

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

W.P. No. 12356 /2023

BETWEEN:

Srinivas S. Devathi

Mobile (91)-966-393-2293

E-mail ID: ProjectEarthling@SrinivasDevathi.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

INDEX

Sl. No.	Description	Pages	C.F. Paid
1	Memorandum for production of additional documents, annexure G. <u>Annexure G</u> - Illustration of 'breach of PCT articles 18(2) and 19(1) by USPTO' depicted with reference to PCT Timeline, published by WIPO, International Bureau.	1 to 7	
2	Verifying Affidavit	8	

Bengaluru

Date: 3/7/2023

PETITIONER

(Party in Person)

IN THE HIGH COURT OF KARNATAKA, BENGALURU
ORIGINAL JURISDICTION

W.P. No. 12356 /2023

BETWEEN:

Srinivas S. Devathi,
Aged 46 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: ProjectEarthling@SrinivasDevathi.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

MEMORANDUM FOR PRODUCTION OF ADDITIONAL DOCUMENTS

I attach the following annexure, annexure G, with this memorandum.

- **Annexure G** – The breach of Patent Cooperation Treaty articles 18(2) and 19(1) illustrated clearly, with reference to the PCT international application process timeline, PCT timeline published by WIPO, World Intellectual Property Organization.



I draw the attention of the Honorable court to the following dates mentioned on PCT timeline with reference to annexure G.

- Priority date, represented as 0 months on timeline is 27-3-2014 when I filed the priority national application 14/227,859.
- ISR and WO of ISA, to be established at 16th month date which is 27-7-2015. USPTO transmits the fabricated ISR to me on 5-8-2015, few days after the 16th month date, according to the PCT timeline.
- However, the fabricated ISR and WO transmitted to me is with a fabricated past date 4-11-2014, 9 months in the past, shown on the timeline. The fabricated issue date sets the fabricated deadline for article 19 amendments at 4-1-2015, that never existed for me.
- Hence USPTO on 5-8-2015, breached Patent Cooperation Treaty articles 18(2) and 19(1). Hence the prayer in the Writ petition for the 'Consent letter', to sue USPTO, and summon International Bureau to assist the court with discovery and fact finding.

I draw the attention of the Honorable court to the following additional legal facts related to this Writ petition.

- I am the inventor to patent us 8,910,998 B1. Hence, I am the 'Applicant' and the 'Sole named Inventor' as clearly indicated in the 'Priority patent grant, patent us 8,910,998 B1', attached annexure F. The priority application number is 14/227,859.
- With reference to the 'PCT request', attached with annexure E, filed for PCT international application PCT/US2014/046619, the following text, sheets, boxes, fields, are relevant.
 - a. The PCT Request on Sheet No 1, top left indicates the text *'The undersigned requests that the present international application be processed according to the Patent Cooperation Treaty.'*
 - I attach the official copy of 'Patent Cooperation Treaty' currently in force, as part of annexure A. It is a 52 page legal document with Articles 1 to 69, according to which a PCT international application must be prosecuted. It is a legal agreement between 156 PCT contracting states, with respect to processing of a PCT international application, according to the established

PCT timeline. USPTO, like indicated above breached articles 18(2) and 19(1) of this Treaty.

- I attach the list of PCT Contracting States as of 7-4-2022, as part of annexure A.
- b. The PCT Request on Sheet No 1, top right indicates the International Application No. PCT/US14/46619, International Filing Date 15-07-2014, Name of receiving Office RO/US. The International application No. in WIPO standard is PCT/US2014/046619. This is indicated in the PCT 'Notification of the international application number and of the international filing date', from the Receiving office with date of mailing 29-07-2014, attached with annexure E. This must be clearly recorded by the Honorable court.
- c. The PCT Request on Sheet No 1, Box No. I, Title of Invention indicates 'SYSTEMS AND METHODS FOR ALTERING THE COLOR, APPEARANCE, OR FEEL OF A VEHICLE SURFACE'.
- d. The PCT Request on Sheet No 1, Box No. II, indicates Applicant details, my details. It has the check box checked stating the Applicant is also the Inventor, accurately, since I am the Inventor.
- My name is accurately represented.
 - The address is a rented 'virtual office' address that I used as local usa address, and for correspondence. I rented a virtual office correspondence address from 'lessor' Regus from February 2014 to March 2020. This rented correspondence address was '111, Congress Ave, Suite 400, Austin, TX - 78701, usa'. This correspondence address was used as my communication address for the priority patent application 14/227,859, and this PCT international application for my invention, PCT/US2014/046619. I paid monthly rental charges to 'lessor' Regus from February 2014 to March 2020. I can produce the bank statements of remittances made to the lessor to rent this address, upon Honorable courts request.
- e. The PCT Request on Sheet No 1, Box No. II, State of Nationality is indicated correctly 'INDIA'. Copies of my latest



passport issued by Indian government, duly notarized are attached with Form B.

- f. The PCT Request on Sheet No 1, Box No. II, State of residence is indicated as usa. At the time of filing this PCT Request, there was a 'permanent resident' card issued to me by uscis, usa.
- I abandoned this 'permanent resident' card issued to me by uscis, usa, on 20-3-2015. I returned to India, my State of permanent residence, on 19-9-2014, and abandoned the 'permanent resident' card issued by usa, six months later on 20-3-2015. I can produce documents related to this, upon the Honorable courts request.
- g. The PCT Request on Sheet No 1, Box No. II, This person is applicant for the purposes of, 'All designated states' is checked. I attach the 'PCT Notification of receipt of record copy', issued by International Bureau, with date of mailing of 14-8-2014, along with annexure E. This Notification indicates the International filing date, 15-7-2014, the Priority date claimed, 27-3-2014, Date of receipt of the record copy by the International Bureau, 8-8-2014, and List of designated offices, all the PCT contracting states.
- I attach PCT Contracting States list as of 7-4-2022, as part of annexure A. On Page 1 of this list you will see INDIA represented with code IN, which got bound by PCT on 7-12-1998. It is one of the 'Designated States'.
- h. The PCT Request on Sheet No 2, Box No. VI, Priority claim and document, indicates the details of my priority patent application filed on date 27-3-2014, which was given priority US patent application number 14/227,859.
- i. The PCT Request on Sheet No 2, Box No. VII, International Searching Authority, indicates ISA / US, indicating USPTO.
- j. The PCT Request on Sheet No 4, Box No. VIII (i), Declaration: Identity of the inventor, indicates 'my declaration', *that I am the sole, original inventor of the claimed invention, and that I have authorized this application.*
- k. The PCT Request on Sheet No 5, Box No. VIII (ii), Declaration: Entitlement to apply for and be granted a

patent, indicates 'my declaration', *as sole, original inventor of the claimed invention, I am entitled to apply for and be granted a patent.*

1. The PCT Request on Sheet No 6, Box No. VIII (iii), Declaration: Entitlement to claim priority, indicates 'my declaration', *as sole, original inventor of the invention claimed in the priority application, and also the applicant for the priority application, I am entitled to claim priority to the earlier priority application.* The priority patent application number is 14/227,859, filed on priority date 27-3-2014. This priority application was issued as a patent grant by USPTO on 16-12-2014 with Patent No. us 8,910,998 B1.
- As the sole, original Inventor to the invention, and the Applicant for the PCT international application PCT/US2014/046619, I alone can claim the royalty from all the designated states where I have entered 'National stage'. And hence, no person, no legal entity, no organization, no corporation, no company, no city municipality, no Government whether State or Central Government, from across the World countries, designated states can represent me, or attempt to represent me, to claim, any portion of the royalty I am entitled to, including the respondent.
 - Similarly, Indian Central Government, any of Indian State Governments, including Government of Karnataka, Bangalore city municipality, BBMP Bruhat Bengaluru Mahanagara Palike, any Government organizations / offices, any association, my alma mater R. V. college of Engineering, Bangalore university, my ancestors including my parents, my divorced ex-wife including her family members, my siblings including their family members, anyone who call themselves as my relatives or call themselves as my friends; cannot represent me, or attempt to represent me.
 - Similarly, any of the usa state governments, usa federal government, any usa government organizations / offices, any usa city / township municipalities, any of the usa corporations / companies, any usa citizens, any usa organizations,

any usa associations, or any usa legal entity; cannot represent me; or attempt to represent me. This includes all the usa corporation India office legal entities, their employees. They cannot represent me.

- Like I state in the 'Verifying Affidavit' attached with the Writ petition, I do not have any lawyer, or any advocate representing me in this Writ petition. And I shall continue to represent myself as party-in-person in front of the Honorable court until the conclusion of the Writ petition. An advocate Mrs. Bharati that identified me when I executed the Verifying Affidavit attached with the Writ petition, and Advocate, and Notary public Mr. Lakshminarayana, who notarized some of the annexures, do not represent me in the Writ petition.

Bengaluru

Date: 3/7/2023



PETITIONER /

(Party-in-Person)

-8-

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Srinivas S. Devathi,
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Union of India, Ministry of External Affairs,
Legal and Treaties Division, Ph:91-11-24674143.
Represented by Mrs. Uma Sekhar, Additional Secretary, also
representing External Affairs Minister Mr. S. Jaishankar.

.... Respondent

VERIFYING AFFIDAVIT

I, Srinivas S. Devathi, an Indian citizen, aged about 46 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 petitioner in the above writ petition. I know the facts and circumstances of the writ petition. Hence, I am swearing to this affidavit. Further, I state that I do not have any lawyer representing me in this writ petition. And that I am appearing as party-in-person in front of the Hon'ble court.

I submit the 'Memorandum for production of additional documents' which includes annexure G. Annexure G is an original document. 7 Pages.



Bengaluru

Date: 03-07-23.

DEPONENT

"Sworn to before me"

Verified the D.L. No. KA 02 2021 0015226

Sworn / Solemnly affirmed and signed before me
on this 03rd day of July, 2023 at Bengaluru
N.R.SI.No. 1580 Corrections: Nil.

M. S. Ballal / 03/07/23.
M. S. BALLAL., Advocate & Notary, Bengaluru.