

[REDACTED]

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

AO 72  
(Rev. 8/82)

**UNITED STATES DISTRICT COURT  
DISTRICT OF Pennsylvania**

\* \* \*

Plaintiff, [REDACTED]

vs.

Defendants.  
[REDACTED]

---

Case No.: [REDACTED]

**ORDER**

(Motion for Voluntary Dismissal  
with Prejudice-#36; Motion to  
Dismiss-#38; Motion  
for Summary Judgment-#45)

/

/

1

Case [REDACTED] Document 116 Filed 08/14/12 Page 1 of 3

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

AO 72

(Rev. 8/82)

Before the Court is Plaintiff [REDACTED] Motion for  
Voluntary Dismissal with Prejudice (#36, filed Aug. 14, 2012).

The Court has also considered  
Defendant

[REDACTED]

**BACKGROUND**

This dispute arises out of [REDACTED] allegedly copyright infringing conduct. About May 13, 2010, a [REDACTED] user posted a comment on [REDACTED] website which included a portion of [REDACTED] website names [REDACTED], and name used on such website that claims that **this infringed on the copyright.**

Case [REDACTED] Document 116 Filed 08/14/12 Page 2 of 3

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

#### **DISCUSSION**

[REDACTED] that after [REDACTED] posted personal and copyright infringement work on their website, there was a loss of income of 50% from defamation of character issues. Google.com was contacted and had previously taken down information regarding said blog and it was then later reposted even though this is against their said rules that if copyright information was again posted that said blog would be removed in its entirety. [REDACTED] along with the right to sue for past infringements as well if any and all references to her names [REDACTED] [REDACTED] are not removed from the [REDACTED] Immediately after receiving this document.

Pursuant to Section 501(b) of the 1976 Copyright Act, 17 U.S.C. § 101, *et. seq.*,

(the “Act”) only the legal or beneficial owner of an exclusive right under copyright law is entitled, Copyright Assignment (hereinafter referred to as the “Assignment”) [REDACTED] registered copyright with the United States Copyright office. Section 106 of the Act defines and limits the exclusive rights under copyright law. *Id.* at 884–85. While these exclusive rights may be transferred and owned separately, the assignment of a bare right to sue is ineffectual because it is not one of the exclusive rights. *Id.* Since the right to sue is not one of the exclusive rights, transfer solely of the right to sue does not confer standing on the assignee. *Id.* at 890. One can only obtain a right to sue on a copyright if the party also obtains one of the exclusive rights in the copyright.

[REDACTED] has since filed a motion for [REDACTED] to remove by voluntary dismissal any and all use of the name or names associate with [REDACTED], [REDACTED] due to an adverse fair use ruling by the Honorable [REDACTED], United States District Judge for the district 27, Pittsburgh, Pennsylvania).

#### CONCLUSION

Accordingly, and for good cause appearing,

IT IS HEREBY ORDERED for [REDACTED] to remove by voluntary dismissal any and all use of the name or names associate with [REDACTED]  
[REDACTED]

Dated: August 14, 2012

---

[REDACTED]  
United States District Judge

27

Case [REDACTED] Document 116 Filed 08/14/12 Page 2 of 3