

1 **UNITED STATES DISTRICT COURT**
2 **DISTRICT OF MASSACHUSETTS**

3 _____)
4 FEDERAL TRADE COMMISSION,)
5 Plaintiff,)
6 v.) Civil Action No. 03-40005-NMG
7 WILLIAM SCOTT DION, individually and dba PT)
8 RESOURCE CENTER and PTRC, aka)
9 DON GLESSNER,)
10 Defendant.)
11 _____)

12 **COMPLAINT FOR INJUNCTIVE AND OTHER EQUITABLE RELIEF**

13 Plaintiff, the Federal Trade Commission (“Commission”), by its undersigned attorneys, for its
14 complaint alleges:

15 1. The Commission brings this action under Section 13(b) of the Federal Trade
16 Commission Act (“FTC Act”), 15 U.S.C. § 53(b), to secure permanent injunctive relief, rescission of
17 contracts, restitution, disgorgement, other redress, and other equitable relief against Defendant for
18 engaging in deceptive acts or practices in violation of Section 5(a) of the FTC Act, 15 U.S.C. § 45(a).

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20 **JURISDICTION AND VENUE**

21 2. This Court has subject matter jurisdiction over Plaintiff’s claims pursuant to
22 28 U.S.C. §§ 1331, 1337(a), and 1345, and 15 U.S.C. §§ 45(a) and 53(b).

23 3. Venue in the United States District Court for the District of Massachusetts is
24 proper under 28 U.S.C. § 1391(b) and (c) and 15 U.S.C. § 53(b).

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1 **THE PARTIES**

2 4. Plaintiff, the **Federal Trade Commission**, is an independent agency of the United
3 States government created by the FTC Act, 15 U.S.C. §§ 41-58. The Commission enforces the FTC
4 Act, which prohibits unfair or deceptive acts or practices in or affecting commerce. The Commission is
5 authorized to initiate federal district court proceedings by its own attorneys, to enjoin violations of the
6 FTC Act, and to secure such equitable relief as is appropriate in each case, including restitution and
7 disgorgement. 15 U.S.C. § 53(b).

8 5. Defendant **William Scott Dion** does business as PT Resource Center
9 and PTRC, with a mail drop address at 44 Depot Street #5, Uxbridge, Massachusetts. Individually or
10 in concert with others, he directs, controls, formulates or participates in the acts and practices set forth
11 herein. Defendant Dion resides at 15 Granite Street, Uxbridge, Massachusetts. Defendant Dion uses
12 the name Don Glessner as PTRC’s founder and owner, on PTRC’s web site and in PTRC
13 correspondence. Defendant Dion transacts or has transacted business in this District.

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15 **COMMERCE**

16 6. At all times relevant to this complaint, Defendant’s course of trade is in or
17 affecting commerce within the meaning of Section 4 of the FTC Act, 15 U.S.C. § 44.

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19 **BACKGROUND CONCERNING INTERNATIONAL DRIVING PERMITS**

20 7. The United Nations Convention on Road Traffic of 1949 (“Road Traffic Convention”)
21 was promulgated to establish certain uniform rules for international road traffic. The U.S. and over 150
22 other countries are signatories to this convention. The contracting countries agreed to allow legally-
23 admitted visitors from other contracting countries to drive on their roads, if the visitors have a valid
24 driver’s license issued by another contracting country or subdivision thereof.

25 8. The Road Traffic Convention created a document called an International Driving
26 Permit (“IDP”) to facilitate this reciprocal agreement. An IDP is a booklet that translates a person’s

1 government-issued driver's license into the official languages of the United Nations (Arabic, Chinese,
2 English, French, Russian, Spanish) and up to six other languages chosen by the issuing country. Its
3 purpose is to reduce confusion caused by language barriers between local police and foreign drivers
4 carrying foreign-language driver's licenses.

5 9. The Road Traffic Convention provides that IDPs must be issued by the same
6 country that issued the person's driver's license or by a duly authorized association designated by that
7 country. This requirement ensures that IDPs are issued only to persons who hold a valid
8 driver's license from their home country. This requirement also ensures that translations in IDPs are
9 truthful and accurate.

10 10. Valid IDPs must conform to the model set forth in Annex 10 of the Road Traffic
11 Convention concerning color, size, and required information. The name of the issuing country must be
12 printed at the top of the front cover and a seal or stamp of that country's governmental unit or
13 association empowered to issue IDPs must be affixed to the middle of the front cover.

14 11. Annex 10 requires the IDP to include the following five pieces of information about the
15 driver: surname, other names, place of birth, date of birth and permanent place of residence. The
16 signatory country or its authorized association must affix its seal or stamp next to the category of
17 vehicles the driver is licensed to operate. The driver's photograph and signature must be affixed on the
18 last page of the IDP.

19 12. Some countries require visiting tourists to carry an IDP along with their
20 home country driver's licenses, but most do not. The U.S. State Department encourages U.S. citizens
21 and residents to obtain an IDP and carry it with their driver's license if they plan to drive in countries
22 where English is not the primary language.

23 13. Residents of countries that are signatories to the Road Traffic Convention may
24 drive legally in the United States if they have a valid license from their country of residence. They are
25 not required to carry an IDP.

26 14. A valid IDP does not do the following:
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- 1 a. It does not confer driving privileges; it merely translates a person's government-
2 issued driver's license into the six official languages of the U.N. and up to six
3 other languages.
- 4 b. It does not insulate U.S. citizens or residents from the legal consequences of
5 driving in the U.S. without a valid driver's license issued by a U.S. state or
6 territory.
- 7 c. It does not insulate U.S. citizens or residents from the legal consequences of
8 driving when their driver's license has been suspended or revoked.
- 9 d. It does not insulate U.S. citizens or residents from having points assessed
10 against their driver's licenses for violations of state or territorial traffic laws.
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12 **DEFENDANT'S BUSINESS PRACTICES**

13 15. Since at least 1995, Defendant has maintained an Internet website www.ptrc.net.
14 Attached to this Complaint as Exhibit 1 is a copy of Defendant's website from on or about August 2,
15 2002. On this website, Defendant offers for sale IDPs, books, tapes, alleged state identification cards,
16 and other purported identification documents. Defendant's website includes, among others, the
17 following statements:

- 18 a. There is no government on earth that issues an International Driving or
19 Operators Permit. They are issued under the authority of International Law and the
20 Law of Nations in accordance with N.A.T.O., and the Convention of International
21 Road Traffic [sic] of 1949. It is International Law and Contract Law between
22 countries that authorizes the issuance of any type of International Driver Permit.
23 Contrary to popular belief, businesses like AAA, PATA [sic] and others DO NOT have
24 a monopoly on the issuance of IDP's. These organizations are actually restricted (as
25 legal fictions) to whom they can or cannot issue IDP's (to other legal fictions.).
- 26 b. Available For Every Country On Earth!
- 27

- 1 c. Become a permanent tourist. Retain your Liberty of Movement without
2 waiving your rights by overcoming the presumption that you are a U.S. or State resident
3 with this very impressive document.
- 4 d. **IMPORTANT!** For the IDP to be valid in your state or country, you
5 cannot have a driver license issued from your state or country or registered in your
6 name.
- 7 e. State issued licenses supersede an international driver license in the state
8 or country where they are being used. That is, if you are ever stopped, your tags and
9 name are run through the DMV computer. If the name on the IDP matches that in
10 DMV records, then you are a 'resident' and not a tourist. IDP's are intended for
11 tourists. If you do not understand this, **DO NOT** order the IDP for use in the country
12 where you live.
- 13 f. International Driver Permit **CANNOT** be assessed points, revoked or
14 suspended.
- 15 g. Have been used to help establish a new identity (camouflage identity,
16 car rentals, positive ID, travel ID, etc.)
- 17 h. **A successful IDP holder's position if ever confronted, is Always:** I am an
18 American (or, nationality printed on the IDP). I live and work abroad. I
19 am here on vacation. I am a nonresident. I am borrowing the car. If I have committed
20 a crime or broken a law, then arrest me, cite me, or let me go. Then **SHUT YOUR**
21 **MOUTH, AND ADMIT NOTHING!**
- 22 i. Police officers are not trained in Law or International Law. They operate
23 under policy and procedure and [have] been given the power of 'discretion.' Many
24 officers have no knowledge and have never even seen an IDP. Some may even tell you
25 that an IDP is not valid. Never argue the subject of validity, as police officers hate to
26 appear ignorant. If anything, simply state that the IDP was purchased in the 'country of
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1 issue,' and, to the best of your knowledge and belief, it is perfectly lawful. Tell the
2 officer that (if need be) you will save your arguments for the court (if a citation is
3 issued).

4 j. Your IDP is a perfectly valid document if used in a lawful manner. Following these tips
5 will greatly increase your success rate, and minimize contact with 'Big Brother.'

6 16. Consumers order Defendant's IDP by mail, at a cost of \$65.00, plus shipping and
7 handling. Consumers pay by certified bank checks, cashier's checks and money orders only.
8 Defendant ships an IDP when he receives an order.

9 17. The words "United Nations" appears across the top of the front cover of
10 Defendant's IDP. Underneath the words "United Nations," Defendant's IDP displays the logo of the
11 "International Travel Association," followed by the signature of the purported association's agent. The
12 other pages of Defendant's IDP are identical to those in a valid IDP, except that the last page contains
13 the seal of the "International Travel Association." The International Travel Association is not authorized
14 to issue IDPs in the U.S.

15 18. As a result of the statements Defendant makes regarding the legality and purpose of his
16 documents, many consumers (including immigrants) who have had their licenses suspended, revoked,
17 or otherwise have not demonstrated to a legal authority their competence to drive, purchase the
18 Defendant's IDP to use as proof of competency to drive.

19 19. Libertymall.com, another entity selling IDPs through its own website, makes
20 representations on its website that are similar to those described in paragraph 15 above. In addition,
21 Libertymall.com's website contains statements both by PTRC alone and jointly by Libertymall.com and
22 PTRC. Finally, IDPs ordered from Libertymall.com and from BBCOA.com, another entity also selling
23 IDPs through its own website and making representations similar to those described in paragraph 15
24 above, were sent by PTRC along with application forms for PTRC materials.

25 20. Defendant's IDP booklets are identical to those sold by BBCOA.com and by Carlton
26 Press, another entity also selling IDPs through its own website and making representations similar to

1 those described in paragraph 15 above. In addition, Defendant's IDP laminated cards are identical to
2 those sold by BBCOA.com and Libertymall.com.

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4 **VIOLATIONS OF SECTION 5 OF THE FTC ACT**

5 **COUNT I**

6 21. In numerous instances, Defendant represents, expressly or by implication, that
7 Defendant's IDP authorizes consumers to drive legally in the U.S.

8 22. In truth and fact, Defendant's IDP does not authorize consumers to drive legally in the
9 U.S.

10 23. Therefore, the representation set forth in paragraph 21 is false and misleading
11 and constitutes a deceptive act and practice in violation of Section 5(a) of the FTC Act, 15 U.S.C.
12 § 45(a).

13 **COUNT II**

14 24. In numerous instances, Defendant represents, expressly or by implication, that
15 consumers who purchase Defendant's IDP may use it to avoid points and avoid sanctions for driving
16 with a suspended or revoked driver's license.

17 25. In truth and fact, consumers who purchase Defendant's IDP cannot use it to avoid
18 points for traffic violations or to avoid sanctions for driving with a suspended or revoked driver's
19 license.

20 26. Therefore, the representation set forth in paragraph 24 is false and misleading
21 and constitutes a deceptive act and practice in violation of Section 5(a) of the FTC Act, 15 U.S.C.
22 § 45(a).

23 **COUNT III**

24 27. In numerous instances, Defendant represents, expressly or by implication, that
25 Defendant's IDP can be used in the U.S. as an identification document in the same ways a person can
26 use a government-issued photo identification document.

1 **PRAYER FOR RELIEF**

2 WHEREFORE, Plaintiff requests that this Court, as authorized by Section 13(b) of the FTC
3 Act, 15 U.S.C. § 53(b), and pursuant to its own equitable powers:

4 (1) Permanently enjoin and restrain Defendant from engaging in or assisting others in
5 engaging in violations of the FTC Act;

6 (2) Award Plaintiff such preliminary injunctive and ancillary relief as may be
7 necessary to avert the likelihood of consumer injury during the pendency of this action and to preserve
8 the possibility of effective final relief;

9 (3) Award such equitable relief as the Court finds necessary to redress injury to consumers
10 resulting from Defendant’s violations of Section 5(a) of the FTC Act, including, but not limited to,
11 rescission of contracts and restitution, other forms of redress, and the disgorgement of unlawfully
12 obtained monies; and

1 (4) Award Plaintiff the costs of bringing this action, as well as such additional equitable
2 relief as the Court may determine to be just and proper.

3
4 Dated: January , 2003

5 Respectfully submitted:

6 WILLIAM E. KOVACIC
7 General Counsel

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9 Regional Director

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