

**CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF NEW YORK**

-----X
ROY DEN HOLLANDER,

Plaintiff,

-against-

PRESSREADER, Inc.
(formerly NEWSPAPERDIRECT, INC.,
NY DOS ID 2390795)

Defendant.
-----X

Index No. CV-

24897

2018

SUMMONS

Plaintiff's residence:
545 East 14 St., 10D
NY, NY 10009

Basis of venue:
Plaintiff's residence

To the above named defendant:

YOU ARE HEREBY SUMMONED to appear in the Civil Court of the City of New York, County of New York at the office of the Clerk of the Court at 111 Centre Street in the County of New York, within the time provided by law as noted below and to file your answer to the annexed complaint with the Clerk; upon your failure to answer, judgment will be taken against you for the sum of \$20,000 with interest thereon from the 4th day of April 2018, together with the costs of this action.

Dated: New York, N.Y.

October 15, 2018

FILED
OCT 16 2018
**NEW YORK COUNTY
CIVIL COURT**

Roy De Hollander

By: Roy Den Hollander, Esq.
Attorney at Law
545 East 14th St., 10D
New York, NY 10009
(917) 687 0652

NOTE: The law provides that:

- (a) If this summons is served by its delivery to you personally within the City of New York, you must appear and answer within TWENTY days after such service; or
- (b) If this summons is served by delivery to any person other than you personally, or is served outside of the City of New York, or by publication, or by any means other than personal service to you within the City of New York, you are allowed THIRTY days after the proof of service thereof is filed with the Clerk of this Court within which to appear and answer.

To: PressReader Inc.
200 - 13111 Vanier Place
Richmond, BC, V6V 2J1, Canada

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Jury Trial Requested

COMPLAINT

Plaintiff Roy Den Hollander, an attorney admitted to practice in the courts of the State of New York and representing himself, brings a claim against Defendant PressReader, Inc. for violating Plaintiff's right to publicity under New York Civil Rights Law §§ 50 & 51 by publishing an article using Plaintiff's name without his consent. (Ex. A). Plaintiff herein alleges as follows:

VENUE

1. Plaintiff resides at 545 East 14th Street, apartment 10D in New York County, N.Y.

SUBJECT MATTER JURISDICTION

2. Plaintiff requests damages in the amount of \$20,000 plus expenses and costs.

PERSONAL JURISDICTION OVER DEFENDANT

3. This Honorable Court has personal jurisdiction over Defendant under CPLR § 302(a)(1) because Defendant transacts business within New York State and contracts with businesses in New York State to provide its services.

THE PARTIES

Plaintiff Roy Den Hollander

4. Plaintiff, Roy Den Hollander, is admitted to practice law in the courts of the State of New York, U.S. District Courts for the Southern and Eastern Districts of New York, and the U.S. Court of Appeals for the Second Circuit.

5. Since 2008, Plaintiff has specialized in equal rights litigation that opposes preferential treatment for males and females.

6. Plaintiff has received significant media attention in print, radio and television to the extent that he became a public figure in the ongoing cultural wars—complete with threatening emails and even a letter threatening death that contained white powder.

7. Plaintiff's public figure status is not limited to the U.S. but also extends to that former British penal colony—Australia. *See* Tory Shepherd, *Freedom of religion cannot trump other rights*, The Advertiser, April 3, 2018; Amy McNeilage, *University of South Australia distances itself from males studies proposals*, The Sydney Morning Herald, January 14, 2014; Tory Shepherd, *University of South Australia gives controversial Male Studies course the snip*, The Advertiser-Sunday Mail Messenger, January 14, 2014; Tory Shepherd, *Pathetic bid for victimhood by portraying women as villains*, The Advertiser-Sunday Mail Messenger, January 14, 2014; Tory Shepherd, *LECTURERS in a 'world-first' male studies course at the University of South Australia under scrutiny*, The Advertiser-Sunday Mail Messenger, January 12, 2014.

8. Other media coverage, not all fake news aimed at the personal destruction of Plaintiff, can be found online by searching "Roy Den Hollander."

9. Plaintiff generally seeks publicity from the news media to attract clients in his law specialty and uses his name's publicity for the commercial purposes of his law practice.

Defendant PressReader, Inc.

10. PressReader, Inc. (“PressReader”) is a digital newspaper and magazine distribution and publishing operator with headquarters in Vancouver, Canada (<https://about.pressreader.com>, last visited October 11, 2018) and offices in Dublin, Ireland and Manila, Philippines.

11. PressReader has contracted with thousands of newspaper and magazine publishers across the globe, including some in New York State, to market, sell and print these newspaper and magazine publications around the world, including in New York State, by way of the Internet and mobile telephone apps.

12. PressReader uses a global platform that allows people to read, share and talk about stories from over 7,000 top-quality publications. (<https://about.pressreader.com>, last visited October 11, 2018). It has seven (7) million monthly active users worldwide, including many in New York State. (<http://media.pressreader.com/2017/11/17/pressreader-opens-european-headquarters-dublin>, last visited October 11, 2018).

13. PressReader contracted with the N.Y. Public Library to provide its services to library customers. (<https://www.nypl.org/collections/articles-databases/pressreader>, last visited October 11, 2018).

13. PressReader contracted with the N.Y. Daily News to carry that newspaper on its platform. (<https://www.pressreader.com/usa/new-york-daily-news/textview>, last visited October 11, 2018).

14. PressReader contracted with the N.Y. Post to carry that newspaper on its platform. (nypost.newspaperdirect.com/epaper/Interstitial.aspx, last visited October 11, 2018).

15. PressReader contracted with The New York Times to carry that newspaper on its platform. (<https://goodereader.com/blog/electronic-readers/the-new-york-times-now-on-pressreader>, last visited October 11, 2018).

14. PressReader previously operated as “NewspaperDirect, Inc.” (<http://www.newspaperdirect.com>, last visited October 11, 2018). NewspaperDirect, Inc. was a foreign corporation authorized to do business in New York State by the Secretary of State but on July 16, 2018, surrendered that authority. (Ex. B).

FACTUAL ALLEGATIONS

15. In April 2018, PressReader published through its online and mobile apps platform the April 4, 2018, article *Misplaced fear of gay revenge*, written by Tory Shepherd. (Ex. A).

16. At the time of publication, PressReader operating as NewspaperDirect, Inc., was still authorized to do business in New York State. (See Ex. B).

17. The lead sentence of the article states, “Self-described ‘anti-feminist lawyer’ Roy Den Hollander once likened the position of men in society to black people in 1950s America ‘sitting in the back of the bus.’” (Ex. A).

18. PressReader’s use of Plaintiff’s name was without his permission.

19. Except for the first sentence, the article dealt with submissions by Australians to an Australian Federal Government panel concerning the Australian Government’s review of religious freedom in Australia.

20. In 2017, the Australian Federal Parliament passed the marriage equality act that allowed two people, regardless of sex, to marry.

21. The Australian Federal Government also appointed a panel to receive submissions on the conflict between gay rights and religious freedom in Australia.

22. Plaintiff does not live in Australia, has never lived in Australia, has never visited Australia, did not submit any comments to the Australian panel and has never been involved in a case dealing with gay rights versus religious freedom—anywhere.

23. The publication of Plaintiff's name in the very first sentence of the article, which virtually all readers of any article view before deciding to read further, was clearly intended to exploit the public figure notoriety of Plaintiff's name in order to deceive viewers into reading the remainder of the article.

24. PressReader basically stole the economic value of Plaintiff's name to further the services it provides.

CLAIM FOR RELIEF

Right of Privacy under Article 5 of the N.Y. Civil Rights Law §§ 50 & 51

25. Plaintiff repeats and realleges each and every allegation above as if fully set forth herein.

26. N.Y. Civil Rights Law § 50 makes a right of publicity violation a misdemeanor:

A person, firm or corporation that uses . . . for the purposes of trade, the name . . . of any living person without having first obtained the written consent of such person . . . is guilty of a misdemeanor.

27. N.Y. Civil Rights Law § 51 provides a private cause of action for protecting the unauthorized use of a person's name:

Any person whose name . . . is used within this state . . . for the purposes of trade without the written consent first obtained as above provided [in section 50] . . . may also sue and recover damages for any injuries sustained by reason of such use

28. Courts give these statutes a liberal construction consistent with the beneficial and remedial purposes of sections 50 and 51.

29. Violation of Civil Rights Law § 51 requires the use of a person's identity, such as his name, within New York State, for trade purposes, and without written consent.

30. Civil Rights Law § 51 applies in cases where a plaintiff generally seeks publicity, or uses his name for commercial purposes but has not given his written consent for a particular use.

31. PressReader published Tory Shepherd's article in New York State by way of the Internet and telephone mobile apps.

32. The very first sentence listed Plaintiff's full legal name, Roy Den Hollander, for which Plaintiff neither provided written nor oral consent to either PressReader or Tory Shepherd.

33. PressReader published the article as part of its commercial business operation and Tory Shepherd wrote the article with the intent to have PressReader publish it as part of her commercial business as a reporter in Australia.

34. The PressReader published article does not fall within the public interest exception to Civil Rights Law § 51 because Plaintiff has no relationship whatsoever to the substance of the article concerning the conflict in Australia between religious freedom and gay rights.

35. As such, PressReader and Tory Shepherd's use of Plaintiff's name was for a commercially exploitive aim rather than for the purpose of informing the public about a newsworthy or public interest situation.

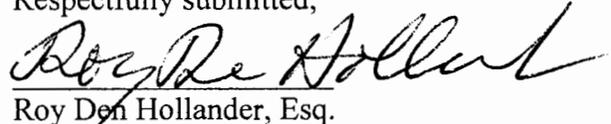
36. The use of Plaintiff's name has financial value that PressReader seized for itself without consent; thereby, depriving Plaintiff of the income associated with the licensing of his name.

37. The right of publicity is proprietary in nature, so Plaintiff requests compensatory damages in the amount of \$10,000 for harm to Plaintiff's economic interests that were affected by the wrongful exploitation of his name by PressReader.

38. Plaintiff also requests exemplary damages in the amount of \$10,000 because PressReader knowingly used his name without his consent.

Dated: October 15, 2018
New York, N.Y.

Respectfully submitted,



Roy Den Hollander, Esq.
Plaintiff and Attorney
545 East 14th Street, 10D
New York, N.Y. 10009
(917) 687-0652
roy17den@gmail.com

Exhibit A



Search: Results

Misplaced fear of gay revenge

The West Australian 4 Apr 2018 +1 more Tony Shaphero

Self-described "anti-feminist lawyer" Roy Den Hollander once likened the position of men in society to black people in 1950s America "sitting in the back of the bus".

It's become common; men thinking they're oppressed by women, whites thinking they're oppressed by ethnic minorities.

The traditional oppressors believing they have become oppressed.

Reading through the batches of submissions to the Federal Government's review of religious freedom, it's clear many within the churches believe that they are in danger of becoming the oppressed.

George Orwell's Animal Farm was mandatory reading in schools in the 1980s, and hopefully still is.

Those writing to the review —

sparked by the same-sex marriage debate — have read their Orwell.

And it scared them.

That the oppressed rise up to become the oppressors is a critical lesson in the book.

On the farm, the badly treated animals rise up, cast off their human overlord, and form a new society. One farm under two pigs (Snowball and Napoleon) where "all animals are equal".

But power-hungry Napoleon chases Snowball off the farm, and starts to become a human-like despot, ruling the roost. He changes the "all animals are equal" mantra, adding "but some are more equal than others". And thus the downtrodden start treading on others.

The religious freedom review,

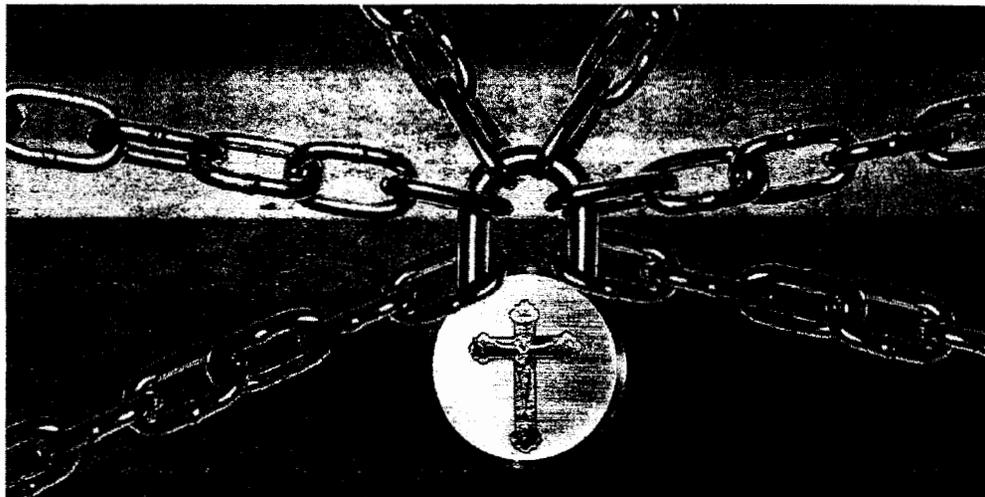


Illustration: Don Lindsay

headed by former Liberal immigration minister Philip Ruddock, is examining whether Australian law adequately protects the human right to freedom of religion.

It has been swamped with thousands of submissions. Fortunately

many of them are written from similar templates, so it's possible to get across the main points without wading through too much bile.

And there are some bilious points. One batch of submissions is from churchgoers upset that they

can no longer host "pray away the gay" camps. Or, in their words, "offer help to those struggling with unwanted temptation to commit homosexual sin".

The same submissions seem to argue that doctors opposed to abor-

Search feature



can no longer host "pray away the gay" camps. Or, in their words, "offer help to those struggling with unwanted temptation to commit homosexual sin".

The same submissions seem to argue that doctors opposed to abor-

tion should refuse to refer women to doctors who aren't.

They'd be "complicit in facilitating the murder of a defenceless baby against their religious convictions under the threat of being struck off and losing their livelihood if they don't comply", according to this submission.

So the Christian thing to do is to turn women away without help — or somehow coerce them to go through with the unwanted pregnancy.

Such arguments are right off the rails, and nothing to do with same-sex marriage.

But many of the submissions seem to grapple with the same issue. That Christians want to be able to continue to discriminate against gay people with no repercussions.

People are worried their freedom to express their "Christian understanding of marriage" publicly is threatened now that gay people are allowed to get married.

That they'll be at risk of getting

fired, or of their church losing government funding if they express opposition to "immoral" behaviour.

One group says that the same-sex marriage lobby has had success forcing "acceptance of this sin on the rest of the population".

They are fearful that schools will have to hire gay teachers, that the religious will have to voice support of gay people even when they don't believe it.

And of course, they dragged out the tired notion that Christian bakers will be traumatised by being forced to bake big old gay cakes.

These submissions — and I'm not tarring the entire religious community with the same brush here — all have the same subtext.

That now that we've given the gay community an inch, they'll take a mile. They will rise up and punish their oppressors.

It's a genuine shame that the fearmongering has apparently got to so many people.

The fact is that, despite most

Western nations now having gay marriage, there are hardly any examples of Christian bakers being forced to bake gay cakes.

Gay couples did not, en masse, start forcing anti-gay celebrants to oversee their weddings.

When same-sex marriage laws passed, life went on. With more weddings.

But fear spreads where there is uncertainty, and it is unclear where the right to religious freedom ends, when it butts up against the right to equality and someone has to work out who wins.

George Williams, one of the nation's top constitutional lawyers, is a man who knows how the laws work, and has an eminently sensible approach.

We do need more protection for religion, he says.

"Australia is exceptional. Indeed, we stand alone in being the only democracy without some form of national Human Rights Act or Bill Of Rights incorporating protection of

freedom of religion," he writes in his submission.

There's a critical "but" here. Freedom of religion should not be privileged over other rights. All rights must be protected, he says. Including the right to equality.

What do you think the chances are that we could have a civilised debate about a Bill of Rights, instead of this persistent notion that the once-oppressed are now out to "get" the oppressors?

I'd say there's a Snowball's chance in hell.

Being forced to bake big-old gay cakes.

Exhibit B

NYS Department of State

Division of Corporations

Entity Information

The information contained in this database is current through October 15, 2018.

Selected Entity Name: NEWSPAPERDIRECT, INC.

Selected Entity Status Information

Current Entity Name: NEWSPAPERDIRECT, INC.

DOS ID #: 2390795

Initial DOS Filing Date: JUNE 21, 1999

County: NEW YORK

Jurisdiction: DELAWARE

Entity Type: FOREIGN BUSINESS CORPORATION

Current Entity Status: INACTIVE - Surrender of Authority (Jul 16, 2018)

Selected Entity Address Information

DOS Process (Address to which DOS will mail process if accepted on behalf of the entity)

BECKER, GLYNN, MUFFLY, CHASSIN & HOSINSKI LLP

ATTN: ROBERT E. LANGER

299 PARK AVENUE, 16 FLOOR

NEW YORK, NEW YORK, 10171

Chief Executive Officer

GEORGE DORIN, CFO

10451 SHELLBRIDGE WAY

STE 204

RICHMOND, BC, CANADA, V6X-2W8

Principal Executive Office

NEWSPAPERDIRECT, INC.

10451 SHELLBRIDGE WAY

STE 204

RICHMOND, BC, CANADA, V6X-2W8

Registered Agent

NONE

This office does not record information regarding the names and addresses of officers, shareholders or directors of nonprofessional corporations except the chief executive officer, if provided, which would be listed above. Professional corporations must include the name(s) and address(es) of the initial officers, directors, and shareholders in the initial certificate of incorporation, however this information is not recorded and only available by viewing the certificate.

***Stock Information**

# of Shares	Type of Stock	\$ Value per Share
No Information Available		

*Stock information is applicable to domestic business corporations.

Name History

Filing Date	Name Type	Entity Name
MAR 08, 2000	Actual	NEWSPAPERDIRECT, INC.
JUN 21, 1999	Actual	GLOBAL NEWSPAPER NETWORK, INC.

A **Fictitious** name must be used when the **Actual** name of a foreign entity is unavailable for use in New York State. The entity must use the fictitious name when conducting its activities or business in New York State.

NOTE: New York State does not issue organizational identification numbers.

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YORK**

Index No. *24897-2018*

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COMPLAINT

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roy17den@gmail.com