

IN THE COURT OF THE CITY CIVIL JUDGE AT
BENGALURU

O. S. No. 42 / 2022

BETWEEN:

Srinivas S. Devathi

...Plaintiff

AND:

Legal and Treaties Division, Ministry of External Affairs

...Defendant

**MEMORANDUM UNDER CPC SECTION 80(2) TO SUMMON THE
DEFENDANT IMMEDIATELY IN THE INTEREST OF JUSTICE AND
EQUALITY.**

To,

The Honorable Judge, CCH-10

Under section 80(2), I seek exemption on the office compliance listed items, and request that the defendant be summoned to the court immediately, given the following set of facts and reasons:

- 1) Legal notice u/sc 80(2) of cpc not issued against defendant.
 - a. There is an urgent and immediate relief requirement involved in this request, since:
 - i. Lawsuit OS 2487 of 2021 was filed on 9-4-2021. And according to law and Patent Cooperation Treaty, the proceeding should have started by middle of last year.
 - ii. The cause of action, fraud of USPTO, defendant 1 in OS 2487 of 2021 arose on 5-8-2015.
 - iii. The worldwide liability, due to loss of IP rights across many territories caused by the fraud of USPTO, defendant 1 in OS 2487 of 2021 was caused by April 2019. The proceeding initiation against USPTO has been long overdue.
 - b. This is not a conventional lawsuit filed against the Indian government, Legal & Treaties division of MEA. The defendant is working alongside with me to deliver justice and equality. The defendant has been informed about the lawsuit OS 2487 of 2021 and has had an opportunity to review the entire lawsuit in detail, and is ready to act upon this courts



summons. I attach a two-page document 2, with this memo, an e-mail communication to the defendant dated 20-9-2021. The defendant has had a lead time of well over three months, more than the requested two-month notice.

- c. On 22-9-2021, the defendant in this suit has verbally confirmed to me that they will issue the 'Consent letter of Indian government' over a telephonic conversation. Upon your orders of summons, the defendant will arrive in the court and submit the 'Consent letter of Indian government' to you.

2) Defendant copies not furnished and process fee not paid.

- i. Bangalore city civil court constitutes a legal entity by itself. And I intend to set-up an agreement with the Bangalore city civil court for the court fee calculated, which is given in the lawsuit OS 2487 of 2021, attached as document 38. The agreement shall state that I will pay 50% of the court fee upon receipt of the court fee from the fraudulent defendant 1 USPTO in OS 2487 of 2021. And the balance 50% shall be paid upon the conclusion of the 62 sale agreements.
- ii. To not have any legal entity, organization, state government, or central government as an intermediary between me and 'justice according to law and Patent Cooperation Treaty', I shall serve the summons to defendants myself upon your orders. I shall submit the 'Indian speed post' receipts to the Honorable court. This is subject related to documents 18, 19, and 38 attached with OS 2487 of 2021.
- iii. Not that any patriotic Indian citizen, government organization, legal entity, or corporation might, however to proactively eliminate any abuse of CPC provisions that might allow gaining guardianship of ones property, in this context my property, including 'Intellectual property'.

Hence I request that you provide exemption to the 'Office compliance items' and issue orders to summon the defendant, so that the proceeding of OS 2487 of 2021 could be initiated at the earliest.

Bengaluru

Date: 12/1/2022



Plaintiff
(Party in Person)

Subject **Fwd: Re: CPC Section 86 clause 6 gives me the reasonable opportunity of being heard since the court is waiting on governments permission to sue USPTO**



From <srinivas@coolcartechnology.com>
To <aslegal@mea.gov.in>
Cc <eam@mea.gov.in>, <secywest@mea.gov.in>
Date 2021-09-20 18:00
Priority Highest

-3-

- OS 2487 of 2021 Certified True Copy Court Order Sheet_14092021.pdf (~156 KB)

To,

Mrs. Uma Sekhar, Additional Secretary L&T Division, MEA India

My domain was up for renewal and there has been some e-mail receipt and delivery problems over the last week. Could you confirm the receipt of this e-mail communication that was sent on 14-9-2021?

I have also sent two India post packages that were delivered to your office today. Articles No. EK016734287IN and No. EK016734295IN. These packages have all the vital information pertaining to my lawsuit and its resolution. I await your response to get the lawsuit proceeding initiated.

Srinivas S. Devathi

Inventor and Author

Srinivasdevathi.com, Projectearthling.com, Earthlingcurrency.com, Coolcartechnology.com

----- Original Message -----

Subject:Re: CPC Section 86 clause 6 gives me the reasonable opportunity of being heard since the court is waiting on governments permission to sue USPTO

Date:2021-09-14 17:29

From:srinivas@coolcartechnology.com

To:aslegal@mea.gov.in

Cc:eam@mea.gov.in, secywest@mea.gov.in

To,

Mrs. Uma Sekhar, Additional Secretary L&T Division, MEA India

The certified true copy of the Court order sheet for OS 2487 of 2021, that I received today is attached with this communication. I refer you to the Honorable Judges comments on page 3 dated 3/7/2021.

The Judge records 'receipt of approval from MEA to address argument on maintainability of the suit'. The only remaining argument is your 'Consent letter' to sue USPTO, summon WIPO, and IPI

for fact checking purposes. My next hearing date is on 21/9/2021. — A —

I cite CPC section 86 clause 6 for you to provide me reasonable time to hear my lawsuit. And if you have, up on your review of the lawsuit at my website, are ready to issue the consent letter, I look forward to the letter pdf file duly signed by you, Secretary to Indian govt, that I can submit to the court.

Srinivas S. Devathi

Inventor and Author

Srinivasdevathi.com, Projectearthling.com, Earthlingcurrency.com, Coolcartechnology.com

On 2021-09-09 19:29, srinivas@coolcartechnology.com wrote:

To,

Mrs. Uma Sekhar

Today I had a court hearing date on the lawsuit OS 2487 of 2021. The judge heard the matter and tells me that everything is in place, except the only missing 'Consent of the central government certified in writing by a secretary to that government', to address CPC section 86 to summon D1, D3, and D4 in the case.

I read the CPC section 86 in detail today, and clause 6 gives me the legal right to make my request for your consent and be given reasonable opportunity to be heard on the lawsuit.

I do not want this lawsuit also to be returned to me due to your consent letter pending. I REQUEST THAT YOU MAKE THIS SUBJECT A PRIORITY AND SCHEDULE DISCUSSION TIME NEXT WEEK. I do not want all the effort of working on this suit and proving the legal points to Honorable court to go waste.

On the contrary, according to CPC section 86 clause 2; if you (central government) have noted that sub-clauses a, b, c, or d applies to my case, you must let me know. I know USPTO has not instituted a suit against me. They do not trade in local limits of this jurisdiction.

Given all the above, could you immediately schedule discussion time, so that I could take this lawsuit forward, for the sake of justice, equality, and according to Patent Cooperation Treaty.

I look forward to your expedited response.

Srinivas S. Devathi

Inventor and Author

Srinivasdevathi.com, Projectearthling.com, Earthlingcurrency.com, Coolcartechnology.com



IN THE COURT OF THE CITY CIVIL JUDGE AT
BENGALURU (CCH – 10)

O. S. No. 42 / 2022

BETWEEN:

Srinivas S. Devathi

...Plaintiff

AND:

Legal and Treaties Division, Ministry of External Affairs

...Defendant

VERIFYING AFFIDAVIT

I, Srinivas S. Devathi, an Indian citizen, aged about 44 years, S/O Late D. Satyanarayana, residing at No. 63, 11th B Cross, 3rd Main, Prashanthnagar, Bengaluru – 560079, INDIA, do hereby solemnly affirm and state on oath as follows: I state that I am the plaintiff in the above case. I know the facts and circumstances of the case. Hence, I am swearing to this affidavit. Further, I state that I do not have any lawyer representing me in this case. And that I am appearing as party-in-person in front of the Hon'ble court. I am submitting the following document to the court:

- 1) Document 2: Memorandum under CPC section 80(2), to summon the defendant immediately, given the urgency of the proceeding to be initiated in the interest of justice and equality. 4 Pages.

Identified by me,

Shankha H
Kor: 37/2/05

Advocate

Bengaluru

Date:

12 JAN 2022



[Signature]

DEPONENT

“Sworn to before me”

SWORN TO BEFORE ME

P.N. NAGESHA
12.1.2022

P.N. NAGESHA
B.A., LL.B.,
ADVOCATE & NOTARY
GOVT. OF INDIA

10/5, 1st Floor, 8th Cross,
Vittal Nagara, GEF Post,
Mysore Road, Bangalore-560025

