

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 'INTERLOCUTORY APPLICATION UNDER ORDER 7 RULE 11

OF THE CODE OF CIVIL PROCEDURE, 1908' FILED BY DEFENDANT NO. 3

DATED NOV 16, 2018'

I, Srinivas Devathi, Plaintiff in this case, provide my Objections to 'Interlocutory Application under order 7 Rule 11 of the code of civil procedure, 1908' filed by defendant no. 3; 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 reject and dismiss the Interlocutory application under order 7 rule 11 of the code of civil procedure, 1908; filed by Defendant No. 3 (D3); as there is complete clarity in involvement, role and participation of D3; 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 D3, events that occurred while being employed with D3, 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).

1. **Plaintiff's relationship with D3** - Plaintiff was employed by D3 from Oct 2000 until Jan 2010. While being employed by D3, Plaintiff consulted to their clients D1 and D2, and worked out of D1 and D2's offices based in NJ, USA. Plaintiff consulted for D2 by physically working at their office in NJ, USA from Oct 2000 to June 2006. Plaintiff consulted for D1 by physically working at their office in NJ, USA from Nov 2006 to Jan 2010. As an IT consulting firm, D3 goes out of their way to please their large account clients which generate millions in revenue every month. D1 and D2 were D3's large client accounts and for their client's relationship and projected revenue for subsequent quarters, D3 would do anything that is asked off them by D1 and/or D2; such as threatening, harassing, racially abusing, targeting professional work of plaintiff, their employee. Simply put, D3 is at the command and order of D1 and/or D2.
2. Plaintiff worked with many individuals employed by D3, however, the key people who he interacted and have relevance to this case are William (Bill) Schreiner, Joseph Moye, Roy Stansbury, Scott Sweet, Robert Haarsgaard, Jeffrey Deyerle, John Buly and Barry O'Brien. D3 ensured Plaintiff worked in USA by filing for his work visa and in year 2007, they filed and initiated the process and paperwork for 'Green Card' to Plaintiff and his then spouse.
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. The Plaintiff was professionally attacked by a combined team effort of D3 and D1 (client at the time). D3 people listed above would deliberately ensure team members of Plaintiff would underperform, sabotage a project / task assigned to them; thus, deliberately inciting client D1's complaints to higher ups at D3. This combined, fully planned methodical attack on all projects executed by Plaintiff, went totally out of control and became unbearable. Plaintiff had enough of their planned / combined 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. In years 2008, 2009 and first half of 2010 (while searching for another job), when plaintiff had some conversations with contacts at earlier client D2, he was meted with similar kind of harassing, threatening, racially abusive and leave our country type of comments.
6. 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.
7. **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 D3 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.

8. **The roles of D1, D2, D3 and D4 in this fraud** – D3 an IT consulting firm, is a relatively large corporation, however they do not have the necessary relationship with USPTO. They only have local political network and influence with Illinois state government (politicians in Chicago, IL) and later built network with Governments of NJ, NY. However, as plaintiff's employer they ensured they targeted, harassed, racially abused and professionally attacked him; as part of the colluded team effort. It must be noted that plaintiff's relationship with D1 and D2, is through the employment with D3; and hence D3 shall stay on this case matter, until the fraud has been accepted, resolved, plaintiff's prayer demands met, and liability paid out fully.
9. While D3 is an IT consulting firm at the order and command of D1 and D2; D1 - Janssen pharmaceutical USA company (with a research division) is patent (IP) based business. 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. 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. 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. D2 – HSBC Bank USA does not have regular interactions with USPTO. However, D2 was the financial muscle to fund this collusion and their activities in the global fraud.
10. 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.

11. Role of D4 - Plaintiff never directly communicated with USPTO -

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 patent 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).

12. 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. D3 is instructed to look at all the documents submitted to the court in the past court dates, to know their combined current liability in numbers. They have all the data (numbers) they need now.

13. The fraud committed impacts 61 Non-USA country IP rights (due to the fabricated prior art and fabricated sabotaging ISR); including India.

14. 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 D3 must consider meeting Plaintiff's prayer demands immediately, so that they do not block the World from developing and moving forward.

15. **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.

16. 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.

17. 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.

18. **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. In this context, D1 and D2 can command and order White House, state governments of NJ and NY. D3 can command and order Illinois state government and had network into White House through a recent President who entered White House from that state.

WHEREFORE, the plaintiff requests the Hon'ble court to dismiss the "Interlocutory Application under order 7 rule 11 of the code of civil procedure, 1908" filed by D3; and further requests the Hon'ble court to indict D3 with the fraud and take this court proceeding forward.

Place: Bangalore

PLAINTIFF

Date: