

IN THE COURT OF THE CITY CIVIL JUDGE AT
BANGALORE (CCH-10)
O. S. No. 0004961 / 2018

BETWEEN

Srinivas Devathi

...Plaintiff

AND:

Janssen Pharmaceuticals Inc.,

and others

...Defendants

OBJECTIONS TO ‘APPLICATION UNDER ORDER VII RULE 11 FILED BY
DEFENDANT NO. 1 DATED NOV 14, 2018’

I, Srinivas Devathi, Plaintiff in this case, provide my Objections to ‘Application under order VII Rule 11 read with sections 17 to 21 & 151 of the code of civil procedure, 1908’ filed by defendant no. 1; to the Hon’ble court, starting from page 2 of this document.

Place: Bangalore

PLAINTIFF

Date:

The plaintiff respectfully submits as follows:

For the reasons stated in this document, Plaintiff requests the Hon'ble court to dismiss the Interlocutory application filed by Defendant No. 1 (D1).

The plaintiff requests that all cited grounds (Order 1, Rule 3; Order 1, Rule 9; Order 2, Rule 2; Order 2, Rule 7; Order 6, Rule 2; Order 6, Rule 4; Order 7, Rule 1; Order 7, Rule 7; Order 7, Rule 11; to be read with Sections 17 to 21 & 151 of Code of Civil Procedure, 1908) must be rejected and dismissed, as there is complete clarity in involvement, role and participation of D1; in the collusion of all four defendants who together committed this global fraud, that has implications in 61 countries including India and outside of USA.

In the subsequent passages, Plaintiff indicates the relationship he had with D1, events that occurred while working at offices of D1, their involvement in the fraud, how they colluded and teamed up with other defendants to commit this global fraud; that has impacted 61 non-USA PCT contracting states (including India). The Plaintiff also indicates the exact role D1 played in the team of colluded defendants to commit the fraud.

1. **Plaintiff's relationship with D1** - Plaintiff was employed by D3, and D1 were his clients from Nov 2006 until Jan 2010. Plaintiff worked at their NJ, USA offices physically during this time. Plaintiff worked out of Ortho biotech office facility and mostly from Janssen Pharmaceuticals USA facility in Titusville, NJ, USA.
2. Plaintiff's work was primarily with Directors Michael Comprelli and Randy McDaniels; and their team members Kevin Shea and Scott Wearley. The executives this division reported to were Larry Jones and Arun Bhaskar-Baba; who plaintiff very rarely interacted with or met. His day to day work and transactions were with the first named four people.
3. In years of 2008 and 2009, Plaintiff was repeatedly threatened, harassed, racially discriminated, verbally abused and professionally attacked despite the Plaintiff's professional work being of impeccable record; by deliberately fabricating situations to attack in a planned way. Plaintiff had enough of their planned attacks and targeting; and finally decided to quit his employment with D3, thus ending going to work for D1 or their offices in

NJ, USA. All of these threats, harassment, racial discrimination, verbal abuse and planned attacks on professional work began after Plaintiff invented 'Vehicle color change technology' upon the purchase of his third used silver car (as he could not find the car in the choice of his color within his budget) in Jan-Feb of 2007. He made a note of this invention in the laptop (issued by D3) in an excel sheet and did not realize that they were routinely scanned and subjected to automatic back-ups into D3 servers.

4. Outside of making a log in the laptop, he had conversations about the invention in Q1 2007 with a few of his then friends and his then wife, who has now been divorced (divorce concluded in July 2012).
5. Due to the unbearable attacks in USA, Plaintiff left the country and came back to India in 2010. Upon a surprising issue of his 'Green card' in 2013, he decided to go to USA and then filed for the 'Vehicle color change technology' invention patent application in March 2014 that was issued as grant by USPTO; and the same USPTO destroys Plaintiff's prospects by fabricating prior art and issuing a sabotaging ISR on an exact replica PCT application; which is the subject matter of this court case.
6. **D1's relationship with USPTO** - Janssen pharmaceutical USA company (with a research division) is patent (IP) based business. It was founded in Belgium in 1953; bought by Johnson & Johnson USA (now the parent company) in year 1961. Patenting of new drugs ensures royalty and keeps competitors away from replicating the drug for 20 years. Hence, D1 and their parent company file patent applications for new drugs on a regular basis. Hence D1 and its parent company have relationship with USPTO since 1886, the year J&J USA was founded. They have regular day to day discussions, ongoing conversations with USPTO director (Head of USPTO); and hence their critical (important) role in this collusion of defendants. D2 and D3, do not have regular daily business or interactions with USPTO. D2 and D3 do not file for patent applications. While D3 was plaintiff's employer during the stay in USA, D2 was the financial muscle to fund this collusion and their activities in the fraud. D1 came in because of their interactions and strong relationship with USPTO. So, the primary role of D1, was to handle all USPTO communications pertaining to this invention, fabricating the prior art and to have them issue the sabotaging ISR. Additionally, D1 has complete network of Doctors, KOLs (Key opinion leaders who give expert opinion in courts), drug research labs and

production facilities. Being one of the older pharmaceutical companies in USA, they have multiple offices in NJ; and they joke about how they run the state of NJ.

7. D1 alone has the relationship with USPTO, to make something like this happen by very close communications, instructions to fabricate, insert data / records (of fabricated prior art Cobb and Price); with past dates into the system and issue a fabricated sabotaging ISR. Plaintiff has worked in 'Business Intelligence and Data Warehousing' field himself and knows very well about 'Hot penning' technology to insert data / records into 'Production database' with past (historic dates). Technically it is very much possible and any technology company / technical expert in the field of Business Intelligence / Data Warehousing can come in and vouch for this.
8. Plaintiff adds that he never interacted with USPTO directly, at least until EOY 2015; before when the fabricated / sabotaging ISR was received by plaintiff. Plaintiff's hired lawyer for this subject D4, delivered the fabricated ISR 9 months later (from the fabricated issue date) upon repeated questioning and asking. You only interact with USPTO through your lawyer, in this case D4 - Who has committed fraud by breaking law and not delivering a communication on time; as they are held accountable to the issue date on the report (fabricated in this case). The fact that the ISR is dated before the USA grant and yet D4 delivers it to the Plaintiff after repeated requests and questioning; 9 months later from the report issue date; is glaringly visible to the entire World and all 61 Non-USA PCT contracting states. Additionally, Plaintiff cannot make USPTO a party in such a lawsuit; as it is a government body. Further, if USPTO were to be brought in, it could become a Govt VS Govt matter or inventor (Indian citizen) VS USA Govt (USPTO) matter, when Plaintiff himself had no interactions directly with USPTO. D4 was responsible for all interactions with USPTO and has been caught red-handed by breaking the law and D4 must explain USPTO's actions and their (D4's) actions in relation with USPTO's actions in this lawsuit that effects the entire world (starting with 61 non-USA PCT contracting states).
9. The write up of Mr. Eric Jung is nothing but rhetorical, nice statements about D1 only to file an IA; fully detached from the fact set plaintiff has provided in the plaint, the documents submitted; when in reality the IA application itself is irrelevant to this case; and must be dismissed.

10. **Global impact of this lawsuit - 61 Non-USA PCT contracting states, including India have been impacted. Their economies and businesses have been impacted. Use of 'Vehicle color change technology' to develop their economies has been blocked** - Plaintiff would like to state that if defendants D1 to D4 had responded and acted on time, when the case was filed on July 10, 2018 and summons served by Aug 15, 2018; and met the Plaintiff's prayer demands, the Plaintiff would have had patent grants in most jurisdictions (16 apps / 60 non-USA PCT contracting states, as he had lost only New Zealand territory for lack of being able to pay the OA response filing fees and lawyer fees). As the Defendants have delayed their arrival to court (especially D2 and D4); Plaintiff has lost more applications due to the fraudulent prior art and ISR causing repetitive OA's; thus, causing liability to all defendants. D1 is instructed to look at all the past documents submitted to Court and Document O, to know their combined current liability in numbers. They have all the data (numbers) they need now.
11. The fraud committed impacts 61 Non-USA country IP rights (due to the fabricated prior art and fabricated sabotaging ISR); including India.
12. India's economy and a total of 61 other (Non-USA) country economies are linked to this fabulous invention of the Plaintiff. The Defendants have blocked all 61 countries from progressing, developing, energizing their economies, businesses and corporate worlds. This matter has global implications and D1 must consider meeting Plaintiff's prayer demands immediately, so that they do not block the World from developing and moving forward.
13. **USA and defendant's hatred towards India and Indian citizens** - The motive of these four USA defendants is to block India's progress and development. It is to block the royalty and downstream business income from 61 non-USA PCT contracting states to come into India through plaintiff.
14. Out of jealousy, USA corporations do not want India to progress and become the largest economy in the World in years to come. On the same lines, USA's richest people (Mr. Jeff Bezos, Mr. Bill Gates, Mr. Warren Buffett) do not want the plaintiff an Indian citizen to become the richest man in the World.
15. Due to this feeling of jealousy, hatred; the defendants came together, and in a completely planned way, fabricated the prior art cobb and price and issued

a sabotaging ISR to destroy India's future and wealth prospects from 61 other non-USA PCT contracting states. Further destroying the future of 1.32 Billion Indian citizens living in India.

16. **Jurisdiction for lawsuit is Bangalore, India** - Plaintiff states that he is an Indian citizen, born and raised in Bangalore, India; and his inventions / Intellectual Property as per 'Patent Cooperation Treaty' (signed by India) is very much enforceable in all PCT nations in the World. This fact by itself makes Bangalore, India the jurisdiction for this legal matter. Not to mention, the other PCT applications, pertaining to other sectors (non-vehicle) have been filed with Plaintiff's India residential address in Bangalore (the ISR's of which cite Plaintiff's USPTO Vehicle patent grant, further linking the defendants fraud to plaintiff's PCT applications for other sectors globally), which further confirms the jurisdiction of this lawsuit in Bangalore, India. Plaintiff would like to inform D1 that Bangalore, India is the jurisdiction for all sectors (Vehicle or other) color change technology; across the world (in all PCT nations) starting with the 61 non-USA PCT contracting states where applications have been filed via 17 non-USA national stage applications, that have been effected by this fraud.

17. **Capitalism and USA – Corporations give orders to White House (Federal government) and State governments** - In this passage Plaintiff would like to mention how USA has turned into a capitalism world historically. Maynard Keyes, introduced capitalism in USA and in 70-80's Raegan economics took capitalism to a whole another level in USA. Giving tax breaks to large corporations (with multi-Billion \$ income'; who pay Billions of \$ in taxes) to allow them to reach even higher levels; thus, making USA Central Government and State Governments fully under the command and control of USA corporations. Another factor to be considered here is USA Central Government elections (Presidential) happen once in 4 years; whereas the corporations are permanent and generating the kind of money they do and pay taxes. Capitalism and USA corporations have come to a point, where the Corporations decide who comes to power at center and states; and during the 4-year term of Government, they are under the order and command of the corporations that financed them. Janssen USA (J&J USA) have regular ongoing work with Govt bodies such as USPTO and fully finance the election process (fund both parties) to ensure they control, maneuver and get what they want from USPTO or other govt organizations

to generate more wealth. There are media reports wherein Janssen USA have said to put intense pressure on USPTO to issue a patent grant on drug molecules / medicine that have truly not passed all the (CT) Clinical Trials (all stages) and have partial efficacy and with many side effects; and forced a patent issue with partial CT data or worse fudged data (especially in international CT's). The reason is that they invest in over 1 Billion \$ to bring one new drug / molecule into the market (full cost of the pharma product life cycle in USA); and after bulk of the R&D expense and CT's; when CT's fail in last stages; the company comes under pressure whether or not to release the drug into market; finally comes into ethical questions which have been blurred for wealth, patent grant and issue. Janssen's many mental / brain drugs have come under intense criticism and in few cases the patients have committed suicide when the drug is supposed to have helped them. Many lawsuits have been filed against them as well.

WHEREFORE, the plaintiff requests the Hon'ble court to dismiss the "Application under order VII rule 11 read with sections 17 to 21 & 151 of the code of civil procedure, 1908" filed by D1; and further requests the Hon'ble court to indict D1 with the fraud and take this court proceeding forward.

Place: Bangalore

PLAINTIFF

Date: