeks to hold Defendants responsible for their misappropriation of TPCi's confidential and trade secret information, and requests all appropriate relief including but not limited to injunctive and monetary relief, damages, an accounting, and attorneys' fees.

PARTIES

6. TPCi is a Delaware corporation with its principal place of business at 10400 NE 4th Street, Suite 2800, Bellevue, Washington, 98004.

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7. On information and belief, Defendants John/Jane Does 1–3 are individuals residing in the United States. TPCi will amend this Complaint once it learns Defendants' identities.

JURISDICTION AND VENUE

- 8. This Court has jurisdiction over the subject matter of Plaintiff's federal claim under 28 U.S.C. § 1331 and 18 U.S.C. § 1836(c) because the claims arise under the DTSA, 18 U.S.C. §§ 1832, *et seq*. This Court has supplemental jurisdiction over Plaintiff's related state law claim under 28 U.S.C. § 1367(a).
- 9. Personal jurisdiction over Defendants is proper in this Court. As more fully set forth below, Defendants misappropriated TPCi's valuable trade secrets and exposed those trade secrets on the Internet, undermining their inherent economic value. Defendants directed their actions to Washington. Defendants knew or should have known that the impact of their intentional acts would cause harm in this state, where TPCi is headquartered.
- 10. Venue is proper in this Court pursuant to 28 U.S.C. § 1391(b) because a substantial part of the events or omissions giving rise to the claims occurred in this judicial district and has harmed TPCi in this judicial district.

FACTS AND BACKGROUND

A. The Pokémon Franchise

- 11. TPCi is an internationally renowned media franchise centered on fictional Pokémon characters featured in video games, trading cards, animated television shows, movies, comic books, toys, apparel, and accessories (collectively the "Pokémon Universe").
- 12. A key part of the Pokémon Universe is the Pokémon video game series, a group of role-playing games that challenges players to capture, train, battle and trade Pokémon with the goal of becoming a champion Pokémon Trainer.

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- 13. New generations of Pokémon characters are introduced through the release of video games in the series. When new video games are launched, they feature new Pokémon, characters, landscape, and gameplay that define the generation.
- 14. The first generation of Pokémon launched in 1996 with Pokémon Red and Pokémon Blue, developed by GAME FREAK and published by Nintendo. TPCi worked on later games including the games in the seventh and most recent generation, Pokémon Sun and Pokémon Moon, launched in 2016. The games in this series are wildly popular and have been played by millions worldwide.
- 15. In early 2019, TPCi's partners announced that the eighth generation of Pokémon would begin in late 2019 with the launch of two new games, Pokémon Sword and Pokémon Shield. Pokémon Sword and Pokémon Shield were released simultaneously worldwide on November 15, 2019.
- 16. To create excitement and engagement surrounding the release and maximize interest in Pokémon Sword and Pokémon Shield, the timing of the announcements and ultimate release were carefully planned. For example, to encourage fan engagement around and interest in the games, teasers were released in the summer and fall of 2019 that described several of the new Pokémon available exclusively in Pokémon Sword and Pokémon Shield.
- 17. Among the most exciting parts of Pokémon Sword and Pokémon Shield are the new landscapes, features, and Pokémon available in the games. The games chronicle the main character's journey through the Galar region, a new Pokémon setting inspired by the United Kingdom. The player aims to gain prominence by collecting, trading, and battling Pokémon. The player's goal is to defeat the reigning champion trainer and seize that title for him or herself.
- 18. Pokémon Sword and Pokémon Shield introduce several highly anticipated new features. These include functions known as Dynamax and Gigantamax that increase the size (Dynamax) and change form (Gigantamax) of Pokémon to make them stronger for battle. While

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all Pokémon can be Dynamaxed, only certain Pokémon can be Gigantamaxed and they can be found only through certain events in Galar.

- 19. The game also introduces the "Wild Area" that permits the player to explore freely while controlling the camera, which enables optimal movement. Players in the Wild Area can band together to defeat powerful Pokémon, a feature called co-op battling. Players can also join together in Pokémon camps, where, among other things, they interact with each other's Pokémon.
- 20. Pokémon Sword and Pokémon Shield introduce new species of Pokémon that players can collect, train, and deploy in battles against competitors. Discovering new Pokémon in the Galar region is part of the thrill of the games.

B. The Pokémon Sword and Pokémon Shield Strategy Guide

21. TPCi developed an official strategy guide to accompany the release of Pokémon Sword and Pokémon Shield, called *Pokémon Sword & Pokémon Shield: The Official Galar Region Strategy Guide* ("Strategy Guide"). The Strategy Guide includes tips and tricks on how to play the game as well as images of Galar Pokémon. There is also a collector's edition of the Strategy Guide. The collector's edition of the Strategy Guide is shown below:



22. The Strategy Guide is available for purchase on November 22, 2019, one week after TPCi and its partners released Pokémon Sword and Pokémon Shield.

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C. The Unreleased Strategy Guide Contains TPCi's Trade Secrets

- 23. The Strategy Guide contains components of Pokémon Sword and Pokémon Shield that TPCi worked diligently to keep secret prior to the games' launch. This includes images and descriptions of Pokémon released for the first time in Pokémon Sword and Pokémon Shield. It also includes images of new evolutions for existing Pokémon, that is, forms the Pokémon assume as they gain experience and strength.
- 24. The Strategy Guide also reveals which Pokémon can be Gigantamaxed and where in Galar players can deploy this feature. This enables players who purchase the Strategy Guide to collect and train Pokémon they know can grow to become powerful in battle.
- 25. The Strategy Guide collector's edition contains bonus features such as exclusive artwork and images of Galar Pokémon.
- 26. Prior to the official release of Pokémon Sword and Pokémon Shield, information about the games' content is treated with utmost secrecy. For example, TPCi performs background checks on employees, stores game content files on secure computers, restricts access to game working files to a limited number of individuals (who can only gain access to files by entering a username and password), allows those individuals to transfer game files using only secured methods, uses digital measures to trace and mark files to prevent unauthorized access, and requires users with access to game files to sign non-disclosure agreements. Additionally, access to TPCi's offices are restricted by key card.
- 27. These measures also apply to the Strategy Guide. In addition, TPCi requires contractors who work on Strategy Guide content to sign non-disclosure agreements. This includes contractors who work where any Strategy Guides are stored.
- 28. TPCi does not allow copies or proofs of the Strategy Guide to be printed at its offices. Physical copies of the Strategy Guide are created during the production process, which is handled by vendors. Each production vendor must sign a non-disclosure agreement and provide an elevated security plan. Printed copies of the Strategy Guide are kept in secure areas

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with limited access where the books are concealed under tarps. Only production facility

employees with proper security clearance have access to the Strategy Guide during the

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production process. Those with permission to access the secured areas are not permitted to bring in cellular phones or cameras.

29. TPCi derives significant economic value from maintaining the secrecy of details of Pokémon Sword and Pokémon Shield and the Strategy Guide prior to the games' release. The

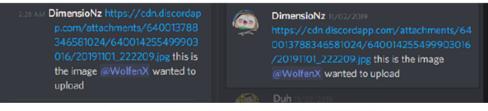
of Pokémon Sword and Pokémon Shield and the Strategy Guide prior to the games' release. The company's and its partners' carefully planned and timed publicity strategy stokes a swell of media interest and fan enthusiasm that results in a substantial number of players purchasing the games. For example, TPCi partner GAME FREAK released a 16-minute video on June 6 that teases key features of Pokémon Sword and Pokémon Shield. The video has more than 4.2 million views and 125,000 likes on YouTube. An earlier video that announced Pokémon Sword and Pokémon Shield and promised their release in late 2019 garnered nearly 6 million views and more than 180,000 likes.

D. Defendants Stole Trade Secrets from the Strategy Guide and Leaked Them on the Internet

- 30. On or about November 1, 2019, Defendants began releasing pictures of TPCi's unreleased Strategy Guide that disclosed numerous never-before-seen Pokémon, including their special forms and attributes.
- 31. At approximately 7:28 p.m. (PDT),² Defendants worked together to post the first leaked picture of a new Pokémon, Gigantamax Machamp, on Discord, a free platform that provides text, image, video, and audio communications between users in a chat channel. A screenshot of the message with the first Discord Strategy Guide leak is attached as Exhibit 1, and the image that appears after clicking the .jpg hyperlink in the message is attached as Exhibit 2.

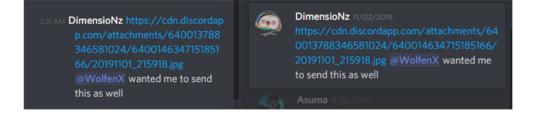
 $^{^{1} \} https://www.youtube.com/watch?v=PpjVUOJkX-s\&list=PL2JiZAV5BmDXWAFFFoDmnBipVPC-wuoVP\&index=7\&t=0s.$

² The screenshots of the Discord posts contain time stamps that are shown in Universal Time Coordinated ("UTC"). PDT is 7 hours behind UTC.





32. Over the course of the next 15 hours, Defendants posted an additional 18 pictures from the unreleased Strategy Guide on Discord. These 18 posts are attached as Exhibits 3-38. The following are select examples of the Discord messages, with the corresponding images immediately below:









- 33. Several of the images Defendants leaked are present only in the collector's edition of the Strategy Guide. *See* Exs. 8, 14, 32.
- 34. Discord enables its users to post anonymously. Discord users need only an email address to create an account and they create usernames to communicate on the platform. A user can change the username associated with their account at any time, making it more difficult to track a specific Discord user.
- 35. Once posted on Discord, the leaked pictures rapidly spread across the Internet. Within minutes of the first post for each picture, the picture was re-posted on 4chan (an Internet

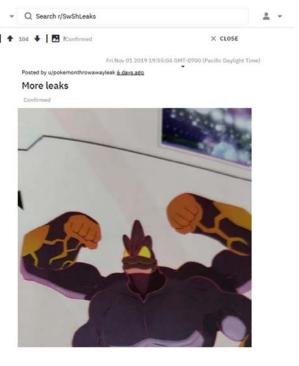
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forum where users can post and comment on images anonymously) and then on a dedicated forum on Reddit for leaked information regarding Pokémon Sword and Pokémon Shield.

36. For example, 17 minutes after Defendants leaked the first picture on Discord, it was posted on 4chan:³



37. And within 27 minutes of Defendants' original Discord post, the picture was already on Reddit:⁴



38. From there, the pictures quickly reached a worldwide audience across the Internet.

³ Like the Discord posts, the 4chan post time stamp is on UTC.

⁴ The screenshot of the Reddit post contains a time stamp shown in PDT, which is 7 hours behind UTC.

- 39. TPCi reacted swiftly. It identified over 300 URLs on dozens of platforms that linked to websites containing the leaked Strategy Guide pictures. The leaked pictures appeared on mainstream social media platforms such as Facebook, Twitter, and Imgur, as well as popular video game news outlets such as Polygon and Dot Esports, and numerous Nintendo-focused forums and blogs.
- 40. In an effort to mitigate the damage caused by Defendants' leaks, TPCi submitted takedown requests to the platforms to remove the leaked images.
- 41. Through these posts, Defendants disclosed images of multiple Pokémon, the Gigantamax form for certain Pokémon, and the attributes (such as type and weaknesses) for others. This information had previously never been revealed to the public—TPCi kept it secret to build anticipation for the release of Pokémon Sword and Pokémon Shield.
- 42. Defendants' trade secret theft and subsequent leak harmed TPCi by disrupting its ability to market Pokémon Sword and Pokémon Shield and the Strategy Guide, reducing the fan interest and engagement TPCi and its partners generate by keeping key elements of the games secret, and disclosing certain of the contents of the unreleased Strategy Guide, which gamers purchase to obtain the information Defendants leaked.

FIRST CAUSE OF ACTION (Violation of the Defend Trade Secrets Act, 18 U.S.C. §§ 1832, et seq.)

- 43. TPCi repeats, realleges, and incorporates herein by reference the allegations in the foregoing paragraphs as if fully set forth herein.
- 44. TPCi owns and/or possesses certain confidential and trade secret information relating to the Pokémon Sword and Pokémon Shield video games, including non-public information concerning new characters, developments, features, and functionality in Pokémon Sword and Pokémon Shield.

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- 45. TPCi's confidential and trade secret information relates to products and services that are used, sold, shipped and/or ordered in, or that are intended to be used, sold, shipped and/or ordered in, interstate or foreign commerce.
- 46. TPCi and its partners have taken reasonable steps to protect the secrecy of its confidential and trade secret information, including the secrecy of the information Defendants misappropriated. For example, TPCi conducts background checks on employees, stores game content files on secure computers, restricts access to game working files to a limited number of individuals (who can only gain access to files by entering a username and password), allows those individuals to transfer game files using only secured methods, uses digital measures to trace and mark files to prevent unauthorized access, and requires users with access to game files to sign non-disclosure agreements. Additionally, access to TPCi's offices are restricted by key card.
- 47. Further, TPCi requires contractors who work on the Strategy Guide content to sign non-disclosure agreements. This includes contractors who work where any Strategy Guides are stored.
- 48. TPCi's confidential and trade secret information derives independent economic value from not being generally known to, and not being readily ascertainable through proper means by, another person who can obtain economic value from the disclosure or use of the information.
- 49. Defendants have misappropriated TPCi's confidential and trade secret information by, *inter alia*, acquiring it, using it, and disclosing it to third parties without TPCi's consent. This includes taking surreptitious pictures of the Strategy Guide and working together to disseminate that confidential information over the Internet to a wide audience of would-be customers.
- 50. Defendants' conduct has caused and, unless enjoined by this Court, will continue to cause irreparable injury to TPCi.

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- 51. Defendants' misappropriation of TPCi's confidential and trade secret information has also caused and will continue to cause TPCi substantial injury, including, *inter alia*, actual damages, lost profits, harm to reputation, competitive harm, and diminution in value of its trade secrets. Defendants' misappropriation was also willful and malicious.
- 52. As a result of the foregoing, TPCi has been damaged and is entitled to damages in an amount to be proven at trial, as well as injunctive relief and an award of exemplary damages and attorneys' fees pursuant to 18 U.S.C. § 1836(b)(3)(C)-(D).

SECOND CAUSE OF ACTION

(Violation of the Washington Uniform Trade Secrets Act, RCW 19.108.010 et seq.)

- 53. TPCi repeats, realleges, and incorporates herein by reference the allegations in the foregoing paragraphs as if fully set forth herein.
- 54. TPCi owns and/or possesses certain confidential and trade secret information relating to the Pokémon Sword and Pokémon Shield video games, including non-public information concerning new characters, developments, features, and functionality in Pokémon Sword and Pokémon Shield.
- 55. TPCi's confidential and trade secret information derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use.
- 56. TPCi and its partners have taken steps reasonable under the circumstances to protect the secrecy of its confidential and trade secret information, including the secrecy of the information Defendants misappropriated. For example, TPCi conducts background checks on employees, stores game content files on secure computers, restricts access to game working files to a limited number of individuals (who can only gain access to files by entering a username and password), allows those individuals to transfer game files using only secured methods, uses digital measures to trace and mark files to prevent unauthorized access, and requires users with

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access to game files to sign non-disclosure agreements. Additionally, access to TPCi's offices are restricted by key card.

- 57. Further, TPCi requires contractors who work on the Strategy Guide content to sign non-disclosure agreements. This includes contractors who work where any Strategy Guides are stored.
- 58. Defendants misappropriated TPCi's confidential and trade secret material by acquiring TPCi's trade secrets through improper means, including by improperly gaining access to a copy of the unreleased Strategy Guide and photographing it without TPCi's consent. Defendants worked together to widely disclose TPCi's trade secrets without TPCi's express or implied authorization by posting images of the Strategy Guide on the Internet. At the time of this disclosure, Defendants knew or had reason to know that the unreleased Strategy Guide images were trade secrets.
- 59. Defendants' conduct has caused, and unless enjoined by this Court, will continue to cause irreparable injury to TPCi.
- 60. Defendants' misappropriation of TPCi's confidential and trade secret information has also caused and will continue to cause TPCi substantial injury, including, *inter alia*, actual damages, lost profits, harm to reputation, competitive harm, and diminution in value of its trade secrets. Defendants' misappropriation was also willful and malicious.
- 61. As a result of the foregoing, TPCi has been damaged and is entitled to damages in an amount to be proven at trial, as well as injunctive relief and an award of attorneys' fees pursuant to RCW 19.108.040.

JURY DEMAND

Pursuant to Federal Rule of Civil Procedure 38(b), plaintiff demands a trial by jury as to all issues so triable in this action.

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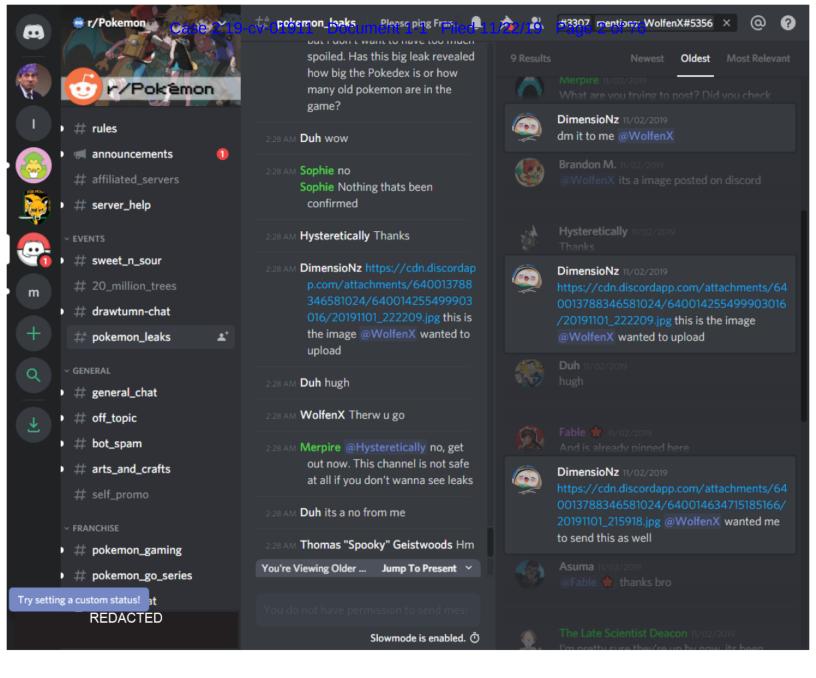
1 PRAYER FOR RELIEF 2 WHEREFORE, plaintiff The Pokémon Company International, Inc., prays for the 3 following relief: 4 A. For compensatory damages for all losses caused by Defendants' wrongful 5 conduct; 6 B. For monetary relief, including actual damages and equitable relief due to 7 Defendants' wrongful conduct pursuant to 18 U.S.C. § 1836(b)(3)(B)(i) and 8 RCW 19.108.030; 9 C. For punitive and exemplary damages pursuant to 18 U.S.C. § 1836(b)(3)(C); 10 D. For reasonable attorneys' fees and costs pursuant to 18 U.S.C. § 11 1836(b)(3)(D) and RCW 19.108.040; 12 E. For permanent injunctive relief to prevent Defendants from making any 13 further use, disclosure or other misappropriation of TPCi's confidential and 14 trade secret information; 15 F. For an award of prejudgment interest and costs of suit to the extent permitted 16 by law; and 17 G. For such other relief as the Court may deem just and proper. 18 19 20 21 22 23 24 25 26

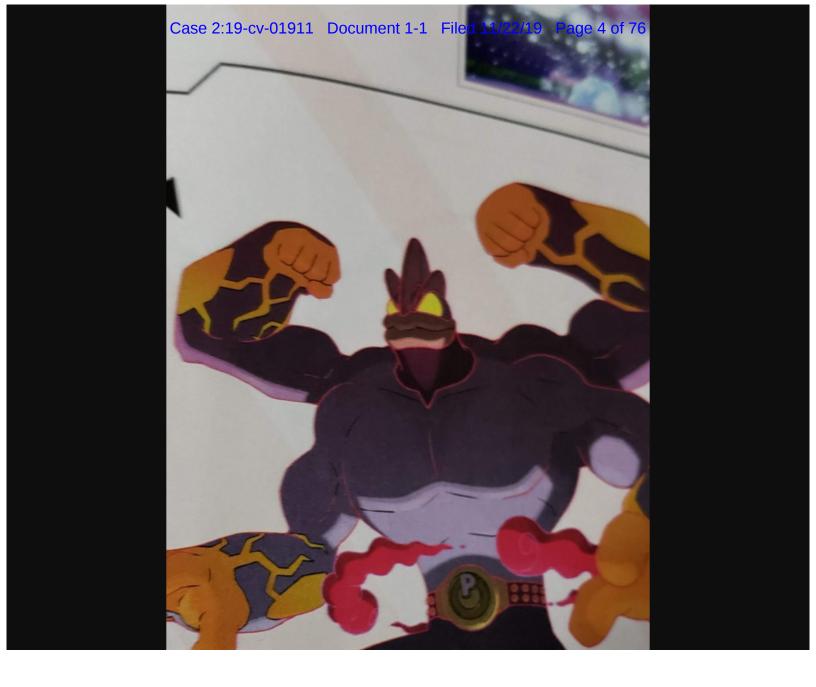
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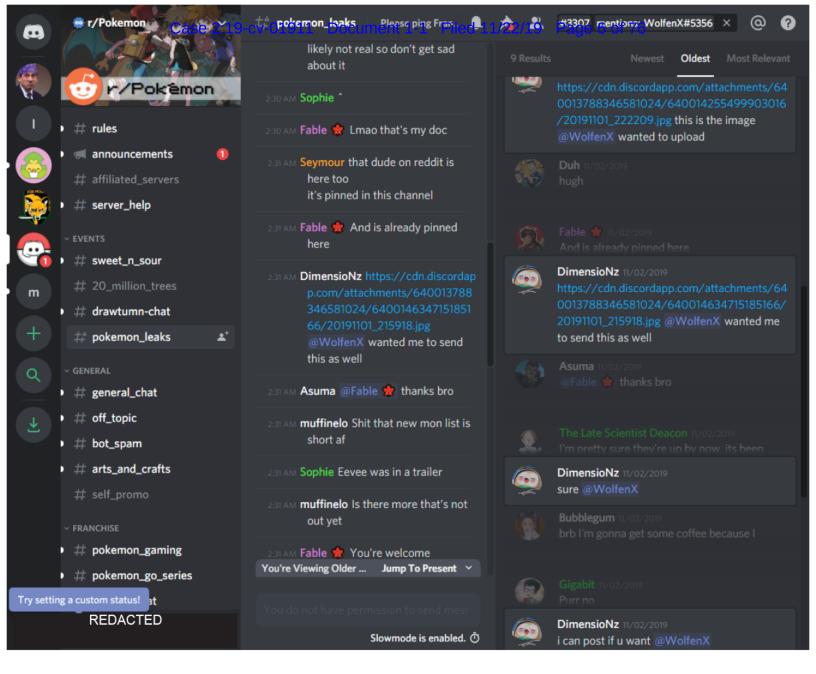
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1	DATED this 22nd day of November, 2019	By: s/ Holly M. Simpkins
2		Holly M. Simpkins, WSBA No. 33297
3		<u>s/ Lauren Watts Staniar</u> Lauren W. Staniar, WSBA No. 48741
4		<u>s/ Jacob P. Dini</u> Jacob P. Dini, WSBA No. 54115
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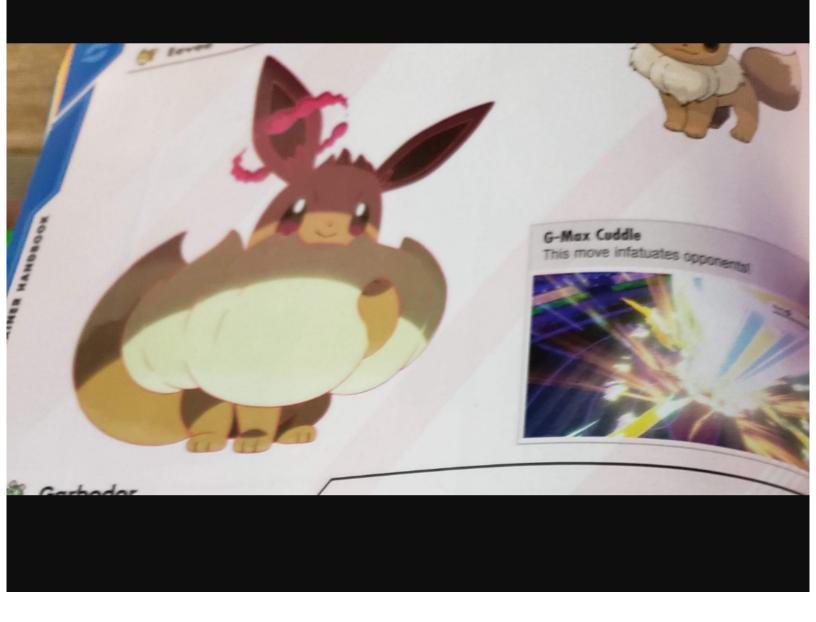
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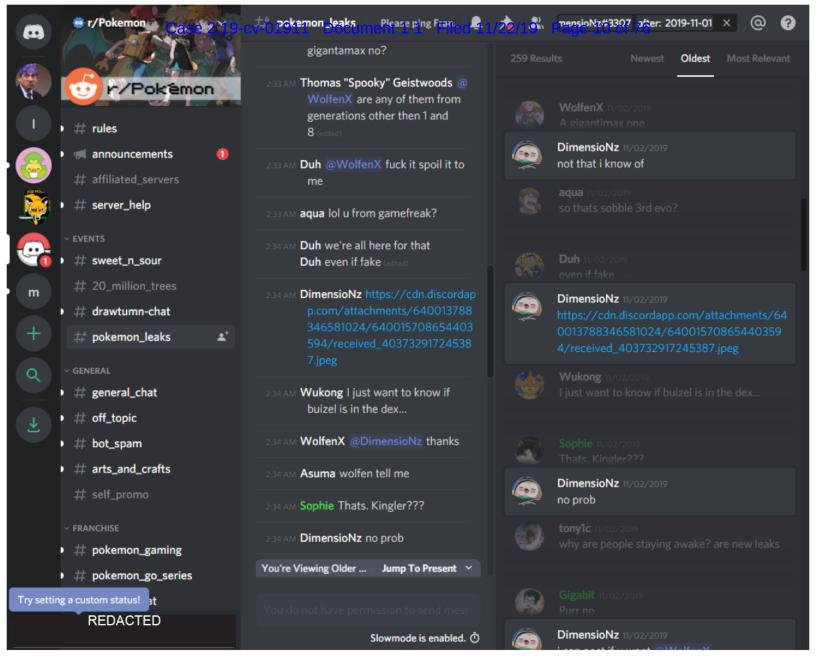




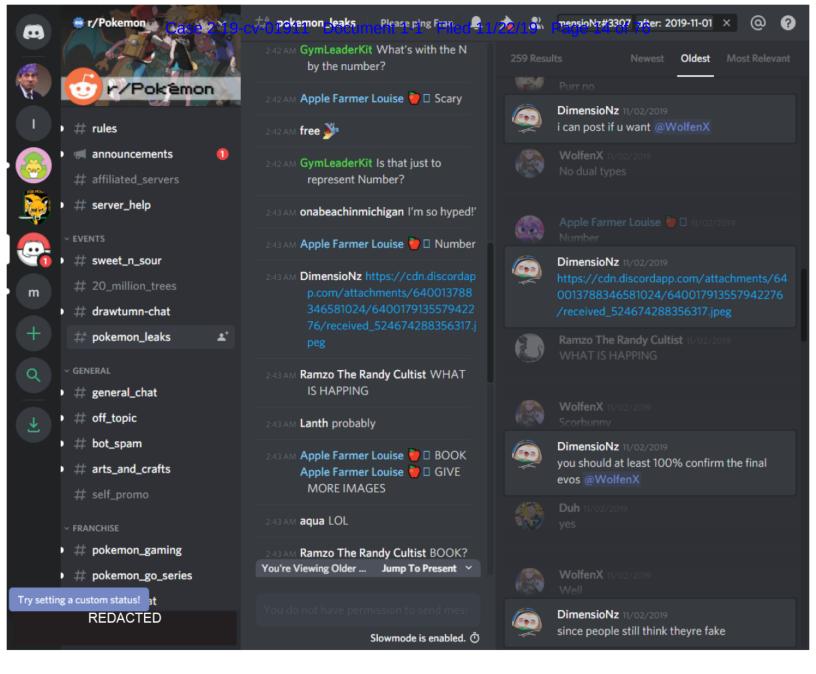


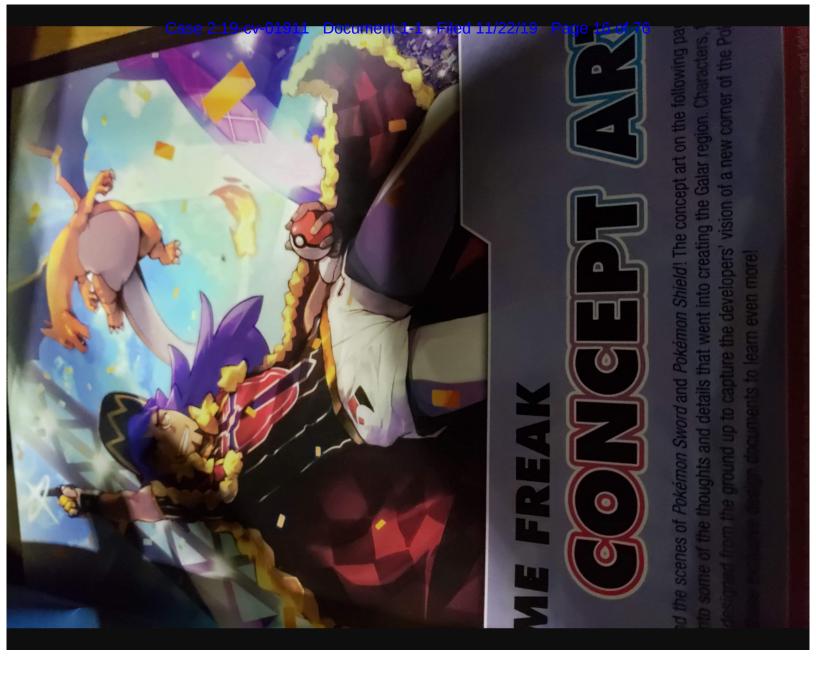
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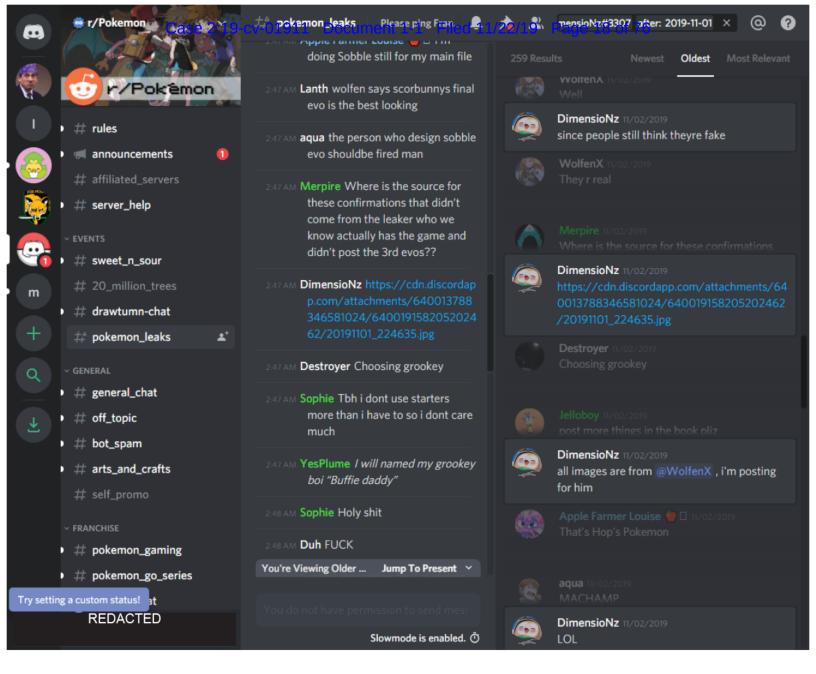


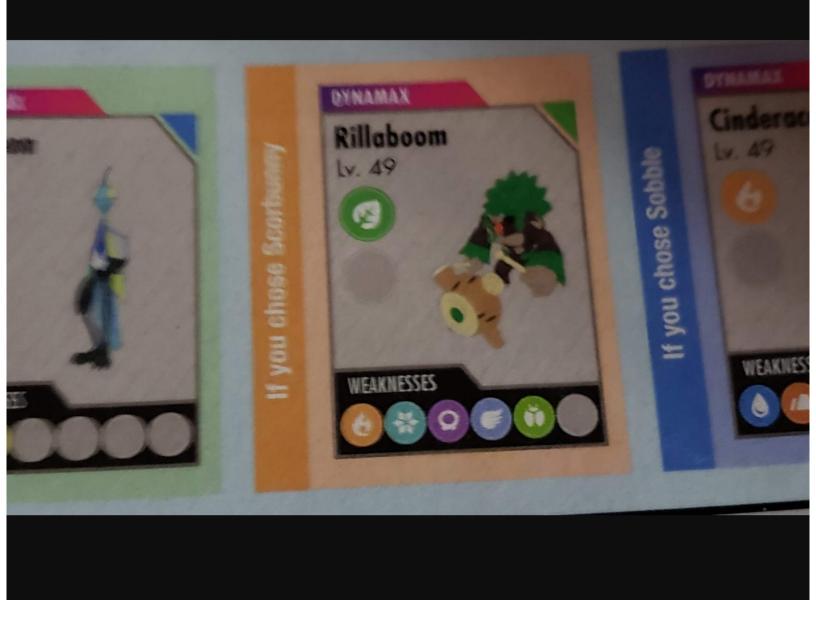


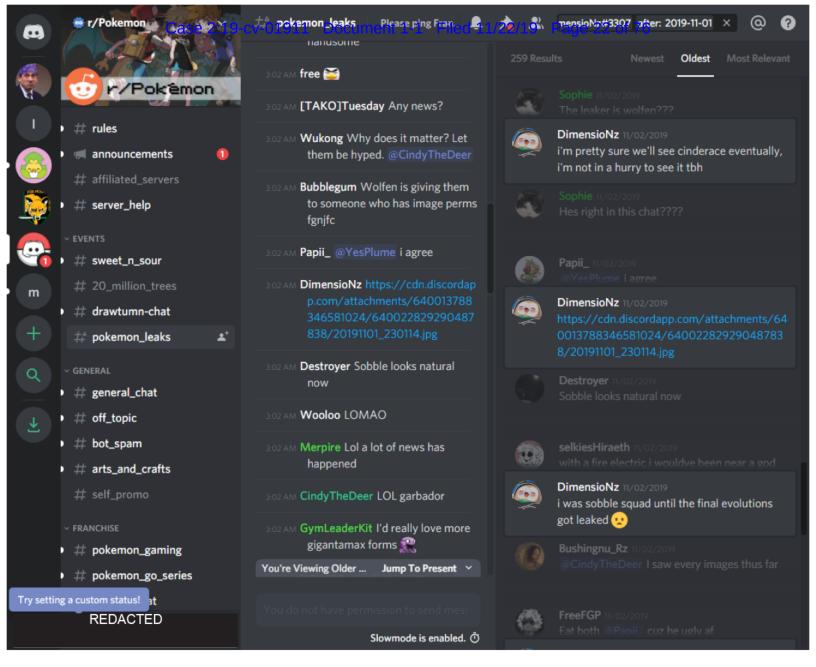




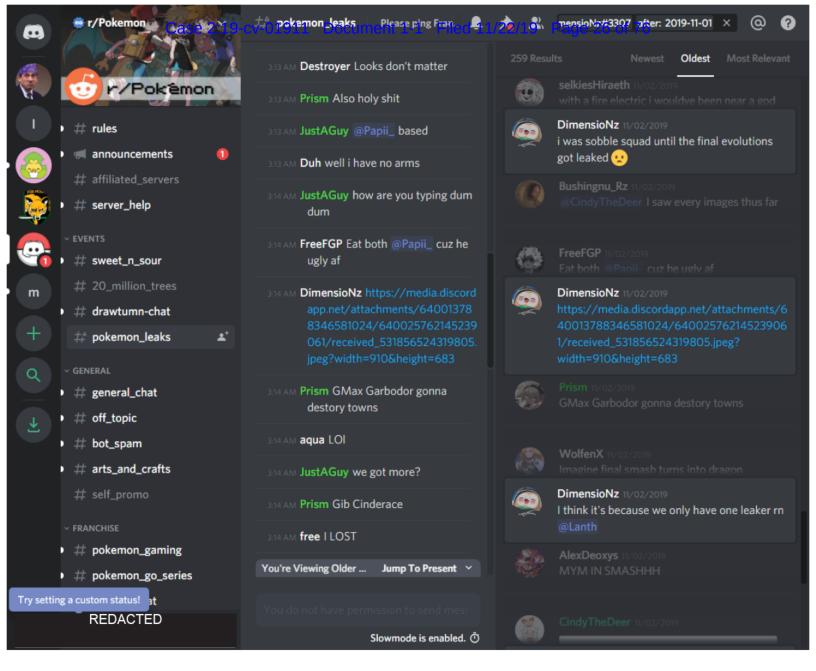






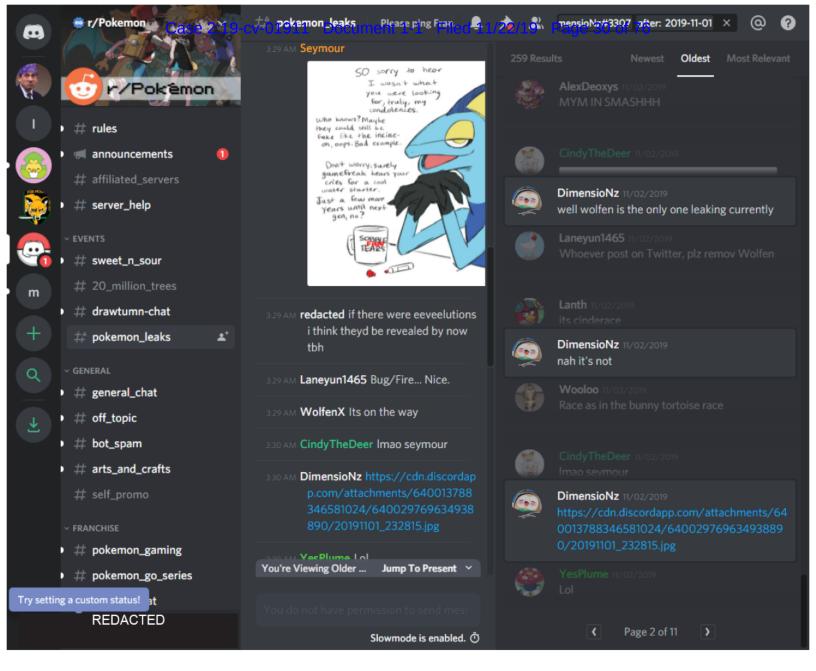


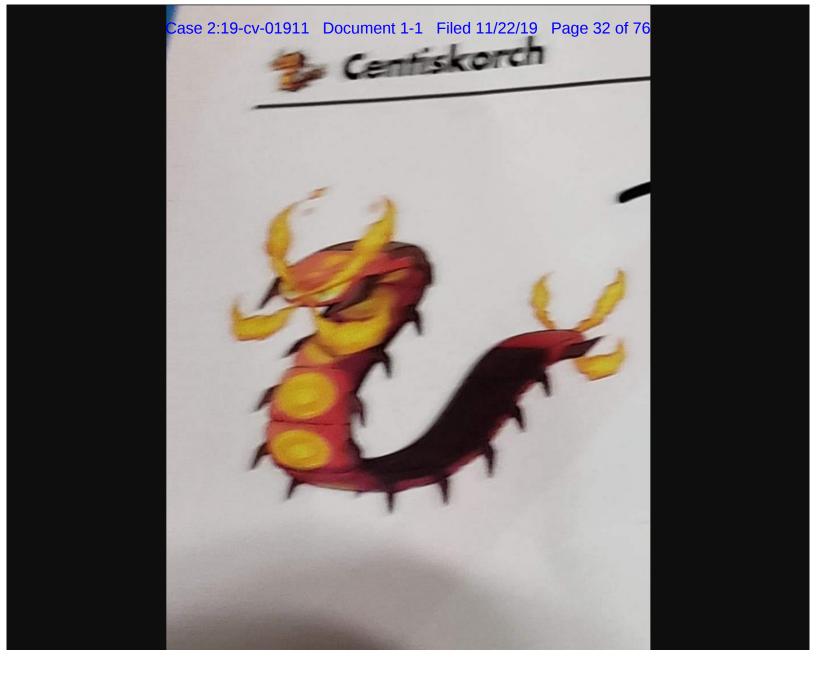


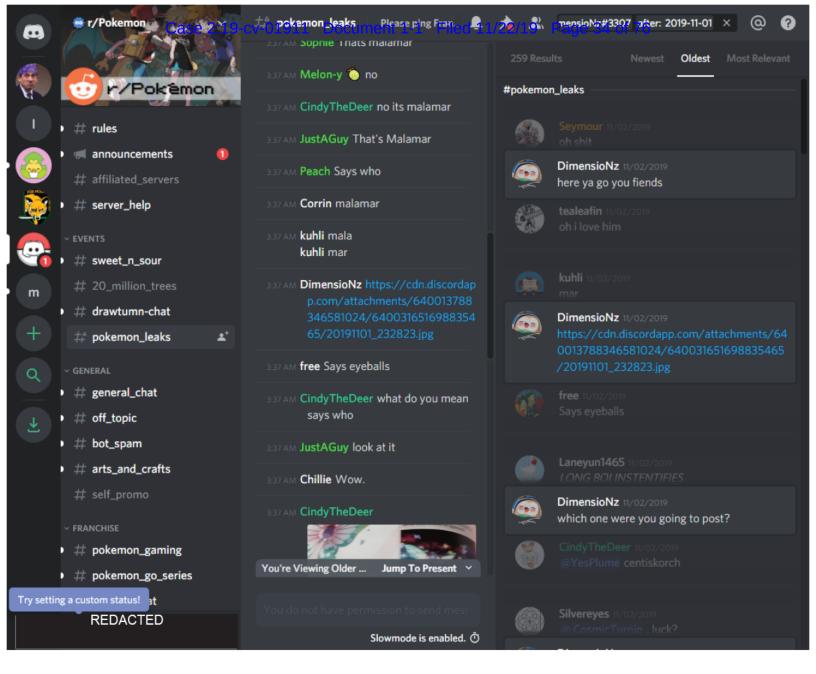


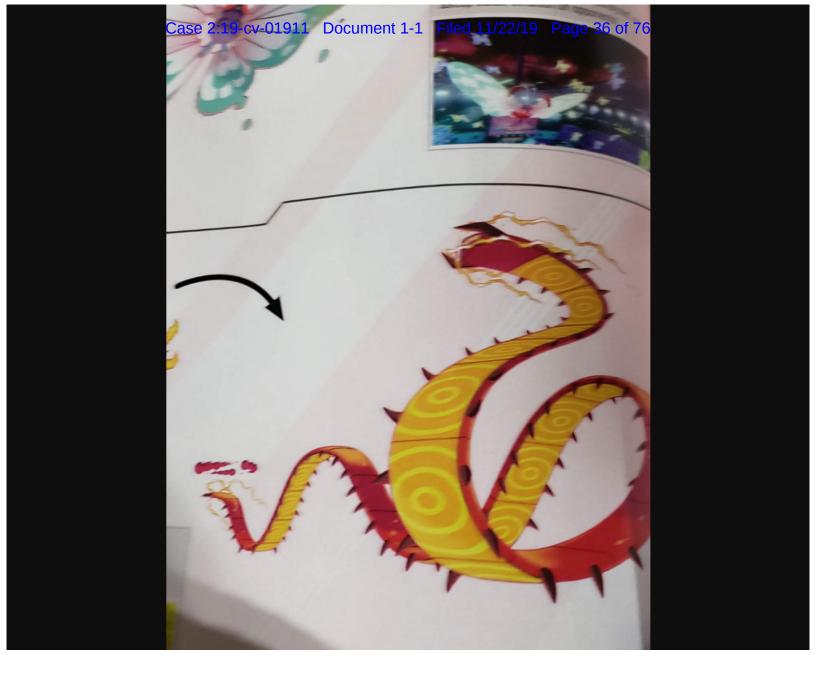
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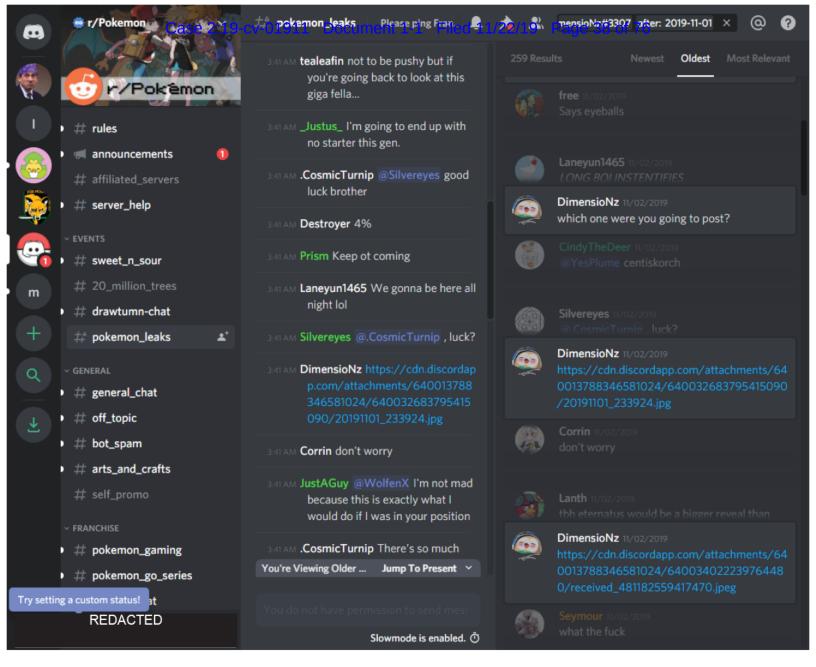


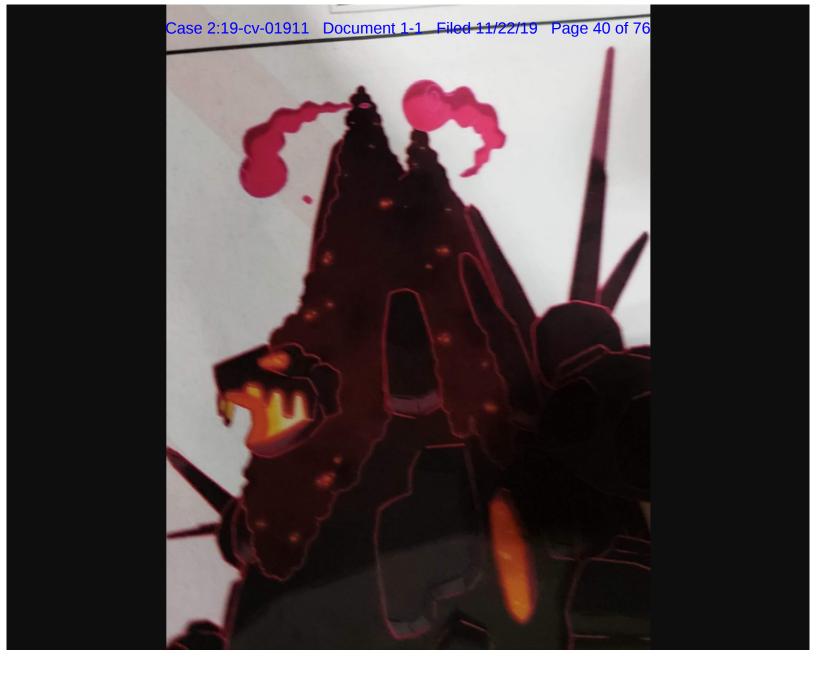


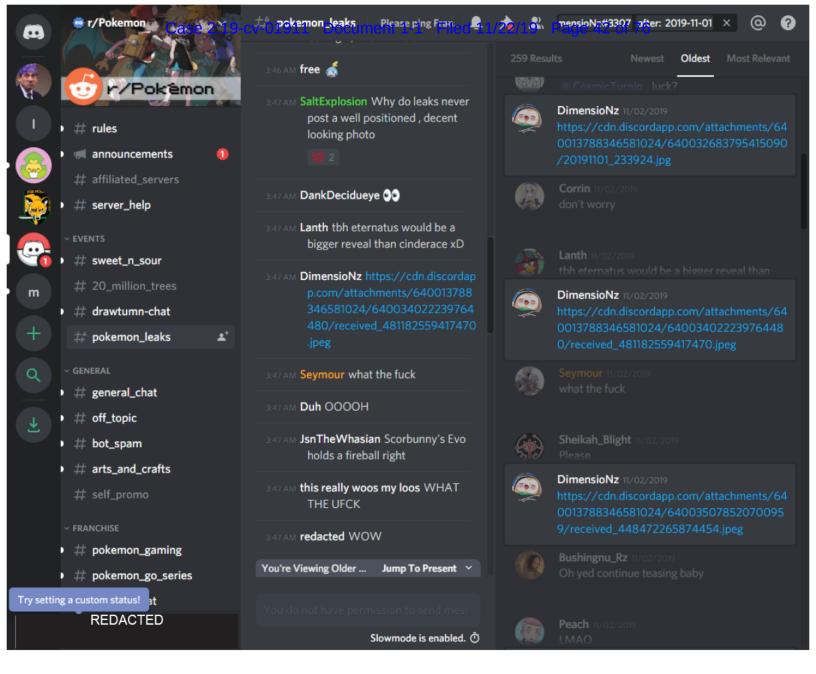


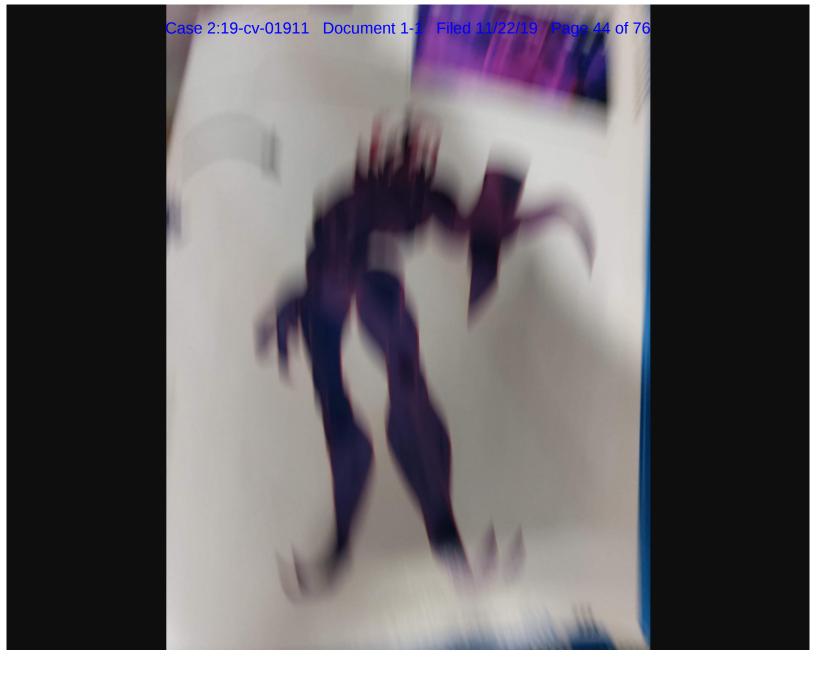


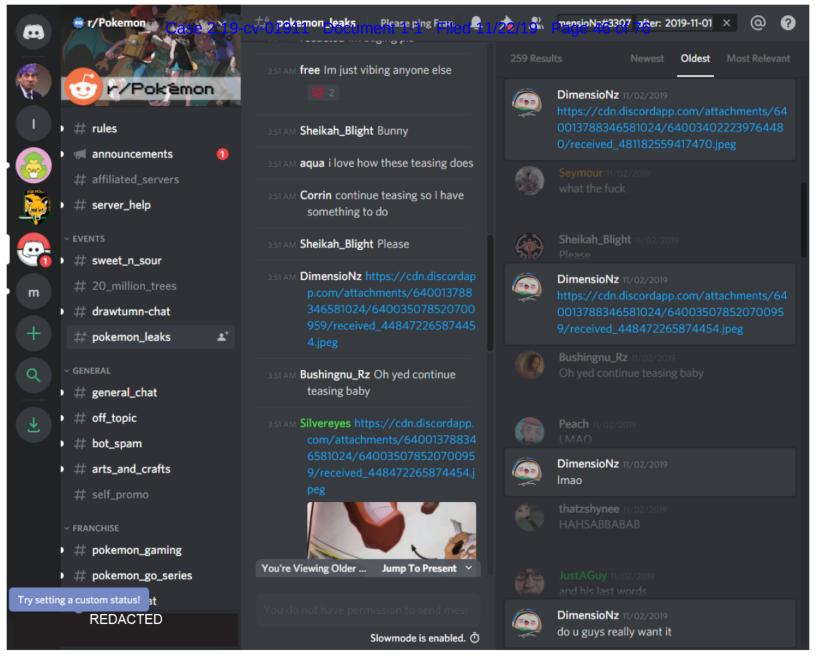


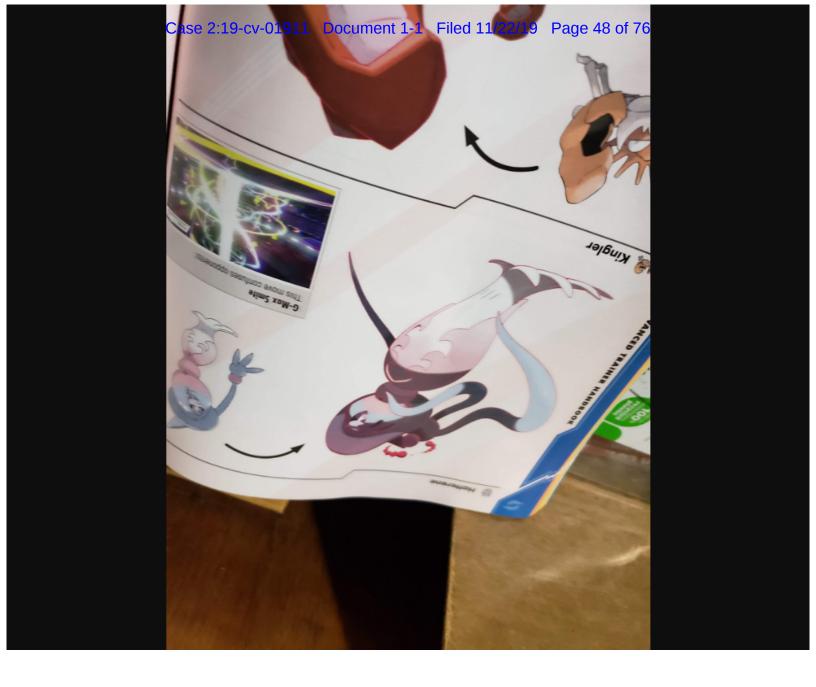


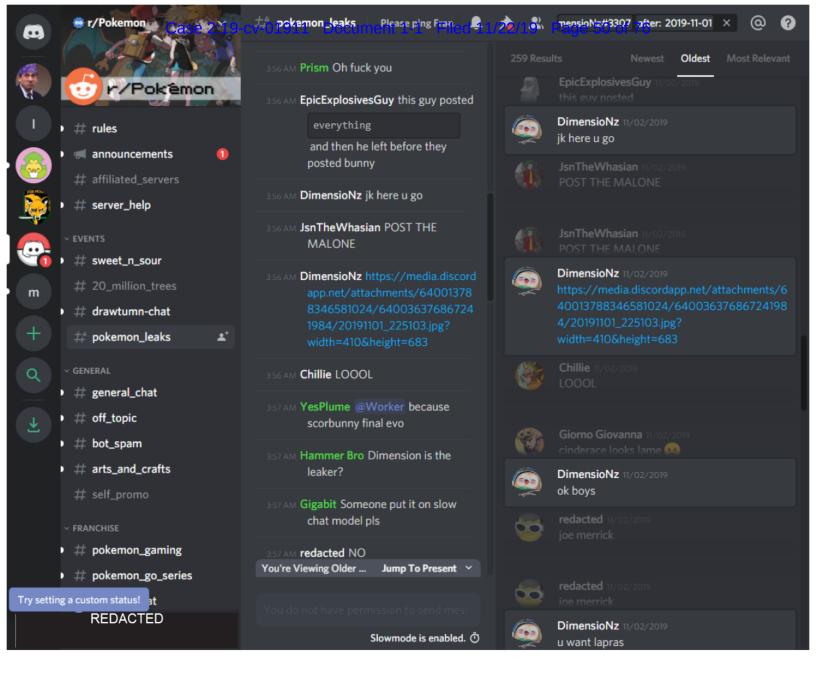


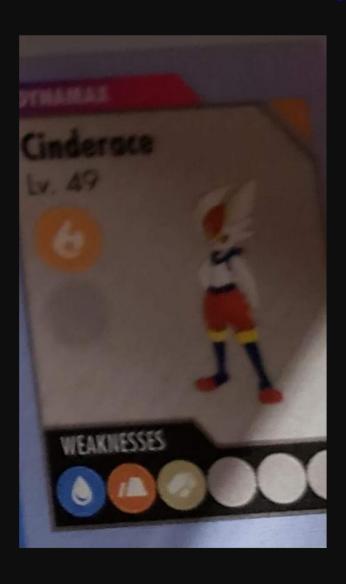


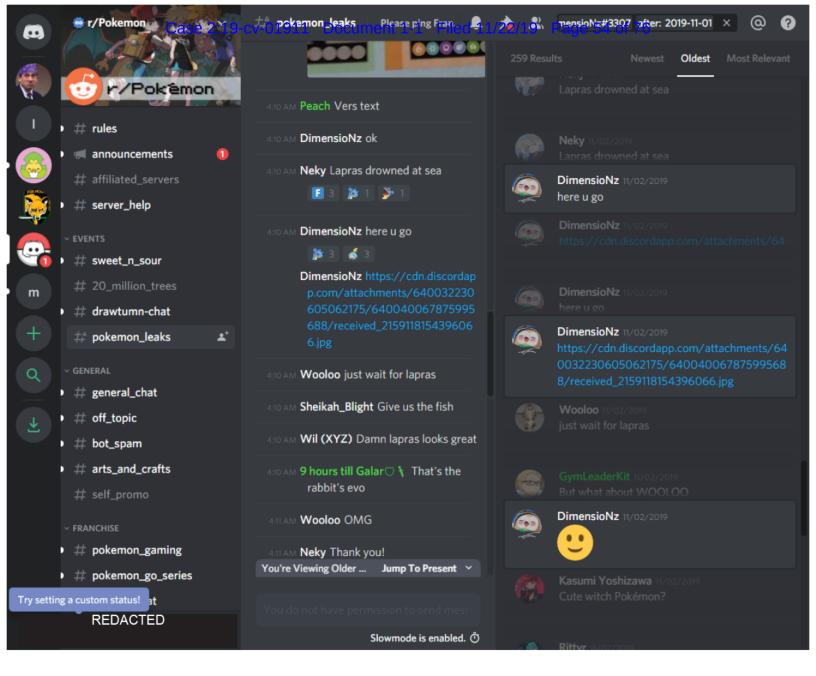


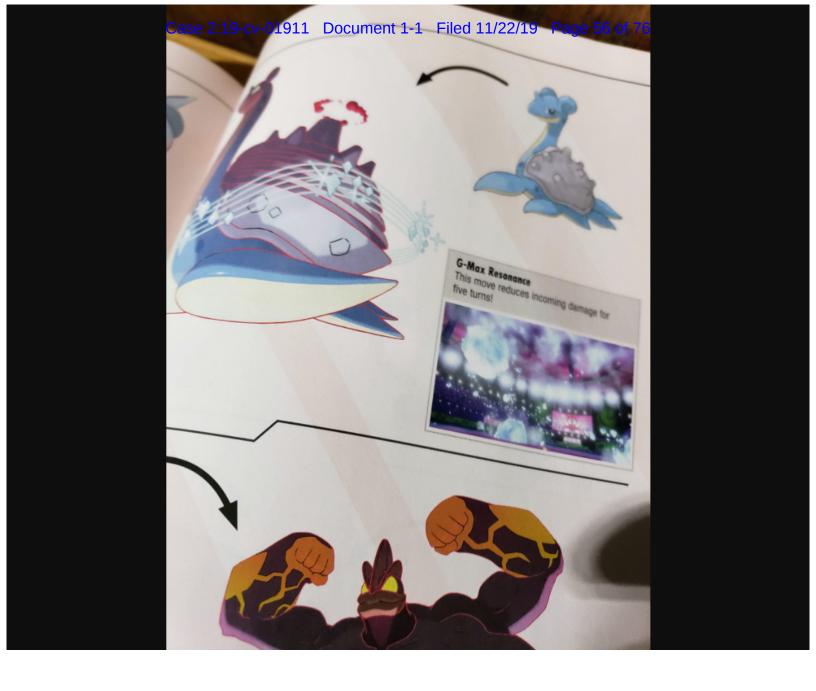


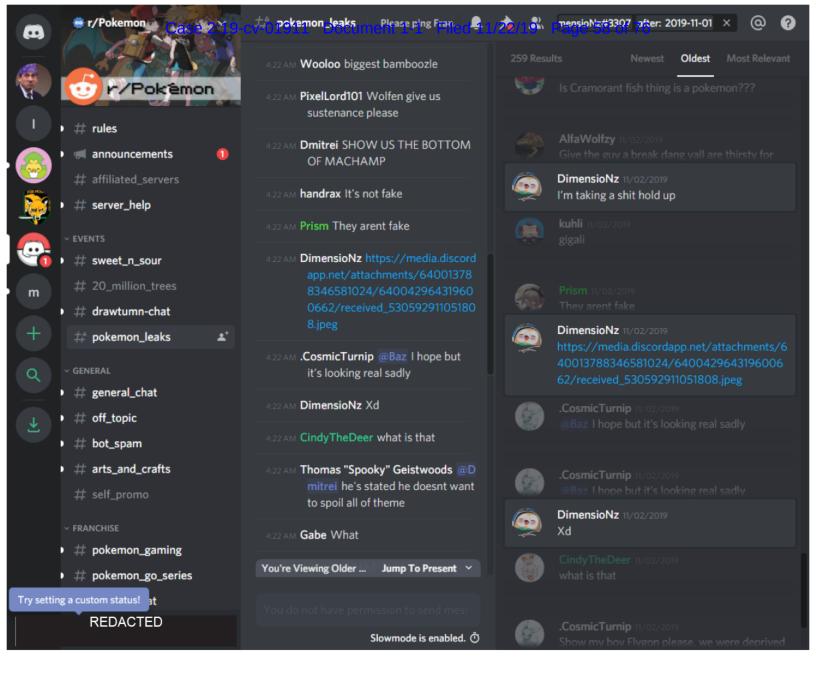


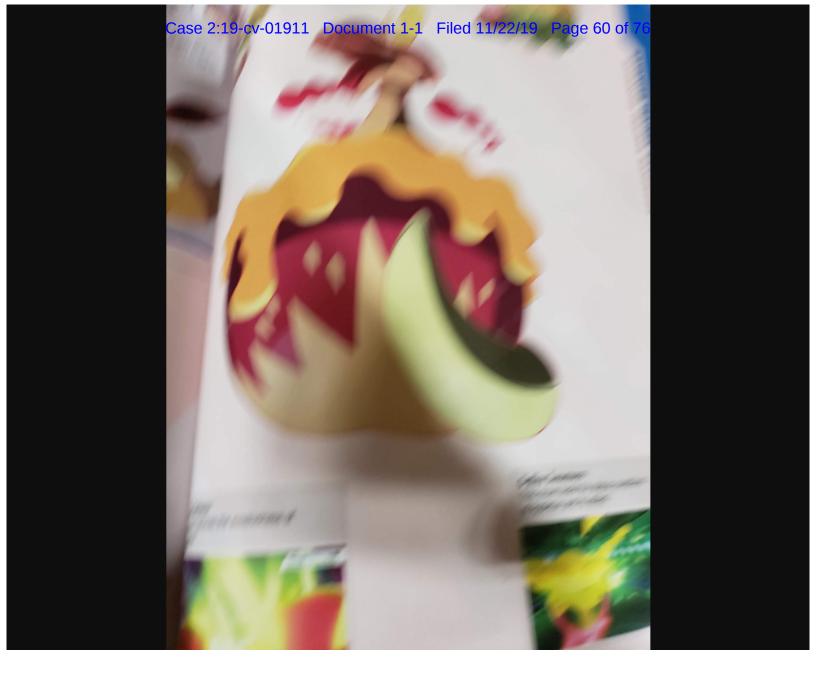


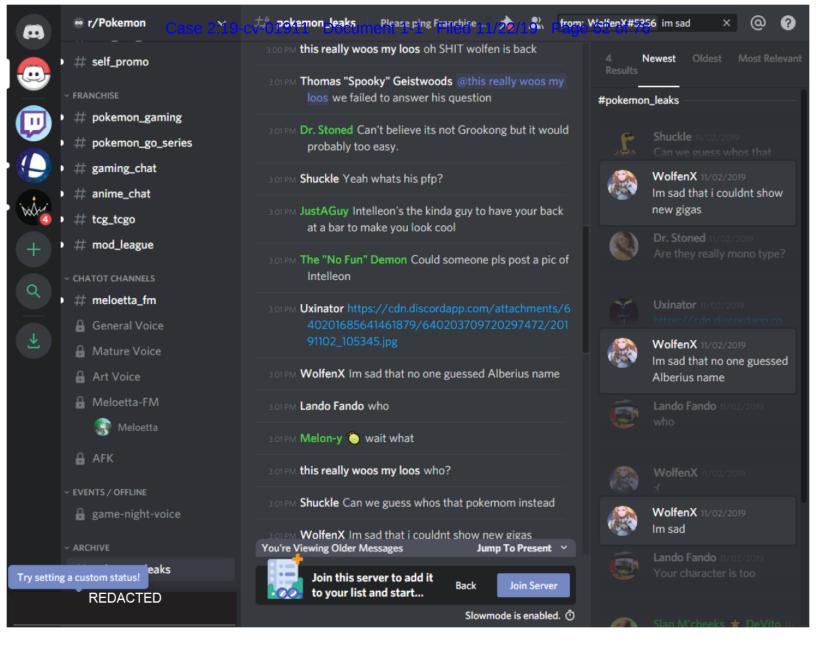


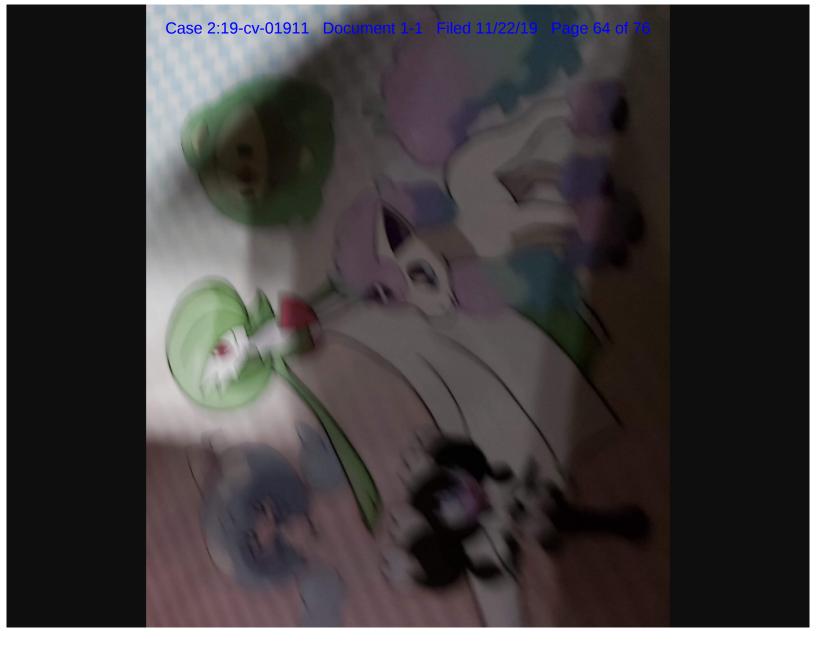


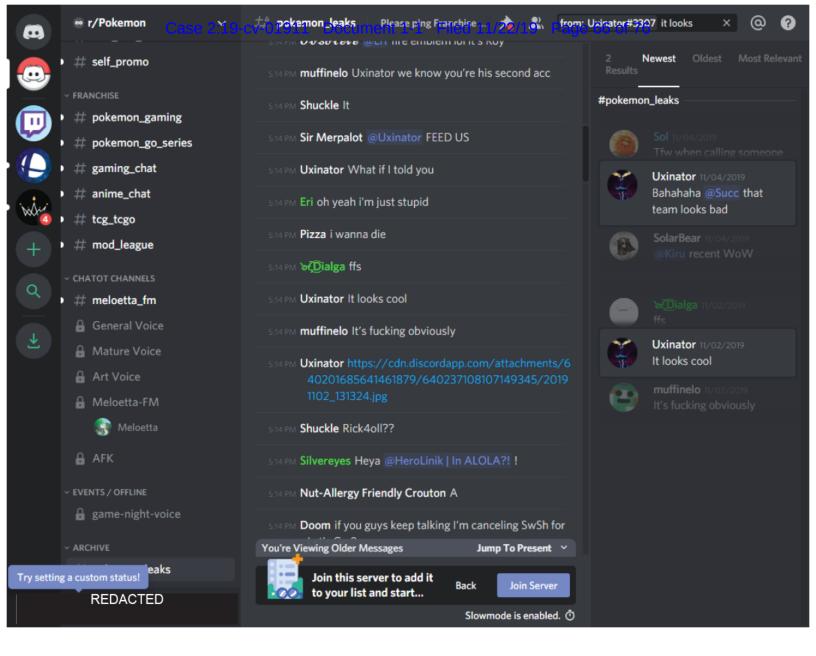


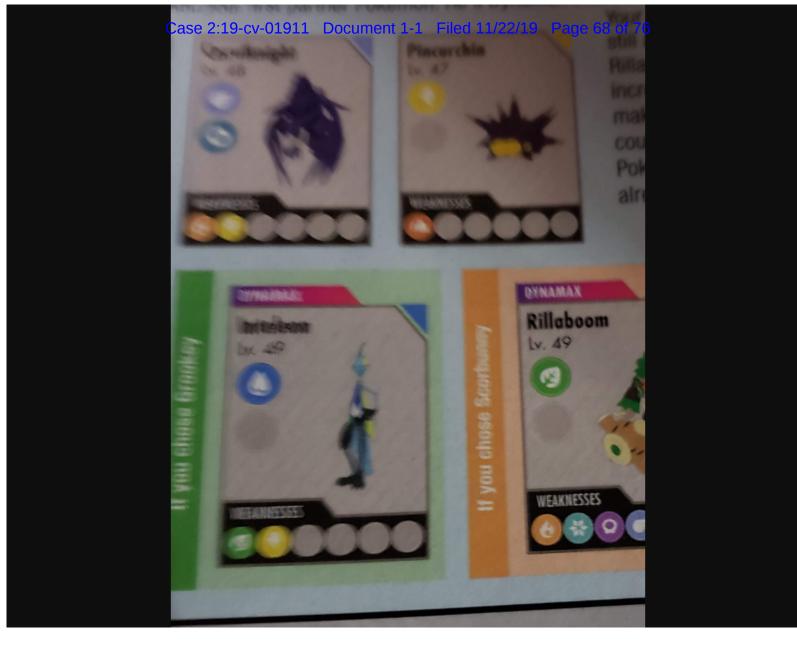


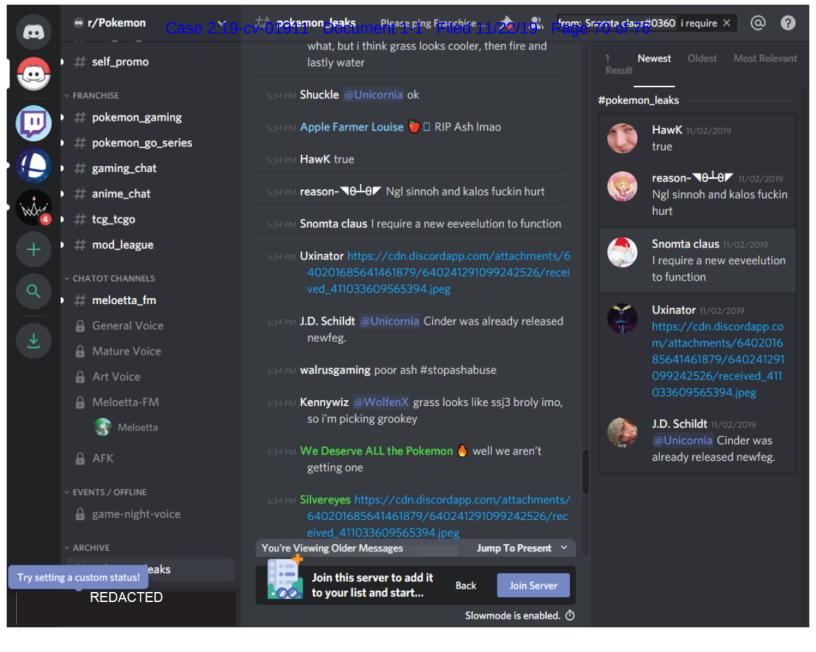






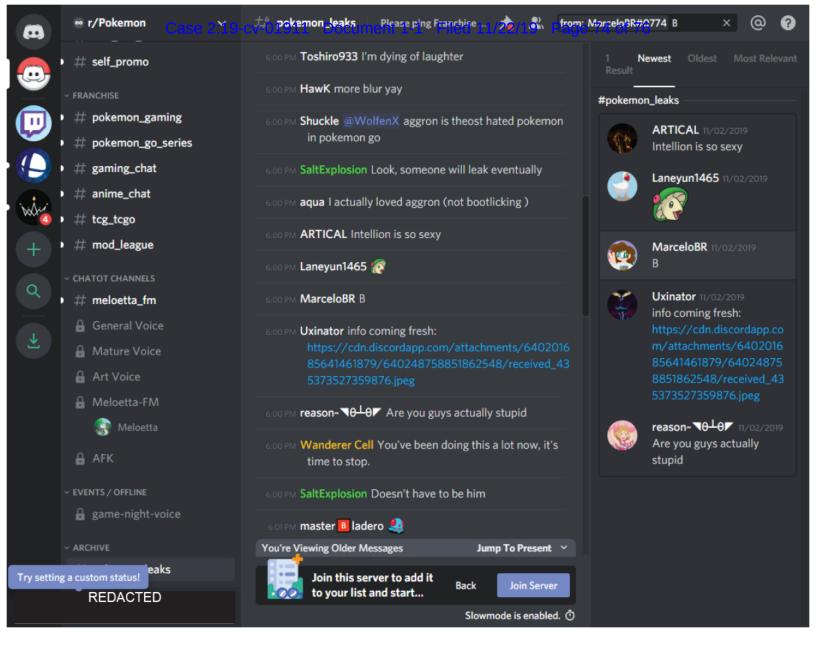








Capture timestamp (UTC): Tue, 19 Nov 2019 23:20:56 GMT





JS 44 (Rev. 06/17)

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS THE POKÉMON COMPANY INTERNATIONAL, INC.				DEFENDANTS JOHN/JANE DOES 1–3,			
(b) County of Residence of First Listed Plaintiff: King County, Washington (EXCEPT IN U.S. PLAINTIFF CASES)				County of Residence of First Listed Defendant: Unknown (IN U.S. PLAINTIFF CASES ONLY) NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED			
(c) Attorneys (Firm Name, Address, and Telephone Number) Holly M. Simpkins, WSBA No. 33297 Lauren W. Staniar, WSBA No. 48741 Jacob P. Dini, WSBA No. 54115 Perkins Coie LLP 1201 Third Avenue, Suite 4900 Seattle, WA 98101-3099				Attorneys (If Known)			
Telephone: 206.359.8000 II. BASIS OF JURISDICTION			III CITIZ	FNSHIP OF PRINCIPA	I PARTIES (Place on !!	VII in One Day for Blaintiff	
(Place an "X" in One Box Only)			III. CITIZENSHIP OF PRINCIPAL PARTIES (For Diversity Cases Only) PTF DEF (Place an "X" in One Box for Plaintiff and One Box for Defendant) PTF DEF				
□ 1 U.S Government Plaintiff	X 3 Federal Question (U.S. Government Not a Party)		Citizen of This State \Box 1 \Box 1 Citizen of Another State \Box 2 \Box 2		Incorporated or Principal Place of Business in This State		
□ 2 U.S. Government Defendant	☐ 4 Diversity (Indicate Citizenship of Parties in Item III)		Citizen or Subject of a		Incorporated and Principal Place of Business in Another State		
					Foreign Nation	□6 □6	
IV. NATURE OF SUIT (I	Place an "X" in One Box Only) TOR	TS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
□ 110 Insurance	PERSONAL INJURY	PERSONAL I		□625 Drug Related Seizure of	□ 422 Appeal 28 U.S.C. 158	□375 False Claims Act	
□ 120 Marine □ 130 Miller Act □ 140 Negotiable Instrument	□ 310 Airplane □ 315 Airplane Product Liability □ 320 Assault, Libel & Slander	□ 367 Health C	Liability Care/	Property, 21 U.S.C. 881 ☐ 690 Other	□ 423 Withdrawal 28 U.S.C. 157	□376 Qui Tam (31 USC 3729(a)) □400 State Reapportionment □410 Antitrust	
□ 150 Recovery of Overpayment & Enforcement of Judgment	□ 330 Federal Employers' Liability	Pharmac Persona	l Injury		PROPERTY RIGHTS	☐ 430 Banks and Banking ☐ 450 Commerce	
☐ 151 Medicare Act ☐ 152 Recovery of Defaulted Student	☐ 340 Marine ☐ 345 Marine Product Liability	☐ 368 Asbesto			□ 820 Copyrights □ 830 Patent	☐ 460 Deportation	
Loans (Excludes Veterans) ☐ 153 Recovery of Overpayment of	□ 350 Motor Vehicle □ 355 Motor Vehicle Product		roduct Liability		□835 Patent – Abbreviated New Drug Application	☐ 470 Racketeer Influenced and Corrupt Organizations	
Veteran's Benefits ☐ 160 Stockholders' Suits	Liability PERSONAL ☐ 360 Other Personal Injury ☐ 370 Other F				□ 840 Trademark □ 480 Consumer Credit □ 497 Cable/Sat TV		
☐ 190 Other Contract ☐ 195 Contract Product Liability	☐ 362 Personal Injury—Medical Malpractice	□ 371 Truth in □ 380 Other Pe	Lending ersonal Property	LABOR		□ 850 Securities/Commodities/	
□ 196 Franchise	1	Damage ☐ 385 Property		□ 710 Fair Labor Standards Act	SOCIAL SECURITY	Exchange X 890 Other Statutory Actions	
		Product Liability		☐ 720 Labor/Management Relations	□ 861 HIA (1395ff)	□ 891 Agricultural Acts □ 893 Environmental Matters	
REAL PROPERTY 210 Land Condemnation	CIVIL RIGHTS 440 Other Civil Rights	PRISONER PETITIONS Habeas Corpus:		☐ 740 Railway Labor Act	□ 862 Black Lung (923) □ 863 DIWC/DIWW	☐ 895 Freedom of Information Act	
□ 220 Foreclosure	441 Voting		etainee	□751 Family and Medical Leave Act	(405(g)) □ 864 SSID Title XVI □ 865 RSI (405(g))	□896 Arbitration □899 Administrative Procedure Act/	
□ 240 Torts to Land				☐ 790 Other Labor Litigation ☐ 791 Empl. Retirement Income		Review or Appeal of Agency Decision	
☐ 245 Tort Product Liability ☐ 290 All Other Real Property			enalty	Security Act	EEDEDAL TAV CHITC	☐ 950 Constitutionality of State Statutes	
□446 Amer. w/Disabilities— □ 5-		Other: 540 Mandan			FEDERAL TAX SUITS 870 Taxes (U.S. Plaintiff		
	Other 448 Education	☐ 550 Civil Ri ☐ 555 Prison C			or Defendant) □ 871 IRSThird Party		
		□560 Civil De Conditio		IMMIGRATION □462 Naturalization Application	26 U.S.C. 7609		
		Confiner		□465 Other Immigration Actions			
V. ORIGIN (Place an "X" in One Box Only) X 1 Original							
VI. CAUSE OF ACTION Cite the U.S. Civil Statute under which you are filing. (Do not cite jurisdictional statutes unless diversity.) 18 U.S.C. §§ 1832, 1836							
Brief description of cause: Violations of the Defend Trade Secrets Act and the Washington Uniform Trade Secrets Act							
VII. REQUESTED IN COMPLAINT:	☐ CHECK IF THIS IS ACTION UNDER Ru			EMAND	AND Check "YES" only if demanded in complaint: JURY DEMAND: ★ YES □ NO		
VIII. RELATED CASE(S) (See Instructions) IF ANY: JUDGE DOCKET NUMBER							
DATE November 22, 2019 SIGNATURE OF ATTORNEY OF RECORD							
/s/ Holly M. Simpkins							
FOR OFFICE USE ONLY							
RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE							

Case 2:19-cv-01911 Document 1-2 Filed 11/22/19 Page 2 of 3

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44 Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- **I.** (a) Plaintiffs-Defendants. Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- **(b)** County of Residence. For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys. Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- **II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), Fed.R.Civ.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.

United States plaintiff. (1) Jurisdiction based on 28 U.S.C. §§ 1345 and 1348. Suits by agencies and officers of the United States are included here.

United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.

Federal question. (3) This refers to suits under 28 U.S.C. § 1331 where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.

Diversity of citizenship. (4) This refers to suits under 28 U.S.C. § 1332 where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)

- III. Residence (citizenship) of Principal Parties. This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit. Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable.
 - V. Origin. Place an "X" in one of the six boxes.

Original Proceedings. (1) Cases which originate in the United States district courts.

Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C. § 1441. When the petition for removal is granted, check this box.

Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.

Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.

Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. § 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.

Multidistrict Litigation - Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. § 1407.

Multidistrict Litigation - Direct File. (7) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.

- VI. Cause of Action. Report the civil statute directly related to the cause of action and give a brief description of the cause. Do not cite jurisdictional statues unless diversity. Example: U.S. Civil Statute: 47 USC § 553; Brief Description: Unauthorized reception of cable service
 - VII. Requested in Complaint. Class Action. Place an "X" in this box if you are filing a class action under Rule 23, Fed. R. Civ. P.

Demand. In this space enter the dollar amount being demanded or indicate other demand, such as a preliminary injunction.

Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.

VIII. Related Cases. This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

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INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44 Authority For Civil Cover Sheet Date and Attorney Signature. Date and sign the civil cover sheet.

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