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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JEFFREY BRAY,

Plaintiff,

v.

ABC TELEVISION, NBC TELEVISION,  
FEDERAL RESERVE BANK, GMC -  
DENALI,

Defendants.

CASE NO. C10-1066 RSM

ORDER OF DISMISSAL

Plaintiff Jeffrey Bray proceeds *pro se* and *in forma pauperis*. He brings this action against “ABC Television,” “NBC” Television,” “Federal Reserve Bank,” and “GMC-Denali.” Bray claims that he used the word “Denali” in 1992 when filling out administrative paperwork to correct an error on his birth certificate. Subsequently, he noticed that General Motors Corporation (“GMC”) marketed a sports utility vehicle under the name Denali. Bray also alleges that in 2006 he “applied for a GMC Denali Brochure on-line,” and later noticed that ABC Television “used the exact same GMC Denali on-line application” during the 2006 and 2010 National Basketball Association Championships.

1 The complaint explains that Bray seeks the following relief from the Court:

2 In relief: Copyright, trademark and patents [sic] laws, when mentioning words  
3 to large corporations (words like Denali, Network, "Ice Age"). If those  
4 corporations got the idea from me, can I be compensated monetarily and with  
property (a brand new GMC Denali Seirra [sic] 0 (zero mileage))[?]  
(Dkt. #3 at 7).

5 Pursuant to 28 U.S.C. § 1915(e), the district court must dismiss the case "at any time" if  
6 it determines the complaint is frivolous or fails to state a claim on which relief may be granted.  
7 28 U.S.C. § 1915(e)(2). Section 1915(e) applies to all IFP proceedings, not just those filed by  
8 prisoners. *Lopez v. Smith*, 203 F.3d 1122, 1127 (9th Cir. 2000).

9 This action is frivolous. First, the complaint is deficient because it does not seek any  
10 relief. It simply seeks the answer to hypothetical legal question. *See* Dkt. #3 at 7 ("*If* those  
11 corporations got the idea from me, can I be compensated. . . ?") (emphasis added).

12 Second, if there had been a claim for relief, that claim would have no merit. It is well  
13 settled that one cannot copyright "words and short phrases such as names, titles, and slogans."  
14 37 C.F.R. § 201.1(a). Additionally, one cannot patent words because words are not a "process,  
15 machine, manufacture, or composition of matter." 35 U.S.C. § 101. Finally, any trademark  
16 claim Bray is bringing fails because Bray does not allege that he owns a trademark – he alleges  
17 only that he previously used certain words not in conjunction with any trade.

18 This action is dismissed with prejudice. The dismissal constitutes a strike for purposes of  
19 28 U.S.C. § 1915(g).

20 Dated this 8<sup>th</sup> day of September 2010.

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23 RICARDO S. MARTINEZ  
24 UNITED STATES DISTRICT JUDGE