IN THE UNITED STATES COURT
WESTERN DISTRICT OF ARKANSAS

CURTIS J NEELEY JR, MFA

VS

CASE NO. 5:09-cv-05151-JLH

NameMedia Inc.
Network Solutions Inc.
Google Inc.

SECOND SUPPLEMENTAL BRIEF FOR DOCKET # 65 SUPPORTING MOTION TO DENY DEFENDANT GOOGLE'S FRIVOLOUS MOTION TO DISMISS DOCKET #63

TITLE 5

1. Oops, Google is NOT a government agency and defendant Google Inc can't be held to the laws in Title 5. Title 5 can be a point of starting with launching claims of appropriating the Plaintiff's identity to place the Plaintiff in a false light to the public while disclosing facts about the Plaintiff that the common person would prefer to be private. Separate Defendant Google Inc unquestionably does all of these while treading on the solitude and pursuit of happiness of the Plaintiff while seeking to profit from these acts. The enumerations in Title 5 only specify were even the powerful government can not trespass on these four fundamental Rights to Privacy that have been well grounded in common law as not needing a specific statute to cling to.

2. Plaintiff is mentally challenged but was able to find these references on the Internet using Wikipedia and not a copyright violating search engine like Google Inc that has made billions in the business of violating copyrights, privacy, and deceptive advertising as well as violating common law trademarks of this Plaintiff and others.

3. Plaintiff is sure the Court already knew of these four fundamental torts and considers the Google Inc Counsel plea of "ENOUGH IS ENOUGH" to be almost as outrageous of the denial that a poor brain-damaged pro se Plaintiff failed to elaborate these four claims sufficiently. Plaintiff invites Separate Defendant Google to file more outrageous motions to increase the perceptions of outrage their attitude will make easier to make obvious to members of the jury that all the Defendants will eventually face. Defendant Google Inc is jurisdiction shopping and attempting to see if the Western District of Arkansas is a more friendly jurisdiction than Southern Illinois.

TITLE 15

1. As far as trademark violations the Separate Defendant Google is asked how different the direct, contributory, and vicarious trademark infringement they did with Vulcan Golf LLC at <wwwvulcangolf.com> is to this case besides the Plaintiff's perpetual refusal to register a common law trademark. The class action and RICO claims were dismissed there since trademarks require individual evidence that is already in the record here and already noted by Defendant Google.

2. There is no class here or team of lawyers. All the Separate Defendant Google Inc faces is a brain-damaged pauper who is already paralyzed and confined to a wheelchair. Google Inc is desperately seeking for a settlement to be approved by a Class of Conspirators certified in New York to extinguish copyrights. Google Inc in the Illinois trademark case considered denial of the class and RICO portions a victory.

3. There is no class here and no army of lawyers to face. Here there is just one disabled defendant who refuses to allow his privacy, trademarks, or copyrights be brushed away by even the mighty Defendant Google Inc. The Courts in Illinois already found that providing an incentive for parked or fraudulent pages potentially falls within the scope of trafficking in domain names as prohibited in the Lanham Act even when Google did not actually register them. Providing an incentive would include conspiring as the Plaintiff already mentioned. It is outrageous that Separate Defendant Counsel has obviously not even skimmed over the case in Illinois. There are thousands of pages but it is much less reading ignoring the RICO and class action portions, which Plaintiff did to save reading irrelevant filings.

4. YES. Enough is enough Google Inc - Game over. Separate Defendant Google best prepare for an interlocutory Summary Judgment Motion and read over the ones already on the record for the other Defendants. Even the ones as exhibits for Network Solutions Inc. They had months to initially reply to the second amended complaint instead of days. Google Inc will face a similar one although the Plaintiff will seek to see punitive damages actually damage Google Inc instead of being a normal part of business like the settlement hoped to buy off copyrights with in New York with the Author Guild who is actually a class of Google Inc conspirators.

5. Regarding trademark infringement, in the Vulcan Golf LLC v. Google Inc and Plaintiff believes Defendant Google Inc there argued that they did not use plaintiffs' marks in commerce, but rather being "merely facilitator[s] providing a marketplace for the pairing of domain names". Perhaps the Google Inc Counsel needs to read up on the case to this point. The severely brain injured Plaintiff has completely and believes it outrageous that the same arguments that failed once in District Court in Illinois are being brought here again. The case there already has precedence. Perhaps Separate Defendant Counsel should read the Rulings thus far in the Lanham Act Case the Defendant Google Inc is losing in Illinois so the "mighty Google Inc" will not feel so bad while also losing in Arkansas.

TITLE 17

1. Separate Defendant Google Inc has already admitted to millions of instances of copyright violation in the Southern District of New York and there hopes to conspire with the Authors Guild to extinguish copyrights with a Class Action Settlement Establishing a copyright "*alternative*".

2. There is "no chance in hell" that the class settlement will survive. Nobody there has even addressed the rights to attribution control that are fundamental and do not need registration. These are the copyrights that the Plaintiff will use that are as close to being recognized as fundamental rights as US Statutes have managed to get thus far. Google Inc Books is basically an enterprise that knew in the beginning that they were outside the law and expected to vanquish copyright with conspirators of lawyers, publishers, and money just like the group that first wrote copyright license legislation in the United States. It won't ever work. Enough already!

Whereas on the Plaintiff best gathered information and belief Separate Defendant Google has filed a frivolous motion to dismiss to further distress and outrage the *pro se* Plaintiff that amounts to jurisdiction shopping and requires this Court to be cautious not to admit or allow a claim in this jurisdiction that has been ruled on with the same party in the Southern District of Illinois in a case now in litigation. Defendant Google is asking to be dismissed without even answering and ignoring the obvious privacy claims that were accidentally stated incorrectly but that were alleged sufficiently as well as the commission of direct and vicarious trademark violation by trafficking in two domain names by providing incentives for profit or trafficking.

Plaintiff wonders how long it takes such a frivolous motion to spontaneously combust. Do the copyright violations of attribution perhaps need to be somehow typed slower or have been **bolded**? Plaintiff prays the Court dismiss or deny the frivolous motion of Docket #63, yet permit the Defendant Google additional time pending the Third Amended Complaint that will now be more careful to list the specific torts for Google Inc and the new Search Engine Defendants. The Third Amended Complaint like the one already filed in the case in Illinois by a group of lawyers will not alter the claims for the Defendants Network Solutions Inc or NAMEMEDIA INC at all. Plaintiff will await the Court dismissal of this obviously frivolous Motion or Docket #63 to file for leave to pursue the Third Amended Complaint which will be greatly different for Google Inc and the other added Search Engine Defendants. It will take about twenty days to prepare and file the Plaintiff prays for being awarded any other proper relief. Plaintiff questions whether Google is trying to treat the proposed copyright "*alternative*" as being the replacement for the unconstitutional Title 17 already excising US Title 17 § 106a summarily. Enough is enough. The information age does not make it moral to fail to attribute the information cataloged as authors' desire as demanded by US Title 17 § 106 whether registered for a copyright license or unregistered.

Respectfully submitted,

Curtis J Neeley Jr, MFA