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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

ELAGOON BUSINESS SOLUTIONS PVT  
LTD., d/b/a Computer Phone Assist,

Defendant.

No. 2:19-cv-324

**COMPLAINT**

Plaintiff, the United States of America, by and through its undersigned attorneys, brings this complaint against Defendant ELAGOON BUSINESS SOLUTIONS PVT LTD., d/b/a Computer Phone Assist (“Elagoon”) and alleges the following:

**I. NATURE OF THIS ACTION**

1. Starting as early as 2017 and continuing to the present, Defendant has and continues to conduct a large-scale technical-support fraud scheme based and incorporated in Kolkata, India that targets consumers throughout the United States. Defendant has furthered the scheme in a number of ways, including by maintaining websites ([www.computerphoneassist.com](http://www.computerphoneassist.com); [www.elagoonites.com](http://www.elagoonites.com); and [www.elagoondigital.com](http://www.elagoondigital.com)), email addresses, several telephone numbers, and other infrastructure used in the scheme.

1           2.       The scheme operates by fraudulently inducing consumers to purchase phony or  
2 otherwise misrepresented technical-support services related to computers or other electronic  
3 devices.

4           3.       The United States seeks to prevent continuing and substantial injury to victims  
5 in the United States by bringing this action for a permanent injunction and equitable relief  
6 under 18 U.S.C. § 1345.

7  
**II. JURISDICTION AND VENUE**

8           4.       This Court has jurisdiction over this action under 18 U.S.C. § 1345 and 28  
9 U.S.C. §§ 1331 and 1345.

10           5.       The United States District Court for the Western District of Washington is a  
11 proper venue for this action under 28 U.S.C. § 1391(b)(2). A substantial part of the events  
12 giving rise to this Complaint occurred in this district as Defendant has targeted consumers that  
13 reside in this judicial district.

14  
**III. PARTIES**

15           6.       Plaintiff is the United States.

16           7.       Defendant Elagoon, in connection with the matters alleged herein, transacts and  
17 has transacted business in this district.

18  
**IV. FACTS**

19           **A.       Defendant is an Ongoing Technical-Support Fraud Scheme**

20           8.       Defendant conducts a large-scale technical-support fraud scheme that targets  
21 victims throughout the United States. Since at least as early as 2017, telemarketers based in  
22 India have used telephone calls and the infrastructure maintained by Defendant to operate the  
23 technical-support scheme. Telemarketers working for the scheme fraudulently pose as

1 technicians to induce consumers to purchase phony or otherwise misrepresented technical-  
2 support services, and to make further payments based on additional fraudulent  
3 misrepresentations. Telemarketers contact consumers principally by placing cold calls. The  
4 telemarketers often falsely claim to work for or be affiliated with large, well-known technology  
5 companies.

6 9. Once a telemarketer has a consumer on the phone, the telemarketer emphasizes  
7 the need for immediate action, claiming that the consumer's computer is at risk. The  
8 telemarketer advises that it can assist but first needs remote access to the computer or device.  
9 Once remotely connected, the telemarketer or a "supervisor" employed by Defendant purports  
10 to confirm the existence of a serious computer virus or other security threat to the consumer's  
11 computer or device. Sometimes telemarketers claimed that hackers had already taken over the  
12 consumer's computer or email accounts and displayed a screen purporting to show, in real time,  
13 that the device was undergoing a further hacking attack. Imparting a sense of urgency,  
14 Defendant's representatives then claim that they will install high-quality network security  
15 software or take other actions to resolve the security threat in exchange for a substantial sum of  
16 money.

17 10. After purportedly installing high-quality network security software or otherwise  
18 addressing the "threats" to the consumer's computer, the telemarketer instructs the consumer to  
19 pay. At times, consumers have been asked to pay through credit card transactions using under  
20 the merchant account name "Coders for Hire" (and likely others) or by purchasing and  
21 supplying the numbers for gift cards. Consumers are routinely charged from several hundred to  
22 several thousand dollars for the fraudulent services.

1           11. At times, consumers who have already paid Defendant once for technical-  
2 support receive subsequent calls. During these call, the telemarketers concoct new phony  
3 reasons the consumer must purchase additional security software or additional services to avoid  
4 serious new computer viruses or other threats to their devices. In some cases, consumers have  
5 been induced to make additional payments or grant access to their bank accounts in order to  
6 receive refunds of prior payments—refunds that never occur.

7           12. Since 2017, consumers, including consumers in this district, have filed  
8 complaints about Defendant on Consumer Sentinel, a consumer complaint database maintained  
9 by the Federal Trade Commission (“FTC”). These complaints have continued into January and  
10 February of 2019 and include an incident where an elderly consumer reports being induced to  
11 pay \$6000 in gift cards for Defendant’s fraudulent services.

12                   **B. Defendant’s Knowledge of Fraud**

13           13. Upon information and belief, the United States alleges that Defendant has  
14 knowledge and is in fact a willing and active participant in the pervasive fraud perpetrated in its  
15 name. Defendant hires and trains personnel to perpetuate its scheme through misrepresentations  
16 contained in scripts that it has prepared for this purpose. On publicly available websites,  
17 consumers specifically complain about the Defendant’s impersonation of legitimate technology  
18 companies and misrepresentations made by telemarketers acting at Defendant’s direction about  
19 computer threats present on consumer’s computers and the value of software purportedly  
20 installed.

21                   **C. Harm to Consumers**

22           14. Consumers suffer financial losses from the wire fraud scheme facilitated by the  
23 Defendant. Those victimized by the scheme reside across the United States, including in this

1 judicial district. Defendant is continuing to facilitate the technical-support fraud scheme.  
2 Absent injunctive relief by this Court, Defendant's conduct will continue to cause injury to  
3 consumers across the United States.

4 **COUNT I**  
5 **(18 U.S.C. § 1345 – Injunctive Relief)**

6 15. The United States re-alleges and incorporates by reference Paragraphs 1 through  
7 14 of this Complaint as though fully set forth herein.

8 16. By reason of the conduct described herein, Defendant has violated, are violating,  
9 and are about to violate 18 U.S.C. § 1343 by executing a scheme and artifice to defraud for  
10 obtaining money or property by means of false or fraudulent representations with the intent to  
11 defraud, and, in so doing, use interstate and foreign wire communications.

12 17. Upon a showing that Defendant is committing or about to commit wire fraud,  
13 the United States is entitled, under 18 U.S.C. § 1345, to seek a preliminary injunction and a  
14 permanent injunction restraining all future fraudulent conduct and any other action that this  
15 Court deems just in order to prevent a continuing and substantial injury to the consumers.

16 18. As a result of the foregoing, Defendant's conduct should be enjoined pursuant to  
17 18 U.S.C. § 1345.

18 **V. PRAYER FOR RELIEF**

19 19. WHEREFORE, Plaintiff, United States of America, requests of the Court the  
20 following relief:

21 A. That the Court issue a preliminary injunction and permanent injunction,  
22 pursuant to 18 U.S.C. § 1345, that Defendant, its agents, officers, and employees, and all other  
23 persons or entities in active concert or participation with them, are restrained from:

- 1 (1) using wire communications in interstate or foreign commerce for the  
2 purpose of executing any scheme and artifice to defraud, or for obtaining  
3 money or property by means of false or fraudulent pretenses,  
4 representations, or promises;  
5 (2) conducting or purporting to conduct any consumer technical-support  
6 services; and

7 B. That the Court order such other and further relief as the Court shall deem just  
8 and proper.

9 Respectfully submitted this 5<sup>th</sup> day of March, 2019.

10 GUSTAV W. EYLER  
11 Acting Director  
12 Consumer Protection Branch

13 /s/ Daniel K. Crane-Hirsch  
14 Daniel K. Crane-Hirsch  
15 Consumer Protection Branch  
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22 BRIAN T. MORAN  
23 United States Attorney

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Counsel for United States of America

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he is an employee in the Office of the United States Attorney for the Western District of Washington and is the person of such age and discretion as to be competent to serve papers;

It is further certified that the United States will be submitting said pleading to the Central Authority of India for service in accordance with the Convention of 15 November 1965 on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters (the “Hague Service Convention”) and India’s declarations and reservations pursuant thereto.

The address for Defendant ELAGOON BUSINESS SOLUTIONS PVT. LTD., d/b/a Computer Phone Assist, is:

Elagoon Business Solutions Private Limited  
MARTIN BURN BUSINESS PARK SUITE NO.-7B  
BLOCK-BP 3  
SECTOR V, SALT LAKE  
700091 Kolkata  
West Bengal  
India

Dated this 5th day of March, 2019.

/s/ Thomas Everett  
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