

STATE OF INDIANA	)	IN THE HAMILTON SUPERIOR COURT 01
	)	
	)	SS:
COUNTY OF HAMILTON	)	CAUSE NUMBER: 29D01-1213-CC-_____
	)	
JAMES DEAN, INC.	)	
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	
TWITTER, INC., a Delaware	)	
Corporation, and JOHN DOE	)	
DEFENDANTS 1-5	)	
COMPANY	)	
	)	
Defendant.	)	

**COMPLAINT FOR DAMAGES AND FOR INJUNCTIVE RELIEF**

Plaintiff JAMES DEAN, INC. (hereinafter “JDI”), for its Complaint for Damages and for Injunctive Relief (hereinafter referred to as the “Complaint”) against Defendants TWITTER, INC. (hereinafter “TI”) and JOHN DOE DEFENDANTS 1-5 (hereinafter “DOES”), by counsel Theodore J. Minch, hereby states and avers as follows:

**I. THE PARTIES.**

1. JDI is a corporation organized and existing under the laws of the State of Indiana, having its principal place of business located at 10500 Crosspoint Boulevard, Indianapolis (Hamilton County), Indiana 46256.

2. TI is a corporation organized and existing pursuant under the laws of the State of Delaware with its principal place of business located at 1355 Market Street, Suite 900, San Francisco, California 94103.

3. Upon information and belief, DOES are individuals and / or legal entities whose identities and contact information are protected by TI.

4. CMG WORLDWIDE, INC. (hereinafter “CMG”) is the premiere celebrity licensing agency and is recognized around the world as agent and representative for such internationally recognized celebrities as James Dean, Marilyn Monroe, Jackie Robinson, Babe Ruth, Ella Fitzgerald, and Chuck Berry.

5. In its capacity as celebrity licensing agent, CMG, on behalf of JDI, the exclusive owner of the name, likeness, voice, right of publicity and endorsement, worldwide trademarks<sup>1</sup>, copyrights, and other intellectual property including but not limited to visual and aural depictions, artifacts, memorabilia, and life-story rights, and / or trade dress of the late internationally recognized movie star, James Dean (hereinafter collectively the “Dean Intellectual Property”), licenses to third parties permission to commercially utilize the Dean Intellectual Property.

6. Also in its capacity as the exclusive licensing representative for the Dean Intellectual Property as owned by JDI, CMG enforces and protects the Dean Intellectual Property from illegal commercial use of the Dean Intellectual Property by third party unauthorized users thereof.

7. Created in 2006, TI is a global real-time communications platform with 400 million monthly visitors to twitter.com, more than 200 million monthly active users around the world. TI sees a billion tweets every 2.5 days on every conceivable topic. World leaders, major athletes, star performers, news organizations and entertainment outlets are among the millions of active TI accounts.

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<sup>1</sup> JDI is the owner of U.S. federal trademark Reg. Nos. 1,496,806 and 1,492,324 for the internationally recognized mark, JAMES DEAN.

## **II. JURISDICTION AND VENUE.**

8. Jurisdiction and venue is proper in this Court pursuant to Ind. Code § 33-28-1-1, I.C. § 32-36-1-9 and Ind. Tr. Rule 75(A)(5), T.R. 75(A)(8), T.R. 75(A)(9), and T.R. 75(A)(10).

## **III. ACTS COMPLAINED OF.**

9. As a consequence of his widely recognized and acclaimed career and the attendant fame and prominence, substantial value has attached to the Dean Intellectual Property.

10. At all times pertinent hereto, since at least as early as September, 2012, TI has allowed the registration and operation of a personal twitter account, @JamesDean. A true and accurate copy of the TI website located at <https://twitter.com/JamesDean> (the “Unauthorized TI Website”), last viewed on December 31, 2013, is attached hereto as Exhibit 1.

11. DOES, the owner and proprietor of the Unauthorized TI Website, has placed objectionable content on the TI Website, and, in so doing, has used the Dean Intellectual Property, including but not limited to United States trademark registrations for the mark JAMES DEAN, without prior written authorization of JDI (collectively hereinafter the “Unauthorized Use”).

12. On numerous occasions since October 11, 2012, CMG, by and on behalf of its client, JDI, has contacted TI in an attempt to have the Unauthorized Use as herein described, ceased, and in an attempt to obtain the relevant contact information as to DOES, the owner and proprietor of the Unauthorized TI Website. A true and accurate copy of these contacts, together with TI’s various replies, are attached hereto, collectively, as Exhibit 2.

13. Neither TI nor DOES currently have nor have ever had express or implied permission from JDI and / or CMG to commercially exploit the Dean Intellectual Property, including but not limited to the trademarks for the mark JAMES DEAN as lawfully registered by CMG on behalf of JDI.

14. JDI has been and continues to be injured by TI and DOES' intentional, knowing, and willful actions. The Unauthorized TI Website and the Unauthorized Use on and / or in which TI and DOES are currently intentionally, knowingly, and maliciously engaging has resulted in and continues to result in immeasurable and irreparable damage to JDI.

15. Unless the afore-described intentional, knowing, and willful actions engaged in by TI and DOES are immediately ceased, JDI will continue to be irreparably harmed and suffer actual damages in an amount as yet undetermined.

#### **IV. CAUSES OF ACTION.**

##### **FIRST CAUSE OF ACTION** **TRADEMARK INFRINGEMENT UNDER** **SECTION 32(1) OR 43(A) OF THE LANHAM ACT**

16. JDI repeats and realleges the allegations in Paragraphs 1. through 15.

17. TI and DOES' past and continued knowing, intentional, willful, malicious, and unauthorized use of the Dean Intellectual Property, including but not limited to the lawfully registered JAMES DEAN trademarks, infringes upon JDI's exclusive rights in and to the federally protected trademarks in and to the name and / or signature of James Dean and, as such, is in violation of §§ 32(1) or 43(a) of the Lanham Act, 15 U.S.C. §§ 1114(1) or 1125(a), in that TI and DOES' conduct is likely to cause confusion, to cause mistake, or to deceive as to source, sponsorship, connection, association, or affiliation between CMG, JDI, and TI and DOES.

18. TI and DOES' unauthorized and infringing activities have been knowing, intentional, willful, deliberate, and malicious, and its misuses of the Dean Intellectual Property done with the intent to trade upon the goodwill and reputation of the Dean Intellectual Property, and to unfairly compete with CMG licensees for the use of the Dean Intellectual Property and to damage and injure CMG, JDI, and their businesses.



19. JDI's rights have been and will continue to be irreparably harmed as a result of TI and DOES' misconduct as herein alleged unless and until TI and DOES' are preliminarily enjoined from the use of the Dean Intellectual Property, including but not limited to the lawfully registered trademarks for JAMES DEAN.

20. JDI's remedy at law is inadequate to prevent further violation of its rights.

**SECOND CAUSE OF ACTION**  
**FALSE ENDORSEMENT UNDER LANHAM ACT § 43(A)**

21. JDI repeats and realleges the allegations in Paragraphs 1. through 20.

22. JDI licenses and enforces the Dean Intellectual Property, including but not limited to the lawfully registered JAMES DEAN trademarks throughout the world.

23. TI and DOES, since at least as early as September, 2012, have and continue to knowingly, intentionally, and maliciously use, in interstate and international commerce, the Dean Intellectual Property, including but not limited to the lawfully registered JAMES DEAN trademarks, on and / or in connection with the Unauthorized TI Website.

24. TI and DOES' use of the Dean Intellectual Property, including but not limited to the lawfully registered JAMES DEAN trademarks, falsely represents that TI and DOES ARE authorized by JDI and / or CMG. For example, by way of the Unauthorized Use and / or the Unauthorized TI Website, TI and DOES have represented to the public, on and in connection with the Unauthorized TI Website, itself, that TI and DOES' use of the Dean Intellectual Property, including but not limited to the lawfully registered JAMES DEAN trademarks, was authorized by CMG and / or JDI when, in fact, TI and DOES received no such authorization.

25. TI and DOES' use of the Dean Intellectual Property, including but not limited to the lawfully registered JAMES DEAN trademarks, on or in connection with the Unauthorized TI Website, constitutes a false designation of origin, false or misleading description of fact, or false

or misleading representation of fact, which is likely to cause confusion, mistake, or to deceive as to the affiliation, connection, or association of TI and DOES with the late James Dean, JDI, and / or CMG and / or as to the sponsorship or approval of TI and DOES' business and / or DOES, themselves, by JDI and / or CMG in violation of Lanham Act § 43(A), 11 U.S.C. § 1125(A).

26. Based upon the scope and nature of TI and DOES' unauthorized and infringing use of the Dean Intellectual Property, including but not limited to the lawfully registered JAMES DEAN trademarks, the potential for likelihood of confusion is great.

27. TI and DOES' unauthorized use of the Dean Intellectual Property on or in connection with the Unauthorized TI Website is likely to cause economic harm to CMG and / or JDI because TI and DOES' use of the Dean Intellectual Property, including but not limited to the lawfully registered JAMES DEAN trademarks, on of in connection with the Unauthorized TI Website necessarily precludes CMG and / or JDI from entering into license agreements with third parties for the use of the Intellectual Property on or in connection with a similarly situated website and / or precludes JDI from using the lawfully registered JAMES DEAN trademarks to promote JDI's business and licensees by way of TI's Internet structure.

28. TI and DOES' unauthorized and infringing activities as herein complained of have been knowing, intentional, and malicious, and its misuses were done with the intent to trade upon the goodwill and reputation of James Dean, JDI, and / or CMG, and to unfairly compete with JDI and its business.

29. JDI's business, goodwill, and reputation has been and will continue to be irreparably harmed by TI and DOES unless TI and DOES are preliminarily enjoined from their exploitative and infringing commercial business practices and from using the Dean Intellectual Property.

30. JDI's remedy at law is inadequate to prevent further violation of its rights.

**THIRD CAUSE OF ACTION**  
**INDIANA STATE STATUTORY RIGHT OF PUBLICITY**

31. JDI repeats and realleges the allegations in Paragraphs 1. through 30.

32. James Dean is a "personality" as defined by I.C. § 32-36-1-6, because the Dean Intellectual Property has commercial value.

33. Both during his lifetime and thereafter, James Dean, the family of James Dean, JDI, and CMG have continuously used and authorized the use of the Dean Intellectual Property for commercial purposes.

34. TI and DOES have knowingly and intentionally used the Dean Intellectual Property for a commercial purpose in violation of I.C. § 32-36-1-8 without first having obtained previous written consent from CMG and / or JDI

35. TI and DOES have knowingly, intentionally, and maliciously engaged in conduct prohibited by I.C. § 32-36-1-8.

36. JDI's rights have been and will continue to be irreparably harmed by TI and DOES unless TI and DOES are preliminarily enjoined from further continued unauthorized use of the Dean Intellectual Property.

37. JDI's remedy at law is inadequate to prevent further violation of its rights.

**FOURTH CAUSE OF ACTION**  
**COMMON LAW RIGHT OF PUBLICITY**

38. JDI repeats and realleges the allegations in Paragraphs 1. through 37.

39. James Dean was and remains, posthumously, a celebrity with a unique identity and personae that James Dean commercially exploited during their lifetime and thereafter.

40. James Dean's image, likeness, name, and / or personae comprises a combination of many features, including but not limited to James Dean's status as a "rebel" and was carefully cultivated by James Dean during his lifetime and professional career; it is this personae by which James Dean is universally recognized and remembered and pursuant to which the Dean Intellectual Property is valued.

41. Defendants' knowing, intentional, and malicious unauthorized commercial exploitation of the Dean Intellectual Property constitutes a violation of the common law right of publicity.

42. To the extent that this Court may look to other states' right of publicity laws to determine the status of James Dean's right of publicity, Defendants' activities are also in violation of the right of publicity protection conferred by the common laws of California and any other applicable state common laws as pertaining to the deceased right of publicity.

43. JDI's rights have been and will continue to be irreparably harmed by TI and DOES unless TI and DOES are preliminarily enjoined from further continued use of the Dean Intellectual Property.

44. JDI's remedy at law is inadequate to prevent further violation of its rights.

**FIFTH CAUSE OF ACTION**  
**COMMON LAW UNFAIR COMPETITION**

45. JDI repeats and realleges the allegations in Paragraphs 1 through 44.

46. TI and DOES have knowingly, intentionally, and maliciously used the Dean Intellectual Property without authorization in contravention of the common law claim for unfair competition.

47. TI and DOES' unauthorized and infringing use of the Dean Intellectual Property is likely to cause confusion, mistake, or to deceive as to the affiliation, connection, or association

of TI and DOES with James Dean, JDI, and / or CMG or as to the sponsorship or approval of TI and DOES' unauthorized use of the Dean Intellectual Property on and / or in connection with the Unauthorized TI Website by JDI and / or CMG.

49. TI and DOES' actions constitute misappropriation of the Dean Intellectual Property.

50. TI and DOES' activities are knowing, intentional, and malicious, and their unauthorized and infringing uses of the Dean Intellectual Property were done with full knowledge of the proprietary nature of the Dean Intellectual Property.

51. TI and DOES have conducted their acts with intent to trade upon the goodwill and reputation of James Dean, and to unfairly compete with JDI and to damage and injure JDI and its business.

52. JDI's business, goodwill, and reputation have been and will continue to be irreparably harmed by TI and DOES unless TI and DOES are preliminarily enjoined from their exploitative and infringing commercial business practices as hereinbefore described.

53. JDI's remedy at law is inadequate to prevent further violation of its rights.

#### **SIXTH CAUSE OF ACTION** **UNJUST ENRICHMENT**

54. JDI repeats and realleges the allegations in Paragraphs 1 through 52.

56. At the expense of and detriment to and without the prior express (or implied) authorization of JDI, TI and DOES have been unjustly enriched through TI and DOES' knowing, intentional, and malicious actions of using the Dean Intellectual Property without JDI's prior authorization.

55. JDI's business, goodwill, and reputation have been and will continue to be irreparably harmed by TI and DOES unless TI and DOES are preliminarily enjoined from their exploitative and infringing commercial business practices.

56. JDI's remedy at law is inadequate to prevent further violation of its rights.

**SEVENTH CAUSE OF ACTION**  
**CONVERSION**

57. JDI repeats and realleges the allegations in Paragraphs 1. through 56.

58. By engaging in the conduct as herein described and complained of, TI and DOES have exerted unauthorized control over the property of another with the intent to deprive JDI of its benefit, to wit: the Dean Intellectual Property of which JDI is an interest holder.

59. On the basis of TI and DOES' unlawful and illegal actions as herein complained of, TI and DOES' have committed conversion as defined under Indiana law at I.C. § 35-43-4-3.

60. TI and DOES' commission of conversion has proximately caused JDI to suffer damages in a sum as yet to be ascertained but which damages continue to accrue and accumulate.

61. JDI will continue to be irreparably harmed by TI and DOES unless TI and DOES are preliminarily enjoined from their unlawful business practices which constitute conversion under Indiana law.

62. JDI's remedy at law is inadequate to prevent further violation of its rights.

**EIGHTH CAUSE OF ACTION**  
**DECEPTION**

63. JDI repeats and realleges the allegations in Paragraphs 1 through 62.

64. By engaging in the conduct as herein described and complained of, TI and DOES' have disseminated to the public information that TI and DOES know is false, misleading, or

deceptive, with intent to promote the Unauthorized TI Website and / or TI and DOES' business and / or commercial interests.

65. On the basis of TI and DOES' unlawful and illegal actions as herein complained of, Defendants have committed deception as defined under Indiana law at I.C. § 35-43-5-3(a)(6).

66. TI and DOES' commission of deception has proximately caused JDI to suffer damages in a sum as yet to be ascertained but which damages continue to accrue and accumulate.

67. JDI will continue to be irreparably harmed by TI and DOES unless TI and DOES are preliminarily enjoined from their unlawful practices which constitute deception under Indiana law.

68. JDI's remedy at law is inadequate to prevent further violation of its rights.

**NINTH CAUSE OF ACTION**  
**INDIANA CRIME VICTIMS' ACT**

69. JDI repeats and realleges the allegations in Paragraphs 1 through 68.

70. Under the Indiana Crime Victims' Act, Ind. Code § 35-24-3-1, a person that suffers pecuniary loss as a result of a violation of Ind. Code § 35-43 *et seq.*, may bring a civil action as against the person who caused the loss for treble damages, costs of the action, and reasonable attorneys' fees.

71. TI and DOES have violated Ind. Code § 35-43 through their knowing, intentional, willful, and malicious commission of the following offenses: a. "Conversion" as defined in Ind. Code § 35-43-4-3; and b. "Deception" as defined in Ind. Code § 35-43-5-3.

72. JDI is a victim of TI and DOES' knowing, intentional, and malicious criminal actions and, as a result, JDI has suffered actual pecuniary damages.

73. Accordingly, JDI is entitled to an award of those actual damages as well as statutory treble damages, corrective advertising damages, costs, and reasonable attorneys' fees.



**V. DEMAND FOR JURY.**

74. JDI hereby respectfully requests that all issues herein raised by this Complaint for Damages and for Injunctive Relief be tried by Jury.

## **VI. PRAYER FOR RELIEF.**

WHEREFORE, JDI JAMES DEAN, INC. (JDI), by counsel, Theodore J. Minch, hereby pray for judgment as against the Defendants TWITTER, INC. (TI) and JOHN DOES 1-5 (DOES), where said judgment may include but may not necessarily be limited to the following relief:

- a. An injunction requiring TI to immediately turn over the names and contact information of those individuals that are the owners, proprietors, and / or registrars of the Unauthorized TI Website, as defined herein;
- b. An injunction enjoining TI and DOES from future use of the Dean Intellectual Property, including but not limited to the lawfully registered JAMES DEAN trademarks as herein defined, in whatever form;
- c. An order directing the immediate and complete surrender of any and all merchandise, designs, plans, marketing materials, advertisements, conceptals, etc. featuring the Dean Intellectual Property to JDI;
- d. An award of all damages owed to JDI as prescribed by the Indiana Right of Publicity Statute, the Lanham Act, and Indiana statute;
- e. An award of damages, including but not necessarily limited to treble damages, costs, and attorney's fees as set forth in the applicable statutes in an aggregate amount that is, as yet, undetermined, but which amount continues to accrue; and
- f. All other just and proper relief in the premises.

Respectfully submitted,  
SOVICH MINCH LLP

By: \_\_\_\_\_  
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Goodbye 2013

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**James Dean**

@JamesDean

The King of Cool

New York City, Hollywood

2,231  
TWEETS3,954  
FOLLOWING7,899  
FOLLOWERS[Follow](#)

## Tweets

**James Dean** @JamesDean

24 Dec

I feel the same now as I did the first time I saw him —James Dean is my friend.

[Expand](#)[Reply](#)[Retweet](#)[Favorite](#)[More](#)**James Dean** @JamesDean

22 Dec

"From the myth of his life and the reality of his movies, Jimmy created a dangerous fusion; his death only magnified the power and mystery."

[Expand](#)[Reply](#)[Retweet](#)[Favorite](#)[More](#)**James Dean** @JamesDean

22 Dec

"No other legend of the silver screen, male or female, was as engagingly enigmatic as James Dean."

[Expand](#)[Reply](#)[Retweet](#)[Favorite](#)[More](#)**James Dean** @JamesDean

20 Dec

"He's a young, talented, rebellious spirit in the big city, pursuing a dream. He's alive—his whole life ahead of him. Nothing can stop him."

[Expand](#)[Reply](#)[Retweet](#)[Favorite](#)[More](#)**James Dean** @JamesDean

20 Dec

"Like a restless ghost, James Dean continues to haunt us. Though he died over fifty years ago, he remains fixed forever in the public mind."

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19 Dec










"The photos Stock took of Dean captured an introspective, intense young artist who could be self-deprecating almost to the point of parody."

[Expand](#)[Reply](#)[Retweet](#)[Favorite](#)[More](#)**James Dean** @JamesDean

19 Dec

"There's a romance in that picture that evokes the story of every young, driven, creative person who ever moved to a city to pursue a dream"

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- **James Dean** @JamesDean 19 Dec  
"What was it like to see the picture before the man in the raincoat with his inscrutable grin had become far larger than a mere movie star?"  
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- **James Dean** @JamesDean 19 Dec  
"They gazed at this strange, beautiful, thrilling young star, all the while knowing that he would be with them for years and years to come."  
Expand  Reply Retweet Favorite More
- **James Dean** @JamesDean 5 Dec  
James Dean was only getting started. Imagine what he could have done.  
Expand  Reply Retweet Favorite More
- **James Dean** @JamesDean 4 Dec  
James Dean plays pirate. [pic.twitter.com/HZazS9Nd5g](https://pic.twitter.com/HZazS9Nd5g)  
View photo  Reply Retweet Favorite More
- **James Dean** @JamesDean 4 Dec  
James Dean in a pensive mood. [pic.twitter.com/0zGyGVGTZ1](https://pic.twitter.com/0zGyGVGTZ1)  
  
Expand  Reply Retweet Favorite More
- **James Dean** @JamesDean 3 Dec  
Even at a very young age, James Dean had the most arresting gaze. [pic.twitter.com/7Z72aMUr8M](https://pic.twitter.com/7Z72aMUr8M)



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**James Dean** @JamesDean

2 Dec

James Dean reads during Giant shoot. [pic.twitter.com/1JwnJ4vYcZ](https://pic.twitter.com/1JwnJ4vYcZ)

View photo



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**James Dean** @JamesDean

2 Dec

@Cammqueen I could not find the photographer, the photo came from the Michael Ochs Archives, now owned by Getty Images.

View conversation



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**James Dean** @JamesDean

1 Dec

James Dean in his black sweater and Schott jacket. [pic.twitter.com/DubyfkW6aM](https://pic.twitter.com/DubyfkW6aM)

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**James Dean** @JamesDean

30 Nov

James Dean, artist. [pic.twitter.com/YYGkAyEmur](https://pic.twitter.com/YYGkAyEmur)

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**James Dean** @JamesDean

30 Nov

"Rebel channels the inclinations of the two artists. This is the film Dean and Ray were destined to make, and this was the time to make

it."

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James Dean @JamesDean

29 Nov

"James Dean, the most famous post-Brando performer of torment and frustration, brought all he had to his roles."

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James Dean @JamesDean

29 Nov

"For all its sympathy for the kids, Rebel Without a Cause is really a film stressing the importance of typical American familial structure."

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James Dean @JamesDean

29 Nov

"While Nicholas Ray aficionados will identify Rebel Without a Cause with the director, most people, then and now, will think of James Dean."

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James Dean @JamesDean

29 Nov

"As other actors do their best Brandoesque posturing, James Dean is the one who brings something new to the screen—he carries the picture."

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James Dean @JamesDean

25 Nov

"Consider this aspect of its aesthetics—Rebel was a hugely significant film in terms of pioneering the technology of widescreen filmmaking"

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Reply

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Favorite

More



James Dean @JamesDean

24 Nov

"James Dean was a true original within the Hollywood film industry—as an actor, the dedication he demonstrated to his craft was remarkable."

Expand

■

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More



James Dean @JamesDean

22 Nov

"Along with fellow Method actors Brando and Montgomery Clift, Dean defied convention, bringing an instinctive sensibility to his roles."

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James Dean @JamesDean

20 Nov

"Without a doubt, James Dean left us one of the most memorable film legacies of all time, but he was just getting traction with his career."

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More



James Dean @JamesDean

18 Nov

"James Dean was unlike any other actors of his generation (or perhaps any other generation for that matter). There are no good comparisons."

Expand

■

Reply

Retweet

Favorite

More



James Dean @JamesDean

18 Nov

"I'm sure there are many Hollywood producers hoping to find the next 'James Dean', but I am positive they haven't found the next Dean."

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**James Dean** @JamesDean

8 Nov

"That's the power of cinema—no matter how old the film, it's always right here and right now. It's always the present tense" Martin Scorsese

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**James Dean** @JamesDean

7 Nov

"Rebel" is powerful because of the dynamism. The visual dynamism—the color, the compositions, the locations—tied to the emotional dynamism."

Expand



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More

**James Dean** @JamesDean

7 Nov

James Dean was a flawed man, the way humans are, but I can always find something good to say about James Dean.

Expand



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**James Dean** @JamesDean

7 Nov

"You can't separate the power of Dean's presence & his extraordinary impact from the fact that his key pictures were made in color & Scope."

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**James Dean** @JamesDean

5 Nov

"I can close my eyes right now and experience Rebel as a series of visions... We'd never seen anything like it then. We still haven't."

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**James Dean** @JamesDean

5 Nov

"James Dean's legacy continues to this day, as each new generation discovers a young man who loved the loveless & gave meaning to the empty"

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**James Dean** @JamesDean

4 Nov

"Go back and look at the pictures, & you're confronted not with a legend but with a living, breathing human being, in a surge of creativity"

Expand



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**James Dean** @JamesDean

4 Nov

Leonardo DiCaprio presented a world restoration premiere of Rebel Without a Cause on Friday (November 1). [imdb.com/news/ni5638231](http://imdb.com/news/ni5638231)

...

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	<b>James Dean</b> @JamesDean "And it was that movie, Rebel: Dean was suddenly a creature of cinema; that was where he lived. And it made for an overwhelming experience." Expand	3 Nov	Reply Retweet Favorite More
	<b>James Dean</b> @JamesDean "One cannot but feel there is something which exists only in cinema... which becomes fantastically beautiful on the screen." Jean-Luc Godard Expand	2 Nov	Reply Retweet Favorite More
	<b>James Dean</b> @JamesDean "To say that I identified with Dean in the movie, as an actor and as a character... they were the same to us: The identification was total." Expand	2 Nov	Reply Retweet Favorite More
	<b>James Dean</b> @JamesDean "If we suspend for a moment all we know of James Dean, then his pictures offer more than just a reminder of what we lost when he was killed" Expand	26 Oct	Reply Retweet Favorite More
	<b>James Dean</b> @JamesDean "James Dean remains an internationally compelling force, an iconic image, and a cult favorite of timeless fascination." Expand	12 Oct	Reply Retweet Favorite More
	<b>James Dean</b> @JamesDean @empiricalherbal So true. View conversation	3 Oct	Reply Retweet Favorite More
	<b>James Dean</b> @JamesDean When you see a photo of James Dean you know it's him, but he looks like a completely different person in so many shots you start to wonder. Expand	1 Oct	Reply Retweet Favorite More
	<b>James Dean</b> @JamesDean On this date in 1955, James Dean was killed in his new Porsche 550 Spyder near Cholame, California, driving to compete in a race at Salinas. Expand	30 Sep	Reply Retweet Favorite More
	<b>James Dean</b> @JamesDean "James Dean was a genius in mining the aspects of the Method that emphasized subtext and hidden meaning, revolutionizing the art of acting." Expand	22 Sep	Reply Retweet Favorite More
	<b>James Dean</b> @JamesDean "James Dean stirred up something fierce inside of men and women about being an angsty teenager in America—and he looked damn good doing it." Expand	4 Sep	Reply Retweet Favorite More
	<b>James Dean</b> @JamesDean Julie Harris and James Dean: Two stars who lit up the screen <a href="http://pic.twitter.com/klcnUJ8qVm">pic.twitter.com/klcnUJ8qVm</a>	25 Aug	

[Expand](#)[Reply](#)[Retweet](#)[Favorite](#)[More](#)**James Dean** @JamesDean

18 Aug

"James Dean and his plain white T-shirt are the antithesis of, even the antidote to, so much of what ails contemporary culture."

[Expand](#)[Reply](#)[Retweet](#)[Favorite](#)[More](#)**James Dean** @JamesDean

1 Aug

Behind the wheel of one of the rarest, most desired Porsches ever made—the 550 Spyder, the model driven by James Dean  
[bloomberg.com/news/2013-08-0...](http://bloomberg.com/news/2013-08-0...)

[View summary](#)[Reply](#)[Retweet](#)[Favorite](#)[More](#)**James Dean** @JamesDean

1 Aug

He gets into the chase car, leaving me to my reverie about the deeply romantic nature of this machine. No wonder James Dean was so enamored.

[Expand](#)[Reply](#)[Retweet](#)[Favorite](#)[More](#)**James Dean** @JamesDean

17 Jul

When James Dean acted the part Jett Rink in "Giant", he understood that Texas was an idea, a place in the imagination as well as on the map.

[Expand](#)[Reply](#)[Retweet](#)[Favorite](#)[More](#)**James Dean** @JamesDean

17 Jun

The camera loved James Dean, and it's easy to see why:  
[pic.twitter.com/3GMequ5eJD](http://pic.twitter.com/3GMequ5eJD)



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**James Dean** @JamesDean

16 Jun

Here's a pic of Jimmy and Pier Angeli you don't see that often:  
[pic.twitter.com/iYMJOtqeUs](http://pic.twitter.com/iYMJOtqeUs)



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**James Dean** @JamesDean

16 Jun

People still care about James Dean because he was so utterly human, and wasn't afraid to show it. They can relate to and respect him for it.

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**James Dean** @JamesDean

23 May

James Dean's favorite song was Billie Holiday's "When Your Lover Has Gone".

So apt for the man whose face has launched a million fantasies.

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**James Dean** @JamesDean

4 May

Rarely seen photo of James Dean photographed by Sanford Roth, 1955 [pic.twitter.com/k22d26CSJ1](http://pic.twitter.com/k22d26CSJ1)



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**James Dean** @JamesDean

15 Apr

Pop culture festival "Rolling with Dean" at Indiana State Museum April 27. Museum's exhibition, "Eternal James Dean" [indianamuseum.org/visit/exhibit/...](http://indianamuseum.org/visit/exhibit/...)

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**James Dean** @JamesDean

2 Apr

Dennis Stock said, "You must be glorious in your own imagery and how you share it with others." James Dean's imagery is certainly glorious.

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**James Dean** @JamesDean

28 Feb

James Dean has a way of slipping into your unconscious mind as if he dwelt there all along as the resident cool cat.

Expand



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**James Dean** @JamesDean

24 Feb

You can't steal James Dean's cool.

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**James Dean** @JamesDean

23 Feb

Picture of James Dean on bongos and Eartha Kitt on conga at a party. [fanpop.com/clubs/james-de...](http://fanpop.com/clubs/james-de...)

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**James Dean** @JamesDean

8 Feb

On February 8, 1931, James Dean was born in Marion, Indiana. The rebel without a cause is still making a name for himself.

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**James Dean** @JamesDean

5 Feb

"James Dean—the man who will be forever young, forever hip, forever tragic and unquestionably, forever the rebel without a cause."

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**James Dean** @JamesDean

22 Jan

"James Dean is my dream cowboy."

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**James Dean** @JamesDean

2 Jan

An archetypal image of James Dean in cowboy hat: [pic.twitter.com/j36T7qhL](http://pic.twitter.com/j36T7qhL)



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**Curt Whirl** @theewonderfan

13 Dec 12

Video: Dec. 13 1950 @JamesDean made his tv debut in a @pepsi cola comm. fb.me/MZBTKFbY #history

Retweeted by James Dean

View media

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**James Dean** @JamesDean

12 Dec 12

"Jimmy invented 'James Dean', embodying all the contradictions of the American dream, with intuition and patient determination."

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**James Dean** @JamesDean

30 Nov 12

"Seeing James Dean changed my life the same way hearing the Beatles did. If anyone could legitimately say, 'I'm you', it was James Dean."

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**James Dean** @JamesDean

22 Nov 12

James Dean motorcycle goes on public display Nov. 23 as part of the Indiana State Museum's "Eternal James Dean" exhibit indystar.com/apps/pbcs.dll/...

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**James Dean** @JamesDean

22 Nov 12

"James Dean's life became a collective experience for disaffected youth worldwide after his death—pop culture made him master of the Edge."

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**James Dean** @JamesDean

22 Nov 12

"James Dean hijacked the movies."

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**James Dean** @JamesDean

18 Nov 12

"James Dean was a visionary actor with his own philosophy, one based on more than just being a cool cat."

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**James Dean** @JamesDean

18 Nov 12

"James Dean was an instinctive actor who could be counted on to deliver presence."

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**James Dean** @JamesDean

4 Nov 12

"James Dean, maverick actor and great icon of iconoclasm, dug to the core of his own psychodrama and turned it into art."

	Expand	■	Reply	Retweet	Favorite	More
	<b>James Dean</b> @JamesDean					4 Nov 12
	"James Dean was a smart, enigmatic man who'd have continued exploring his craft—I believe he was destined to become an innovative director."					
	Expand	■	Reply	Retweet	Favorite	More
	<b>James Dean</b> @JamesDean					21 Oct 12
	"James Dean may be dead, but he isn't dead to me."					
	Expand	■	Reply	Retweet	Favorite	More
	<b>James Dean</b> @JamesDean					21 Oct 12
	"Jim had an incredible sense of humor, loved to laugh, had a great time, played jokes beautifully on people." ~Jimmy's teacher, Adeline Nall					
	Expand	■	Reply	Retweet	Favorite	More
	<b>James Dean</b> @JamesDean					20 Oct 12
	"James Dean was photographed endlessly, and looks remarkable in almost every shot. No other star has made such an impact with still images."					
	Expand	■	Reply	Retweet	Favorite	More
	<b>James Dean</b> @JamesDean					20 Oct 12
	@HugoV27 Because it looks like James Dean's hair, of course.					
	View conversation	■	Reply	Retweet	Favorite	More
	<b>James Dean</b> @JamesDean					20 Oct 12
	"James Dean enabled us to take his pain as our own, to grieve for his characters' losses because they reminded us of what we'd experienced."					
	Expand	■	Reply	Retweet	Favorite	More
	<b>James Dean</b> @JamesDean					19 Oct 12
	@HugoV27 You have good hair, perhaps you should run for political office.:-)					
	View conversation	■	Reply	Retweet	Favorite	More
	<b>James Dean</b> @JamesDean					19 Oct 12
	"The lasting fascination with James Dean stems from the unusual potency of his work, as well as from the way he lived his life."					
	Expand	■	Reply	Retweet	Favorite	More
	<b>James Dean</b> @JamesDean					19 Oct 12
	"My connection with Dean is more than an appreciation for a cool, good-looking guy who personified the struggles of growing up in the '50s."					
	Expand	■	Reply	Retweet	Favorite	More
	<b>James Dean</b> @JamesDean					19 Oct 12
	"James Dean's portrayals of rebellious youth struggling to burst from adolescence into adulthood stirred passion in audiences."					
	Expand	■	Reply	Retweet	Favorite	More
	<b>James Dean</b> @JamesDean					18 Oct 12
	"James Dean loved fast motorcycles and cars...he was always subjecting himself to superhuman tests of endurance."					
	Expand	■	Reply	Retweet	Favorite	More

-  **James Dean** @JamesDean 18 Oct 12  
"Even as a new player in Hollywood, Dean had the confident air of a star, the one-upmanship of a man who expected to stay at center stage."  
Expand  Reply Retweet Favorite More
-  **James Dean** @JamesDean 18 Oct 12  
"I didn't know Dean ever did movies. I thought all he did was make sausages." I said, "No, that's Jimmy Dean. This play's about James Dean."  
Expand  Reply Retweet Favorite More
-  **James Dean** @JamesDean 15 Oct 12  
"Of all the pretty boys who walk the red carpet at Hollywood premieres—none can hold a candle to the original Hollywood bad boy, James Dean"  
Expand  Reply Retweet Favorite More
-  **James Dean** @JamesDean 30 Sep 12  
On this date in 1955, James Dean was killed in his new Porsche 550 Spyder near Cholame, CA, driving to compete in an auto race at Salinas.  
Expand  Reply Retweet Favorite More
-  **James Dean** @JamesDean 30 Aug 12  
"In very shot of Rebel, Nick Ray places the characters solidly in their environment, yet stresses their alienation from those surroundings."  
Expand  Reply Retweet Favorite More
-  **James Dean** @JamesDean 29 Aug 12  
"Rebel Without a Cause is a teenage psychodrama saturated in symbolism, metaphor, social-political content, and visual expression."  
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-  **James Dean** @JamesDean 29 Aug 12  
"Ray applied color in a bold manner that heightened the psychodynamics of the narrative. Red has an expressive purpose throughout the film."  
Expand  Reply Retweet Favorite More
-  **James Dean** @JamesDean 28 Aug 12  
"James Dean's performance dominates Rebel Without a Cause, but the entire cast gives honest, memorable, and nuanced performances."  
Expand  Reply Retweet Favorite More
-  **James Dean** @JamesDean 28 Aug 12  
"The end-of-the-world theme gains a deeper meaning for the kids who are strongly affected by an unstable world holding an uncertain future."  
Expand  Reply Retweet Favorite More
-  **James Dean** @JamesDean 28 Aug 12  
"The legacy of Rebel Without a Cause flows through the decades that followed. It was the prototype for the youth culture film of the '60s."  
Expand  Reply Retweet Favorite More
-  **James Dean** @JamesDean 27 Aug 12  
"Rebel Without a Cause is a motion picture containing the DNA for



	the American cinema of the latter half of the 20th century."	Expand	■	Reply	Retweet	Favorite	More
	<b>James Dean</b> @JamesDean "James Dean's face has permeated popular culture in a way that few others' have—it's one of the archetypal elements in the showbiz mosaic."	Expand	■	Reply	Retweet	Favorite	More
	<b>James Dean</b> @JamesDean "James Dean has become a cultural demigod, squinting in his inimitable sexy way, peering at us through history, smirking from on high."	Expand	■	Reply	Retweet	Favorite	More
	<b>James Dean</b> @JamesDean "Who is reading Riley?" contest seeks photos of famous, notable people reading a copy of any James Whitcomb Riley work: jamesdean.com/viewheadline.p...	Expand	■	Reply	Retweet	Favorite	More
	<b>James Dean</b> @JamesDean "The brooding masculinity, the counter-cultural edginess, the always potent sex appeal—James Dean was cool before he was a movie star."	Expand	■	Reply	Retweet	Favorite	More
	<b>James Dean</b> @JamesDean "Scientists have yet to find out which dolphin clique is the coolest." Hmm...it must be the clique that follows the James Dean of dolphins.	Expand	■	Reply	Retweet	Favorite	More
	<b>James Dean</b> @JamesDean "James Dean is the master of effortlessly emanating man-cool in a leather jacket and jeans."	Expand	■	Reply	Retweet	Favorite	More
	<b>James Dean</b> @JamesDean "James Dean enthalls because he changed acting—he brought a naturalism and an intensity to his performance that didn't exist before."	Expand	■	Reply	Retweet	Favorite	More
	<b>James Dean</b> @JamesDean "Watching James Dean act opposite his contemporaries, one often wonders if he is in an entirely different movie."	Expand	■	Reply	Retweet	Favorite	More
	<b>James Dean</b> @JamesDean @felixryan Thanks, Felix.	View conversation	■	Reply	Retweet	Favorite	More
	<b>James Dean</b> @JamesDean "All the elements of classic Hollywood James Dean cool—he moves with a quick confidence, and attacks with an incomparable sense of purpose."	Expand	■	Reply	Retweet	Favorite	More

	<b>James Dean</b> @JamesDean "James Dean was more than an actor—he was a cultural phenomenon." Expand	25 Jun 12	Reply Retweet Favorite More
	<b>James Dean</b> @JamesDean "James Dean seems to have invented cool. It oozed from his very pores. He didn't attempt to be cool, he merely was." Expand	22 Jun 12	Reply Retweet Favorite More
	<b>James Dean</b> @JamesDean @AaliyahWestin The Mutant King is an interesting take on James Dean's life, but not entirely accurate in some details. Still a good read. View conversation	16 Jun 12	Reply Retweet Favorite More
	<b>James Dean</b> @JamesDean "Lately, I have found myself reading a lot about James Dean." Expand	15 Jun 12	Reply Retweet Favorite More
	<b>James Dean</b> @JamesDean "How can you combine the idea of cool—emotionally controlled, tough, thrill-seeking—with passionate?" James Dean did. Expand	8 Jun 12	Reply Retweet Favorite More
	<b>James Dean</b> @JamesDean James Dean is an actor still on fire. Expand	31 May 12	Reply Retweet Favorite More
	<b>James Dean</b> @JamesDean "James Dean was more than a pretty face. There was thought and emotion going on behind his façade." Expand	26 May 12	Reply Retweet Favorite More
	<b>James Dean</b> @JamesDean "James Dean—the edgy beatnik who mirrored our internal struggles so brilliantly, and created the mythology of a new rebel archetype." Expand	22 May 12	Reply Retweet Favorite More
	<b>Paul Fraser</b> @PFCollectibles A page from the Fairmount High School yearbook, 1949, signed by James Dean pfcauctions.com/auction/autogr... @JamesDean #jamesdean Retweeted by James Dean Expand	17 May 12	Reply Retweet Favorite More
	<b>James Dean</b> @JamesDean "The rebel without a cause is still making a name for himself—his legacy remains and people still take inspiration from his creative style" Expand	15 May 12	Reply Retweet Favorite More
	<b>James Dean</b> @JamesDean "Things would be different between you and me if I was James Dean." Expand	13 May 12	Reply Retweet Favorite More
	<b>James Dean</b> @JamesDean "I don't know if he was part Cherokee or not, but James Dean held his head high and walked straight, like an American Indian." Expand	6 May 12	Reply Retweet Favorite More

	<b>James Dean</b> @JamesDean James Dean was the kind of guy who could look into the darkness and see the light. Then he'd smile like an angel. Expand  Reply Retweet Favorite More	4 May 12
	<b>James Dean</b> @JamesDean "The greatness of Dean as an actor is unplayable by another actor; one can only look foolish trying to "be" James Dean on screen." Expand  Reply Retweet Favorite More	2 May 12
	<b>James Dean</b> @JamesDean "That was, and still is the appeal of James Dean, aside from his talent and looks—he made being misunderstood cool." Expand  Reply Retweet Favorite More	30 Apr 12
	<b>James Dean</b> @JamesDean "I was fascinated by James Dean. I saw something deep and mystical in him. No one understood me, but I was sure he would have understood." Expand  Reply Retweet Favorite More	30 Apr 12
	<b>James Dean</b> @JamesDean "In my dreamworld, dreams of James Dean are welcome." Expand  Reply Retweet Favorite More	24 Apr 12
	<b>James Dean</b> @JamesDean "James Dean was visual art to me—every photograph an incredible study." ~ Morrissey Expand  Reply Retweet Favorite More	18 Apr 12
	<b>James Dean</b> @JamesDean "It's a James Dean moment." Expand  Reply Retweet Favorite More	17 Apr 12
	<b>James Dean</b> @JamesDean "He said, "James, you can't keep playing James Dean," and I replied, "Kevin, you can't keep making Robin Hood." ~ James Franco Expand  Reply Retweet Favorite More	16 Apr 12
	<b>James Dean</b> @JamesDean "He looked so cool, I asked my cousin who that was on the wall. He said, "That's James Dean." Mr. Cool There will never be a new James Dean" Expand  Reply Retweet Favorite More	13 Apr 12
	<b>James Dean</b> @JamesDean "She was fascinated by his passion for acting and drawn to his mercurial temperament—he saw Pier as exotic with a hunger for experience." Expand  Reply Retweet Favorite More	12 Apr 12
	<b>James Dean</b> @JamesDean James Dean had the guts to live the way he chose when most people took the conventional road. He blazed a path for the counter-culture. Expand  Reply Retweet Favorite More	31 Mar 12
	<b>James Dean</b> @JamesDean James Dean was a man on a mission. He pioneered self-expression for teenagers in the 1950s and inspired them with his universal	29 Mar 12

	charisma.		Expand	■	Reply	Retweet	Favorite	More
	<b>James Dean</b> @JamesDean "Think of Picasso, Monet, Dali, Miles Davis, Henry Moore, Jimi Hendrix, James Joyce, Caravaggio, James Dean...boundary pushers."	28 Mar 12	Expand	■	Reply	Retweet	Favorite	More
	<b>James Dean</b> @JamesDean "In a concentrated effort of self-discovery he applied to his acting, James Dean cut through the façade society creates to obscure the self"	27 Mar 12	Expand	■	Reply	Retweet	Favorite	More
	<b>James Dean</b> @JamesDean "James Dean, reborn in time, always young and contemporary with every generation that discovers him anew."	27 Mar 12	Expand	■	Reply	Retweet	Favorite	More
	<b>James Dean</b> @JamesDean @WVUGuy29 That is indeed the one and only James Dean.	27 Mar 12	View conversation	■	Reply	Retweet	Favorite	More
	<b>James Dean</b> @JamesDean "There is no part of James Dean i don't like, no part of him that hasn't always the attraction that goes with complete naturalness."	26 Mar 12	Expand	■	Reply	Retweet	Favorite	More
	<b>James Dean</b> @JamesDean James Dean was an emotional kind of guy, @mannyfagut, but I can't see him using emoticons much. Maybe a sly wink now and then.	26 Mar 12	View conversation	■	Reply	Retweet	Favorite	More
	<b>James Dean</b> @JamesDean Whatever abilities I have crystallized there in high school, when I was trying to prove something to myself—that I could do it. ~ James Dean	25 Mar 12	Expand	■	Reply	Retweet	Favorite	More
	<b>James Dean</b> @JamesDean James Dean discovered new territory in his exploration of the psychological landscape in photo portraits.	24 Mar 12	Expand	■	Reply	Retweet	Favorite	More
	<b>James Dean</b> @JamesDean The cinema is a very truthful medium because the camera doesn't let you get away with anything. ~ James Dean	24 Mar 12	Expand	■	Reply	Retweet	Favorite	More

From: **drea** <[notifications-support@twitter.zendesk.com](mailto:notifications-support@twitter.zendesk.com)>

Date: Wed, Aug 28, 2013 at 4:15 PM

Subject: #11878451 Twitter Support: update on ".Trademark Issue - @jamesdean"

To: no-username <[randy@cmgworldwide.com](mailto:randy@cmgworldwide.com)>

##- Please type your reply above this line -##

drea, Aug 28 01:15 pm (PDT):

Hello, Thank you for bringing this to our attention. In order to process brand impersonation reports, we need to be in touch with either the brand being impersonated or an authorized representative. We need to confirm your identity in order to further investigate this report. Please submit a statement from the Trustees of the James Dean Foundation that you're a representative, a copy of your business card, and a valid photo ID (i.e., driver's license) within 48 hours of receiving this email.

Please fax the documents to Twitter at 1-415-865-5405. This is a United States number, so be sure to include the appropriate international dialing code if you're sending from outside the United States.

Include your ticket number (#11878451) and write "Attention: Policy Support, Twitter Inc. - drea". We need to be able to see your full name and photo on the faxed ID, so please try to send a legible copy.

This information will be kept confidential, and will be deleted once we have used it to verify your identity.

Please also provide the following information:

Your First and Last Name:

Title:

Company name:

Address:

Phone:

Fax:

Website:

Company domain email address:

Legal relationship to the entity involved:

Documentary evidence that you have authority to act on the trademark owner's behalf (i.e., agent's agreement, power of attorney, etc.)

Please fax the documentation to Twitter at 1-415-865-5405. Include your ticket number and write "Attention: Policy Support, Twitter Inc. - drea."

This information will be kept confidential, and will be promptly deleted once we have used it to verify your relationship. We appreciate your cooperation.

For security reasons, we are only able to accept this information via fax; our systems strip incoming email attachments. If a fax machine is unavailable, you can send a fax from your computer for free through third-party services such as FaxZero (<http://faxzero.com>).

Thanks,

drea

Twitter Trust & Safety

no-username, Aug 07 03:30 pm (PDT):

Reported Account: @jamesdean

Description: Our company represents James Dean Inc., which is the exclusive, worldwide proprietor of certain copyrights, various trademark rights including federal trademark registration nos. 1492324 and 1496806, rights of association and sponsorship, and the right of publicity in and to the name, image, and likeness of James Dean. James Dean Inc. pursues and prosecutes all claims and causes of action arising out of or relating to the unauthorized use of various copyrighted material containing James Dean, various trademark rights, and the James Dean name, image, and likeness, and any and all other related rights. I appreciate your response to our inquiry regarding the @JamesDean Twitter account. However, we adamantly disagree with your determination that the account is not infringing. Not only is the account in violation of your own Trademark Policy, but it is in violation of federal law.

The Twitter Trademark Policy outlines specific guidelines for "Fan Accounts." First, you state that "[t]he username should not be the trademarked name of the subject of the news feed, commentary, or fan account." Here, the subject of the Twitter feed is James Dean, and the username @JamesDean consists solely of the trademarked name. Second, you state that "[t]he profile name should not be the



trademarked name of the company or include the trademarked name in a misleading manner." The profile name for the account in question is listed as "James Dean." Your third guideline states: "The bio should include a statement to distinguish it from the real company, such as 'Unofficial Account,' 'Fan Account,' or 'Not affiliated with...'" The @JamesDean account's bio contains none of these distinguishing statements. Your fourth guideline states: "The account should not use another's trademark, logo or other copyright-protected image without express permission." The @JamesDean account uses copyrighted photos of James Dean for both the profile pictures and background image, and James Dean, Inc. has not authorized this use. Therefore, the owner of the @JamesDean Twitter account is in clear violation of your own policies.

More importantly, the owner of the @JamesDean Twitter account is in violation of United States Federal law, specifically section 43(a) of the Lanham Act, 15 USC 1125(a). Under the Lanham Act, persons are prohibited from exploiting another's trademark rights for commercial purposes without authorization. The Lanham Act is premised on the belief that the benefit or property right that one has invested time, effort, and money into developing should be protected from unauthorized use. In essence, the Lanham Act prohibits one from "reaping what another has sown" without fair compensation. Our client, James Dean Inc., has worked hard to develop the James Dean brand. The owner of the @JamesDean Twitter account is clearly using the famous registered James Dean trademark, name, image, and likeness. Such use necessarily and improperly implies a misleading designation of source, origin, endorsement, sponsorship, or approval by James Dean Inc. For these reasons, I must ask you to reconsider your decision regarding the @JamesDean Twitter account.

Company name: James Dean, Inc

Website: jamesdean.com

Trademarked word, symbol: James Dean

Registration number: 1492324, 1496806

Registration office: USPTO

Direct Link to Trademark Record (optional): n/a

Full name: Mark Roesler

Job title: CEO/ Chairman

Email address: randy@cmgworldwide.com

Street address: 10500 Crosspoint Blvd

City: Indianapolis

State/Province: IN

Postal code: 46256

Country: USA

Company name (rep): CMG Worldwide, Inc

Website (rep): <http://cmgworldwide.com>

Street address (rep): 9229 W Sunset Blvd

City (rep): Los Angeles

State/Province (rep): CA

Postal code (rep): 90069

Country (rep): USA

Copy of Report: I understand that Twitter may provide third parties, such as the affected user, with a copy of this report.

Authority to Act: I am authorized to act on behalf of the trademark holder.

Anything else? (optional): This is the third and final attempt to work with Twitter before we pursue legal action.

Thank you for your time and consideration.

Dear Drea,

Our company represents James Dean Inc., which is the exclusive, worldwide proprietor of certain copyrights, various trademark rights including federal trademark registration nos. 1492324 and 1496806, rights of association and sponsorship, and the right of publicity in and to the name, image, and likeness of James Dean. James Dean Inc. pursues and prosecutes all claims and causes of action arising out of or relating to the unauthorized use of various copyrighted material containing James Dean, various trademark rights, and the James Dean name, image, and likeness, and any and all other related rights. I appreciate your response to our inquiry regarding the @JamesDean Twitter account. However, we adamantly disagree with your determination that the account is not infringing. Not only is the account in violation of your own Trademark Policy, but it is in violation of federal law.

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For these reasons, I must ask you to reconsider your decision regarding the @JamesDean Twitter account.



**drea, Jul 01 01:09 pm (PDT):**

Hello, We've researched the reported account and determined that it is not in violation of Twitter's Trademark Policy. The account is not being used in a way that is misleading or confusing with regard to its brand, location or business affiliation.

Twitter does not have a username reservation policy. Users are free to select any name for their account, provided they do not violate Twitter's Terms of Service or Rules.

For more information about Twitter's Trademark Policy, please see:

<http://support.twitter.com/articles/18367>

Thanks, drea Twitter Trust & Safety

This email is to confirm that we have received your trademark report and will be reviewing your issue.

Please note:

1. If you are not the trademark owner, we will need the following information to process your report. Please fax documentary evidence that you have authority to act on the trademark owner's behalf, such as an agent's agreement or power of attorney. Faxes may be sent to Twitter at 1-415-865-5405. Please write "Attention: Business and Platform Policy, Twitter Inc." at the top of your fax and include your ticket number ([#10769678](#)).
2. We cannot accept email attachments at this time so please include all information in the body of your report. To update your report with missing information, simply respond to this email.
3. Twitter allows parody, commentary, and fan accounts; if an account is in full compliance with our policies, it is not considered impersonation. For more information, please see our Parody, Commentary, and Fan Account Policy: <http://support.twitter.com/entries/106373>.
4. This report is only for reporting accounts that violate our trademark policy. If you are requesting a username that appears inactive, please review our Inactive Account Policy for more information: <https://support.twitter.com/articles/15362>.

Thanks,

Twitter Trust & Safety

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Your ticket number: [#10769678](#)

Reported Account: @JamesDean

Description: Our client would like to represent itself as @JamesDean, as it owns this registered trademark and is the owner of the right of publicity to James Dean. This current user is utilizing the James Dean name and trademark without authorization in a manner that may mislead or confuse others with regard to our client's brand and/or business affiliation.

Usage: Our company would like to use this username on Twitter.

Company name: TRUSTEES OF THE JAMES DEAN FOUNDATION COMPOSED OF MARCUS WINSLOW AND TIMOTHY SELBY

Website: <http://www.jamesdean.com/>

Trademarked word, symbol: James Dean

Registration number: 1492324, 1496806

Registration office: USPTO

Direct Link to Trademark Record (optional):

[http://tess2.uspto.gov/bin/showfield?f=toc&state=4002%3A24q35r.1.1&p\\_search=search&p\\_L=50&BackReference=&p\\_plural=yes&p\\_s PARA1=live&p\\_tagrepl~%3A=PARA1%24LD&expr=PARA1+AND+PARA2&p\\_s PARA2=james+dean+&p\\_tagrepl~%3A=PARA2%24COMB&p\\_op ALL=AND&a default=search&a\\_search=Submit+Query&a\\_sea](http://tess2.uspto.gov/bin/showfield?f=toc&state=4002%3A24q35r.1.1&p_search=search&p_L=50&BackReference=&p_plural=yes&p_s PARA1=live&p_tagrepl~%3A=PARA1%24LD&expr=PARA1+AND+PARA2&p_s PARA2=james+dean+&p_tagrepl~%3A=PARA2%24COMB&p_op ALL=AND&a default=search&a_search=Submit+Query&a_sea)

Tell us about yourself: I am the trademark holder or authorized representative.

Full name: Clare Neumann, Esq.

Job title: Legal Counsel

Email address: [associate@cmgworldwide.com](mailto:associate@cmgworldwide.com)

Your relationship to the trademark holder: I am an authorized representative, e.g., law firm, marketing or PR company.

Street address: 10500 Crosspoint Boulevard

City: Indianapolis

State/Province: INDIANA

Postal code: 46256

Country: USA

Company name (rep): CMG WORLDWIDE INC.

Website (rep): <http://www.cmgworldwide.com>

Street address (rep): 10500 Crosspoint Boulevard

City (rep): Indianapolis

State/Province (rep): Indiana

Postal code (rep): 46256

Country (rep): USA

Copy of Report: I understand that Twitter may provide third parties, such as the affected user, with a copy of this report.

Authority to Act: I am authorized to act on behalf of the trademark holder.

Anything else? (optional): n/a

From: **Donald** <notifications-support@twitter.zendesk.com>

Date: Wed, Nov 21, 2012 at 1:36 PM

Subject: #6358914 Twitter Support: update on "Trademark Issue - JamesDean"

To: Associate <associate@cmgworldwide.com>

**Donald, Nov 21 10:36 am (PST):**

Hello, Twitter's policies prohibit accounts that impersonate individuals in order to actively deceive and mislead others. Accounts with similar appearances (such as similar background or avatar images), or accounts with similar usernames, are not automatically in violation. If there is information on the account that shows a clear intent to assume your brand or identity, please reply to this email with a detailed description of the information. This can include:

- specific descriptions of content or behavior
- a link to a page on your company's website which contains an image owned by you that is currently used by the reported account in its avatar or background image

Users are allowed to select any content they would like for their account, provided it does not violate the Twitter Rules (<https://twitter.com/rules>).

Thanks, Donald Twitter Trust & Safety

From: **Twitter Support** <notifications-support@twitter.zendesk.com>

Date: Thu, Oct 11, 2012 at 12:36 PM

Subject: #6358914 Twitter Support: update on "Trademark Issue - JamesDean"

To: Associate <[associate@cmgworldwide.com](mailto:associate@cmgworldwide.com)>

Hello, This is an auto-confirmation that we have received your trademark report. Twitter will reply to your report as soon as possible.

Please note the following:

1. When we receive trademark reports, we review the account to determine if there is an active intent to confuse or misrepresent a brand or business affiliation in violation of our trademark policy.
2. We will not provide a trademark owner with multiple instances or variations of a trademarked name; name squatting is a violation of the Twitter Rules.
3. Twitter users are allowed to create news feed, commentary, or fan accounts. For more information, please see the following policy page: <http://support.twitter.com/articles/18367>

Thanks, Twitter Trust & Safety

Please note, we cannot accept email attachments at this time; please include all information in the body of your request.



**Associate, Oct 11 09:36 am (PDT):**

Reported Account: @JamesDean

Description: Our client would like to represent itself as @JamesDean, as it owns this registered trademark and is the owner of the right of publicity to James Dean. This current user is utilizing the James Dean name and trademark without authorization in a manner that may mislead or confuse others with regard to our client's brand and/or business affiliation.

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Trademarked word, symbol: James Dean

Registration number: 1492324, 1496806

Registration office: USPTO

Direct Link to Trademark Record (optional):

[http://tess2.uspto.gov/bin/showfield?f=toc&state=4002%3A24q35r.1.1&p\\_search=searchss&p\\_p\\_L=50&p\\_BackReference=&p\\_plural=yes&p\\_s PARA1=live&p\\_tagrepl~%3A=PARA1%24LD&expr=PARA1+AND+PARA2&p\\_s PARA2=james+dean+&p\\_tagrepl~%3A=PARA2%24COMB&p\\_op\\_ALL=AND&a\\_default=search&a\\_search=Submit+Query&a\\_search=Submit+Query](http://tess2.uspto.gov/bin/showfield?f=toc&state=4002%3A24q35r.1.1&p_search=searchss&p_p_L=50&p_BackReference=&p_plural=yes&p_s PARA1=live&p_tagrepl~%3A=PARA1%24LD&expr=PARA1+AND+PARA2&p_s PARA2=james+dean+&p_tagrepl~%3A=PARA2%24COMB&p_op_ALL=AND&a_default=search&a_search=Submit+Query&a_search=Submit+Query)

Tell us about yourself: I am the trademark holder or authorized representative.

Full name: Clare Neumann, Esq.

Job title: Legal Counsel

Email address: [associate@cmgworldwide.com](mailto:associate@cmgworldwide.com)

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Copy of Report: I understand that Twitter may provide third parties, such as the affected user, with a copy of this report.

Authority to Act: I am authorized to act on behalf of the trademark holder.

Anything else? (optional): n/a