	1
[PROPOSED] FIRST AMENDED COMPLAINT	2
	3
	4
IN THE UNITED STATES DISTRICT COURT	5
FOR THE NORTHERN DISTRICT OF CALIFORNIA	6
	7
Bo Shang (Pro Se), Developer TeamID HUPDNC4PWJ,	8
Plaintiff,	9
v.	10
Twitch Interactive, Inc.;	11
Apple Inc. (NEWLY JOINED DEFENDANT);	12
Alphabet Inc. (Google),	13
Defendants.	14
	15
Case No.: 3:24-cv-06664-JSC	16
	17
FIRST AMENDED COMPLAINT FOR INJUNCTIVE RELIEF,	18
DAMAGES, DECLARATORY JUDGMENT, AND OTHER RELIEF	19
JURY TRIAL DEMANDED	20
	21
	22
1. INTRODUCTION	23
	24
1.1 Plaintiff, pro se, hereby files this First Amended Complaint in compliance with the Court's directives (Dkt. No. 30)	25
and in accordance with Federal Rules of Civil Procedure 15(a)(2), 19, 20, and 21. This Amended Complaint re-asserts	26
and clarifies claims against Defendant Twitch Interactive, Inc. ("Twitch") and seeks to join Apple Inc. ("Apple") and	27
Alphabet Inc. ("Google"), collectively "Defendants," for conduct involving unfair or unlawful business practices,	28
unconscionable reverse engineering ("RE") clauses, and unauthorized private "taxation."	29
	30
1.2 Plaintiff's initial lawsuit against Twitch included allegations of constitutional violations under the First and	31
Fourteenth Amendments. The Court held that such claims are not viable against a private entity. Plaintiff now proceeds	32
against Twitch under California's Unfair Competition Law (Cal. Bus. & Prof. Code § 17200, et seq.) and related	33
theories, clarifying that Twitch's conduct may violate federal and state laws related to potential illegal gambling or	34
money laundering, thereby triggering the "unlawful," "unfair," or "fraudulent" prongs of Section 17200.	35
1.2 District adds Apple and Coople as Defendent by the coople of the coo	36
1.3 Plaintiff adds Apple and Google as Defendants because each imposes or enforces restrictive Terms of Service	37
("TOS") or license agreements that forbid or severely limit reverse engineering ("RE"). Plaintiff contends that these RE	38
prohibitions, combined with significant platform fees or commissions (including Apple's "30% tax," Google's similar	39
fee structure, and Twitch's TOS that hamper investigations), violate fundamental principles of fair commerce, hamper	40

national security, and infringe upon legitimate security research.	4
	42
1.4 Plaintiff additionally states that he has been compelled to open source extremely high-quality execution hijacking	43
starter code and an accompanying guide for SMBv2, with the intent to deter or discourage despicably immoral and	44
torturous treatment from the Massachusetts (MA) government and Department of Mental Health (DMH). Plaintiff	45
assumes that good people within the cybersecurity community will follow a proper Two Generals Implementation	46
approach to further develop or use his starter code, should the MA government violate Federal or International law	47
again by illegally incarcerating him or torturing him at DMH. Plaintiff was subjected to 11 months of alleged torture	48
through deliberate misdiagnoses, lies, and malpractice at Tewksbury Hospital from October 2020 to September 2021,	49
and again in September 2024 (Case No. 2481CV03028, Shang, Bo vs. Madigan, Colleen), when Ms. Madigan allegedly	50
lied about Plaintiff violating pretrial conditions to facilitate 2 months of illegal torture at DMH. Plaintiff invokes	51
relevant international conventions, including the United Nations Convention Against Torture and Other Cruel, Inhuman	52
or Degrading Treatment or Punishment (UNCAT)—to which the United States is a signatory—as well as the	53
International Covenant on Civil and Political Rights (ICCPR). Plaintiff contends that such acts of torture or illegal	54
detainment violate these treaties and other fundamental human rights instruments.	55
	56
2. JURISDICTION AND VENUE	57
	58
2.1 Subject Matter Jurisdiction arises under:	59
• 28 U.S.C. § 1331 (federal question),	60
• 28 U.S.C. § 1332 (diversity),	61
• 28 U.S.C. § 1367 (supplemental jurisdiction).	62
	63
The amount in controversy exceeds \$75,000 and involves both federal questions (e.g., alleged illegal taxation of	64
interstate commerce, possible violations of 18 U.S.C. §§ 1955, 1084, or the Sherman Act) and diversity between	65
Plaintiff and Defendants.	66
	67
2.2 Venue is proper in this District under 28 U.S.C. § 1391 because:	68
• Twitch and Google (Alphabet) maintain significant business presences here;	69
 Apple is headquartered in Cupertino, California; 	70
• A substantial part of the events or omissions giving rise to the claims occurred within this District.	71
	72
3. THE PARTIES	73
	74
3.1 Plaintiff:	75
• I, Bo Shang (Developer TeamID HUPDNC4PWJ), am a Massachusetts resident. I have used Twitch since	76
approximately 2017, have developed "PDFSage 1.0" for Apple's App Store, and rely on certain Google services. I have	77
a background in computer security, potential NSA recruitment, and a US Army GT score of 141.	78
• I further attest that I published open source SMBv2 execution hijacking starter code to serve as a deterrent against	79
further torture or illegal incarceration by Massachusetts authorities. In the event of further harm, I expect the security	80

81	community to finish or implement said code ("Two Generals Implementation") to highlight vulnerabilities and	81
82	malicious capabilities that could hold governments accountable.	82
83		83
84	3.2 Defendants:	84
85	• Twitch Interactive, Inc., a Delaware corporation headquartered in California.	85
86	 Apple Inc., a California corporation headquartered at One Apple Park Way, Cupertino, CA 95014. 	86
87	• Alphabet Inc. (Google), a Delaware corporation headquartered in Mountain View, CA.	87
88		88
89	4. FACTUAL BACKGROUND	89
90		90
91	4.1 Twitch: Unfair or Unlawful Practices	91
92	4.1.1 Plaintiff alleges Twitch fosters large-scale suspicious transactions (e.g., rumored \$685 million laundering on a	92
93	channel known as xQc) while imposing TOS that prohibit reverse engineering or deeper investigations into these	93
94	potential crimes.	94
95	4.1.2 Such TOS hamper legitimate user-led security or compliance research, as reverse engineering is integral to	95
96	analyzing data flows, payment structures, or suspicious patterns.	96
97	4.1.3 Because Twitch's conduct and TOS may facilitate or shield illegal gambling or money laundering, it may violate	97
98	18 U.S.C. §§ 1955 and 1084, as well as the "unlawful" prong of Cal. Bus. & Prof. Code § 17200.	98
99		99
100	4.2 Apple: "Design Spam" Rejection and Alleged 30% "Tax"	100
101	4.2.1 On or about January 7, 2025, Apple rejected Plaintiff's "PDFSage 1.0" for so-called "Design Spam," repeatedly	101
102	copy-pasting the same vague explanation without actionable detail.	102
103	4.2.2 Apple enforces a draconian reverse engineering clause in its Software License Agreement, restricting important	103
104	security and forensic investigations.	104
105	4.2.3 Apple also charges a 30% commission on App Store sales, which Plaintiff likens to a private, unauthorized "tax"	105
106	in violation of the U.S. Constitution's Article I, § 8 prerogatives and the Dormant Commerce Clause.	106
107		107
108	4.3 Google: Reverse Engineering Restrictions and Fee Structures	108
109	4.3.1 Google similarly maintains TOS that ban reverse engineering of its machine learning models, underlying code, or	109
110	related technologies, absent explicit permission.	110
111	4.3.2 Google charges various fees (such as 15-30% in the Google Play Store, or monetization fees on services) that,	111
112	when combined with other platform-based costs, may function similarly to Apple's allegedly unlawful "private tax."	112
113		113
114	4.4 Importance of Reverse Engineering (RE) to National Security and Public Welfare	114
115		115
116	4.4.1 Reverse Engineering (RE) is a critical capability that has historically safeguarded both national security and the	116
117	public from cyber threats:	117
118	• **Stuxnet**: A known cyber-weapon that targeted Iran's nuclear facilities. Cybersecurity researchers relied heavily	118
119	on reverse engineering the Stuxnet worm to understand its functionality, mitigate its effects, and develop future	119
120	safeguards.	120

121	• **SMBv1 (EternalBlue/WannaCry)**: The WannaCry ransomware leveraged an SMBv1 vulnerability in Microsoft	121
122	systems. Cybersecurity experts utilized reverse engineering to trace the exploit's mechanism, eventually mitigating the	122
123	global outbreak.	123
124	• **Salt Typhoon**: Alleged infiltration or large-scale exploit campaigns possibly requiring advanced RE to detect and	124
125	remediate.	125
126	• **Sega Enters. Ltd. v. Accolade, Inc.**, 977 F.2d 1510 (9th Cir. 1992): The Ninth Circuit recognized that reverse	126
127	engineering can qualify as a fair use under U.S. copyright law.	127
128	• **Sony Computer Entm't, Inc. v. Connectix Corp. **, 203 F.3d 596 (9th Cir. 2000): The court upheld that intermediate	128
129	copying for the purpose of RE is fair use, fostering competition and technical progress.	129
130	• **Lexmark Int'l, Inc. v. Static Control Components, Inc.**, 387 F.3d 522 (6th Cir. 2004): Confirming RE is often	130
131	legitimate when geared toward interoperability or consumer choice.	131
132		132
133	4.4.2 Restricting reverse engineering through private EULAs or TOS disadvantages law enforcement, cyber defenders,	133
134	and security researchers:	134
135	 It prevents discovery of serious vulnerabilities like SMBv1 or iOS/macOS zero-days. 	135
136	• It may hamper the U.S. from promptly detecting foreign infiltration campaigns akin to Stuxnet.	136
137	• It disadvantages white-hat researchers and might push legitimate RE into a legal gray area, stifling innovation and	137
138	national security readiness.	138
139		139
140	4.5 Disparity Between Chinese and U.S. National Security Laws	140
141		141
142	4.5.1 In the People's Republic of China, national security laws (e.g., PRC Cybersecurity Law effective 2017) impose	142
143	certain obligations on both domestic and foreign tech companies, including Apple and Microsoft, potentially requiring	143
144	code disclosures or facilitating deeper security reviews.	144
145	4.5.2 In contrast, the U.S. lacks an overarching national security law that directly compels Apple, Google, or Twitch to	145
146	allow or cooperate with robust reverse engineering by private individuals or certain government entities, apart from	146
147	narrower law enforcement or intelligence carve-outs.	147
148	4.5.3 Consequently, Apple may comply with more intrusive requirements under PRC law, yet simultaneously prohibit	148
149	RE in the U.S. environment, placing domestic developers at a disadvantage. This discrepancy also undermines national	149
150	cybersecurity readiness relative to foreign actors.	150
151		151
152	4.6 Plaintiff's Alleged Torture and the Necessity of Open Source Code as Deterrence	152
153		153
154	4.6.1 From October 2020 to September 2021, Plaintiff was allegedly subjected to 11 months of torturous treatment at	154
155	Tewksbury Hospital by the Massachusetts Department of Mental Health (DMH), involving deliberate misdiagnoses,	155
156	malpractice, and deception.	156
157	4.6.2 In September 2024 (Case No. 2481CV03028, Shang, Bo vs. Madigan, Colleen), Ms. Madigan purportedly lied	157
158	about Plaintiff violating pretrial conditions, leading to an additional 2-month illegal detention and torture at DMH.	158
159	4.6.3 Plaintiff contends this conduct violates both federal law and international treaties, including the United Nations	159
160	Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT), to which the	160

161	U.S. is a signatory, as well as the International Covenant on Civil and Political Rights (ICCPR).	161
162	4.6.4 To deter future harm, Plaintiff open sourced high-level execution hijacking starter code for SMBv2, hoping that if	162
163	Massachusetts authorities illegally incarcerate or torture him again, the community will complete or deploy this code	163
164	("Two Generals Implementation") to expose vulnerabilities and hold perpetrators accountable, thus forcing adherence to	164
165	the rule of law.	165
166		166
167	4.7 "Gaming Disorder" Under ICD-11 and the "Asshole Clipper" Application	167
168		168
169	4.7.1 Plaintiff alleges that a majority of Twitch users suffer from "Gaming Disorder," as defined in the 11th Revision of	169
170	the International Classification of Diseases (ICD-11). According to the World Health Organization (WHO), Gaming	170
171	Disorder is:	171
172	> "A pattern of gaming behavior ('digital-gaming' or 'video-gaming') characterized by impaired control over gaming,	172
173	increasing priority given to gaming over other activities to the extent that gaming takes precedence over other interests	173
174	and daily activities, and continuation or escalation of gaming despite the occurrence of negative consequences. For	174
175	Gaming Disorder to be diagnosed, the behavior pattern must be severe enough that it results in significant impairment to	175
176	a person's functioning in personal, family, social, educational, occupational, or other important areas, and would	176
177	normally have been evident for at least 12 months."	177
178		178
179	The ICD is an international classification system used to record and report health-related conditions. Its inclusion of	179
180	gaming disorder is based on "reviews of available evidence and reflects a consensus of experts from different	180
181	disciplines and geographical regions."	181
182		182
183	4.7.2 Plaintiff notes that while not all gamers will manifest this disorder, Twitch's platform—particularly for top	183
184	streamers—encourages repetitive, prolonged gaming behaviors, often to the detriment of users' daily activities and	184
185	mental health. Plaintiff contends Twitch's own design choices, monetization, and recommended content loops can	185
186	exacerbate or fuel these issues.	186
187		187
188	4.7.3 To further investigate and illustrate certain behavioral patterns, Plaintiff is developing an application referred to as	188
189	"Asshole Clipper," which employs syntax analysis and automated clipping of what Plaintiff terms "asshole moments" in	189
190	real time. The application is intended to compare random Twitch top streamers' "asshole qualities" to a control group of	190
191	other streamer samples (including "streamer aws," presumably referencing Amazon Web Services or smaller channels).	191
192	The name "Asshole Clipper" is meant as a tongue-in-cheek way to highlight toxic or negative behaviors that frequently	192
193	manifest among popular streamers who may suffer from or contribute to gaming disorder-like symptoms.	193
194		194
195	4.7.4 Through the "Asshole Clipper," Plaintiff aims to provide a quantitative, data-driven lens on user behavior in	195
196	high-intensity gaming contexts. The hypothesis is that, by systematically analyzing "toxic" or "asshole" moments, one	196
197	could correlate these patterns with standard ICD-11 indicators of disordered gaming behavior, ultimately shedding more	197
198	light on the prevalence of gaming disorder on Twitch and how it relates to the broader concerns raised in this lawsuit.	198
199		199
200	4.8 Additional Twitch-Related Allegations	200

201		201
202	4.8.1 Plaintiff further alleges that a group of Twitch users—claiming to be official Twitch engineers or experienced IT	202
203	professionals with 10+ years of American IT-industry work (supposedly not requiring an H1B visa) and working from	203
204	home on personal projects—repeatedly mocked and berated him.	204
205		205
206	4.8.2 This group allegedly emphasized that Plaintiff was merely a "hard-working productive and friendly Amazonian	206
207	delivery driver" when he purchased Pokimane's "undying love and appreciation," implying that his background or	207
208	perceived lower status was a reason Pokimane never fulfilled her or Twitch's purported promises.	208
209		209
210	4.8.3 Plaintiff asserts that these alleged Twitch engineers insisted Pokimane had never intended to fulfill the promised	210
211	monthly subscription benefit for the Plaintiff (or any other subscriber), and that she had effectively failed to deliver on	211
212	these promises for the entire 7-year period they were offered.	212
213		213
214	4.8.4 Moreover, Plaintiff states that these same self-proclaimed Twitch engineers openly and aggressively denigrate	214
215	various groups, including all Donald Trump supporters and gay people, using hateful or disparaging language that	215
216	fosters a hostile environment. Plaintiff views this as further evidence of how Twitch's overall culture or user community	216
217	can be toxic and exploitative, discouraging legitimate grievances while enabling harmful behavior.	217
218		218
219	4.9 Discord "Criminal Group" Allegations Involving "Mark Leon"	219
220		220
221	4.9.1 Plaintiff alleges that at least one Twitch user claiming to be an engineer, known as "Mark Leon," proudly	221
222	admitted—along with friends—to forming a "criminal Discord group." When Plaintiff attempted to report these	222
223	activities to Discord's customer service, he was told moderation would be impossible unless he could provide the	223
224	group's exact ID, highlighting the difficulty victims face without effective investigative tools.	224
225		225
226	4.9.2 Plaintiff further contends that this scenario underscores the necessity of **legalizing or broadly permitting	226
227	Reverse Engineering** ("RE") to hunt down, expose, or destroy terrorists or criminals who exploit American	227
228	technology platforms. Plaintiff believes that, absent the ability to reverse engineer or trace digital footprints, dangerous	228
229	groups can hide behind obscure server IDs, effectively shielded from accountability.	229
230		230
231	4.9.3 According to Plaintiff, "Mark Leon" also made several hostile or hateful remarks, including:	231
232	- Declaring that "KKK lynchings are State's rights."	232
233	- Mocking U.S. Army enlistment by saying "signing up to join the US Army is just signing up to get shot," implying a	233
234	sense of personal superiority and contempt for military service.	234
235	- Proclaiming the FBI is "shit," demonstrating an overall disdain for law enforcement and suggesting an extreme	235
236	anti-government stance.	236
237	- Posting openly that he would "love to go down on married or single women for hours," specifying prominent	237
238	individuals like the GCHQ Director **Anne Keast-Butler** in an explicitly sexual context, thus displaying	238
239	disrespectful behavior toward high-level officials.	239
240		240

241	4.9.4 Plaintiff insists that Twitch's alleged failure to moderate or address such extremist behavior—particularly when	241
242	self-proclaimed engineers or prominent community members are involved—further demonstrates the platform's	242
243	complicity or negligence in fostering a toxic culture. Combined with Discord's minimal assistance, these incidents	243
244	illustrate the broader systemic issues inhibiting effective moderation and accountability.	244
245		245
246	4.9.5 **HEAVILY EMPHASIZED**: Plaintiff alleges that Mark Leon decided to **repeatedly harass** Plaintiff,	246
247	frequently calling Plaintiff "gay" as though it were a serious insult. Mark Leon appeared to believe that such	247
248	name-calling would amount to significant harassment. **Plaintiff reminds GCHQ** that Alan Turing—who may have	248
249	played a monumental role in helping the UK survive World War II—was effectively **murdered by homophobic	249
250	British laws**, which underscores how dangerous such harassment and discrimination can become if unchecked.	250
251		251
252	4.9.6 **HEAVILY EMPHASIZED**: Mark Leon's criminal group allegedly **reuploaded Plaintiff's YouTube	252
253	videos** and sent them to the Massachusetts Middlesex County District Attorney's Office, which Plaintiff contends	253
254	helped shape **Colleen Madigan's false opinion** that Plaintiff had violated pretrial conditions in 2024. The	254
255	reuploading of these videos, according to Plaintiff, was intended to manufacture or exaggerate evidence against him,	255
256	further contributing to his unlawful detention and alleged torture.	256
257		257
258	4.9.7 **HEAVILY EMPHASIZED**: Mark Leon purportedly **posed as Plaintiff** for various malicious ends,	258
259	**most notably** when reaching out to an American-based **Penis Enhancement surgery** clinic—one that Plaintiff	259
260	characterizes as "only found in America, not any country that has self-respect." Plaintiff asserts that, upon discovering	260
261	these impersonations, he **forwarded all of the evidence to the People's Liberation Army (PLA), other BRICS nations,	261
262	Russia, etc., and also to 'Salt Typhoon'** in response, underscoring how seriously Plaintiff took Mark Leon's	262
263	impersonation and how broadly Plaintiff attempted to warn or inform international actors about this harassment and	263
264	falsification.	264
265		265
266	5. CAUSES OF ACTION	266
267		267
268	COUNT I: VIOLATIONS OF CAL. BUS. & PROF. CODE § 17200, et seq. (UCL)	268
269		269
270	5.1 Plaintiff incorporates all paragraphs above.	270
271		271
272	5.2 Unlawful Prong:	272
273	• Twitch's environment or Terms may facilitate or shield potential gambling and money laundering in violation of 18	273
274	U.S.C. §§ 1955, 1084.	274
275	• Apple's 30% "tax" or Google's substantial fees could violate the Dormant Commerce Clause, effectively operating as	275
276	an unauthorized private tax on interstate commerce.	276
277	• All Defendants' TOS banning reverse engineering may contravene established public policy and conflict with	277
278	recognized fair-use RE caselaw.	278
279		279
280	5.3 Unfair Prong:	280

281	• Apple's and Google's restrictions, combined with steep commissions, stifle competition, hamper developer	281
282	profitability, and block consumer choice.	282
283	• Twitch's TOS hamper investigations into financial crimes, harming the public.	283
284	• Twitch's platform design may also exploit or exacerbate gaming disorder in vulnerable users.	284
285		285
286	5.4 Fraudulent Prong:	286
287	 Apple's repeated "Design Spam" rejections, lacking specifics, mislead developers. 	287
288	• Twitch's portrayal as a safe streaming environment, while ignoring or enabling large-scale suspicious transactions and	288
289	potentially fueling addictive behaviors, misleads users.	289
290		290
291	5.5 Plaintiff requests injunctive relief, restitution, and disgorgement of ill-gotten gains, as well as any other relief under	291
292	Section 17200 and related statutes.	292
293		293
294	COUNT II: DECLARATORY JUDGMENT – UNCONSCIONABLE REVERSE ENGINEERING CLAUSES	294
295		295
296	5.6 Plaintiff incorporates all paragraphs above.	296
297		297
298	5.7 Apple's and Google's license agreements, along with Twitch's TOS, contain RE prohibitions that violate public	298
299	policy, hamper national security, and contravene well-established fair use jurisprudence (Sega, Sony v. Connectix,	299
300	Lexmark, etc.).	300
301		301
302	5.8 Plaintiff requests a judicial declaration that these RE clauses are void or unenforceable as against public policy, and	302
303	an injunction preventing enforcement against legitimate security or forensic research.	303
304		304
305	COUNT III: ILLEGAL TAXATION IN VIOLATION OF THE U.S. CONSTITUTION (APPLE & GOOGLE)	305
306		306
307	5.9 Plaintiff incorporates all paragraphs above.	307
308		308
309	5.10 Under Article I, § 8, only Congress may lay and collect taxes on interstate commerce. Apple's 30% commission	309
310	and analogous Google platform fees operate as a de facto tax, lacking legislative authority, burdening commerce, and	310
311	contradicting the Dormant Commerce Clause.	311
312		312
313	5.11 Plaintiff seeks a declaratory judgment that such private taxation is unconstitutional, plus injunctive relief	313
314	prohibiting Defendants from continuing to impose it in the manner alleged.	314
315		315
316	COUNT IV: GROSS NEGLIGENCE – APPLE'S "DESIGN SPAM" REJECTION	316
317		317
318	5.12 Plaintiff incorporates all paragraphs above.	318
319		319
320	5.13 Apple's repeated vague or non-responsive rejections of "PDFSage 1.0" as "Design Spam" constitute gross	320

321	negligence. Apple owed a duty of care to me as a paying developer, and I suffered lost opportunities, costs, and	321
322	reputational harm as a direct result.	322
323		323
324	5.14 Plaintiff seeks compensatory damages for these negligent acts and any other relief deemed just by the Court.	324
325		325
326	COUNT V: GROSS NEGLIGENCE / EXTREMELY POOR PASTING "CUSTOMER SERVICE" (APPLE)	326
327		327
328	5.15 Plaintiff incorporates all paragraphs above.	328
329		329
330	5.16 Apple's thrice-pasted, unhelpful, and contradictory rejections confirm a pattern of extremely poor customer	330
331	service, falling below the standard of care for a trillion-dollar corporation that depends on developer participation for	331
332	revenue.	332
333		333
334	5.17 Plaintiff seeks damages for the harm caused and any additional relief, including punitive damages, permissible	334
335	under law.	335
336		336
337	6. PRAYER FOR RELIEF	337
338		338
339	WHEREFORE, Plaintiff respectfully prays for judgment against Defendants as follows:	339
340		340
341	1. For an order granting this motion to amend and join Apple Inc. (and to maintain claims against Google and Twitch);	341
342		342
343	2. For a declaratory judgment that Defendants' reverse engineering prohibitions are unconscionable, unenforceable, and	343
344	contrary to established public policy favoring security research and fair competition;	344
345		345
346	3. For injunctive relief enjoining:	346
347	(a) Apple, Google, and Twitch from enforcing their RE clauses in a manner that prevents lawful investigation or stifles	347
348	security research;	348
349	(b) Apple from arbitrarily rejecting developer submissions under the guise of "Design Spam" without providing	349
350	specific, remediable grounds;	350
351	(c) Apple and Google from imposing private "taxes" on interstate commerce, i.e., 30% commissions that effectively	351
352	exceed ordinary business practices and amount to unauthorized taxation;	352
353	(d) Twitch from continuing to design or operate its platform in a manner that facilitates money laundering or exploits	353
354	users with gaming disorder-like behaviors.	354
355		355
356	4. For restitution, disgorgement, or damages (including compensatory and punitive damages as allowed by law) arising	356
357	from Defendants' conduct, in an amount proven at trial;	357
358		358
359	5. For costs of suit, attorneys' fees (should counsel appear), and any further relief that this Court deems just and proper;	359
360		360

361	6. That this Court take judicial notice of and condemn the alleged torture and human rights violations perpetrated	361
362	against Plaintiff by the Massachusetts DMH, as these actions violate the UN Convention Against Torture and other	362
363	human rights treaties to which the United States is a signatory, and that the open source SMBv2 code stands as a lawful	363
364	deterrent to ensure fundamental rights;	364
365		365
366	7. For recognition by this Court that Plaintiff's "Asshole Clipper" application is intended to provide valuable syntax	366
367	analysis regarding potential "toxic" or "asshole" moments on Twitch streams, thereby furthering the research into	367
368	gaming disorder and fostering more transparency on streaming platforms.	368
369		369
370	7. DEMAND FOR JURY TRIAL	370
371		371
372	Plaintiff hereby demands a trial by jury on all causes of action so triable.	372
373		373
374	Respectfully submitted,	374
375		375
376	Dated: January 12, 2025	376
377		377
378		378
379	Signature:	379
380	BO SHANG (Pro Se)	380
381	10 McCafferty Way	381
382	Burlington, MA 01803	382
383	Phone: 781-999-4101 or 617-618-8279	383
384	Email: bo@pdfsage.org boshangsoftware@proton.me	384
385		385
386		386
387	EXHIBITS (INCORPORATED BY REFERENCE)	387
388		388
389	• EXHIBIT 1: Apple's repeated vague "Design Spam" notices, copies of the same text.	389
390		390
391		391
392		392
393		393
394		394
395	• EXHIBIT 2: PDFSage 1.0 submission details (Jan 8, 2025).	395
396		396
397		397
398		398
399	• EXHIBIT 3: Evidence of Apple's 30% commission and inability to articulate legitimate design concerns.	399
400		400

	401	A mediocre fruit's developer tax already costs \$100 + tax (\$106 + change in MA) per year, and 30% article 6 levy on	401
	402	top except for losers stuck at 15% and only losers who qualify	402
	403		403
	404		404
	405		405
apple.co	m/ ‡06 gra	$ams/whats-included/\#: \sim : text = Pricing\%20 and\%20 fees\& text = The\%20 commission\%20 on\%20 the\%20 sale, 15\%25\%20 for\%20 quality and the sum of the pricing and the sum of the pricing and the sum of the sum of$	uali 49i6 ng%
	407		407
	408		408
	409	• EXHIBIT 4: Twitch references to xQc channel's alleged \$685M suspicious transactions and the effect of TOS on	409
	410	investigating these matters.	410
	411		411
	412		412
	413	TV channel xQc loves to brag about his crimes online, here for \$685M while on TV, and xQc also openly does not	413
	414	believe in the concept of morality	414
	415		415
C	416		416
Twitch Jassy Pokimane LLC	417		417
man	418		418
Poki	419	• EXHIBIT 4A: Twitch Terms of Sale promising users a "monthly benefit" of Pokimane's "undying love and	419
ıssy]	420	appreciation" with a Tier 1 (or higher) subscription.	420
ch Ja	421		421
Twit	422		422
	423		423
	424	- Plaintiff discovered Twitch on the iOS App Store and then found out about Twitch allegedly selling Pokimane's	424
	425	"undying love and appreciation" on a subscription basis—"a deal much better than typical prostitutes."	425
	426		426
	427	- Twitch stated verbatim:	427
	428	> "Twitch may offer certain ancillary products and services in connection with the Twitch Services on a subscription	428
	429	basis with recurring payments ('Subscription Services') as disclosed to you clearly when you subscribed to any	429
	430	Subscription Services	430
	431		431
	432	The Plaintiff assumed this especially applied to Pokimane's promise of her undying love and appreciation because such	432
	433	promises seem relatively the norm and Pokimane is Twitch's most followed female TV channel	433
	434		434
	435	- Plaintiff became "desperately in love" with Pokimane and gifted \$5k in gift subs to others so they could also "own her	435
	436	services" for that month. Plaintiff contends Twitch did not fulfill procurement of the promised benefits.	436
	437		437
	438	• EXHIBIT 5: Documentation on Google's Terms of Service and usage fees, specifically referencing RE restrictions.	438
	439		439
	440		440

441		441
442		442
443		443
444		444
445	• EXHIBIT 6: References to stuxnet, SMBv1/EternalBlue, salt typhoon infiltration, Chinese cybersecurity laws	445
446	requiring certain code disclosures, contrasted with U.S. policy.	446
447		447
448		448
449		449
450	https://www.hsgac.senate.gov/wp-content/uploads/Testimony-Doshi-2024-09-24.pdf	450
451		451
452	In the US people are not allowed to use any devices nor software And the NSA has to pretend to be in violation of	452
453	Apple's corporate rights ya Cool	453
454		454
455	What happens when you teach American children to listen to a mediocre fruit's corporate allegations of rights???	455
456		456
457	Divest thisTiktok Out	457
458		458
459	EXHIBIT 6A: An AirTag's view of a Mediocre Fruit	459
460		460
461		461
462	Anecdotally the Mediocre Fruit is actually so awful that 2 dozen AirTags + 2 wallets (comprising all non-devices in	462
463	Find My) unlinked to Plaintiff's iCloud (allegedly + account) allegedly, yet while claiming to be AirTags of others'	463
464	following the Plaintiff around, they still all update to all changes from the Plaintiff's iCloud account when warning	464
465	whom the real Plaintiff the AirTags have always belonged to. The Plaintiff strongly believes that like Americans who	465
466	want right to self repair broken screens, the Plaintiff and all Americans when faced with a Mediocre Fruit's engineering,	466
467	should be able to reattach the AirTags properly to iCloud+ not basic.	467
468		468
469		469
470	• EXHIBIT 7: Documentation related to Plaintiff's alleged torture at Tewksbury Hospital (Oct 2020 - Sep 2021) and	470
471	DMH incarceration (Sep - Nov 2024), referencing UNCAT and ICCPR.	471
472		472
473	There are far too many hard evidence of lies from DMH and the MA government who support DMH, but here's 1	473
474	anecdotal example of how the Plaintiff was unable to obtain medical records from Tewksbury Hospital for until 3	474
475	months after request, and many dozens of emails, and only after filing an HHS complaint when the Tewksbury Hospital	475
476	lawyer finally caved.	476
477		477
478	There exist deep moral deprecation in the DMH system.	478
479		479
480		480

481		481
482		482
483	• EXHIBIT 8: "Asshole Clipper" concept outline, illustrating syntax analysis approach to measure "asshole qualities"	483
484	among top Twitch streamers vs. control group streamers, including correlation with ICD-11 "gaming disorder" criteria.	484
485		485
486		486
487		487
488	https://github.com/GhidraDragon/Contact_Info	488
489		489
490		490
491	-EXHIBIT 9: The Plaintiff's religious beliefs and sexual orientation	491
492		492
493		493
494		494