

CASE NO. \_\_\_\_\_

PETITIONERS:

**JOSEPH DEAN**, a Tampa resident

IN THE UNITED STATES DISTRICT COURT

MIDDLE DISTRICT  
OF FLORIDA

DEFENDANTS:

**ROKU INC**, a San Jose, California  
corporation

TAMPA DIVISION

**AMMENDED COMPLAINT OF ANTICOMPETITIVE BEHAVIOR BY A MONOPOLY  
Replaces (8:24-cv-02113-SDM-AEP)**

Plaintiff, Joseph Dean, filing pro se, petitions the Court to provide permanent and equitable relief against defendant, Roku Inc. to permanently undo anti-competitive and monopolistic actions taken to prevent competition by changing their API to disallow third party apps from using functions of their API, most notably all the ones Joseph Dean used, but can no longer, when writing his Veamcast apps. We respectfully ask the Court to provide compensatory, and punitive damages and other remedies.

The primary jurisdictional basis for an antitrust claim in federal court would be:

a) Federal Question Jurisdiction (28 U.S.C. § 1331): The case arises under federal law, specifically the Sherman Antitrust Act (15 U.S.C. §§ 1-7) and/or the Clayton Act (15 U.S.C. §§ 12-27).

b) Specific Antitrust Jurisdiction (15 U.S.C. § 4): The Clayton Act provides that federal district courts have jurisdiction to "prevent and restrain violations" of antitrust laws.

c) FTC Act Section 5(a) (15 U.S.C. § 45(a)) prohibits "unfair methods of competition" and "unfair or deceptive acts or practices" in or affecting commerce. While the FTC retains its core enforcement authority under this provision, the FTC statutes should significantly influence the interpretation and enforcement of these antitrust laws by the courts.

Joseph is filing on behalf of himself and only himself. He is the sole shareholder of Veamcast Corp (Exhibit Z1, Z2), a corporation which will likely be defunct due to the anticompetitive actions of the defendants.

Since 2010, Joseph (Joe) Dean, a current Tampa resident, has been developing apps and an API for a video/voice/photo publishing and sharing service in an attempt to start and fund a business around a set of apps named Veamcast.

The Veamcast apps rely heavily on the use of the Roku APIs. Veamcast allows its users to publish, share and communicate very much in the way the Facebook and other social media platform do except with more of an emphasis on one-to-one communication, user created playlists and ad campaigns. Veamcast playlists can contain of any type of media, any URL, and deep links within other apps. Those deep links 3<sup>rd</sup> party app owners would of course appreciate this because traffic

is currency. Veamcast playlists can then be played or linked to on all platforms that support the link. Our plans were to eventually allow users to purchase content for other users. Joe prioritized the Roku app. Joe also developed a Windows app, an Android app, a web viewer, several APIs and mailing systems. These apps are designed to cast the content to Roku devices so they can be viewed on the big screen. He was tremendously harmed, financially, emotionally and even physically by Roku discontinuing third party apps in such an obviously anti-competitive way to achieve a monopoly. It was devastating. Roku's actions were intended to prevent Veamcast from becoming a company that could compete with Roku, Facebook and the other tech giants.

On August 23, 2024, Joe Dean posted this question as joedean62 to a thread he created on Roku's website (Exhibit A) in reference to the quote below, also found on the Roku website (Exhibit B):

**Mobile remote app viability**

DOES THIS MEAN THAT ALL THE MOBILE REMOTE APPS ARE NOT GOING TO WORK ANYMORE? (last sentence)

*"Support for sending ECP commands from within a Roku channel application has been discontinued. Channels may no longer include code in their channel application that is designed to issue any type of ECP command. [Static Analysis testing](#) has been updated to check channels for ECP commands. Channels that include ECP commands in their code will automatically be blocked from publishing to the Roku Channel Store.*

*In addition, ECP commands may not be sent from 3rd-party platforms (for example, mobile applications)."*

The next day (Saturday August 24, another user named renojim, a Community Streaming Expert, who has a tagline "I am not a Roku employee" replied:

**Re: Mobile remote app viability**

Sending ECP commands from within a Roku app running on a Roku device is not the same as sending an ECP command from an external non-Roku device. It's not a new limitation.

Where did you find any statement about ECP not being allowed from 3rd party platforms? That doesn't make any sense. If not from 3rd party platforms, then what good would ECP be?

Later that day another user named AVSGunnar, who has a tagline "Just another Roku user...I am not a Roku employee" replied:

**Re: Mobile remote app viability**

[@renojim](#)

I believe it was from

here. <https://developer.roku.com/docs/developer-program/dev-tools/external-control-api.md>

There is a line that states "In addition, ECP commands may not be sent from 3rd-party platforms (for example, mobile applications)."

There was also a couple of older questions in the Developer forum that didn't really seem to make it any clearer. (at least to me).

Later that day renojim replied:

**Re: Mobile remote app viability**

Ah, I do vaguely remember that. I didn't understand it then and I don't understand it now. I only use a few ECP commands, but they're still working for me. I guess it's the "3rd-party platforms" part I don't get. I use cURL and maybe it's different somehow? They may be trying to kill off the numerous paid Roku remote apps that sometimes upset people that think Roku is charging for them (and are totally unnecessary if you ask me given Roku has an official app that's free).

Later that day, Joe Dean posted as joedean62:

**Re: Mobile remote app viability**

That's a good way to get **\*\*bleep\*\*** apps. One vendor blocks out all others. Should Roku be the only one we can discover content from?

The bleeped word was 'crappy' and it was done automatically with no prompt. It's interesting to note later in the thread how the word 'lawyer' could not be posted at all... not even bleeped. An error message would appear. (Exhibit L1). A screenshot of that error message was taken and an attempt to upload resulted in a 'flood'

error (Exhibit L2). It's an obvious and blatant attempt to prevent legal action from being discussed on their forum.

Later that day, renojim posted:

**Re: Mobile remote app viability**

[@joedean62](#), I don't follow you; I feel like I must be missing something. How does not allowing ECP from 3rd-party platforms affect discovering content? I can understand people with Roku remote apps that were making money off of people that didn't know there was a free Roku app being upset, but that's about it.

The following day, (Monday August 26), Joe Dean as joedean62 replied:

**Re: Mobile remote app viability**

This video demos an app I am working on. I can see Roku's position that any app on your network having control of your TV could be problematic, but they should offer a program for developers that implements security. They should embrace this. There is huge revenue potential.

Video here: <https://youtu.be/q6vg5-Gzoaw>

The link is to a Veamcast post of a recorded video demonstrating the Veamcast platforms integration of their Roku app and some of the functions that were still working but were warned would no longer.

The app was a tremendous amount of effort and work and clearly does unique things the Roku apps currently do not do.

Later that day, another user named michalama, the only one who did **not** have a tagline denying to be a Roku employee and who is labeled a 'newbie' posted:

**Re: Mobile remote app viability**

It looks like support for ECP commands from within a Roku channel applications and other platforms, including mobile remote apps, has been discontinued. To adapt, you might want to explore alternative methods for controlling Roku devices, such as using the Roku mobile app's built-in features or updating your channel to comply with the new guidelines.

The Roku employee's suggestion to 'explore alternative methods' comes to a very quick end. I will definitely not get the functionality I implemented and even if I could, it would clearly be foolish for anybody to work with people who have such callous disregard for the developers they so blatantly steal ideas from.

Without evidence, I suggest the posters who claim to not work for Roku are most likely working for companies that contract to Roku or their partners (i.e. Cognizant, Accenture, Infosys, IBM, Wipro, Deloitte). I don't discount the possibility that one of these users is Anthony Wood himself.

Later that day, renojim posted:

**Re: Mobile remote app viability**

[@joedean62](#), thanks for sharing. Looks interesting, but it seems that anytime Roku opens up their devices to external apps they get burned by some douche bag that takes over a Roku device with some kind of scheme to show ads or otherwise make the douche bag money. I'm sure it's easier for them to just ban such uses than to implement some kind of security. A better place for this discussion is probably the developer section where I see you've also posted.

It's interesting to note that while 'lawyer' was forbidden and 'crappy' was bleeped, 'douche bag' seemed to make the cut and 'douche bag money' seems to refer to money made by apps other than Roku.

Later that day, Joe Dean as joedean62 posted:

**Re: Mobile remote app viability**

The L word is not allowed on this forum.

The post included a link to a recorded video demonstrating the error messages I encountered with the word 'lawyer' (Exhibit L1 and L2).

It can be viewed here: <https://youtu.be/aeluHdchFsE>

This should deeply offend the Court. It is very unusual and concerning. Roku is clearly trying to avoid discussions of their crimes on their platform.



In a VIDEO INTERVIEW WITH ROKU'S ANTHONY WOOD on USA TODAY, he can be seen saying:

"Another thing we think will change things dramatically is an App Store for TV. So just like the iPhone has an App Store, we want later this year to launch an App Store for Roku for our box to let third parties, published content and applications that consumers can access directly from their TV."

It can be viewed here: <https://www.youtube.com/watch?v=9A3iav9fLBC>

Anthony's statement was a clear indication that the Roku company was going to embrace third party apps in its platform. This is very similar to the tactics taken by Facebook with their APIs (FTC v Facebook, 2024 1:20-cv-03590). Facebook would offer functionality to third party apps which would provide them with users and ideas. Once the company achieved dominance, those functions were removed leaving Facebook with the users, the concepts of what worked and what didn't and a defensible monopoly with ineffectual competition.

Joe Dean began work on the Veamcast Roku App in December of 2019 (Exhibit V). When a 3<sup>rd</sup> party Roku app is tested, it is certainly possible for Roku to monitor what it's doing. It's the purpose of [Static Analysis testing](#). Joe's Windows and Android apps were also available for download in beta form. His app was registered in Roku's public channels (Exhibit G). Anybody could see what he was doing.

Roku launched Photo Streams (Exhibit R) on June 15, 2022. This feature allows Roku users to cast photos from their smartphones to their Roku devices. It's a subset of what Veamcast does and I'm pretty sure it'll evolve into exactly what Veamcast does. Whether Roku stole the idea is likely but irrelevant. The Veamcast app can not compete due to the new restrictions put on the Roku API. Roku has also changed the rules so that they are the only mobile app that can communicate with their devices now. It clearly blocks all others. There can be no doubt it is a tactic to obtain a monopoly.

This is second filing of a COMPLAINT OF ANTICOMPETITIVE BEHAVIOR BY A MONOPOLY concerning Veamcast. Veamcast was also the brunt of blatant anti-competitive behavior from Facebook. Veamcast filed in this court on November 12, 2020 (Appendix F) and it was dismissed without prejudice for procedural reasons, most notably it was filed pro se. Attempts to obtain counsel went in vain. These attempts included an Open Letter to the Department of Justices of both the U.S. and the Philippines (Exhibit J). This was emailed and postal mailed to all members of the Senate Judiciary Subcommittee on Competitive Policy, Antitrust and Consumer Rights and numerous other politicians. I reached out to countless law firms asking for counsel. No law firms were keen on suing Facebook. Maybe my emails hit the junk mail folder. There was a firm that contacted me on LinkedIn and seemed to be interested but then ghosted me after we sent them our suit.

Senator Amy Klobuchar was on the list of people the letter was sent to as she is a trailblazer as the Chairwomen of the Senate Judiciary Subcommittee on Competitive Policy, Antitrust and Consumer Rights. I

sent it to all members. I got crickets back. I was not surprised to see Ms. Klobuchar is dedicated to defending one rich monopolistic company against other another. Appendix K is a press release of her defending Roku against Google. She and all committee members should be investigated to see their lobbyist ties. It's a bipartisan effort to carve up that lobby pie as the tech oligarchs struggle for control of our media and communications. The government should investigate their investments deeply. Don't forget their family members.

Joe Dean's other startup, Electronic Sports had its concept blatantly stolen by Nintendo (Appendix N). If this type of thing happens to one person three times by three companies in three different ways, how prevalent must it be?

This behavior has far reaching consequences. Consumers will clearly get substandard products like Roku and Facebook. It also kills off monetization opportunities for local news and other democratic mainstays. The worst part is the politicians being so obtuse to it, yet campaigning on it. They collude with the tech oligarchs to censor their crimes. They conduct circus hearings but do nothing.

With these oligarchs in charge, we will be presented with content aligned with their ideals. Here is a video of Anthony Wood explaining his philanthropy. He explains that "you can't help people, they have to help themselves", then speaks with pride about his donations to the cause of 'curing his jet lag' because he hates that. It ruins his vacation. He's working on gene replacement therapy for it. I imagine he gets tax benefits for this somehow.

Link can be viewed here: <https://youtu.be/yjlg8rSWvZM>

Tech oligarchs control our communication completely. Email has nearly replaced the Post Office for official business which until fairly recently had a near monopoly on delivery of the mail, a responsibility dating back to the Articles of Confederation (1777). Having Microsoft (Outlook and LinkedIn), Google (Gmail), AOL/Yahoo and a handful of others controlling our communications, filtering what should reach our inboxes, running all our mail through their learning engines and deciding what is delivered is a total recipe for disaster. LinkedIn sells peoples contact information outright and even then, the communication often has a very low chance of delivery. Social media has weaponized user data. Before the Bell System's monopoly was broken up it had a Universal Service Obligation to provide phone books to all customers, ensuring everyone had access to contact information. Social media controls and monetizes that info today along with vast amounts of other personal information. This is an incredibly large mistake that many seem to recognize but that no one seems to be addressing. The government needs to fix this with a required header to the SMTP protocol which delivers ALL email. Mail providers should be compelled to populate a header with a count of how many emails were sent by that user in the past X hours/minutes and only those sending bulk should be subject to any scrutiny. All other email should be delivered person to person and reach their inbox without any analysis. The receiver can block and report email abuse violations. It's not difficult to do but there is clearly a disincentive. Government needs to create rules that govern contact

distribution, communication and data storage rules. They should not allow the FBI, CIA, NSA, TSA, FCC, CNN, FISA, Microsoft, Amazon, the Courts, the Police, Doris Day, Matt Busby or anyone else access without reason and full accountability.

We believe this is relevant because our messages attempting to get counsel most likely were labeled as spam and delivered to the junk mail folders of the people we send them to.

While Veamcast cannot determine exactly what is happening, the evidence we get from sending email campaigns definitely tells us our links get manipulated and we get a lot of traffic with the data mangled. We also get thousands of hits from companies hacking our URLs and we don't see any economic benefit to hacking us as we're under development. So, it begs explanation.

Video here: <https://www.youtube.com/watch?v=xgWHvKhPuZc>

Roku is part of a cartel of tech companies who collude and carve out niches for each other. The Senate Judiciary Subcommittee on Competitive Policy, Antitrust and Consumer Rights act as referees.

Roku has brazenly grabbed dominance in the TV streaming market and now they are bringing their **\*\*bleep\*\*** platform to a near total monopoly. It is clearly prohibited by the Sherman and Clayton Acts as well as FTC statutes. They took every action possible to thwart competitors. They used the Roku API to gain intelligence on the competition and then when the efforts threatened their market share,

the defendants would systematically shut them down and steal the concepts. The evidence presented here is as clear as could possibly be.

Based on the facts, the following claims could be asserted:

a) Violation of Sherman Act Section 2 (15 U.S.C. § 2): Monopolization or attempt to monopolize the market.

b) Violation of Clayton Act Section 3 (15 U.S.C. § 14): Exclusive dealing arrangements that substantially lessen competition.

c) Violation of FTC Act Section 5(a) (15 U.S.C. § 45(a)):

In a proximate result of the aforementioned, Joseph Dean has suffered devastating loss of opportunity, severe financial injury, emotional and physical suffering and damages in the following ways:

Plaintiff implemented better functionality and then defendants disabled that functionality piece by piece. This strategy was an effective way to prevent the Plaintiff from launching, getting traffic and building a user base. It wasted a great deal of their resources and development efforts. Plaintiff was not only unable to gain users through the Roku platform but the work and money they put into all the Roku API interfaces was lost. That time and effort could have been used to get users through other sources.

Any developer of an app platform seeking investment will be asked how many users they have. The Plaintiff's efforts to raise funds were clearly thwarted due to the time wasted with this. The deceptive behavior of the defendants in both the Facebook and the Roku suits added to the delay in the Plaintiff efforts. The distraction and fallout have been near fatal to the company and absolutely devastating to the morale and health of the Plaintiff. The opportunity cost exceeds the total market value of Roku Inc or possibly even Facebook's. This complaint only contains information we know to be true but the Plaintiff believes there is more to this, that the behavior goes back even further and that both Roku and Facebook have policies and procedures in place to do this to any company that threatens them or disagrees with their agenda.

In an industry that prides itself on companies that grow out of garages, the defendants and their cohort's duplicity and deceit doubtlessly took out countless fledgling tech companies in their quest for dominance. Nothing could be less American. It's nothing less than criminal.

Joseph Dean seeks punitive damages and compensatory damages in the amount of \$10 billion, the approximate market value of the Roku company, according to proof, the cost of the lawsuit and whatever else the court sees just and fit to award. Roku's actions prevented Veamcast from entering the market and gaining traction which could eventually have led to a superior TV platform, one better integrated with communications and media outside the Roku ecosystem and one more aligned with the First Amendment. We also request the Court order

Roku to permanently undo the changes to the API and continue letting third party access to all the functionality available in the Roku APIs since its inception. We also request the court open criminal investigations into any or all of the allegations presented. The Court should advocate for a class action lawsuit on behalf of all Roku 3<sup>rd</sup> party developers. A full investigation should be conducted. Anthony Wood and other Roku officers should be criminally charged.

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a) Violation of Sherman Act Section 2 (15 U.S.C. § 2): Monopolization or attempt to monopolize the market

1. Criminal Penalties:

- o Felony charges for individuals
- o Up to 10 years in prison for individuals
- o Fines up to \$1 million for individuals
- o Fines up to \$100 million for corporations, or twice the amount gained from the illegal acts or twice the money lost by the victims if either of those amounts is over \$100 million

2. Civil Penalties:

- o Injunctive relief (court orders to stop the illegal behavior)
- o Treble damages (three times the amount of actual damages) in private lawsuits
- o Structural remedies, which may include breaking up the company

3. Other Consequences:

- o Reputational damage



- o Potential debarment from government contracts

b) Violation of Clayton Act Section 3 (15 U.S.C. § 14): Exclusive dealing arrangements that substantially lessen competition

1. Civil Penalties:

- o Injunctive relief to stop the anticompetitive practices
- o Monetary penalties, which can be substantial
- o Treble damages in private lawsuits

2. Other Consequences:

- o Nullification of exclusive dealing contracts
- o Reputational damage
- o Potential oversight and reporting requirements

The statements above and the addendums are true to the best of my knowledge.



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PETITIONER SIGNATURE  
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FILING PRO SE

Last modification: September 18, 2024

## **Addendum**

Note: Some of the evidence is presented in music video format.

Much of it is irreverent. It was done in an attempt to educate the general public about how dystopian society has become under the rulership of the tech cartel.

This case is a very unusual one about a very concerning matter affecting world security. 'Bond villain' type stuff. The Joker, The Penguin and Lex Luther have back stories that explain their megalomania.

Attached (Exhibit M) is an email thread which has been typical. We don't believe we can find counsel.

## **Appendix**

Exhibit Z1: Sunbiz.org Division of Corporations Detail for Officer/Registered Agent for Veamcast Corp

Exhibit Z2: Electronic Articles for Incorporation for Veamcast Corp

Exhibit A: Full thread on Roku website in PDF as it was at the time of the writing

Exhibit B: Screenshot of Roku's External Protocol (ECP) page where the instruction on using it are shown. Recent changes are highlighted (by Roku)

Exhibit L: Screenshot of Roku's messaging refusing content that contains the word 'lawyer'

Exhibit L2: Screenshot of Roku's messaging service refusing a screenshot of Roku's messaging refusing content that contains the word 'lawyer'

Exhibit E: Repository Timestamp showing first date check-in

Exhibit R: Roku Photo Streams Screenshot

Exhibit G: Roku website screenshot showing Veamcast account info

Exhibit J: Open Letter to the U.S. and Philippines Departments of Justice

Exhibit K: News Release: Klobuchar Statement on Roku Concerns Regarding the Effect of Google's Self-Preferencing Business Practices

Exhibit F: Veamcast v Facebook

Exhibit N: Nintendo blatantly steals Electronic Sports idea

Exhibit M: Typical lawyer correspondence when seeking counsel

## Contact Info:

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