

## In the Federal Court of Boston, Massachusetts

William Aguire vs. Ashida Kim (Redford Davis)  
Case Number: 1:07-cv-11673-MLW

### Petition to act as Amicus Curiae or “Friend of the Courts” In Case Number: 1:07-cv-11673-MLW

I Ronald Collins; here in to be known as “The Petitioner”, acting without formal counsel & with sound legal mind in interests to protecting the defendants’ civil rights, hereby petitions the Courts to taken into account the following facts in the Civil Suit and damages claimed by one William Aguire the third...

The Petitioner hereby, acts on his own accord to offer the following relevant facts in said case. This information is willingly given without material reward & freely without any sort of benefit to the petitioner, as such in the interests of Justice and Federal Law, the petition asks for the status of Amicus Curiae for the Defendants.

1. First your honor there is the matter, of Mr. Aguire suit; which has long been seen as a matter of Frivolous & Malicious action by the defendants. This because of the basic facts of Federal law under U.S. Code 102, Section b; of Title 92 in which federal copyright laws states “*In no cases does copyright protection for an original work of authorship extend to any idea, procedure, process, system, method of operation, concept, principle or discovery, regardless of form in which it is described, explained, illustrated, or embodied in such work.*”
  - This is an important point because as such, Mr. Aguire is claiming copyright infringement in a Karate Kata (a solo practice form used as both an exercise and training method); namely the Kata Dante, which is in fact not the Original Work of Mr. Aguire.
  - The Kata; which is a martial art’s form & in translation literally means “dance” in English. This is also in fact the very definition of said “procedure, process, system, method of operation, [&] concept” as so named in 92 USC 102 (b).
2. According to 92 USC 103 (a); “*The subject matter of copyright as specified by section 102 includes copulations and derivative works, but protection for a work employing preexisting material in which copyright subsists does not extend to an part of the work in which such material has been used unlawfully.*” & 92 USC 103 (b); “*The copyright in a compilation or derivative work only to the material contributed by the author of such work, as distinguished from the preexisting material employed in the works, and does not imply any exclusive right in the preexisting material. The copyright in such work is independent of, and does not*

*affect or enlarge the scope, duration, ownership, or subsistence of, any copyright protection in the preexisting material.”*

- First your honor the original work of the Booklet the *Worlds Deadliest Fighting Secrets* was the authored & written by one Jonathon Keehan; who wrote under and later changed his name Juan Raphael Dante, Mr. Aguire’s additions to said copyrighted material does not include the original work of Mr. Keehan/Dante.
  - The pseudonym Black Dragon Fighting Society, while the name of the late Mr. John Keehan/Juan Dante’s karate school & mail order martial arts business, was used to write the book *World’s Deadliest Fighting Secrets* of which Mr. Aguire is claiming copyright by using the same pseudonym by which Keehan/Dante originally copyrighted the material under. As Mr. Keehan’s copyright also extended the original work of authorship, the business name & pseudonym Black Dragon Fighting Society are protected and transferred to the late Mr. Keehan/Dante’s widow. So that Mr. Aguire’s copyright is a violation of 94USC 103 (a) “protection for a work employing preexisting material in which copyright subsists does not extend to an part of the work in which such material has been used unlawfully.” Such as using the same pseudonym, as the original author in an attempt to defraud the true copyright holder of such Mrs. Krista Stikes the widow of John Keehan/Juan Dante, and illegally sue for fraudulent damages to a rival/competing business (See attachment D-14)...
  - As Mr. Aguire is not the original holder of said copyrighted material, in *World’s Deadliest Fighting Secrets* his claim to ownership of all material in said booklet is of course invalid by the very definition of the Codes of Federal Law by which Mr. Aguire is trying to enforce.
  - Further evidence for lack of copyright by Mr. Aguire in the booklet *Worlds Deadliest Fighting Secrets* is further addressed by the publications of certain facts on a public Internet forum (See the attachments D-1 through D-5).
3. Outside these matters of legal argument which I have made in paragraphs one & two, I also am submitting evidence of said claim of a frivolous suit & malicious action under *Color of Law* by Mr. Aguire & several of his “companions” citing 18 U.S.C. 241, 18 U.S.C. 242, 42 U.S.C. 1983 & 42 U.S.C. 1985 as well as their criminal definitions of *Color of Law* actions.
- This final point is to make the Courts known for certain acts by Mr. Aguire and his “companions” which shows a pattern of threats, harassment & stalking by Mr. Aguire.
  - As prior to any action of suit by Mr. Aguire; he has, with those claiming to be his students & friends have; engaged in a smear campaign against Mr. Davis who uses the pseudonyms Chris Hunter & Ashida Kim. Attached to this are several copies of posts on public

internet forums which use rather vaguer & degrading comments. (See attachments D-6 through D-12 )

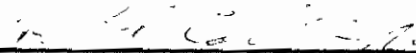
- Mr. Davis (Ashida Kim) has repeatedly restrained his students and affiliates from engaging in these “smut wars” and has even made his intentions clear that he does not wish to continue this cycle of behavior that he considers to be “childish,” “immature” & improper behavior at the very least.
4. Finally my assessment of Mr. Davis’ use of the names *Kata Dante* & the *Black Dragon Fighting Society*; in the 1960s Mr. Keehan ran a mail order martial arts club named the Black Dragon Fighting Society. Such organizations are not rare & exist even in modern Boxing; where the only governing bodies for such organizations exist only in sporting contests. (See the attached Copy of both the Add & the Membership Card, on attachment D-13).
- Firstly, Mr. Davis is in fact an legitimate member of said group based on the adds claim to “Authentic Identification Card” & “Free Black Dragon Fighting Society Membership.” This does more than imply said membership to the individual it boldly states it!
  - Second, as common to Asian Martial Arts to the founder of a system & any successors are referred to as “Grand Masters,” “Supreme Grandmasters,” “Honored Masters” & “Masters.” Mr. Davis is the inventor of Koga Hai Lung Ryu Ninjitsu a hybrid system composing of many Martial Arts including Karate, Judo, and various styles of Kung-fu & Koga Ryu Ninjitsu. As part of this, hybrid system the *Kata Dante* is an aspect of that study. An aspect of one’s membership into a martial arts organization freely given by buying a booklet...
  - Third, as said membership card only states that the status of Mr. Davis (under the pseudonym Christopher Hunter) as a member of the Black Dragon Fighting Society and makes no statement of ranking within said system as claimed by Mr. Aguire. However, integrating said aspects of a system such as a practice form, a “training method” or literally “a procedure, process, system, method of operation, [&] concept,” held by an organization in which one has “Authentic Membership” is of course often held within the guidelines of fair use.
  - Also as Mr. Aguire is claiming this copyright of the “new material” within his derivative revised work of the *Worlds Deadliest Fighting Secrets* gives him ownership of the said organization’s name, logo etc. It should be noted that Mr. Davis under the pseudonym *Christopher Hunter* published a martial arts manual title *Book of the Ninja* in 1980, which was published as *The Ninja Training Manual* as well. So that if one is to claim copyright of material naming an organization gives one exclusive rights to said organization & not original authorship & material works of said organization then Mr. Davis/Hunter has a far earlier claim to use of said organization’s name

& material knowledge in his original work of authorship, compared to Mr. Aguire's revision of an older text.

This closing your Honor, I ask that I be given my status as Amicus Curiae be given and the following information of the facts in this case be considered & accepted into the above styled case. As the question which must be asked, and I ask the courts to consider this in their judgment of this case.

In a similar fashion to said case; if any random person were to revise the story of Hamlet or Romeo & Juliet and do with the pseudonym of "William Shakespeare" would there revision of the original work and the use of the same name as the true author give them the authority to claim the original works of the true William Shakespeare as their own? Is not the use of the name a dead man to claim his own work, by revising it under his own pseudonym; not akin to defrauding the Federal Government & stealing the work from it present holder Mrs. Krista Stikes?

Respectfully:

  
\_\_\_\_\_  
Ronald Collins (Jr.)  
Petitioner

12/20/2007

Date: