

FILED 1 APR '20 10:09 USDJG-ORP

Pro Se 1 (Rev. 12/16) Complaint for a Civil Case

UNITED STATES DISTRICT COURT

for the

District of OREGON

Division

Case No. 3:20-cv-00547-AC

(to be filled in by the Clerk's Office)

Tynow Blocker

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Google Nest Inc.

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Jury Trial: (check one) Yes No

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name Tynow Blocker - in care of Lorraine
 Street Address 1839 NE BILSAN
 City and County PHO, OREGON 97211
 State and Zip Code
 Telephone Number 503 572-8523
 E-mail Address blocker.tynow63@gmail.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

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Defendant No. 1

Name
Job or Title (if known)
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address (if known)

GOOGLEWEST Headquarters
1600 Amphitheatre Parkway
Mountain View, CA 94041

Defendant No. 2

Name
Job or Title (if known)
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address (if known)

~~_____~~
~~_____~~
~~_____~~
~~_____~~
~~_____~~
~~_____~~
~~_____~~

Defendant No. 3

Name
Job or Title (if known)
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address (if known)

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~~_____~~

Defendant No. 4

Name
Job or Title (if known)
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address (if known)

~~_____~~
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II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (check all that apply)

- Federal question Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

TRADEMARK INFRINGEMENT

B. If the Basis for Jurisdiction Is Diversity of Citizenship

1. The Plaintiff(s)

a. If the plaintiff is an individual

The plaintiff, (name) _____, is a citizen of the State of (name) _____.

b. If the plaintiff is a corporation

The plaintiff, (name) _____, is incorporated under the laws of the State of (name) _____, and has its principal place of business in the State of (name) _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)

a. If the defendant is an individual

The defendant, (name) Google NEST, is a citizen of the State of (name) OREGON. Or is a citizen of (foreign nation) _____.

b. If the defendant is a corporation

The defendant, (name) GOOGLE NEST INC., is incorporated under the laws of the State of (name) CALIFORNIA, WASHINGTON, and has its principal place of business in the State of (name) OREGON. Or is incorporated under the laws of (foreign nation) _____, and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

Plaintiff has been damaged by defendant google nest when google nest started selling subscriptions of mac all music and other nestcast artists music on google. google nest subscription services links to

III. Statement of Claim

soundcloud, spotify, itunes, ebay, apple music, amazon, and reverbNation or suocap mystore and myspace.

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

This subscription is a service google provided to nestcast without the consent of plaintiff, in an amount to be proven more specifically at trial, but currently estimated

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

At one billion per year, plaintiff also seeks an accounting of all wrongers profits, the actual damages the trademark owner sustained; and the crucial and punitive damages for willful infringement.

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Dated This 28th day of March 2020.
Respectfully

Tyrone Blocker

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: March 28, 2020

Signature of Plaintiff

Tyrone Blocker

Printed Name of Plaintiff

Tyrone Blocker

B. For Attorneys

Date of signing: ~~3/28/20~~

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

[Large handwritten scribble]

Google Nest Civil Complaint-Continued

1.

At all material times, Plaintiff is and was an Oregon resident.

2.

At all material times, Defendant Google Inc., owns Google Nest. Defendant Google Nest, is and was an active brand name for Google Corporation.

3.

At all material times, Defendant Google acquired Nest Labs for 3.2 Billion dollars in January, 2014 and was folded into Google Nest in May, 2019.

4.

In 2007, Plaintiff under class 35 launched his music to the public by way of SNOCAP MyStore. Plaintiff filed for a registered trademark for Nest Coast Entertainment, “serial number 87580103 on August 23, 2017, and were granted registration on May 8, 2018. Plaintiff’s registration is internationally class 35” promoting the goods and services of others in the fields of Rap, Hyphy, Gospel, and R&B music: retail store services in the fields of Rap, Hyphy, Gospel, and R&B music.

5.

Defendant, Google Nest, promotes and sells the goods and services of others in the fields of Rap, Hyphy, Gospel, R&B music and retails music in the fields of Rap, Hyphy, Gospel, and R&B music.

6.

Plaintiff asserts that he owns a valid registration of the trademark for NestCoast Entertainment, international class 35 promoting the goods and services of others in the fields of Rap, Hyphy, Gospel, and R&B music; retail store services in the fields of Rap, Hyphy, Gospel, and R&B music.

7.

That artwork or protectable expression NestCoast is designed on all of the Nestside Story albums.

8.

The brand name Google Corporation is using is Google Nest and is an identical trademark to NestCoast.

9.

Plaintiff claims that Google Nest trademark infringement causes a likelihood of confusion.

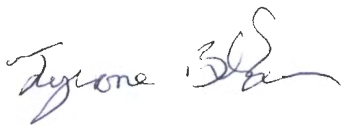
10.

Google Nest Corporation is also using a reproduction of Plaintiffs trademark NestCoast for retail store services in the fields of Rap, Hyphy, Gospel, and R&B music.

11.

Macrell is a NestCoast contracted artist and is promoting and selling music on Google Play, (subscription service) which links to Bandmine, Apple Music, Utube, EBay, Amazon, Sound Cloud, Spotify, SNOCAP, Reverbnation, and ITunes websites etc.

Sincerely,



Tyrone Blocker

Dated This 28th day of March
2020.