

**CURTIS J NEELEY JR, MFA**  
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www.CurtisNeeley.com  
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Fayetteville, AR 72703  
Voice: 479-263-4795  
5:2009-cv-05151-JLH DKt 73-1



Exhibit "CHIN"

## **The Author's Guild et al conspiring with Google Inc to use Case No.1:05-cv-08136-DC to erase copyrights**

Honorable Judge Chin,

Curtis J Neeley Jr. ~~MFA~~ respectfully request the Court's permission to submit this letter opposing approval of the Amended Settlement Agreement as a conspiracy in the above case. The Amended Settlement Agreement does not provide an adequate test for distinguishing between authors and publishers who are part of the Amended Settlement Class and those who are not. Copyrights were never rights given by US Title 17 and are now heavily disparaged by the Title. This comment on the Proposed Settlement reveals how Mr Neeley sees the case as a conspiracy of lawyers to dispense with copyrights.

Books registered with the United States Copyright Office even if not a United States work, as defined in 17 U.S.C. § 101, or any written or printed work published on or before January 5, 2009 are Books within the meaning of the Amended Settlement Agreement if such work was registered with the United States Copyright Office.

### **I GOOGLE PAINTING THE HEN HOUSE IT WILL GUARD**

Google Inc. is trying to get the Court to CONSPIRE with Google Inc, The Authors Guild, et al., and defining what will be considered a book. Google Inc. might use such an ambiguous word as "published" to include books that were published before January 5, 2009 by being available for purchase as a printed copy but that had not yet been printed. Curtis J Neeley Jr MFA had published two books by then but will never register a copyright to sue. Mr Neeley is a Conscientious Objector to war with three years Meritorious Service in the US Marine Corps. Discharged as a NCO, Mr Neeley attempts to be principally consistent and Objects to US Title 17 and is outraged that it exists as it does today primarily to serve the law profession. Mr Neeley is currently involved in 5:2009-cv-05151 (JLH) where Mr Neeley reveals Google Inc already violating book and photography copyrights. This was before the theft of content they did in libraries in New York. Google is covered in blood smiling and explaining what the hen is in the house that it will continue to guard and motivate finger twitching.

## **Display Books**

In article 3.3 sub a (Display Books) of the Amended Settlement Agreement it is stated that "Google will not make Display Uses of any Book that Google has classified as not Commercially Available until the later of the Effective Date or sixty (60) days after notifying the Registry that Google has classified such Book as not Commercially Available", how outrageous!

## **II GOOGLE WANTS COURTS TO BYPASS CONGRESS**

Google Inc wants to snuggle up to the Courts and lawyers who conspire to disparage and agree to respect a copyright only for sixty days after they declare a book not Commercially Available. Copyrights have a lifespan, or period of exclusivity, of the life of the author and Google Inc has already demonstrated highly immoral conduct of violating copyrights as a pattern of businesses. No book that was written since 1940 has an expired copyright due to the length of time it has existed. Copyrights last seventy years beyond the lifespan the author of a book as defined in US Title 17 §§ 303, 304. It is particularly interesting that US Title 17 § 304 specifies that the terms of length in US Title 17 §§ 303, 304 terminate at the end of the calendar year. Google Inc already violates copyrights as a pattern of business and believes the public will wish to have access to books digitally despite copyrights. They appear to be correct thus far or no class would exist.

Google Inc contends that the public and the Courts will realize copyrights, originally enumerated by attorneys to provide commercial incentives for lawyers, are no longer cost effective for this purpose and should be dissolved. Google Inc wishes to make "Display Copies" available sixty days after Google Inc calls them no longer Commercially Available. US Title 17 § 305 waited to the end of the calendar year or potentially a day less than seventy-one years after an author born on January first has died.

### **Disparagement requires enumeration**

Copyright laws have been disparaging a fundamental right since first established in the United States by a career attorney. Benjamin Huntington disparaged copyrights initially on June 23, 1789 with HR 10 in the Second Session of Congress. The President, George Washington, agreed with this disparagement on May 31, 1790 when signing HR 43 or the "Copyright Act".

Enumerated copyright laws have always disparaged a fundamental right that was and is still better protected by the Ninth Amendment. The Magna Carta was written on June 15<sup>th</sup>, 1215. Benjamin Huntington first disparaged copyrights only eight days beyond 574 years after the first set of written English laws. The disparagement of Benjamin Huntington was about 3,229 years after the first laws were reported ever written. Allegedly, God wrote these first laws on Mount Sinai. Christians believe God wrote these first ten laws on stone.

A law never gives rights that are fundamental. Fundamental desires exist that have always exceeded fundamental rights. This has been true; allegedly, since humanity first began or developed or by whatever belief the reader accepts the arrival of air and water. Desire to know the difference between good and evil or to be able to recognize fundamental desires that were beyond fundamental rights is allegedly why humanity exists. e.g. forbidden fruit of Eden.

### III CERTIFYING THE CONSPIRATORS ENDS COPYRIGHTS

Google Inc exists today because of violating copyrights. Google Inc does not create anything but a method whereby profits are made by encouraging fingers to twitch. Google Inc makes billions of dollars encouraging fingers to twitch every year. There is no pyramid Google Inc built or any oil fields Google Inc exploits. Google Inc does absolutely nothing besides encouraging fingers to twitch. Providing easy access to information has almost caused lawyers to agree to abandon copyrights if paid enough.

Google Inc catalogs the information that exists and uses this catalog to cause humanity to feel finger twitching is a fundamental right. Copyrights are fundamental rights and the fundamental desire to profit by encouraging finger twitching can only benefit by certifying the Class Google Inc seeks to certify and invalidate copyrights for all.

A digital library of books exists only because people created books at some time and then was not around to prevent Google Inc from making them illegal digital presentations. Computers can finally do an acceptable job at reading a book and typing it into a digital format. Lawyers are universally aware that computers can read because of the commonality of PDFs to lawyers.

It is ironic that lawyers were the first to disparage copyrights in the United States and yet are usually reported only as first recognizing them or first granting the rights that are fundamental rights not given by anyone besides the creator. Humanity has always wanted the ability to know things and it has been true as long as humanity existed that the fundamental desire for knowledge has motivated immorality.

## CONCLUSION

Curtis J Neeley Jr MFA respectfully asks the Court deny the Amended Settlement Agreement as nothing besides an attempt to extinguish copyrights. Humanity has always thirsted for knowledge but copyrights have existed and only been maligned by laws and attorneys. Computers can type books now and ignore copyrights making it outrageously profitable to encourage fingers to twitch. Google Inc has already made billions immorally by using artwork like the book of Curtis J Neeley Jr MFA and the photography of the master photographer who coined the photographic term *figure nude*. This violation of copyrights to a book and world class photography is how Google Inc profits outrageously by encouraging fingers to twitch without creating anything but a click and a profit. A single example of Google Inc violating rights enumerated by US Title 17 § 106A and US Title 5 § 552a(b) is included. Curtis J Neeley Jr MFA is outraged that anyone would display his figure nude art to children with a "Strict Safe" image search of his name. It can be seen even today. Such a display has impacted Mr Neeley outrageously and should be criminal.

Respectfully and angrily submitted,

Curtis J Neeley Jr ~~MFA~~



**Curtis Neeley.**  
- 1192k - jpg  
/ikimedia.org



**Curtis Neeley / Doumé Roussel**  
339 x 343 - 10k - jpg  
[lafrodite-eu.blogspot.com](http://lafrodite-eu.blogspot.com)



**AshleyAD450**  
320 x 240 - 10k - jpg  
[zimbio.com](http://zimbio.com)



**Curtis Neeley /**  
300 x 400  
[lafrodite-eu.](http://lafrodite-eu.com)



- Fine Artist  
18k - jpg  
[flickr.com](http://flickr.com)



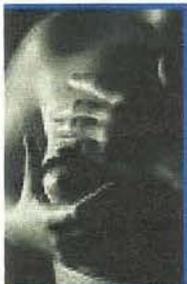
photographs he shoots now.  
200 x 200 - 4k - jpg  
[commons.wikimedia.org](http://commons.wikimedia.org)



Two books of Curtis Neeley's  
107 x 130 - 7k - jpg  
[figurenude.com](http://figurenude.com)



Foto de  
320 x 240  
[flickr.com](http://flickr.com)



he shoots now.  
1000 - 5k - jpg  
[wikipedia.org](http://wikipedia.org)



clothes are often called  
200 x 200 - 5k - jpg  
[en.wikipedia.org](http://en.wikipedia.org)



**Curtis Neeley**  
75 x 75 - 2k - jpg  
[figurenude.com](http://figurenude.com)

by the  
33%



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