

UNITED STATES DISTRICT COURT

for the

EASTERN DISTRICT OF VIRGINIA, ALEXANDRIA DIVISION

MERS KUTT,)	
Plaintiff,)	
)	
)	
v.)	
)	1:15-CV-1657 (LMB/IDD)
)	
APPLE INC., ET AL)	
)	
Defendants.)	

NOTICE OF APPEAL

Plaintiff Mers Kutt herein submits his Notice of Appeal of the Court's Order dated December 17, 2015, for the 'Mers Kutt v. Apple ET Al' patent case 1:15-CV-1657 (LMB/IDD) at the District Court for Eastern District Of Virginia, Alexandria Division.

Defendant appreciates that a short statement stating a desire to appeal this order within 30 days would have sufficed, however he is exercising his option to include a full and comprehensive explanation of the grounds for the appeal at this time because time is of utmost essence.

The patent expired October 1, 2013, as a result every day that passes represents major losses of royalties for plaintiff and literally billions of others worldwide because that is how many people the technology has already positively impacted with access to an affordable high resolution graphic-based Internet for greatly improved communication an education.

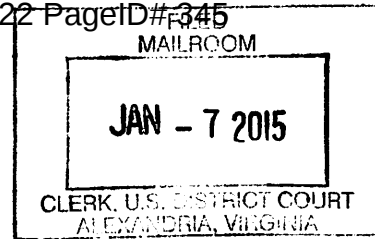
Much more can be accomplished worldwide with funds derived in court from the patent if we prevail in this case.

A handwritten signature in black ink, appearing to read 'Mers Kutt', with a horizontal line drawn underneath it.

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MERS KUTT,

Plaintiff,

V.

APPLE INC., ET AL

Defendants.

1:15-CV-1657 (LMB/IDD)

MOTION TO APPEAL

I. Time and Venue are of Essence.

1. The US patent, 5,506,981 expired October 1, 2013 and our collection of past due royalties is now limited to just under 4 years and every day that passes represents major losses to plaintiff and literally billions of others worldwide. That is roughly the number of people the technology has already directly impacted in a positive way and much more is possible with the funds derived from this patent case, given we prevail.
2. The odds of winning would seem impossible because while we have one incredible inventor, here he is acting pro se, at least initially, and he has already been fleeced out of his last million dollars over the past 20 years while fighting the giants of the world, the entire world, not just in computing.
3. The fact is the odds of winning increase significantly with the previous the Courthouse and Judge or Magistrate Judge being involved. Despite unsavory actions on the part of

2. The odds of winning would seem impossible because while we have one incredible inventor, here he is acting pro se, at least initially, and he has already been fleeced out of his last million dollars over the past 20 years while fighting the giants of the world, the entire world, not just in computing.

3. The fact is the odds of winning increase significantly with the previous the Courthouse and Judge or Magistrate Judge being involved. Despite unsavory actions on the part of

opposing counsel and malpractice on the part of plaintiff counsel, Judges Lee and O'Grady were able to expose the infringing truth with new plaintiff counsel filling the empty gaps with facts at the Fees hearing.

4. The earlier patented circuitry had been intentionally compromised to hide their infringement however that design could not cope with the higher demands of the new multi-core and higher frequency single core processors that surfaced later in 2006.
5. As a result, everyone began replacing the compromised design with the optimum design which infringes directly at the processor level, meaning that all of the infringing circuitry is located in the processor.
6. Judge Lee's closing statement in his Memorandum Opinion indicates the importance of the direct infringement of the post-2006 products:

"The Court therefore GRANTS Summary Judgment of non infringement to Intel based on ACI's failure to come forward with competent evidence of direct infringement."

II. An Exceptional Case with A World Leading Inventor

7. As will be detailed below, this case is truly an exceptional case. It involves the plaintiff Mers Kutt (also 'Mers', 'Kutt'), who without fanfare, quietly became the most prolific inventor in computers during the past 50 years, his inventions notably including the personal computer in 1973 and the two generations of the subject technology in 1988 and 1992.
8. The detail will reveal facts which Your Honor was not privy to and given these facts, plaintiff believes Your Honor will agree with Mers' choice to refile the case at the Alexandria Courthouse.

9. Mers has been battling the industry giants his whole career, however had his colleague, good friend and founder of Intel, Bob Noyce, not left us so soon, there would not have been need for our case vs. Intel in 2004 because Bob was also a true Gentleman.
10. Bob Noyce knew how to fight hard but still maintain the integrity that is so dominantly lacking with the giants of the industry, including the post-Noyce Intel.
11. Mers founded his first company 3 years ahead of Bob founding Intel and in 1970 Mers helped Bob get into the microprocessor field and Bob was forever thankful. Bob later sent Mers Intel's first microprocessor chip which Mers used to build the world's first PC 4 years before Apple and 8 years before IBM.
12. Mers would not have had the extended, and very arduous journey during the past 20 years when he attempted to license the technology but without Bob there were no takers and Mers ended up playing the role of David vs. the three Goliaths of computing, IBM, today's Intel, and Apple, each previously or at present, the largest company in the world.
13. Without Apple paying a cent to date, two generations of Mers' 'processor upgrade' technology provided a 3000% performance boost to the tiny PC inside the iPhone, and the ensuing sales and profits allowed the iPhone to boost Apple's market cap by \$680B instead of the more typical \$20B.
14. Without Apple paying a cent to date, Apple also owes iPhone's gigantic profit margin to the significant reduction in the cost to design, build, stock and sell iPhone, all provided by Mers' patented 2nd generation technology.
15. With Apple's market cap hovering in the \$700 Billion region and Apple continuing to refuse paying royalties, **will enough ever really be enough for the giants?**

III. Response To Court's Denial of Plaintiff's Complaint

16. The Court in their Order on December 17, 2015 denied Joinder of Defendants and stated that the Alexandria Division was not a proper venue for plaintiff's claims. As a result of both denials, the Motion to proceed In Forma Pauperis was denied as Moot.
17. Unfortunately the Court was not privy to some important facts, and plaintiff respectfully submits that the facts provided below will support:

- the Alexandria Division Courthouse is the ideal and proper Venue, with Judge Gerald Bruce Lee or Judge Liam O'Grady presiding.
- the earlier Joinder request is withdrawn and no longer is a factor
- given the above two facts, the In Forma Pauperis funding is no longer Moot

Sections A. Joinder, B. Venue, C. Funding follow. The complete Index is included after the signature.

A JOINDER

18. The earlier Joinder request is hereby withdrawn, however some additional data referencing The Leahy-Smith America Invents Act is provided as an attachment which the Court may wish to review as the Joinder may provide a benefit to the Court if funding is provided.

B VENUE

19. Judge Gerald Bruce Lee presided on our case against Intel in 2004 and Judge Liam O'Grady served as Magistrate Judge.
20. When this case was refiled in December, 2012, plaintiff chose Alexandria again, because even though he lost the case there, both Judges could not have been more attentive or fair under very challenging circumstances with both of the attorneys involved.

21. With the exposure plaintiff has now had both in patent and civil court, he realizes how important these qualities are as well as the experience both Judges have gained with a world leading computer technology.
22. This time plaintiff is also severely handicapped as his funding has been absconded and he is forced to act pro se.
23. It was also comforting to learn from the Clerk's office earlier that the procedure they must follow requires that the case is offered to Judge Lee first and he would then have the choice of either accepting or recusing himself.
24. It was previously assigned to Judge Lee a second time however he had to deny the Complaint without prejudice in February 2013 because the pro se plaintiff did not have his name registered as the sole owner of the patent at the United States Patent and Trademark Office, as required.
25. Plaintiff did have an attorney promptly register his name at USPTO however Mers then ran into many obstacles along the way, ranging from health and funding issues to civil condo cases which intentionally took advantage of the vulnerable 82 year old senior.
26. Most notably, he lost in foreclosure without being noticed for the hearing and was evicted in September 2013.
27. This should not have happened because Judge Gardner's ruling at Broward County Court required Chase to provide plaintiff a Loan Modification which Chase did however breached within the first year by failing to provide plaintiff written documentation and also raised the premium back to the doubled 'sub-prime' level.
28. When plaintiff refiled the case in October, 2015, unfortunately things went astray because the pro se plaintiff and the Clerk's office failed to communicate on crucially important

facts. This case, in addition to being heard by both Judges initially in 2004, was also assigned to Judge Lee again in December 2012.

29. Plaintiff notated the fact that the case had been reinstated on the Civil Court Sheet he included with his submission but that the Clerk's Office missed that. The confusion still could have also been avoided had the plaintiff realized that a new case number had been assigned and included it.
30. As a result, the case was consecutively assigned to 4 different Judges at the Richmond Courthouse and then fortunately returned to Alexandria Courthouse due to the extremely kind understanding and assistance of Ms. Cooke at Richmond and Ms. Walker at Alexandria, both in management at the respective Clerk's Offices.
31. Unfortunately however, facts such as the plaintiff's request to correct the initial assignment error and have it assigned to either Judge Lee or Judge O'Grady, are not transmitted between courthouses so that the case then virtually within minutes of receipt once more neither being treated as a related case nor a reinstated case and was assigned to Your Honor.
32. Another key fact that supports Alexandria as the Venue and Judge Lee or Judge O'Grady to preside is the actions of both counsels were a sham in the earlier case and it was not until the Fees hearing that key real facts were finally disclosed to the Court.
33. Had these facts been disclosed earlier at the Summary Judgment hearing, as they should have, this case would have taken a very different, fair path for the plaintiff.
34. Plaintiff counsel's conduct was unexplainable. He certainly knew patent law well as he was commissioned by ABA to write a book for lawyers on how to practice patent law, however for some unknown reason he actually committed malpractice in this case.

35. He was sanctioned twice and being late with submissions almost became a habit as we also lost our Appeal for being late.
36. He held back a very important circuitry diagram which along with the associated text was provided by plaintiff and proved that Intel's product infringed.
37. He also held back samples of Intel's product, also provided by plaintiff, a Celeron microprocessor chip mounted on a small board, which opposing counsel throughout the case vehemently insisted that the Celeron chip was never mounted on a board, except once in appeals however in his response he said "yes but" and with legalese quickly drifted onto another subject.
38. Neither plaintiff's counsel, nor the panel member who asked the question 'isn't the Celeron a board with the chip and other components on it', picked up on this crucial point because opposing counsel's proof of non-infringement hinged on the Celeron chip was not being mounted on a small board.
39. Magistrate Judge Liam O'Grady chastised plaintiff's counsel at the Fees Hearing for not having raised the important facts he just heard at the Summary Judgment Hearing.
40. Magistrate Judge O'Grady also had to contend with Intel's counsel who was bent on capitalizing on plaintiff counsel's shortcomings to mislead the Court on other extremely important matters.
41. Magistrate Judge O'Grady boldly recommended denial of Intel's motion for \$1M at the Fees Hearing here at the Alexandria Courthouse and Judge Lee affirmed it. It was bold on the part of both Judges as fees are almost automatically awarded after summary judgment.

42. That is in fact the dominant reason why plaintiff returned to Alexandria because it showed he would get a fair trial here.
43. The case and the inventor merit the most extreme measures to finally have justice delivered to a person who has been bullied by his opponents in and outside of court.
44. Plaintiff has been a giver throughout his career. He turns 83 in February yet continues to work hard and with his unparalleled inventions he has made big strides towards achieving his lifetime goal of making the world a better and fairer place.
45. In conclusion, Plaintiff has provided valid grounds and requests that Your Honor rules that the case be returned to Judge Lee or Judge O'Grady at Alexandria Courthouse.

C IN FORMA PAUPERIS FUNDING

46. With respect to funding, it is not only vital, it is 'just' for the plaintiff at this particular time to be granted what is an extremely modest amount to fight the giants like the \$700B corporation, Apple Inc.
47. First, his current status is not of his own making, and to date, the courts have not been able to block the bullies which have come in all sorts of sizes.
48. What is required is akin to the just solution foreclosures require. Placing everyone in one melding pot is not justice at work.
49. The plaintiff did not fit the mold to be rubber stamped as someone who was deviously drawn in to a sub-prime mortgage well beyond one's means, which fortunately Judge Gardner at Broward recognized and blocked the sale on behalf of the plaintiff.
50. Nor does Apple fit the mold of a company going after a pauper. Apple is 700B/1M times larger (700,000/1) and while plaintiff would gladly accept \$210M (700,000 times \$300), he would be very content with approx. \$15,000 which would cover the cost of suing 37

parties, and is a fraction of the prorated amount if we just assume a few thousand parties infringe and with billions of people using the technology, these figures are very conservative.

51. Please pardon all the numbers, but having been a full professor of mathematics plaintiff is just trying to emphasize that having things in perspective reveals not only that \$15,000 is a very small amount to grant, but also that it is necessary considering what has to be accomplished when a small party has a staggering number of infringers and justice is at stake.
52. Plaintiff never experienced being in such a precarious financial position in his entire career. By the time he was 35 in 1968, his assets had grown to \$12M, over \$120M in today's dollar, and his first company in 1971 was on its way to becoming the largest company in Canada within a few years.
53. Further details are provided in Section IV but briefly, the IBM President in Canada panicked in 1995 when his people witnessed the gigantic increase of PC performance due to the technology. He quickly collaborated with a Scotiabank V/P to virtually put ALL Computers Inc. out of business just as it was ready to explode from its very peak.
54. Fortunately Mers still personally had enough funds to embark upon his journey to license the patent in 1996. Without any salary for 20 years, he still had \$1M until the 37 defendants began their tactics to submerge the plaintiff.
55. They illegally blocked his royalty and rental incomes, evicted him when he had never missed a payment in 32 years of ownership of his \$775,000 condo on the beach in Fort Lauderdale, skyrocketed his legal costs, expenses and monthly payments and forced him to learn patent and civil law so that he could represent himself pro se.

56. Kutt has had two encouraging wins in Patent litigation, the first by his Jones Day attorney which denied Intel the \$1M they sought at the Fees Hearing here at the Alexandria Courthouse.
57. In the other case, he acted pro se for the first time and it was against Jones Day in Arbitration Court in California for their ballooning fees from \$50,000 to \$405,000. He won against 4 high priced lawyers in a 2 day hearing and ended up paying only the original \$50,000.
58. The amount actually should have been zero because Jones Day abruptly reneged on the original contingency agreement when working on Appeal of the case at Alexandria in 2005. Plaintiff was required to immediately refinance the mortgage on his condo as they were quickly approaching the due date of the Appeal submission by Jones Day.
59. The mortgage was in its 27th year and almost completely paid but the refinancing, which was arranged almost overnight, later turned out to be a sub-prime mortgage and Mers got caught in 'rubber stamping' foreclosure proceedings as described earlier.
60. Chase also breached the LM agreement by reverting billings from the LM amount of \$1530 to \$2550/mo. Plaintiff continued to pay the correct reduced amount and never missed a payment.
61. However, after 4 years, without serving notice to plaintiff at his condo, Chase reopened foreclosure proceedings and plaintiff learned about it by chance just during the week before an auction was scheduled.
62. The senior Judge read none of plaintiff's submissions while Chase submitted nothing, but opposing external counsel always prompted Senior Judge Lazarus when the Judge would start with "Well what are we here for this morning?"

63. Without discussion, the Judge told Mers to produce the signed Loan Modification document in the morning to prove a LM was actually provided, otherwise the sale would take place that afternoon.
64. Plaintiff's condo was sold that day and he was then evicted in spite of the governments Consent Order demanding that Chase desist from withholding LM Documents.
65. The government IFR group also won a case in Federal Court and ruled that Chase breached plaintiff's LM agreement and sent plaintiff a check for \$3000 damages and encouraged him and others in the case to pursue Chase with litigation for further losses which the government had not pursued in their case.
66. In plaintiff's current Complaint, plaintiff is therefore seeking \$125,000 for 3 named offenses, \$425,000 for equity losses, and an amount for royalty and associated losses both prior to and after the date the patent expired. The latter amount is best calculated upon disposition of the patent case.

Mers' Health

67. Plaintiff has fought off both cancer and a mild stroke and most recently a corroded wire attached to his heart from his pacemaker which played havoc with his stamina for almost 6 months. He could not afford to see a doctor in the US as it would have been much more expensive than the \$262 he could not afford to just have for what is normally a \$12 INR lab test.
68. He is on Coumadin for lifetime due to his atrial fibrillation and the blood tests are made to avoid blood clots and internal bleeding.
69. He lost 2 appeal cases due to late submissions and the Court not being swayed by his Canadian Doctor's letter stating he was not able to diagnose the fatigue and dizziness

problem on the telephone. After returning to Canada and a series of tests in ER over a few days, they learned it was the pacemaker lead and fortunately the brain scan was clear.

70. In conclusion, plaintiff also volunteers to repay the full amount which applies to the 37 parties, from the proceeds of the case.

IV. Summary and Chronology with Further Details

Summary

71. Here is a brief listing of the counts which make this case truly and uniquely exceptional:

- unprecedented international impact of the technology,
- the lifetime contributions of the inventor,
- the despicable, intentional acts forced upon him from multiple sources all taking advantage of the 82 year old plaintiff who is vulnerable with age, blocked rental income, health, fighting pro se, and lacking both funds and a US medical plan.
- the gross recording of false history,
- the anti-trust acts that ended his salary and expense income
- his hearing disability and short term memory loss
- his reduced stamina for dealing with multiple cases

Chronology With Further Detail

72. In 1968, Kutt invented Key-Edit which ended the worldwide domination of 'early computing' by IBM's billion dollar punch card division.

73. Kutt wanted to build the first microprocessor chip for use in each Key-Edit station, but he also had the use of a microprocessor chip in aa personal computer he had in the back of his mind.

74. In 1970, he approached Intel founder Bob Noyce, his colleague and good friend, but unfortunately no longer with us, to upgrade Intel's 4004 calculator chip into a microprocessor.

75. He proposed adding 4 bits to produce an 8 bit 'byte', along with a few new basic computer instructions to effectively produce the first microprocessor chip.
76. He approached Bob in particular because Bob and he were among the few in the entire electronic community who recognized silicon's higher density was a much better choice than the higher speed of other substrates.
77. Intel's Board blocked Bob because they determined the microprocessor chip had no future, but when Kutt offered to finance the project, the Board, still not believers, did relent and allowed Bob to proceed.
78. Plaintiff was forced out of his own company at the height of Key-Edit's worldwide acceptance in November 1971, but fortunately the following month Bob sent him one of the first 8008 chips off the beta production line and Kutt began building the first PC.
79. In 1973 he ushered in the personal computer while his previous company floundered and never did add a microprocessor chip to each Key-Edit station.
80. This case is all about his next invention of 'processor upgrade technology' which he invented in 1988 and looking back, its roots date back to upgrading the 4004 to an 8008.
81. ALL Chargecard was the first product to use the technology and it immediately won the Industry's highest award. It shocked the PC Magazine panel, who pick the winner of the Technical Excellence Award, because overnight their PCs operated 5 times faster!
82. In 1993 he filed a patent for the 2nd generation of the 'processor upgrade technology' and it added another 3 times increase to PC performance and the world took a giant step forward because that was enough to break the barrier and bring affordable high speed computing on a PC to people worldwide.

83. The combined factor of 15:1 produced a speed which previously was only the domain of large million dollar computers and that was what led to the explosive growth of PCs and Internet in the dot.com era which began in 1995 with the upgraded Pentium processor and in ALL Computers Inc.'s new ALL SuperCharge product.
84. IBM Canada's President panicked when his staff witnessed the outstanding performance of Kutt's very low cost product and teamed up with a willing, dishonorable Bank V/P and used anti-trust tactics to essentially put ALL Computers out of business.
85. The Bank cancelled a 5000 unit order which ALL SuperCharge over won before it was even announced and it won against about 8 other bidders including IBM, Memorex and other large companies.
86. The company being at its peak and ready to explode with sales of their new product, had many Banks that were already standing by to order in North America and Europe.
87. Within months, Kutt had to let all his staff go to avoid going out of business and carried on from 1996 without any salary or expenses to today trying to license the patented technology. Companies like Intel, AMD, Google, Qualcomm and other defendants were all using the technology but did not want to pay royalties.
88. A new multiple bus PC architecture evolved from the technology as a by-product because the 'processor upgrade technology' allowed many buses to operate simultaneously at their respective frequencies yet all of them would still be synchronized with the processor bus clock signal.
89. Only one of the bus clock signals along with a single processor core signal is required for infringement so that the multiple bus structure itself is not a limitation in the patent's claims nor does one product infringe more than once.

90. However in 2006, multiple processor cores began appearing in an enhanced microprocessor chip and now each combination of a bus clock signal and a core bus clock signal infringe individually if each combination also has access to the other required circuits limitations in claim 5 of the patent, which they do.
91. The plaintiff Mers Kutt has received many awards however for a dedicated Canadian like Mers nothing could match receiving Canada's highest award for lifetime achievement in 2004, The Order of Canada.
92. He was always too busy and preoccupied fighting the giants of the industry, and never could take the time to correct the history being sponsored by the giants.
93. It was 30 years before IEEE, the international group that is the custodian of the Annals of the History of Computing, the Quarterly Journal which records computing history, acknowledged plaintiff's invention of the MCM/70 was produced years before all others.
94. To this day MCM/70 is globally identified as the world's first personal computer having been exhibited in the spring of 1973, which is 4 years ahead of Apple.
95. IEEE staff were particularly delighted because in their own words, they finally "eliminated the fluff" when they published the 2003 Spring edition of the Journal with the MCM/70 picture on the cover.
96. After 20 years, the true origin of the processor upgrade technology is still a secret to the non-professionals and the public at large due to a large degree to the cover-up program launched by Intel in 1995 and still going strong, but later supplemented by ARM Holding PLC's whose designs include infringing circuitry but they remain in denial and continue to induce their clients to use the infringing circuitry.

97. Apple infringed with their Mac over the years, however it was the plaintiff's technology that propelled iPhone into its unprecedented success.

98. It provided an additional 6 times gain in performance for a total gain of 30 times, and it was able to synchronize all of the new multiple cores which surfaced in each processor in 2007, with the other devices in the product.

99. It is therefore time to expose the giants in Court. Neither the technology that has made such an important impact on the world, nor the people at ALL Computers Inc. that made it all happen, should not be hidden any longer, nor should they and so many others be deprived of the rewards they truly earned. .

100. Mers Kutt has been treated shabbily at every turn as evidenced by needing 37 defendants to properly cover the broad range of the parties involved.

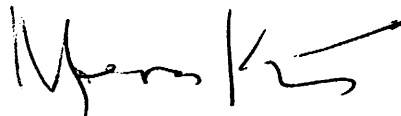
101. Defendants like Chase, Jones Day and the Condo Associations blocked his rental revenue stream, which fluctuated between \$7650 and \$2250 during the brief spells that rentals continued, however dropped the total rental revenue dropped to zero when Mers was evicted in September, 2013, two weeks before the patent's term expired.

102. Defendants Chase, Jones Day and the condo people all had a hand in dissolving his equity holdings which was close to \$1M before they attacked on him and on both levels.

V. The Technology and Its Impact

103. The technology circuitry is named "accelerator board" in the patent, however is better known broadly as "processor upgrade" circuitry.

104. Never has any computer technology made such a huge impact. Virtually everyone in the world is now either using it or has indirectly benefited from it whether it is via a PC, cell phone, TV, games or a myriad of other smart electronic devices.
105. It has made this unprecedented impact because it accomplished something that is almost contradictory and could only happen in computers – it reduced the cost of the slow PCs while elevating performance to the level of yesterday’s giant million dollar computers, and the prize is the beautiful high resolution pictures and videos it brings to the PC and Internet and you see on cell phones everywhere.
106. The technology provides a PC with a built-in upgrade capability that allows a single design of a motherboard to be used in dozens of different models with different processors, and while each processor operates at its top frequency, it also remains constantly synchronized with each of the many other slower devices in the PC.
107. Multi-core processors surfaced with the iPhone in 2007 and it raised the demand on the processor upgrade circuitry to its highest level and the combination has become the new standard for processors. The design prior to 2006 was compromised by Intel to hide their infringement, however it could no longer cope.
108. The new standard demands that all of the infringing circuitry resides in the processor and the new products therefore infringe directly at the processor level. The new standard also demands that one of the new key signals in the synchronization process could no longer be confined and inaccessible as it was in the earlier design.
109. Adapting a single upgradable design to many models also was a boon to sales as countless models could be released with virtually ‘zero time to market’.



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ATTACHMENT 1

Joinder Relative to Occurrence

The Court's quote of 35 U.S.C. 299(a)(1) states that the right to relief may be "asserted against parties jointly or severally", and it adds "or in the alternative with respect to or arising out of the same transaction, occurrence, or series of transactions". As a result it may arise out of an "occurrence" which need not be the same "transaction" or "series of transactions".

The Leahy-Smith America Invents Act is significant as it identifies an occurrence of particular technological items which would not solely qualify, namely, the elements of the claims in plaintiff's claim, by stating:

"Although the Act codifies Federal Rule of Civil Procedure 20, it goes further by specifying that accused infringers "may not" be joined in one action based solely on allegations that they infringed the patent(s) at issue."

It is clear that the right to relief may be asserted against a group of infringers which can include other relevant common occurrences such as "the occurrence of a common bus structure in an improved architecture of the PC" (Complaint #39 ii), as well as "multiple cores within each processor" (Complaint #39 iii), both of these having become new standards in the industry.

Relief may also be asserted against parties jointly and severally when this group of parties were induced to infringe by another party (Complaint #39 i); and this also applies to any party which induced one or more parties to infringe by including infringing circuitry in designs they have provided to one or more parties under a license or otherwise (Complaint #39 iv).

However, also noteworthy is the fact that the maximum cost to the Court due to Joinder appears to be in the order of \$15,000 and it is the same cost if all parties are treated as individual infringers so that there does not appear to be a financial benefit to the Court of one over the other, however there may be other benefits such as reducing the overall time in Court.

For the plaintiff, the cost under In Forma Pauperis funding would be reduced to a fraction of the \$15,000, and as stated in Section III C #70, plaintiff volunteers to repay with proceeds from the case.