

4. (ISC)² was formed in 1989 to develop an accepted industry standard for the information security practice.
5. (ISC)² is the non-profit leader in educating and certifying information security professionals throughout the world.
6. (ISC)² administers a Certified Information Systems Security Professional certification, which is signified by the acronym “CISSP®”.
7. (ISC)² owns U.S. Federal Registration No. 2,045,256 for “CISSP®”, which issued March 18, 1997 and was renewed on April 28, 2007.
8. (ISC)² currently has 55,000 certified information security professional members in more than 120 countries.
9. (ISC)² first awarded the “CISSP®” certification to qualified individuals in 1994.
10. Before launching its “CISSP®” accreditation program, (ISC)² laid extensive groundwork by compiling and distilling an overwhelming compendium of information to form the basis for the examination. (ISC)² tested and re-tested the proposed “CISSP®” exam to ensure the highest quality evaluation of an applicant’s knowledge and skills.
11. (ISC)² continues to improve its “CISSP®” exam to adapt to changing technologies and business security needs.
12. (ISC)² protects the integrity of its “CISSP®” mark by requiring high standards for applicants and certified individuals. Applicants for the “CISSP®” exam must have a minimum of five years of prior experience in two of the domains covered by the exam. Applicants must also pledge to obey the (ISC)² Code of Ethics. Once certified

as a “CISSP®”, an individual must earn 120 hours of Continuing Professional Education credits every three years and pay an annual maintenance fee.

13. Due to the quality of (ISC)²'s program and efforts to improve and safeguard its mark, “CISSP®” has become a widely recognized and highly-valued credential in the information technology and security field.

14. The “CISSP®” certification was the first credential accredited by the American National Standards Institute (“ANSI”) as meeting the International Organization for Standardization (“ISO”) Standard 17024:2003 in the field of information security. Accreditation by the ANSI requires (ISC)² to diligently maintain high international testing and certification standards. Surveys of the information technology and security field report that holders of the “CISSP®” certification are highly-regarded and among the best-paid professionals in the field.

15. In the years since 1994, (ISC)² has developed other certifications, many of which are signified by registered marks. These certifications include Information Systems Security Architecture Professional (“ISSAP®”), Information Systems Security Management Professional (“ISSMP®”), and Systems Security Certified Practitioner (“SSCP®”).

16. (ISC)²'s broad clientele includes esteemed organizations, such as Scotland Yard, Interpol, Deloitte, Microsoft, the United States Department of Justice, the United States Department of Defense, as well as government agencies in Singapore, Japan, and China. (ISC)²'s registered marks are a signature element of its accreditation programs, and protecting the integrity of these marks is vital to (ISC)²'s business interests.

17. Defendant Miko Degraphenreed was certified as a “CISSP®” on July 9, 2003. Degraphenreed’s “CISSP®” certification lapsed on July 9, 2006 because he failed to abide by the Code of Ethics, submit his Continuing Professional Education credits, and pay his annual maintenance fees.

18. Defendant Degraphenreed recently adopted and began using the title “Chief Information Systems Security Practitioner”, abbreviated as “CISSP”, on various Internet sites purportedly utilized for commercial or promotional purposes. Upon information and belief, Degraphenreed or DISS Corp. maintain the following websites containing content that infringes on (ISC)²’s registered mark:

<http://mikodegraphenreedcissp.blogspot.com>, <http://www-v2.blogspot.com>,

<http://degrapm.blogspot.com>, <http://cissplist.blogspot.com>,

<http://degrapmd.blogspot.com>, <http://mikodegraphenreed.blogspot.com>, and Yahoo!

Groups titled “cissp-MikoD”, “degrapm”, “cissp-humour-impaired”, “cissp-clueless”,

and “cissp-censorship”. Defendants Degraphenreed and DISS Corp. employ this

modified version of (ISC)²’s registered mark with full knowledge of, and disregard to,

(ISC)²’s use of and rights in its “CISSP®” mark. Defendant Degraphenreed also

maintains a copy of (ISC)²’s official “CISSP®” logo on an Internet photography hosting

site, located at <http://www.flickr.com/photos/degrapm>. Screenshots of the Blogger and

Flickr websites are attached hereto as Exhibits A-H.

19. With the exception of the Yahoo! Groups and Flickr website, the websites containing infringing material are published on the Internet through a service called “Blogger.”

20. At various times on or after the lapse of his “CISSP®” certification,

Degrphenreed made Internet postings referring to himself as a “Chief Information Systems Security Practitioner” or “CISSP”.

21. On October 23, 2006, I notified Degrphenreed on behalf of (ISC)² that his actions infringed on (ISC)²'s federally registered trademarks and requested that he cease any and all infringing activity.

22. On December 21, 2006, outside counsel for (ISC)² informed Degrphenreed that his use of “Chief Information Systems Security Practitioner” and “CISSP” was a continuing infringement of (ISC)²'s federally-registered mark. (ISC)² objected to Degrphenreed's activities and directed him to immediately cease and desist use of its mark.

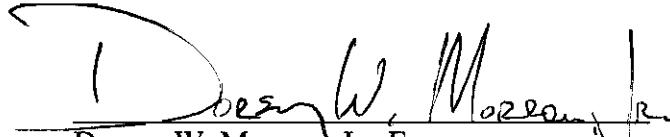
23. After receiving this cease and desist letter, Degrphenreed continued to maintain Internet sites and make new Internet postings referring to himself as a “Chief Information Systems Security Practitioner” or “CISSP”.

24. On August 16, 2007, (ISC)², through outside counsel, contacted Google and requested that the infringing material be removed from the Internet. Defendant Google responded by directing (ISC)² to contact the author of the infringing material.

25. On September 11, 2007, (ISC)² sent a final cease and desist letter to Degrphenreed via certified mail. This letter was returned to (ISC)²'s counsel as unclaimed at the last known address for Degrphenreed.

26. On November 8, and November 14, 2007, (ISC)², through counsel, contacted Yahoo and requested that the infringing material be removed from the Internet. Defendant Yahoo responded by removing some of the infringing material. As of the date of this Affidavit, however, certain portions of the infringing material remain.

Further affiant sayeth naught.


Dorsey W. Morrow, Jr., Esq.

Sworn to before me and subscribed in my presence this 15th day of November, 2007



Notary Public
my commission expires 8-4-08

EXHIBIT B - Screenshot of http://www-v2.blogspot.com

World Wide Web 2 - Microsoft Internet Explorer

Address: http://www-v2.blogspot.com/

SEARCH BLOG FACEBOOK NEXT BLOG FEED

WORLD WIDE WEB 2

Bookmarks

Files - Law, Investigation and Ethics | Google Groups

Test Pilot

U.S. Location
Test pilot results
Law, Investigation, and Ethics Domain
Flickr Photos from YEOUKAN2006
Visit the Blogspot [Read more](#)

Test Pilot

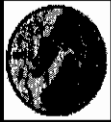


EXHIBIT C - Screenshot of http://degramm.blogspot.com

Microsoft Internet Explorer

Science, Industry, and Art - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Forward Stop Refresh Home

Address http://degramm.blogspot.com/

SEARCH BLOG FLAG BLOG Next Blog

Home About Contact Links Sign In

SCIENCE, INDUSTRY, AND ART

U.S. Location

Test pilot results

Law, Investigations, and Ethics Domain

Flickr Photos from YEOMAN2006

Visit the Blogspot

Read more...

U.S. Location

Test pilot results

Law, Investigations, and Ethics Domain

Flickr Photos from YEOMAN2006

Visit the Blogspot

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Next Blog

EXHIBIT D - Screenshot of http://cissplist.blogspot.com

Donivan Miko Degraphenreed, CISSP - Microsoft Internet Explorer

Address: <http://cissplist.blogspot.com/>

Donivan Miko Degraphenreed, CISSP

Miko Degraphenreed

Degraphenreed Information Systems Security Corporation
President/Founder

[degramm](#)

SECURITY UNITED STATES

Blogger

EXHIBIT E -- Screenshot of http://degrapmd.blogspot.com (top of page)

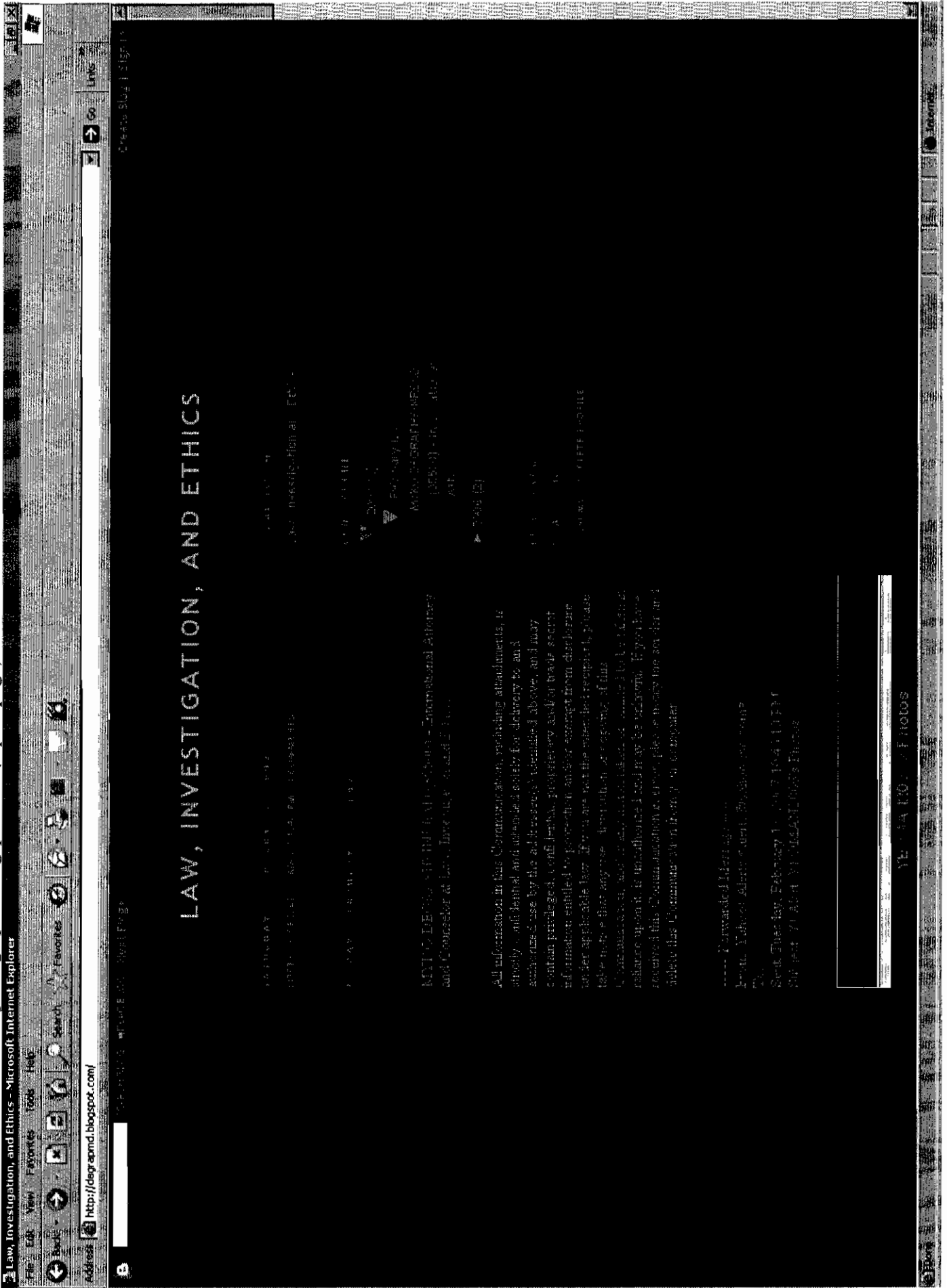


EXHIBIT F – Screenshot of <http://degrapmd.blogspot.com> (middle of page, showing “CISSP®” logo)

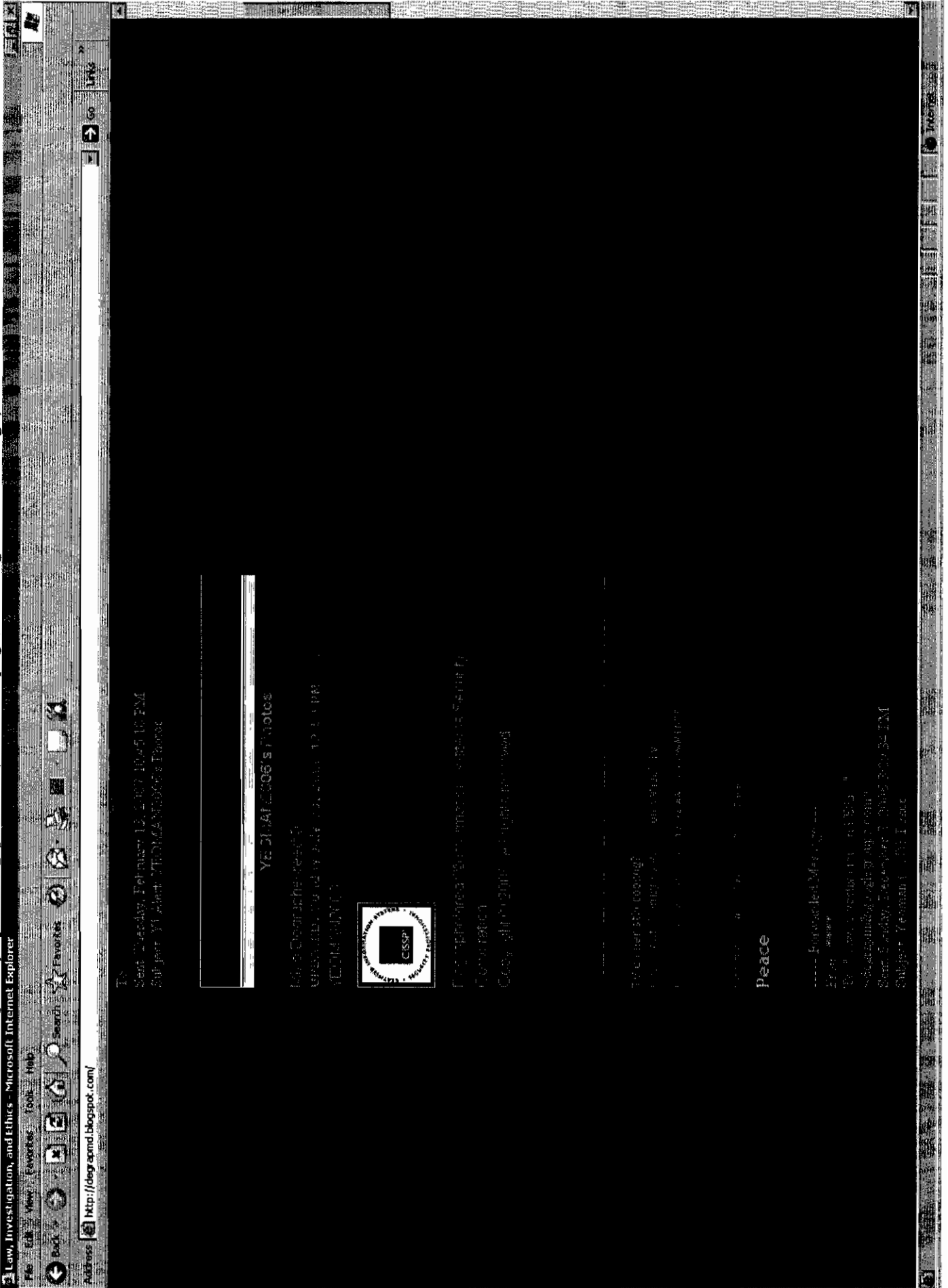


EXHIBIT G - Screenshot of http://mikodegraphenreed.blogspot.com

The screenshot shows a Microsoft Internet Explorer browser window. The address bar contains the URL 'http://mikodegraphenreed.blogspot.com/'. The browser's menu bar includes 'File', 'Edit', 'View', 'Favorites', 'Tools', and 'Help'. The toolbar contains icons for Back, Forward, Stop, Refresh, Home, Search, Favorites, Print, and Help. The main content area displays a Blogger profile for 'miko_degraphenreed'. The profile includes a header with the name 'miko_degraphenreed' and a date 'Saturday, July 22, 2006'. Below the header, there are sections for 'About Me', 'Links', 'archives', and a detailed business information section. The 'About Me' section lists the name as 'Miko Degraphenreed' and provides a link to 'View my complete profile'. The 'Links' section includes 'Google News', 'Edit-Me', and 'Edit-Me'. The 'archives' section shows 'July 2006'. The business information section includes details such as 'Legal Business Name: DEGRAPHEINREAD INFORMATION SYSTEMS SECURITY', 'Doing Business As (DBA): MYKO INFORMATION SYSTEMS, INC.', 'Physical Street Address 1: 3502 EAST 39TH STREET', 'Physical City: INDIANAPOLIS', 'Physical State: IN', 'Physical Zip/Postal Code: 46205-3304', 'Physical Country: USA', 'Type of Organization: Corporate-Entity, Not Tax Exempt (State of Incorporation is OH)', 'Business Types/Grants: 23 - Minority Owned Business, 77 - Service Provider, 95 - Research and Development, A5 - Veteran Owned Business, QY - Black American Owned, QF - Service Disabled Veteran Owned Business, VW - Contracts and Grants', and 'JWOD Non-Profit Agency: No'.

About Me

Name: Miko Degraphenreed
[View my complete profile](#)

Links

- [Google News](#)
- [Edit-Me](#)
- [Edit-Me](#)

archives

July 2006

Saturday, July 22, 2006

COMON MIKO

Business Start Date: 02/01/1999
DUNS: 168790561

Legal Business Name: DEGRAPHEINREAD INFORMATION SYSTEMS SECURITY
 Doing Business As (DBA): MYKO INFORMATION SYSTEMS, INC.
 Physical Street Address 1: 3502 EAST 39TH STREET
 Physical Street Address 2:
 Physical City: INDIANAPOLIS
 Physical State: IN
 Physical Zip/Postal Code: 46205-3304
 Physical Country: USA
 Type of Organization
 Corporate-Entity, Not Tax Exempt
 (State of Incorporation is OH)

Business Types/Grants

- 23 - Minority Owned Business
- 77 - Service Provider
- 95 - Research and Development
- A5 - Veteran Owned Business
- QY - Black American Owned
- QF - Service Disabled Veteran Owned Business
- VW - Contracts and Grants

JWOD Non-Profit Agency
No

EXHIBIT H - Screenshot of http://www.flickr.com/photos/degram

Flickr Photos from YEOMAN2006 - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Address http://www.flickr.com/photos/degram

Back Forward Stop Refresh Home

Search Search

Sign In Sign Up Explore

You aren't signed in

Search YEOMAN2006's photos

Sign in Help


flickr™

Home The Tour Sign Up Explore


YEOMAN2006's photos

Sets Tags Archives Favorites Profile

Miko Degraphenreed



Degraphenreed Information Systems
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 All rights reserved
Uploaded on Jul 23, 2006
1 comment

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Done