

IN THE COMMON PLEAS OF Franklin COUNTY
IN THE STATE OF OHIO

364 South High Street
COLUMBUS OH 43215

11CV0

4434

CASE NO: _____

ANN M. YEAGER
3546 STEUBENVILLE RD SE
AMSTERDAM, OH 43903
TEL: NONE
PLAINTIFF; PRO SE

V.

GO DADDY GROUP, INC.
GODADDY.COM
14455 N HAYDEN RD
SUITE 219
SCOTTSDALE AZ 85260
TEL: 480-505-8899
DEFENDANT

INTERNATIONAL CORPORATION
OF ASSIGNED NAMES & NUMBERS
4676 ADMIRALTY WAY
SUITE 330
MARINA DEL REY CA
90292-6601
TEL: 310-823-9358
DEFENDANT

UNKNOWN REGISTRANT (S) &
USERS OF COPYRIGHTED WORD;
AYPRESS YEARS 2004 - 2011
DEFENDANT

IBRAHIM KAZANCI
POBOX 67158
CALGARY ALBERTA T2L 2L2
CANADA
TEL: 403-605-0137
DEFENDANT

FILED
COMMON PLEAS COURT
FRANKLIN CO. OHIO
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CLERK OF COURTS - GW

- WILLFUL THEFT OF COPY RIGHT
- WILLFUL CONTRIBUTORY - SLANDER OF TITLE & PROPERTY
- WILLFUL CONTRIBUTORY - LIBEL, DEFAMATION, SLANDER, FALSE LIGHT - WORLDWIDE - TO INFER E MOTIONAL & MENTAL - AGGITATION - ANGUISH - IN AN AUTHOR (WHOSE WORK IS THE MIND)
- WILLFUL CONTRIBUTORY - ASSAULT (TOUCHING OF THE MIND)
- WILLFUL CONTRIBUTORY - FALSE IMPRISONMENT (RESTRICT OWN MOVEMENTS)
- WILLFUL CONTRIBUTORY - INJURY TO REDUCE & REMOVE: ETHICAL REPUTATION, REPUTATIONAL CAPITAL, LOSS OF STANDING IN WORLDWIDE COMMUNITY; LOSS OF DIRECT, INDIRECT, COPYRIGHT INCOME (INCLUDING 70 YEARS AFTER DEATH) - OF AN AUTHOR
- WILLFUL CONTRIBUTORY - LIBEL, DEFAMATION, SLANDER, FALSE LIGHT - WORLDWIDE - RESULTING IN LOSS OF GOOD REPUTATION - AFFECTING MARITAL & DEPENDENT STATUS (INCL. HEIRS TO COPYRIGHT)

YEAGER, ANN M. v. GO DADDY GROUP, INC...

PETITION

NEW TORT:

"There is no necessity whatsoever, that a tort have a new name. New and nameless torts are recognized constantly, and THE PROGRESS OF THE COMMON LAW IS MARKED—BY MANY CASES OF FIRST IMPRESSION, IN WHICH THE COURT—HAS STRUCK OUT BOLDLY—TO CREATE A NEW CAUSE OF ACTION, WHERE NONE WAS RECOGNIZED BEFORE.

The law of torts—is anything but static, and the limits of its development—are never set.

When it becomes clear, that the Plaintiff's interests are entitled to legal protection—against the conduct of the Defendant—the mere fact that the claim is novel—will not of itself—operate as a bar to the remedy.¹

That no precedent exists to sustain an action in a give case—may be evident—that no right—based upon the facts—exists; or, that the legal profession—does not accept the right asserted. It might create a presumption—that no wrong is stated; however—such a presumption—is not conclusive.²

If the Plaintiff is shown to have suffered a wrong—paucity of case, or absence of precedents—does NOT CONSTITUTE SUFFICIENT REASON—FOR REFUSING RELIEF—IF—A SOUND PRINCIPLE OF LAW CAN BE FOUND—THAT GOVERNS, OR OUGHT TO GOVERN—OR, THAT BY ANALOGY—OUGHT TO GOVERN THE FACTS—PRESENTED.³ [74 Am Jur 2d, Torts, Existence of 'Tort Law' Apart From Law of Specific Torts]

MULTIPLE DEFENDANTS:

"...*Short v Griffin*, 95-680 (LA-16-95) 656 So 3d 635...The Court, in that case, held—that where on the evidence on an exception of prescription, was so intertwined with evidence on the merits—that it would be a waste of judicial economy—to try two matters in separate proceedings—referral of the exception to trial on merits was awarded." [903 So 2d 1137; 05-96; La App 5 Cir, 5-31-05] *Henning v Alltel*

1. *Seidel v Greenberg*, 108 NJ super; 248, 260; A 2d 863; 40 ALR 3d 987 (Law Div 1969)

2. *Pavesich v New England Life Ins Co*, 122 Ga 190 50 SE 68 (1905)

3. Am Jur 2d, Actions, § 49

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SYNOPSIS OF INJURY

Plaintiff seeks redress to copyright infringement—from unauthorized, invasive, malicious, and assumptive use of the word, Aypress.

Said hostile takeover—has presented Plaintiff in a defamatory, false light—to the world—to those who have encountered her books—and knew the Plaintiff as the business owner, Aypress, and first original creator of domain, aypress.com

Plaintiff demands a punitive and economic award in the amount of \$1,000,000,000 (One billion US dollars).

Plaintiff respectfully demands summary judgment.

PLAINTIFF

The Plaintiff is a Philosopher, Researcher and Poet, serving in said capacity for twenty years; The author of two books; The author of a third book, burned in the frustration of the telecommunications' negligence suit; The author of report on MTBE and the Environment; The Author of a report on Municipal Charter; An entrepreneur/Small Press Publisher, with several demands: marketing, sales, running a merchant website, continuing in the capacity of Philosopher & Researcher; & Sought Executive office twice: 2004 brief to the US Supreme Court for Ballot Access to the Executive Office; and 2007 petition for Mayor of Carrollton, OH.

GO DADDY GROUP, INC. / GODADDY.COM

Defendant Go Daddy Group, Inc.—owns Godaddy.com (which it describes as the worlds largest domain name registrar); Wild West Domains (a reseller of domains and domain-related products); Domains by Proxy (a private registration service); Starfield Technologies (a research and development affiliate); and

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Blue Razor Domains (a membership-based discount registrar).

It states it was "founded in 1997, by Bob Parsons, the Go Daddy Group has grown to include more than 43 million domains under management...offers a complete product line, including comprehensive hosting solutions, web site creation tools, secure SSL certificates, personalized email with spam and anti-phishing filtering, e-commerce tools, and more."

INTERNATIONAL CORPORATION OF ASSIGNED NAMES AND NUMBERS

Defendants oversees, accredits, and approves domain name registrations.

IBRAHIM KAZANCI

Defendant is listed as current registrant—and technical contact—for stolen copyrighted word, Aypress.

COINAGE & COPYRIGHT

Plaintiff is the creator—and true owner—of the copyrighted word, Aypress.

Aypress was coined from the Plaintiff's initials, and stands for Ann Yeager Press.

Aypress was the Plaintiff's small business name—registered with the State of Ohio, in the United States of America in 2003.

The Plaintiff placed copyright notice of said word—on two titles—published in the Fall of 2003, *Gnomon* and *Need I Say 'More.'*

The Plaintiff contracted with a third party—to register her business name—for online use.

Scott Denman of BookMasters, Inc, in Mansfield, OH, USA, first registered Aypress.com—on behalf of the Plaintiff.

UNAUTHORIZED MALICIOUS USE OF AUTHOR'S COPYRIGHT

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The Plaintiff terminated the contract with Bookmasters, to assume duty of her business' website on her own.

Mr. Denman notified the Plaintiff that the domain, aypress.com, was to expire.

Copyright notice—to said coined word—existed prior to registration of said domain—and to expiration.

The Plaintiff's books—with said copyright to said word—published on the said books reference page— were sold and marketed to Barnes & Noble, Borders, Independent bookstores, and to libraries.

While the Plaintiff was learning HTML—a third unknown party registered the copyrighted word, Aypress, as Aypress.com.

The Plaintiff remitted certified mail, upon initial notice of said copyright infringement—to said registering party in NY, NY; Godaddy.com; and to ICANN, notifying all three—of the invasive, unauthorized use of said word.

Attaching a suffix to a copyrighted word — does not give one rights to the word.

Domain name suffixes, such as .com, .net, .biz, etc—affect the copyright ownership—and distort the public trust.

Any combination of letters and numbers — can be turned into a domain name.

Said word—would not exist—on the Internet—or domain registration—if the Plaintiff—had not coined it.

To rob another individual—of copyright ownership—is the intent of said act.

Godaddy.com and ICANN have aided and abetted in said theft.

Any registration of said .com—could have been checked against the original registration—and instructions to request if the original creator of said domain—especially those conducting on behalf of another—should be consulted—to check for invasive, unauthorized, malicious, copyright infringement.

PLAINTIFF'S INVESTMENT

The Plaintiff placed copyright notice of said word, aypress, and aypress.com on 1,000 hardcover, smyth-sewn, first-edition, books and dust jackets—of *Gnomon* and *Need I Say 'More'*—published in the Fall, 2003.

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The Plaintiff placed an ad in the publisher's trade, *Publisher's Weekly*, advertising said website, and her business – in September, 2003.

Publisher's Weekly – reaches the publishing industry – around the world.

The Plaintiff placed a roadside at her home office, along S.R. 43, advertising said business and domain. US 43 receives traffic from Pittsburgh to Columbus-Cleveland corridor.

The Plaintiff remitted double sided 4C 4x6 postcards – to several independent bookstores, advertising her business name, and copyright-word in website form.

The Plaintiff remitted several review copies to the press.

This was the Plaintiff's first year of business.

The first five years of business – are crucial to the survival of business.

The Plaintiff never sold the rights to the word, Aypress, nor sold her business, business name, any title there under her flagship of business, nor any title or copyright under her authorship and pen.

The Plaintiff was never approached for the rights to the word Aypress, nor receive any compensation for the year – exhaustingly – promoting it.

The Plaintiff coined, and promoted said word – for the sole benefit of her self, her business, and her heirs.

INJURY TO REPUTATION

The Plaintiff spent eight years writing *Gnomon*, and three writing *Need I Say 'More.'*

She spent the first year of her business, Aypress – exhaustingly marketing her business – amid the trade and potential customers – amid her other writing and business duties.

Worse – the Plaintiff finds the current registrar of Aypress.com – using the original spelling of the Plaintiff's business, breaking its coinage into Ay Press.

Said breakage – demonstrates familiarity – with the Plaintiff's business – and the original spelling in pre-publication, first edition hardcovers of said titles, AyPress.

The current registrar uses Aypress.com for unethical marketing – further damaging and reflecting upon the Plaintiff and Plaintiff's reputation – worldwide.

Said current website promotes sex, other merchandise and books – not related – nor reflective of

the Plaintiff's decade and a half of hard ethical work.

NO RIGHT TO WORD

Once a word is copyrighted—no other person—worldwide—has the right to use of said word—in any form—or reproduction.

Plaintiff placed copyright notice on her books—which were published in 2003.

Godaddy.com & ICANN—maliciously allowed used of this word—after a third contracted party did not renew it—on instruction of the Plaintiff.

Both companies received notice—by the Plaintiff—of copyright invasion.

Both companies have allowed malicious fraudulent use of said word—for own financial gain—at the devastating impact—causing severe financial distress—and injury—to the Plaintiff.

SEVERE TELECOMMUNICATIONS BREACH

Plaintiff has had severe telecommunications breach—since 2004--which occurs near the date of the re-registration of the Plaintiff's copyrighted word, Aypress—in a domain—registered at Godaddy.com—for the entire viewing world—with Internet access.

As a sole proprietor—investing every dollar—the Plaintiff—was forced to continue her business—under her author name, AnnYeager.com, to alleviate pressure of said loss.

AnnYeager.com—is the created domain name—by the Plaintiff.

AnnYeager.com—has shown fraudulent, malicious, unauthorized, criminal use.

Canada references appear in 2006 criminal email—associated with domain email for AnnYeager.com

AnnYeager.com was placed on a blacklist in 2010--even though said website has been dormant—since January, 2007--while the Plaintiff—suffered—waiting for justice—to find the source of said unknown criminal parties.

The current registrar of Aypress.com—is from Canada

The Plaintiff's Alltel cellular phone—and home office/residential address—were listed for

PETITION

AnnYeager.com whois' registration on the Internet, as well as on said website.

The Plaintiff has experienced telecommunications breach in five distinct cellular phones, two distinct landlines, at one residential location—all associated with the original creation and marketing of Aypress.com.

The current spelling of Aypress.com—on said website—retains the original broken Ay Press.

Said broken spelling is distinctly associated with the Plaintiff, author and small press owner, Ann Yeager.

As said broken spelling is retained—the probability is exceptionally high—that said persons using said domain and copyright—maliciously inflicted the Plaintiff's reputation and business for self-profit.

PRAYER FOR RELIEF:

It is emotionally and mentally exhausting—and financially burdensome—to redress injury—by Court.

When businesses could have intervened—said businesses could have reduced—the loss, stress, and prolonged injury to the Plaintiff.

By the intentional infliction for monetary gain—GoDaddy.com and ICANN, in association with the fraudulent unauthorized use of copyright, Aypress—demonstrate a lack of concern—regarding rights—and emotional, mental, financial investment (including years of reputation)—associated with loss of said rights.

The Plaintiff has suffered severe loss to her own work, including direct, indirect, and copyright (including 70 years after death).

The death of a business—directly after its first year—by maliciously using a coined, copyrighted, registered, and promoted name.

One edition of a James Joyce first edition sold for \$450,000.

The public, for a year, was informed that Ann Yeager's small press, and self-published titles—were under her press name and copyright, Aypress.

The Plaintiff—advertised to the entire publishing world—in Publisher's Weekly—said fledgling business.

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Said unauthorized use of said copyrighted word—has caused the Plaintiff

1. Irreparable harm—
2. Mental and emotional anguish—
3. Severe depression—
4. Loss of further work (while attempting to repair invasive telecommunications breach)—
5. Loss of a third book burned in frustration—
6. Loss of ethical reputation— worldwide—
7. Loss of sales, loss of direct, indirect, and copyright income,
8. Indigency;
9. Loss of heirs (cannot take care, nor conceive due to indigency and destroyed reputation)
10. Loss of martial status
11. Loss of reputation capital
12. Removed a potential statesmen—who can beneficially impact society—for generations.
13. The Plaintiff—as the victim—(of a malicious telecommunications crime—which has used the Plaintiff's name, business, home address, and business telephone and email—online—since registration of Aypress)—has been forced to file—five lawsuits—to redress—an inter-connected injury.

a. *Alltel et al.*

b. *Topix. et al*

c. *Williams, Dale, et al*

d. *Federal Bureau of Investigation*

e. *Go Daddy Group, et al*

There can be no value—assigned on said injury.

An author impacts society's views—forever.

A press ensures—said alteration—and impression.

A Philosopher/Ethicist—steers society—towards a greater existence.

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A Statesman—charts the course—affecting the destiny—of the human race.

It is an outrageous invasion—that could easily been resolved—upon note of error—by either the letter from Plaintiff—or through discernment of original creator of the domain—and simple inquiry—to said creator.

It is willful—on the conduct of Go Daddy Group, Inc—and ICANN—for mere profit.

It is 99% probable—malicious—on the part of the registrant of Aypress—by keeping the Plaintiff's original spelling.

SUMMARY JUDGMENT

By the evidence—minds could but come to one conclusion,

That conclusion is in favor of the Plaintiff.

The Plaintiff respectfully seeks a summary judgment—to alleviate prolonging injury.

The Plaintiff respectfully seeks said punitive and economic award—for injury received—and to place severe guard to said technology field—that willful shows—malicious disregard to said individual's rights—as a protective measure—for all citizens to come.