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GOOGLE LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

GOOGLE LLC, <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> NCHE NOEL NTSE, <p style="text-align: center;">Defendant.</p>		Case No. COMPLAINT
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INTRODUCTION

1. Defendant Nche Noel Ntse has been perpetrating a puppy fraud scheme to exploit the COVID-19 pandemic for personal gain, while taking advantage of unsuspecting and vulnerable victims. Defendant runs multiple non-delivery websites that deceive and defraud internet users in the United States. Some of these fraudulent websites purport to sell adorable puppies, and victims are tricked into believing the websites are legitimate because of their alluring photos of purebred puppies (*see* Figure 1), and compelling testimonials from supposedly satisfied customers. These photos aim to bait would-be victims into believing the puppies are real

1 and that they are interacting with actual dog breeders. But Defendant does not actually sell
2 puppies, and instead is running multiple international non-delivery scams with the intent to
3 exploit the COVID-19 pandemic and the resulting high demand for puppies in the U.S.



Hatie | AVAILABLE
Breed: Basset Hound
Name: Hatie
Current Age : 10 Weeks Old
Sex : Female
Price : \$700
Vaccinations : Up-to-Date
AKC Registered : Yes

Buy Hatie

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14 *Figure 1.*
15 *Image of “Available Puppies,”*
16 *[https://jerrysbassethoundhome\[.\]com/available-puppies/](https://jerrysbassethoundhome[.]com/available-puppies/),*
17 *retrieved on April 8, 2022.*

18 2. Defendant’s non-delivery scheme follows a similar script to many other online
19 scams where malicious actors pretend to be someone they are not to convince victims to part with
20 money for something they will never receive. Examples of other such scams include illicit
21 prescription drug scams, romance scams targeting widows and widowers, loan scams targeting
22 veterans, and investment scams targeting the elderly. These schemes rely on one-on-one
23 communications to lull victims into a false sense of trust after they have invested significant time
24 and energy communicating with people they think they have come to know. Defendant’s online
25 puppy scam is particularly nefarious because it not only relies on one-on-one communications,
26 but also exploits the joy of pet adoption, resulting in both emotional harm and financial loss.

27 3. Defendant has used several Google services, such as Gmail and Google Voice, via
28 dozens of fraudulent Google accounts, to communicate false promises to victims, register the
fraudulent websites with U.S. internet hosting companies, and request and receive payments, all
in violation of Google’s Terms of Service (“ToS”).

1 8. Google strives to provide its users worldwide with safe and secure platforms.
2 Google allocates substantial resources to prevent its services from being used to commit fraud. But
3 even the most advanced systems cannot catch every single fraudulent communication, particularly
4 where victims are lured to contact scammers outside of Google's services. To confront this
5 challenge, Google also solicits and receives reports of abuse of its services.¹

6 **Defendant**

7 9. On information and belief, Defendant Nche Noel Ntse is a person who resides in
8 Cameroon.

9 **JURISDICTION AND VENUE**

10 10. This Court has jurisdiction over the cause of action alleged in this Complaint
11 pursuant to 28 U.S.C. § 1332 because complete diversity exists between Plaintiff and Defendant,
12 and because the amount in controversy exceeds \$75,000.

13 11. This Court has personal jurisdiction over Defendant because Defendant agreed to
14 Google's US ToS, which require Defendant to submit to the personal jurisdiction of this Court.

15 12. This Court also has personal jurisdiction over Defendant because Defendant used
16 Google's services to carry out the unlawful activity, and Google's headquarters are located in this
17 district. Additionally, personal jurisdiction over Defendant is proper because Defendant used web
18 hosting services located in San Mateo, California to facilitate the unlawful activity.

19 13. Venue is proper in this judicial district pursuant to 28 U.S.C. § 1391(b), as the
20 threatened and actual harm to Google occurred in this district. Defendant's use of web hosting
21 services located in San Mateo, California to enable Defendant's unlawful activity provides an
22 additional basis for venue in this judicial district.

23 **FACTUAL ALLEGATIONS**

24 **A. Non-Delivery Scams Targeting American Consumers**

25 14. Over the last two years, there has been a dramatic increase in online scams and
26 fraud. The COVID-19 pandemic significantly contributed to this rise by causing many Americans
27 to switch from in-person to online purchases of goods and services. It also increased their social
28

¹ See Reporting Abuse Incidents. <https://support.google.com/a/answer/134413>.

1 isolation, leading people to seek ways to alleviate the loss of companionship normally provided
2 by work, school, or socializing, like through pet adoptions.²

3 15. According to the Better Business Bureau, 35% of all online shopping scams
4 reported to it in 2021 were “pet scams.”³ Another study found that, from January through October
5 of 2021, “there were 165% more puppy scams in the U.S. than during the same period in pre-
6 pandemic 2019.”⁴ An AARP report explains that scammers, usually located abroad, “post fake
7 litters online or pretend to be someone they’re not, usually an existing breeder,” and warns that
8 victims “could send a ‘breeder’ money and never receive a puppy or follow-up communication.”⁵
9 These scammers tend to post photos and videos of adorable puppies with prices that are too good
10 to be true and ask for payment upfront through wire payments, gift cards, or direct transfer apps.⁶
11 After receiving payment, the scammers often double down by inventing additional costs, such as
12 animal quarantine fees and unexpected delivery fees.⁷

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16 ² See, e.g., Alice Kantor, *Coronavirus triggers epidemic of cyber fraud*, FINANCIAL TIMES (Apr.
17 14, 2021), <https://www.ft.com/content/30553ae9-cdfd-483c-a1ef-c04e3135f9da>; Jordan
18 Reynolds, *9 reasons digital fraud is on the rise*, SECURITY (Nov. 12, 2020),
19 <https://www.securitymagazine.com/articles/93912-reasons-digital-fraud-is-on-the-rise>; Maggie
Leonhardt, *Online fraud attempts are up 25% in the US—here’s why*, CNBC MAKE IT (Jun. 3,
2021), [https://www.cnbc.com/2021/06/03/why-online-fraud-attempts-are-up-25percent-in-the-
us.html](https://www.cnbc.com/2021/06/03/why-online-fraud-attempts-are-up-25percent-in-the-us.html).

20 ³ See, e.g., *Purchasing a puppy online remains extremely risky, BBB warns holiday shoppers*,
21 BETTER BUSINESS BUREAU (Dec. 9, 2021), [https://www.bbb.org/article/news-releases/26235-
purchasing-a-puppy-online-remains-extremely-risky-bbb-warns-holiday-shoppers](https://www.bbb.org/article/news-releases/26235-purchasing-a-puppy-online-remains-extremely-risky-bbb-warns-holiday-shoppers).

22 ⁴ Matt Howerton, *Getting a dog for Christmas? Beware, a new study says Texas is the No. 2 state*
23 *for puppy scams*, WFAA 8 ABC (Dec. 1, 2021), [https://www.wfaa.com/article/news/local/
getting-a-dog-for-christmas-beware-a-new-study-says-texas-is-the-number-2-state-for-puppy-
scams/287-9ada3e6c-5fbc-4ad4-bce4-5440b4f44fbf](https://www.wfaa.com/article/news/local/getting-a-dog-for-christmas-beware-a-new-study-says-texas-is-the-number-2-state-for-puppy-scams/287-9ada3e6c-5fbc-4ad4-bce4-5440b4f44fbf).

24 ⁵ Katherine Skiba, *Pet Scammers Peddle Pandemic Puppies That Don’t Exist*, AARP (Nov. 16,
25 2021), <https://www.aarp.org/money/scams-fraud/info-2021/pet-scammers-pandemic-puppies.html>

26 ⁶ See *id.*

27 ⁷ See *id.* (“[Scammers] left multiple victims empty-handed. That’s despite paying for the dogs as
28 well as for subsequent fake costs fraudsters asserted had been incurred, including for a supposed
need to quarantine animals because of coronavirus exposure.”).

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