

**IN THE HIGH COURT OF KARNATAKA, BENGALURU**

**ORIGINAL JURISDICTION**

**W.P. No. 21782 /2022**

**BETWEEN:**

Srinivas S. Devathi

Mobile (91)-966-393-2293

E-mail ID: Srinivas@Coolcartechnology.com

.... Petitioner / Party-in-Person

**AND:**

Union of India, Ministry of External Affairs,

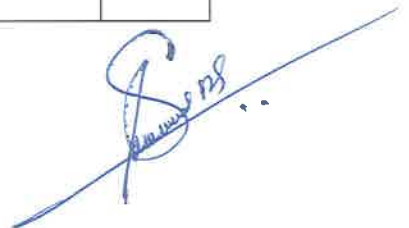
Legal and Treaties Division, Ph:91-11-24674144.

Represented by Mrs. Uma Sekhar, Additional Secretary, also  
representing External Affairs Minister Mr. S. Jaishankar.

.... Respondent

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Bengaluru

Date: 4/12/2022



PETITIONER

(Party in Person)

**IN THE HIGH COURT OF KARNATAKA, BENGALURU****ORIGINAL JURISDICTION**W.P. No. 21782 /2022**BETWEEN:**

**Srinivas S. Devathi,**  
**Aged 45 years,**  
**S/o Late D. Satyanarayana,**  
**Residing at No.63, 11th 'B' Cross,**  
**3rd Main, Prashanthnagar,**  
**Bangalore - 560 079,**  
**INDIA.**  
**Mobile (91)-966-393-2293**  
**E-mail ID: Srinivas@Coolcartechnology.com**

**.... Petitioner / Party-in-Person****AND:**

**Union of India, Ministry of External Affairs,**  
**Legal and Treaties Division,**  
**Room# 901, Akbar Bhavan,**  
**Chanakyapuri,**  
**New Delhi-110 021.**  
**Ph:91-11-24674143.**  
**Represented by Mrs. Uma Sekhar, Additional Secretary, also**  
**representing External Affairs Minister Mr. S. Jaishankar.**

**.... Respondent****SYNOPSIS OF THE CASE**

By sharing the full bundle of facts, documented evidence of 'breach of Patent Cooperation Treaty - PCT' committed by uspto - united states patent and trademark office, and sharing the entire lawsuit OS 2487 of 2021, I request the respondent to issue the 'Consent letter of Central Government to sue uspto and summon WIPO - International Bureau to assist the court with discovery and fact finding'. The respondent had a chance to review the entire lawsuit, all its documents, related facts,



sequence of events, that prove the fraud and breach of PCT, the Treaty BEYOND ANY REASONABLE DOUBT. However, I have not received the requested 'Consent letter'.

It has been over 18 months since the first communication on this subject was made to the respondent. It has been over 12 months since 'my request letter' to issue the 'Consent letter' was sent by courier to the respondent. While I have been waiting for the 'Consent letter' the lawsuit OS 2487 of 2021 has been dismissed on 13-10-2022. And the lawsuit OS 42 of 2022 has been dismissed, citing the lack of authority of the Trial court to issue such orders to the respondent. I file this Writ petition to pray this Honorable court to issue orders to the respondent to issue the requested 'Consent letter' according to law, facts, and PCT, so that I can address CPC section 86(1). Lapse of 18 months to issue the requested 'Consent letter' and the dismissal of two lawsuits on 13-10-2022, are the cause of action to file this Writ petition, seeking 'TIMELY JUSTICE' from this Honorable court.

### **CHRONOLOGICAL SEQUENCE OF EVENTS**

The chronological sequence of events relevant to this writ petition are listed here.

#### 1. 9-4-2021

OS 2487 of 2021 was filed in Bangalore city civil court. This suit has defendants 1 to 4, off which I am suing defendant 1 – united states patent and trademark office, and summoning defendant 3 – WIPO, World Intellectual Property Organization to assist the court with discovery and fact finding. The only pending legal argument on 'maintainability of the suit', was for me to produce the 'Consent letter of Indian Central Government certified in writing by its secretary'. This suit was filed to have defendant 1 to eliminate the 'breach of Patent Cooperation Treaty' articles 18 and 19, since they were the chosen ISA – International Search Authority for my

PCT international application PCT/US2014/046619, for my invention patent US 8,910,998.

Respondent in this Writ Petition is the authority to issue the 'Consent letter' to initiate the proceeding of OS 2487 of 2021. They are the division within 'Ministry of External Affairs' that deal with international treaties such as Patent cooperation Treaty that has been breached by uspto. From 9-4-2021 to 13-10-2022, I have couriered a 'request letter', written several e-mail communications to the respondent, requesting and reminding them to issue the 'Consent letter', by sharing all the facts of the lawsuit OS 2487 of 2021 with them. Despite all the efforts, I have not received the 'Consent letter'. Here are the details regarding my communications with the respondent.

2. From 19-4-2021

E-mail communications were sent to the attention of the respondent to issue the 'Consent letter'. The e-mail request letters and reminders were sent on dates 01-07-2021, 06-07-2021, 12-07-2021, 03-08-2021, 09-08-2021, 12-08-2021, 16-08-2021, 22-08-2021, 27-08-2021, 09-09-2021, 14-09-2021, **20-09-2021**, **09-06-2022**, **28-06-2022**, and most recent communication on **14-10-2022**. These communications are attached as annexure D.

3. From 6-7-2021

Mrs. Uma Sekhar, Additional secretary for Legal and Treaties division, sent me 'Read-receipt' to my e-mail communications. She has consistently acknowledged the receipt of my e-mail correspondence. Read-receipts dated 06-07-2021, 12-07-2021, 03-08-2021, 09-08-2021, 16-08-2021, 10-09-2021, **20-09-2021**, **09-06-2022**, and most recent communication on **14-10-2022** are attached as annexure E.

4. 15-9-2021 I couriered the 'Request letter for issuing Consent letter'

and also sent a communication about 'Stage two - Liability claim to uspto'. They were taken in by India post with speed post tag numbers EK016734287IN and EK016734295IN. These communications are attached as annexure C.

5. 3-1-2022 OS 42 of 2022 is filed at Bangalore city civil court. After sending all the communications as mentioned above, I file this suit to summon the respondent, so that they could directly submit the 'Consent letter' to the court and me.
6. 2-3-2022 Respondent legal representation Sri. BS advocate arrived in the court, filed memo of appearance.
7. From 5-4-2022  
On trial court hearing dates 05-04-2022, 09-06-2022, 17-08-2022, 30-08-2022, 19-09-2022, and 26-09-2022, respondent did not issue the 'Consent letter'. I attach the trial court order sheet for OS 42 of 2022, as part of annexure A.
8. 13-10-2022 Trial court issues the following orders on OS 2487 of 2021. These orders are attached as annexure B.

*'The suit is hereby dismissed as not maintainable in view of the non-obtaining of permission in writing from the Central Government to institute the suit against the defendants as per Section 86 (1) and (2) of CPC, and consequently plaint is rejected.'*

9. 13-10-2022 The Trial court issues final orders on OS 42 of 2022, that are attached as annexure A. In that they mention  
*'Such prayer cannot be granted by this court.'*, with final orders of *'The suit is hereby dismissed as not maintainable, and consequently plaint is rejected under Order 7 Rule 11 (a) and (d) of CPC.'*

Respondent has been given the full fact set and details, regarding the 'breach of Patent cooperation Treaty' committed by uspto in OS 2487 of 2021. The entire lawsuit OS 2487 of 2021 has been shared with them. They have had a chance to review the entire lawsuit, and also review my 'Request letter', along with all the communications requesting and reminding them for the 'Consent letter of Indian Government duly certified by its secretary to sue uspto and summon WIPO – World Intellectual Property Organization, International Bureau to assist the court with fact finding and discovery'.

**Since my courier correspondence, it has been over 12 months.**

**Since my first e-mail correspondence, it has been over 18 months.**

While the respondent has shown the willingness to issue the requested 'Consent letter', way too much time has been lost, **OS 2487 of 2021 has been dismissed on 13-10-2022 for not addressing CPC section 86(1)**, by submitting the Consent letter, and OS 42 of 2022 has also been dismissed on 13-10-2022.

Given the above bundle of facts, I request this Honorable High Court, to issue orders to the respondent, to issue the requested 'Consent letter' in the interest of justice and equality. The delay has caused significant loss of my time and money, and dismissal of two lawsuits.

Bengaluru

Date: 4/12/2022



PETITIONER /  
(Party-in-Person)

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W.P. No. 21782 /2022

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**AND:**

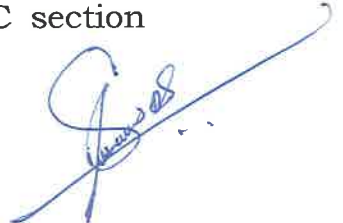
**Union of India, Ministry of External Affairs,**  
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**Room# 901, Akbar Bhavan,**  
**Chanakyapuri,**  
**New Delhi-110 021.**  
**Ph:91-11-24674143.**  
**Represented by Mrs. Uma Sekhar, Additional Secretary, also**  
**representing External Affairs Minister Mr. S. Jaishankar.**

.... Respondent

**(MEMORANDUM OF WRIT PETITION UNDER ARTICLES 226 AND 227  
OF CONSTITUTION OF INDIA)**

**FACTS OF THE CASE**

1. OS 2487 of 2021 was filed on 9-4-2021, and was dismissed on 13-10-2022, after 18 months from filing date, for the only pending legal argument on maintainability of the suit, to address CPC section





86(1), waiting for me to present the 'Consent letter of Central Government duly certified by its secretary'. I HAVE WAITED FOR 18 MONTHS FOR THE REQUESTED 'CONSENT LETTER', and I am still waiting for the same. Court order for OS is attached as annexure B.

2. The respondent was provided with the full facts, details, documents, about uspto fraud, and they have had a chance to review the entire lawsuit, breach of PCT by uspto, treaty articles 18 and 19. They are fully aware and convinced of the fraud committed by uspto. The respondent acknowledgements, e-mail read-receipts are attached as annexure E.
3. From 19-4-2021, I send several communications, called them several times, the office of respondent, and the additional secretary Mrs. Uma Sekhar to 'issue the Consent letter', relevant e-mails are attached as annexure D. On 15-9-2021, I couriered a packet of information along with request letter to 'issue the Consent letter', attached as annexure C. I have sent regular e-mail requests and reminders to the respondent to issue the 'Consent letter'. It has been over 18 months since I have been requesting the respondent to issue the 'Consent letter' and over 12 months since I couriered the request letter. I continue to wait for the respondent to issue the Consent letter.
4. I summon the respondent to the trial court by filing suit OS 42 of 2022 on 3-1-2022. The Trial court has stated in the orders that they cannot issue orders to the respondent to this effect and dismissed the suit on 13-10-2022. Thus, I request this Honorable High Court to issue orders to the respondent to issue the 'Consent letter' to address CPC section 86(1), at the earliest, in the interest of justice and equality. The court order sheet and final court orders for OS 42 of 2022 are attached as annexure A.
5. I State that there is no other 'writ petition' filed on the same cause of action, seeking an alternate remedy, at the Honorable High Court of Karnataka.



**GROUNDS**

**TWO LAWSUITS DISMISSED IN TRIAL COURT WAITING FOR THE 'CONSENT LETTER'.**

6. Urgency in initiating the lawsuit proceeding against uspto that has committed breach of Patent Cooperation Treaty. Uspto breached the treaty on 5-8-2015. Waiting for the 'Consent letter' for over 18 months, I have had two lawsuits dismissed in the trial court.

**BREACH OF PATENT COOPERATION TREATY BY USPTO.**

7. On 5-8-2015, uspto breached articles 18 and 19 of PCT - Patent Cooperation Treaty, in capacity of ISA - International Search Authority while issuing ISR - International Search report for my PCT International application PCT/US2014/044619.
8. 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.*'
9. 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. ....*'.
10. Both these articles have been breached by USPTO, as I neither received the ISR as soon as it was established, nor was given the one opportunity to amend claims with International bureau that I was entitled to. THIS FRAUD OF USPTO AND BREACH OF PATENT COOPERATION TREATY HAS BEEN DOCUMENTED BEYOND ANY REASONABLE DOUBT. ONLY THE CONSENT LETTER IS PENDING TO INITIATE THE PROCEEDING AGAINST USPTO.

11. For summoning uspto to eliminate the fraud, which was committed on 5-8-2015, I need the 'Consent letter from the Central government' at the earliest. This will ensure the stage 1 'Fraud elimination' proceeding against uspto begins.

**STAGE 2 INTRODUCTION - INDIA TO BUILD ITS OWN NATIONAL TREASURY IN EARTHLINGS CURRENCY, BY LIABILITY CLAIM AGAINST USPTO, AND EXECUTION OF 62 SALE AGREEMENTS. LAWSUIT OF HIGH IMPORTANCE TO INDIA.**

12. In annexure C, I introduce the details regarding Stage 2 'Liability claim' to respondent. Subsequent to uspto eliminating the fraud, breach of PCT, I have requested them to work with me and the Honorable court, according to law, in a coordinated effort to achieve
- Execution of 62 sale agreements, one each with each of the 62 countries, and bringing the wealth from sale proceeds into India.
  - Bring the wealth in a world neutral currency 'Earthlings' and build our own national treasury.
13. To achieve the above, I have requested the respondent to take up the following activities.
- Trigger an invitation for me to introduce my authored macro-economic reform 'Project Earthling©' at an upcoming WIPO – World Intellectual Property Organization assembly or gathering. And bring the reform to its decisive voting for its implementation.
  - Provide their 'independent valuation' of the sale price to my invention patent US 8,910,998 and PCT/US2014/046619.
14. To this effect, I shared the following documents with them.
- Press release from Press Club Bangalore dated 18-03-2021 which had the following attachments included with it.
    - o Brochure on macro-reform 'Project Earthling©'.
    - o 18 national and regional stage applications details, numbers, filing dates, and their status. Sale price ranges.
    - o Executing the 62 sale agreements, one each, with each of the 62 countries, the right option for the world.
    - o My Living Will that was in force at the time of press release.



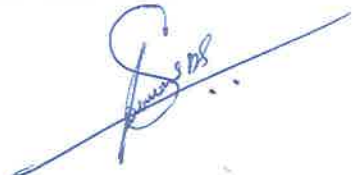
- Wealth distribution according to the Living Will.
- Brochure showing usa greed and the 'fire scam' used to attack me, India, and Hindus living in India.
- Brochure showing the cascading effects of work related to 'Goal year 2050 for India' to all the poor countries of the world.
- My e-mail communication to respondent asking them to take up the exercise of 'Independently evaluating' the worldwide intellectual property rights sale price to my invention patent US 8,910,998 and PCT/US2014/046619.
- The Press club Bangalore, press release dated 18-03-2021 was transmitted to 60 country PTO'S official communication ID'S.

**LIABILITY CAUSED, ESTIMATED SALE PRICE OF PATENT US 8,910,998 AND PCT APPLICATION PCT/US2014/046619.**

15. My estimated sale price to my patent US 8,910,998, recognized worldwide by PCT/US2014/046619 is shown in the table here.

Expression of the range	Sale price of patent US 8,910,998 and PCT/US2014/046619. Derived by factoring 10% of the 100-year projected economic activity off my invention across 62 countries. In Earthlings / \$.
Conservative	<b><u>93 Trillion (currently chosen and used in Living will and wealth distribution documents)</u></b>
Conservative-Realistic	94 Trillion – 125 Trillion.
Realistic	125 Trillion – 150 Trillion.
Aggressive	150 Trillion – 250 Trillion
Exaggerated	250 Trillion – 300 Trillion

16. By choosing the conservative number, 93 Trillion Earthlings / \$, as a number for reference in the document, I execute my most recent Living Will on 22-08-2022. I attach the Living Will currently in force as annexure F with this petition. I draw the attention of the Honorable court to the fact that, the percentage allocations to the end party recipients shall remain the same irrespective of a final sale price reset to a higher number. I have legal language to this effect in



the Living Will. I am waiting for respondents independent valuation and estimate, to make my final decision on if I would reset the sale price.

17. The sale price will be reset to price higher than 93 Trillion Earthlings / \$ only if a second independent valuation authority such as the respondent will endorse such higher number alongside me. If not, I shall execute the 62 agreements cumulating to value of 93 Trillion Earthlings / \$, and will not go lower than this sale price under any circumstance. The execution of 62 sale agreements shall happen upon the Honorable courts orders in stage 2 of lawsuit.
18. I attach the 'wealth distribution within India to all the end recipient parties' when 93 Trillion Earthlings / \$ is brought into the country as annexure G. This is according to my Living Will currently in effect and submitted as annexure F with this petition.

**P R A Y E R**

19. I pray the Honorable High Court to issue orders to
- A. Respondent to issue the 'Consent letter of Central Government duly certified by secretary to Central Government, to sue united states patent and trademark office – uspto, and summon WIPO – World Intellectual Property Organization, International Bureau to assist the court with fact finding and discovery', as formally requested in annexure C, in as many certified copies as judicially required for the trial court to initiate the proceeding, and for defendants.

Bengaluru

Date: 4/12/2022



PETITIONER /

(Party-in-Person)

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New Delhi-110 021.  
Ph:91-11-24674143.  
Represented by Mrs. Uma Sekhar, Additional Secretary, also  
representing External Affairs Minister Mr. S. Jaishankar.**

**.... Respondent**

**(MEMORANDUM UNDER ORDER XXVII RULE 6 OF CPC)**

Upon contacting the office of Mr. S. Jaishankar, External Affairs Minister of India - EAM, I was directed to take up my request with the Legal and Treaties division. The additional secretary of Legal and Treaties division Mrs. Uma Sekhar has been the primary contact to whose attention all the facts, documents, requests and reminders for



the 'Consent letter' have been sent. Most of the communications were also copied to EAM Mr. S. Jaishankar. I request the Honorable court to issue orders for the '*attendance of person able to answer questions relating to my 'REQUEST'*' for issuing the 'consent letter to sue uspto, and summon WIPO – International Bureau to assist the court with discovery and fact finding' in accordance with order XXVII, rule 6. Ideally, the Honorable court must direct the respondent, to have Mrs. Uma Sekhar attend the court hearing and provide the response, given that she has all the information regarding my request.

Bengaluru

Date: 4/12/2022



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