

Before the:

NATIONAL ARBITRATION FORUM

FAIR ISAAC CORPORATION,	§	
	§	
Complainant,	§	DISPUTED DOMAIN NAME:
	§	lowficohomeloans.com
v.	§	
JIM KRAGE C/O ZERO OUT DEBTS, LLC,	§	
Respondent.	§	

DEMURRER AND ANSWER TO SECOND AMENDED COMPLAINT

[1.] This is a demurrer and answer (under protest) to the Second Amended Complaint by Fair Isaac Corporation.

Respondent hereby demurs to the complaint because he does not agree to arbitration.

Respondent does not believe his First Amendment and other rights are properly respected in arbitration, and Respondent wishes a full trial. Respondent believes Internet domain owners are regularly coerced into arbitration, because they cannot register an Internet domain any other way. This coercion is unconstitutional, unlawful and unconscionable, and, if given any other option, I would not have agreed.

In the event that Respondent's request for immediate dismissal of arbitration is denied, Respondent requests an extension of time to determine if a 3-member panel is desired, and with leave to amend the answer.

Under protest, because respondent believes he will be defaulted otherwise, an answer is also provided.

[2.] **COMPLAINANT INFORMATION**

[a.] Name: Fair Isaac Corporation
[b.] Address: 901 Marquette Avenue, Suite 3200
Minneapolis, MN 55402
[c.] Telephone: (612) 758-5200
[d.] Fax: (612) 758-5201
[e.] E-Mail: reneejackson@fairisaac.com

Authorized Representative:

[a.] Name: Fulbright & Jaworski L.L.P.
[b.] Address: 2100 IDS Center
80 South Eighth Street

Minneapolis, MN 55402-1425
[c.] Telephone: (612) 321-2805
[d.] Fax: (612) 321.2288
[e.] E-mail: tkenny@fulbright.com

Complainant's preferred method for communications directed to Complainant in the administrative proceeding: ICANN Rule 3(b)(iii).

Electronic-Only Material		Material Including Hard Copy	
[a.]	Method: E-mail	[a.]	Method: Fax
[b.]	Address: tkenny@fulbright.com	[b.]	Address/Fax: (612) 321.2288
[c.]	Contact: Timothy M. Kenny	[c.]	Contact: Timothy M. Kenny

Complainant chooses to have this dispute heard before a **single-member administrative panel**.

[3.] **RESPONDENT INFORMATION**

[a.] Name: Jim Krage, c/o Zero Out Debts, LLC
[b.] Address: 10418 Ives Street
Bellflower, CA 90706
[c.] Telephone: (562) 841-8723
[d.] Fax: None Provided
[e.] E-Mail: jimk@cyberdude.com

Respondent requests an extension to decide if he wants a 3-member panel with leave to amend, if his demurrer is denied.

[4.] **DISPUTED DOMAIN NAME(S)**

[a.] The following domain name is the subject of this Second Amended Complaint: ICANN Rule 3(b)(vi).

lowficohomeloans.com

[b.] Registrar Information: ICANN Rule 3(b)(vii).
[i.] Registrar's Name: 1 & 1 Internet AG
[ii.] Registrar Address: 701 Lee Road, Suite 300
Chesterbrook, PA 19087
[iii.] Telephone Number: (610) 560-1441
[iv.] Fax: (610) 560-1501
[iv.] E-Mail Address: abuse@1and1.com

[c.] Trademark/Service Mark Information: ICANN Rule 3(b)(viii).

Respondent Jim Krage first purchased the domain on January 17, 2007.

Respondent was first contacted in May, 2007, then in July, 2007 by Kevin Weber.

Kevin Weber asked that Respondent add to the domain lowficohomeloans.com copyright information and links to complainant's websites.

Respondent promptly added the following to the website:

“(*FICO is a registered trademark of Fair Isaac - see www.fairisaac.com and www.myfico.com)”

Kevin Weber then asked respondent to remove FICO from the domain name.

On July 13, 2007, respondent offered to let Fair Isaac have the domain for \$200.

Kevin Weber, for Fair Isaac, refused and made a counter-offer of \$50.

Respondent considered his offer of \$200 was fair, and felt that their strongarming was reverse-cybersquatting (Reverse Domain Name Hijacking), which is trying to force the owner to give it up for little or nothing.

On August 15, 2007, Respondent answered with the following”

“What are my options for keeping the domain.

I've paid over \$200 for registration, hosting and webcreation so far.

My offer of \$200 was just to cover what it has cost so far and get out of it.

\$50 would cover the domain registration and some hosting that I paid, but nothing else.

I would rather keep it and try to get it to conform.”

Respondent's website LowFicoHomeLoans.com is noncommercial, posting articles to help consumers hurt by their low fico score, along with news.

As many other noncommercial and nonprofit websites do, LowFicoHomeLoans.com allows advertisers to display their ads on the website for revenue to support the website costs.

Respondent has made revenue from Google Adsense, Commission Junction, ClickBank, and Amazon from the website.

From Adsense, Respondent made \$7.17 Sept. 2008, \$8.71 in Oct 2008, which could amount to \$100 or more per year from Adsense alone, plus Amazon, Commission Junction, and Clickbank amounting to perhaps \$2,000 in lost income over 10 years if Respondent loses the website.

Additionally, Respondent has ads on the website for leads on Loan Audits and Loan Modifications, which could lose Respondent many thousands of dollars of lost revenue in Loan Audits and Loan Modifications. Respondent places the value of the website at \$10,000 in the current market, more than the value in 2007.

Respondent formally offers the domain to the complainant for \$10,000 at this point.

[5.] **FACTUAL AND LEGAL GROUNDS**

Allegations in the Complaint:

a) FICO is trademarked by Fair Isaac and.

b) Alleges LowFICOHomeLoans.com Domain name is confusingly similar to FICO Marks

c) Alleges Respondent Has No Rights or Legitimate Interests in the Domain Name at Issue.

1) Alleges Respondent has not used the domain name in good faith and in connection with a bona fide offering of goods or services.

2) Alleges that the website offers similar goods and services as Fair Isaac.

- 3) Alleges that the website contains information related to loan modification services, credit repair agencies, lending companies, loan consolidation companies and other related businesses.
 - 4) Alleges that the website offers for sale several lending and credit-related publications.)
- d) Alleges that Respondent Registered and Used the Domain Name in Bad Faith
- 1) Alleges that Respondent's website is in competition to Fair Isaac
 - 2) Alleges that Respondent began using the domain with knowledge of infringement
 - 3) Alleges that Respondent had actual knowledge that he was infringing.

Clarifications in Summary: of Complaint Highlights:

Fair Isaac, appears to assert that Respondent, Jim Krage:

- 1) Registered the domain LowFicoHomeLoans.com in bad faith after he was told of trademark violations
- 2) FICO is only a trademark and not a generic term
- 3) Respondent has no Rights or Legitimate Interests in the Domain Name
- 4) Respondent's website offers similar services in competition to Fair Isaac
- 5) Respondent has used the domain name in bad faith with no bona fide offering of services
- 6) Respondent extorted large amounts of money

Respondent generally denies all allegations.

**DEMURRER TO THE SECOND AMENDED COMPLAINT
RESPONDENT HAS NOT AGREED TO ARBITRATION;
ARBITRATION LACKS JURISDICTION OVER TRADEMARK MATTERS;
ARBITRATION CAN'T PROPERLY APPLY COMPLICATED TRADEMARK LAW;
DECIDING TRADEMARK ISSUES WITHOUT JURY IS ABUSE OF DISCRETION;
FAIR ISAAC CHOSE ARBITRATION TO AVOID RISKING ITS TRADEMARK**

This arbitration should be dismissed for several reasons.

First, Respondent has not agreed to arbitration. Respondent prefers a judicial forum to properly handle the complex factual and legal issues raised by Complainant Fair Isaac Corp. Both the United States district courts and the state courts have concurrent, original subject matter jurisdiction in all actions arising under the Lanham Act [15 U.S.C. § 1121; 28 U.S.C. § 1338(a)]. Thus an action may be brought in United States District Court or in the Superior Court of California. Neither diversity of citizenship nor a specific amount in controversy is required for federal court jurisdiction of Lanham Act cases [15 U.S.C. § 1121].

Second, it is unconscionable to force Respondent into arbitration merely because he registered a domain name on a server within the United States. There is only one Internet, and there is only one method for a United States citizen to register domain names. Because there is

no alternative way to gain access to the Internet, Respondent should not be asked to give up his constitutional right to trial by jury as the price of doing efficient business in this electronic age.

Third, trademark issues are governed by federal law. The Lanham Act (15 U.S.C. § 1051 et seq.), protects trade and service marks that have been registered with the United States Patent and Trademark Office [15 U.S.C. § 1114; *see* 15 U.S.C. § 1127 ("mark" and "registered mark" defined)]. **Both the United States district courts and the state courts have concurrent, original subject matter jurisdiction in all actions arising under the Lanham Act [15 U.S.C. § 1121; 28 U.S.C. § 1338(a)].** Therefore this arbitration has no jurisdiction to decide any issues between Complainant Fair Isaac and Respondent Krage.

Fourth, the federal Ninth Circuit Court of Appeals, within whose jurisdiction Respondent resides, has ruled that an infringement action requires analysis of many factors.

The test in an infringement suit under the Lanham Act is whether defendant's use of a given mark creates a likelihood of confusion as to the source of the goods or services offered in the mind of the average consumer [15 U.S.C. § 1114; *Westinghouse Elec. v. Gen. Circuit Breaker & Elec.* (9th Cir. 1997) 106 F.3d 894 (infringement claim may be based on defendant's confusing use of plaintiff's actual mark); *Golden Door, Inc. v. Odisho* (N.D. Cal. 1977) 437 F. Supp. 956, 963, *aff'd*, 646 F.2d 347 (9th Cir. 1980)].

In determining whether likelihood of confusion exists, courts in the Ninth Circuit should consider the following, non-exclusive factors [*Official Airline Guides, Inc. v. Goss* (9th Cir. 1993) 6 F.3d 1385; *see* *Mallard Creek Industries, Inc. v. Morgan* (1997) 56 Cal. App. 4th 426, 434–438, 65 Cal. Rptr. 2d 461 (identical factors are applied under California law)], which are commonly known as the ***Sleekcraft* factors** [*see* *AMF Inc. v. Sleekcraft Boats* (9th Cir. 1979) 599 F.2d 341, 348–349, *abrogated in part on other grounds*, *Mattel, Inc. v. Walking Mountain Prods.* (9th Cir. 2003) 353 F.3d 792]: (1) **The strength of the plaintiff's mark;** (2) **The proximity of the plaintiff's and defendant's goods (or services);** (3) **The similarity of the marks;** (4) **Any evidence of actual confusion;** (5) **The types of marketing channels used;** (6) **The type of goods and degree of care likely to be exercised by purchasers;** (7) **The defendant's intent in selecting the mark;** (8) **The likelihood of expansion of product lines.**

Fifth, the federal Ninth Circuit Court of Appeals, within whose jurisdiction Respondent resides, has ruled that in an infringement action, **the Lanham Act's "likelihood of confusion" standard is predominantly factual in nature. Granting a motion for summary judgment based on only one factor (or fewer than most of the factors) would be an abuse of discretion** [*Wendt v. Host Int'l, Inc.* (9th Cir. 1997) 125 F.3d 806].

Under federal law, questions of fact are reserved for the jury. Any attempt to shortcut the multi-factor infringement analysis prior to a jury trial would therefore be an **abuse of discretion**, even if done by a federal judge. A decision by an individual arbitrator, unskilled in the subtleties of relevant federal law, including the federal defenses against a claim of infringement, would be an even greater abuse of discretion.

Sixth, Fair Isaac Corp. has chosen arbitration as a cheap, risk-free, low-standard-of-proof means to "reverse cybersquat," to deny Respondent Krage his free speech rights under the First

Amendment of the U.S. Constitution, to oppress Krage, and to prevent Krage from conducting his normal business affairs. If Fair Isaac wins the arbitration, they hope to force the shutdown of Respondent's website, but if Fair Isaac loses, they risk nothing.

In a formal court action, decided by strict rules of evidence and by the rule of binding precedent (stare decisis), **Fair Isaac risks the cancellation of their trademark if they lose.** [Federal Cancellation] Cancellation of any mark registered under either the Lanham Act or prior trademark acts, including a mark that has achieved incontestability status, is available **at any time** on several grounds [15 U.S.C. § 1064], **including if the mark has become generic [15 U.S.C. § 1064](3)**. {Sterling Brewers, Inc. v. Schenley Industries, Inc. (C.C.P.A. 1971) 441 F.2d 675, 677}. [California Cancellation] California courts can order cancellation of a federal trademark registration [Duggan's Funeral Service, Inc. v. Duggan's Serra Mortuary, Inc. (2000) 80 Cal. App. 4th 151, 157–158, 95 Cal. Rptr. 2d 253].

In any action involving a registered mark, a court may order the cancellation of a mark's registration, in whole or in part [15 U.S.C. § 1119]; see Gracie v. Gracie (9th Cir. 2000) 217 F.3d 1060 (trial court is required to order cancellation of registered mark if court does not reject jury verdict that mark was invalid). The registration may be canceled by direct attack, or by collateral attack in any action in which the validity of a mark is properly in issue [Dymo Industries, Inc. v. Tapeprinter, Inc. (9th Cir. 1964) 326 F.2d 141, 143; see Star-Kist Foods, Inc. v. P.J. Rhodes & Co. (9th Cir. 1984) 735 F.2d 346, 348; Duggan's Funeral Service, Inc. v. Duggan's Serra Mortuary, Inc. (2000) 80 Cal. App. 4th 151, 158–159, 95 Cal. Rptr. 2d 253 (federally registered trademark was properly ordered to be canceled in superior court action based on trademark infringement and unfair competition)].

If the request that this arbitration be dismissed and that Fair Isaac should bring their claim of infringement before a proper judicial forum is overruled, Respondent, **under protest**, answers:

RESPONDENT'S ANSWER, FILED UNDER PROTEST

Complainant has failed the burden of proof required by law and ICANN policy and rules.

Complainant is trying to assert 4.a.(i) that LowFicoHomeLoans.com is confusingly similar to FICO, but Fair Isaac does not meet the 'threshold of 'fame' for the Home Loan market - the TDRA (TM Dilution Revision Act of 2006) denies protection for marks that are famous only in 'niche' markets.'

Complainant's allegations of 4.a(ii) and 4.a(iii) violations are totally unsubstantiated.

Complainant was required to prove all 3 types of violations under 4.a, and failed.

Respondent alleges that the complexity of the facts in this dispute go beyond the capacities of an arbitrator, and can only be tried fairly, with full consideration of the law and respondent's rights,

in a court of law. The trial of the facts of alleged infringement or dilution of Trademark by tarnishment or blurring in Fair Isaac's niche must be before judge and jury, not an arbitrator.

This type of action (Complaint) was prohibited by the TDRA , which states:

“The following shall not be actionable as dilution by blurring or dilution by tarnishment under this subsection:

(A) Any fair use, including a nominative or descriptive fair use, or facilitation of such fair use, of a famous mark by another person other than as a designation of source for the person's own goods or services, including the use in connection with—

(i) advertising or promotion that permits consumers to compare goods or services;”

(ii) identifying and parodying, criticizing, or commenting upon the famous mark owner or the goods or services of the famous mark owner.

(B) All forms of news reporting and news commentary.

(C) Any noncommercial use of a mark.

LowFicoHomeLoans.com is primarily a noncommercial site with articles to help consumers with low credit score problems. It offers 12 articles with varying content. Respondent received the articles and the website programming from www.Rip2It.com and modified them to offer unique content articles to the public.

Respondent has paid over \$1,000 to Rip2It for the rights to domain content that includes this domain content. The website offers free noncommercial advice and lets advertisers pay for advertising space via Google AdSense, Commission Junction, and Clickbank. Respondent has placed some ads and links of his own as well.

Respondent counter-alleges that LowFicoHomeLoans.com is

- 1) primarily a noncommercial website
- 2) that permits consumers to compare goods or services,
- 3) and supplies news by RSS feed,
- 4) especially consumers hurt by low fico scores, which could also qualify the website as criticizing or commenting on the mark.

Furthermore, there has been no bad faith action by the Respondent:

- 1) Respondent has consistently offered free articles to consumers hurt by a low fico score.
- 2) Respondent has offered recent news to consumers hurt by a low fico score.
- 3) Respondent had no intent to profit by selling it to Complainant, or disrupt complainant's business, but rather offered the domain at cost for \$200 in 2007.
- 4) Respondent offers free help to those hurt by a low fico score in niches of refinance of home loans, debt consolidation, refinance of car loans and mobile home loans, mortgage loan modification, loan audits, and not Fair Isaac's niche of Credit Scoring and Credit Reporting.

According to ICANN policy published at <http://www.icann.org/en/dndr/udrp/policy.htm> :

4.a. Applicable Disputes. You are required to submit to a mandatory administrative proceeding in the event that a third party (a "complainant") asserts to the applicable Provider, in compliance with the Rules of Procedure, that

- (i) your domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights; and
- (ii) you have no rights or legitimate interests in respect of the domain name; and
- (iii) your domain name has been registered and is being used in bad faith.

In the administrative proceeding, the complainant must prove that each of these three elements are present.

b. Evidence of Registration and Use in Bad Faith. For the purposes of [Paragraph 4\(a\)\(iii\)](#), the following circumstances, in particular but without limitation, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith:

- (i) circumstances indicating that you have registered or you have acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of your documented out-of-pocket costs directly related to the domain name; or
- (ii) you have registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that you have engaged in a pattern of such conduct; or
- (iii) you have registered the domain name primarily for the purpose of disrupting the business of a competitor; or
- (iv) by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your web site or other on-line location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of your web site or location or of a product or service on your web site or location.

c. How to Demonstrate Your Rights to and Legitimate Interests in the Domain Name in Responding to a Complaint. When you receive a complaint, you should refer to [Paragraph 5](#) of the Rules of Procedure in determining how your response should be prepared. Any of the following circumstances, in particular but without limitation, if found by the Panel to be proved based on its evaluation of all evidence presented, shall demonstrate your rights or legitimate interests to the domain name for purposes of [Paragraph 4\(a\)\(ii\)](#):

- (i) before any notice to you of the dispute, your use of, or demonstrable preparations to use, the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services; or

Rules are posted at <http://www.icann.org/en/dndr/udrp/uniform-rules.htm>

In the event that Respondent's request for immediate dismissal of arbitration is overruled, Respondent requests an extension of time to determine if a 3-member panel is desired, and with leave to amend the answer.

RESPONDENT'S STATEMENT OF FACTS

Respondent admits that Fair Isaac has a trademark for FICO for their niche of Credit Scoring and Credit Reporting, but denies all other allegations.

Respondent believes this complaint is brought in bad faith for Reverse Domain Name Hijacking purposes, after a good faith offer of \$200 was made in 2007 by Respondent, and refused.

Specifically:

- 1) Domain was registered January 17, 2007, before Fair Isaac's letter of May, 2007 and email of July, 2007, in good faith expectations that free articles containing comparative information on home loans could be offered to consumers with low fico scores, which "low fico" was considered generic by respondent, and respondent was not offering credit scoring or credit reporting in competition to Fair Isaac.

2) FICO Score is a popular synonym to "Credit Score" and was used with such an intent by respondent in good faith

A Google search for "Low FICO" delivers 67,300 results of websites, almost all of which are using the term FICO as a general term. (see Exhibit 1).

LowFicoHomeLoans.com appears as number 192 on page 20 of the Exhibit 1 Search with the description:

[“Low FICO Home Loans .com Refinancing Article](#)

ARTICLES. Bad credit auto refinancing Va refinancing Mortgage refinancing no cost Poor credit home refinancing Online auto refinancing Calculate mortgage ...
[www.lowfichomeloans.com/](#) - 30k - [Cached](#) - [Similar pages](#)

Incomparison, a Google Search for FICO gives the following:

[myFICO - FICO Credit Scores | Get a Free Credit Report Online](#)

(1:59) See why your **FICO**® score matters more than generic credit scores ... The higher your **FICO**® credit score, the lower your payments! See for yourself. ...
[www.myfico.com/](#) - 56k - [Cached](#) - [Similar pages](#)

MyFico.com is in the niche for Credit Scores and Credit Reports, which is not the same as for Home Loans, Refinancing, and Mortgage, which is the niche LowFicoHomeLoans.com is in.

3) Consumer credit is a regularly used adjunct to modern life. A person with a “low FICO score” is commonly understood to have “bad credit” or to be an “unacceptable credit risk”. Such a person is almost a modern financial leper. Such a person will face higher interest rates, higher broker points, higher monthly payments, higher prepayment penalties, and other onerous loan terms, if the “low FICO” person can even get a home loan at all. “Low FICO” is therefore a phrase succinctly defining an entire segment of the consumer market, a segment urgently in need of the articles, news items, Google AdSense ads, specialty services and referrals offered by Respondent’s website.

4) Fair Isaac offers credit scores and credit reporting, not loan modification services, loans, or loan consolidation.

Respondent offers noncommercial comparison articles and news (see Exhibits 4-14) as help for consumers plagued with a low fico score, plus ads for Loan Modifications, Loan Audits, Loans, Generic Help for Loan Consolidation, Google Adsense ads, and other advertisements, not credit reporting or credit scoring.

Respondent does not compete with Fair Isaac in any way. Respondent’s website has not deprived Fair Isaac of even a single dollar of revenue or profits.

Respondent makes money to support his websites (most of which are noncommercial informational) mainly from referrals for Loan Modifications and Loan Audits, and ads for Google AdSense, Commission Junction and Clickbank advertisers, none of which respondent believes to be competitors to Fair Isaac.

Respondent has given free advertising to Fair Isaac, with the statement prominently displayed:

“(*FICO is a registered trademark of Fair Isaac - see www.fairisaac.com and www.myfico.com)”

5) Respondent offers bona fide services of free articles helping consumers with low fico scores, Loan Modifications, Loan Audits, and generic Google AdSense links, Commission Junction links, and Clickbank links in good faith, as well as generic advice.

6) After Fair Isaac alerted respondent to alleged violations, Respondent took specific steps to correct things:

a) Respondent added specific credits to Fair Isaac and links to 2 Fair Isaac websites, giving Fair Isaac free advertising:

“(*FICO is a registered trademark of Fair Isaac - see www.fairisaac.com and www.myfico.com)”

b) Respondent removed the term FICO from the content on other websites

c) Respondent further offered to sell the website to Fair Isaac for \$200, just enough to cover some basic costs at the time, like domain registration, past domain hosting, and website creation, without considering lost future revenue.

Fair Isaac refused the offer of \$200 and countered with a \$50 offer.

Respondent considered the \$50 offer to be in bad faith and reverse-cybersquatting (Reverse Domain Name Hijacking).

When Complainant Fair Isaac accelerated their threats, yet never even offered the \$200, Respondent considered those threats to be reverse cybersquatting (Reverse Domain Name Hijacking) and raised his demand to \$5,000 in response, based on expected future lost revenue.

Respondent is now making more revenue than in 2007 from referrals and ads for non-competitors from Google AdSense and Commission Junction.

Respondent made Google AdSense revenues of \$7.17 in September 2008, and \$8.71 in October 2008.

Respondent projects over \$100/year in AdSense, probably increasing to \$200/year or more.

The website also provided leads to his Loan Audit and Loan Modification businesses, valued at \$1,000/year.

Respondent sees lost revenues amounting to over \$10,000 over the next 10 years and feels \$10,000 is a fair price to compensate for lost income. Respondent is willing to sell the domain for \$10,000.

RESPONDENT’S USE OF “LOW FICO” IS FAIR USE UNDER FEDERAL LAW

Any fair use is not actionable as dilution by blurring or dilution by tarnishment under 15 U.S.C. § 1125. Fair use includes a nominative or descriptive fair use, or facilitation of such fair use, of a famous mark by another person other than as a designation of source for the person's own goods or services, including use in connection with either (1) advertising or promotion that permits consumers to compare goods or services or (2) identifying and parodying, criticizing, or commenting on the famous-mark owner or the goods or services of the famous-mark owner [15 U.S.C. § 1125(c)(3)(A)].

The Ninth Circuit denotes the fair use defense outlined in 15 U.S.C. § 1115(b)(4) as classic fair use, in order to distinguish a defense that the court calls “nominative fair use” [see *Cairns v. Franklin Mint Co.* (9th Cir. 2002) 292 F.3d 1139]. To establish a **nominative fair-use defense**, the defendant must prove that **(1) the plaintiff's product or service in question is not readily identifiable without use of the plaintiff's trademark, (2) the defendant used only as much of the mark as was reasonably necessary to identify the plaintiff's product or service, and (3) the defendant did nothing that would, in conjunction with using the mark, suggest sponsorship or endorsement of the defendant's product by the plaintiff** [see *New Kids on the Block v. News America Pub., Inc.* (9th Cir. 1992) 971 F.2d 302, 308]. **If the description of the defendant's product depends on the description of the plaintiff's product, more use of the plaintiff's trademark is reasonably necessary to identify the plaintiff's product than in cases in which the description of the defendant's product does not depend on the description of the plaintiff's product** [*Cairns v. Franklin Mint Co.* (9th Cir. 2002) 292 F.3d 1139].

The nominative fair use analysis is appropriate when the defendant used the plaintiff's mark to describe the plaintiff's product. The classic fair use analysis is appropriate when the defendant has used the plaintiff's mark only to describe the defendant's own product, and not at all to describe the plaintiff's product [*Cairns v. Franklin Mint Co.* (9th Cir. 2002) 292 F.3d 1139].

FAIR ISAAC MUST PROVE INFRINGEMENT; KRAGE NEED NOT PROVE FAIR USE

The defendant asserting fair use has no burden to prove the absence of a likelihood of confusion because **the plaintiff, alleging infringement, has the burden to prove that confusion is likely—that is, likelihood of confusion is part of the plaintiff's prima facie case** [*KP Permanent Make-Up, Inc. v. Lasting Impression I, Inc.* (2004) 543 U.S. 111, 125 S. Ct. 542, 160 L. Ed. 2d 440]. **Likelihood of confusion exists when consumers viewing the mark would probably assume that the goods it represents are associated with the source of a different product identified by a similar mark** [*Clicks Billiards, Inc. v. Sixshooters, Inc.* (9th Cir. 2001)

251 F.3d 1252, 1265]. **A finding of likelihood of confusion requires that confusion be probable, not just a possibility** [Murray v. Cable NBC (9th Cir. 1996) 86 F.3d 858]. **The Ninth Circuit generally relies on an eight-factor test in determining whether a likelihood of confusion exists (the “Sleekcraft” test).**

**FAIR ISAAC NEEDS CONSUMER SURVEY TO PROVE INFRINGEMENT.
NO SUCH CONSUMER SURVEY EXISTS OR HAS EVEN BEEN ALLEGED.**

The strength of the plaintiff's mark and the extent of likely or actual confusion are important factors in determining whether a use is fair. **Surveys and other evidence relating to the perceptions of prospective purchasers therefore are relevant to the application of the fair use defense**, and a use that is likely to create substantial confusion ordinarily will not be considered a fair use [*see* KP Permanent Make-Up, Inc. v. Lasting Impression I, Inc. (9th Cir. 2005) 408 F.3d 596 (invoking section of restatement that Supreme Court cited with approval)]. However, **surveys in trademark cases are admissible only if conducted according to accepted principles** [Prudential Ins. Co. v. Gibraltar Fin. Corp. (9th Cir. 1982) 694 F.2d 1150, 1156]. **Evidence of a survey should be excluded if the survey's creator does not qualify as an expert on designing or analyzing consumer surveys** [M2 Software, Inc. v. Madacy Entm't (9th Cir. 2005) 421 F.3d 1073, 1087] **or if the proponent fails to show that the survey was conducted in accordance with generally accepted survey principles and that the results were used in a statistically correct manner** [Keith v. Volpe (9th Cir. 1988) 858 F.2d 467, 480].

Additional factors for consideration in determining the fairness of the use are the descriptive nature of the term for the product or service being offered by the defendant, the availability of alternative descriptive terms, the extent of the use of the term prior to the registration of the trademark, and any differences among the times and contexts in which the defendant has used the term [KP Permanent Make-Up, Inc. v. Lasting Impression I, Inc. (9th Cir. 2005) 408 F.3d 596].

FAIR ISAAC CAN'T USE A TRADEMARK TO SUPPRESS FREE SPEECH

Trademark rights do not entitle the owner to quash an unauthorized use of the mark by another who is communicating ideas or expressing points of view. Were courts to ignore the expressive value that some marks assume, trademark rights would grow to encroach on the zone protected by the First Amendment. The trademark owner does not have the right to control public discourse whenever the public imbues the mark with a meaning beyond its source-identifying function [Mattel, Inc. v. MCA Records, Inc. (9th Cir. 2002) 296 F.3d 894 Copyright Cases or Patent Cases, 900].

“LOW FICO” HAS BECOME GENERIC; GENERIC TERMS ARE FAIR USE

Acceptable evidence of the generic nature of a term in the minds of the consuming public includes dictionary definitions, consumer surveys, and responses to cease and desist letters [Surgicenters of America, Inc. v. Medical Dental Surgeries, Co. (9th Cir. 1979) 601 F.2d 1011]. The Google search engine is a well-recognized, publicly available electronic dictionary of websites that currently meet particular search word criteria, selected out of a universe of billions

of websites. The fact that Google shows more than 67,000 website hits on the phrase “low FICO” is strong evidence that “low FICO” is a generic phrase in common everyday use.

VICTOR’S LITTLE SECRET DOESN’T INFRINGE VICTORIA’S SECRET

Looking at the matter from the other side of the equation, **when the two marks are not identical, the mere fact that consumers mentally associate the junior user's mark with the famous mark is not sufficient to establish actionable dilution. Such mental association will not necessarily reduce the capacity of the famous mark to identify the goods of its owner, which is the statutory requirement for dilution** [Moseley v. V Secret Catalogue, Inc. (2003) 537 U.S. 418, 433, 123 S. Ct. 1115, 155 L. Ed. 2d 1].

If Victor’s Little Secret (an obvious and deliberate play on words) **doesn’t** infringe or dilute Victoria’s Secret despite the fact that both Victor and Victoria sell women’s lingerie, then Respondent Krage’s “Low FICO Home Loans” website **doesn’t** infringe or dilute Fair Isaac, particularly since Respondent and Fair Isaac don’t compete with each other in any way.

CONCLUSION

In any action related to a trademark, Complainant Fair Isaac bears the burden of proof of infringement, dilution, blurring, or tarnishment. The trademark owner must allow fair use, and must not suppress free speech.

The key issue in trademark actions is the probability, not just the mere possibility, of consumer confusion. Consumer confusion must be proven by a consumer survey designed, administered and analyzed by a competent professional with experience in consumer surveys, and presented in accordance with good statistical principles. Any significant deviation from the standards for consumer surveys makes the complainant’s survey inadmissible. Fair Isaac has neither conducted nor presented any such consumer survey, nor has Fair Isaac even alleged that such a survey even exists. Nor has Fair Isaac presented sufficient proof of infringement in relation to the Ninth Circuit’s eight-factor test for infringement.

Additionally, the term “low FICO” has become a term of generic use, as shown by 67,300 Google website hits on the term “low FICO”. Generic terms are allowed as fair use.

Finally, the US Supreme Court ruled in the “Victoria’s Secret” case that Victor’s Little Secret did not dilute or infringe upon the trademark of the Victoria’s Secret catalog, even though both Victor and Victoria sold women’s lingerie. Thus it is highly unlikely that any court would find that Respondent Krage’s use of “low FICO” dilutes or infringes Fair Isaac’s trademark

For any and all of the above reasons, **Respondent Krage’s use of the term “Low FICO” is permitted under the “fair use” doctrine.** This arbitration must be dismissed. Fair Isaac must be denied any relief and must bear all costs related to this arbitration.

[6.] REMEDY SOUGHT

1) Respondent first denies jurisdiction to the arbitrator, and desires true justice and trial by jury in the **United States District Court for the Central District of California** or in the **Superior Court of California, County of Los Angeles**. Based on the residence of Respondent and the venue requirements of the Federal Lanham Act, these are the only courts that have competent original subject matter jurisdiction.

2) In the event that Respondent's request for immediate dismissal of arbitration is overruled, Respondent requests an extension of time to determine if a 3-member panel is desired, and with leave to amend the answer.

3) If respondent's request for justice in court is denied, and his request is denied for an extension of time to with leave to amend to determine if a 3-member panel is desired, respondent hereby answers the complaint, and asks that justice be served and the domain remain in the possession of the respondent.

[7.] **OTHER LEGAL PROCEEDINGS**

Court requested instead of arbitration.

None at this time.

[8.] **ANSWER TO SECOND AMENDED COMPLAINT TRANSMISSION**

Jim Krage asserts that a copy of this Answer to the Second Amended Complaint has been sent or transmitted to the Complainant and to the Registrar in accordance with NAF Supp. Rule 4(e) and ICANN Rule 2(b).

[9.] **NO ARBITRATION JURISDICTION**

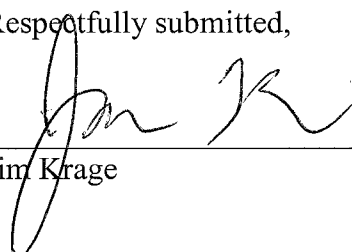
Respondent denies jurisdiction to the arbitrator and request a court proceeding.

If respondent's rights are violated and arbitration proceeds, respondent may appeal.

[10.] **CERTIFICATION**

"Respondent certifies that the information contained in this Response is to the best of Respondent's knowledge complete and accurate, that this Response is not being presented for any improper purpose, such as to harass, and that the assertions in this Response are warranted under these Rules and under applicable law, as it now exists or as it may be extended by a good-faith and reasonable argument.";

Respectfully submitted,



Jim Krage

Dated: December 8, 2008

Before the:

NATIONAL ARBITRATION FORUM

FAIR ISAAC CORPORATION,	§	
Complainant,	§	DISPUTED DOMAIN NAME:
	§	lowficohomeloans.com
v.	§	
JIM KRAGE C/O ZERO OUT DEBTS, LLC,	§	
Respondent.	§	

RESPONDENT’S EXHIBIT LIST

Number	Pages	Title
1)	20	Google Search for “Low Fico” (quotes)– 67,300 sites
2)	1	Google Search for Low Fico (no quotes)- 261,000 sites
3)	1	Google Search for “FICO” 24,700,000 sites
4)	3	LowFicoHomeLoans.com SiteMap page
5)	3	LowFicoHomeLoans.com Index page
6)	3	LowFicoHomeLoans.com Auto Refinancing page
7)	3	LowFicoHomeLoans.com Mobile Home page
8)	3	LowFicoHomeLoans.com Refinancing page
9)	3	LowFicoHomeLoans.com Choose Lender page
10)	3	LowFicoHomeLoans.com Cash Out page
11)	3	LowFicoHomeLoans.com Bad Credit page
12)	3	LowFicoHomeLoans.com Consolidation page
13)	3	LowFicoHomeLoans.com Tax page
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[LOW FICO | Mortgage Reference Library](#)

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[1st Time Homebuyers With Low FICO Score and Only 3% Down!!- We Buy ...](#)

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[Low Fico Second Mortgages, Bad Credit | Second Mortgage Outlet](#)

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[Low Fico — Blogs, Pictures, and more on WordPress](#)

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[Virginia | Options For Home Loans With Low Fico Scores |Mortgage ...](#)

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[Calculated Risk: Fannie and Freddie: High LTV, Low FICO by Year](#)

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[Need Credit But Have Low FICO Scores? | Articles Factory](#)

Your FICO score (FICO is an anagram for Fair Isaac Corporation) is a score that is based on information received about you from any companies. articles.gsseo.com/2008/11/09/need-credit-but-have-low-fico-scores/ - 42k - [Cached](#) - [Similar pages](#)

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Jun 1, 2008 ... For information on getting approved for a mortgage loan for **low fico** scores or for any of your mortgage needs, You may contact Bill Burress, ... ezinearticles.com/?Low-FICO-Score-Mortgage-Loan-Approvals&id=1217655 - 47k - [Cached](#) - [Similar pages](#)

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FHA Streamline with **low FICO** ... Forums » Premium Member Forums » Loan Scenario Questions » FHA Streamline with **low FICO**. You do not have permission to post ... www.mortgagenewsdaily.com/forums/p/18557/34071.aspx - 74k - [Cached](#) - [Similar pages](#)

[» Pensacola Home Buyers Approved W/ Low FICO Score & Bad Credit ...](#)

real estate mortgage lending in pensacola is rapidly changing as the number of first payment defaults continues to increase. with the tightening of credit ... pensacola.kijiji.com/c-Services-Financial-mortgages-Pensacola-Home-Buyers-Approved-W-Low-FICO-Score-Bad-Credit-W0Q... - 53k - [Cached](#) - [Similar pages](#)

[Accepting Acclaim Admission Even If Your Accept Low FICO Array ...](#)

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[Low FICO Score - Can I get mortgage with cosigner?](#)

3 posts - Last post: Aug 21
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[Low Fico Scores Auto Loan Information](#)

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Dec 9, 2007 ... Call it the credit-risk hangover following the housing-boom binge: Home buyers and refiners who cant come up with sizable down payments, ...
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Feb 6, 2007 ... Fifth Third Bank wants more credit card business and will be courting consumers with FICO scores below 720 to get it.
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www.CreditScoresExposed.Com

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www.thebestever.net/credit

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by Frank J. Fabozzi - 2000 - Business & Economics - 540 pages
Put another way, **low FICO** score loans are over 7 times more likely to default. One of the features of the model is that the seasoning effect weakens as ...
books.google.com/books?isbn=1883249805...

[BUSINESS PLAN SOFTWARE: BizPlan Builder. Support and business ...](#)

Aug 15, 2007 ... If you believe you have done everything right but still have a **low FICO** score, remember the credit agencies information that goes into the ...
www.jian.com/library-of-business-information/a236/business-start-up-financing/the-fico-factor-and-personal-credit.php - [Similar pages](#)

[Parents: FICO Score](#)

For example, a person with a high FICO score might earn a lower interest rate on an auto loan, while someone with a **low FICO** score might be required to add ...
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[United Credit Adjusters: About FICO Scores](#)

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at 2006-04-28 20:42:19 (found <http://www.alliancemtg.com>); User 1087757 searched for "**low fico** loans" [!] at 2006-04-28 20:46:22; User 2449976 searched for ...
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[fico scores, interest rates](#)

Too many recent credit report inquiries tell financial institutions that you are attempting to open multiple accounts and this can contribute to a **low fico** ...
www.aba-online-credit.com/ficoscore_basics.htm - 35k - [Cached](#) - [Similar pages](#)

[PDF Standard & Poor's Enhances LEVELS® 5.7 Model](#)

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Standard & Poor's research has determined that the propensity of **low FICO** borrowers to default was higher than. we previously believed. ...
www2.standardandpoors.com/portal/site/sp/en/us/page.article/3,1,1,0,1148446950140.html - [Similar pages](#)

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Low FICO means you don't pay your bills. If you don't pay your bills you should be forced to work off your debt. I see a future with indebted people being ...
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[My Ever Confusing FICO Score » Blogging Away Debt](#)

Sep 13, 2006 ... is that it behooves the financial corporations to have people with **low FICO** scores so that the interest rate charged on lendened money is high ...
www.bloggingawaydebt.com/2006/09/my-ever-confusing-fico-score/ - 64k - [Cached](#) - [Similar pages](#)

[What is a Fico Score](#)

low fico score mortgage. What is a FICO Score? A specific kind of credit score, a FICO score is determined by a system created by the Fair Isaac Corporation ...
mortgage.nextag.com/articles/What-is-a-Fico-Score.html - 24k - [Cached](#) - [Similar pages](#)

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[Using credit scores with your database | ABA Bank Marketing | Find ...](#) ★

For example, a customer with a **low FICO** score can be given a higher proportion of the provision for loan losses cost while a customer with a high FICO score ...
[findarticles.com/p/articles/mi_hb4838/is_ai_n28995335 - 62k - Cached - Similar pages](#)

[Low FICO Home Loans .com Refinancing News](#) ★

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[MyTMMO Community Forum Forums - "0" FICO Score](#) ★

20 posts - Last post: May 19
Personal experience talking here, I live with a **low fico** and I havent been prevented from doing much of anything. My apartment is actually ...
<https://www.mytotalmoneymakeover.com/modules/fusetalk3/forum/messageview.cfm?catid=9&threadid...y&STARTP... - 96k - Cached - Similar pages>

[Publications - Understanding Your Credit Report and Credit Score](#) ★

Dec 5, 2007 ... People with high FICO scores are likely to repay loans and credit cards more consistently than people with **low FICO** scores. ...
[www.fcac-acfc.gc.ca/eng/publications/creditreportscore/ExEquifaxScore_e.asp - 27k - Cached - Similar pages](#)

[SEC Info - Morgan Stanley Abs Capital I Inc - 8-K - For 7/28/05 ...](#) ★

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A **low Fico** score shows that you will probably be unable to repay your loan, ... If you have had an unfavorable credit report and **low Fico** score, ...
[www.howtoestablishgoodcredit.com/fico_score.htm - 17k - Cached - Similar pages](#)

[Fico Score: TheBestEver.Net - E-Books for the Best Life Ever - 2 page](#) ★

Low FICO score/bad credit, bankruptcy, chargeoffs, collections, no seasoning on title... no problem! south florida mortgages, palm beach refinancing, ...
[artmam.net/Fico_Score-2.htm - 24k - Cached - Similar pages](#)

[FICO Credit Score - Range](#) ★

Low FICO Score. FICO score from 580 to 619 Banks, brokers love you. Want to know why? That is where bad credit starts. But it is not that bad yet. ...
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Low FICO, 1 day out of bankruptcy, no title seasoning, no problem!! When others say "NO", Coco Mortgage says "YES"!! We have a loan program to meet your ...
[www.cocomortgage.com/ - 9k - Cached - Similar pages](#)

[iQualifyNow - News & Articles - What is a FICO Score?](#) ★

Sep 5, 2007 ... Refusal of loan - some banks/ financial institutions would outright refuse to advance loans to those who have a very **low FICO** score. 4. ...
[www.iqualifynow.com/article.html?id=4577 - 34k - Cached - Similar pages](#)

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Low FICO Score ★

Jan 3, 2006 ... If you have a **low FICO** score, you face difficulty in getting credit ... It is easy to comprehend that a **low FICO** score is an indication of ...
ezinearticles.com/?Low-FICO-Score&id=122108 - 44k - [Cached](#) - [Similar pages](#)

LOW FICO | Mortgage Reference Library ★

If you have a **low fico** score and are trying to refinance you have a few options. If your mortgage payment history is good you may be able to get a FHA ...
www.brokeroutpost.com/reference/low+fico - 16k - [Cached](#) - [Similar pages](#)

WikiAnswers - A low FICO credit score because The proportion of ... ★

Credit Reports question: A **low FICO** credit score because The proportion of balances on charge accounts is too high can I repair my credit?
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1st Time Homebuyers With Low FICO Score and Only 3% Down!!- We Buy ... ★

Get discount coupons for We Buy Homes In Az and other Phoenix, AZ local merchants. When buying a home, why would you settle and pay for someone else's style ...
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Sub 500 Lender No Fico low fico scores Private Money Lender Hard ... ★

LAKESIDE FINANCIAL, INC. private portfolio real estate lender its own money makes loans based on equity, No **FICO** SCORES. Fast flexible.
www.nofico.net/ - 40k - [Cached](#) - [Similar pages](#)

Low Fico Second Mortgages, Bad Credit | Second Mortgage Outlet ★

Mortgage lenders provide **low fico** score second mortgages for borrowers with bad credit.
www.secondmortgageoutlet.com/low-fico-score-second-mortgages.html - 18k - [Cached](#) - [Similar pages](#)

Low Fico — Blogs, Pictures, and more on WordPress ★

Homeowners who think they can't refinance their real estate mortgage because of a **low FICO** score or bad credit, need to think again. ...
wordpress.com/tag/low-fico/ - 13k - [Cached](#) - [Similar pages](#)

Loans With Low Fico ★

If you are trying to secure a loan with a **low Fico** score you have a few obstacles in your path. Most mortgage lenders will only lend at lower Loan to values ...
www.mortgageprosforum.com/loans_with_low_fico.htm - 9k - [Cached](#) - [Similar pages](#)

Virginia | Options For Home Loans With Low Fico Scores |Mortgage ... ★

Jacob Dean Mortgage offers mortgages, mortgage loans & **low** rate home loans throughout Virginia - Apply for **low** rate mortgage loans, search your loan, ...
www.bestvirginiahomeloans.com/options_for_home_loans_with_low_fico_scores_829.htm - 11k - [Cached](#) - [Similar pages](#)

Loan scenario: AZ, \$4095000, Low FICO, 65% LTV, Refinance, SF ... ★

Nov 14, 2008 ... **FICO: Low** LTV: 65% Occupancy: OO Loan purpose: Refinance I have a property in Scottsdale worth \$6.3M (appraised 2 months ago)new ...
www.brokeruniverse.com/grapevine/thread/?thread=546841 - 13k - [Cached](#) - [Similar pages](#)

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- [Credit Complete](#)
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[Save Money with a Good FICO Credit Score: Credit Education at myFICO](#) ★

Know your FICO scores, improve your credit score ratings, and save money at myFICO.com. myFICO has free credit education information about how FICO scores ...

[www.myfico.com/creditEducation/](#) - 19k - [Cached](#) - [Similar pages](#)

[Fair Isaac - Wikipedia, the free encyclopedia](#) ★

Oct 17, 2008 ... They developed the FICO scores, a measure of credit risk, that are the most ... (FICO is a registered trademark of Fair Isaac Corporation). ...

[en.wikipedia.org/wiki/Fair_Isaac](#) - 29k - [Cached](#) - [Similar pages](#)

[Credit score - Wikipedia, the free encyclopedia](#) ★

Dec 3, 2008 ... According to Equifax's ScorePower Report, FICO scores range between 300 and ... FICO is a credit score developed by Fair Isaac Corporation. ...

[en.wikipedia.org/wiki/Credit_score](#) - 35k - [Cached](#) - [Similar pages](#)

[Credit Score Calculator | Improve FICO Score](#) ★

Bankrate.com provides a free credit score calculator to improve FICO scores.

[www.bankrate.com/brm/fico/calc.asp](#) - [Similar pages](#)

[Demand your FICO score now! - MSN Money](#) ★

Most lenders use credit scores, and in particular the FICO scores created by Fair Isaac Corp., to help evaluate applicants and set interest rates. ...

[articles.moneycentral.msn.com/Banking/YourCreditRating/DemandYourFICOScoreNow.aspx](#) - 46k - [Cached](#) - [Similar pages](#)

[FCIC: Your Credit Scores](#) ★

FICO scores range from 300-850, and most people score in the 600s and 700s ... In the eyes of most lenders, FICO credit scores above 700 are very good and ...

[www.pueblo.gsa.gov/cic_text/money/creditscores/your.htm](#) - 30k - [Cached](#) - [Similar pages](#)

[Decision Management - Predictive Analytics - Fair Isaac Corporation](#) ★

Decision Management Tools Community Fraud Alert Network FICO® Forums · Partners · Strategic Partners Partner Directory ... [Show stock quote for FIC](#)

[www.fairisaac.com/](#) - 28k - [Cached](#) - [Similar pages](#)

[FICO Score](#) ★

FICO Score - Definition of FICO Score on Investopedia - A type of credit score that makes up a substantial portion of the credit report that lenders use to ...

[www.investopedia.com/terms/f/ficoscore.asp](#) - 31k - [Cached](#) - [Similar pages](#)

[What's Right With FICO - Economics Blog - Zubin Jelveh - Odd ...](#) ★

Oct 28, 2008 ... Aaron Pressman of BusinessWeek wrote this criticism of FICO in an earlier post: The increasing reliance on FICO, as a way to compensate for ...

[www.portfolio.com/views/blogs/odd-numbers/2008/10/28/whats-right-with-fico](#) - 138k - [Cached](#) - [Similar pages](#)

Searches related to: FICO

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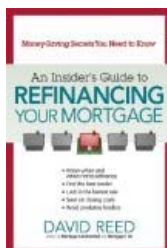
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[An Insider's Guide to Refinancing Your Mortgage: Money-Saving Secrets You](#)

Refinance or Modify?

Loan rates are down now, so lots of people want to refinance, but many people can't qualify, because of lower income or other problems.

You can get **better terms with a Loan Modification forced on the Lender**, after an audit of what the lender did wrong, which [LoanRepairNow.com](#) is known to do well.

Modify Your Loan

If you qualify with a **hardship** (like lower income, more expenses, divorce, separation, death in the family, emergencies, etc) but you still have income, you might **get your loan modified for lower interest**, lower balance, maybe even from an adjustable **ARM to a fixed loan**. Often, a **2nd Mortgage can be dissolved** or settled for 10% of the original balance. [Loan Repair Now .com is the best Loan Modification Company we've found](#). They will prequalify you properly, to make sure you fit the parameters needed. Their experts have a **97% success rate**, because they first make sure you will survive after the Loan Mod, and then they force the lender to accept the Loan Mod Proposal after they do a Forensic Loan Audit to discover laws the Lender broke in the Loan Documents (85% of the time). They are attorney-assisted, and can even help with foreclosures (up to 30 days before sale).

Foreclosure

If you got a **Notice of Default**, you may only have 110 days before it's sold. You must act quick before the sale or court. [Beat Foreclosure Fast .com](#) explains your **options in Foreclosure**. Find out if you have time to sell, refinance, modify, or have to go to bankruptcy.

Normal Refinance

If you can't qualify for a Loan Modification, which can get you better rates and features than a Refinance, you can refinance, if you qualify. There are many different refinance benefits: you can lower your monthly payments, consolidate your debts, among other things.

[Refinance - Countrywide®](#)

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\$180,000 Refinance only \$639/mo. As Seen on Good Morning America!
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Forebearance, Short Sales, Loan Modification, Bankruptcy
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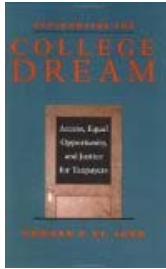
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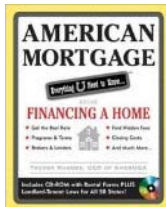
One great refinancing benefit that you may get is to lower your monthly payments for the loans you already owe. When you

Need to Know
by David Reed
Our Price: \$11.53
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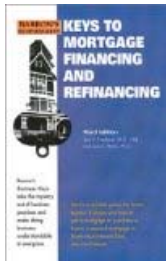
[Refinancing the College Dream: Access, Equal Opportunity, and Justice for Taxpayers](#)

by Edward P. St. John
Our Price: \$38.10
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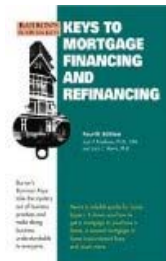
[American Mortgage: Everything U Need to Know About Purchasing and Refinancing a Home \(American Real Estate\)](#)

by Rhodes
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[Keys to Mortgage Financing and Refinancing \(Barron's Business Keys\)](#)

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CPA MAI Jack C. Harris
Ph.D.
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refinance your home, you may get lower interest rates and therefore lower monthly payments. the effect of this is that every month you send in a mortgage payment, that payment will pay the interest and a pay off a part of the principal amount of the loan that you took out. By refinancing, you may be able to reduce the monthly payments that you make for both interest and principle.

Debt consolidation is one major refinance benefit that you can get. This refinancing benefit that can be especially useful for those with high interest debts. Credit card debts are one high interest debt that refinancing can help pay off in many cases. The equity that you have can be used as collateral to help you get a lower interest loan, which is another major refinancing benefit. Of course, you may not get an immediate increase in savings through refinancing.

refinancing for debt consolidation can be useful in that it will makes it easier to pay off all of your bills. It normally difficult to take care of all of your bills each month, so debt consolidation can simplify the payments you have to make.

One final refinance benefit is to use the equity that you have built up to cash out the equity for various purposes, such as financing your education needs or improving your home. Sometimes a Home Equity Line of Credit (HELOC) can be taken out, where you don't get all the money at once, but keep it available for future uses. because you only pay interest on what you actually borrow, it's a great way to tap the equity in your home for future potential emergencies, without paying interest unless you need it.

Refinancing Headlines

Lower rates spark wave of refinancing - The Tennessean



[Post Chronicle](#)

[Lower rates spark wave of refinancing](#)
The Tennessean, TN - Dec 7, 2008
As a result, area mortgage brokers and bankers said their offices have been busy handling a deluge of **refinancing**, as people try to take advantage of ...
[This week's Real Estate stories](#)
MarketWatch
[Mortgage Application Volume Doubled Last Week On Surge in Refinancing](#) RTT News
[Mortgage applications more than double](#) CNNMoney.com
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Schumer Warns Homeowners About Refinancing Scams - NY1



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NY1, NY - 3 hours ago
New York Senator Charles Schumer held a news conference yesterday to warn homeowners about **refinancing** scams prompted by falling interest rates. ...
[Schumer rips rebirth of home-refi scams](#) New York Daily News
[BEWARE OF LOAN PLOYS: SCHUMER](#) New York Post
[Schumer warns of new mortgage](#)

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A Rush Into Refinancing as Mortgage Rates Fall - New York Times



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[A Rush Into Refinancing as Mortgage Rates Fall](#)

New York Times, United States -
 Dec 4, 2008

By TARA SIEGEL BERNARD The housing market may finally be getting some relief, with lower mortgage rates already encouraging **refinancing** and Treasury ...

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Homeowners refinance, put savings in piggy banks - The Associated Press

[Homeowners refinance, put savings in piggy banks](#)

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Refinancing

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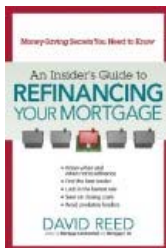
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BOOKS



[An Insider's Guide to Refinancing Your Mortgage: Money-Saving Secrets You Need to Know](#)
by David Reed

Refinance or Modify?

Loan rates are down now, so lots of people want to refinance, but many people can't qualify, because of lower income or other problems. You can get **better terms with a Loan Modification forced on the Lender**, after an audit of what the lender did wrong, which [LoanRepairNow.com](#) is known to do well.

Modify Your Loan

If you qualify with a **hardship** (like lower income, more expenses, divorce, separation, death in the family, emergencies, etc) but you still have income, you might **get your loan modified for lower interest**, lower balance, maybe even from an adjustable **ARM to a fixed loan**. Often, a **2nd Mortgage can be dissolved** or settled for 10% of the original balance. [Loan Repair Now .com is the best Loan Modification Company we've found](#). They will prequalify you properly, to make sure you fit the parameters needed. Their experts have a **97% success rate**, because they first make sure you will survive after the Loan Mod, and then they force the lender to accept the Loan Mod Proposal after they do a Forensic Loan Audit to discover laws the Lender broke in the Loan Documents (85% of the time). They are attorney-assisted, and can even help with foreclosures (up to 30 days before sale).

Foreclosure

If you got a **Notice of Default**, you may only have 110 days before it's sold. You must act quick before the sale or court. [Beat Foreclosure Fast .com](#) explains your **options in Foreclosure**. Find out if you have time to sell, refinance, modify, or have to go to bankruptcy.

Normal Refinance

If you can't qualify for a Loan Modification, which can get you better rates and features than a Refinance, you can refinance, if you qualify. There are many different refinance benefits: you can lower your monthly payments, consolidate your debts, among other things.

[Refinance - Countrywide®](#)

No Cash Required For Closing Costs. Call Or Apply Online Now [www.Countrywide.com](#)

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One great refinancing benefit that you may get is to lower your monthly payments for the loans you already owe. When you

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Use Forensic Loan Audits to Force Lenders to Accept Lower Interest & Balance Change variable ARM to Fixed [Loan Repair Now .com](#)

Many ways out of Foreclosure:
Forebearance, Short Sales, Loan Modification, Bankruptcy
What's best for You? [Beat Foreclosure Fast .com](#)

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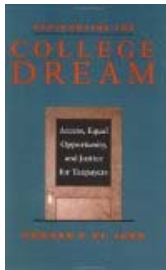
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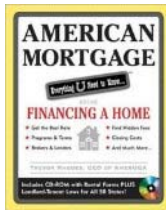


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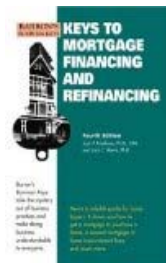
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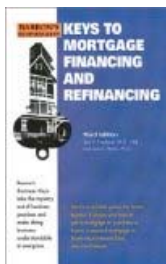
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refinance your home, you may get lower interest rates and therefore lower monthly payments. the effect of this is that every month you send in a mortgage payment, that payment will pay the interest and a pay off a part of the principal amount of the loan that you took out. By refinancing, you may be able to reduce the monthly payments that you make for both interest and principle.

Debt consolidation is one major refinance benefit that you can get. This refinancing benefit that can be especially useful for those with high interest debts. Credit card debts are one high interest debt that refinancing can help pay off in many cases. The equity that you have can be used as collateral to help you get a lower interest loan, which is another major refinancing benefit. Of course, you may not get an immediate increase in savings through refinancing.

refinancing for debt consolidation can be useful in that it will makes it easier to pay off all of your bills. It normally difficult to take care of all of your bills each month, so debt consolidation can simplify the payments you have to make.

One final refinance benefit is to use the equity that you have built up to cash out the equity for various purposes, such as financing your education needs or improving your home. Sometimes a Home Equity Line of Credit (HELOC) can be taken out, where you don't get all the money at once, but keep it available for future uses. because you only pay interest on what you actually borrow, it's a great way to tap the equity in your home for future potential emergencies, without paying interest unless you need it.

Refinancing Headlines

Lower rates spark wave of refinancing - The Tennessean



[Post Chronicle](#)

[Lower rates spark wave of refinancing](#)
The Tennessean, TN - Dec 7, 2008
As a result, area mortgage brokers and bankers said their offices have been busy handling a deluge of **refinancing**, as people try to take advantage of ...
[This week's Real Estate stories](#)
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[Mortgage applications more than double](#) CNNMoney.com
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Schumer Warns Homeowners About Refinancing Scams - NY1



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[Schumer Warns Homeowners About Refinancing Scams](#)
NY1, NY - 3 hours ago
New York Senator Charles Schumer held a news conference yesterday to warn homeowners about **refinancing** scams prompted by falling interest rates. ...
[Schumer rips rebirth of home-refi scams](#) New York Daily News
[BEWARE OF LOAN PLOYS: SCHUMER](#) New York Post
[Schumer warns of new mortgage](#)

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New York Times, United States -
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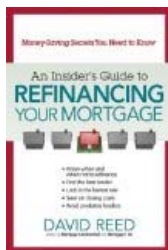
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Tips for Auto Refinancing

Refinance and Save

If you have a high APR car loan, or even a decent rate, you can refinance your car loan to a lower rate and save lots of money. Lenders like [up2drive.com](#) are offering popular auto refinancing loans. If you have an good credit history try FirstAgain.com to refinance your car loan. They pay off your current car loan and you pay them back at your new lower APR rate. Your loan can usually be completely refinanced within 2 days after you apply.

You don't need an appraisal to refinance your car loan

Get Your Credit Report First:

If you are shopping to refinance your car loan, get your credit report online first so you'll know now whether you are qualified before you talk to any lender. DO NOT apply for a car loan unless you have your credit score in hand.

Your credit score will not drop if you run your own credit report. You can get your credit report instantly online from Experian, Equifax or TrueCredit. Be sure to get your credit score with the credit report. If your credit score is below 600, don't bother applying for a car loan until you repair your credit first.

Once a year you can get a free credit report at [Annual Credit Report.com](#), but it won't give you your credit scores.

You can verify the facts on credit scores at Experian, Equifax or TrueCredit.

Most lenders won't refinance their own auto loans, so you need to look for a different lender to refinance.

Even borrowers with bad credit can usually refinance with a lower APR, but most don't know it.

Your actual APR depends on your credit rating

Not everyone gets the 7% or lower APR, but what you get will probably be lower than what you're paying now.

Refinance your auto loan early

With car loans, the interest is mostly paid in the first 3 years of payments. The earlier your car loan is refinanced, the more money you save. If you wait until the 4th year to refinance your car loan, your savings will be a lot less.

Who should refinance their auto loans?

Use the 1% rule. After you buy your car, compare the interest rates for auto refinancing at sites like [up2drive.com](#) - see if you can get refinancing auto loan rates of 1% less than the interest rate on your current car loan. Car refinance lender sites have calculators that can show you how much you will save if you refinance your car with them.

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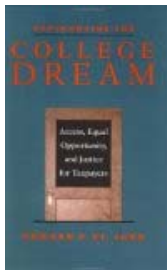
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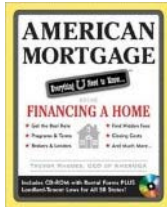
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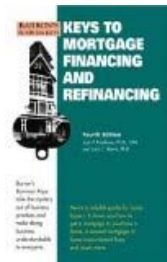
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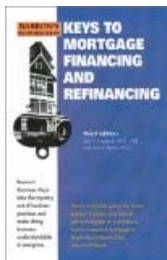
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99% Easy Approval, Bankruptcy O.K. Simple Form, Quick Auto Loan Result
 Smart-Car-Loan.com



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Auto refinance loan applications need to be in the same names (with exact spelling) as the names on your current auto loan. Have your car loan account number ready. You must refinance more than \$7500. Any less and it's not worth the auto refinance company's time. It's also important to have all the vehicle information accurate so that the new lender can check your car's value to make sure it meets Loan to Value ratio guidelines. Enter the year and model and enter the 17 digit VIN (Vehicle Identification Number), found on your dashboard or registration. Check your car's value first to make sure your car has more value than the loan you still owe on it.

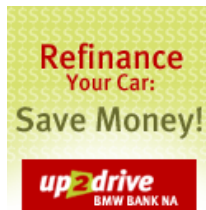
Refinancing an auto loan can be easy

To refinance your auto loan, follow these easy steps:

- Call your current car loan lender and ask for your car loan payoff amount.
- Visit a car lender website like Capital One Auto Finance or Up2Drive and apply online if their APR is at least 1% less than your current car loan APR. Be sure to enter your vehicle's 17 digit VIN from your registration, and enter your name as it appears on your current auto loan.
- Your car refinance loan is usually approved in about an hour
- They will email you instructions on how to payoff your current car loan.
- Tell your current bank who your new lien holder will be, and have the title sent to them, not you.
- Use a free online payment calculator to check your rates and payments.
- Your state may charge a fee of \$5 or more to transfer lien holders.
- Your loan can be usually be refinanced within 2 days.

If you don't look into auto refinancing today, you could be throwing away thousands of dollars!

Some of the best auto refinance sites are [up2drive.com](#) and [FirstAgain.com](#), with lower APRs than dealers.



Auto Refinancing News

South Florida Home Equity Loan Leader Honors High School Athletes With Scholarships

Fort Lauderdale, FL (PRWEB) May 19, 2008 -- Tropical Financial Credit Union,
http://www.tropicalfcu.org/home/about.Pressreleases.pr_scholar_athlete
 [South Florida's home equity loan leader],...

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Consumer Guide Focusing Exclusively on Mortgage Refinancing Launched by MortgageLoan.com

Bunnell, FL (PRWEB) January 11, 2008 -- MortgageLoan.com has launched The Guide to Mortgage Refinancing to help homeowners across the U.S. stay ahead of the curve for mortgage rates, terms, and...

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Auto Refinancing Often Overlooked for Car Loans

Irving, TX (PRWEB) August 29, 2007 -- Many people routinely refinance their home mortgages. According to the August 17 study by the Mortgage Bankers Association, refinancing makes up 39.9 percent of...

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Charlotte, NC (PRWeb) February 8, 2007 -- People usually do not think twice about refinancing a home loan to save money. But fewer people think to...

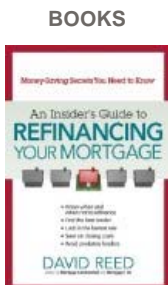
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Mobile Home Refinancing

Refinance and Save

If you have a high APR loan on your Mobile Home, or even a decent rate, you may be able to refinance it at a lower rate and save lots of money. Lenders like [FirstAgain.com Loans for Autos or Anything Else \(Good Credit Only\). A Better Loan Experience Guaranteed!](#) are offering popular refinancing loans for cars, other vehicles, timeshares, and even mobile homes. If you have an good credit history try FirstAgain.com to refinance your mobile home loan. They pay off your current loan and you pay them back at your new lower APR rate. Your loan can usually be completely refinanced within 2 days after you apply.

You may not need an appraisal to refinance your mobile home loan

Get Your Credit Report First:

If you are shopping to refinance your loan, get your credit report online first so you'll know now whether you are qualified before you talk to any lender. DO NOT apply for a loan unless you have your credit score in hand.

Your credit score will not drop if you run your own credit report. You can get your credit report instantly online from Experian, Equifax or TrueCredit. Be sure to get your credit score with the credit report. If your credit score is below 600, don't bother applying for a loan until you repair your credit first. Once a year you can get a free credit report at [Annual Credit Report .com](#), but it won't give you your credit scores. You can verify the facts on credit scores at Experian, Equifax or TrueCredit.

Most lenders won't refinance their own mobile home loans, so you need to look for a different lender to refinance.

Even borrowers with bad credit can usually refinance with a lower APR, but most don't know it.

Your actual APR depends on your credit rating

Not everyone gets the 7% or lower APR, but what you get will probably be lower than what you're paying now.

Refinance your loan early

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Who should refinance their mobile home loans?

Use the 1% rule. After you buy your mobile home, compare the interest rates for refinancing at sites like [up2drive.com](#) - see if you can get refinancing loan rates of 1% less than the interest rate on your current mobile home loan. Refinance lender sites have calculators that can show you how much you will save if you refinance your mobile home with them.

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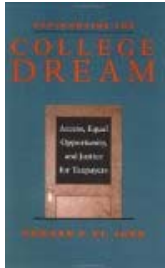
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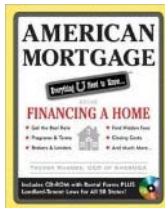
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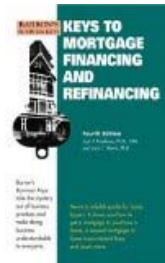
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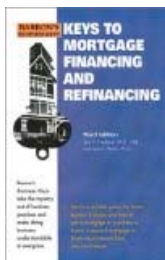
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Mobile home refinance loan applications need to be in the same names (with exact spelling) as the names on your current mobile home loan. Have your loan account number ready. You must refinance more than \$7500. Any less and it's not worth the refinance company's time. It's also important to have all the vehicle information accurate so that the new lender can check your mobile home's value to make sure it meets Loan to Value ratio guidelines. Enter the year and model and enter the 17 digit VIN (Vehicle Identification Number), found on your registration. Check your mobile home's value first to make sure it has more value than the loan you still owe on it.

Refinancing a mobile home loan can be easy

To refinance your auto loan, follow these easy steps:

- Call your current car loan lender and ask for your loan payoff amount.
- Visit a lender website like Capital One Auto Finance or Up2Drive and apply online if their APR is at least 1% less than your current mobile home loan APR. Be sure to enter your mobile home's 17 digit VIN from your registration, and enter your name as it appears on your current loan.
- Your mobile home refinance loan is usually approved in about an hour
- They will email you instructions on how to payoff your current loan.
- Tell your current bank who your new lien holder will be, and have the title sent to them, not you.
- Use a free online payment calculator to check your rates and payments.
- Your state may charge a fee of \$5 or more to transfer lien holders.
- Your loan can be usually be refinanced within 2 days.

If you don't look into mobile home refinancing today, you could be throwing away thousands of dollars!

The best mobile home refinance sites we have found is [FirstAgain.com Loans for Autos or Anything Else \(Good Credit Only\). A Better Loan Experience Guaranteed!](#) , with lower APRs than dealers.

Mobile Home Refinancing Headlines

Preferred Capital Alliance, Inc. Announces New Small Commercial Mortgage Programs for Small Businesses

Pinellas Park, FL (PRWEB) February 12, 2008 -- Today Preferred Capital Alliance, Inc. has announced the launch of its new small commercial mortgage programs. The programs are designed to benefit...

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Oak Brook, IL (PRWEB) January 27, 2008 -- With the recent surge in foreclosures, home-owners are starting to feel the pinch as housing values decline hence, limiting the ability for many to...

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Auto Refinancing Often Overlooked for Car Loans

Irving, TX (PRWEB) August 29, 2007 -- Many people routinely refinance their home mortgages. According to the August 17 study by the Mortgage Bankers Association, refinancing makes up 39.9 percent of...

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Tampa, Florida (PRWEB) May 8, 2007 -- <http://www.peakhomeloan.com/> [Peak Home Loans __title__ Home Refinance] announces a limited time home refinance loan program for people with less-than-perfect...

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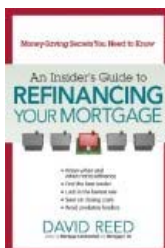
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Refinancing Your Mortgage:
Money-Saving Secrets You](#)

Benefits of Refinancing

If you are planning to refinance your home, you should consider the many refinancing benefits available to you. If refinancing is the most suitable option for your financial needs, then you should be aware that you can get many different refinance benefits: you can lower your monthly payments, consolidate your debts, among other things.

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One great refinancing benefit that you may get is to lower your monthly payments for the loans you already owe. When you refinance your home, you may get lower interest rates and therefore lower monthly payments. The effect of this is that every month you send in a mortgage payment, that payment will pay the interest and a pay off a part of the principal amount of the loan that you took out. By refinancing, you may be able to reduce the monthly payments that you make for both interest and principle.

Debt consolidation is one major refinance benefit that you can get. This refinancing benefit that can be especially useful for those with high interest debts. Credit card debts are one high interest debt that refinancing can help pay off in many cases. The equity that you have can be used as collateral to help you get a lower interest loan, which is another major refinancing benefit. Of course, you may not get an immediate increase in savings through refinancing.

refinancing for debt consolidation can be useful in that it will makes it easier to pay off all of your bills. It normally difficult to take care of all of your bills each month, so debt consolidation can simplify the payments you have to make.

One final refinance benefit is to use the equity that you have built up to cash out the equity for various purposes, such as financing your education needs or improving your home. Sometimes a Home Equity Line of Credit (HELOC) can be taken out, where you don't get all the money at once, but keep it available for future uses. because you only pay interest on what you actually borrow, it's a great way to tap the equity in your home for future potential emergencies, without paying interest unless you need it.

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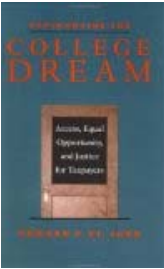
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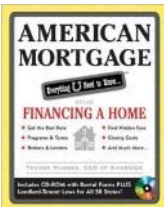
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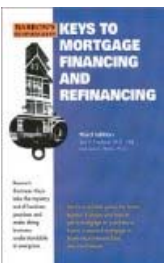
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Mortgage Refinancing Information News

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Refinancing Reflects Reality, According to GuideToLenders.com

(PRWEB) June 4, 2008 -- Homeowners squeezed by stagnating wages and sharp increases in food and energy prices are looking for a way to get some breathing room. Consumers recently surveyed by...

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Consumer Guide Focusing Exclusively on Mortgage Refinancing Launched by MortgageLoan.com

Bunnell, FL (PRWEB) January 11, 2008 -- MortgageLoan.com has launched The Guide to Mortgage Refinancing to help homeowners across the U.S. stay ahead of the curve for mortgage rates, terms, and...

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Countrywide Home Loans Offers Mortgage Refinancing Tips To Homeowners

Calabasas, CA (PRWEB) April 24, 2007 -- Countrywide Home Loans is offering mortgage refinancing insights to homeowners about how and when they may best capitalize on refinancing their existing...

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Mortgages: Banks vs. Brokers - Are you Better off with a Bank or a Mortgage Broker?

Bay Shore, NY (PRWeb) March 10, 2007 -- As an Expert in home financing CEO/president Salvatore Petrozzino of Worldwide Capital Mortgage Corp. states Almost 70% of U.S. mortgages are originated by...

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Equity Loans guide
Looking to find Equity Loans? See our Equity Loans guide. UsMilitarySurplus.com

Mortgage Refinance Rates
Locate Competitive Mortgage Lenders Get Reliable Advice on Refinancing. DoTellAll.com

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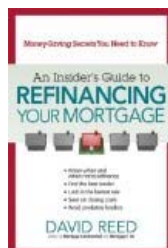
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Choosing a Lender - Tips

One of the most important things when refinancing your home is choosing a lender. It can be a difficult task to find one that's right for you, but when choosing a lender a few tips can help make the process easier. first, sk for help from your family and friends. You should comparison shop for a lender. You should think about more than just your finances when choosing a lender.

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Tip #1: talk with your family and friends for assistance. People who have recently refinanced can be useful in helping you determine which lender to choose. You can get often get valuable opinions from those you know personally, which may help you decide which lender to choose.

Tip #2: Comparison shopping is very important when choosing a lender. Especially look for the best interest rates and terms. You should request quotes from each lender that you are checking on. Quotes can help you determine how much money you save with the lender and refinancing plan that you are planning to get.

Tip #3: think about more than just your finances. Watch the reactions of the lender who is going to work with you, to see if he is concerned about your individual finances. A lender that doesn't return your calls is not a very reliable one. It's important that you look for a lender who is accurate and tries to be accurate in all of the paperwork and reports.

Tip #4: consider your instincts when choosing a lender. Watch out for lenders that may be shady in character. Some lenders may not even know what they are talking about. If the lender is knowledgeable, he can help you through difficult situations, so you should try to choose an knowledgeable lender.

These are all good tips that can help you choose a lender. Ask people you know what lenders worked best for them and look at the rates that various lenders are offering. especially, check out the qualities and knowledge level of the lender when choosing a lender.

This article is courtesy of Get EZ Loans.com [they get you easy loans fast.](#)

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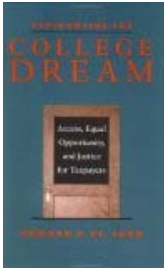
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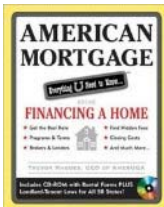
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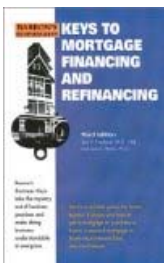
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Mumbai, Dec 6 Housing Finance **Companies**, while welcoming the RBI measures, said the Rs 4000 crore **refinance** facility provided through National Housing Bank ...
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Homeowners' Refinancing Jumps by Record Pace - Wall Street Journal



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Wall Street Journal - Dec 3, 2008
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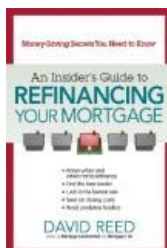
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Cash Out Refinancing - What Does It Offer?

"Cash out refinancing" is where a homeowner refinances the home for more than the balance of the previous mortgage - in other words, after paying off the old mortgage, he still gets cash out. A cash out refinance pays off the balance of the previous mortgage and any extra money taken out during the period of the loan, as well as liens and taxes. The person will then get a check for any money left up to the amount offered. Of course, the check for the "cash out" will have to be repaid with the mortgage over time, but it can help with renovating the home and/or investments, if the borrower has good investment advisors.

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If the person looking to use cash out refinancing has equity in the home of at least 30-40%, then cash out refinancing is possible. The home is used as collateral for any refinance program, including cash out refinancing. If payments have been made regularly, and the borrower has sufficient income and good credit, most creditors consider the borrower is a good risk for a loan, if there is enough equity. Consult a broker or lender about cash out refinancing, to find out who offers it, because "cash out" refinancing is not offered by every lender.

The cash received in cash out refinancing can be used in many ways. Most lenders don't ask the borrower what he plans to do with the cash he is getting. Instead, the lender focuses on the borrower's ability to repay the mortgage and the plan for repayment.

There are ways that the money from cash out refinancing can be used. Buying a car or truck, paying for education, funding home improvement projects and starting up a small business are among the most common things that people do with the money from cash out refinancing plans.

Not everything that can be done with the money from cash out refinancing is tax deductible. Home improvement projects are usually tax deductible, but it's best to talk with a tax attorney for information on what is tax deductible and what isn't, so you can most wisely use the money from refinancing.

Here's a quick example of one cash out refinance: let's say that someone wants to use cash out refinancing to pay off a \$200,000 loan with eight percent interest and \$50,000 already

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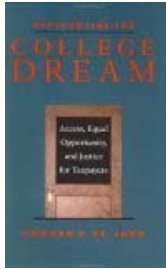
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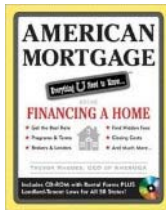
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paid off. The person may only want to borrow \$25,000 more for starting a small business. Because that person has equity in the home, that person will be able to refinance with a \$175,000 loan at a seven percent interest rate. The rate will be lower because of the equity involved.

If property values have increased, the equity increases, and cash out refinancing may be offered here as well.

This is just one example of how cash out refinancing can work. Cash out refinancing allows a person to take out additional cash and sometimes lower the interest rate. You should always talk with a financial advisor or tax specialist to determine whether or not cash out refinancing is a good option for you.

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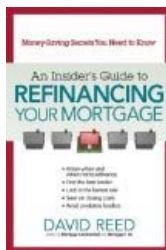
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Refinancing Despite Bad Credit

People with bad credit often are turned down by the lenders with lower interest rates, and may be forced to get a loan from a hard money lender at a much higher rate. Instead of getting a loan at 5%-8%, a borrower may pay over 10% interest on a loan from a hard money lender. Refinancing with bad credit is not the best option for all cases because of higher interest rates, but the process is actually similar to refinancing with good credit. It's important to work with a mortgage advisor or broker to check your current credit scores. You should also consider all the refinancing choices that you have.

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The first step towards refinancing with bad credit is to talk with a broker to determine your best options for your situation. Especially when refinancing with bad credit you must be completely honest with your mortgage advisor or broker.

When refinancing with bad credit you should also think about whether or not your credit scores have improved since you took out the mortgage that you currently have. If you're not ready to refinance yet, you can check your credit reports for free at [AnnualCreditReport.com](#). (You can get a free report once a year, and it won't lower your credit score). Most problems on your credit report, including bankruptcies and late or missed payments, are removed from your credit report after 7 years. You can hire Credit-Cleanup agencies to dispute some of these problems reported, and you may be surprised at what they can do.

You should consider your refinancing options carefully, especially if you are refinancing with bad credit. You may be able to control the interest rate you will pay by paying extra points. A point is to 1% of the loan amount and can get you a quarter of a percent interest rate reduction. You should consider how long it will take to recoup the cost of buying points before using this option when refinancing with bad credit, as it does cost money to do this.

Be sure to think about the different kinds of mortgages when you consider refinancing with bad credit. A fixed rate can be a safer hedge against inflation, but adjustable rate mortgages (ARMs) can often start out cheaper. A fixed rate mortgage has the same interest rate over time, while an adjustable rate mortgage may change over time. A hybrid loan has a fixed rate

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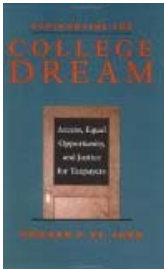
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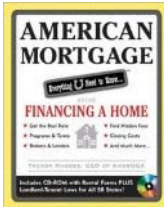
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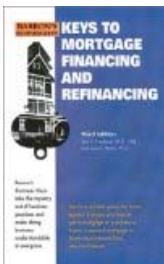
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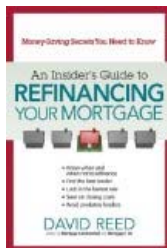
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Refinancing for Debt Consolidation

One reasons may people refinance is to consolidate all of their debts. All the individual debts and loans that a person has can be consolidated into one lower interest loan, that can be paid off more easily and quicker. Debt consolidation is easy to understand, but sometimes refinancing for debt consolidation can cost more money long term.

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first, you must know what debt consolidation is. Debt consolidation is where all of a person's debts are moved into one debt consolidation loan. The person will still have to pay for everything that is owed from the previous loans, but usually the interest rate for the single loan is much lower than the rates from all the other loans its consolidating. The loan is subject to its individual terms and has its own interest rates and repayment period, which are in the loan terms.

All the terms of the previous loans before refinancing for debt consolidation will no longer be valid. Only the terms of the new debt consolidation loan will be important and will be specified in the agreement for the refinancing loan for the debt consolidation plan.

Although refinancing for debt consolidation can simplify one's life, it sometimes can cost more money over time. If there are lower monthly payments, sometimes that will can result in more money to pay long term. The interest rate may be lower, but the lower interest rate is not always the main factor to consider when refinancing for debt consolidation. The debts of the previous loans, the length of the loan, and the amount of money that will be paid in the end can be major factors to consider when refinancing for debt consolidation. For example, it is not a good idea to refinance a loan that only lasts 5 years into one that would last 30 years, even if it has lower interest, because the amount of interest will end up being higher over time.

Another concern in refinancing for debt consolidation is that although it may increase one's cash flow, it's not always true. Online consolidation calculators may be used to determine how much money one will save long term and how much cash flow may increase.

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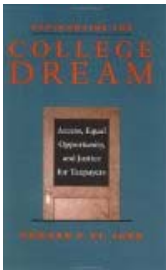
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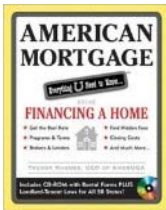
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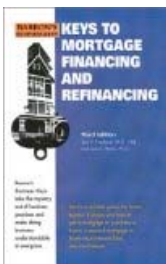
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an expert on debt consolidation before committing. There are many laws involved in refinancing for debt consolidation, so it is best to review these laws with an expert for to understand what to expect when refinancing for debt consolidation.

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Refinancing Your Mortgage - BusinessWeek

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BusinessWeek - Dec 6, 2008

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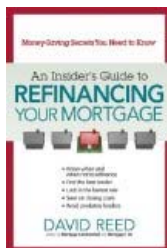
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The main reason people refinance is so to reduce monthly payments on previous loans and to pay less interest. Even when you pay less interest, your taxes can keep you from being able to save money. Here are some tax concerns for refinancing that can make a difference in your finances.

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The first tax concern after refinancing involves tax deductions made at the end of the year. The interest on loans is generally tax deductible. You can save money on taxes at the end of the year when you pay interest. However, since there is less interest to pay after refinancing, if you refinance, you could end up owing more money in taxes at the end of the year. This is especially dangerous if you are right below a certain tax bracket and can end up being in a much higher one because of fewer deductions in taxes.

Another tax concern after refinancing involves figuring out how to work with the taxes after refinancing. It is best to consult a tax specialist for assistance with this. A tax specialist can answer questions regarding your tax concerns after refinancing and can determine if refinancing is the best option, as the taxes you pay could dramatically increase if the you end up paying less money in interest.

When looking for a tax specialist it is best to consult friends who have had refinancing to see what they know about good tax specialists and which ones they feel were the most effective. Try to choose a good tax specialist that understand tax concerns for refinancing and is especially knowledgeable of the tax world.

When you have tax concerns for refinancing, consider checking with an online calculator for information on how your taxes will change as a result of refinancing. This will involve the amount of money you owe, the interest that you are paying and the current rates of the loans that you owe and the rates that will be paid off when refinancing takes place. This will help to answer your tax concerns for refinancing, especially when there are multiple scenarios to consider.

There are many tax concerns after refinancing because not only will there be fewer deductions after refinancing but you could end up in a higher tax bracket. Talk with a tax specialist

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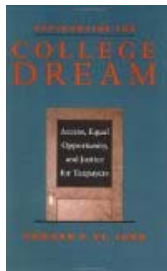
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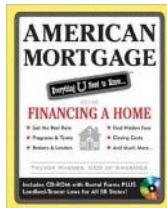
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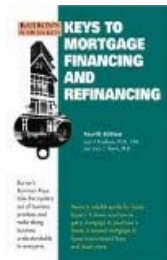
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and check with refinancing calculators to see if refinancing is a good option for you, as additional tax costs could end up offsetting the refinancing savings.

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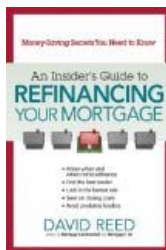
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However, some online refinancing options that you come across with online refinancing groups may not be as good as they claim to be. It's best to stick with lenders that you are know and recognize. Ones with offices in your area are especially good. You might talk to people you know who have done some refinancing to get ideas of good sources to go for online refinancing and the options you should avoid.

Lending Tree is one of the better places to go to for assistance in your online refinancing. LendingTree.com gives people information on all kinds of news and information involving refinancing, including options available for your online refinancing needs. We recommend you visit this site and do some research on what is available.

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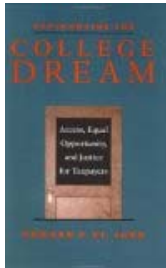
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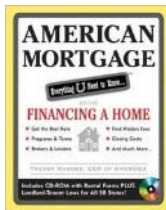
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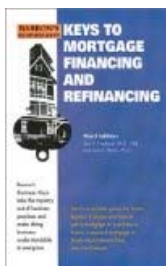
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also get a better idea of what types of rates you'll get with online refinancing, because those with better credit ratings get better deals.

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Courier Mail, Australia - Dec 7, 2008

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