

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

Maurice W. Smith, Pro se :  
Plaintiff :  
 :  
V. : Case No. 3:16-CV-574 (VLB)  
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 :  
Elm City Freddy Fixer Parade Et al :  
City of New Haven, Et al :  
(Jackie James, Jason Bartlett, :  
Jennifer Pugh,) Et al, :  
Defendant(s) :

July 18, 2016

**Amended Complaint Per Order Of The Court**

The Pro se Plaintiff, Maurice W. Smith, President of Freddy Fixer, Incorporated, d/b/a Freddie Fixer Parade, and an Organization created pursuant to the Non-Stock Corporation Act under the State of Connecticut (Rev. 2005, Chapter 602,) hereby submits this **Amended Complaint per Order of the United States District Court Judge Vanessa L. Bryant on July 13, 2016.** The Pro se Plaintiff does in fact hold the trademark name of the Freddie Fixer Parade organization acting under **Freddie Fixer Incorporated,** under Common Law. (Please See Attached Documents)

*“Under Common law, the first user of a mark in commerce for particular goods or services becomes the owner of the mark in the geographical area in which the mark has been used.” Federal registration of the mark broadens the geographic scope of the owner’s right to the entire country. Thus, the only*

*requirement for the acquisition of trademark rights is to be the first user of the mark in commerce somewhere for a particular good or service.”*

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PUBLIC COUNSEL / COMMUNITY DEVELOPMENT PROJECT/ TRADEMARK BASICS FOR NONPROFITS.

STATEMENT OF CASE

In this case, the annual Freddie Fixer Parade operating under Freddy Fixer, Inc., a Non-Profit Organization has been held in the City of New Haven, Connecticut, for the past 54 years. The parade was established to promote neighborhood cleanups and encourage the residents of the Dixwell-Newhallville neighborhoods to “Take Pride” in fixing up their homes.

This also included but was not limited to assisting the elderly residents who could not make repairs on their own to their homes as well. The Freddie Fixer Parade operating under Freddy Fixer Incorporated, has continued this tradition for fifty-four (54) years with many different Officers and Board Members leaving the ranks and file within that history leading up to the current administration in 2009. Since then, the current President and **Pro se Plaintiff**, Maurice W. Smith, has organized, planned and met with officials of the City of New Haven Connecticut before securing the Special Event License (Permit) in order to continue to hold the annual event without fail. Therefore, the Plaintiff is claiming within this complaint that the name of “Freddy Fixer” has been an established trademark for the past fifty-four (54) years under common law. (Sic)

### **A. Parties**

The **Pro se Plaintiff**, Maurice W. Smith, President of the Freddie Fixer Parade, acting under Freddy Fixer, Inc., resides at 37 Blake Street, New Haven, CT., and has held the title of President of the Freddie Fixer Parade, acting under Freddy Fixer, Incorporated since 2009. In addition, the President, Maurice W. Smith has secured the **Special Event License** from the **City of New Haven for the last seven (7) years** in order to continue to hold the annual Freddie Fixer Parade. Prior to becoming President of the annual parade in 2009, Mr. Smith has submitted the proper paperwork as required by the City of New Haven Police Department while serving as Secretary of Freddy Fixer, Incorporated, since 1999.

That the **Defendant(s)** “Elm City” Freddy Fixer Parade (Et al) is headquartered at 716 Dixwell Avenue, New Haven, Connecticut. That the City of New Haven is located at 165 Church Street, New Haven, Connecticut, 06510. Prior to the “Elm City” Freddy Fixer Parade President, Dexter Jones informing the **Deputy Chief Administrative Officer, Jennifer Pugh of** the City of New Haven, Connecticut, on **Wednesday, March 30, 2016 at that scheduled meeting**, that the Defendant, Dexter Jones informed Jennifer Pugh that the address to which the bill for police overtime should be sent, the Defendants have utilized a public location (Stetson Library In New Haven, Connecticut) on several occasions to hold meetings to advance the agenda of the “Elm City” Freddy Fixer Parade group, and have posted social media announcements of those meetings respectively. (Sic)

## **B. Jurisdiction**

**The Jurisdiction of this court is invoked pursuant to** Connecticut General Statute Section 46a-100, 28 U.S.C.A. Section(s) 1343(3)(1948) and 28 U.S.C.A. Section(s) 1331 (1948.)

## **C. Nature of the Case**

- (1) On or about **February 4, 2016**, the current President of the Freddie Fixer Parade, acting under Freddy Fixer, Inc., Maurice W. Smith, received a confirmation email from **Jennifer Pugh, Deputy Chief Administrative Officer for the City of New Haven, Connecticut** confirming that a logistics meeting for the **2016 Freddie Fixer Parade** was to be held on **Wednesday, March 30, 2016 at 2PM, in Meeting Room One (1) on the second floor of City Hall**. This meeting was scheduled as has previous meetings in the past seven years to discuss the details of the anticipated parade with the City of New Haven officials and the legitimate Freddie Fixer Parade Organization acting under Freddy Fixer, Inc. The current President of the Freddie Fixer Parade acting under Freddy Fixer, Inc., Maurice W. Smith, has secured copies of the Special Event Licenses (Permit) for the past seven years to confirm that he has held those events without any objection from the City of New Haven, regardless of the ability of the Freddie Fixer Parade, acting under Freddy Fixer, Inc., to pay any portion of the police overtime bill, as is the reason for this complaint being filed.
  
- (2) A meeting was held on **Wednesday, March 2, 2016** at East Rock lodge No. 141, 87 Webster Street in New Haven, Connecticut, by the Defendants to which a President (Defendant, Dexter Jones,) Vice-President, (Defendant Howard Boyd,) Secretary (Nina Silva)

Treasurer (Tashesha Ricketts) Vice-Treasurer (Shirley Lawrence) and Sergeant At Arms (Leonard Jahad) was voted into the “Elm City” Freddy Fixer Parade group, without the current President of the legitimate Freddie Fixer Parade, acting under Freddy Fixer, Inc., being in attendance. Some of the persons who participated in this election were previous volunteers (Defendants, Howard Boyd, Nina Silva, Dominick Benjamin) with the original Freddie Fixer Parade organization, operating under Freddy Fixer, Inc., and did not have the authority to vote on any usage of the name of Freddy Fixer, the removal of, in addition to, the recommendation of any new Officers or Board Members without the President of the Freddie Fixer Parade, acting under Freddy Fixer, Inc., presiding over such meeting according to the rules of its BY-LAWS.

#### **D. Facts**

That the “Elm City” Freddy Fixer Parade has blatantly infringed upon the common law trademark name of the Freddie Fixer Parade, acting under Freddy Fixer, Inc., by utilizing its name or a paraphrase of its name in print and in social media (Facebook) and creating a logo using the name “Freddy Fixer” similar to that of the original Freddie Fixer Parade Organization without authorization and permission. (*The Trademark Act of 1946 – Lanham Act – See 15 USC Sec. 1114-Registered Trademarks And Trade Dress; 15 U.S.C. Sec. 1125-Unregistered Trademarks And Trade Dress, Sec. 1125 (a)(1)(b) False Advertising; Sec.1125 (c)(Dilution); Section 1125 (d)Cyber-Squatting.*)

The Plaintiff is asking the court in this matter to establish liability for all of these causes of actions to allow the Plaintiff to cover estimated and actual damages to the Plaintiff’s organization and to secure the Defendants’ profits for the blatant infringement of the Plaintiff’s established trademark

name of “Freddy Fixer,” and that these profits shall be used to cover the costs of bringing this action.

(15 U.S.C. Sec. 1117 (a) (2006.)

That the Plaintiff will provide evidence to show that due to the postings on social media by the “Elm City” Freddy Fixer Parade group that there was widespread “confusion” as to who the original and legal organizers of the Freddie Fixer Parade were. (Sic) This includes, but is not limited to the posting of fliers by the “Elm City” Freddy Fixer Parade group on social media, primarily Facebook, for multiple fundraising events using the name “Freddy Fixer” and that they were in fact granted the **Special Event License** from the Building Permit Department of the City of New Haven, Connecticut, and that this infringement confirms the basis for this complaint. (*Anne Gilson LaLonde, Gilson On Trademarks Section 7.02 2011.*)

That the Plaintiff alleges that these plans were premeditated and orchestrated by several current and former City of New Haven appointed officials and police officers including but not limited to, (Defendant(s) Jackie James, Jason Bartlett, Brian McGraft) for at least several years. That prior to the “Elm City” Freddy Fixer Parade group being created, the group had no prior parade history with the City of New Haven, other than by being encouraged to do so by establishing themselves with the assistance of appointed members of the current administration of the office of the Mayor of the City of New Haven, (Defendant(s) Jason Bartlett, Jacqueline James, Brian McGraft Jennie Kowalski) and other current and former public officials. (Sic)

That the election held on **Wednesday, March 2, 2016**, at the East Rock Lodge No. 141 in New Haven, Connecticut, to which Defendant(s) (Brian McGraft, Helen Powell) is associated with the “Elm City” Freddy Fixer Parade should be deemed “Null and Void,” as the election, vote criteria and protocol to which the legally established Freddie Fixer Parade Organization’s name was used “without authorization or permission” and held without being in lawful accordance, and that in addition, the name “Freddy Fixer” was voted on in total disregard of the protections of the Federal Trademark infringement laws. (*The Trademark Act of 1946 – Lanham Act – See 15 USC Sec. 1114-Registered Trademarks And Trade Dress; 15 U.S.C. Sec. 1125-Unregistered Trademarks And Trade Dress, Sec. 1125 (a)(1)(b) False Advertising; Sec.1125 (c)(Dilution); Section 1125 (d)Cyber-Squatting.*)

This includes, but is not limited to the fact that the President of the legal Freddie Fixer Parade was not in attendance and that the persons participating in such election did not have the authority to carry out such votes do so. That despite letters going out to the former volunteers of the original Freddie Fixer Parade (Howard Boyd, Nina Silva, Cheryl Holloway-Lytell) informing them that their actions were illegitimate and unauthorized, those former volunteers continued to post advertisements on social media about their planned meetings, events, fundraisers, and all other business about the new “Elm City” Freddy Fixer Parade. (Sic.)

That in addition to the “Elm City” Freddy Fixer Parade group utilizing the name “Freddy Fixer,” they have also advertised the same dates, times and locations of the original annual Freddie Fixer Parade schedule of events, including one of its biggest fundraisers (The Annual Drill Competition, scheduled to take place on **Saturday, May 14, 2016, and the Annual Freddie Fixer Parade, Sunday,**

**May 15, 2016**) that was previously scheduled one year in advance by the legal and only original Freddie Fixer Parade organization's website, operating under Freddie Fixer, Inc. (Sic)

That as of the date of this complaint, the "Elm City" Freddy Fixer Parade has not obtained a non-profit status and or may not have filed the necessary paperwork with the Connecticut Secretary of the State's Office for consideration of their group. It has also been revealed that the "Elm City" Freddy Fixer Parade group has not obtained a tax-exempt status under Code 501 (c) 3 of the Internal Revenue Service, as well as securing an EIN Number. That the "Elm City" Freddy Fixer Parade group does not have a bank account to which any funds raised and collected could be accounted for.

That Defendant, Jason Bartlett (City of New Haven Youth Coordinator) conspired with the "Elm City" Freddy Fixer Parade group to take over the planned events on the same dates, times and locations that the legitimate Freddie Fixer Parade Organization already had in place. That Defendant (Jason Bartlett) secured The Floyd Little Athletic Center, for the "Elm City" Freddy Fixer Parade group that was supposed to have been secured for the original Freddie Fixer Parade Organization, acting under Freddy Fixer, Inc., using his position and authority to access city resources (City of New Haven Board of Education facilities) against the Mayor of the City of New Haven, Toni. N. Harp's orders. That this infringement was not only premeditated (Mens Rea,) but was well planned and involved multiple former and current City of New Haven employees as well as City of New Haven appointed officials. (Sic)

That minutes from a meeting held on about **March 13, 2016**, has revealed that despite the denials to several local newspaper reporters, Defendant, Jason Bartlett's involvement with the "Elm



City” Freddy Fixer Parade Executive Board Meeting and planning, confirmed that he (Jason Bartlett) had in fact conspired with persons who are associated with the “Elm City” Freddy Fixer Parade along with other officials of the City of New Haven; (Jackie James, Jennifer Pugh, Brian McGraft,) Non-City Officials; (Helen Powell, Dexter Jones, Howard Boyd, Nina Silva, Shirley Lawrence, Tashesha Ricketts, Leonard Jihad) and that they did plan to attempt to remove or replace the current Freddie Fixer Parade Organization and its President, operating under Freddy Fixer, Inc., by means other than the protocol that was established by the Freddie Fixer Parade acting under Freddy Fixer, Inc., and its BY-LAWS as this complaint alleges. (Sic)

What’s more, is that the **Annual Freddie Fixer Parade Drill Competition**, one of several major fundraisers of the original Freddie Fixer Parade, acting under Freddy Fixer, Inc. for the last fifteen (15) years has been confirmed to take place at the **Floyd Little Athletic Center**, (Formerly the Citi-Wide Fieldhouse) as the minutes of that meeting indicate. Those arrangements according to those minutes were secured by **Defendant, Jason Bartlett** (City of New Haven Youth Coordinator) and **Jacqueline James** (Deputy Economic Development And Director Of Small Business Academy,) all appointed by the Mayor of the City of New Haven (Sic.)

That a meeting held with the President of the Freddie Fixer Parade under Freddy Fixer, Inc., with New Haven Mayor Toni N. Harp on **January 8, 2016**, resulted in her request for the organization to increase its Board Members to a total of fifteen (15) including at least one (1) “White Person” in order to “Increase” the potential to bring in more funding to help offset some of the cost of

the police overtime for the **Annual Freddie Fixer Parade**. There were no other meetings about this matter with the Mayor prior to that date. (Sic)

It was also recommended by New Haven Mayor, **Toni N. Harp** at that meeting that Defendant, **Jason Bartlett**, (City Youth Coordinator) was to “Secure” the **Floyd Little Athletic Center** for the **Annual Freddie Fixer Parade Drill Competition** in order for the legitimate Freddie Fixer Parade Organization to raise funds to help offset some of the expenses of the police overtime. This was as a result of **City of New Haven Mayor, Toni N. Harp**, attending the **Annual Freddie Fixer Parade Drill Competition at Wexler-Grant School Gymnasium, 55 Foote Street, New Haven, Connecticut, in 2014** (Along With Andrea Scott, Mayor Toni N. Harp’s Administrative Assistant) **regardless of the amounts owed from the previous parade** invoices from the City of New Haven, as has been the case for the last fifteen (15) years by agreement from the previous administration. The President of the Freddie Fixer Parade acting under Freddy Fixer Inc., had informed the Mayor that there was some tension between the previous managers of the **Floyd Little Athletic Center** including, but not limited to **Joe Canzanella and Bob Rafferty**, but was told by the Mayor that one of those employees have been “Replaced.”

#### **E. Cause For Action**

**Wherefore**, the Plaintiff alleges that the Defendants, “Elm City” Freddy Fixer Parade, the City of New Haven, Mayor Toni N. Harp, Jason Bartlett, Jacqueline James, and several other appointed officials of the City of New Haven, whether from the current administration (Toni N. Harp,) or the previous administration (John DeStefano) has knowingly and willingly infringed on an

established trademark under Freddy Fixer, Incorporated, a non-profit organization with a status under code 501 ( c) (3) of the Internal Revenue Service and that the infringement had been planned and premeditated by the Defendants as alleged by the Plaintiff. That the Defendants based their establishment of this illegitimate group on the assumption that the legitimate President of the real and original Freddie Fixer Parade, acting under Freddy Fixer, Inc., did not return phone calls at their request, and that the President of the Freddie Fixer Parade acting under Freddy Fixer, Incorporated, did not attend meetings that were scheduled by the organizers of the group “Elm City” Freddy Fixer Parade, prior to its election of officers, and that the meeting on **Wednesday, March 2, 2016** bears no legitimate or legal precedent.

That those meetings included various members of the community and that the Defendants who organized those meetings used a baseless claim that they were representing the “entire” City of New Haven Community, and that those meetings included appointed members of the current and previous administrations of the Mayor’s office of the City of New Haven, including Toni N. Harp, with or without her approval.

That the President of the Freddie Fixer Parade Organization, acting under Freddy Fixer, Inc., “Had No Obligation Whatsoever” to attend any meeting(s) other than the confirmed meeting that was scheduled by **Jennifer Pugh, Deputy Chief Administrative Officer for the City of New Haven, on or about February 4, 2016 for March 30, 2016. That an email sent to the President of the legitimate Freddie Fixer Parade, from Jennifer Pugh, confirmed so.**

That the “Elm City” Freddy Fixer Parade group in collaboration with Defendant, Jason Bartlett (City of New Haven Youth Coordinator) and Jacqueline James (Deputy Economic Development And Director of The Small Business Academy) acted outside of the instructions of the Mayor of the City of New Haven, to secure the **Floyd Little Athletic Center** for the illegitimate “Elm City” Freddy Fixer Parade group as opposed to the original Freddie Fixer Parade Organization, acting under Freddy Fixer, Inc., to raise a percentage of the funds needed to cover some of the costs for the police overtime.

That the Toni N. Harp Administration has failed to address any issue or concerns about previous invoices for police overtime, nor did the legitimate Freddie Fixer Parade receive any invoices subsequent to 2011, requesting reimbursement for any costs of police overtime, and that the arrangements that were made with the previous administration only required “**A Good Faith Fundraising Effort**” from the original Freddie Fixer Parade Organization, acting under **Freddy Fixer Inc.** That the Harp Administration has no evidence whatsoever, that a request was made or that a written agreement was in place to satisfy those police overtime costs, prior to the awarding of the Special Events License to the illegitimate “Elm City” Freddy Fixer Parade group.

That the President of the **Freddie Fixer Parade, acting under Freddy Fixer, Inc.,** attended the “Logistics” Meeting that was “**Confirmed**” on **February, 4, 2016 via Email From Deputy Chief Administrative Officer, Jennifer Pugh** that was supposed to be held with the original **Freddie Fixer Parade Organization acting under, Freddy Fixer, Inc., on March 30, 2016, at 2:00 PM, in Meeting Room One (1.)** That repeated requests to the **Deputy Chief Administrative Officer of the City of New Haven, Jennifer Pugh,** by telephone and via email to confirm the awarding of the

**Special Event License** went unanswered. This email request was courtesy copied to, but not limited to several members of the New Haven Board of Alders, including **Ward 29, Brian Wingate, Ward 27, Richard Furlow, and Ward 21, Brenda Foskey-Cyrus.**

That the President of the **Freddie Fixer Parade, acting under Freddy Fixer, Inc.,** never received confirmation from the **City of New Haven** despite numerous social media posts by the “Elm City” Freddy Fixer Parade group on Facebook, that the “Elm City” Freddy Fixer Parade had secured the “Permit” as was confirmed by **Defendant(s), Jason Bartlett** (Youth Coordinator of the City of New Haven) and **Jacqueline James** (Deputy Economic Development And Director of Small Business Academy,) **Defendant, Dexter Jones** (President of the “Elm City” Freddy Fixer Parade), **and Defendant, Howard Boyd** (Vice-President of the “Elm City” Freddy Fixer Parade) **via** a newspaper publication in the **New Haven Register, on Friday, March 31, 2016 (Front Page,**) acknowledging the illegitimate group securing the **Special Event License** (Sic.)

However, after failing to receive confirmation from **Jennifer Pugh, Deputy Chief Administrative Officer of the City of New Haven, Connecticut, Alders Brian Wingate, Ward 29, Richard Furlow, Ward 27, and Brenda Foskey-Cyrus, Ward 21,** of whether or not the legitimate Freddie Fixer Parade Organization acting under Freddy Fixer, Inc., would be awarded the **Special Event License,** or if the **Special Event License** would be awarded to the illegitimate group, the “Elm City” Freddy Fixer Parade, the President of the Freddie Fixer Parade, Maurice W. Smith, attended the “Logistics “ meeting that was confirmed by **Deputy Chief Administrative Officer for the City of New Haven, Jennifer Pugh on February 4, 2016 via email.**

That the President of the Freddie Fixer Parade, acting under Freddy Fixer, Inc., Maurice W. Smith, arrived at that public meeting at City Hall to confirm the status of the **Special Event License**. That meeting was already in progress on **Wednesday, March 30, 2016, at approximately 14:31 HRS**, and that the President of the Freddie Fixer Parade, acting under Freddy Fixer, Inc., immediately obtained a copy of the agenda for that meeting.

That the first paragraph of that agenda item revealed that the President of the legitimate Freddie Fixer Parade Organization, acting under Freddy Fixer, Inc., Maurice W. Smith, was “to contact **Hamden Police Chief Wydra** in Hamden to make sure he is aware of event.” This is a major contradiction as the fact that the President of the Freddie Fixer Parade, acting under Freddy Fixer Incorporated, did not receive confirmation from the **Deputy Chief Administrative Officer of the City of New Haven, Jennifer Pugh**, or any other City of New Haven official confirming such meeting even though repeated requests were made to get that information. Since **Jennifer Pugh** was the only person to spearhead the “Logistics” meetings for the last several years with the President of the Freddie Fixer Parade Organization, acting under Freddy Fixer, Incorporated, it would clearly be expected that a response as to who would be awarded the Special Event License would have been made upon request.

However, since the first name of the President of the original Freddie Fixer Parade organization, acting under Freddy Fixer Incorporated was placed on that agenda, this is a clear indication that this was a planned and intentional attempt to make it “appear” that the President of the Freddie Fixer Parade, acting under Freddy Fixer, Incorporated was “aware” of the plans of the “Elm City” Freddy Fixer Parade group and that the President of the legal Freddie Fixer Parade organization

“knew” that he was to contact **Hamden, Connecticut, Police Chief, Thomas Wydra**, even though there was no confirmation by the **Deputy Chief Administrative Officer, Jennifer Pugh**, or from the “Elm City” Freddy Fixer Parade Group (A False Indication.) (Sic) This was despite unreturned phone calls, text messages, and emails from those aforementioned City of New Haven, Alders, and other Administrative officials and despite a meeting being held on **Wednesday, March 2, 2016 with** City of New Haven officials and other current and former City of New Haven employees respectively. (Sic)

**Wherefore**, the plaintiff also alleges that some of the persons who participated in this election on **Wednesday, March 2, 2016**, were former volunteers of the Freddie Fixer Parade, acting under Freddy Fixer, Inc., but were not Board Members of Freddy Fixer, Inc., (Howard Boyd, Nina Silva, Helen Powell, Dominick Benjamin) and did not have the authority to participate and conduct such a meeting to vote on using the name “Freddie Fixer” or any paraphrase of the name “Freddie Fixer” regardless of how the prefix or suffix of the name is spelled. (Sic)

The Defendants, in defiance of the **Federal Trademark Laws** within the United States, have made a baseless claim that by simply changing the spelling of the first name of “Freddie” from (“Ie”) to (“Y”) justifies that infringement under common law. This defense does not justify an attempt to “Steal” the name of a non-profit organization under the circumstances in this matter.

**Wherefore**, the Plaintiff also alleges, that despite having several conversations with the organizers (Jacqueline James, Dexter Jones and Jason Bartlett) of the “Elm City” Freddy Fixer Parade group about the illegitimacy of their status, that the group continued to post messages on social media in

regards to their weekly meetings and fundraising events, despite not having the appropriate non-profit status, and or bank accounts, and without authorization to use the name of “Freddy Fixer” to do so.

**Wherefore**, that in addition, the Freddie Fixer Parade Organization, acting under, Freddy Fixer, Inc., alleges that the Mayor of the City of New Haven, Toni N. Harp, her appointed officials, Jason Bartlett (Youth Coordinator,) Jacqueline James (Deputy Economic Development And Director of Small Business Academy) the “Elm City” Freddy Fixer Parade, its Officers and Committee Members, have conspired to deprive the Freddie Fixer Parade, acting under Freddy Fixer, Incorporated, of its protected and Constitutional Rights under the **1<sup>st</sup> and 14<sup>th</sup> Amendments** (28 U.S. C. A. Section(s) 1343(3) and 28 U.S.C.A. Section 1331 (1948.) were blatantly violated. (Sic)

**Wherefore**, the Defendants’ wrongful conduct, unless and until enjoined and restrained by order of this court, will cause further harm and irreparable injury to the **Freddie Fixer Parade Organization, acting under Freddy Fixer, Incorporated**. That the Plaintiff has no adequate financial remedy at law as a result of this infringement and injuries currently being suffered, and that the **Freddie Fixer Parade, acting under Freddy Fixer, Incorporated**, find it impossible to determine the precise amount of damage that the **Freddie Fixer Parade, acting under Freddy Fixer, Incorporated**, has suffered and will continue to suffer if the Defendants’ conduct is not restrained by order of this Court. (Sic)

**Wherefore**, these actions have raised the potential to hold the Freddie Fixer Parade acting under Freddy Fixer, Inc., to a substantial amount of liability by the “Elm City” Freddy Fixer Parade group simply utilizing the name of “Freddy Fixer,” a protected trademark name under common



law, and without authorization from the legal entity of Freddy Fixer, Inc. That the **Freddie Fixer Parade, acting under Freddy Fixer, Incorporated**, may be forced to institute a multiplicity of lawsuits to obtain adequate compensation for the injuries already suffered by the **Freddie Fixer Parade, acting under Freddy Fixer, Incorporated**, from the actions of the Defendants.

For all of the forgoing reasons, the Plaintiff requests that the court grant this **Complaint for Injunction**, in favor of the Plaintiff for the following reasons:

1. For an order requiring the Defendants' to show cause, if any they have, why they should not be enjoined as hereinafter set forth, during the pendency of this action.
2. For a Permanent Injunction to include all enjoining Defendants, and all persons acting under, in concert with, including any and all City of New Haven officials, current and former, or by the Mayor of the City of New Haven, Connecticut, to use the name "Freddy Fixer" without authorization.
3. For damages in the sum of all monies acquired and received by the "Elm City" Freddy Fixer Parade from the blatant infringement of the name of "Freddy Fixer" and the sum of all potential monies lost as a result of the awarding of the **Special Event License** to the group without having a legitimate non-profit status and whose appointed City of New Haven officials that have conspired to intentionally sabotage the tradition of the annual Freddy Fixer Parade and the Freddy Fixer Parade organization.
4. For all Attorney Fees herein incurred.
5. For costs of suit herein incurred.
6. For such other and further relief that the Court may deem proper and just.

So Ordered, this \_\_\_\_\_ Day of \_\_\_\_\_ 2016

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**Maurice W. Smith, President, Freddie Fixer  
Parade, Freddy Fixer, Inc  
Pro se Plaintiff  
37 Blake Street New Haven, CT. 06511-2901  
Tel. 203-558-0066**

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the Plaintiff's **Amended Complaint For Injunction** was mailed /  
Emailed / Faxed To:

**Defendants:**

City of New Haven Corporation's Counsel, John Rose

City of New Haven Mayor Toni N. Harp

City of New Haven Deputy Economic Development and Director of Small Business, Jacqueline James

City of New Haven Youth Coordinator, Jason Bartlett

City of New Haven Deputy Chief Administrative Officer, Jennifer Pugh

"Elm City" Freddy Fixer Parade Officers and Board Members.

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**Maurice W. Smith,**  
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**Freddy Fixer, Inc.**  
**Pro se Plaintiff**  
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