

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

03/24/08 11:31

WILLIAM V. AGUIAR III  
PLAINTIFF

VS.

CIVIL ACTION #  
07-11673-MLWFLOYD WEBB  
DEFENDANT

## AMMENDED COMPLAINT

**Now come's the Plaintiff William V. Aguiar III and here by states the following by the way of Amended Complaint.**

**This is a suit for copyright infringement under Title 17, U.S.C. Jurisdiction of this Court is based upon Title 28, U.S.C., section 1338{a}**

**Plaintiff alleges four {4} causes of action for copyright infringement based on Defendant Webb's web site {The Search for Count Dante}**

**The Defendant has not sought or obtained license from the Plaintiff.**

- 1. The Plaintiff William V. Aguiar III is a resident of Fall River, Massachusetts. And the County Bristol and resides at 630 Maple Street, 02720**
- 2. The Defendant Floyd Webb is a resident of Chicago, Illinois and is a partner of 3 to 1 studios LLC and the president of e22 digital**
- 3. This is a suit of copyright infringement under Title 17 U.S.C Jurisdiction of the court and is based upon Title 28 U. S.C, section 1338[a]**

4. **The Plaintiff states factually that he is the owner of copyrights #A86679 Worlds Deadliest Fighting Secrets, #TX3161682 Worlds Deadliest Fighting Secrets, #PAU673807 Worlds Deadliest Fighting Secrets, #PAU617092 Worlds Deadliest Fighting Secrets II concerning the Black Dragon Fighting Society , World Karate Federation, John Timothy Keehan , Count Dante. The Plaintiff William V. Aguiar III sells materials pertaining to his trademarks via the internet.**
5. **Upon information and belief the Defendant Floyd Webb is an independent film and documentary film maker.**
6. **Upon further information and belief the Defendant Floyd Webb has made a documentary entitled "The Search for Count Dante"**
7. **Upon information and belief the Defendant Documentary contains materials which include the Plaintiff copyrighted materials pertaining to copyrights #A86679, #TX3161682, #PAU673807, #PAU617092. Which the Plaintiff William V. Aguiar III which he owns.**
8. **The Defendant Floyd Webb has not obtained a licensing agreement nor any other type of permission from the Plaintiff William V. Aguiar III copyrighted materials.**
9. **The defendant has knowingly and intentionally violated the Plaintiffs copyrighted materials and violated the Plaintiff William V Aguiars proprietary rights by. Displaying the Plaintiffs copyrighted materials on this Web-site The Search for Count Dante.**
  - A. **The said web site is complete with information regarding Count Dante documentary and uses such materials such as logos and photographs and film that has been copyrighted by the Plaintiff and his predecessors.**
  - B. **The Defendant has tried to illegally obtain the Film footage from John F Crceden Jr and other source other than the Plaintiff.**
  - C. **Despite numerous letters and other contacts by Attorney John Franquer for over two years informing the Defendant of their liability under Copyright law. Defendant Webb has continued to use the Copyright in question with out permission. For promotion for the Search For count Dante.**
  - D. **The said wrongful acts of the Defendant Webb have caused and are causing great injuries to the Plaintiff, Which damage cannot be accurately computed, and unless the court restrains the Defendant from further commissions of said facts, said Plaintiff will suffer irreparable injury, for all of which the said Plaintiff are without the remedy of the law.**
9. **The Defendant has been advised numerous times that the**

**materials on his web site and certain logos and film which's is included in his documentary are violations of the Plaintiffs copyrights At the time of the acts of the infringement the Plaintiff did show that he was the said owner of copyrights on the internet used by the defendants web site { The Search For Count Dante}**

**10. The said wrongful acts of the Defendant have caused and are causing great injury including and not limited to relief and economic damages.**

**WHEREFORE, Plaintiff prays;**

- 1. That Defendant and all persons acting under the direction, control permission or authority of Defendant Webb be enjoined and restrained permanently from publicity using the Plaintiffs copyrighted materials, in any place owned, controlled or conducted by Defendant Webb, and aiding and abetting the view of copyrighted materials in any place or otherwise.**
- 2. That Defendant be decreed to pay such statutory damages as to the Court shall appear just, as specified in 17 U.S.C 504 {c} {1}, namely, not more than Thirty Thousand Dollars [30,000] nor less than Seven Hundred and Fifty Dollars [705] in each cause of action.**

**WILLIAM V AGUIAR III  
PRO SE**

*William V. Aguiar III*

**630 MAPLE STREET  
FALL RIVER  
MASSACHUSETTS  
02720**

*3/21/08*