

Federal Court



Cour fédérale

**Date: 20260309**

**Docket: T-768-25**

**Citation: 2026 FC 317**

**Toronto, Ontario, March 9, 2026**

**PRESENT: Madam Justice Whyte Nowak**

**BETWEEN:**

**HELLBOY PRODUCTIONS, INC.**

**Plaintiff**

**and**

**DOE #1 ET AL.  
(SEE SCHEDULE 1 FOR LIST OF DEFENDANTS)**

**Defendants**

**and**

**COGECO CONNEXION INC.**

**Non-Party Respondent  
(Plaintiff's Disclosure Motion Only)**

**ORDER AND REASONS**

**I. Overview**

[1] The plaintiff, Hellboy Productions, Inc. [Plaintiff], has commenced an action [Action] alleging copyright infringement in respect of its movie, "Hellboy: The Crooked Man" [Work],

by over 2,400 unknown defendants [collectively, the Doe Defendants], each identified by an internet protocol address (also referred to as an IP address) associated with the alleged acts of infringement. The Plaintiff brought motions in writing pursuant to Rule 369 of the *Federal Courts Rules*, SOR/98-106 [*Federal Courts Rules*], for *Norwich* orders to compel four internet service providers [ISPs] to disclose the names and addresses associated with the IP addresses linked to the infringing activities. The non-party ISPs [Non-Party ISPs] against whom these motions were brought, Cogeco Connexion Inc. [Cogeco], Telus Communications Inc. [Telus], Bell Canada [Bell] and Rogers Communications Canada Inc. [Rogers], did not oppose the motions.

[2] The Case Management Judge, Associate Judge Cotter [Motions Judge], dismissed the motions brought against Cogeco, Telus and Bell by Order and Reasons dated October 31, 2025, reported as *Hellboy Productions, Inc v DOE #1*, 2025 FC 1766 [*Hellboy*]. The Motions Judge held that the Plaintiff had not satisfied the test for a *Norwich* order principally because the Plaintiff's evidence did not show a *bona fide* claim for copyright infringement and for the additional reason that the Plaintiff's evidence failed to identify Telus, Cogeco or Bell as the ISPs for the alleged wrongdoers in question (*Hellboy* at paras 8, 32, 38, 49). The motion for a *Norwich* order as against Rogers was not decided and has been held in abeyance since it was filed.

[3] The Motions Judge dismissed the Plaintiff's original motions without prejudice to further motions for similar relief based on "better evidence" (*Hellboy* at para 51). This Order and

Reasons deal with a fresh motion brought by the Plaintiff seeking a *Norwich* order as against Cogeco.

[4] Based on my review of the Plaintiff's revised motion materials, I am granting this motion. The Plaintiff has provided evidence to address the hearsay issues raised by the Motions Judge and to identify Cogeco as the Non-Party ISP for the relevant Doe Defendants. I am further satisfied that the granting of a *Norwich* order is the only practical source of the information sought by the Plaintiff and that the balancing of the public interests for and against disclosure of the information sought from Cogeco, favours disclosure.

[5] Separate orders shall be issued in respect of similar motions brought against Telus, Bell and Rogers. A still further set of orders shall be issued in respect of similar motions brought against Cogeco, Bell and Rogers in respect of a different movie, titled "Boy Kills World."

## II. Background

[6] The Action alleges that the Doe Defendants have unlawfully offered to upload or stream the Work and/or to unlawfully download the Work utilizing the BitTorrent peer-to-peer [P2P] international network, which is a popular P2P "file sharing" protocol which enables the decentralized distribution or streaming of movies over the internet between individual internet users.

[7] The Plaintiff's evidence has identified each Doe Defendant by the IP address used by the Doe Defendant when committing the alleged acts of infringement, as set out in schedules to the

Statement of Claim, which include particulars of the dates and times of the infringing acts asserted.

[8] The main relief sought by the Plaintiff on this motion is a *Norwich* order compelling Cogeco to forthwith disclose to the Plaintiff the name and address of its subscribers who were associated with the IP addresses set out in the relevant schedules attached to the Statement of Claim pursuant to paragraph 41.26(1)(b) of the *Copyright Act*, RSC 1985, c C-42 [*Copyright Act*].

[9] Cogeco takes no position on the motion, but consents to the form of the order sought against it by the Plaintiff should the Court grant the Plaintiff's motion.

### III. Preliminary Issue

[10] At the hearing of the motion, I raised an issue related to the Plaintiff's written submissions, which repeat legal arguments it made on the original motions and argue that this Court can either come to a different conclusion than the Motions Judge or find that the Motions Judge was in error. The arguments are that:

- (a) the presumptions at section 34.1 of the *Copyright Act* apply despite the Motions Judge's holding that the presumptions do not apply in the context of a *Norwich* order (*Hellboy* at para 28);
- (b) the Motions Judge erred in applying too high a standard in determining whether the Plaintiff had established a *bona fide* claim as evidenced by some 73 previous orders of the Federal Court which granted *Norwich* orders based on similar evidence; and

- (c) the Action is a Simplified Action despite the Motions Judge's holding that it is not (*Hellboy* at paras 11-14).

[11] Having read the Plaintiff's post-hearing submissions, I remain of the view that in respect of the motions involving Cogeco, Telus and Bell, these arguments amount to a collateral attack on the Motions Judge's Order or a disguised appeal (*Wilson v The Queen*, [1983] 2 SCR 594 at 599). While this Court could consider these arguments on a motion brought pursuant to Rule 51 of the *Federal Courts Rules*, they are not arguments the Court can entertain on this motion.

[12] The only issue for consideration on this motion is whether the Plaintiff has satisfied the test for a *Norwich* order based on its revised evidence as was permitted by the Motions Judge (*Hellboy* at para 51).

#### IV. Analysis

[13] My analysis starts with a reminder of the test that the Plaintiff must satisfy to obtain a *Norwich* order, followed by a review of the evidence originally relied on by the Plaintiff to satisfy the test and why the Motions Judge found that evidence to be insufficient. Only then can I assess whether the Plaintiff has brought this motion on better evidence.

##### A. *The test for a Norwich order*

[14] In order to obtain a *Norwich* order, a plaintiff must show:

- (a) a *bona fide* claim exists against the alleged wrongdoer [First Element];
- (b) the person from whom discovery is sought is:

- i. more than an innocent bystander, meaning that that person is in some way involved in the matter in dispute;
  - ii. the only practical source of information available to the plaintiff; and
  - iii. reasonably compensated for the expenses, including legal costs, arising out of compliance with the disclosure order [collectively, the Second Element]; and
- (c) the balancing of the public interests for and against disclosure of the information sought from that person favours disclosure [Third Element] [collectively, the *Norwich* order test].

(*Seismotech IP Holdings Inc v Ecobee Technologies ULC*, 2024 FCA 205 at para 6 [*Seismotech FCA*] citing *Rogers Communications Inc v Voltage Pictures, LLC*, 2018 SCC 38 at para 18 [*Voltage*]).

B. *The Plaintiff's evidence on the original motions*

[15] The Plaintiff filed the affidavit of Marnie MacDonald [First Law Clerk Affidavit], a law clerk employed by the Plaintiff's counsel in the firm's copyright enforcement group, in which she affirmed that:

[3] The relevant movie for this matter that our client has located on P2P networks is set out below (the "Work"). The Plaintiff, the party who owns the copyright in the film, is also listed in the table below.

Title	Copyright Owner
Hellboy: The Crooked Man	Hellboy Productions, Inc.

[4] Attached hereto as Exhibit "A" is a copy of the credits page confirming that the Plaintiff is the owner of the copyright in the Work.

[16] Exhibit “A” is a screenshot of credits [Credits] that include the following statements:

© 2024 HELLBOY PRODUCTIONS, INC.  
ALL RIGHTS RESERVED

HELLBOY PRODUCTIONS, INC. IS THE AUTHOR AND CREATOR OF THIS MOTION PICTURE FOR PURPOSES OF COPYRIGHT AND OTHER LAWS IN ALL COUNTRIES THROUGHOUT THE WORLD.

[17] The Plaintiff’s written submissions relied on the presumption in section 34.1 of the *Copyright Act* to assert that:

The Plaintiff is listed in the credits of the Work as owning the copyright. Accordingly, copyright is presumed to subsist in the Work, the Plaintiff is presumed to be the maker of the Work, and is therefore presumed to be the owner of its copyright.

[18] The Plaintiff also submitted an affidavit from Thomas Nowak [Nowak] [First Forensic Affidavit], the Chief Executive Officer of Maverickeye UG [Maverickeye], a forensic investigation company who was hired by the Plaintiff to track online piracy of its movies.

[19] The First Forensic Affidavit details how Maverickeye used its proprietary software to identify IP addresses associated with the distributing or uploading of the Work utilizing the BitTorrent P2P network. Nowak explains how Maverickeye linked each of the Doe Defendants to the potential acts of infringement of the Work by their IP address, which entailed: (i) making a direct connection with a device distributing the Work and downloading a portion or full version of the infringing file; (ii) recording and saving file data related to the date and time of the connection and other available information broadcast by the infringing computer which was saved on a secure server and indexed in evidence logs; (iii) human comparison of the infringing

file against a control copy of the Work to confirm that the IP address in question was in fact distributing the Work; and (iv) identification of the ISP responsible for each IP address in question using Maverickeye's software and other publicly available and searchable data. Nowak purported to attach an exhibit listing the IP addresses and the Canadian ISP traced to that address by Maverickeye.

C. *The Motions Judge's assessment of the Plaintiff's original evidence*

[20] The Motions Judge held that the presumptions in subsection 34.1 of the *Copyright Act* do not apply in the context of a *Norwich* order motion. The Motions Judge reasoned that the precondition referred to in section 34.1 of the *Copyright Act* (which refers to a defendant in a civil action having put in issue either the existence of the copyright or the plaintiff's title to it), cannot be met at this stage of the Action given that the identities of the Doe Defendants are not known and there is no defendant who has the opportunity to test the evidence relied upon by the Plaintiff seeking to get the benefit of the presumption (*Hellboy* at paras 24, 28).

[21] The Motions Judge then considered whether the evidence in the First Law Clerk Affidavit was sufficient to establish that copyright subsists in the Work and the Plaintiff has standing to assert a claim for copyright infringement (*Hellboy* at paras 18, 30). He found that it was not for the following reasons:

First, the Law Clerk Affidavit only deals with the matter of ownership of copyright. There is no evidence on subsistence of copyright. Second, the evidence on ownership of copyright is at best, hearsay evidence for which the source is not specified, nor is the basis for the statement that the plaintiff is the owner of the copyright. For example, there is no specific evidence as to the identity of the "maker". Third, in any event, it is not "best

available evidence” on the issue of ownership of copyright. As was stated in *ME2 Productions*, “the Court is entitled to demand the best available evidence to be filed in support of a motion seeking the extraordinary equitable relief of a *Norwich* order” (para 114, quoted above). I also note the concerns expressed by Justice Pentney in *ME2 Productions* regarding an affidavit provided by a law clerk employed by plaintiff’s counsel (see paragraph 98).

[22] The Motions Judge therefore held that the Plaintiff had not shown a *bona fide* claim for copyright infringement and, therefore, could not establish the First Element of the *Norwich* order test (*Hellboy* at paras 31, 32). The Motions Judge also found that the Plaintiff’s evidence failed to make out the Second Element as the evidence did not show the matched ISP for the alleged wrongdoers (*Hellboy* at para 8, 38, 49).

The question is whether the Plaintiff has brought this motion on better evidence, which entitles it to the order sought. I find that it has.

D. *The Plaintiff’s Revised Evidence*

(1) *The First Element of the Norwich order test*

[23] The Plaintiff has provided a supplementary affidavit of Marnie MacDonald affirmed November 10, 2025 [the Revised Law Clerk Affidavit], the same law clerk employed by the Plaintiff’s counsel who provided the First Law Clerk Affidavit. The Revised Law Clerk Affidavit addresses the issues raised by the Motions Judge: the affiant has received a copy of the Work from the Plaintiff; she identifies the Work by its title; she has reviewed the Work herself and attaches a screenshot of the Credits which shows the Plaintiff’s assertion of copyright

through the use of the copyright symbol and identifies the Plaintiff as the author and creator of the Work for purposes of copyright. Both the Revised Law Clerk Affidavit and the Credits identify the Work as a movie with the affiant further noting that the Work is a superhero film. The Revised Law Clerk Affidavit also provides copies of first and second notices that were provided to the Doe Defendants via Cogeco alleging infringement of the Plaintiff's copyright in the Work and provides a summary chart of the notices and Cogeco's responses [Summary Chart].

[24] A supplementary affidavit of Thomas Nowak [Nowak] affirmed November 7, 2025 [Revised Forensic Affidavit], provides the same evidence of infringement from the First Forensic Affidavit and addresses the issues raised by the Motions Judge related to the identification of the Non-Party ISPs.

[25] I find the First Element of the *Norwich* order test has been made out on a limited merits-based assessment of the Plaintiff's evidence, which supports a claim in copyright infringement against the Doe Defendants that is neither frivolous nor without justification (*Seismotech FCA* at paras 23, 18 and *Glaxo Wellcome PLC v MNR*, [1998] 4 FC 439 (FCA) at paras 24 and 44). The Plaintiff has provided evidence showing the Plaintiff's assertion of ownership and the subsistence of copyright in the Work. The forensic evidence shows the unauthorized use of the Work by the unnamed Doe Defendants behind the IP addresses thereby providing the requisite "plausible basis for assuming that there was copyright infringement" by the Doe Defendants (*Seismotech FCA* at para 21, *Seismotech Ip Holdings Inc v John Doe*, 2023 FC 1649 at para 36 [*Seismotech FC*] aff'd *Seismotech FCA*).

[26] The *bona fide* nature of the claim is supported by the Plaintiff's Statement of Claim, which provides a factual basis for the Plaintiff's claim to copyright in the Work and its infringement by the persons behind the identified IP addresses (*Seismotech FCA* at para 29). The fact that the Statement of Claim has issued, bolsters the legitimacy of the Plaintiff's purpose in seeking the identity of the Doe Defendants (*BMG Canada Inc v John Doe*, 2005 FCA 193 at para 34 [*BMG*]). Together, this evidence is sufficient to establish a non-frivolous claim (*Seismotech FCA* at paras 12, 23).

[27] I am also satisfied that the Plaintiff's revised evidence does not run afoul of the Motions Judge's concern that a Court being asked to grant such extraordinary relief is entitled to the "best available evidence" (*Hellboy* at para 30 citing *ME2 Productions, Inc v Doe*, 2019 FC 214 at para 114 [*ME2 Productions*]).

[28] In *ME2 Productions*, the impugned evidence came from law clerks whose affidavits attached sworn declarations from Maverickeye describing their forensic systems and identification of the potential wrongdoers through IP addresses (*ME2 Productions* at para 14). The evidence was intended to: prove how the wrongdoers were identified; show that the copyright owner had provided notice to the ISP; and link the IP addresses to the appropriate ISP (*ME2 Productions* at paras 14-15). The law clerks' affidavits stated merely that they "repeat and rely on" the declarations and believed them to be true (*ME2 Productions* at para 16). Justice Pentney considered this evidence to be inadmissible hearsay, which failed to provide the basis for the deponents' belief that the information was accurate as required by Rule 81(2) of the

*Federal Courts Rules*, and was “expert opinion evidence” which did not comply with Rule 51.2 of the *Federal Courts Rules* (*ME2 Productions* at paras 92, 109, 111).

[29] Like the evidence in *ME2 Productions*, the First Law Clerk Affidavit was based on hearsay and lacked a proper basis for the deponents’ belief. While the Motions Judge questioned the use of a law clerk affidavit, he did not decide whether such evidence would always be considered improper on a *Norwich* order motion (*Hellboy* at para 30).

[30] In this case, I am satisfied that the Revised Law Clerk Affidavit does not offend the concern raised in *ME2 Productions* for two reasons.

[31] First, the best available evidence requirement must be understood in the context of the issue it is put forward to prove.

[32] On this motion, the Plaintiff is not required to prove the subsistence of copyright and its ownership of the Work (*BMG* at paras 15, 32, 34), proof of which might entail evidence of the maker and various legal agreements reflecting the chain of title to the Work. Nor is the Plaintiff required to make out a lesser standard of *prima facie* infringement, which would require evidence of facts that “on their face” could make out the Plaintiff’s assertion of copyright in the Work (*Seismotech FC* at para 14). This means that in order to establish a *bona fide* claim for copyright infringement, something still less must be sufficient. In *Seismotech FC*, Justice Grammond held that this standard is made out based on “some evidence” showing that there is a legitimate or plausible basis for the proposed claim, as opposed to the mere assertion of a cause

of action without any factual foundation (*Seismotech FC* at paras 14-16, *Seismotech FCA* at para 21).

[33] The Plaintiff's revised evidence meets this standard: the Credits display the use of a copyright symbol and shows the Plaintiff's claim to be the author, creator and owner of the Work for the purposes of copyright, which satisfies the Plaintiff's purported and plausible standing to bring a claim for copyright infringement. Both Revised Law Clerk Affidavit and the Revised Forensic Affidavit identify the Work as a superhero film, a fact that supports the subsistence of copyright in the Work. The Revised Forensic Affidavit identifies the infringing activities, links those activities to the IP addresses and the appropriate ISP and justifies the need for the relief sought from Cogeco.

[34] Second, I have considered whether the supporting affidavit on this motion should have come directly from someone other than a law clerk employed by the Plaintiff's counsel. Unlike the use of the law clerk affidavits in *ME2 Productions*, the use of the Revised Law Clerk Affidavit on this motion falls within the generally accepted use of a law clerk affidavit to identify documents and provide non-contentious facts (*Mapletoft v Christopher J Service*, 2008 CanLII 6935 at paras 9, 13-15, *Pluri Vox Media Corp v Canada*, 2012 FCA 18 at paras 11-14). The facts upon which the Plaintiff relies to assert copyright in the Work comes from the Credits and the non-contentious fact that the Work is a superhero film. In my view, insisting on the same evidence but sworn instead by someone employed by the Plaintiff, adds nothing and detracts from the intended efficiencies of these types of motions.

(2) *The Second Element of the Norwich order test*

[35] The Second Element of the *Norwich* order test requires that the Plaintiff demonstrate that the Non-Party ISP has information that pertains to an issue in the Action and that the order sought is the only reasonable means of obtaining the personal identification information of the Doe Defendants. The Plaintiff must also show that it is fair to require that this information be provided to the Plaintiff and there are safeguards in place to avoid abuse of the Court's process (*Seismotech FCA* at para 6 and *BMG* at para 35).

[36] The Motions Judge was critical of the Plaintiff's evidence on the original motions as it failed to link the IP addresses of the alleged wrongdoers to the particular Non-Party ISPs. The Motions Judge acknowledged that this seemed to be inadvertent: a paragraph of the First Forensic Affidavit purported to provide this information but did not do so (*Hellboy* at paras 36-38). The Motions Judge also faulted the Plaintiff for providing evidence that was not organized in a manner that allowed the Court to easily understand and verify it (*Hellboy* at para 46).

[37] The Plaintiff has remedied this gap in the evidence on this motion. The Revised Forensic Affidavit confirms that the identified Non-Party ISP responsible for the identified IP addresses were identified by Maverickeye using a third-party service which provides weekly updated IP address allocations to ISPs worldwide. The Revised Law Clerk Affidavit also attaches a Summary Chart that indexes each subscriber to the reference number for the notice received and provides Cogeco's response, none of which question the Plaintiff's suggestion that the IP addresses belong to it.

[38] I find that this revised evidence is sufficient to link the IP addresses referred to on this motion to Cogeco as the appropriate Non-Party ISP and shows that the Plaintiff's assertion of copyright infringement is not speculative (*Seismotech FC* at para 38).

[39] The remainder of the factors to be considered as part of the Second Element of the *Norwich* order test are answered by paragraph 4 of the form of the requested order (paragraph 5 of this Order), which does two things. First, it limits the use to which the information that Cogeco provides may be used by the Plaintiff thereby ensuring the Court's processes are not abused. Second, it requires that the disclosed information be maintained as confidential, which safeguards the Doe Defendants' personal information.

[40] Given that only an ISP can correlate an IP address to the identity of its customer, the Plaintiff has satisfied me of the need for the requested disclosure.

(3) *The Third Element of the Norwich order test*

[41] Under the Third Element of the *Norwich* order test, the Court must consider whether the interests of justice favour the disclosure sought considering the interests of the Plaintiff, the Doe Defendants, the Non-Party Respondents and the administration of justice (*Seismotech FCA* at para 6, *Seismotech FC* at para 17 citing *1654776 Ontario Limited v Stewart*, 2013 ONCA 184 at para 77). Having found that the first two elements of the *Norwich* order test had not been made out, the Motions Judge did not consider this last element on the Plaintiff's original motion.

[42] I find that the interests of justice favour the disclosure of the information sought at this stage of the Action after weighing the legitimate interests of the Plaintiff in the ability to quickly and effectively enforce its asserted rights in the Work (*Voltage* at para 46) against the legitimate privacy concerns of the persons sought to be identified. Without the requested identifying information from Cogeco, the Plaintiff will be left without recourse to protect its rights in the Work (*BMG* at para 35). I am also satisfied that the Doe Defendants were given fair warning of the possibility that their personal information could be disclosed by Cogeco. Cogeco provided the Doe Defendants with first and second notices from the Plaintiff's counsel which asserted the Plaintiff's copyright in the Work and alleged infringement of the Work by the Doe Defendants. The first notice advised of Cogeco's obligation to retain records that will allow for the identification of the Doe Defendants and the second notice warned of the Plaintiff's ability to make a formal legal request to Cogeco to compel the Doe Defendants' identity.

[43] I have also considered the interests of Cogeco as a Non-Party ISP and am satisfied that it will not be put to any undue inconvenience or expense given that the information being sought by the Plaintiff is the same information that Cogeco has already assembled and retained pursuant to its obligations under the *Copyright Act*. Moreover, Cogeco does not oppose the order sought and had input into the form of the order, which includes a provision for the payment of Cogeco's reasonable costs incurred to discern the subscribers' identities (*BMG* at para 36).

V. Conclusion

[44] For the foregoing reasons, I find that Cogeco's disclosure of the personal information of Doe Defendants in the attached schedule is justified and appropriate. Accordingly, this motion is granted.

**ORDER in T-768-25**

**THIS COURT’S ORDER is that:**

1. The Plaintiff’s motion is granted.
2. Within 30 days of this Order, and subject to receipt of payment as provided in paragraph 7 below, Cogeco shall disclose to the Plaintiff the names and addresses of the Cogeco subscribers who were associated with the internet protocol address at the dates and times (UTC) as set out in Schedule 1 hereto (collectively, the “Subscribers”).
3. The Plaintiff shall include a copy of the Order in any correspondence sent with the Statement of Claim to a Subscriber.
4. Correspondence to each Subscriber, in the form attached hereto as Schedule 2, shall be provided with the service of the Statement of Claim.
5. The information obtained from Cogeco pursuant to this order shall remain confidential and may only be used by the Plaintiff in connection with the claims in this proceeding and as otherwise permitted by law, subject to any further orders of this Court.
6. Cogeco’s reasonable costs incurred as being necessary to discern a Subscriber’s identity from the accurate records Cogeco retained under paragraph 41.26(1)(b) of the *Copyright Act* shall be recoverable by Cogeco either:
  - a. in an amount as agreed between the parties; or
  - b. if so entitled, in an amount to be determined in a subsequent hearing.

7. To the extent the parties cannot agree to an amount in accordance with paragraph 6(a), above, the hearing referred to in paragraph 6(b) shall be determined in the usual manner of motions before this Court, with Cogeco first filing evidence on its reasonable costs. The parties shall agree to a schedule for: (i) the filing of evidence by Cogeco; (ii) any responding evidence by the moving party; (iii) any cross-examinations on such evidence; and (iv) for the delivery of any supplemental written representations solely on the issues of whether any costs are recoverable by Cogeco, and if so, their quantum. This Court shall remain seized of the matter and a teleconference may be held to set a schedule if a schedule cannot be agreed to by the Parties.
8. There shall be no costs of this Order.

"Allyson Whyte Nowak"  
\_\_\_\_\_  
Judge

**FEDERAL COURT**  
**SOLICITORS OF RECORD**

**DOCKET:** T-768-25

**STYLE OF CAUSE:** HELLBOY PRODUCTIONS, INC. v DOE #1 ET. AL.  
(SEE SCHEDULE 1 FOR LIST OF DEFENDANTS)  
AND COGECO CONNEXION INC.

**PLACE OF HEARING:** TORONTO, ONTARIO AND BY WAY OF ZOOM  
VIDEOCONFERENCE

**DATE OF HEARING:** FEBRUARY 17, 2026

**ORDER AND REASONS:** WHYTE NOWAK J.

**DATED:** MARCH 9, 2026

**APPEARANCES:**

Kenneth R. Clark Cynthia Zhang	FOR THE PLAINTIFF
James Gotowiec	FOR THE NON-PARTY RESPONDENT (ROGERS COMMUNICATIONS CANADA INC.) (PLAINTIFF'S DISCLOSURE MOTION ONLY)
Kiera Boyd	FOR THE NON-PARTY RESPONDENT (TELUS COMMUNICATIONS INC.) (PLAINTIFF'S DISCLOSURE MOTION ONLY)
Lilian Esene	FOR THE NON-PARTY RESPONDENT (BELL CANADA) (PLAINTIFF'S DISCLOSURE MOTION ONLY)
	NO ONE APPEARING FOR THE NON-PARTY RESPONDENT (COGECO CONNEXION INC.)

**SOLICITORS OF RECORD:**

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FOR THE NON-PARTY RESPONDENT  
(BELL CANADA)  
(PLAINTIFF'S DISCLOSURE MOTION ONLY)

**SCHEDULE 1**  
**LIST OF DEFENDANTS AND SPECIFIC INFORMATION REGARDING**  
**INFRINGEMENTS OF SUCH DEFENDANTS**

<b>Doe #</b>	<b>IP Address</b>	<b>1st Notice Date &amp; Time (UTC) of Infringement</b>	<b>2nd Notice Date &amp; Time (UTC) of Infringement</b>
367	216.121.158.134	2024-09-12 04:34:15	2024-10-29 04:49:03
368	24.150.42.34	2024-09-21 17:38:18	2024-11-03 15:14:39
369	24.156.219.168	2024-09-26 14:42:25	2024-10-16 14:35:59
370	24.146.51.71	2024-10-03 06:04:05	2024-10-23 17:18:24
371	216.121.177.225	2024-10-04 23:47:18	2024-10-24 00:44:04
372	24.36.49.225	2024-10-08 13:02:59	2024-10-16 16:55:39
373	24.235.142.107	2024-10-08 17:39:30	2025-01-16 23:37:33
374	67.193.24.11	2024-10-08 21:45:35	2024-10-19 01:42:40
375	24.36.123.101	2024-10-08 22:29:43	2024-10-22 22:42:05
376	24.57.230.84	2024-10-09 00:41:51	2024-11-03 07:11:56
377	24.36.87.212	2024-10-09 03:35:02	2024-10-17 01:34:39
378	173.238.51.75	2024-10-09 09:12:48	2024-10-23 02:14:48
379	24.146.7.143	2024-10-09 13:25:00	2024-10-17 00:36:22
380	74.210.128.207	2024-10-09 15:01:56	2025-02-26 00:39:52
381	24.226.204.192	2024-10-09 17:12:57	2024-11-04 23:31:31
382	67.193.50.224	2024-10-09 19:16:51	2024-10-18 18:48:47
383	24.57.239.71	2024-10-09 22:50:09	2024-12-29 02:07:25
384	24.141.18.142	2024-10-09 23:18:53	2024-12-06 00:29:40
385	72.39.26.191	2024-10-11 17:14:47	2024-10-25 22:07:31
386	209.54.68.3	2024-10-11 23:18:28	2024-10-28 21:22:35
387	24.156.192.46	2024-10-11 23:51:40	2024-10-25 01:20:34
388	24.49.236.233	2024-10-12 04:39:10	2024-10-20 05:20:59
389	67.193.180.82	2024-10-12 10:34:43	2024-11-03 05:24:19
390	173.238.26.157	2024-10-12 14:04:07	2024-10-20 00:15:25
391	74.210.177.60	2024-10-13 23:42:53	2024-10-23 13:37:52
392	24.156.198.124	2024-10-11 15:36:05	2024-10-22 05:39:54
393	173.238.154.127	2024-10-14 03:33:36	2024-10-22 00:00:38
394	184.75.135.252	2024-10-14 18:37:27	2024-11-01 23:26:03
395	209.15.83.100	2024-10-14 13:13:17	2024-10-24 14:31:10
396	24.50.102.176	2024-10-15 01:44:41	2024-12-22 22:49:11
397	173.238.180.57	2024-10-15 22:55:30	2024-10-25 19:52:20
398	74.210.169.10	2024-10-16 02:31:36	2024-10-27 20:23:42
399	24.141.250.86	2024-10-16 22:52:54	2025-01-27 18:30:56
400	72.39.200.211	2024-10-17 02:21:46	2024-11-28 18:31:22
401	24.226.196.130	2024-10-17 03:40:58	2024-12-09 15:35:18
402	72.39.152.160	2024-10-17 20:41:49	2024-10-26 13:04:59

403	24.156.229.70	2024-10-18 00:32:59	2024-12-15 03:16:14
404	108.171.90.235	2024-10-18 01:22:06	2024-11-01 22:11:49
405	173.238.219.242	2024-10-18 19:36:03	2024-11-15 00:12:50
406	24.150.79.226	2024-10-19 19:17:19	2024-10-27 00:00:14
407	74.210.131.193	2024-10-19 20:43:15	2024-12-08 12:49:29
408	24.226.149.8	2024-10-20 20:35:38	2024-10-29 07:12:37
409	24.230.241.185	2024-10-21 02:01:33	2024-10-29 01:42:44
410	24.235.136.33	2024-10-23 20:21:05	2024-10-31 23:41:31
411	24.146.19.186	2024-10-24 01:59:45	2024-11-01 00:02:51
412	72.39.133.112	2024-10-24 23:23:07	2025-01-23 22:46:44
413	24.122.123.180	2024-10-25 01:26:37	2024-11-02 23:53:31
414	24.122.219.243	2024-10-25 01:26:31	2024-11-02 18:26:46
415	24.36.64.168	2024-10-27 21:22:24	2024-11-29 20:38:06
416	209.15.67.13	2024-10-27 23:50:26	2024-11-09 00:16:13
417	24.122.81.162	2024-10-28 03:50:05	2024-12-18 01:54:04
418	24.54.20.137	2024-10-30 00:35:15	2024-11-07 00:36:07
419	24.150.173.155	2024-10-30 12:57:22	2024-11-07 00:04:33
420	72.38.58.201	2024-11-01 00:27:35	2024-11-16 01:33:03
421	216.221.67.175	2024-11-02 21:58:45	2024-11-18 17:45:55
422	24.50.125.230	2024-11-02 22:15:49	2024-12-04 07:13:16
423	24.230.205.10	2024-11-03 19:25:19	2024-12-24 07:18:16
424	24.235.186.192	2024-11-05 07:10:13	2024-11-20 02:51:14
425	24.75.178.52	2024-11-06 21:15:54	2024-11-15 00:47:54
426	72.39.159.40	2024-11-07 02:22:39	2024-11-15 00:37:30
427	173.238.157.148	2024-11-15 00:20:24	2024-11-28 01:47:48
428	216.121.181.16	2024-11-17 08:22:17	2024-11-29 01:47:33
429	67.193.114.53	2024-11-17 23:58:16	2024-12-14 23:25:44
430	24.235.183.215	2024-11-30 23:39:28	2024-12-21 21:23:25
431	24.150.226.179	2024-12-01 00:19:55	2024-12-14 04:56:24
432	24.122.194.115	2024-12-08 03:58:42	2024-12-25 01:35:18
433	104.218.126.183	2024-12-24 03:10:46	2025-01-01 19:46:28
434	173.238.252.187	2024-12-26 20:54:21	2025-01-09 19:26:26
435	24.235.223.183	2025-01-06 23:56:39	2025-01-20 16:50:40
436	24.141.106.246	2025-01-19 03:20:20	2025-02-15 01:34:56
437	24.122.34.245	2025-01-25 23:41:20	2025-02-03 02:23:03
438	24.226.135.180	2025-02-11 16:10:26	2025-02-19 02:50:49

**Schedule 2**

**Kenneth R. Clark**

Direct: 416.865.4736

Certified Specialist: Copyright, Patents & Trademarks

Email: kclark@airdberlis.com

<DATE>

**VIA REGISTERED MAIL  
COURRIER RECOMMANDÉ**

<ADDRESSEE>

Dear Sir/Madam:  
Madame, Monsieur,

**RE: Hellboy Productions, Inc. v. Doe #1 et al.  
Court File No. T-768-25  
Your Doe Identifier No: <\*>**

**Objet : Hellboy Productions, Inc. v. Doe #1 et coll.  
Dossier de la Cour n° T-768-25  
Votre numéro d'identification Doe : <\*>**

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Please find attached a Statement of Claim in this matter served on you in conformance with the *Federal Courts Rules*.

Veillez trouver ci-joint une déclaration concernant le litige qui vous implique, conformément aux *Règles des Cours fédérales*.

THIS IS A VERY SERIOUS COURT PROCEEDING AND WE URGE YOU TO SEEK LEGAL COUNSEL TO REVIEW THIS LETTER AND THE STATEMENT OF CLAIM AS SOON AS POSSIBLE, AS A STATEMENT OF DEFENCE MUST BE FILED BY YOU WITHIN 30 DAYS. IF YOU DO NOT HAVE OR KNOW YOUR OWN LAWYER, OR IF YOU REQUIRE LEGAL COUNSEL PLEASE CONTACT THE LAW SOCIETY IN YOUR PROVINCE:

CECI EST UNE PROCÉDURE JUDICIAIRE TRÈS SÉRIEUSE ET NOUS VOUS RECOMMANDONS DE DEMANDER DES CONSEILS JURIDIQUES POUR EXAMINER CETTE LETTRE ET LA DÉCLARATION DE RÉCLAMATION DÈS QUE POSSIBLE, PUISQUE VOUS DEVEZ FOURNIR UNE DÉFENSE DANS LES 30 JOURS. SI VOUS N'AVEZ PAS OU NE CONNAISSEZ PAS UN AVOCAT, OU SI VOUS AVEZ BESOIN DE CONSEILS JURIDIQUES, VEUILLEZ COMMUNIQUER AVEC LE BARREAU DE VOTRE PROVINCE :

<b>Province</b>	<b>Law Society</b>	<b>Pro Bono Law Associations</b>
Alberta	Law Society of Alberta <a href="https://www.lawsociety.ab.ca/public/lawyer-referral/">https://www.lawsociety.ab.ca/public/lawyer-referral/</a>	Pro Bono Law Alberta <a href="https://pbla.ca/get-legal-help/">https://pbla.ca/get-legal-help/</a>
British Columbia	Law Society of British Columbia <a href="https://www.lawsociety.bc.ca/lbcb/apps/lkup/mbr-search.cfm">https://www.lawsociety.bc.ca/lbcb/apps/lkup/mbr-search.cfm</a>	Access Pro Bono <a href="http://accessprobono.ca/">http://accessprobono.ca/</a>
Manitoba	Law Society of Manitoba <a href="http://www.lawsociety.mb.ca/for-the-public">http://www.lawsociety.mb.ca/for-the-public</a>	N/A
New Brunswick	Law Society of New Brunswick <a href="http://lawsociety-barreau.nb.ca/en/public/faq/">http://lawsociety-barreau.nb.ca/en/public/faq/</a>	N/A
Newfoundland & Labrador	Law Society of Newfoundland and Labrador <a href="http://www.lawsociety.nf.ca/public/finding-a-lawyer/">http://www.lawsociety.nf.ca/public/finding-a-lawyer/</a>	N/A
Nova Scotia	Law Society of Nova Scotia <a href="http://nsbs.org/public-resources">http://nsbs.org/public-resources</a>	N/A
Ontario	Law Society of Ontario <a href="https://lso.ca/public-resources/finding-a-lawyer-or-paralegal">https://lso.ca/public-resources/finding-a-lawyer-or-paralegal</a>	Pro Bono Law Ontario <a href="https://www.probonoontario.org/hotline/">https://www.probonoontario.org/hotline/</a>
Prince Edward Island	Law Society of Prince Edward Island <a href="http://lawsocietypei.ca/find-a-lawyer">http://lawsocietypei.ca/find-a-lawyer</a>	N/A
Quebec	Bar of Quebec/Barreau du Québec <a href="https://www.barreau.qc.ca/en/find-lawyer/">https://www.barreau.qc.ca/en/find-lawyer/</a> <a href="https://www.barreau.qc.ca/fr/trouver-avocat/">https://www.barreau.qc.ca/fr/trouver-avocat/</a>	Justice Pro Bono <a href="https://justiceprobono.ca/">https://justiceprobono.ca/</a>
Saskatchewan	Law Society of Saskatchewan <a href="https://www.lawsociety.sk.ca/for-the-public/finding-a-lawyer/">https://www.lawsociety.sk.ca/for-the-public/finding-a-lawyer/</a>	Pro Bono Law Saskatchewan <a href="http://www.pblsask.ca/">http://www.pblsask.ca/</a>

Note that you are being served with this Statement of Claim as the Plaintiff alleges that your internet account has been associated with activity which they claim violates its copyright in certain

cinematic works. Your information has been ordered disclosed in accordance with a motion brought by the Plaintiff in this proceeding. The Federal Court of Canada court order associated with that motion is attached hereto. If you desire the reasons of the Court in association with this order please contact Mr. Clark at the information set out at the top of this letter and we will send them to you at no charge.

Prenez note que vous faites l'objet de cette déclaration puisque le demandeur allègue que votre compte Internet a été associé à des activités qui, selon ses dires, enfreignent son droit d'auteur concernant certaines œuvres cinématographiques. Vos coordonnées ont fait l'objet d'une ordonnance de divulgation par rapport à la requête déposée par le demandeur dans cette affaire. L'ordonnance de la Cour fédérale du Canada associée à cette requête est jointe aux présentes. Si vous souhaitez connaître les raisons fournies par le tribunal en lien avec cette ordonnance, veuillez prendre contact avec M. Clark aux coordonnées fournies en haut de la présente lettre et nous vous les ferons parvenir sans frais.

Note also that:

1. NO COURT HAS YET DETERMINED THAT YOU ARE LIABLE FOR COPYRIGHT INFRINGEMENT FOR THE DISTRIBUTION OF ANY OF THE PLAINTIFF'S MOVIES.
2. NO COURT HAS YET DETERMINED THAT YOU ARE LIABLE FOR ANY DAMAGES FOR ANY POTENTIAL COPYRIGHT INFRINGEMENT.

Prenez également note que :

1. AUCUN TRIBUNAL N'A ENCORE ÉTABLI QUE VOUS ÊTES RESPONSABLE D'UNE VIOLATION DU DROIT D'AUTEUR POUR LA DISTRIBUTION DE FILMS DU DEMANDEUR.
2. AUCUN TRIBUNAL N'A ENCORE ÉTABLI QUE VOUS ÊTES RESPONSABLE POUR AUCUNE DOMMAGE CAUSÉ PAR UNE POSSIBLE VIOLATION DU DROIT D'AUTEUR.

Please review these materials carefully and seek legal advice. Please note that Aird & Berlis LLP is not your lawyer and we represent the Plaintiff in this proceeding.

Veillez examiner attentivement ces documents et consulter des conseils juridiques. Veuillez prendre note que Aird & Berlis LLP n'est pas votre avocat. Nous représentons le demandeur dans cette affaire.

Yours truly,  
Cordialement,

**AIRD & BERLIS LLP**

Kenneth R. Clark  
KRC/mm  
Encl.  
65867549.1