

**IN THE COURT OF THE CITY CIVIL JUDGE AT
BENGALURU**

O. S. No. 41 / 2022

BETWEEN:

Srinivas S. Devathi

...Plaintiff

AND:

Legal and Treaties Division of MEA, Society of Indian Automobile Manufacturers (SIAM), IIM-Lucknow, IIM-Indore, IIM-Kolkata, IIM-Ahmedabad, IIM-Bangalore, Kasturi and Sons Ltd., Express publications Madurai Pvt Ltd., The Indian Express Pvt Ltd., ET and TOI of Bennet & Coleman company Ltd., Printers Mysore Pvt Ltd., and Jagran Prakashan Ltd.

...Defendants

**OBJECTIONS TO APPLICATION UNDER ORDER VII RULE 11(d)
FILED BY DEFENDANT 2, SIAM.**

I, Srinivas S. Devathi, plaintiff, party-in-person in this lawsuit submit the following objections to IA filed by defendant 2, SIAM; for the dismissal of the application filed under order VII rule 11 (d). I present the following fact set and reasons.

FACT SET:

- 1) Articles 18 and 19 of Patent Cooperation Treaty have been breached by USPTO, causing liability which must be paid according to law. The Treaty, a legal agreement, binds 153 countries to patents, granted intellectual property. My invention patent US 8,910,998 B1 is filed as PCT international application PCT/US2014/046619 under the provisions of the Patent Cooperation Treaty. This fact must be recorded by defendant 2.
- 2) Article 18 of Patent Cooperation Treaty, titled 'The International Search Report' clause (2) reads '*The international search report shall, as soon as*

it has been established, be transmitted by the International Searching Authority to the applicant and the international bureau.' Article 19 of Patent Cooperation Treaty, titled 'Amendment of the Claims before the International Bureau' clause (1) reads '*The applicant shall, after having received the international search report, be entitled to one opportunity to amend the claims of the international application by filing amendments with the international bureau within the prescribed time limit.*'. Both of these articles, clause have been breached by USPTO causing liability waiting to be paid to me. How much liable value must they pay to me is the trigger to this suit OS 41 of 2022.

- 3) This is not a suit against the defendant 2.
- 4) I am not suing, claiming liability, or damages from defendant 2.

REASONS:

DIRECT AUTOMOTIVE INDUSTRY CONNECTION:

- 5) My patent US 8,910,998 B1 with issue date of 16-12-2014, is titled 'Systems and methods for altering the color, appearance, or feel of a vehicle surface'. As the name indicates my invention was for 'Automobile industry'. Thus, the direct industry connection with SIAM, Society of Indian Automobile Manufacturers. The transformative invention that my patent is, will have the membership of SIAM vary in years and decades to come, given the downstream business opportunities created by my invention. The opportunity must be clearly understood, seized, and exploited by defendant 2, to realize its potential.
- 6) They must by way of the direct industry connection, present their independent estimate of the sale price of my invention, for the consideration of this Honorable court, India and 61 other countries.
- 7) CPC section 75 has provision for this suit. Section 75 (e) reads '*to hold a scientific, technical, or expert investigation*'. In this context it is technical, or expert investigation to be conducted by SIAM, defendant 2. The court needs other sale price valuations for their consideration and analysis of the final sale price. Within that an industry affiliated society such as SIAM, defendant 2 must present their written statement and independent valuation of my patent to the Honorable court.

- 8) Given the direct industry connect, defendant 2 MUST present a written statement and independent valuation of my invention to the Honorable court.
- 9) Thus, according to law, Patent Cooperation Treaty, and provisions of CPC section 75, the Honorable court must dismiss the IA filed by defendant 2 under order VII rule 11 (d), and further order defendant 2 to file a written statement and provide their independent valuation of my patent.

ADDITIONAL DETAILS:

- 10) This suit and four other suits OS 40 of 2022, OS 42 of 2022, OS 2487 of 2021, and OS 2486 of 2021, are being followed by the worldwide judiciary. They are set to become case studies for all the world countries, law schools.
- 11) Defendant 2 response and written statement will also become history.
- 12) Defendant 1 shall provide response on behalf of Indian government, which includes the opinion and approval of Prime Minister, PMO, Finance Minister, and FMO. This is given the fact that 153 countries are linked to this by the Treaty, and 62 countries are directly connected to the invention PCT international application.
- 13) I have filed 15 national stage and 2 regional stage applications by using my PCT international application PCT/US2014/046619. These national stage (country), and regional stage (multi-country region) PTO territories were primarily chosen depending on automotive production value. The combined 62 countries chosen for my inventions patent protection, manufacture over 99% of cars manufactured every year.
- 14) While the final liability claim benefits me, the inventor according to law, it must be understood by defendant 2 that 90% of the wealth is pledged for India, to achieve a visionary 'Goal year 2050 for India'. Defendant 2 is the 'Society of Indian Automobile Manufacturers'. You have responsibility for our country India.
- 15) There is a step-by-step methodical approach for introducing 'Project Earthling©' to 193 world countries and to bring the macro-economic reform for its decisive voting of 193 countries.
- 16) No work of mine is speculative. Everything is affirmative and is according to law.



- 17) This suit is not a PIL. It is to get the technical and expert valuations for my invention, including that of defendant 2.
- 18) A patent is only as strong as its independent claims. In my patent US 8,910,998 B1 the independent claims 1, 16, and 23 have been drafted by keeping the breadth of the claims maximum, and are bullet-proof, impenetrable by automobile OEM'S. They cannot like 'NOT infringe' the independent claims when they embrace my invention. They will infringe my patent when they adopt my invention. Given the impenetrable independent claims, the patent is one of the strongest, resulting in the full liability value waiting to be claimed.
- 19) The court has summoned defendant 2, since they have recognized and identified the fact set, and the liability caused.

Bengaluru

Date: 7/6/2022



Srinivas S. Devathi
(Plaintiff / Party in Person)

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

O. S. No. 41 / 2022

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Srinivas S. Devathi

...Plaintiff

AND:

Legal and Treaties Division of MEA, Society of Indian Automobile Manufacturers (SIAM), IIM-Lucknow, IIM-Indore, IIM-Kolkata, IIM-Ahmedabad, IIM-Bangalore, Kasturi and Sons Ltd., Express publications Madurai Pvt Ltd., The Indian Express Pvt Ltd., ET and TOI of Bennet & Coleman company Ltd., Printers Mysore Pvt Ltd., and Jagran Prakashan Ltd.

...Defendants

VERIFYING AFFIDAVIT

I, Srinivas S. Devathi, an Indian citizen, aged about 45 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:

OBJECTIONS TO APPLICATION UNDER ORDER VII RULE 11(d)
FILED BY DEFENDANT 2, SIAM. **4 Pages.**

Identified by me,

[Signature]
14023133/99

Advocate

Bengaluru

Date:

07 JUN 2022



[Signature]

DEPONENT

“Sworn to before me”

SWORN TO BEFORE ME

[Signature] 7.6.2022
P.N. NAGESHA

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