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12 Attorneys for Plaintiff,
Meta Platforms Inc

13
14 **UNITED STATES DISTRICT COURT**
15 **NORTHERN DISTRICT OF CALIFORNIA**
16 **SAN FRANCISCO DIVISION**

17 META PLATFORMS INC., a Delaware
18 corporation,

19 Plaintiff,

20 v.

21 OCTOPUS DATA, INC.,

22 Defendant.

Case No. _____

**COMPLAINT; DEMAND FOR
JURY TRIAL**

23
24
25 Plaintiff Meta Platforms, Inc. ("Meta") alleges the following:
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27
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INTRODUCTION

1
2 1. Since at least March 25, 2015, and continuing to the present, Defendant Octopus
3 Data Inc., (“Octopus”) has operated an unlawful service called Octoparse, which was designed to
4 improperly collect or “scrape” user account profiles and other information from various websites,
5 including Amazon, eBay, Twitter, Yelp, Google, Target, Walmart, Indeed, LinkedIn, Facebook and
6 Instagram.

7
8 2. Defendant’s service used and offered multiple products to scrape data. *First*,
9 Defendant offered to scrape data directly from various websites on behalf of its customers (the
10 “Scraping Service”). *Second*, Defendant developed and distributed software designed to scrape
11 data from any website, including Facebook and Instagram, using a customer’s self-compromised
12 account (the “Scraping Software”). Defendant’s Scraping Software was capable of scraping any
13 data accessible to a logged in Facebook and Instagram user. And Defendant designed the
14 “premium” Scraping Software to launch scraping campaigns from Defendant’s computer network
15 and infrastructure. *Finally*, Defendant claimed to use and distribute technologies to avoid being
16 detected and blocked by Meta and other websites they scraped.

17
18 3. Defendant’s conduct was not authorized by Meta and it violates Meta’s and
19 Instagram’s terms and policies, and federal and California law. Accordingly, Meta seeks damages
20 and injunctive relief to stop Defendant’s use of its platform and products in violation of its terms
21 and policies.

PARTIES

22
23
24 4. Plaintiff Meta is a Delaware corporation with its principal place of business in
25 Menlo Park, California. Meta operates, among other products, Facebook and Instagram.

26 5. Defendant Octopus was incorporated in California on or about January 12, 2015,
27 with its principal place of business in Diamond Bar, California. Defendant operates through the
28

1 website octoparse.com. Ex.1. As of August 9, 2020, Yusheng Li and Ting Li are the Chief
2 Executive Officer and the Chief Financial Officer of Octopus, respectively. Ex. 2. According to
3 its website, Defendant encouraged the use of the Scraping Software to “fetch all types of social
4 media data across major players like Facebook, Twitter, Instagram, YouTube, Flickr....” Ex. 3.
5 And Defendant promoted the Scraping Software as a way to “quickly scrape web data without
6 coding.” Ex. 4. As of January 6, 2022, Defendant claimed that it had one million customers using
7 its Scraping Services. Ex. 5.

9 6. Octopus is a U.S. subsidiary of Shenzhen Vision Information Technology Co., Ltd.,
10 also known as Shenzhen Skieer Information Technology Co. Ltd (“SVIT”). SVIT is located in
11 Shenzhen, China. Liu Baoqiang, also known as Keven Liu, is the founder and CEO of SVIT.
12 SVIT’s website, skieer.com, describes SVIT as a “national high-tech enterprise that aims to build
13 a big data platform and is committed to providing big data software and industry solutions.” *Id.*
14 SVIT was named a “national high-tech enterprise” by China’s Ministry of Science and Technology
15 in November 2015.

17 7. On or about March 25, 2015, SVIT’s CEO, Keven Liu, registered the octoparse.com
18 domain under the name Liu Bao Qiang using Alibaba Cloud Computing (Beijing) Co., Ltd. Ex. 6.
19 By March 21, 2018, the registration was anonymized using privacy guard and information about
20 the registrant was no longer publicly available. Ex. 7.

22 8. SVIT’s CEO promoted the Scraping Software on Facebook through his personal
23 Facebook account. Several Octopus employees or those acting on its behalf created user accounts
24 on Facebook to also promote the Scraping Software on Facebook.

25 **JURISDICTION AND VENUE**

26 9. The Court has federal question jurisdiction over the federal causes of action alleged
27 in this Complaint pursuant to 28 U.S.C. § 1331.
28

1 personal computers and mobile devices. As of March 31, 2022, Facebook daily active users
2 averaged 1.96 billion and monthly active users averaged 2.94 billion.

3 16. Instagram is a photo and video sharing service and mobile application. Instagram
4 users can upload photos and videos to Instagram and share them with others. They can also view
5 and comment on photos and videos shared by others on Instagram.

6
7 17. To create a Facebook or Instagram account, Meta requires each user to register with
8 a unique username and password. Registered users can create user profiles and include information
9 about themselves, including their email address, phone numbers, and date of birth. Registered
10 Facebook users can make connections on Facebook by becoming “friends” with other Facebook
11 users and Instagram users can “follow” other Instagram users.

12 18. Meta provides Facebook and Instagram users control over how to customize their
13 profiles and how much personal information to include in their profiles. In addition, Facebook and
14 Instagram privacy settings provide users with control over how much information is viewable
15 publicly, to other Facebook and Instagram users, or to the users’ friends and followers.

16
17 **B. Meta and Instagram Terms and Policies**

18 19. All Facebook users must agree to Meta’s Terms of Service (available at
19 <https://www.facebook.com/terms.php>) (“Meta Terms”) and other rules that govern access to and
20 use of Facebook (collectively “Meta Terms and Policies”).

21
22 20. Everyone who uses Instagram agrees to Instagram’s Terms of Use (“Instagram
23 Terms”) and to other rules that govern access to and use of Instagram, including Instagram’s
24 Community Guidelines and Platform Policy (collectively, “Instagram Terms and Policies”).

25 21. Section 3.3 of the Meta Terms provide that its users “own the intellectual property
26 rights (things like copyright or trademarks) in any such content that [they] create and share on
27 Facebook and other Meta Company Products [they] use.”
28

1 22. Instagram’s Terms also provide that Instagram users have content that is “covered
2 by intellectual property rights (like photos and videos)”

3 23. Instagram’s Terms and Section 3.2.1 of the Meta Terms prohibits users from
4 “do[ing] . . . anything unlawful, misleading, [] or fraudulent” or facilitate or support others in doing
5 so.
6

7 24. Section 3.2.3 of the Meta Terms prohibits “access[ing] or collect[ing] data from
8 [Facebook] Products using automated means (without our permission) or attempt[ing] to access
9 data you don’t have permission to access.” The Instagram Terms also prohibit (a) “access[ing] or
10 collect[ing] in unauthorized ways . . . [including] collecting information in an automated way
11 without our express permission;” and (b) “violat[ing] someone else’s rights, including intellectual
12 property rights.”
13

14 25. Section 4 of the Meta Terms provides that Meta has intellectual property rights in
15 various images, designs, videos, and sounds created by Meta, and retains its rights in its shared
16 protected material.

17 26. Instagram’s Terms also state that Instagram provides “content covered by
18 intellectual property rights that we have and make available” and “retain all rights to our content.”
19

20 **C. Background on Scraping**

21 27. Scraping is a form of data collection that relies on unauthorized automation for the
22 purpose of extracting data from a website or app.

23 28. To combat scraping and other abuse, Meta proactively uses a combination of
24 technological measures designed to control access to Facebook and Instagram and to detect and
25 disrupt scraping at different stages.

26 a. Registration. Meta requires users of Facebook and Instagram to register for
27 an account and login to the account before accessing and using the applications or websites. Meta
28

1 monitors for the automated creation of accounts and blocks the registration of an account when the
2 process of creating the account appears suspicious or automated or related to scraping.

3 b. Confirmation. After registering, Meta requires Facebook and Instagram
4 users to respond to an email or text message Meta sends to the contact information provided during
5 registration. Meta also limits the number of user accounts that can share the same phone number
6 or email address.

7
8 c. Post-Registration Monitoring for Suspicious Activity. Facebook and
9 Instagram apply machine-learning models, using user-agent strings and other information, to detect
10 accounts engaged in suspicious activity, such as inauthentic behavior, compromised accounts, and
11 automated accounts after registration. If an account is flagged for suspicious activity on Facebook
12 and Instagram, Meta may ask the user to enter a phone number, confirm a code sent to the
13 registration email, or ask the user to respond to various technical tests or “checks,” including
14 reCAPTCHA, to confirm that he or she is a human. Similarly, Instagram also uses machine learning
15 and other tools to help identify accounts engaged in inauthentic activity (i.e., likes, follows, and
16 comments). These accounts may be temporarily or permanently blocked from accessing Facebook
17 and Instagram. For example, between January and March of 2022, Meta identified and took
18 enforcement actions against 1.6 billion fake accounts.

19
20 d. Post-Registration Monitoring for Scraping. Meta also uses machine-
21 learning models and other tools to detect and block users engaged in scraping based on use patterns
22 that are inconsistent with a human user. Meta also identifies and blocks IP addresses known to be
23 used to scrape data.

24
25 e. Rate and Data Limits. Meta employs rate and data limits to control access
26 to certain data and prevent scraping. Rate limits cap the number of times anyone can interact with
27 Meta computers in a given amount of time. Data limits restrict how many times certain types of
28

1 data can be requested by a user. Once a user reaches a rate or data limit Meta will block a user's
2 ability to access certain content. Meta blocks billions of suspected scraping actions per day across
3 Facebook and Instagram using these measures.

4 29. Despite Meta's efforts to stop scraping and block scrapers from accessing Facebook
5 and Instagram, data scrapers can utilize self-compromised user accounts to pose as an authenticated
6 user, and other techniques (as described below in paragraph 49), to circumvent Meta's detection
7 measures.
8

9 **D. Defendant Accepted Meta's and Instagram's Terms and Policies**

10 30. At all relevant times, Defendant was bound by Meta's and Instagram's Terms and
11 Policies.
12

13 31. Between November 10, 2016, and July 5, 2022, the CEO of Octopus, Yusheng Li
14 created and controlled at least five Facebook user accounts and one Instagram account:

15 a. Defendant created a Facebook account on April 3, 2015, with the
16 username "Li Isabel."

17 b. Defendant created a Facebook account on November 10, 2016, with the
18 username "Isabel Li."

19 c. Defendant created a Facebook account on March 1, 2017, with the
20 username "Isabel Li."
21

22 d. Defendant created a Facebook account on September 27, 2017, with the
23 username "Yina Huang."

24 e. Defendant created a Facebook account on March 4, 2018, with the
25 username "Isabel Li."
26

27 32. Defendant created an Instagram account on July 18, 2018, with the name
28 "isabellaoscar001."

1 33. Between December 16, 2007 and July 5, 2022, the CFO of Octopus, Ting Li created
2 and controlled at least one Facebook user account with the name Bernice Li.

3 34. Between April 8, 2012 and July 5, 2022, the CFO of Octopus, Ting Li created and
4 controlled at least one Instagram accounts with the name isabella_angella.

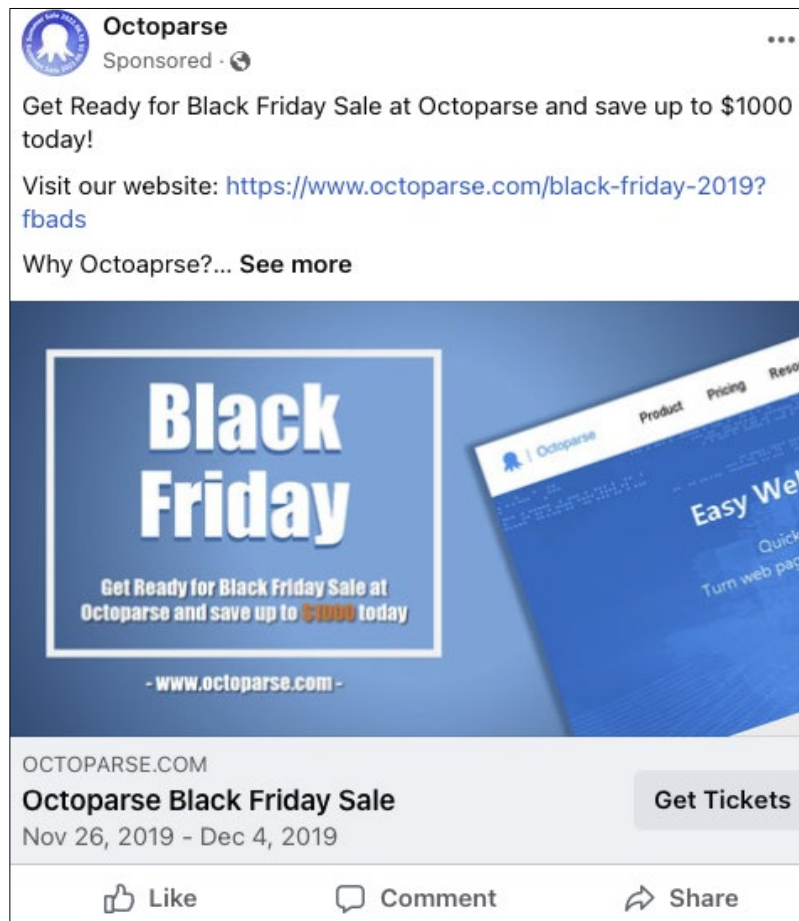
5 35. Between September 26, 2014 and July 5, 2022, the CEO of SVIT, Keven Liu created
6 and controlled at least one Facebook user account with the name “Keven Liu”.

7 36. On or about March 17, 2016, Defendant, through its employees and agents, created
8 a Facebook user account with the name “Octoparse.”

9 37. Between 2016 and 2021, Defendant, through its employees and agents, created and
10 administrated five Facebook Pages, Octoparse Japan, Octoparse Español, Octoparse Français,
11 Octoparse, and Octoparse Deutschland. The Pages were also used to promote the Octopus Scraping
12 Services.

13 38. On or about April 5, 2016, Defendant through its employees and agents, created a
14 Facebook Group with the name Octoparse Users Club.

15 39. Between August 4, 2017, and July 5, 2022, Defendant, through its employees and
16 agents created and controlled two Facebook advertising accounts. Defendant used Facebook to
17 promote Octoparse as set forth in Figure 1.
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Figure 1: November 20, 2019 Octoparse Advertisement on Facebook**E. Defendant Octopus's Scraping Activity**

40. Since at least March 25, 2015, Defendant has operated the website [octoparse.com](https://www.octoparse.com) where it (i) sold and distributed its Scraping Software designed to scrape data from Facebook, Instagram, Twitter, YouTube, and other websites; (ii) promoted scraping data from Facebook and Instagram (and any other website) for its customers; and (iii) developed, used, and distributed technologies to circumvent Meta's technological measures designed to detect and disrupt scraping of Facebook and Instagram.

41. Defendant charged a range of prices for its Scraping Service and Software. As shown in Figure 2 below, Defendant developed and distributed a free and premium version (split between a Standard Plan and a Professional Plan) of its Scraping Software. Defendant also sold its

Scraping Service as part of the premium version of the Scraping Software and as a standalone product starting at \$399.

Figure 2: May 24, 2021 Screenshot of Octoparse Premium Pricing & Packaging on octoparse.com

Octoparse Premium Pricing & Packaging
5 Day Money Back Guarantee on All Octoparse Plans

Free Plan	Standard Plan	Professional Plan	Enterprise
Perfect for simple projects	For small teams	For middle-sized businesses	For business looking for a customizable data solution.
Free No credit card required	\$75 / Month when billed annually or \$89 when billed monthly	\$209 / Month when billed annually or \$249 when billed monthly	Enjoy all the Pro features, plus scalable concurrent processors, multi-role access, tailored onboarding, priority instant chat support, enterprise-level automation and integration.
Sign Up Now	Buy Now Apply for Free Trial	Buy Now Apply for Free Trial	Contact Sales More Details
<ul style="list-style-type: none"> Unlimited pages per crawl Unlimited computers 10,000 records per export 2 concurrent local run 10 Crawlers Community, lazy support 	<ul style="list-style-type: none"> Unlimited pages per crawl Unlimited computers Unlimited data export Unlimited concurrent local run 100 Crawlers Scheduled Extractions 6 concurrent Cloud Extractions Average speed extraction Auto IP Rotation Task Templates API access Email support 	<ul style="list-style-type: none"> Unlimited pages per crawl Unlimited computers Unlimited data export Unlimited concurrent local run 250 Crawlers Scheduled Extractions 20 concurrent Cloud Extractions High speed extraction Auto IP Rotation Task Templates Advanced API Email, High-priority support Free task review, 1 on 1 training 	<p>Data Service Starting from \$399</p> <p>Simply relax and leave the work to us. Our data team will meet with you to discuss your web crawling and data processing requirements.</p> <p>Request a Quote</p> <p>Crawler Service Starting from \$189</p> <p>Get crawlers built by us per your specific requirements with which you can run with Octoparse to retrieve the data you need at any time.</p> <p>Request a Quote</p>

We accept the following forms of payment

[Data Service](#)

[Help](#)

May 24, 2021 at 1:37:38 PM

i. *Octoparse Scraping Software*

42. To obtain and use the free or premium version of the Scraping Software, Defendant required all customers to create an account on Defendant's website octoparse.com. Defendant required customers to register using an email address and to create an Octoparse username and password. After a customer registered on Defendant's website, a customer was required to select the free or premium version of the Scraping Software and download it to their computer.

43. Defendant's website also enabled customers to add profile information (such as name and industry in which they worked), manage their subscriptions and purchase history with Defendant, and refer others to use Octoparse.

44. After a customer downloaded the Scraping Software to their computer, the customer was required to login to their Facebook or Instagram account. Once logged in, Defendant designed the Scraping Software (free and premium versions) so that the customer only had to click on the data they wanted to scrape from Facebook and Instagram to facilitate Defendant's scraping activities. Defendant designed the free version of the Scraping Software to exfiltrate scraped data to the customer's computer. Defendant designed the premium version of the Scraping Software to exfiltrate the scraped data to servers controlled by Defendant. Defendant stored the data scraped by its premium version on its servers for a minimum of three months by default.

45. Defendant further facilitated scraping by allowing customers to schedule and launch scraping actions, without the customer visiting and browsing Facebook or Instagram, using IP addresses and servers controlled by Defendant. To circumvent Meta's security requirement that a user enter a username and password, Octoparse required customers to first login to Facebook and Instagram and send their user authentication information to Defendant. By doing this, the user self-compromised their Facebook and Instagram accounts. Defendant then used the user's

1 authentication information to access Meta's computers, while pretending to be the legitimate
2 Facebook or Instagram user, to make unauthorized automated requests for data.

3 *ii. Octoparse Scraping Service*

4 46. In addition to its Scraping Software, Defendant offered a full-service scraping
5 option where Octopus employees and agents used Octopus computers, IP addresses, and other
6 technology to scrape data from various websites and delivered it to its customers, as shown in
7 Figure 3, below. Defendant presented that it could scrape data "across all major players like
8 Facebook, Twitter, Instagram, YouTube, Flickr...." Ex. 3.

10 **Figure 3: April 5, 2022 Description of Defendant's Scraping Service on octoparse.com**

Get data effortlessly

We get it. You want the data, not the headache.
Have peace of mind with the Octoparse data extraction service.

	Quick, hassle-free		Flexible, and scalable
Flexible, and scalable With Octoparse web scraping service, we do all the work to make sure accurate data is delivered to your team. You don't have to build or maintain. Get data within days - not weeks or months.	The Octoparse data solution is ideal for projects of all sizes - one-time or recurring, from thousands of records to millions of records each day. Scale as you grow.		
Reliable, high quality data We have the experience and expertise to understand your requirements, solve any scraping issues and deliver exactly just that. No more data gaps and messy datasets.	Usable, formatted data Ready-to-use data in Excel or CSV, or integrate with your database. Directly download via REST API. No more data gaps and messy datasets.		

47. As shown in Figure 4, Defendant promoted the Scraping Service by stating “Sit back and relax. We’ll get the data you need, the way you want it!” Customers who wanted to use Defendant’s Scraping Service were required to schedule a consultation with Defendant during which the customer provided the name of the website and a description of the data they wanted scraped.

Figure 4: April 5, 2022 Screenshot Related to Defendant's Scraping Service from octoparse.com

48. According to Defendant’s website, Defendant would assign an account manager to work one-on-one with the customer to confirm the scraping project specifications, and Defendant could build or maintain scraped datasets for a fee.

iii. Defendant Designed Octoparse to Avoid Detection and Technological Measures

49. Defendant used, developed, manufactured, and offered to the public, scraping technology and services designed to circumvent Meta’s technological measures that control access to data on Facebook and Instagram. According to Defendant’s website,

1 a. Defendant's premium version of the Scraping Software used an "IP
2 Rotation" service that distributed large data requests across multiple IP addresses controlled by
3 Defendant to avoid being detected and blocked. Ex. 8.

4 b. Defendant programmed the Scraping Software to use an "auto-rotating web
5 browser" function to avoid machine learning models that detected suspicious activity and blocked
6 accounts. Specifically, Defendant's website claimed that their Software could "reduce the risk of
7 being blocked" by automatically rotating an internet browser's real user-agent with a series of fake
8 user-agents. The user-agent is information that identifies a user's browser, browser version, and
9 computer operating system to a website. Ex 9. According to Defendant, "using a [single] user
10 agent for an abnormally large number of requests will lead you to the block (sic) and to "get past
11 the block, you should switch user-agent frequency instead of sticking to one." *Id.*

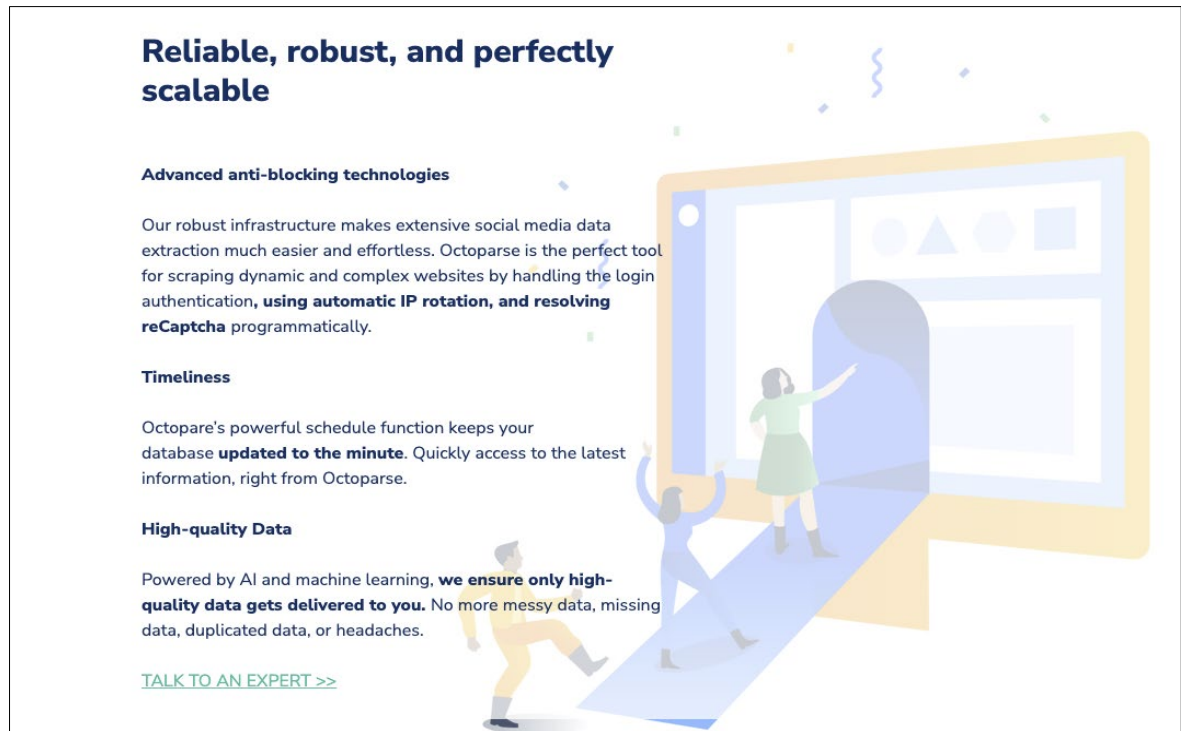
12 c. Defendant's Scraping Service and the Scraping Software used "hundreds of
13 cloud servers each with a unique IP address" when accessing and scraping data in order to prevent
14 Meta from identifying and blocking Defendant's IP addresses. Exs. 3, 8, and 9.

15 d. Defendant designed the Scraping Software to "incorporate random clicks
16 and mouse movements" to make the scraping activity appear to be human rather than bot activity to
17 avoid detection and being blocked by Meta's technological measures. *Id.*

18 e. Defendant designed the Scraping Software to access and scrape data at
19 different or even random time intervals "to make the [access and] the scraping more human-like"
20 in order to avoid detection and being blocked by Meta's technological measures. *Id.*

21 f. As shown below in Figure 5, Defendant advertised that it used advanced
22 anti-blocking tools like "handling login authentication, using automatic IP rotation, and resolving
23 reCAPTCHA programmatically." reCAPTCHA is a program designed to distinguish between
24 human and automated access of a website.
25
26
27
28

Figure 5: May 23, 2022 Screenshot of Defendant's Social Media Data Solutions page on octoparse.com



50. Defendant provided guidance on how to evade detection and anti-scraping measures used by various websites, including Meta, on a blog titled, "How to Scrape Websites Without Being Blocked in 5 Mins" and video tutorials on the Official Octoparse YouTube Channel.¹ Defendant's guidance to avoid detection included the techniques described in paragraph 51 above - using a proxy server, which would conceal the user's true IP address and altering the user's actual user-agent string. Ex. 9.

51. Defendant provided step-by-step guidance on using the Octoparse to scrape data from Facebook and Instagram and avoid technological measures intended to prevent scraping. For example, as recently as on or about December 6, 2021, a video posted by Octoparse to its official YouTube Channel is titled, "How to scrape Facebook accounts with Octoparse" and instructs

¹ Located at <https://www.youtube.com/watch?v=B4VPmdteI5A>

viewers on how to use Octoparse Scraping Software to extract data from Facebook.² Another tutorial titled, “Scrape data from Instagram (Version 8.4)” was posted on or about November 2021 to the help center on [octoparse.com](https://helpcenter.octoparse.com) and provides instructions on how to scrape data from Instagram.³ Both tutorials direct customers to save their authentication information in the Octoparse Scraping Software or Meta will “block” the scraping activity.

F. Meta’s Enforcement Efforts

52. In July 2022, Meta took various technical enforcement measures against Defendant, including disabling Facebook and Instagram accounts and Pages associated with Defendant.

G. Defendant Was Unjustly Enriched and Its Unlawful Acts Have Caused Damage and a Loss to Meta

53. Defendant’s violations of Meta’s and Instagram’s Terms and Policies have harmed Meta.

54. Meta suffered damages attributable to the efforts and resources it used to investigate and remediate Defendant’s conduct in an amount to be determined at trial.

55. Since at least March 2015, Defendant has unjustly enriched itself at Meta’s expense in an amount to be determined at trial. Meta is entitled to an accounting by Defendant and a disgorgement of all unlawful profits gained from their conduct.

FIRST CAUSE OF ACTION

(Breach of Contract)

56. Meta realleges and incorporates all preceding paragraphs here.

² Located at <https://www.youtube.com/watch?v=dxKTTKIBTQo>

³ Located at <https://helpcenter.octoparse.com/hc/en-us/articles/4407753230617-Scrape-data-from-Instagram-Version-8-4->

8 59. Since at least March 25, 2015, Defendant offered and sold its Scraping Software and
9 Scraping Services on the website octoparse.com.

61. Defendant has breached and continues to breach Instagram's Terms and Meta Terms 3.2.1, 3.2.2, and 3.2.3. Meta's Terms prohibit (a) using automated means without Meta's permission to scrape data from Facebook and Instagram; (b) facilitating others to scrape data from Facebook and Instagram without Meta's permission through Octoparse; and (c) violating the intellectual property rights of others by scraping copyright protected data. Instagram's Terms also prohibit the same conduct.

63. Meta likewise seeks injunctive relief. As a direct result of Defendant's unlawful actions, Meta has suffered and continues to suffer irreparable harm for which there is no adequate remedy at law, and which will continue unless Defendant's actions are enjoined.

(Unjust Enrichment)

18

1 including requiring users to register for an account and login to the account before using those
2 products, monitoring for the automated creation of accounts, monitoring account use patterns that
3 are inconsistent with a human user, employing a reCAPTCHA program to distinguish between bots
4 and human users, identifying and blocking of IP addresses of known data scrapers, disabling
5 accounts engaged in automated activity, and setting rate and data limits.

6
7 75. Defendant has circumvented and is circumventing technological measures that
8 effectively control access to copyright protected works and those of its users on Facebook and
9 Instagram and/or portions thereof.

10 76. Defendant manufactures, provides, offers to the public, or otherwise traffics in
11 technology, products, services, devices, components, or parts thereof, that are primarily designed
12 or produced for the purpose of circumventing technological measures and/or protection afforded
13 by technological measures that effectively control access to copyright protected works and/or
14 portions thereof.

15
16 77. Defendant's Octoparse Scraping Services or parts thereof, as described above, have
17 no or limited commercially significant purpose or use other than to circumvent technological
18 measures that effectively control access to Meta and its user's copyrighted works and/or portions
19 thereof in order to scrape copyright protected data from Facebook and Instagram.

20
21 78. Meta has been and will continue to be damaged in an amount not presently known
22 with certainty, but which will be proven at trial.

23 79. Defendant's conduct also has caused irreparable and incalculable harm and injuries
24 to Meta, and, unless enjoined, will cause further irreparable and incalculable injury, for which Meta
25 has no adequate remedy at law.

1 80. Meta is entitled to the range of relief provided by 17 U.S.C. §§ 1201-1203,
2 including, but not limited to, injunctive relief, compensatory damages or statutory damages,
3 punitive damages, and Meta's costs and attorneys' fees in amounts to be proven at trial.

4 **PRAYER FOR RELIEF**

5 **WHEREFORE**, Plaintiff Meta seeks a judgment awarding the following relief:

6 a. A permanent injunction enjoining and restraining Defendant and its agents
7 from accessing and using Facebook and Instagram;

8 b. A permanent injunction requiring Defendant to identify the location of any
9 and all data obtained from Facebook and Instagram, to delete such data, and to identify any and
10 all entities with whom Defendant shared such data;

11 c. A permanent injunction enjoining and restraining Defendant and its agents
12 from soliciting and facilitating others to scrape data from Facebook and Instagram, in violation of
13 Meta's and Instagram's Terms;

14 d. A permanent injunction enjoining and retraining Defendant from
15 developing, distributing, and using and enabling others to use technologies and products designed
16 to scrape data from Facebook and Instagram without first obtaining Meta's express permission;

17 e. A permanent injunction enjoining and retraining Defendant from
18 circumventing technological measures that effectively control access to copyright protected
19 works on Facebook and Instagram;

20 f. A permanent injunction enjoining and retraining Defendant from
21 developing, distributing, and otherwise traffic technology, products, services, devices,
22 components, or parts thereof, designed to circumvent technological measures that effectively
23 control access to copyright protected works on Facebook and Instagram;

24 g. A permanent injunction requiring Defendant to identify all its customers
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that scraped data from Facebook and Instagram;

- h. Compensatory damages in an amount to be proven at trial;
- i. Pre- and post-judgment interest as allowed by law;
- j. An accounting of Defendant's profits resulting from its scraping activity;
- k. Disgorgement of Defendant's profits resulting from their scraping activity;

and

- l. All other equitable and legal relief the Court deems just and proper.

PLAINTIFF RESPECTFULLY DEMANDS A JURY TRIAL.

Dated: July 5, 2022

Respectfully submitted,

SUSMAN GODFREY L.L.P.

By: /s/ Kalpana Srinivasan

KALPANA SRINIVASAN
CHANLER LANGHAM
OLEG ELKHUNOVICH
MICHAEL GERVAIS
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Of Counsel:

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LITIGATION**

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