

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

WILLIAM V AGUIAR III

VS. CIVIL ACTION 07-11673-MLW

FLOYD WEBB

FACTUAL ISSUES

1. Whether Plaintiff Aguiar owns the copyright
2. Whether Defendant Webb use of certain logo's, film and copyright pictures on the web site and documentary violating Plaintiffs copyright and trademarks rights.
3. Whether Defendant Webb's links violated copyrights at issue
 1. <http://www.youtube.com/watch?v=C-Bqb5pT5N0>
 2. <http://vids.myspace.com/index.cfm?fuseaction=vids.individual&videoI>
 3. <http://www.youtube.com/watch?v=6JKpnurQQ24>
 4. <http://video.google.com/videoplay>
 5. <http://vids.myspace.com/index>
 6. <http://vids.myspace.com/index>
 7. <http://revver.com/video>
 8. <http://vids.myspace.com/index.cfm?fuseaction=vids.individual&videoI>
 9. **thesearchforcountdante.com**
 10. johnkeehan.blogspot.com
 11. www.metafilter.com
 12. profile.myspace.com/index.cfm?fuseaction=user.viewprofile&friendid=92153338 - 73k

4. Whether Defendants Webb has used my copyrighted work under *Shaw v. Lindheim*, 919 F.2d 1353, 1356 (9th Cir. 1990). Its states that the footage in question is exactly was the copyrighted footage in question.


5. Whether Defendants Webb creates Consumer Confusion under the Supreme court ruling KP Permanent Make Up VS. Lasting Impressions I, Inc It states that Fair Use defense is barred whenever there is a likelihood of consumer confusion and is wholly irrelevant to the determination of the validity of the fair use defense. Defendant Webb does violate the action and statute. Further more he is backed by Barron Shepperd who is the financial owner of the Self proclaimed Mater of the Black Dragon fighting Society Radford Davis. So Consumer Confusion does apply and his Fair Use defense is moot .

LEGAL ISSUES

1. Whether Defendant Webb use of certain logo's, film and copyright pictures on the web site and documentary violating Plaintiffs copyright and trademarks rights
2. Whether Webb's use of certain images violates Plaintiff copyrights
3. The amount of damages the Plaintiff is entitled to.

MOTIONS

There are no motion at this time
PLAINTIFF IS WILLING TO ATTENED MEDIATION


WILLIAM V AGUIAR III
PLAINTIFF / PRO SE
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