

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

W.P. No. 13823/2023

BETWEEN

Sri. Srinivas S Devathi

...Petitioner

AND

Union of India

...Respondents

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Bangalore

Date 25.9.23

Nayana Tara B.G.
Advocate for Respondent

Nayana Tara B.G.
B.A. (Hons), LLB (NLSIU); BCL (Oxon)
Advocate

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

W.P. No. 13823/2023

BETWEEN

Sri. Srinivas S Devathi

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AND

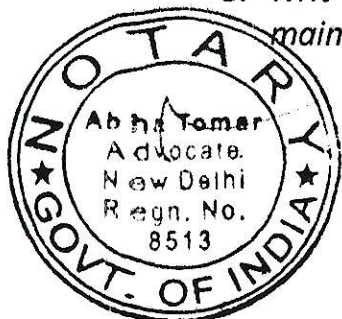
Union of India

...Respondents

STATEMENT OF OBJECTIONS ON BEHALF OF RESPONDENT TO THE
MAIN PETITION ON MAINTAINABILITY

The Respondent submits as follows:

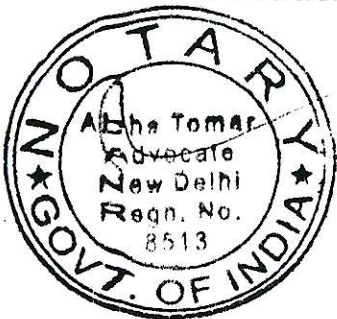
1. At the outset, it is submitted that the present Statement of Objections are confined to maintainability of the present Writ Petition and other Preliminary Objections. The Respondent craves leave of this Hon'ble Court to file detailed Additional Statement of Objections on the merits of the Writ Petition, if so directed and required.
2. The above Writ Petition is not maintainable on law nor on facts and deserves to be dismissed with costs, *in limine*.
3. *Writ Petition without permission under Section 86 CPC not maintainable; Permission sought by Petitioner rejected*



My signature

- a. It is submitted that the main grievance of the Petitioner in the above Writ Petition is against United States Patent Office ("USPTO"). It is submitted that the USPTO being a public body/state authority of the United States of America enjoys sovereign immunity. It is submitted that in order to pass any directions to take action against the USPTO as sought by the Petitioner, the prior permission of the Central Government is required as per Section 86 CPC.
- b. It is submitted that without the prior permission of the Central Government, the present Writ Petition is not maintainable.
- c. It is submitted that Petitioner had sought prior permission of the Central Government as required under Section 86 of CPC. The Central Government has rejected the permission so sought. The Petitioner has challenged the rejection of such permission in WP. No. 12356/2023 which is pending before this Hon'ble Court.
- d. Hence without seeking prior permission and such permission not having been granted, the present Writ Petition deserves to be dismissed on this ground alone.

4. *Petition barred by Res Judicata*



Atulha Tomar

- a. It is submitted that Petitioner had filed W.P. No. 4851/2023 before this Hon'ble Court seeking the self-same reliefs as the present Writ Petition. A copy of the Writ Petition in WP. 4851/2023 is produced at Annexure-R1. It is submitted that this Hon'ble Court disposed the said Writ Petition by granting liberty to the Petitioner to challenge the rejection of permission required under Section 86 CPC. The final order dated 6.6.2023 in W.P. No. 4851/2023 is produced at Annexure-R2.
- b. It is submitted that Petitioner has filed O.S. No. 42/2022, OS 41/2022, OS 2486/21, OS 2487/21 which have come to be dismissed vide separate judgments all dated 13.10.2022. The judgments dated 13.10.2022 is produced at Annexure-R3 to R6. It is submitted that OS 4961/2018 has also come to be dismissed on 28.5.2020. The judgment is produced at Annexure-R7.
- c. It is submitted that Petitioner has filed O.S. No. 2613/2020 and O.S. No. 532/21 in which the plaint has been returned. The orders dated 13.10.2022 in OS 2613/2020 and OS 532/21 are produced at Annexure-R8 and R9.
- d. It is pertinent to submit that the Original Suits stated hereinabove were all on the same cause of action as the present Writ Petition.



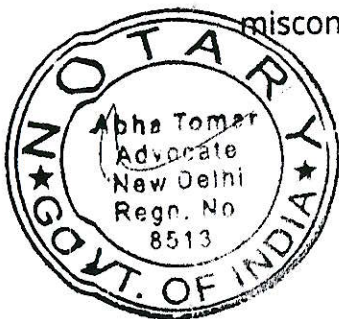
Abha Tomer

e. It is submitted that once this Hon'ble Court and the Trial Courts have dismissed the Petition/Suit by the Petitioner, he cannot once again agitate the same grievances by way of the present Writ Petition.

5. *Suppression of Facts:* It is submitted that the Petitioner has suppressed the outcome of the proceedings initiated by him on the same cause of action, as stated hereinabove, and has once again approached this Hon'ble Court by way of the present Writ Petition. Hence the Petitioner has not approached this Hon'ble Court with clean hands and has suppressed material facts and is attempting to mislead this Hon'ble Court.

6. *Abuse of Process:* It is submitted that the Petitioner is abusing the process of this Hon'ble Court and Trial Courts by repeatedly filing frivolous petitions and suits regarding the very same subject matter. The Petitioner is wasting valuable time of this Hon'ble Court and Trial Courts. The Petitioner is also harassing the Respondent in multiple proceedings concerning the same subject matter.

7. *Reliefs sought are vague and cannot be granted:* It is submitted that the 32 prayers sought by the Petitioner are non-specific, misconceived, frivolous, and are not such as that which may be



My signature

granted by this Hon'ble Court under Article 226 of the Constitution of India. The Petitioner has sought writs in the nature of directions to high public functionaries in India and USA. Further, some reliefs sought are beyond the territorial jurisdiction of Court in India.

8. *Questions of Fact*: It is submitted that Writ Petition allegations contain complex facts which cannot be gone into under Article 226.
9. *Delay and Laches*: The alleged cause of action of the Petitioner dates back to 2007. The Petition suffers from delay and laches.
10. It is submitted that the entire Writ Petition is misconceived, false, vague, vexatious, frivolous and figment of the imagination of the Petitioner. There is no cause of action for the Petition.

Wherefore it is prayed that this Hon'ble Court be pleased to dismiss the above Writ Petition, with exemplary costs, and restrain the Petitioner from approaching this Hon'ble Court or any other Court in India on the same subject matter, in the interest of justice.

Bangalore

Date 25.9.23


Advocate for Respondent

Nayana Tara B.G.
B.A. (Hons), LLB (NLSIU); BCL (Oxon)

Advocate



IN THE HIGH COURT OF KARNATAKA AT BANGALORE

W.P. No. 13823/2023

BETWEEN

Sri. Srinivas S Devathi

...Petitioner

AND

Union of India

...Respondents

VERIFYING AFFIDAVIT

I, Bibhuti Nath Pandey, S/o Shri Lakshman Pandey, Aged about 50 years, being Under Secretary (AMS), Ministry of External Affairs, Government of India, having my office at South Block, New Delhi do hereby solemnly affirm and state on oath as follows:

1. I am Under Secretary, Ministry of External Affairs. I am authorized to swear to this affidavit on behalf of Respondent. I am conversant with the facts of the case.
2. The averments made in the accompanying Statement of Objections are true and correct to the best of my knowledge, information and belief.
3. Annexures produced are True Copies.

Identified by me

20 SEP 2023

Deponent

19/9/23

Advocate

Sworn to before me

(बिभूति नाथ पाण्डेय)
 (Bibhuti Nath Pandey)
 Under Secretary / Under Secretary
 Ministry of External Affairs,
 New Delhi

Place: New Delhi

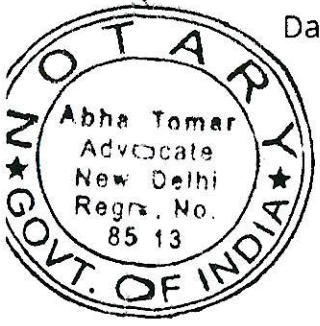
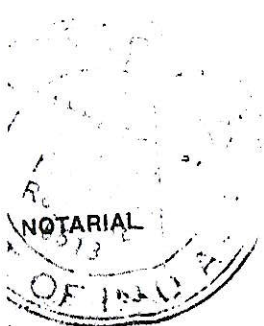
Date:

*Statement of Objections/Executant
 has signed in my presence*

Certified that the foregoing statement
 was declared on solemn affirmation
 before me which has been read over
 to the deponent who has admitted

TIS Correct Notary Delhi

20 SEP 2023



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Annexure R1

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

W.P. No. _____ /2023

BETWEEN:

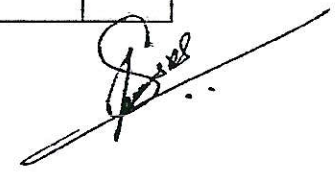
Srinivas S. Devathi
Mobile (91)-966-393-2293
E-mail ID: ProjectEarthling@SrinivasDevathi.com
.... Petitioner / Party-in-Person

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

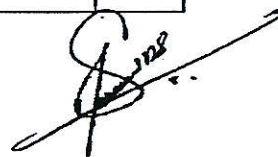
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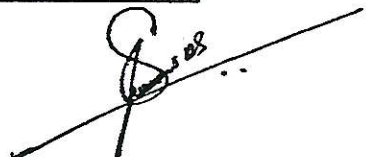


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12	Annexure H – My identification information for the record of Honorable court and to execute the 62 sale agreements as 'Seller'.	172 to 175	
13	Annexure J – My invention patent grant us 8,910,998 B1, 7.5-year patent maintenance fee payment documents, schematic visual of how and when I solved the problem of 'Vehicle color change technology', current status of all the national and regional stage patent applications filed, and the worldwide liability caused to uspto.	176 to 197	
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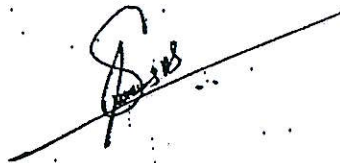
	document and flow charts showing the correct option for the world countries.		
15	Annexure L – Description and details of the 62 sale agreements to be executed, upon the orders of the Honorable court, one each with each of the 62 countries, for the invention rights distribution. Includes a schematic visual of list of activities to be accomplished.	205 to 274	
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Bengaluru

Date: 23/02/2023


PETITIONER**(Party in Person)**

IN THE HIGH COURT OF KARNATAKA, BENGALURU
ORIGINAL JURISDICTION

W.P. No. _____ /2023

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: 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

SYNOPSIS OF THE CASE

USPTO issuing a fabricated International Search report, ISR' with fabricated prior art cobb, price, saenger, and hale, issued with a fabricated date, to my Patent Cooperation Treaty PCT International application PCT/US2014/046619 with a filing date of 15-7-2014, in their capacity of 'International Search Authority, ISA', resulted in loss of my invention patent us 8,910,998 B1 rights across 60 world countries, causing full 'worldwide liability for loss of my invention patent rights'.



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By using my PCT international application PCT/US2014/046619, I filed for a total of fifteen national stage and two regional stage applications, seeking protection for my invention patent us 8,910,998 B1 across a total of 61 non-usa countries. Given the 'worldwide liability caused to USPTO', they must pay for the liability against me assigning the invention patent rights and 100-year downstream business rights to each of the 62 world countries, by way of 62 sale agreements. In order to execute these 62 sale agreements, there are a number of 'Preparatory steps' which myself along with the respondent must take action on, upon Honorable court orders.

I filed OS 40 of 2022 in the Trial court to have the respondent take action related to all the 'Preparatory activities' that must be executed to claim the full liability by way of the execution of 62 sale agreements. The Trial court cannot issue such orders to the respondent and hence this petition is filed.

I filed OS 41 of 2022 in the Trial court to get the 'Independent valuation of Indian government from the respondent' for the second opinion on estimated sale price to my invention worldwide patent rights sale. I look forward to their response by way of this petition.

This Writ petition is filed to take all the preparatory actions, neutralize any negative tactics of USPTO, appoint special court, issue necessary orders to Trial court, coordinate the visits of 62 country premiers, and other related activities, to get the 62 sale agreements executed.

CHRONOLOGICAL SEQUENCE OF EVENTS

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

1. Quarter one of year 2007

After buying my third silver car in the used car market in USA, out of unavailability of cars in the colors of my choice, I invent the 'Repeatable Vehicle Color Change Technology' (Patent US 8,910,998 B1 titled 'Systems and methods for altering the color, appearance, or feel of a vehicle surface'). I make a note about the invention on my laptop and decided to take this project up later. I knew up on the

invention that it was extremely high valued and transformative invention as automotive industry is one of the largest in the World. In 2017, global automotive Industry was valued at an estimated 1.8 Trillion \$. I have attached a schematic visual as part of annexure J, which illustrates the three used silver cars I had bought and owned, and further indicates how and when I solved the problem of repeatable vehicle color change.

- 2. 27-3-2014 I file for USA territory priority patent application with USPTO which was given an application number 14/227, 859.
- 3. 15-7-2014 I file for Patent Cooperation Treaty PCT international patent application with USPTO as Receiving Office, RO, and the International Search Authority, ISA. This was given an application number PCT/US2014/046619.
- 4. 16-12-2014 USPTO issues a patent grant on the priority USA territory application with patent number US 8,910,998 B1.
- 5. 26-12-2014 Since I received a patent grant US 8,910,998 B1 for usa territory priority patent application, I filed India national stage patent application by using the PCT international application PCT/US2014/046619, with Intellectual Property India, Indian Patent and Trademark Office, which was given a patent application number 6623/CHE/2014.
- 6. 5-8-2015 USPTO issues the International Search Report, ISR transmitted to me by my Intellectual property lawyer. **This was a fabricated ISR, which listed fabricated prior art of cobb, price, saenger, & hale, issued with a fabricated date and marked with two-month deadline to respond back with article 19**



amendments, to International Bureau. This fabricated ISR is attached as part of annexure C with this petition. The fabricated ISR was with a fabricated date of 4-11-2014, 9 months in the past date with the fabricated two-months deadline set at 4-1-2015, 7 months in the past date, since I receive this report on 5-8-2015.

On 5-8-2015, uspto breached articles 18(2) and 19(1) of PCT, Patent Cooperation Treaty, in capacity of ISA, International Search Authority while issuing ISR, International Search report for my PCT International application PCT/US2014/046619. The Patent Cooperation Treaty currently in force is attached as part of annexure C.

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.*'

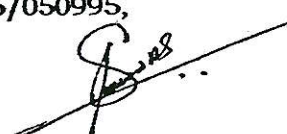
Article 19 of Patent Cooperation Treaty, titled 'Amendment of the Claims before the International Bureau' clause (1) reads '*The applicant shall, after having received the international search report, be entitled to one opportunity to amend the claims of the international application by filing amendments with the international bureau within the prescribed time limit.*'.

Both these articles have been breached by USPTO given the fabricated ISR transmitted to me on 5-8-2015, as I neither received the ISR as soon as it was established, considering the fabricated report date, **nor was given the one opportunity to amend claims with International bureau that I was entitled to. I submit all related documents to the Honorable court in annexure C.**



This fabricated ISR received by me had its downstream negative effects on 15 national stage, and 2 regional stage applications filed by me covering a total of 61 non-USA countries for my invention's Intellectual Property rights protection, including Indian national stage application filed on 26-12-2014 which was given a patent application number 6623/CHE/2014.

7. 24-2-2016 I file PCT international application PCT/IB2016/050993, 'Systems and methods for altering the color, appearance, or feel of electronic or electrical device' with World Intellectual Property Organization, International Bureau as Receiving Office, RO and Intellectual Property India as the chosen International Search Authority, ISA. I file PCT international application PCT/IB2016/050994, 'Systems and methods for altering the color, appearance, or feel of furniture, decorative article, or wall' with World Intellectual Property Organization, International Bureau as RO and Intellectual Property India as the chosen ISA. I file PCT international application PCT/IB2016/050995, 'Systems and methods for altering the color, appearance, or feel of fashion accessory' with World Intellectual Property Organization, International Bureau as RO and Intellectual Property India as the chosen ISA.
8. 28-6-2016 Intellectual Property India, Indian Patent and Trademark Office, issues the ISR for PCT international application PCT/IB2016/050993, rejecting claims by citing my granted patent us 8,910,998 B1, as the 'prior art'.
9. 16-8-2016 Intellectual Property India, Indian Patent and Trademark Office, issues the ISR for PCT international application PCT/IB2016/050995,



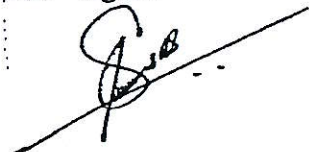
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rejecting claims by citing my granted patent us 8,910,998 B1, as the 'prior art'.

10. 19-8-2016 Intellectual Property India, Indian Patent and Trademark Office, issues the ISR for PCT international application PCT/IB2016/050994, rejecting claims by citing my granted patent us 8,910,998 B1, as the 'prior art'.

11. 23-9-2016 to 18-11-2016

Excluding India which I had previously entered national stage on 26-12-2014, I filed for 14 national stage and 2 regional stage patent applications using the PCT international application PCT/US2014/046619 during this period. These national and regional stage patent applications provide patent rights coverage and protection for me across 60 other PCT contracting states (non-USA and non-India).

- a. On 23-9-2016, I file national stage patent application in South Korea, which was given a patent application number 10-2016-7026408.
- b. On 26-9-2016, I file national stage patent applications in Japan, Thailand and Nigeria which were given patent application numbers 100099759 / 2017502572, 1601005662 and F/P/2016/328, respectively.
- c. On 27-9-2016, I file national stage patent applications in Brazil, Canada, Mexico, and Malaysia which were given patent application numbers BR 11 2016 022393 4, 2944200, MX/A/2016/012570 and PL 2016703531, respectively.
- d. On 20-10-2016, I file Eurasia regional stage patent application which was given a patent application number 201691898. The Eurasia patent application provides patent rights protection across 8 countries.




- e. On 25-10-2016, I file Indonesia national stage patent application which was given a patent application number P00201607230.
- f. On 26-10-2016, I file national stage patent applications for Philippines and South Africa which were given patent application numbers PH/1/2016/5022134 and 2016/07380 respectively.
- g. On 27-10-2016, I file 1 regional stage and 2 national stage patent applications covering Europe, New Zealand, and Australia, which were given patent application numbers 14886695.7 / 2014886695, 725679, and 2014388300 respectively. The Europe regional stage application provides patent rights protection across 38 countries.
- h. On 18-11-2016, I file national stage patent application for China which was given a patent application number 201480079105.9.
- i. Despite the fabricated ISR attached as part of annexure C with this petition, in all I file 15 national stage and 2 regional stage applications within the timeframes (non-negotiable deadlines) recommended by respective national Patent and Trademark Offices (30 or 31 months from priority date), including India.

12. 14-12-2016

Nigeria patent application is issued as a patent grant with patent number F/P/2016/328. Patent issued with a date of sealing 14-12-2016.

The ISR issued by an ISA, is generally used as reference by national and regional stage PTO for their office actions, and in this case, the fabricated ISR issued by USPTO, sent these applications into repeat 'Pending-Reject' office actions, and I made all



efforts, raised loans to keep these applications active (unabandoned) as long as I could. I have invested a total of INR 1,60,00,000/- into this invention global patent rights protection and have an outstanding market debt of INR 56,00,000/-. Despite all efforts, not being able to pay the lawyer fees to keep these applications active, I started to lose these national and regional stage applications.

13. 24-5-2018 to 28-3-2019

New Zealand application LOST on 24-5-2018. Eurasia application (covering 8 countries) LOST on 21-11-2018. South Korea application LOST on 18-2-2019. Japan application LOST on 13-3-2019. Australia application LOST on 28-3-2019.

14. 1-4-2019 Pegged by start of Indian financial year, given the loss of Japan and Korea patent applications, and considering the dynamics of automotive industry production and manufacturing across world countries, the liability for loss of my invention patent us 8,910,998 B1 worldwide patent rights is caused to USPTO.

15. 15-4-2019 to 20-9-2022

Brazil application LOST on 15-4-2019. South Africa application issued as a patent grant on 28-3-2018 was lost due to missing the annuity payment on 15-7-2019, given my debt. Canada application LOST on 15-7-2019. China application LAPSED on 28-7-2019. Europe application (covering 38 countries) LAPSED on 31-7-2019. India application Lost on 14-9-2019. Philippines application lost on 21-10-2019. Malaysia application lost on 23-1-2020. Indonesia application lost on 28-3-2020. Mexico application was abandoned on 8-1-2021. Thailand application was abandoned on 20-9-2022.



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In summary, I have lost 14 national stage and 2 regional stage applications, resulting in loss of my invention patent rights in 60 world countries, other than the USA territory patent grant us 8,910,998 B1, and Nigeria territory patent grant with patent number F/P/2016/328. **Given this, USPTO is liable to pay for my loss of worldwide patent rights to my invention patent us 8,910,998 B1. The date for cause of worldwide liability to USPTO is pegged at 1-4-2019.**

16. 3-1-2022 OS 40 of 2022 is filed at Bangalore city civil court. Respondent was a defendant in this suit. This suit was filed with all the 'Preparatory steps' built into the suit as prayer points, to get the full worldwide liability paid by USPTO, and get the 62 sale agreements one each with each of the 62 countries executed.

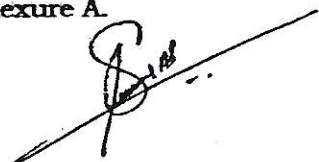
OS 41 of 2022 is also filed at Bangalore city civil court. Respondent was a defendant in this suit, among a total of 14 defendants. This suit was filed to get the 'Independent valuation' of the respondent to the final sale price of the worldwide patent rights for invention patent us 8,910,998 B1.

17. 2-3-2022 Respondent legal representation Sri. BS advocate arrived in the court, filing memo of appearance, for both the suits OS 40 of 2022, and OS 41 of 2022.

18. 5-4-2022 to 13-10-2022

On trial court hearing dates for both the suits OS 40 of 2022, and OS 41 of 2022, respondent did not file their written statement with the Honorable court.

19. 13-10-2022 **Trial court issues the following orders on OS 40 of 2022, before respondent could file their written statement. These orders are attached as annexure A.**



'The suit is hereby dismissed as not maintainable, and consequently plaint is rejected under Order 7 rule 11(a) and (d) of CPC.'

20. 13-10-2022 The Trial court issues the following orders on OS 41 of 2022, before respondent could file their written statement. These orders are attached as annexure B.

'IA No. 3, 5 to 7 filed by defendant no. 2, 5, 11, and 12 respectively are hereby allowed. Accordingly, the plaint is hereby rejected under Order 7 Rule 11 (a) and (d) of CPC.'

For OS 40 of 2022.

For claiming the full liability from USPTO, the 62 sale agreements, one each with each of the 62 countries must be executed through the Honorable court, and for all the 'Preparatory steps' to be performed, acted upon by respondent, the directions, and instructions to the respondent, in the form of orders can be issued only by this Honorable court. The Trial court dismissed the suit as not maintainable as they cannot issue orders in accordance with Articles 226 and 227 of Constitution of India. Hence, I come to this Honorable High Court of Karnataka 'Praying for the necessary orders' to take all the 'preparatory actions' for the liability claim.

For OS 41 of 2022.

There is no one 'Asset valuation authority in India' to conduct valuation of my invention patent us 8,910,998 B1 and its worldwide patent rights sale price, across 62 world countries. Respondent has been requested to provide their independent valuation, the valuation of Indian government, to provide the only 'second opinion and estimate' for the consideration of this Honorable court and me. The Trial court rejected the suit even before respondent could file their written statement and provide me their independent valuation of my invention patent worldwide rights sale price. Hence, I come to this Honorable High Court of Karnataka with one of the prayer points is for respondent to provide their independent valuation to



my invention sale price. None of the 13 other defendants provided their independent valuation.

APPROACH FOR ESTIMATION. By each country, the potential of automotive, interior decor and exemplary application 'Thermal insulation for homes and offices' must be evaluated as the patent term economic activity and the 100-year downstream businesses economic activity. Then the expected increase in economic growth and increase in GDP must be factored in, causing increased purchasing power among their citizens, which in turn results in inflated commodity prices, and depreciation of their local currency against Earthlings (For Earthlings, refer annexure M). After applying the inflation percentages, and the 'factor of Intellectual property enforcement rigor for that country', the final economic activity for that country would be derived. The same exercise must be performed across all the other 61 world countries, and the sum of the economic activity across all the 62 countries will result in the total expected economic activity. I, the inventor could claim 10% of this total economic activity. This detailed estimation by each of the 62 countries, will take the sale price valuation into aggressive-realistic or aggressive ranges shown in the table in annexure J.

Given the above bundle of facts, I request this Honorable High Court, to issue orders to the respondent, according to the prayer points in this writ Petition in the interest of justice and equality. These orders will allow me to get the full liability paid to me and bring the wealth to India.

Bengaluru

Date: 23/02/2023



PETITIONER /
(Party-in-Person)

IN THE HIGH COURT OF KARNATAKA, BENGALURU
ORIGINAL JURISDICTION

W.P. No. _____ /2023

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: 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.

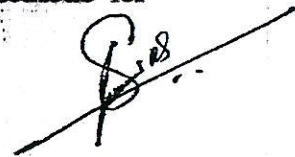
.... Respondent

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

FACTS OF THE CASE

Summary of caused Liability.

1. USPTO rightfully issues a patent grant to my invention, for the priority patent application, with patent number us 8,910,998 B1, with patent date of 16-12-2014, for 'Systems and methods for



altering the color, appearance, or feel of a vehicle surface'. I attach annexure J, which gives a schematic visual of how and when I invented patent us 8,910,998 B1, along with the patent issued on 16-12-2014. However, for a replica patent application, exactly the same to the last word, filed as Patent Cooperation Treaty PCT International application PCT/US2014/046619, filed on 15-7-2014, the same USPTO in the capacity of 'International Search Authority, ISA', issues a fabricated 'International Search report, ISR', with fabricated prior art, with a fabricated date, transmitted to me on 5-8-2015, thus breaching Patent Cooperation Treaty articles 18(2) and 19(1). I attach relevant documents, copy of PCT, the Treaty, and summarize the 'Breach of PCT committed by USPTO' in annexure C. Using this PCT international application PCT/US2014/046619, I have filed a total of 15 national stage and 2 regional stage applications, for patent protection of my invention covering a total of 61 non-usa countries. Most of the world PTO'S refer the ISR issued by an ISA to determine their PTO office action to the application.

2. The fabricated ISR, with fabricated prior art, issued with a fabricated date, resulted in all the national and regional stage applications to go into 'pending-reject' office actions. Unable to pay for the lawyer fees, PTO fees, I start to lose applications thus causing 'Liability to USPTO' for the loss of my patent rights. In annexure J, I attach the current status of all the national stage and regional stage applications I have filed, their application numbers, filing dates, and the other relevant dates, grant or lost dates. Due to the intentional fraud, worldwide fraud committed by USPTO, intentionally breaching PCT articles 18(2) and 19(1), by fabricating prior art and issuing a fabricated ISR with fabricated date, I have lost a total of 60 countries patent protection to my invention, thus causing the worldwide liability, for my patent rights losses, to USPTO. I attach the orders, judgement given by this Honorable court for WP 21782/2022 as annexure D. This judgement, the consent letter of Indian central government will allow me to sue USPTO.



Liability claim of at least 93 Trillion Earthlings / \$, by way of execution of 62 sale agreements, one each with each of the 62 countries will ensure the full resolution of the 'cause of action' that arose on 5-8-2015, when USPTO breached PCT articles 18(2) and 19(1).

3. The break-up of the 'liability caused by the national and regional stage applications' is also included in annexure J. The total liability caused to USPTO is also given in a table showing the ranges, and that I have chosen a 'conservative' liability claim for myself, the wealth to be brought into India. The date of cause of 'Worldwide liability for USPTO' is pegged at 1-4-2019. I bring the attention of the Honorable court to the fact that the same USPTO processes the 7.5-year maintenance fees for my invention patent us 8,910,998 B1, by accepting fees of \$940 from me, and hence the usa patent is active and still in force. By not rejecting the fees, and not taking adverse action against patent us 8,910,998 B1, USPTO has clearly indicated that they admit their fraud and when summoned by the Honorable court, will follow through with the fraud elimination, and liability payment activities. I attach patent us 8,910,998 B1 7.5-year maintenance fees payment related documents, and its status document with annexure J.
4. 62 sale agreements, one each with each of the 62 countries, and a 'conditionally triggered contingency agreement with USPTO for World countries liability payment' must be executed through the Honorable court, to legally conclude the fraud committed by USPTO.

Conclusion of 'cause of action' that arose on 5-8-2015, involves me, the inventor, receiving the full 'liability claim wealth' against distribution of the 'invention intellectual property rights and controlling rights of 100-year downstream businesses' to each of the 62 countries.

5. I attach annexure K that lists the 62 sale agreements that must be executed by the orders of the Honorable court. Annexure K also includes schematic visuals about 'economics study of this liability claim', and the only legal remedy available to the world countries.
6. I attach annexure L, in which I describe all the 62 sale agreements and the 'conditionally triggered contingency agreement with USPTO' in detail. I request the Honorable court and the respondent to review annexure L in great detail. Executing these 63 agreements is the

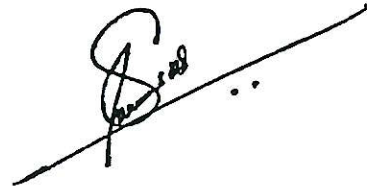


intent of this Writ Petition. I include a schematic visual of the list of high-level activities, segregated into independent streams of work activities, to get all the 63 agreements described in detail in annexure L, executed through the orders issued by this Honorable court.

7. Since, I am the inventor, 'Seller' in the 62 sale agreements, I attach annexure H, photocopies of my most recent passport to clearly record my identification with the Honorable court and respondent. This identification might be verified by all 62 world countries.

Magnitude of the 'liability claim'. Myself, and India cannot afford to hold the wealth in usd-\$.

8. The conservative liability claim is 93 Trillion Earthlings / \$, for Earthlings refer annexure M attached with this petition. If I accept this wealth in usd-\$, and India holds such wealth in usd-\$, we shall remain a slave to usa, uk and the old world order, waiting to be used, abused and killed for their devious, diabolical objectives. Usa will exercise political lever, economic lever, financial lever, by citing the monopoly of their currency usd-\$, a bribing currency, and make all Indian citizens, Indian businesses, Indian corporations, Indian Government, and Indian leaders as order takers, and slaves. They will use our people for human trafficking for labor and sex slavery. I REFUSE SUCH NEGATIVE FUTURE PROSPECTS FOR MYSELF, INDIA, AND HINDUS LIVING IN INDIA. Hence, I have authored an eco-system by which we build our own national treasury in a world neutral currency called 'Earthlings', and will remain a free and independent country. This eco-system will avoid India from becoming a slave to usa, uk, and the old world order.
9. I attach annexure Q, which includes 'court fee computation for liability claim of 93 Trillion Earthlings / \$'. The annexure also includes a document on how the wealth from the first sale agreement 'Srinivas - Kathi agreement' will be distributed within my Indian, HDFC bank accounts.

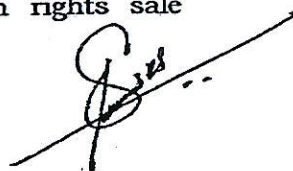


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The Eco-system authored by me, attached with this petition.

10. I attach annexure M, macro-economic reform 'Project Earthling©' authored by me, to which Indian copyright office has issued a copyright with registration number L-81033/2019 on 22-02-2019. Along with the copyright, I include a usd-Earthling comparison document, brochure on benefits of Project Earthling© to the world countries, and additional details about Project Earthling© document, with annexure M. I request the Honorable court and respondent to review this annexure in detail.
11. I attach annexure N, macro-governance reform 'United Nations Global Governance Model 2020©' authored by me, to which Indian copyright office has issued a copyright with registration number L-91243/2020 on 14-05-2020.
12. I attach annexure R, 'Right perspectives for the world' authored by me, for which a copyright application has been filed with Indian copyright office on 12-12-2022, which was given a diary number 25790/2022-CO/L. This work is to transition from old world order into New World Order.
13. I attach annexure O, 'Living Will Addendum for year ending 2022, executed on 29-12-2022' which accompanies 'Living Will executed on date 22-8-2022 attached as annexure F with the writ petition'. This document and the subsequent addendums will indicate the total annual wealth receipts and wealth distribution to the end recipients as intended by the annexure F. There will be another 12 of these addendums executed over the next 12 years to conclude the intended wealth receipts and wealth distribution.
14. Annexures E, P, S and T have details regarding the investigation that must be conducted by the respondent upon the Honorable court orders, to ensure all the negative tactics attempted at me, against me are neutralized, so that I claim full liability.

INVENTION RIGHTS SALE AGREEMENTS OF THE CENTURY.

15. **The execution of these 62 sale agreements, one each with each of the 62 countries and the execution of 'conditionally triggered contingency agreement with USPTO' by the orders of this Honorable court will be etched in history as the 'Invention rights sale**



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agreements of the century. These sale agreements execution will be followed by everyone in the world, all 193 world countries, all its citizens, and by the world judiciary. The execution of these sale agreements will make the city of Bangalore the center of the world, and India the center of the world. It involves the participation of 62 country leaders and will get worldwide media coverage.

EVENT OF THE CENTURY.

16. The going live of the macro-economic reform 'Project Earthling©' will be etched in the history as the 'Event of the century'. It delivers real independence and freedom to 191 world countries, delivers equality, while ending all forms of slavery on planet Earth.
17. I state that there is no other 'Writ petition' filed on the same cause of action, that is in 'pending' status, or seeking an alternate remedy, at the Honorable High Court of Karnataka. Judgement for WP 21782/2022 is attached as annexure D with this petition.

GROUNDS

USPTO FRAUD RESULTED IN LOSS OF WORLDWIDE PATENT RIGHTS TO MY INVENTION, AND CAUSED FULL LIABILITY.

18. I Filed PCT international application PCT/US2014/046619 on 15-7-2014 with USPTO as RO and ISA. Using this PCT international application I enter national stage by filing fifteen national stage and two regional stage applications.
19. The 61 non-usa countries where I entered national stage include Canada, Mexico, Japan, Korea, Australia, New Zealand, Brazil, China, South Africa, Thailand, Philippines, Nigeria, India, Malaysia, Indonesia, Eurasia PTO jurisdiction covering 8 countries (Armenia, Azerbaijan, Belarus, Kazakhstan, Kyrgyzstan, Russian Federation, Tajikistan, Turkmenistan), and European PTO jurisdiction covering 38 countries (Albania, Austria, Belgium, Bulgaria, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Netherlands,

[Handwritten Signature]

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 Norway, Poland, Portugal, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey and United Kingdom).

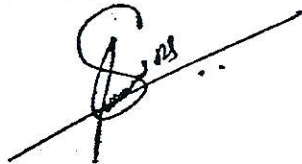
- 20. On 5-8-2015, USPTO issues a fabricated ISR with fabricated prior art, with a fabricated date, intended to block or deny my invention rights protection across the PCT contracting states. They breach PCT articles 18(2) and 19(1).
- 21. This fraud of USPTO, resulted in me losing my patent rights in 60 world countries, except usa and Nigeria, where I have patent grants. Given the loss of patent rights, the worldwide liability is caused to USPTO, and they must pay for the liability.
- 22. 62 sale agreements listed in annexure K, and described in annexure L must be executed through this Honorable court. The orders issued by Trial court for OS 40 of 2022, and OS 41 of 2022, are attached as annexures A, and B, respectively. The Trial court cannot issue directions to the respondent under the Articles 226 and 227 of the Constitution of India. Hence, this Writ petition has all prayer points to get the 62 sale agreements executed.

LIABILITY CAUSED, ESTIMATED SALE PRICE OF PATENT US 8,910,998 B1 AND PCT APPLICATION PCT/US2014/046619.

23. My estimation of sale price to my patent US 8,910,998 B1, and PCT/US2014/046619 is shown in the table here.

Expression of the range	10% of the 100-year projected economic activity of my invention across 62 countries. In Earthlings / \$
Conservative	93 Trillion (Chosen)
Conservative-Realistic	94 Trillion – 125 Trillion
Realistic	125 Trillion – 150 Trillion
Aggressive-Realistic	150 Trillion – 250 Trillion
Aggressive	250 Trillion – 300 Trillion

24. 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



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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 draw the attention of the Honorable court to the expiration date in the Living Will, annexure F, 31-12-2034.

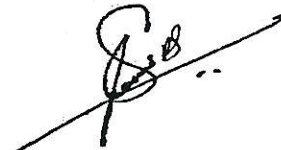
25. The sale price will be reset to price higher than 93 Trillion Earthlings / \$ only if a second independent valuation authority such as the respondent will endorse such higher number alongside me. If not, I shall execute the 62 agreements cumulating to value of 93 Trillion Earthlings / \$, and will not go lower than this sale price under any circumstance. The execution of 62 sale agreements shall happen upon the Honorable courts orders.
26. 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. Annexure G also includes schematic visuals and brochure showing the wealth allocation for achieving 'Goal year 2050 for India', and its cascading effects to at least 100 or more world countries.

PRAYER

27. I pray the Honorable High Court to issue orders to

Section heading: Independent valuation of my invention sale price, given by Indian Government. While I have chosen conservative 93 Trillion Earthlings / \$ as the liability claim, I am waiting for the second opinion of the respondent, valuation of Indian Government.

- A. Respondent to work with the Honorable Prime Minister of India, and the Finance Minister of India, and provide the 'Independent valuation' of Indian Central Government, to my invention patent US 8,910,998 B1 attached as part of annexure J, and its Intellectual property rights across 62 world countries recognized by PCT - Patent Cooperation Treaty International application PCT/US2014/046619.



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 If Indian Government independent valuation sale price is higher than 93 Trillion Earthlings / \$, refer annexure J, valuation table, I shall distribute that sale price across the 62 sale agreements proportionally, and reset the total sale price to their valuation.

Section heading: Macro-Economic reform 'Project Earthling©' prayer points. For the 'list of benefits of the macro-reform to 191 world countries, that the World countries have missed for over 250 years', detailed in annexure M, and to execute the 61 Tri-party sale agreements described in sections 2(b) to 2(iii) of annexure L.

- B. Respondent to work with Mr. Daren Tang, Director General of World Intellectual Property Organization, WIPO, and schedule the introduction of macro-economic reform 'Project Earthling©' by me to all 193 member countries, in a full day event by addressing the WIPO assembly. Prior to the introduction, respondent shall distribute the attached annexure M to the Director General of WIPO and all the 193 country delegation teams at WIPO. My introduction of the macro-reform could be scheduled by my physical presence at the WIPO assembly, subject to Indian Government security concerns and me travelling internationally, or by way of addressing the WIPO assembly live from a broadcast station set-up in Bangalore, India. Reasonable time shall be given to all 193 countries to independently evaluate the presented macro-economic reform described in attached annexure M.
- C. Respondent to work with Mr. Daren Tang, Director General of World Intellectual Property Organization, WIPO, to bring the macro-economic reform 'Project Earthling©' for its decisive voting at WIPO assembly in a decisive YES or NO option voting, on the question of 'Should Project Earthling© be taken LIVE for the benefit of all the world countries?', after the expiration of the set reasonable time given to 193 world countries to evaluate the macro-reform.



D. Respondent, upon a decisive majority 'YES' vote result from the poll conducted across 193 countries at WIPO assembly, to take 'Project Earthling© LIVE, must work with me and Honorable Prime Minister of India, establish new teams as required to spin-off, invite 193 country delegates, establish, register, build, and take LIVE, the organization that controls the world economics, world finance, wealth, and Earthlings currency, 'Global Earthling Council', GEC. The GEC must have identified set of designated signatories to execute any legal instruments across the world, **since they form the 'Payor delegation team'** to execute the 61 tri-party sale agreements described in sections 2(b) to 2(iii) of annexure L attached with this petition.

Section heading: 'All India' registration of my Living Will executed on 22-8-2022, annexure F attached with writ petition. Registration fees to be borne by Finance Ministry or respondent.

E. Respondent to work with Honorable Prime Minister of India, and Finance Minister of India, to get annexure F attached with the writ petition, my 'Living Will executed on 22-8-2022', registered as a one-time all India registration at a Registrar office. After the all India registration of 'Living Will executed on 22-8-2022', subject to legal requirements, it could be registered individually in all the states of India and the union territories, by way of electronic registration. All the applicable registration fees must be borne by the Finance Ministry, Indian Government.

F. Given my personal wealth allocation in page 2 of annexure F attached with writ petition, and my wealth management responsibilities of Earthling Foundation Public charitable Trust and Earthling Foundation Private Trust, I will be using multi-combination **bio-metric and non-biometric passwords and code combinations as passwords for my bank vaults, bank accounts, executive offices, Legal offices with lawyers, Trust office buildings, Trust bank accounts, Trust bank vaults, my online account access, digital access platforms, legal documents vault, data warehouse**



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offices, and other, and hence my 'finger prints' are precious and valuable. Hence, respondent to work with Finance Ministry and issue me a Goods and Services Tax, GST number without me having to submit Aadhar card, which needs me to give my finger prints and bio-metric information.

G. Respondent, upon the completion of all-India registration of 'Living Will executed on 22-8-2022' attached as annexure F with the writ petition, subject to legal requirements, its registration in all states and union territories, must formally distribute the registered document to President of India, Prime Minister of India, Prime Ministers Office, Finance Minister of India, Finance Ministers Office representing Commissioner of Income tax department, all Chief Ministers of all states of India, all the corresponding Chief Ministers Offices, and to the heads of all Union territories of India. This will ensure India is fully united in the objective of achieving the visionary goal 'Goal year 2050 for India'. This goal for India will have its cascading effects on at least 100 or more poor countries of the world.

Section heading: Annexure O 'Living Will Addendum for year ending 2022', and its subsequent 12 versions to be executed in years 2023-2034, related prayer points.

H. Respondent to transmit formal communications about my 'Living will addendum for End-of-Year 2022, executed on 29-12-2022', annexure O attached with this petition, and the fact that 12 more Living Will addendums will be executed by me, at the end of each of the next 12 years between 2023 to 2034, showing incremental statistics related to 'wealth receipts from the executed 62 sale agreements' and 'wealth distribution' intended according to annexure F attached with writ petition, to President of India, Prime Minister of India, Prime Ministers Office, Finance Minister of India, Finance Ministers Office representing Commissioner of Income tax department, all Chief Ministers of all states of India, all the corresponding Chief Ministers Offices, and to the heads of all Union territories of India.

L. Respondent to give official formal communication addresses, key contacts information, e-mail ID'S, and direct telephone numbers of all the intended wealth recipients according to annexure F attached with the writ petition, including that of President of India, Prime Minister of India, Prime Ministers Office, Finance Minister of India, Finance Ministers Office representing Commissioner of Income tax department, all Chief Ministers of all states of India, all the corresponding Chief Ministers Offices, and to the heads of all Union territories of India, for my official record and that of the Honorable court. This information is for initiating electronic wire transfer of wealth over the next 12 years, according to the intended wealth allocation given in annexure F attached with writ petition, and for the formal distribution of the upcoming 12 'Living Will addendums', to the end recipient parties. The intended commitment to allocate and pay 45% of the total 'wealth receipts' to Indian Central and State Governments would be legally accounted for by annexure O and its next 12 versions, the Living Will addendums to be executed over the next 12 years, which will indicate the cumulated 'wealth receipts' and 'wealth distribution', and ensure the entire 45% 'wealth distribution' is taken to its completion. Given that bulk of the wealth distribution will be in 'Earthlings currency', the recipients will have all new 'Treasury bank accounts', or other recipient destination bank accounts where the money would be transferred to. Most of these bank accounts will be organized in the new banks to be established in India to manage the overall wealth being brought into India by way of these 62 sale agreements. These financial transactions over the next 12 years will be official, formal, disclosed to Indian and worldwide media houses. I will be heading 'IEC, Indian Economic Council' and will be providing guidance on the management and distribution of this wealth across banks, and bank accounts.

Section heading: Annexures K and L list and describe the 62 sale agreements to be executed, respectively. Annexure Q gives the computation of the court fees and the wealth distribution from 'Srinivas - Kathi agreement', the first agreement to be executed.



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'Special court to be appointed' for execution of 61 non-usa sale agreements. The Honorable court approvals and orders to the 'Trial court'. Coordinate 62 country 'Premier' visits.

J. Respondent to work with Finance Ministry, and get necessary approvals to allow local private Indian bank, **HDFC Bank, to create special account** such that I while being an **Indian citizen living in India**, can hold large amounts of \$ currency in an **Indian bank** account such as **HDFC Bank**, until I plan its exchange to Earthlings with **GEC, Global Earthlings Council**. This is for the execution of sale agreement in section 2(a) of annexure L attached with this petition, '**Srinivas - Kathi agreement**', which would require **USPTO** to make payments for the sale agreement along with the applicable court fees, according to the sale proceeds distribution across Indian bank, **HDFC bank** accounts, given in annexure Q attached with this petition.

K. Respondent to work with Finance Ministry and give approvals for me to set-up a first group of my own banks, all of which would be enabled to hold extremely high value of wealth in Earthlings currency, and a second group of my own banks for the local Indian banking and financial transactions related to the Earthling Foundation Public charitable Trust, and Earthling Foundation Private Trust initiatives, programs, projects, and their execution. The first group of banks will hold the incoming wealth from the 61 tri-party sale agreements listed in sections 2(b) to 2(iii) of annexure L attached with this petition. The economic policies related to wealth management and Indian 'Treasury management', proposed and implemented by me, through 'IEC, Indian Economic Council' will address the wealth distribution across the organized first group and second group of banks, along with defining the 'Indian national treasury', and declaring it to the world media houses.

L. The Honorable court to issue orders to 'Appoint a Special court' for execution of sale agreements described in sections 2(b) to 2(iii), of annexure L attached with this petition. Executing these agreements



involves respondent to co-ordinate the 'Premier visits' from 61 world countries, to the appointed Special court. Given that Presidents and Prime Ministers of 61 world countries would visit the Special court, the High court of Karnataka premises might be better suited to establish the Special court. This is subject to legal procedures involved and the decision of Honorable court.

M. The Honorable court to issue orders addressed to the 'Trial court, Bangalore city civil court', approving the 'Applicable court fee' for the total liability claim caused to USPTO in Indian rupees, INR. I attach annexure Q with this petition, giving the calculation of applicable court fee for the conservative estimate liability claim of 93 Trillion Earthlings / \$. According to the court fee calculation rule given to me by the Bangalore city civil court administration office, filing section, I have calculated the court fee and presented in INR and \$, at a conversion rate of 1 \$ = 72.65 INR. Liable party USPTO will pay me the applicable court fee, and all the bank fees and applicable charges to transfer the fees to my bank account. I attach the breakup of USPTO payments that must be paid to me in annexure Q attached with this petition.

N. The Honorable court to issue orders addressed to the 'Trial court, Bangalore city civil court', approving the 'Court fee agreement with Bangalore city civil court administrative office' that I discuss in annexure Q attached with this petition. To pay 50% court fee upon receipt of court fee from USPTO, and the balance 50% will be paid upon the conclusion of execution of 62 sale agreements described in annexure L attached with this petition.

O. The Honorable court to issue orders to have a 'Formal worldwide media reporters interaction room, with live television broadcast setup, to facilitate official press release for each of the 62 sale agreements upon their execution' and to have a 'Discussion and meeting room, where refreshments could be provided for visiting Premier and their delegation to interact with me and any visiting Indian dignitaries' in the premises of the 'appointed special court' for



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the execution of 62 sale agreements described in annexure L attached with this petition.

P. Respondent to plan, co-ordinate, and schedule the visits of 62 country 'Premier, the recipient of intellectual property rights delegation teams, or buyer delegation teams', to get the 62 sale agreements listed in annexure K and described in annexure L attached with this petition, executed, synchronized with the orders given by this Honorable court or the Special court appointed for the purpose. While the first sale agreement 'Srinivas - Kathi agreement' to be executed in usd-\$ currency could be executed upon court orders after the fraud elimination in trial court, the critical path activity to get the 61 tri-party agreements described in sections 2(b) to 2(iii) of annexure L attached with this petition, need the 'Payor delegation team, GEC, Global Earthling Council designated signatories' to have taken office after GEC is established. Once the GEC designated signatories have taken office, respondent to co-ordinate their visit and stay in the city, say for a period of four months, and synchronizing the visits of 61 country 'Premier, the recipient of intellectual property rights delegation teams' to facilitate the execution of the tri-party sale agreements in the 'appointed special court' within the same span of four months. Respondent to co-ordinate the visit of USPTO Director Mrs. Kathi Vidal to the Trial court, Bangalore city civil court upon the Honorable courts orders to execute sale agreements described in sections 2(a) and 2(kkk) of annexure L attached with this petition.

Q. Respondent to work with Defense Ministry, and appoint a twelve member all Hindu Indian military unit, to provide and ensure my 'physical safety and security', in a non-intrusive way, until all the 62 sale agreements listed in annexure K and described in annexure L attached with this petition are executed, and the full wealth is brought into India by me, according to the Honorable court orders. I look forward to the 'appointment of this team at the earliest possible date'. Respondent to introduce the appointed twelve member military unit to me. I attach annexure T with this petition.



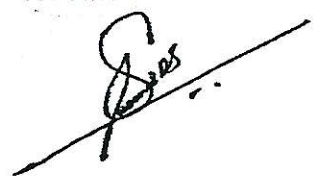
Section heading: Annexures N, Macro-Governance reform 'United Nations Global Governance Model 2020©' related prayer points.

R. Respondent to work with Mr. Daren Tang, Director General of World Intellectual Property Organization, WIPO, and schedule the introduction of macro-governance reform 'United Nations Global Governance Model 2020©' by me to all 193 member countries, in a full day event by addressing the WIPO assembly. Prior to the introduction, respondent shall distribute the attached annexures N, and R to the Director General of WIPO and all the 193 country delegation teams at WIPO. My introduction of the macro-reform could be scheduled by my physical presence at the WIPO assembly, subject to Indian Government security concerns and me travelling internationally, or by way of addressing the WIPO assembly live from a broadcast station set-up in Bangalore, India. Reasonable time shall be given to all 193 countries to independently evaluate the presented macro-governance reform described in attached annexure N.

S. Respondent to work with Mr. Daren Tang, Director General of World Intellectual Property Organization, WIPO, to bring the macro-governance reform 'United Nations Global Governance Model 2020©' for its decisive voting at WIPO assembly in a decisive YES or NO option voting, on the question of 'Should United Nations Global Governance Model 2020© be taken LIVE for the benefit of the world countries, and to define a new world order?', after the expiration of the set reasonable time given to 193 world countries to evaluate the macro-reform.

Section heading: Annexure P, 'fire scam' related prayer points, a negative tactic used by my public enemies against me, my invention, India, and Hindus living in India. Must be handed off to the discussion and voting of 193 world countries.

T. Respondent to work with Mr. Daren Tang, Director General of World Intellectual Property Organization, WIPO, and schedule the



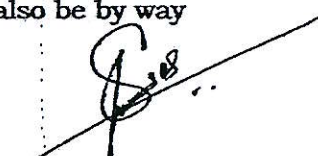
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introduction of 'World energy battle - Oil VS Renewable' by me, forced on me, India, and Hindus living in India, by my public enemies listed in annexure P attached with this petition, to all 193 member countries in a session addressing the WIPO assembly directly live from a broadcast station in Bangalore, India. Prior to the introduction, respondent shall distribute the attached annexure R to the Director General of WIPO and all the 193 country delegation teams at WIPO, specifically to read perspectives related to 'Fire Scam'. Reasonable time shall be given to all 193 countries to independently evaluate the presented subject and also to work on the case studies presented in POV 1 in the attached annexure R with this petition.

U. Respondent to work with Mr. Daren Tang, Director General of World Intellectual Property Organization, WIPO, to bring the World energy battle - Oil VS Renewable for its decisive voting at WIPO assembly in a decisive YES or NO option voting, on the question of 'Should the world countries proactively work on investing and doing more research investments in Renewable energy sector?', after the expiration of the set reasonable time given to 193 world countries to evaluate the subject. A decisive majority 'NO' voting result will reschedule the subject to be brought to the discussion and a subsequent second poll for 193 countries after a gap of say 10 years, at the Group 193, G-193 council, subject to executive decision that could be exercised by Group Influential 50, GI-50 council. The councils are discussed in annexures N and R attached with this petition.

Section heading: Annexure R, Sharing the 'Right perspectives for the world' with the 193 world countries.

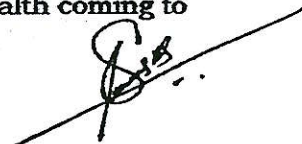
V. Respondent to work with Mr. Daren Tang, Director General of World Intellectual Property Organization, WIPO, and distribute the copyright work in application stage for 'Right perspectives for the world', authored by me, to 193 world countries, attached as annexure R with this petition. The distribution could also be by way



of electronic communications by distributing the webpage weblinks, <https://srinivasdevathi.com/right-perspectives-for-the-world/> and <https://srinivasdevathi.com/right-perspectives-for-the-world-continuation/>, where the authored work has been published online, to all the 193 world countries for them to read, study the perspectives, and prepare for the transition of 'old world order' into 'NEW WORLD ORDER', and prepare for the decisive voting sessions at WIPO assembly, for the implementation of macro-economic reform 'Project Earthling©', and macro-governance reform 'United Nations Global Governance Model 2020©' attached as annexures M and N respectively with this petition. I have authored 79 'Right perspectives for the world' and published them online and included them in annexure R attached with this petition. My work on the 'Right perspectives for the world' will continue, which shall also include defining the other councils of the New World Order, and further will include the 'Direction setting document, Legal preamble document, Guiding document, High-level directive document' for the defined councils of GEC, Global Earthling Council, GI-50, Group Influential 50 Council, and G-193, Group 193 Council.

Section heading: Prayer points with steps, to counter all negative tactics used by my public enemies against me, my invention, India, and Hindus living in India, detailed in annexure P. Verify, validate, if identified, give 'confront or withdraw' option.

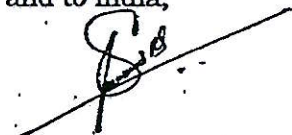
W. Respondent to work with Ministry of Law and Justice, and through their network to Supreme court of India, all the High courts of all states in India, Bangalore city civil court, Family court in Bangalore, Nyaya Degula Bangalore, to verify and validate that no person, no party, no organization, no corporation, no legal entity, no country government, including and not limited to my public enemies listed in annexure P attached with this petition, or their Indian office legal entities have filed any frivolous lawsuits, or frivolous IA applications without my knowledge, or fabricated any documentation against me, or attempted to use fabricated medical theories intentionally designed by 'bribe taking kol, key opinion leader' bribed by my public enemies against me, all in an attempt to block the wealth coming to



me and to India, by way of the 62 sale agreements described in annexure L attached with this petition, to be executed by the orders of this Honorable court. Respondent upon their communication and verification with the listed Indian courts, to give a report to me and this Honorable court. I provide details related to this prayer point in annexure P attached with this petition. My public enemies have taken extreme measures and chosen extreme negative tactics, given my inventions conservative valuation set at 93 Trillion Earthlings / \$, coming to me and India. This is a proactive step to first identify their negative tactics if any used at the level of Indian courts.

X. Respondent to give the option of 'Confront Mr. Srinivas S. Devathi directly with your frivolous allegations or fabricated documents, subject to strict proof in this High court of Karnataka, in his presence, or withdraw and return to your country' to any person, party, organization, corporation, legal entity, country government, any of my public enemies listed in annexure P attached with this petition, or any of their Indian office legal entities, that have been identified according to their steps taken in prayer point 'W'. If any such identified person, party, organization, corporation, legal entity, or country government, does not withdraw and return to their country, and decides to confront me in this Honorable court, I will rubbish their negative tactics, frivolous allegations, or fabricated documents with my legal response, thus neutralizing their negative tactics right here in this Honorable court.

Y. Respondent through their network to the current day, old world order, puppet 'united nations', with any non-defunct, surviving and functioning puppet un organs, and puppet un organizations, to verify and validate that no person, no party, no organization, no corporation, no legal entity, no country government, including and not limited to my public enemies listed in annexure P attached with this petition, or their Indian office legal entities, have filed any frivolous documentation, or fabricated documentation against me, or attempted to use fabricated illogical medical theories intentionally designed by 'bribe taking kol' bribed by my public enemies against me, all in an attempt to block the wealth coming to me and to India,

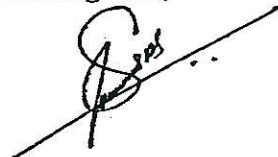


by way of the 62 sale agreements described in annexure L attached with this petition, to be executed by the orders of this Honorable court. Respondent upon their communication and verification with the puppet united nations, its puppet organs, and puppet organization, to give a report to me and this Honorable court. I provide details related to this prayer point in annexure P attached with this petition. My public enemies have taken extreme measures and chosen extreme negative tactics, given my inventions conservative valuation set at 93 Trillion Earthlings / \$, coming to me and India, could have used puppet un organs against me. This is a proactive step to first identify their negative tactics if any used at the level of old world order nearly defunct un organs or any un organizations.

Z. Respondent to give the option of 'Confront Mr. Srinivas S. Devathi directly with your frivolous allegations or fabricated documents, subject to strict proof in this High court of Karnataka, in his presence, or withdraw and return to your country' to Mr. Antonio Gutteras, Secretary General of puppet un, to any person, party, organization, corporation, legal entity, country government, any of my public enemies listed in annexure P attached with this petition, or any of their Indian office legal entities, that have been identified according to their steps taken in prayer point 'Y'. When they confront me directly, I will rubbish their negative tactics, frivolous allegations, or fabricated documents with my legal response, thus neutralizing their negative tactics right here in this Honorable court.

Section heading: Annexure E, Investigation to be conducted by Ministry of law and justice, to ensure no 'Frivolous commissions' have been issued or received by courts in Bangalore, to target me by abusing CPC sections 75 or 76.

AA. Respondent to work with Ministry of Law and Justice, and through their network to all the courts in Bangalore, which have jurisdiction across the city where I reside, not limiting to High Court of Karnataka, Bangalore city civil court, Family court of Bangalore,

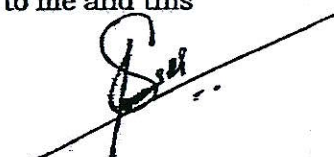


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Nyaya-Degula Bangalore, Magistrate court, Court for small causes, to verify and validate if there are any 'Commissions that are active and operational', with intent to 'Examine me', or 'Investigate me', by abuse of CPC section 75, all its sub-sections not limiting to sub-sections a, or b, or by abuse of CPC section 76, by way of which any court from across India such as Supreme court of India, any of the High courts across India, or any other court, have attempted to issue a commission to 'Examine me' or 'Investigate me' by making courts in Bangalore receive the commission. At the source, it could be any of my 'public enemies' listed in annexure P, their Indian offices that could have attempted to set up frivolous commissions against me, to 'Examine me' or 'Investigate me'. This is a proactive step to first identify their negative tactics if any used at the level of Indian courts. Respondent to further take action to 'IMMEDIATELY DISSOLVE' all such frivolous commissions issued or received by courts in Bangalore by the orders of this Honorable court. In the event that any of the frivolous commissions refuse to dissolve, the commission, commissioner must be given a 'confront or dissolve' option to confront me with the 'purpose, intent, objective, motive' of their commission to target me, destroy me, examine me, or investigate me. By bringing the frivolous commissions 'Motive' to target me, attempt to frame me, poison me, or to steal my invention patent rights, to the attention of this Honorable court, I shall ensure the frivolous commission is 'DISSOLVED'. I refer the Honorable court to annexure E attached with this petition.

Section heading: Annexure S, Investigation to be conducted by Ministry of law and justice, to ensure no portion of the wealth was stolen by way of forged documents in ICU of hospitals, by using specific medical conditions as cover.

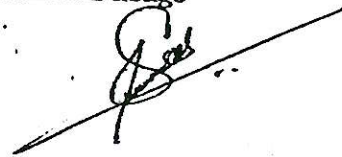
BB. Respondent to work with Ministry of Law and Justice, to conduct local investigation of the four hospitals in Bangalore, Sidvin Hospital, Fortis Hospital, Columbia Asia Hospital, and Shobha Hospital, the consulting doctors, ICU doctors, ICU staff, and hospital owners, according to the request detailed in annexure S attached with this petition, and provide an investigation report to me and this



Honorable court. Given the conservative valuation of my invention at 93 Trillion Earthlings / \$, there is a possibility that my public enemies listed in annexure P attached with this petition have used medical force against my father to illegally forge documents. The investigation is to ascertain that no legal documents were forged or executed by my father during his admission to those hospitals, and during the ICU admission stays which have very strict visiting hours. No legal documents must ascertain that no legal documents were forged or executed by using a medical cover of 'Rheumatoid Arthritis, RA' by taking his fingerprints on 100'S or 1000'S of papers, since RA patient cannot sign his signature by his own hands. No legal documents must ascertain that no legal documents were forged or executed by using the POA - Power of Attorney given to my father by me and my divorced spouse, dated 1-1-2009 attached with annexure S. No legal documents must ascertain that no 'legal statements' were recorded from him by using medical force. No legal documents must ascertain that no 'death time statements' were recorded by police, lawyers, or magistrate, or judge from my father before his death in ICU of Columbia Asia Hospital. Annexure S indicates the chronological events related to my fathers hospital admissions, the hospital admission dates, discharge dates, and includes the discharge summary reports given by the hospitals.

CC. If respondent investigation conducted according to prayer point BB, reveals that documents have been illegally forged from my father during his admission to these hospitals, the investigation must continue to retrieve every last document that was forged or illegally executed, any statement recorded by medical force, any death time statement, and must be submitted to the Honorable court and must be legitimately destroyed or shredded.

DD. If respondent investigation conducted according to prayer point BB, reveals that documents have been illegally forged from my father, the investigation must continue to identify all the criminals, perpetrators involved in this going beyond the consulting doctors, ICU doctors, ICU staff, and hospital owners, to identify who among my public enemies financed and were involved in this criminal usage



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of hospitals. The Honorable court must take legal action against these criminals, perpetrators and punish them according to law.

Section heading: Annexure T, My public enemies listed in annexure P have used all available spyware and technology to put me in a life cage, track my entire life 24 by 365, using advanced equipment and devices. Investigation to be conducted by Ministry of law and justice.

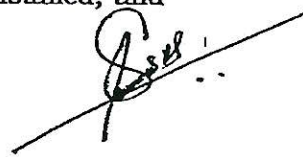
EE. Respondent to work with Ministry of law and justice, take up the initiative of establishing a brand new law enforcement agency 'Special Technology Unit'. The public enemies listed in annexure P attached with this petition have access to cutting edge technologies that they have used against me for the last 16 years, described in annexure T attached with this petition. No law enforcement agency in India could help me, with regards to tracing, locating, dismantling and destroying the high technology devices used against me. The challenges faced by India with abuse of such technology can only be countered by such a 'Special Technology Unit'. This unit should specialize in knowing, identifying, locating, and dismantling, usage of eagle eye, nixon technology, nano technology, 'advanced all body organ and brain activity mapping equipment', all hidden electronic equipment, electronic gear, thermal imaging devises, listening devices for eves-dropping, and visual devises to look into private space of neighbors. They should have the capability to 'digitally sweep' any house, building, or office and their surroundings for the presence of any spyware, micro or nano-technology bugs used to invade privacy, listen into, or see into others homes, or offices, nixon technology, its nano renditions, lowest decibel sound hearing, recording devises, thermal imaging devices, all body organs imaging devices, and 'brain activity' imaging devices. I will provide the technology support through my team, to develop this unit into a cutting-edge technological law enforcement unit. This is required to define strong enforceable law and order, which is required to make India an economic super-power.



FF. Respondent to work with Ministry of Law and Justice to conduct investigation according to the details given in annexure T attached with this petition, at Location 1, which involves investigating four houses around my residential address. The people of these four houses must be interrogated, and their entire houses must be 'digitally swept' to trace, locate, dismantle, and seize any spyware, micro or nano-technology bugs used to invade privacy, listen into, or see into others homes, or offices, nixon technology, its nano renditions, lowest decibel sound hearing, or recording devises, thermal imaging devices, all body organs imaging devices, or 'brain activity' imaging devices, that are present in their house, and used for spying on me, for tracking my work, my daily activities, building pattern of my life, and if they are working to block the execution of these 62 sale agreements, thus blocking the wealth from coming to me and India. The investigation report must be given to me and the Honorable court.

GG. Respondent to work with Ministry of Law and Justice to conduct investigation according to the details given in annexure T attached with this petition, at Location 2, which involves investigating four rooms around the room I have occupied at the hotel. The occupants of these four rooms must be interrogated, and their rooms including my room, must be 'digitally swept' to trace, locate, dismantle, and seize any spyware, micro or nano-technology bugs used to invade privacy, listen into, or see into others rooms, nixon technology, its nano renditions, lowest decibel sound hearing, or recording devises, thermal imaging devices, all body organs imaging devices, or 'brain activity' imaging devices, that are present in their rooms, used for spying on me, for tracking my work, my daily activities, building pattern of my life, and if they are working to block the execution of these 62 sale agreements, thus blocking the wealth from coming to me and India. The investigation report must be given to me and the Honorable court.

HH. If respondent investigation conducted according to prayer points FF and GG, reveals that these surrounding homes at location 1 and surrounding rooms at location 2 have indeed installed, and



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 used any of the listed devices to spy on me and invade my privacy thus breaking my fundamental right to privacy, all such devices must be seized, and must be submitted to the Honorable court as documented evidence.

II. If respondent investigation conducted according to prayer points FF and GG, reveals that these surrounding homes at location 1 and surrounding rooms at location 2 have indeed installed, and used any of the listed devices to spy on me and invade my privacy, the investigation must continue to identify all the criminals, perpetrators involved in this spying and privacy invasion effort, going beyond the occupants of these houses and rooms, to identify who among my public enemies listed in annexure P, were involved in financing this criminal usage of these people in surrounding houses and rooms. The Honorable court must take legal action against these criminals, perpetrators and punish them according to law. These activities by the perpetrators constitute anti-India work, working against the economic growth of India, and attempting to block the execution of 62 sale agreements described in annexure L.

JJ. After the execution of 'Srinivas - Kathi agreement' described in annexure L attached with the petition, the receipt of the sale proceeds from the agreement as described in annexure Q attached with the petition, and its 'Press release addressing the worldwide media houses, with worldwide broadcast and coverage of the execution of the sale agreement, respondent to work with the Honorable Prime Minister of India, and schedule the introduction of summary and preamble of 'NATIONAL WEALTH BILL' authored by me, addressing the parliament, and all the state assemblies live.

Section heading: Given the liability claim of at least 93 Trillion Earthlings / \$, and the involvement of 62 world countries, the execution of these sale agreements through this Honorable court, an appointed Special court, must be considered the 'Invention sale agreements of the century'. The launch of the macro-economic



reform, must be considered the 'Event of the century'. Hence, Worldwide broadcast of lawsuit proceedings prayer points.

KK. The Honorable court and respondent to work with Ministry of Law and Justice, to exercise their network across all the justice delivering courts in India, law practitioners across India, including the Chief Justice of India, all the Chief Justices of all Indian states, Bar council association of India, all law schools in India, requesting them to follow this lawsuit proceeding LIVE, either via a published video weblink, or a television channel covering the proceeding, from High court of Karnataka, Bangalore city civil court, and further covering the execution of 62 sale agreements described in annexure L attached with this petition. These lawsuits to become case studies for all law school students across the world countries, and the case studies will be drafted by Indian law practitioners.

LL. The Honorable court and respondent to work with Ministry of Law and Justice, to exercise their network across the 193 world countries, inform, the Supreme court judges of all 193 countries, legal and justice department members of 193 countries, law practitioners across the 193 countries, inform the judicial bar associations of all 193 countries, inform the top five law schools of all 193 countries, about this lawsuit, requesting them to follow this lawsuit proceeding LIVE, either via a published video weblink, or a television channel covering the proceeding live from High court of Karnataka, Bangalore city civil court, and further covering the execution of 62 sale agreements described in annexure L attached with this petition. These lawsuits to become case studies for all law school students across the world countries.

Bengaluru

Date: 23/02/2023



PETITIONER /
(Party-in-Person)

Mysuru
Scribe copy

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Annexure R2



- 1 -

NC: 2023:KHC:19123
WP No. 4851 of 2023

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH DAY OF JUNE, 2023

BEFORE

THE HON'BLE MR JUSTICE H.T. NARENDRA PRASAD

WRIT PETITION NO. 4851 OF 2023 (IPR)

BETWEEN:

SRINIVAS S DEVATHI
AGED 45 YEARS
S/O LATE D. SATYANARAYANA
RESIDING AT NO.63, 11TH B CROSS
3RD MAIN, PRASHANTH NAGAR
BANGALORE- 560 079,
INDIA, MOBILE (91)-966-393-2293
E-MAIL ID- PROJECTEARTHING@SRINIVASDEVATHI.COM
...PETITIONER

(BY SRI. SRINIVAS S DEVATHI PARTY IN PERSON.,)

AND:

UNION OF INDIA
MINISTRY OF EXTERNAL AFFAIRS
LEGAL AND TREATIES DIVISION
ROOM NO 901, AKBAR BHAVAN
CHANAKYAPURI
NEW DELHI-110 021.
PH- 91-11-24674143.
REPRESENTED BY
MRS. UMA SEKHARM.
ADDITIONAL SECRETARY
ALSO REPRESENTING EXTERNAL
AFFAIRS MINISTER
MR. S. JAISHANKAR.

...RESPONDENT

(BY SRI:ADITYA SINGH., ADVOCATE)

Digitally signed
by
DHANABAKSHMI
MURTHY

Location: High
Court of
Karnataka



THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO I PRAY THE HONORABLE HC TO ISSUE ORDERS TO SECTION HEADING INDEPENDENT VALUATION OF MY INVENTION SALE PRICE GIVEN BY INDIAN GOVT AND ETC.

THIS PETITION, COMING ON FOR PRILIMINARY HEARING, THIS DAY, THE COURT MADE THE FOLLOWING:

ORDER

This writ petition is filed by Mr.Srinivas S Devathi, petitioner-party in person under Article 226 of the Constitution of India praying in all 38 prayers.

2. The case of the petitioner:

Petitioner, namely, Mr.Srinivas S Devathi, has invented a technology of Repeatable Vehicle Color Change Technology in the quarter of the year 2007 in USA and also got the patent in USA from United State Patent and Trademarks Office (for short 'USPTO') on 16.12.2014 bearing No.US8,910,998 and also filed 17 applications in various countries and also got patents about his invention.

The further case of the petitioner is that there is a breach



of Patent Cooperation Treaty by the foreign entity. Therefore, he has approached this Court to sue against them and also seek damages as prayed in the prayers.

3. On service of advanced copy of the writ petition, Mr. Aditya Singh, learned Central Government Counsel appeared on behalf of the respondent.

4. Mr. Srinivas S. Devathi, petitioner-party in person has argued the matter at length. He has reiterated the grounds urged in the writ petition.

5. Mr. Aditya Singh, learned counsel appearing for the respondent has raised a preliminary objection with regard to maintainability of writ petition. He contended that out of 38 prayers sought by the petitioner, none of the prayers are specific and clear. Such reliefs cannot be granted under Article 226 of the Constitution of India. He further submitted that similar relief has been claimed by the petitioner by filing a suit before the Trial Court and the said suit has been dismissed. Thereafter, he has filed

SI

- 4 -

NC: 2023:KHC:19123
WP No. 4851 of 2023



W.P.No.21782/2022 before this Court and this Court has disposed of the writ petition on 6.2.2023. Pursuant to the order of this Court dated 6.2.2023 passed in W.P.No.21782/2022, the request of the petitioner has been considered and his request has been refused by the Central Government by email communication dated 5.4.2023. Hence, he sought for dismissal of this writ petition.

6. Heard Mr.Srinivas S Devathi, petitioner-party in person and Mr.Aditya Singh, learned CGC for respondent.

7. In this writ petition, the petitioner has prayed in all 38 prayers. None of the prayers are specific and clear. To the question asked by this Court to the petitioner as to what exactly is the relief he has sought for in the writ petition, the petitioner answered that he has got a patent in USA on 6.12.2014 and now the Patent Cooperation Treaty has been breached and therefore, he wants to sue against the foreign entity.

S2

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NC: 2023:KHC:19123
WP No. 4851 of 2023

8. Under Section 86 of CPC, the petitioner has to take consent of the Central Government to sue against any foreign entity. Without obtaining the consent, he has filed the suits i.e., O.S.No.40/2022 and O.S.No.41/2022. The said suits have been rejected by the Trial Court. Thereafter, he has filed W.P.No.21782/2022. This Court by order dated 6.2.2023 has disposed of the said writ petition and the operative portion of the order reads as under:

"7. The submission is placed on record. Since the consideration is underway, I deem it appropriate to issue a direction to the respondent to pass appropriate orders, with regard to the grievance of the petitioner, after affording an opportunity of hearing, within six weeks from the date of receipt of copy of the order, if not earlier."

9. Pursuant to the order passed by this Court in W.P.No.21782/2022, on request made by the petitioner for issuance of consent letter to sue USPTO, the Central Government by email communication dated 5.4.2023 has rejected the request of the petitioner.

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NC: 2023:KHC:19123
WP No. 4851 of 2023



10. Under the circumstances, if the petitioner has any grievance against the rejection of his request by the Central Government vide email communication dated 5.4.2023, he has to approach the appropriate legal forum. The prayers sought by the petitioner in this writ petition cannot be granted.

11. Accordingly, the writ petition is rejected reserving liberty to the petitioner to challenge the communication of the Central Government dated 5.4.2023 before the appropriate legal forum, if law permits.

Office is directed to return the certified copies of the Annexures to the petitioner-party in person after retaining the Xerox copies of the same.

Sd/-
JUDGE

DM
List No.: 1 Sl No.: 40

True copy
Meyantur

Form
No.9
(Civil)
Title
Sheet
for
Judgmen

S4

Annexure 23

**IN THE COURT OF THE XVIII ADDITIONAL CITY CIVIL JUDGE
AT BANGALORE CITY**

PRESENT: SRI PADMA PRASAD

**B.A.(Law) LL.B.,
XVIII Additional City Civil Judge,**

Dated this the 13th day of October 2022

ORIGINAL SUIT 41/2022

PLAINTIFF

Srinivas S. Devathi,
Aged 44 years,
S/o Late D. Satyanarayana,
Residing at No.63, 11th 'B' Cross,
3rd Main, Prashanthnagar,
Bangalore-560 079,
INDIA.
Mobile (91)-903-589-4251
E-mail ID:
Srinivas@Coolcartechnology. com.

[By Party in Person]

/v e r s u s/

DEFENDANTS: 1.

Legal and Treaties Division,
Ministry of External Affairs,
Room# 901, Akbar Bhavan,
Chanakyapuri,
New Delhi-110 021.
Ph:91-11-24674144.

Represented by Mrs. Uma Sekhar,
Additional Secretary, also
representing External Affairs
Minister, Prime Minister of India,
PMO, Finance Minister of India,
and Finance Ministers Office.

2. Society of Indian Automobile
Manufactures (SIAM),

Core 4-B, 5th Floor, India Habitat
Centre, Lodhi Road, New Delhi-
110 003.

Ph:91-11-24647810,
91-11-24647812.

Represented by Mr. Kenichi
Ayukawa, and Mr. Vinod Aggarwal,
also representing Indian
automotive manufacturers.

3. Indian Institute of Management,
Lucknow
Prabandh Nagar, IIM Road,
Lucknow-226013.
Ph: 91-522-2734101.

Represented by Mrs. Archana
Shukla, also representing their
board of governors.

4. Indian Institute of Management,
Indore, Prabandh Shikhar, Rau-
Pithampur Road, Indore-453556.
Madhya Pradesh, India.
Ph: 91-731-2439666.

Represented by Mr. Himanshu
Rai, also representing their board
of governors.

5. Indian Institute of Management,
Calcutta, Diamond Harbour Road,
Joka, Kolkata -700 104.
West Bengal.
Ph: 91-33-24678300

Represented by Mr. Uttam Kumar
Sarkar, also representing their
board of governors.

6. Indian Institute of Management,
Ahmedabad, Vastrapur,
Ahmedabad -380015, Gujarat,
India.
Ph: 91-79-71523456.

Represented by Mr. Errol D'Souza,
also representing their governing
council members.

7. Indian Institute of Management,
Bangalore.
Bannerghatta Road,
Bengaluru-560 076, India.
Ph: 91-80-26993000

Represented by Mr. Rishiksha
Krishnan, also representing their
board members.

8. The Hindu Group, Kasturi & Sons
Limited,
Kasturi Buildings, 859/860,
Anna Salai, Chennai -600002.
Ph: 91-44-28577300.

Represented by Mr. Suresh
nambath, also representing the
owners of their media group.

9. The New Indian Express,
Express publications Madurai Pvt.
Ltd.,#1, Queens Road, Bengaluru
-560 001. Ph: 91 - 80 -22866893.

Represented by Mrs. Shatwanu
Bhattacharya also representing
the owners of their media group.

10. The Indian Express Pvt. Ltd.,
Express building,
B1/B, Sector 10, Noida -201 301.
Ph: 91-120-6651500.

Represented by Mr. Rajkamal Jha,
also representing the owners of
their media group.

11. The Economic times, Times Group
Bennet & Coleman company Ltd.,
The Times of India building, 2nd
floor, SMB tower, 40/1, MG Road,
Near Navratan Jewellers,
Bengaluru-560 001.
Ph: 91-80-46787878.

Represented by Mrs. Archana Rai,
also representing the owners of
their media group.

12. The Times of India, times Group
Bennet & Coleman company Ltd.,
The Times of India building,
2nd floor, SMB tower,
40/1, MG Road, Near Navratan
Jewellers, Bengaluru-560 001.
Ph: 91-80-46787878.

Represented by Mrs. Asha Rai,
also representing the owners of
their media group.

13. Deccan Herald,
Printers Mysore Pvt. Ltd.,
#75, MG Road,
Bengaluru-560 001.
Ph: 91-80-45557333.

Represented by Mr. Sitaraman
Shankar, also representing the
owners of their media group.

14. Jagran group, Jagran Prakashan Ltd., Jagran Building, # 2, Sarvodaya Nagar, Kanpur - 208005.
Ph: 91-512-2216161 or 91-512-2216262.

Represented by Mr. Jitender Shukla, also representing the owners of their media group.

D1 - By Sri B.S., Advocate
D2 - By Sri PKB, Advocate
D5 - By Sri HVS, Advocate
D6 - By Sri Nandish Chudgar,
D7 - By Sri BC, Advocate
D9 - Exparte
D11 & D12 - By Sri SSS, Advocate

ORDERS ON MAINTAINABILITY AND ORDER ON IA NO.3, 5 TO 7

The present suit filed by the plaintiff in person for mandatory injunction in the nature of directions to the defendants to do technical and expert investigation, independent valuation of the price of plaintiff's invention and other reliefs.

2. The defendant no.2 filed IA No.3 under Order 7 Rule 11 (d) of CPC for rejection of plaint and also claimed that there is no cause of action for the suit. The said application is supported with the affidavit of defendant no.2.

3. The defendant no.5 filed IA No.5 under Order 7 Rule 11 (a) of CPC to reject the plaint claiming that there is no cause of action for the suit, that has been supported with affidavit of the Administrative Officer of the defendant no.5.

4. The defendant no.11 and 12 also filed IA No.6 and 7 respectively under Order 7 Rule 11 (a) of CPC.

5. The plaintiff filed detailed objections to all these applications.

6. On the basis of the above, point for consideration are as under:

1. Whether the suit is maintainable in the present form?

2. Whether the plaint is liable to be rejected under Order 7 Rule 11 (a) and (d) of CPC?

3. What order?

7. Heard the plaintiff in person.

8. Perused the pleading / plaint along with materials placed before the court. On that basis, my findings on the above points are as under:

- Point No.1: In the negative;
- Point No.2: In the affirmative;
- Point No.3: As per final order;
for the following:

REASONS

9. POINT NO.1 AND 2: The plaintiff in the plaint claimed that he has found the Repeatable Vehicle Color Change Technology as claimed in plaint in O.S.2487/2021 and also obtained patents etc., The plaintiff claims that his invention will bring more revenue to the India as claimed in the plaint. Accordingly, plaintiff prays to direct the defendants in the suit to value his invention and the defendants to publish his invention etc.,

10. The defendants filed the written statement and also filed the aforesaid IAs praying to reject the plaint under Order 7 Rule 11 (a) and (d) of CPC claiming that there is no cause of action for the suit.

11. At the outset, it is relevant to note that the entire plaint nowhere discloses the cause of action for

the suit. It is also relevant to note that the plaintiff has not asked any of the defendants to do the things claimed by him in the plaint. There is no material on record to show that any of the news papers or magazines have refused to publish his inventions. Admittedly the plaintiff claims that he has got the patent over his invention. As such, if his patent right has been infringed, then it is for the plaintiff to initiate a legal action against the person who has infringed his patent. There is no material on record to show that the plaintiff has asked any of the defendants to investigate the plaintiff's invention or value the plaintiff's invention.

12. Any suit can be filed before the court if there is a cause of action for the suit, and the suit is not barred under any law, otherwise the suit is liable to be dismissed under Order 7 Rule 11 (a) and (d) of the CPC that reads as -

"11. Rejection of plaint – The plaint shall be rejected in the following cases:

(a) Where it does not disclose a cause of action;

(d) where the suit appears from the statement in the plaint to be barred by any law.”

13. I have repeatedly gone through the entire plaint, but the plaint nowhere discloses the cause of action for the suit. The entire plaint nowhere discloses that defendants have refused any of the relief claimed in the suit. In fact, there is no material on record to show that this plaintiff has approached any of the defendants for the needful as claimed in the plaint prior to the filing of the suit. Infact, there is no material on record to show that the defendants have refused to entertain the claim of plaintiff. In fact, the plaintiff approached the court without exhausting his rights as contemplated under Section 41 (h) Specific Relief Act.

14. It is well settled principle of law that a cause of action means every fact, which if traversed, it would be necessary for the plaintiff to prove in order to support his right to a judgment of the court. In

other words, it is bundle of fact which taken with the law applicable to them gives the plaintiff a right to relief against the defendant. It must include some act done by the defendant. Since in the absence of such an act, no cause of action can possibly accrue. It is not limited to the actual infringement of the right sued on but includes all material facts on which it is founded. It does not comprise evidence necessary to prove such facts but every fact necessary for the plaintiff to prove to enable him to obtain a decree. But, in the case on hand, the plaintiff has not at all made out any case to show that any of the defendants have denied the claim of plaintiff nor the defendants are aware of the claim of plaintiff or the defendants are liable to act upon the claim of plaintiff. In the absence of any such material before the court, certainly it cannot be accepted that there is any cause of action for the suit.

15. As the entire plaint nowhere discloses the cause of action, certainly this suit cannot be entertained, and plaint is liable to be rejected.

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16. Therefore, considered from any angle, this suit in the present form is not maintainable as the plaintiff failed to make out any cause of action for the suit, this plaint is liable to be rejected under Order 7 Rule 11 (a) and (d) of CPC. Accordingly, Point No.1 is answered in **negative**, and Point No.2 is answered in **affirmative**.

17. **POINT NO.3:** In view of the finding on Points 1 and 2, I proceed to pass the following:

ORDER

➤ IA No.3, 5 to 7 filed by defendant no.2, 5, 11 and 12 respectively are hereby allowed. Accordingly, the plaint is hereby rejected under Order 7 Rule 11 (a) and (d) of CPC.

* * *

[Dictated to the Judgment Writer directly on computer, *Script* corrected, signed and then pronounced by me, in the Open Court on this the 13th day of October 2022.]

[PADMA PRASAD]
XVIII Additional City Civil Judge.
BANGALORE.

My signature
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Annexure 24

**IN THE COURT OF THE XVIII ADDITIONAL CITY CIVIL JUDGE
AT BANGALORE CITY**

PRESENT: SRI PADMA PRASAD

**B.A.(Law) LL.B.,
XVIII Additional City Civil Judge.**

Dated this the 13th day of October 2022

ORIGINAL SUIT 42/2022

PLAINTIFF

Srinivas S. Devathi,
Aged 44 years,
S/o Late D. Satyanarayana,
Residing at No.63, 11th 'B' Cross,
3rd Main, Prashanthnagar,
Bangalore-560 079,
INDIA.
Mobile (91)-903-589-4251
E-mail ID:
Srinivas@Coolcartechnology. com.

[By Party in Person]

/v e r s u s/

DEFENDANTS: 1.

Legal and Treaties Division,
Ministry of External Affairs,
Room# 901, Akbar Bhavan,
Chanakyapuri,
New Delhi-110 021.
Ph:91-11-24674144.

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

ORDERS ON MAINTAINABILITY

The present suit filed by the plaintiff in person for mandatory injunction in the nature of directions to be given to the defendant to issue consent letter of Indian Central Government certified in writing by a Secretary to Indian Government to sue defendant no.1 USPTO and summon defendant no.3 – International Bureau (WIPO) and defendant no.4 Intellectual Property of India for fact finding and verification in the law suit, O.S.2487/2021.

2. The case made out by the plaintiff namely Srinivas S.Devathi is that, he has filed a suit in O.S.No.2487/2021 and accordingly prayed to issue direction to the defendant – Legal and Treaties Division, Ministry of External Affairs, New Delhi to issue consent letter, as prayed in the plaint.

The plaintiff filed this suit without disclosing any cause of action. Hence, this court raised the objection regarding the maintainability of the suit in the present form.

Accordingly the court directed the plaintiff to advance the arguments regarding the maintainability of the present suit.

3. On the basis of the above, point for consideration is that - **Whether the suit is maintainable in the present form under law or on facts?**

4. Heard the plaintiff in person.

5. Perused the pleading / plaint along with materials placed before the court. On that basis, my findings on the above point is in **negative** for the following:

REASONS

6. The entire plaint nowhere discloses the cause of action for the suit. It is relevant to note that this suit is filed in connection with O.S. No.2487/2021 and the prayer is to issue consent letter of the Indian Central Government, certified in writing by a Secretary to Indian Government. Such prayer cannot be granted by this court. Any consent letter or certificate to institute a suit against the

foreign authorities to be obtained by the plaintiff prior to the filing of the suit as per Section 86 of CPC. Therefore, it is the bounden duty of the plaintiff to obtain such certificate from the Central Government and it is not the duty of the Court to issue such directions.

7. Further, the entire plaint nowhere disclose cause of action for this suit. Any suit can be filed before the court if there is a cause of action for the suit, otherwise the suit is liable to be dismissed **under Order 7 Rule 11 (a) and (d) of the CPC that reads as -**

“11. Rejection of plaint – The plaint shall be rejected in the following cases:

(a) Where it does not disclose a cause of action;

((d) where the suit appears from the statement in the plaint to be barred by any law.”

8. I have repeatedly gone through the entire plaint, but that nowhere discloses the cause of action for the suit. The entire plaint nowhere discloses that

trade mark or patent obtained by the plaintiff has been infringed or any other person has obtained the trade mark on the patent obtained by the plaintiff. If at all, anybody has obtained similar patent, the plaintiff has to file a specific suit against that particular person or the authority that has been issued the patent. Infact, there is no material on record to show that the defendants have refused to entertain the claim of plaintiff. In fact, the plaintiff approached the court without exhausting his rights as contemplated under Section 41 (h) Specific Relief Act.

9. It is also relevant to note that there is no material on record to show that the plaintiff has approached the defendant for issuance of written consent or permission to prosecute the suit in O.S.2487/2021 and the defendant has refused to give any such written consent or permission. When there is no material before the court to show that the plaintiff has approached the defendant for issuance of written permission/ consent to prosecute the

defendants in O.S.No. 2487/2021, certainly this suit is not maintainable.

10. It is well settled principle of law that a cause of action means every fact, which if traversed, it would be necessary for the plaintiff to prove in order to support his right to a judgment of the court. In other words, it is bundle of fact which taken with the law applicable to them gives the plaintiff a right to relief against the defendant. It must include some act done by the defendant. Since in the absence of such an act, no cause of action can possibly accrue. It is not limited to the actual infringement of the right sued on but includes all material facts on which it is founded. It does not comprise evidence necessary to prove such facts but every fact necessary for the plaintiff to prove to enable him to obtain a decree. But, in the case on hand, the plaintiff has not at all made out any case to show that any of the defendants have denied the claim of plaintiff nor the defendants are aware of the claim of plaintiff or the defendants are liable to act upon the claim of plaintiff. In the

absence of any such material before the court, certainly it cannot be accepted that there is any cause of action for the suit.

11. As the entire plaint nowhere discloses the cause of action, certainly this suit cannot be entertained, and plaint is liable to be rejected.

12. Therefore, considered from any angle, this suit in the present form is not maintainable as the plaintiff failed to make out any cause of action for the suit as well as not obtained any written permission from the Central Government, this plaint is liable to be rejected under Order 7 Rule 11 (a) and (d) of CPC. Accordingly, this point is answered in **negative**. In the result, following:

ORDER

➤ The suit is hereby dismissed as not maintainable, and consequently plaint is rejected under Order 7 Rule 11 (a) and (d) of CPC.

* * *

[Dictated to the Judgment Writer directly on computer, *Script* corrected, signed and then pronounced by me, in the Open Court on this the 13th day of October 2022.]

[PADMA PRASAD]
XVIII Additional City Civil Judge.
BANGALORE.

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72 Annexure 15

**IN THE COURT OF THE XVIII ADDITIONAL CITY CIVIL JUDGE
AT BANGALORE CITY**

PRESENT: SRI PADMA PRASAD

**B.A.(Law) LL.B.,
XVIII Additional City Civil Judge.**

Dated this the 13th day of October 2022

ORIGINAL SUIT NO.2486/2021

PLAINTIFF

Srinivas S. Devathi,
Aged 44 years,
S/o Late D. Satyanarayana,
Residing at No.63, 11th 'B' Cross,
3rd Main, Prashanthnagar,
Bangalore-560 079,
INDIA.
Mobile (91)-903-589-4251
E-mail ID:
Srinivas@Coolcartechnology. com.

[By Party in Person]

/ v e r s u s /

DEFENDANTS: 1.

Capgemini US/LIC,
79, fifth Ave, Suite 300, New York,
NY-10003, USA.
Tel: 001-212-314-8000.

Attention: CEO Mr. Aiman Ezzat,
Mr. Paul Hermelin, Mr. Jean -
Philippe Bol, Mr. William (Bill)
Schreiner, and Mr. Roy Stansbury.

2.

HSBC Bank USA.,
452, Fifth Avenue, New York City,
NY-10018, USA
Tel: 001-212-525-5000 or
001-212-525-4955,
Attention: CEO Mr. Michael
Roberts, Ms. Heidi Pote,
Ms. Chrys Anetz, and
Mr. Ken Harvey.

3. Johnson & Johnson USA (Janssen Pharmaceuticals USA)
1125, Trenton - Harbourton Road,
Titusville, NJ-08560, USA.
Tel; 001-908-722-5393
Attention J.&J CEO Mr. Alex
Gorsky, Mr. Joaquin Duato,
Janssen CEO: Mr. Tom Heyman,
Mr. Randy, McDaniels, and
Director Mr. Mike Comprelli.
4. Exxon Mobil Corporation
5959 Las Colinas Blvd Irving
Tx 75039-2298, USA,
Tel -001 (972) 940-6000,
Attention: CEO Mr. Darren Woods.
5. Tesla Motors Inc.,
3500 Deer Creek Rd, Palo Alto,
CA-94304, USA.
Tel-001-(650) 681-5000.
Attention: CEO Mr. Elon Musk.
6. United Nations - International
Court of Justice
Peace Palace,
Carnegieplein 2
2517 KJ The Hague
The Netherlands
Tel: +31 70 302 23 23.
Attention : President Judge
Mr. Peter Tomka,
Registrar Mr. Philippe Gautier, and
entire panel of Judges.
7. Office of the President, Harvard
University, Massachusetts Hall, 1,
Oxford St, Cambridge,
MA 02138, USA.
Tel: 001-617-495-1502.
Attention: Mr. Lawrence S. Bacow.

8. Facebook Inc.,
1601 Willow Rd, Menlo Park,
CA 94025, USA,
Tel: 001-650-308-7300 or
001-650-543-4800.
Attention: CEO Mr. Mark
Zuckerberg.
9. McDonald's Corporation,
110 North Carpenter Street,
Chicago, IL 60607, USA
Tel: 001-800-244-6227
Attention: CEO Mr. Chris
Kempczinski.

ORDERS ON MAINTAINABILITY

The present suit filed by the plaintiff in person for mandatory injunction in the nature of directions to the defendants and also prayed to question and challenge the defendants about the various questions stated in plaint para no.118 to 150 and to direct the defendant no.6 / United Nations – International Court of Justice to pass the orders stated in para no.117(a) to (q).

2. The case made out by the plaintiff namely Srinivas S.Devathi is that, he has invented a technology of Repeatable Vehicle Color Change

Technology in the quarter of the year 2007 in USA and also got the patent in USA from United States patent and trade marks office (USPTO) on 16/12/2014 bearing no.US8,910,998 and also filed 17 applications in various countries etc., and also got patents about his invention. On that basis, the plaintiff claims for issuance of various directions claimed in the suit. The plaintiff in paragraph 117(a) to (q) sought various directions from the International Court of Justice through this Court against the defendants in the suit. Apart from that, the plaintiff in the plaint after para no.117 requested the court to question and challenge the defendants with several questions that has been numbered as paragraph no.118 to 150, and also prayed 19 reliefs in a suit.

The prayer claimed by the plaintiffs is to restrain the defendants from blocking the wealth of 93 trillion earth-links (or dollar) from coming into India through his inventions, restrain the defendants from blocking the economic growth, process and development of India and propriety of Hindus living in India, refrain

the defendants from blocking the visionary goal defined by him for India goal year 2050, blocking the economic growth of India and entertaining the applications filed before the USPTO against his inventions etc.,

The plaintiff filed this suit without disclosing any cause of action and all the defendants are the foreign state authorities. Hence, this court raised the objection regarding the maintainability of the suit in the present form.

Accordingly the court directed the plaintiff to advance the arguments regarding the maintainability of the present suit.

3. On the basis of the above, point for consideration is that - **Whether the suit is maintainable in the present form under law or on facts?**

4. Heard the plaintiff in person on 16/9/2022 and also filed a memo on that day he will drop the suit against defendant no.6 i.e., United Nations International Court of Justice.

5. Perused the pleading / plaint along with materials placed before the court. On that basis, my findings on the above point is in **negative** for the following:

REASONS

6. At the outset, it is relevant to note that the present suit is filed against the defendants who are all foreign authorities. The entire plaint nowhere discloses the cause of action for the suit. Any suit can be filed before the court if there is a cause of action for the suit, and there should not be any bar under law to entertain the suit, otherwise the suit is liable to be dismissed **under Order 7 Rule 11 (a) and (d) of the CPC that reads as -**

"11. Rejection of plaint – The plaint shall be rejected in the following cases:

(a) Where it does not disclose a cause of action;

(d) where the suit appears from the statement in the plaint to be barred by any law."

7. I have repeatedly gone through the plaint that runs for 56 pages from paragraph 1 to 150 along with prayer found in page no. 51 to 55. The entire pleading nowhere discloses the cause of action for the suit. The entire plaint nowhere discloses that trade mark or patent obtained by the plaintiff has been infringed or any other person has obtained the trade mark on the patent obtained by the plaintiff. If at all, anybody has obtained similar patent, the plaintiff has to file a specific suit against that particular person or the authority that has been issued the patent. Infact, there is no material on record to show that the defendants have refused to entertain the claim of plaintiff. In fact, the plaintiff approached the court without exhausting his rights as contemplated under Section 41 (h) Specific Relief Act.

8. It is well settled principle of law that a cause of action means every fact, which if traversed, it would be necessary for the plaintiff to prove in order to support his right to a judgment of the court. In other words, it is bundle of fact which taken with the

law applicable to them gives the plaintiff a right to relief against the defendant. It must include some act done by the defendant. Since in the absence of such an act, no cause of action can possibly accrue. It is not limited to the actual infringement of the right sued on but includes all material facts on which it is founded. It does not comprise evidence necessary to prove such facts but every fact necessary for the plaintiff to prove to enable him to obtain a decree. But, in the case on hand, the plaintiff has not at all made out any case to show that any of the defendants have denied the claim of plaintiff nor the defendants are aware of the claim of plaintiff or the defendants are liable to act upon the claim of plaintiff. In the absence of any such material before the court, certainly it cannot be accepted that there is any cause of action for the suit.

9. As the entire plaint nowhere discloses the cause of action, certainly this suit cannot be entertained, and plaint is liable to be rejected.

10. Apart from that, as the defendants are all foreign authorities or envoys, the plaintiff has to file the suit by following Section 86 of the Civil Procedure Code. Section 86 of the Civil Procedure Code speaks about the suits against foreign Rulers, Ambassadors or Envoys. **Section 86 (1) and (2) reads as under:**

"86. Suits against foreign Rulers, Ambassadors and Envoys- (1) No [****] foreign State may be sued in any Court otherwise competent to try the suit except with the consent of the Central Government certified in writing by a Secretary to that Government:

Provided that a person may, as a tenant of immovable property, sue without such consent as aforesaid [a foreign State] from whom he holds or claims to hold the property.

(2) Such consent may be given with respect to a specified suit or to several specified suits or with respect to all suits of any specified class or classes, and may specify, in the case of any suit or class of suits, the Court in which [the foreign State] may be sued, but it shall not be given, unless it appears to the Central Government that [the foreign State]-

(a) has instituted a suit in the Court against the person desiring to sue [it], or

(b) by [itself] or another, trades within the local limits of the jurisdiction of the Court; or

(c) is in possession of immovable property situated within those limits and is to be sued with reference to such property or for money charged thereon, or

(d) has expressly or impliedly waived the privilege accorded to [it] by this section.”

11. As per Section 86, the suits against foreign Rulers, Ambassadors and Envoys, no one can sue without the express consent of the Central Government certified in writing by a Secretary to the Government. In the case on hand, the plaintiff has not produced any material before the court to show that he has obtained any such written permission from the Central Government to initiate the suits against defendant no.1 to 9 in the suit. As the plaintiff has failed to obtain any person from the Central Government to initiate the suit, certainly this suit is barred by law. Therefore, considered from any angle,

this suit in the present form is not maintainable as the plaintiff failed to make out any cause of action for the suit as well as not obtained any written permission from the Central Government, this plaint is liable to be rejected under Order 7 Rule 11 (a) and (d) of CPC. Accordingly, this point is answered in **negative**. In the result, following:

ORDER

- 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 under Order 7 Rule 11 (a) and (d) of CPC.

* * *

[Dictated to the Judgment Writer directly on computer, *Script* corrected, signed and then pronounced by me, in the Open Court on this the 13th day of October 2022.]

[PADMA PRASAD]
XVIII Additional City Civil Judge.
BANGALORE.

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Annexure 2b

**IN THE COURT OF THE XVIII ADDITIONAL CITY CIVIL JUDGE
AT BANGALORE CITY**

PRESENT: SRI PADMA PRASAD

**B.A.(Law) LL.B.,
XVIII Additional City Civil Judge.**

Dated this the 13th day of October 2022

ORIGINAL SUIT 2487/2021

PLAINTIFF

Srinivas S. Devathi,
Aged 44 years,
S/o Late D. Satyanarayana,
Residing at No.63, 11th 'B' Cross,
3rd Main, Prashanthnagar,
Bangalore-560 079,
INDIA.
Mobile (91)-903-589-4251
E-mail ID:
Srinivas@Coolcartechnology. com.

[By Party in Person]

/v e r s u s/

DEFENDANTS: 1.

Office of general council,
United States Patent & Trademark
Office, Madison Building East,
Room 10B20, 600, Dulany St,
Alexandria, VA22314, USA.
Ph:001-571-272-7000 or (general
line 001-581-272-1000).
Represented by Mr. Drew
Hirshfeld, Director of USPTO.

2.

Hulsey P.C. (Law firm)
3300, North I-35, Suite 700,
Austin, TX-78705, USA
Ph.No. 001-512-478-9190
Represented by Mr. Bill Hulsey,
Senior Counsel at Hulsey PC.

3. World Intellectual Property Organization (WIPO)
International Bureau,
34, chemin des Colombettes
CH-1211 Geneva 20, Switzerland
Tel:+41 22 338 8338 or +41 22 338 9111.

Represented by Mr. Daren Tang,
Director General at WIPO.

4. Office of the Controller General of Patents, Designs and Trade Marks,
Intellectual Property India,
Boudhik Sampada Bhavan,
Antop Hill, S.M.Road,
Mumbai-400037
Tel:+ 022-24132735 or 022-24141026.

Represented by Mr. O.P.Gupta,
Controller General of Patents,
Designs & Trade Marks.

ORDERS ON MAINTAINABILITY

The present suit filed by the plaintiff in person for mandatory injunction to revoke the fabricated prior art patents as claimed in the plaint.

2. The case made out by the plaintiff namely Srinivas S.Devathi is that, he has invented a technology of Repeatable Vehicle Color Change Technology in the quarter of the year 2007 in USA

and also got the patent in USA from United States patent and trade marks office (USPTO) on 16/12/2014 bearing no.US8,910,998 and also filed 17 applications in various countries etc., and also got patents about his invention. On that basis, the plaintiff claims for the reliefs claimed in the suit. The plaintiff also claimed that there is a fraud etc., and claimed that there is some fabrication. Further, he states that his invention brings lots of income to the Indian Government etc.,

The prayer claimed by the plaintiff is to revoke and withdraw prior art patent price etc., as claimed in the plaint. The plaintiff filed this suit without disclosing any cause of action and the defendants 1 to 3 are the foreign state authorities and defendant no.4 is the Office of the Controller General of Patents, Designs and Trade marks, Intellectual property, India. Hence, this court raised the objection regarding the maintainability of the suit in the present form.

Accordingly the court directed the plaintiff to advance the arguments regarding the maintainability of the present suit.

3. On the basis of the above, point for consideration is that - **Whether the suit is maintainable in the present form under law or on facts?**

4. Heard the plaintiff in person.

5. Perused the pleading / plaint along with materials placed before the court. On that basis, my findings on the above point is in **negative** for the following:

REASONS

6. At the outset, it is relevant to note that the present suit is filed against the defendants 1 to 3 who are all foreign authorities. The entire plaint nowhere discloses the cause of action for the suit. Any suit can be filed before the court if there is a cause of action for the suit, and there should not be any bar under law to entertain the suit, otherwise the suit is liable to be

dismissed under Order 7 Rule 11 (a) and (d) of the CPC that reads as -

“11. **Rejection of plaint** – The plaint shall be rejected in the following cases:

(a) Where it does not disclose a cause of action;

(d) where the suit appears from the statement in the plaint to be barred by any law.”

7. I have repeatedly gone through the plaint that runs for 44 pages from paragraph 1 to 93 along with prayer found in page no. 42. The entire pleading nowhere discloses the cause of action for the suit. The entire plaint nowhere discloses that trade mark or patent obtained by the plaintiff has been infringed or any other person has obtained the trade mark on the patent obtained by the plaintiff. If at all, anybody has obtained similar patent, the plaintiff has to file a specific suit against that particular person or the authority that has been issued the patent. Infact, there is no material on record to show that the defendants have refused to entertain the claim of

plaintiff. In fact, the plaintiff approached the court without exhausting his rights as contemplated under Section 41 (h) of Specific Relief Act.

8: It is well settled principle of law that a cause of action means every fact, which if traversed, it would be necessary for the plaintiff to prove in order to support his right to a judgment of the court. In other words, it is bundle of fact which taken with the law applicable to them gives the plaintiff a right to relief against the defendant. It must include some act done by the defendant. Since in the absence of such an act, no cause of action can possibly accrue. It is not limited to the actual infringement of the right sued on but includes all material facts on which it is founded. It does not comprise evidence necessary to prove such facts but every fact necessary for the plaintiff to prove to enable him to obtain a decree. But, in the case on hand, the plaintiff has not at all made out any case to show that any of the defendants have denied the claim of plaintiff nor the defendants are aware of the claim of plaintiff or the defendants

are liable to act upon the claim of plaintiff. In the absence of any such material before the court, certainly it cannot be accepted that there is any cause of action for the suit.

9. As the entire plaint nowhere discloses the cause of action, certainly this suit cannot be entertained, and plaint is liable to be rejected.

10. Apart from that, as the defendants 1 to 3 are foreign authorities or envoys, the plaintiff has to file the suit by following Section 86 of the Civil Procedure Code. Section 86 of the Civil Procedure Code speaks about the suits against foreign Rulers, Ambassadors or Envoys. **Section 86 (1) and (2) reads as under:**

"86. Suits against foreign Rulers, Ambassadors and Envoys- (1) No foreign State may be sued in any Court otherwise competent to try the suit except with the consent of the Central Government certified in writing by a Secretary to that Government:

Provided that a person may, as a tenant of immovable property, sue without such consent as aforesaid [a foreign State] from whom he holds or claims to hold the property.

(2) Such consent may be given with respect to a specified suit or to several specified suits or with respect to all suits of any specified class or classes, and may specify, in the case of any suit or class of suits, the Court in which [the foreign State] may be sued, but it shall not be given, unless it appears to the Central Government that [the foreign State]-

(a) has instituted a suit in the Court against the person desiring to sue [it], or

(b) by [itself] or another, trades within the local limits of the jurisdiction of the Court; or

(c) is in possession of immovable property situated within those limits and is to be sued with reference to such property or for money charged thereon, or

(d) has expressly or impliedly waived the privilege accorded to [it] by this section.”

11. As per Section 86, the suits against foreign Rulers, Ambassadors and Envoys, no one can sue

without the express consent of the Central Government certified in writing by a Secretary to the Government. In the case on hand, the plaintiff has not produced any material before the court to show that he has obtained any such written permission from the Central Government to initiate the suits against defendant no.1 to 9 in the suit. As the defendant has failed to obtain any express consent/ permission from the Central Government to initiate the suit, certainly this suit is barred by law.

12. The defendant no.4 is the Office of Indian Government. Hence, notice under Section 80 CPC to the defendant no.4 is mandatory prior to institution of the suit against defendant no.4. The plaintiff has not caused any such notice to defendant no.4 prior to the filing of the suit. Therefore, considered from any angle, this suit in the present form is not maintainable as the plaintiff failed to make out any cause of action for the suit as well as not obtained any written permission from the Central Government, this plaint is liable to be rejected under Order 7 Rule 11 (a)

and (d) of CPC. Accordingly, this point is answered in **negative**. In the result, following:

ORDER

- 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 under Order 7 Rule 11 (a) and (d) of CPC.

* * *

[Dictated to the Judgment Writer directly on computer, *Script* corrected, signed and then pronounced by me, in the Open Court on this the 13th day of October 2022.]

[PADMA PRASAD]
XVIII Additional City Civil Judge.
BANGALORE.

True copy
M. S. Srinivasan

IN THE COURT OF XVIII ADDL.CITY CIVIL JUDGE,
AT BENGALURU CITY [CCH.NO.10]

Dated this day the 28th May 2020

PRESENT

Smt.M.PANCHAKSHARI, M.Com., LL.B.
XVIII Addl.City Civil Judge.

O.S.No.4961/2018

Plaintiff

Srinivas Devathi
S/o Late D.Satyanarayana,
Aged about 41 years,
R/at No.63, 11th B Cross,
3rd Main, Prashanthnagar,
Bangalore - 79.
[IN PERSON]

/VS/

Defendants:

1. Janssen Pharmaceuticals, Inc
A Johnson & Johnson Company
1125, Trenton- Harbourton Road,
Tirusville, NJ-08560, USA.
Reptd. by its J & J CEO,
Mr. Alex Gorsky, Mr. Joaquin Duato
Janssen CEO: Mr. Tom Heyman &
Director Mr. Mike Comprelli

2. HSBC Bank, USA (Formerly
Household)

452, Fifth Avenue, New York City,
NY- 10018, USA,
Reptd. By its USA CEO: Mr.Patric
Burke Director Ms. Heidi Pote

3. Capgemini US LLC (Formerly
Kanbay)
79, fifth Ave, Suite 300, New York,
NY-10003, USA
Reptd. By its CEO : Mr.Paul
Kermelin,
Mr.Thiery Delaporte, Mr. Aiman Ezzat
And Mr. William (Bill) Schreiner.

4. Hulsey Hunt & Parks P.C.
919, Congress Ave, Suite 919,
Austin, TX - 78701, USA
Reptd by rMr. Bill Hulsey

[By Sri.A.C., Adv., for D1,
Sri.SRS., Adv., for D3. D2 & 4 are
Exparte]

ORDERS ON I.A.NO.3 & 4

I.A.No.3 filed under order 7 rule 11 r/w Sec.17 to
21 & 151 of CPC on behalf of the defendant No.1 for
rejection of plaint.

2. The above application is enclosed with affidavit
of authorised signatory & Assistant Secretary of
defendant No.1 wherein it is contended that it is a

company well known pharmaceutical company engaged into pharmaceutical business of research, manufacture and marketing medicines as well as medical services and support that contribute to healthy outcome of vast populations. They also focus on research and development for the most devastating diseases such as Cardiovascular disease and problems pertaining to metabolism, immunology, infectious diseases and vaccines, neuroscience, oncology and pulmonary hypertension. They are not connected to any kind of automobile manufacturing or colour changing/ painting industry. They are in the business of "Life Saving Drugs" in the sector of "Life Sciences"/ "Pharmaceuticals Industry" and has obtained requisite approvals from the statutory authorities in the respective countries for the research, manufacture and marketing of the same. It is further contended that in the present suit plaintiff has not established any overlap in the business of plaintiff and 1st defendant, which are in two different fields namely plaintiff's vehicle colour change technology and 1st defendant company is Pharmaceuticals and life science. There is no similarity or any overlap with respect to the patent or also technology. Plaintiff has

failed to establish the nexus or reason or cause of action as to how 1st defendant has distressed the plaintiff's alleged patent. It is further contended that the specific relief sought by the plaintiff only against the United States Patent and Trademark Office(USPTO) which is an Authority granting trademarks and patents under the government and under the laws of the USA. Plaintiff failed to array USPTO as a necessary and proper party as required under law. Plaintiff has not pleaded on single concrete statement about the grievance suffered by him in personam or in rem due to the actions of 1st defendant. It is further contended that plaintiff has not disclosed any particulars such as cause of action and the details thereof, jurisdiction, limitation, statement of value of the subject matter. This court has no jurisdiction to grant the prayers as prayed by the plaintiff. On the above grounds prayed to allow the application.

3. I.A.No.4 filed under order 7 rule 11 of CPC on behalf of the defendant No.3 to reject the plaint filed in the suit.

4. The above application is enclosed with the affidavit of power of attorney of 3rd defendant wherein it

is contended that plaintiff does not disclose any cause of action against them nor this court have jurisdiction to entertain and try the suit. The subject matter of the alleged dispute / alleged cause of action falls within the jurisdiction of a foreign court and the relief claimed in the plaint are against a foreign government adjudicating authority and not against the defendants. It is further contended that the National Patent Application and the said PCT application have been applied by the plaintiff independently in his name and is processed by USPTO which is an independent adjudicating authority for grant of Patent in US. When the said applications were made, plaintiff was not within the employment of defendant No.3 and 3rd defendant was never connected to the subject patent application. There is nothing in the plaint which shows the role of 3rd defendant in the alleged dispute in relation to the alleged invention / patent. Entire proceeding is nothing but an abuse of process of law and the plaintiff has initiated the same to extort money and to cause harassment/ injury/ harm to them. None of the statements in the plaint are substantiated with any evidence to even remotely attribute the role of 3rd defendant in the subject matter in dispute. There is

no cause of action against them. Suit is manifestly vexatious and does not disclose or bring out a clear right to sue the defendants within the jurisdiction of this court. The relief claimed in the plaint are against USPTO and not against the defendants. The nature of the suit is such that neither the reliefs claimed in the suit can be granted by this court nor the defendants in the suit can be directed by the court in any way to redress the alleged claims by the plaintiff. Defendant no.3 carries on business in USA, no cause of action or part of cause of action arose within the jurisdiction of this court, and the relief claimed in the plaint cannot be granted. There is no credible evidence to even remotely attribute the role of 3rd defendant in the subject matter of dispute and suit is premised on false, baseless and conflicting / contradictory statements of facts. On the above grounds prays for dismissal of the suit.

5. Plaintiff has filed objection to the applications and contended that plaintiff was employed by 3rd defendant and 1st defendant were his clients from November 2006 until Jan.2010. Plaintiff worked at their NJ, USA offices physically during that time. He worked

out of Ortho biotech office facility and mostly from Janssen Pharmaceuticals USA facility in Titusville, NJ, USA. Later he had enough of their planned attacks and targetting and finally decided to quit his employment with 3rd defendant. He had invented 'Vehicle color change technology' upon the purchase of his 3rd used silver car. He made a note of this invention in the laptop issued by 3rd defendant in an excel sheet and did not realise that they were routinely scanned and subjected to automatic back-ups into 3rd defendant services. The 1st defendant and its parent company have relationship with USPTO since 1886. They have regular day to day discussions, ongoing conversations with USPTO director and their critical role in collusion of defendants. Defendant No.2 & 3 do not have regular daily business or interactions with USPTO. They do not file for patent applications. While 3rd defendant was plaintiff's employer during the stay in USA, 2nd defendant was the financial muscle to fund the collusion and their activities in the fraud. It is further contended that the fraud committed impacts 61 Non-USA country IP rights including India. Further contended that India's economy and total of 61 other (non-USA) countries economies are linked to the

fabulous invention of the plaintiff. Defendants have blocked all 61 countries from progressing, developing, energizing their economies, business and corporate worlds. It is further contended that he is an Indian Citizen, born and raised in Bangalore, his inventions / intellectual property as per Patent co-operation treaty (signed by India) is very much enforceable in all PCT Nations of the world. On these and grounds prays for dismissal of the application.

6. The points that arise for my consideration are as follows:

(1) Whether the defendant No.1 & 3 prove that the plaint is liable to be rejected as prayed?

(2) What order?

7. My answer to the above points are as follows:

Point No.1 : In the affirmative

Point No.2 : As per final order,

For the following:

REASONS

8. Point No.1 :- Plaintiff being party in person having filed this suit had sought the relief to remove the

sabotaging ISR from his PCT application and issue a correct ISR and communicate the same to WIPO and all designated states(PTOs), to provide the inventor with the invention enforceability rights as per Patent operation Treaty across all PCT countries, so that he could earn royalty and to issue a grant on USPTO patent application No.14/535,867.

9. These applications having filed by defendants 1 & 3, 1st defendant being a pharmaceutical situated at USA had prayed for rejection of the plaint on the ground that there is no claim against it and also suit does not disclose any cause of action in the plaint and no relief is sought against it. It is also contended that only relief claimed by the plaintiff are against USPTO who are not arrayed as proper and necessary parties in the suit. There being no absolute and specific relief against 1st defendant, they have sought for the rejection of the plaint.

10. On the other hand, defendant no.3 having also sought for the rejection of the plaint with exemplary cost on the very same ground that it does not disclose any

cause of action against 3rd defendant and parties does not come within the jurisdiction of this court.

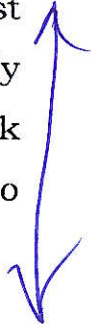
11. Plaintiff claims himself to be the inventor of "Vehicle Surface Color Change Technology". Plaintiff also claims that 1st defendant was inventor's client (while being employed with defendant No.3) from January 2006 to January 2010. So plaintiff who claims himself to be inventor is said to have worked on site at 1st Defendant's office in NJ USA. He also claims that he had worked at 2nd defendant's office from October 2000 to June 2006. He also contended that 3rd defendant was his employer from October 2000 to January 2010. Defendant No.4 is IP Law firm who facilitates for filing global application before whom he claims that he had filed an application for his invention to "Vehicle surface color change technology". It is also his contention that this technology is extremely transformative concept/ technology to the world and it would attract large amount of wealth as royalty from across the globe.

12. It is the contention of the plaintiff that defendants 1 to 3 had previously targeted him when he invented

another concept called "Hands Free Shopping R in the year 2004. They have targetted and blocked him from launching this business in USA. He also claim that in the year 2007 when he invented "Vehicle Surface Color Change Technology" they continued to target his IP filing relating to his technology. Defendant No.1 to 4 came together and decided to sabotage and destroy the prospects of Inventor's IP rights across the PCT Countries. He also contended that this is due to hatred towards Indian Citizen living in India and not to allow them to become rich and earn royalty from across the world. Defendants 1 to 3 instructed USPTO to issue a patent grant on the inventions as it truly desired patent right. Now defendants 1 to 3 along with defendant No.4 had managed not to deliver sabotaging ISR (International Search Report) on time. This is on account of their malicious intention. So main contention of the plaintiff is that on account of the act of defendants they have potentially stolen trillions of dollars from the inventors plaintiff or reduced his prospectus of procuring patent on his inventions in 155 plus other PCT countries in the world. So on the above grounds he claims to issue grant of USPTO his patent application 14/535,867 and also to

provide him enforcibility right as per patent operation treaty across all PTC countries so that he could earn royalty,

13. If the contention of the 1st defendant is taken into consideration whereby it is pharmaceutical company said to have been engaged in to pharmaceutical business of research, manufacture and marketing medicines as well as medical services and support that contribute to healthy outcome of vast populations. It is also contended that plaintiff had failed to establish nexus or reason or cause of action as how 1st defendant company has distressed plaintiff's alleged patent. There is no material facts pleaded by the plaintiff to claim any relief against the 1st defendant company. The relief claimed is only against USPTO which is an authority granting trademark and patent under laws of USA. But plaintiff had failed to make USPTO as necessary and proper party in the suit.



14. On the other hand, defendant No.3 had also taken the contention that the plaint does not disclose the cause of action against it and this court has no jurisdiction to entertain the suit. The subject matter as allegedly filed within the jurisdiction of foreign country

and relief claimed is against a foreign government adjudicating authority and not against defendants. It had also contended that National Patent Application and PTC application have been applied by the plaintiff independently in his name and it is processed by USPTO which is an independent adjudicating authority for grant of patent in USA. That application were made by plaintiff when he was not within the employment of 3rd defendant and 3rd defendant was never communicated to the subject patent application. USPTO has its own set of examiners who are qualified in the respective field of invention who thoroughly examine an application and issue an ISR. Further 3rd defendant also contended that if plaintiff is aggrieved by ISR he has option to amend his claims, provide his written submissions and contest his claims before the Patent Office of the designated country for grant of Patent in relation to its PCT application. The subject matter of dispute alleged by the plaintiff being sabotaging ISR by USPTO is located in USA and it is an independent government adjudicating authority in USA. So the relief claimed by the plaintiff against USPTO and not against the defendants.

15. Taking into consideration the plaint averments and also affidavit contents of the plaintiff as his reply to the IA.NO.3 & 4 filed on behalf of the defendants 1 & 3 respectively, it clearly makes out claim of the plaintiff is against USPTO. In para 27 of the plaint, plaintiff had also stated that he is open for arbitration proceedings related to this matter, however insists that such an arbitration only be held within India. He claims to be inventor of Vehicle Surface Color Change Technology. His main contention is that this would earn trillions of dollar to India and on account of manipulation between the defendants 1 to 3 with defendant No.4, defendant No.4 did not communicate issue of ISR to the plaintiff. Defendants 1 to 4 are different companies. As contended by the defendant No.3 that it is rightly impossible to assume that 3rd defendant can issue order or direct to manipulate something which is subject matter of the adjudication before an independent Government Authority. As rightly contended by the 3rd defendant in the PTC process if plaintiff is aggrieved by ISR he always has an option to amend his claim and contest his claim before patent office of designated country for grant of patent in relation to his PTC application. If the relief

claim by the plaintiff is taken into consideration they are nothing to do with the alleged relief. It is only the concerned authority which has to look into the issue of grant of patent. If at all plaintiff substantiates his contention, no such relief as sought be granted against the defendants, as they cannot execute the relief as sought. The main relief sought by the plaintiff is to issue a grant on USPTO patent application No.14/535,867 and this USPTO is not a party in this suit.

16. Here in the present case, there is neither any contract based action, fraud, or any such act which can be put into action against the defendants herein. The fact pleaded by the plaintiff must disclose the cause of action to seek relief against the defendants. In this suit, plaintiff does not disclose any cause of action against the defendants 1 to 4 herein. Defendant No.2 & 4 are placed exparte. It is the contention of plaintiff that on account of malicious intention of the defendants he could not get his patent right. The documents referred by the plaintiff is dtd.4.11.2014 and ISR had two months deadline to respond back to USPTO which was not communicated to the plaintiff and it was delivered to him after he asked for

it several months later. He lost two months window to respond back to USPTO on the sabotaging ISR due to delay by defendant No.4. plaintiff himself has pleaded that he is however filing amendment in each PTO to ensure grant to procure at each National Stage Level. So his anticipation is that if a rejection is met within any national territory, the defendants become responsible and liable for the losses incurred by him and India. The remedy is much available for the plaintiff before appropriate authority ie., USPTO and put forward his claim before the Patent Office of the designated country for the grant of Patent in relation to his PTC application. In the circumstances, it is very much clear that plaintiff had failed to make out cause of action against the defendants in connection to the relief claimed. Hence I hold the above point in the affirmative.

17. **Point No.2** : In the result I proceed to pass the following:

ORDER

I.A.No.3 filed under order 7 rule 11 r/w Sec.17 to 21 & 151 of CPC on behalf of the defendant No.1 and I.A.No.4 filed under order

7 rule 11 of CPC on behalf of the defendant
No.3 are hereby allowed.

Plaint is hereby rejected.

[Dictated to the Judgment writer, computerised, and print out
taken by him, corrected and then pronounced by me through
video conference on this day the 28th May 2020].

(M.PANCHAKSHARI)
XVIII Addl.City Civil Judge,
Bengaluru.

*True copy
M. Panchakshari*

9244374
25/6/2020

110

Annexure 18

Plf
Srinivas

Order Sheet

In the Court of PRL. CITY CIVIL AND SESSIONS JUDGE, Bengaluru

FR No: O.S./2612/2020

Registration No: O.S./2613/2020

O.S. NO 2613/2020

Plaintiff

Vs

Defendent

1) SRINIVAS DEVATHI

1) OFFICE OF GENERAL COUNCIL UNITED STATES PATENT AND TRADEMARK OFFICE

2) HULSEY P C

Nature of Case:

INTELLECTUAL PROPERTY RIGHTS

Provision of Law:

U/o VII Rule 1 and 2 of CPC ,

Advocate for Plaintiff Sri/Smt:

PARTY IN PERSON

Date of Filing:

16-06-2020

Date of Registration:

16-06-2020

Relief:

PRAYS TO PASS A DECLARATORY JUDGEMENT IN FAVOR OF THE INVENTOR AGAINST THE DEFENDANTS AND FURTHER ORDER THE DEFENDANT D1-USPTO TO WITHDRAW AND DELETE THE FABRICATED ISR ISSUED ON THE PCT APPLICATION PCT/US2014/046619

Date of Cause of action:

Receipt No.	Purpose and Mode	Bank Name	Amount
1370/2020-2021 16-06-2020	Court Fee on Plaint Cash		100.00
1370/2020-2021 16-06-2020	Process Fee Cash		20.00

CAO/CMO

Registered and made over this case to CCH-
Court for disposal according to law.

10

16/6

Pri City Civil & Sessions Judge
Bengaluru

18/06/2020

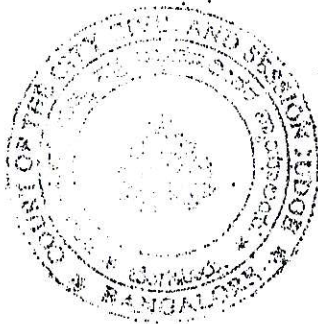
P. Party in person

Party in person
is present.

To hear on maintenance
suit by

23/6 4/F

18/6





23/06/2020
P - Party in person
- for Hg.

Party in person
is present and
heard.

ORDER ON MAINTAINABILITY OF THE SUIT:

Heard plaintiff, who is Party in person on the maintainability of the present suit.

On perusal of the entire plaint and documents, it discloses that the plaintiff had approached Defendant No.2 Law firm M/s Hulsey Calhoun, Texas in connection with his invention of vehicular colour change technology and the Defendant No.2 had issued a report dated 25.02.2014 stating that his invention is still available for registration and the report had disclosed only 7 citations of Prior Art Search. Subsequently, he has applied for Patent before the 1st Defendant USPTO through 2nd Defendant on 27th March 2014 (USA National Stage Application) was filed with USPTO. ^{Priority} N/2316

That on 05.08.2015 to his shock and surprise, he received an email from 2nd defendant. In the said email the report showed Cobb Patent No. US7516764B1 dated 04.04.2009 Price Patent No563669 dated 10.06.1997, which did not contain in the search result of the Defendant No.2 dated 25.02.2014.

Plaintiff contends that the Defendant No.1 and 2 colluded together to get the Patent No. US7516764B1 dated 04.04.2009 Price Patent No563669 dated 10.06.1997 to discard the legitimate claim of the Plaintiff.

The following provisions are relevant to decide the maintainability of the present suit before this court.



2316

Section 104 of Patent Act Act,1970 provides as follows:

Jurisdiction:

"No suit for a declaration under Section 105 or for any relief under Section 106 or for infringement of a patent shall be instituted in any court inferior to a District Court having jurisdiction to try the suit"

Section 20 of Civil Procedure Code Provides as follows:

Other suits to be instituted where defendants reside or Cause of Action arises. — Subject to the limitations aforesaid, every suit shall be instituted in a Court within the local limits of whose jurisdiction —

(a) the defendant, or each of the defendants where there are more than one, at the time of the commencement of the suit, actually and voluntarily resides, or carries on business, or personally works for gain; or

(b) any of the defendants, where there are more than one, at the time of the commencement of the suit, actually and voluntarily resides, or carries on business, or personally works for gain, provided that in such case either the leave of the Court is given, or the defendants who do not reside, or carry on business, or personally works for gain, as aforesaid, acquiesce in such institution; or

(c) The cause of action, wholly or in part, arises.

[Explanation].—A corporation shall be deemed to carry on business at its sole or principal office in [India] or, in respect of any cause of action arising at any place where it has also a subordinate office, at such place.

On perusal of the entire plaint averments and documents, it shows that his grievance is with respect to the act of Defendant No.1 and Defendant No.2 who are situated in the United States of America and they are not within the jurisdiction of this court and the



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J 2216

(4)

cause of action has also not arose within the jurisdiction of this court.

The suit is also not one for Declaration under Sec.105 or any relief under sec.106 or for infringement of patent as contained in section 104 of Patents Act 1970.

Though Cause of Action and applicability of law are different, the present suit is not maintainable for want of Cause of Action and for non-applicability Indian Law. Every process of Court has got legal sanctity. Summons cannot be blindly issued just because some suit is filed. The court cannot simply assume jurisdiction in this case and proceed. The same would amounts to coram-non-judice. I also rely on the Hon'ble Apex Court three bench decision in Auto Engineering Works vs. Bansal Trading Company & others reported in 2001 (10) SCC 630, wherein it was held that once the court finds that there is no territorial jurisdiction, the court is bound to return the plaint.

As it can be perused, United States Patent and Trademark Office is a Government Branch of United States and there is a bar contained under Sec.86 of Civil Procedure Code that "No foreign state may be sued in any court otherwise competent to try the suit except with the consent of the Central Government certified in writing by a secretary to that Government". Therefore, it would be proper to return the plaint to present it before the Jurisdictional Foreign Court if the foreign law permits. Hence, the following:

ORDER

Office is directed to return the plaint to present it before the proper forum/court.

8/23/20

XVIII Addl. City Civil & Sessions Judge, Bengaluru.

True copy
Mujumdar



D/H
25/2

(9/2)

CR 17922/2021
18/2/2021

114

Amn... 19 S.S.D
Party in person

Order Sheet

In the Court of PRL. CITY CIVIL AND SESSIONS JUDGE

FR No. : O.S./440/2021

Registration No. : O.S./532/2021

Plaintiff Vs Defendant

O.S. 532/2021

1) SRINIVAS S DEVATHI

1) OFFICE OF GENERAL COUNCIL, UNITED STATES PATENT AND TRADEMARK OFFICE

2) HULSEY P C

Nature of Case :

INTELLECTUAL PROPERTY RIGHTS

Provision of Law :

U/o VII Rule 1 and 2 of CPC,

Advocate for Plaintiff Sri./Smt. :

PARTY IN PERSON.

Date of Filing :

20-01-2021.

Date of Registration :

20-01-2021

Relief :

PRAYS TO PASS DECLARATORY JUDGMENT IN FAVOUR OF ME AGAINST THE DEFENDANTS AND FURTHER ORDER THE DEFENDANT 1-USPTO TO WITHDRAW AND DELETE THE FABRICATED PRIOR ART (COBB, PRICE, SAENGER, AND HALE) AND GO ON TO WITHDRAW AND DELETE THE FABRICATED ISR ISSUED ON THE PCT APPLICATION NUMBER PCT/US2014/046619 WITH A FABRICATED DATE AND AS PRAYED IN THE PLAINT.

Date of Cause of action :

Receipt No.

Purpose and

Bank Name

Amount

Date

Mode

25888/2020-2021

Court Fee on Plaintiff

100.00

20-01-2021

Cash

CAO/CMO

Registered and made over this case to disposal according to law.

10 court for

PRL. CITY CIVIL AND SESSIONS JUDGE
BENGALURU

21/01/2021

P- Party In person

party on person's presence.

To hear on maintenance

of suit by



12/2

12/11

(2)

OS-532/2021

12/02/2021

P- Party in Person

- To hear on maintainability

Heard the pt on
maintainability of
the suit.

For orders by

15/2

J

12/2

15/02/2021

P- Party in person

- For orders on
maintainability

For orders by

17/2

J

12/2

17/02/2021

P- Party in Person

- For orders



(3)

OS.No.532/2021

ORDER ON MAINTAINABILITY OF THE SUIT:

Heard plaintiff on the maintainability of the present suit. The present suit is filed for declaration seeking the further order directing the defendant No.1 USPTO, USA, to withdraw and delete the fabricated prior art (Cobb, Price, Saenger and Hale) and go on to withdraw and delete the fabricated ISR issued on the PCT application No.PCT/US-2014/046619 with a fabricated date and direct the defendant No.1 to issue a correct, new, clean ISR, to the PCT application No.PCT/US-2014/046619; which is consistent with the patent grant US 8, 910, 998. that would be correct ISR to the replica PCT Application No.PCT/US-2014/046619 and direct the defendant No.1 to send out correction communication to WIPO and all other 153 PCT contracting states in the world; to their respective PTOs, issuing the corrected new ISR replacing the fabricated the ISR; further to order defendant No.1 to issue grant on his continuation patent application in USA, application No.14/535, 867 and the present suit is valued for Rs.1,000/- and court fee of Rs.100/- is paid u/s.26(c) of KCF & SV Act. It is also mentioned in the valuation slip that his invention is valued at 93 trillion dollars.

On perusal of the entire plaint and documents, it discloses that the plaintiff had approached Defendant No.2 Law firm M/s Hulsey Calhoun, Texas in connection with his invention of vehicular colour change technology and the Defendant No.2 had issued a report dated 25.02.2014 stating that his invention is still available for registration and the report had disclosed only 7 citations of Prior Art Search. Subsequently, he has applied for Patent before the



(4)

OS-5322021

1st Defendant USPTO through 2nd Defendant on 27th March 2014 (USA National Priority Application) was filed with USPTO:

That on 05.08.2015 to his shock and surprise, he received an email from 2nd defendant. In the said email the report showed Cobb Patent No. US7516764B1 dated 04.04.2009 Price Patent No.563669 dated 10.06.1997, which did not contain in the search result of the Defendant No.2 dated 25.02.2014.

Plaintiff contends that the Defendant No.1 and 2 colluded together to get the Patent No. US7516764B1 dated 04.04.2009 Price Patent No.563669 dated 10.06.1997 to discard the legitimate claim of the Plaintiff.

In order to decide the maintainability of the present suit, it is relevant to refer to the following provisions of law.

Section 104 of Patent Act Act, 1970 provides as follows:

Jurisdiction:

"No suit for a declaration under Section 105 or for any relief under Section 106 or for infringement of a patent shall be instituted in any court inferior to a District Court having jurisdiction to try the suit"

Section 20 of Civil Procedure Code Provides as follows:

Other suits to be instituted where defendants reside or Cause of Action arises. — Subject to the limitations aforesaid, every suit shall be instituted in a Court within the local limits of whose jurisdiction —

- (a) the defendant, or each of the defendants where there are more than one, at the time of the commencement of the suit, actually and voluntarily resides, or carries on business, or personally works



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for gain; or

(b) any of the defendants, where there are more than one, at the time of the commencement of the suit, actually and voluntarily resides, or carries on business, or personally works for gain, provided that in such case either the leave of the Court is given, or the defendants who do not reside, or carry on business, or personally works for gain, as aforesaid, acquiesce in such institution; or

(c) The cause of action, wholly or in part, arises.

[Explanation].—A corporation shall be deemed to carry on business at its sole or principal office in [India] or, in respect of any cause of action arising at any place where it has also a subordinate office, at such place.

On perusal of the entire plaint averments and documents, it shows that his grievance is with respect to the act of Defendant No.1 and Defendant No.2 who are situated in the United States of America and they are not within the jurisdiction of this court and the cause of action has also not arose within the jurisdiction of this court.

Though the plaintiff has argued that he is citizen of India and India has signed a Patent Cooperation treaty on 7.12.1998, therefore, the plaintiff being a citizenship of India can maintain a suit against the defendants before this court, the plaintiff has not filed any materials to show that he can file a suit with respect to his grievance alleged against the defendants in India. The entire plaint does not disclose the cause of action that arose in India. Even the suit is not one for Declaration under Sec.105 or any relief under sec.106 or for infringement of patent as contained in section 104 of Patents Act 1970.

Though Cause of, Action and applicability of law are different, the present suit is not



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maintainable for want of Cause of Action and for non-applicability Indian Law. Every process of Court has got legal sanctity. Summons cannot be blindly issued just because some suit is filed. The court cannot simply assume jurisdiction in this case and proceed further. The same would amount to coram-non-judice. I also rely on the Hon'ble Apex Court three bench decision in Auto Engineering Works vs. Bansal Trading Company & others reported in 2001 (10) SCC 630, wherein it was held that once the court finds that there is no territorial jurisdiction, the court is bound to return the plaint.

As it can be perused, United States Patent and Trademark Office is a Government Branch of United States and there is a bar contained under Sec.86 of Civil Procedure Code that "No foreign state may be sued in any court otherwise competent to try the suit except with the consent of the Central Government certified in writing by a secretary to that Government". Therefore, it would be proper to return the plaint to present it before the Jurisdictional Foreign Court if the foreign law permits. Hence, the following:

ORDER

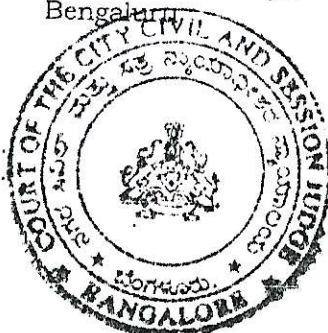
Office is directed to return the plaint to present it before the proper forum/court.

[Dictated to the judgment writer, computerised and print out taken by him, corrected and then pronounced in the open court on this day the 17th February 2021.]

D/W
R
18/2

S/E

17/2
(SADANANDA NAGAPPA NAIK)
XVIII Addl. City Civil Judge,
Bengaluru



True copy
Judgment