

UNITED STATES DISTRICT COURT  
FOR THE  
EASTERN DISTRICT OF TEXAS, MARSHALL DIVISION

MERS KUTT, )  
)  
Plaintiff, )  
)  
v. )  
)  
"Group A" comprising: )  
APPLE INC., and CEO, individually and )  
INTERNATIONAL BUSINESS MACHINES )  
CORPORATION, and CEO individually, and with )  
Scotiabank, and CEO individually )

and

"Group B" comprising: )  
ARM HOLDINGS PLC, and CEO, )  
SAMSUNG ELECTRONICS COMPANY LTD., )  
and CEO, )  
INTEL CORPORATION, and CEO, )  
ADVANCED MICRO DEVICES INC., and CEO )  
INVIDIA CORPORATION, )  
MICROSOFT CORPORATION and CEO, )  
GOOGLE CORPORATION, and CEO, )  
HEWLET PACKARD COMPANY, and CEO, )  
QUALCOMM INCORPORATED, and CEO, )  
HTC CORPORATION, )  
NOKIA CORPORATION, )  
LENOVO GROUP LIMITED, )  
ACER INCORPORATED, )  
ASUSTEK COMPUTER INC., )  
DELL INC., and CEO, )  
SONY CORPORATION, )  
TOSHIBA CORPORATION, )  
FUJITU LIMITED, )  
VERIZON COMMUNICATIONS INC., and CEO, )  
SPRINT CORP., and CEO, )  
AT&T CORP., and CEO, )  
T-MOBILE USA, Inc., and CEO, )  
AMAZON.COM Inc., and CEO, )

Civil Case 2: 19cv316

eBAY INC., and CEO, )  
BLACKBERRY LTD, formerly: )  
RESEARCH IN MOTION INC., )  
ATMEL CORPORATION, )  
BEST BUY CO. INC., and CEO, )  
are each named individually as Defendants

and

“Group C comprising:  
SCOTIABANK formerly: BANK OF NOVA SCOTIA )  
individually, and with IBM, )  
J P MORGAN CHASE & CO., individually and in )  
combination with STUART SMITH, LLP, )  
EDWARD FRANCIS O’CONNOR. LLP, individually )  
and in combination with INTEL, )  
JONES DAY, )  
SEASONS CONDOMINIUMS, CONDOMINIUM )  
ASSOCIATION, individually, and with former board )  
member and Acting Manager KENNETH SHEARD )  
STORAGE POST, INC., )  
ROBERT AND RHEA GREENE individually, )  
PAMELA MARY DEVINS & ELLEN AZEVEDO )  
MR. STUART SMITH, LLP individually, )

and,

“Group D” comprising:  
Manufacturers, Suppliers and Users of Super- )  
computer Units, modules, and Processor Components )  
Should Defendants Listed below not make payments )  
for infringing modules being used by their customers.)  
Defendants are required to provide plaintiff with )  
lists of such customers upon receipt of request from )  
Plaintiff. Following Defendants are in Groups A & B)  
INTEL CORPORATION., IBM CORPORATION )  
ADVANCED MICRO DEVICES, NVIDIA CORP. )

Defendants.

**TRIAL DEMANDED**

## AMENDED COMPLAINT

1. This Amended Complaint supersedes the earlier Complaint for Civil Action case 2: 19cv316 and both are expanded continuations of Case No.1: 04cv586 which plaintiff Mers Kutt filed May 24, 2004 at the Eastern District Court at Alexandria against defendant Intel Corporation for infringement of plaintiff's US patent 5,506,981 ("981").
2. Fortunately, much has taken place since the initial case and this case has become an extremely unique, timely, and crucially important case worldwide as a safeguard for the future of the world because the world has never been in such desperate straits that its very survival is now at stake and on several counts.
3. The most fortunate attribute of this case is that it is able to simultaneously address 2 of the most important world issues – 'blockage of advancements in technology' and 'correcting the flawed distribution wealth to date being provided by the United States government, which has been indirectly, but need not be.
4. This is possible at the United States level and a significant portion of the world level because we have as defendants 29 corporations that are dominantly the largest corporations in computers and finance in the United States and the world.
5. As a result, rulings by the court will be actual solutions as we are dealing only with existing US laws being violated and there is no need to go further during the case. Of course politicians and the legal discipline can take actions later to streamline matters in the future.
6. We are here today because of the relentless pursuit by plaintiff Mers Kutt to overcome an unimaginable series of attempts to block him from filing this case however he has persevered thus far because his lifetime goal is to make the world a safer and better place.

7. The damages committed in the interim now far exceed the damages in the earlier case as in addition to patent infringement, it also addresses violation of antitrust laws, breach of agreements, obstruction, and theft as well as a 'hidden scam' ("Scam") in the process adopted to produce inflation.
8. Plaintiff was born safely in Canada in 1933 at the height of Stalin's starvation of well over 20 million adults and children in Ukraine which included almost all of his relatives save his parents.
9. Plaintiff as a former Full Professor of Mathematics at Queen's, Canada's oldest and highly respected University, fortunately happened to detect the Scam as well as the huge discrepancy in the distribution of wealth that it created, and he hastily adds that one need not use higher math to understand the Scam.
10. The defendants are comprised of 32 corporate defendants, and 29 are sellers of PC-based products and remarkably of the 7.5 billion PC-based products that were sold since 1996 and 7 billion of these included the patented '981 technology, and the 29 sellers were dominant group selling these products.
11. The products were typically packaged in the ALL Supercharge PC along with ALL Chargecard, plaintiff's earlier product which was and continues to be the only unanimous winner of the Technical Excellence Award, the computer world's top award.
12. Plaintiff's 7.0 billion worldwide penetrations was unprecedented and the prime reason was that ALL Supercharge PC-based products made the products operate 30 times faster than other PCs with the same microprocessor chip, but without ALL's technology.

13. The defendant CEOs kept 'secrets' and explained them away with 'lies' ("S&Ls") however that is a prime reason the world is currently out of control and faces threats to its survival from multiple sources, including ecological, poverty and terrorists.
14. Further, plaintiff also realized that defendants used S&Ls to block knowledge of advancements of technology to fatten their profits, but even more so, to hide that plaintiff's inventions, which just kept coming out, making their computer products obsolete.
- 15.
16. With 'wealth' in finance, defendants have hidden the Scam inside the process used for adding inflation. Plaintiff, although a former Full Professor of mathematics, did not detect the Scam for a good period, however he points out
17. The Scam
18. simply multiplies the wealth each person has by the inflation rate and the increase is a 'free gift' indirectly provided by the government. There is no risk on receiving this income and you can still also get interest for rent from the asset (wealth) involved.
19. The amount on a daily or monthly basis appears too small to take notice, however at an inflation rate of 4.2%, in 17 years doubles your initial wealth which is still small if you only have 10,000 dollars wealth, however if you are Bill Gates with 75 billion dollars, he gets another 75 billion, and that is definitely not small.
20. Simply put, it is a Scam because the richer people get much more and the poorer people get very little and the Gap between a rich person and a poor person also doubles during each cycle. That is grossly unfair and is why the Scam must be exposed and eliminated.
21. A good simple example is included at the end of the "Nature of the Actions" section.

22. The defendants also received inflation funds based on the rate of inflation as it was added to the selling prices of PCs and PC-based products which almost all included plaintiff's ALL Supercharge PC.

23. This giant step forward in PC performance is what made the beautiful pictures in smartphones and it was solely the 'technology' that made iPhone such a huge success, Without it the iPhone would have been a disaster approaching what happened with Apple's first smartphone, the Roker E1, as it ran at least about '6 times' or '30 times' slower' and in either case the pictures would not measure up and therefore could not compete (see ZDNet article that follows later).

24. Very telling examples of false history resulting in very high prices being paid in the computer industry:

- users lose when they pay full price and their product works at 1/30<sup>th</sup> to 1/6<sup>th</sup> of the speed they were sold on, as with IBM and others making regular prices on obsolete products
- promising young inventors are building on a level long past by, 30 years with plaintiff's PC and the entire industry loses
- inventing company receives nothing and the 'thieves' are the only ones being paid and Apple is one who kept doing with plaintiff's inventions of the PC and ALL Supercharge PC
- when the CEOs add the ALL Supercharge PC to their products none paid and they use S&Ls to hide the fact that users had been overpaying earlier while the seller made bigger profit

25. As a result of truth prevailing, the real facts of why, who and how will become known as they occur rather than 30 years later as in the case of the PC which plaintiff invented in 1973 but

was hidden with IBM taking the lead because it gave them 30 more years as a minimum for controlling the computer world.

26. They knew their grip of the computer world was ending because they kept promoting bigger computers were better because they could charge more, but in fact the path plaintiff took towards smaller computers, was faster, portable and cost so much less to produce and with little doubt IBM also knew where computers were headed.

27. IEEE, the world's largest professional organization, in 2003 published an outstanding paper in their *Annals of the History of Computing* which was the result of the in-depth worldwide research performed and written by Professor Stachniak at York University in Canada.

28. Blockage is exactly what plaintiff attempted to counter when IBM in 1995 attacked plaintiff and ALL Computers Inc. ("ALL"), the latest company he founded, and vengefully but foolishly reduced ALL to one unsalaried employee, the plaintiff, for the next 24 years and all because 3 of plaintiff's inventions made all of IBM's computer products obsolete in the 3 divisions that made IBM the largest company in the world.

29. However it was too late and IBM had nothing to gain, and they should have been doing some real inventing themselves because recently they publicized that they filed the most patents ever in a year, a figure of about 4 or 5 thousand patents, but none could even remotely compare with 3 of plaintiff's biggest inventions which were world leader and his invention of the PC is now ranked 4 of the top 10 inventions in history for changing the world. Also, do they honestly believe giving a simple project to an engineer is really an invention?

30. Well the 29 defendants stepped in and made the big sales and none have paid a cent towards royalties, rather they just carry on 'keeping secrets and spreading lies' ("S&Ls") claiming they did not intentionally or knowingly infringe.
31. Plaintiff submits IBM should pay dearly for their violations as well as blocking plaintiff from further inventions plaintiff during the next 27 years until today as he still reigns as the leading inventor in computers during the past 51 years.
32. What IBM did was to coerce defendant Scotiabank to cancel their 5 million dollars order for 5,000 ALL Supercharge PCs even though it was without cause as the initial deliveries performed as promised and super-delighted the Bank's IT staff.
33. All of this took place before the product was even announced, and what happened with the ALL Supercharge PC thereafter broke records like nothing before and IBM are now exposed to well over 500 billion dollars before adding their blockage of plaintiff from adding the further inventions referenced above during the past 24 years.
34. How could all this possibly happen, yet even today very few even know the name 'ALL Supercharge'. The answer is the Apple and their "iPhone" have taken the credit for the technology as a result of the S&Ls practiced by the 29 giant corporate defendants and their CEOs.
35. however just 2 years after it ended, plaintiff's ALL Supercharge PC made its historic entry but was secretly hidden inside Apple's iPhone by Steve Jobs who was making a habit of committing fraud and theft of plaintiff's technology.

**Blockage of Advancement of Technology**



36. The CEOs of the giant corporations provide the leadership we need to survive, however they are keeping secrets and spreading lies, all in the interest of improving the bottom lines on their financial statements and increasing managements' bonuses.
37. The relentless pursuit of wealth supersedes all. The first case is a good example. We had a caring Judge Gerald Bruce Lee, not versed in either patent law or technology which he openly revealed at the initial scheduling meeting. However, we also had the opposing lead counsel R. B. Cordell, who ran rampant over the Judge, and plaintiff counsel, E.F. O'Connor, who sided with defendants and his former employer Intel and they took charge and steered the proceedings.
38. Fortunately we also had a Magistrate Judge with background in patent law and technology who at the fees hearing could not believe the evidence O'Connor withheld at the summary judgment hearing and severely chastised O'Connor.
39. Appeals followed, with funds and time running out plaintiff had to accept O'Connor's offer to return from California and represent ALL Computers without fees or expenses, but to no avail, as he intentionally lost the appeals by simply by being late yet again with his filing, however this time plaintiff at least did not have to pay the fine.
40. What is it about the invention and this case that is going make such a big difference?
41. First, the invention now having a worldwide penetration of 7 billion units by plaintiff's invention ALL Supercharge PC, is a good place to start because it includes the patented '981 synchronization circuitry.
42. Unlike all the other attempts to design the circuitry which keep lowering the frequency to match all the many other varied frequencies to drive the many different devices in PCs. Rick's

processor clock signal continually operates at the same high rated frequency and never changes yet still synchronizes with all of these different clock signal frequencies .

43. The perseverance of the plaintiff Mers Kutt came through when the world is at its biggest cross roads, and with some crucial help in this case, we can break through and get all of us on the right path again.

44. Claiming 7 billion penetration of the ALL Supercharge PC out of the 7.5 billion total of PCs and PC-based products sold worldwide since 1996, is a very bold statement, however it is true as are also the following statements:

- All PC and PC-based products which include the ALL Supercharge PC inside provide a 30/1 (3000%) increase in PC performance compared to these exact same products but void of ALL's technologies;
- There is also a significant reduction in the cost of building these products;
- Detecting slower products does not need an expert as the beautiful pictures in iPhones and other competing smartphones can only be produced with high resolution and that requires the very high frequencies which ALL Supercharge PC provides.

45. Just after the iPhone was released in 2007, and later when reprinted in ZDNet June 27, 2017, Adrian at ZDNet said it best about the fate of a smartphone without a superb display:

By [Adrian Kingsley-Hughes](#) for [Hardware 2.0](#) |ZDNet June 27, 2017 -- 11:32 GMT (04:32 PDT). Topic: [Innovation](#) stated the following about iPhone when first released in 2007:

"I truly believe that if the display had been poor, the iPhone would have sunk into oblivion like Apple's other foray into phones, the truly execrable Motorola Roker E1."

46. Apple's iPhone along almost all the other smartphones that followed, all included ALL Supercharge technology otherwise they would have had a "poor" display and simply could not compete as in the case of the Roker E1.

47. IBM had earlier launched a cover-up of their planned violation of antitrust laws by moving the manufacture of plaintiff's products to Canada from IBM's facility in Austin and did so against plaintiff's objections and without his permission.
48. IBM's Austin facility, management and staff were doing an outstanding job producing what was generally recognized in the industry as one of the most reliable products ever. Plaintiff received a clipping from his friend in Australia which covered the shipment of ALL Chargecard by plaintiff's leading distributor, the giant British company, ICL. to a New Zealand user 17 years later.
49. IBM already knew as early as 1988 that their days in computer hardware were numbered because Plaintiff's invention of ALL Chargecard shook the world and became the only 'unanimous' winner in history of the computers world's highest prize, the Technical Excellence Award.
50. IBM's damages now exceed 500 billion dollars based only on the loss of profits calculated on 3.5 billion of the 7 billion sold including the ALL Supercharge PC. In addition, it also does not include consideration of the staggering losses incurred because plaintiff, the leading inventor in computers during the past 50 years, was blocked from further inventions after just 27 years.
51. IBM had made their fortune on the theme that bigger was better which allowed them to charge higher prices. Plaintiff however had no doubts that smaller, not larger, was best because it takes less time for electrons to travel shorter distances. Today the PC rules supreme worldwide as even the SuperComputers are built with well over 1,000 PC modules which include plaintiff's ALL Supercharge technologies.
52. IBM then much later in 1995 vengefully and foolishly, because it was too late and they had nothing to gain, but they still robbed plaintiff of the 5 million dollars realizing the strain IBM

put on plaintiff with the cancellation of a 5,000 unit order with components in house and ordered and IBM also blocked the manufacture of the ALL Supercharge PC at their Toronto location.

53. All of that made his company vulnerable to enemies not users. That 'effectively' put ALL Computers out of business as it reduced the company to one person, the plaintiff, who carried on for the past 24 years as the lone and unsalaried employee.
54. That prevented plaintiff to take advantage of all the sales that were lining up, particularly from Banks as their PCs like Scotiabank's, were too slow.
55. The one positive outcome was that IBM barely escaped bankruptcy, so that they now have the funds to pay for their actions.

#### **Current Status and Further Development**

Terms beginning with the word 'effective' merit close attention during this case particularly for 2 key topics, 'effective frequencies' related to PC performance, and the other one refers to the 'effective date' of plaintiff's filing the complaint in this case which is extremely important and is expanded upon below.

56. The 5,506,981 patent was filed in 1993 and issued in 1996, and the first case was launched in 2004, however unfortunately plaintiff's counsel, now defendant, E.F. O'Connor, sided with his previous employer, defendant Intel, but was not caught until 2005 when Magistrate Judge Liam O'Grady (now Judge) at the Eastern Virginia District Court exposed O'Connor at the fees hearing for having withheld crucial facts from the Court at the Summary Judgment hearing.
57. O'Connor was severely chastised by Magistrate Judge O'Grady and Judge Gerald Bruce Lee firmly supported the ruling and denied the 1 million dollar fees which Intel sought.
58. The use of the term 'effective frequency' refers to the actual average frequency a user experiences. With ALL Supercharge included in a product, the effective frequency is equal to

the rated frequency because synchronization takes place without ever lowering the frequency of the processor clock signal.

59. The defendants imply that the effective frequency of their PC-based products is the rated frequency but in fact it is on the average 1/30<sup>th</sup> of the rated frequency and that is a deplorable lie that to this day has still not been exposed publically.
60. Plaintiff's proposed plan for dealing with the 'hidden Scam actually turns it around to be usearound and actually have it play a major role in what may become one of the biggest contributions to the world at large, with how it can be applied during the corrective process and also later after a reasonable Gap is reached.
61. We fortunately can include such an exceptional contribution because it only involves current laws being broken and therefore no need to wait for new laws or procedures to be authorized, or for politicians to even remotely get involved in this case. What we all gain however could be priceless.
62. This case can also serve as a good example and possibly a precedent for other disciplines in the USA as well as in other countries, and at some point hopefully soon, it will be able to deal with the entire world as the entity, as that would have an extremely positive impact on the world when challenged, as it now is, on many counts with threats to its very survival.
63. ALL Supercharge PC has already made a giant impact and people are getting to realize that it was the technology and there was no other hardware technology in the iPhone's that caused it's explosive growth. Without ALL Supercharge PC inside, as in the case of Apple's first smartphone, Roker E1, iPhone would also have have been a complete disaster. Needless to add, the computer field has never experienced any technology as overwhelming as the technology in the ALL Supercharge PC.

64. Unfortunately IBM panicked when it was too late and made at least a gigantic 528 billion dollar mistake. They had nothing to gain except revenge but it was the culmination of the plan head office in Armonk, NY adopted earlier to avoid being caught breaking United States antitrust laws. The ALL Supercharge PC, even before it was announced publically, knocked IBM out of a bidding war and won a 5 million dollar order from a Bank for 5,000 ALL Supercharge PCs.
65. IBM committed civil and criminal offences, the latter breaking antitrust laws, and the former was IBM having their President coerce a Bank Vice-President to cancel the 5 million dollar order and put plaintiff's company, ALL Computers Inc., out of business, which they did when ALL was at its highest peak but vulnerable when they were able to cancel the order despite extremely successful deliveries were already made.

#### **Blockage of Advancements in Technology**

66. The personal computer ("PC"), which plaintiff invented in 1973, and is now ranked 4<sup>th</sup> of the top 10 of all of the inventions in history for changing the world, as published in the National Geographic in their June, 2017 edition.
67. With Alexander Graham Bell's telephone ranked 8<sup>th</sup>, it really shocked the plaintiff, but extremely pleasantly, however he also realizes inventing today is very different from the true pioneering inventions of the past.
68. National Geographic had invited Carla Hayden, the United States Librarian of Congress, to select the top 10 inventions in history. Plaintiff's PC was the only computer invention in this group, and was therefore ranked 1<sup>st</sup> over all of the other computer inventions in history.
69. Plaintiff who has battled through all of this, on his 80<sup>th</sup> birthday in February 2013, he was being foreclosed illegally and without being served notice and much more.

70. He was evicted by defendant Chase and their local counsel, defendant Smith in September from his 875,000 dollar beach condo which he owned for 32 years and had a tiny mortgage except defendant Jones Day changed that with their breach of a fees contingency agreement.
71. Plaintiff however has come through this past 6 year horror story and being the leading inventor in computers during the past 51 years, he found how he could now make his biggest ever contribution to the world.
72. His 3 major inventions, Key-Edit, MCM/70 and ALL Chargecard, charted the evolution of computers by making the IBM punch card obsolete, followed by the PC which began making mainframes obsolete, and ALL Chargecard, the only product to unanimously win the industry's highest international award, the Technical Excellence Award, then stepped up and with the increased performance made it official that the PC rules supreme worldwide. The addition of '981 technology then completely sealed it.
73. Today even the Supercomputers referenced in Group D on page 2, are built with modules that include the ALL Supercharge PC's technology and each Supercomputer includes as many as 1500 of these modules.

#### **The Scam and the Role it Plays**

74. Simply put, although we do include Claims Constructions in the Factual Background section to formally identify infringing products, of about 5.26 billion PCs and 2.3 billion PC-based products (primarily smartphones) sold between January 1, 1996 and March 1, 2019, at least 7 billion include the '981 infringing technology. It is also hard to miss identifying which are the slow products without '981 technology as they operate 30 times (3000%) slower.
75. Products without ALL's '981 technology which is typically installed as part of the ALL Supercharge PC, simply cannot compete. Pictures and videos are severely degraded being the biggest reason.

76. These are real figures. Further, ALL Chargecard, which is also included in the ALL Supercharge PC, won the computer world's highest award the Technical Excellence Award, and it was also the only product in history to receive a unanimous vote. PC Magazine Labs measured a 400% to 600% increase in frequency, which is the 5/1 average ALL quotes for ALL Chargecard, and the 30/1 for the ALL Supercharge PC.

77. In the interim, so much has happened in the industry, and the world, that bear directly on this case and everything about this case has broadened immensely with the huge increases in the number of defendants, the dollars of damages, and also the many records being broken.

78. Unfortunately, too many defendants with so much to lose did everything possible to obstruct and block the defendant who in the past 50 years in computers has no equal with his 3 major inventions along and 2 others he had a significant hand in.

79. His inventions charted the very path of the evolution of computers to the most powerful and tiniest computer in the world, the ALL Supercharge PC. Today the PC rules supreme worldwide, and even in today's Supercomputers, it is the building block being used by IBM and others, and the previous designs of up to multi-million mainframe computers are all obsolete.

#### **Effective Filing Date**

80. What plaintiff had to endure during the past 24 years was cruel beyond belief as a result of the actions by defendants and by IBM in particular, but defendant Chase with their scheming local counsel, defendant Stuart Smith, also played a major role. Not one of the three had any concern about committing vile civil and more than bordering, criminal acts. All of these, and particularly the latter, must be exposed and dealt with in this case.

81. Throughout the 24 years as a senior citizen, plaintiff had no salary but selflessly worked very hard. As the sole employee for ALL Computers throughout, he contacted many large



corporations which included among others Apple, AMD, Samsung and Google, however none would agree to license the '981 patent.

82. Plaintiff first filed this Complaint on December 20, 2012 at the Eastern District Court in Alexandria Va., however it was denied on February 9, 2019 without prejudice by Judge Lee because plaintiff was not aware that while acting as a pro se plaintiff, he needs to be registered at the USPTO as the owner of the '981 patent. Plaintiff immediately had an attorney register his name.

83. As plaintiff was preparing to file again, strictly by chance he happened to learn his beach condo in Fort Lauderdale was being auctioned within about 1 week. Plaintiff had to drop everything to be heard by the court prior to the sale. Chase's local counsel, defendant Stuart Smith took advantage of his friendship with the senior Judge Lazarus, which a transcript reveals was on a first name basis even in court, and misled Judge Lazarus on many counts.

84. First Smith reopened a foreclosure case which was settled 4 years earlier with Judge Gardiner instructing Chase to enter into a Loan Modification Agreement with plaintiff, which they did within days after Chase had procrastinated for about 2 years. Plaintiff signed it but Chase breached the Loan Modification Agreement by not providing plaintiff with a signed copy within 90 days, a practice Chase was often guilty of as exposed in the class action suit and the United States Comptroller's Consent Order which was referenced earlier.

85. The date of December 20, 2012 when plaintiff first filed this Complaint at the Eastern District Court in Alexandria Va. is the first date of many others that followed and at least two well before that date.

86. The Complaint was denied without prejudice by Judge Lee's because plaintiff was not aware that a pro se needs to be registered at USPTO as the owner of the '981 patent. That was tended

to immediately by an attorney, however within days plaintiff learned that his beach condo was being auctioned within about 1 week.

87. Three other dates followed an error being made when the Clerk's office did not realize that Judge Lee who presided at the initial case, and also responded to the December 2012 filing.
88. The case was transferred to another Court in Virginia and after a long delay was returned to Alexandria, but even then the new Judge selected deied it claiming it was the wrong venue. From there plaintiff had no choice but to fight it in the Supreme Court, but at 85 years he was exhausted and pursued this Court in Marshall Texas.
89. The other two potential dates are February 15, 2013 when plaintiff's attorney took care of the registration and plaintiff was ready to file without any pro se restriction however fighting foreclosure and eviction when Smith had the Judge believing all of his lies which included his serving plaintiff with a notice of reopening the foreclosure case which was successfully concluded with an Loan Modification Agreement being granted and breached onl by Chase duringythe 4 years.
90. The 3<sup>rd</sup> alternative is the one plaintiff submits would be the fairest because that is when IBM started everything out of spite and also retaliated for the 3 divisions being closed. That date was December, 1995.
91. Plaintiff has worked so hard without having justice served and submits that he deserve at least that here in this case at Marshall.
92. He is a senior who is now 86 years old, without funds, assets, and staff and having justice served at this time would certainly be warmly greeted,, however much more important is setting examples which deserve having justice served but are not.

93. Plaintiff sold his condo in Toronto and lived off that for many years until defendants Jones day and Chase siphoned even that from him with frivolous law suits. Unfortunately they were also at the Broward County Courthouse where as indicated earlier pro se litigants are not served justice against local counsels which is whom he always faced.
94. Plaintiff almost won twice, however both were overturned when new Judges were assigned and took little interest in cases that had dragged on for a long time. The illegal foreclosure and eviction applied to the condo he owned for 32 years without missing a payment and that along with other actions by defendants also blocked his rental income.
95. The defendants tackled him from all sides when he was most vulnerable as a senior. He is now 86 and for the past 6 years after the illegal eviction by Chase, he has lived in many temporary locations, and during the past 3 years he has lived in a room in a house shared with 7 other men.
96. The winner of all the awards and joining the ranks of the inventors of the other 9 of the top inventions in the history of the world, he submits he merits more than what he has received, and what justice he now would want most is early decisions so that he can hire attorneys and his first choice would be Chase 'stealing' the beach condo valued at \$875,000 which was the amount that he would have been able to receive from an unsolicited buyer but did not because he enjoyed the condo so much. He owned the condo for 32 years with mortgage being close to zero when Chase aided by Jones Day took it away with the eviction.

#### **Advantage Taken of ALL Supercharge Technology**

97. The ALL Supercharge PC, as indicate above, is the secret behind iPhone's whirlwind success. With PC performance increased by a factor of 30/1, a completely unprecedented 3000% increase, PCs and PC-based products without this technology simply cannot compete and that

is why we now have about 7 billion PCs and PC-based products in the world, all armed inside with the ALL Supercharge PC's technology.

98. The iPhone is the perfect example for both the increase in performance and how the CEOs of the giant companies keep covering up what is really happening with their ongoing actions of 'keeping Secrets and spreading Lies'. By industry standards, iPhone software is sub-par and there is also no Apple hardware technology inside the iPhone.

99. It is the high resolution generated by the technology which produces the beautiful pictures and videos on iPhone's display, and these were the top sales drawing features and the prime reasons for iPhone's huge success.

100. Further when Jobs claimed he and Wosniak invented the PC when running their huge ad in the Wall Street Journal, he committed fraud, and the PC was only reason that his IPO was the only successful high-technology IPO among many failed IPOs in a very poor market.

101. The IPO gained over 200 million dollars and plaintiff is entitled at least double that as damages, interest and Apple would not have been the success it is today had the IPO fallen the others, who did not lie about inventing plaintiff's PC. Plaintiff also submits that in addition he is entitled to a minimum of a 50% share of the Market Cap's rapid gain from a 23 billion dollar market cap to 700 billion dollars which they experienced between 2007 and 2013 solely because they had a successful IPO instead of failing along with all the other high technology IPOs.

102. It was also not simply treble damages for willful infringement, rather, it was a combination of fraud and grand theft, as iPhone sales approached 1 trillion dollars. The following Info World article supports these claims:

**InfoWorld 13 Oct 1980**  
From Editor's Desk:

“Last month, an ad in the Wall Street Journal carried, as a theme and in bold headlines, the claim that

“Steve Jobs and Steve Wosniak were the “inventors of the personal computer”.

Several days later, we received a copy of the ad from Bob Albrecht, former publisher of People’s Computers and one of the “ancients” in this field. His comments in the margins of the ad read, “This is a rather amazing claim! Shame on you, Apple and Steve Jobs. You are lying to us.”

..... “We also received a package from Blair Newman, founder of MicroType, which included a note saying Mers Kutt was the founder and President of Micro Computer Machines, Inc. In 1973, that company manufactured and marketed an 8008-based APL machine that cost about \$3500. That very likely was the first micro-personal computer system”.

103. Steve Jobs absconded this technology just as he had earlier in 1980 when he claimed he and Steve Wosniak invented the PC, however as the following article confirms he added a lie to the secret he kept about having added ALL’s technology to the iPhone.

104. Everything about the technology has been kept a secret because that is how the CEOs at the giant companies of the world operate. They operate by “keeping Secrets and spreading Lies’ (“S&Ls”) and as a result their version of history was being written and advancements in technology were severely blocked.

105. The technology surfaced in 1995 with the ALL Supercharge PC being used in the latest model of the Pentium, and that was after a couple of ailing models of the Pentium were released and operated at frequencies not much more than minor extensions of the obsolete 486 microprocessor chip.

106. However by this time the giants led by defendants IBM, Chase, Apple and Intel to name a few, closed in on plaintiff because ALL’s products were making their products obsolete and IBM in particular had to close the 3 computer product divisions that made them the largest company in the world and IBM barely escaped bankruptcy.

**Plaintiff’s Invention of PC is Now Ranked 4<sup>th</sup> in the History of World**

107. The amazing impact of the ALL Supercharge PC worldwide in PCs, iPhones, and other PC-based products helped raise the invention of the PC to be ranked 4<sup>th</sup> of the top 10 inventions in history for changing the world.

108. In June, 2017, National Geographic published the top 10 inventions in history that have changed the world, as selected by Carla Hayden, United States Librarian of Congress and the personal computer (“PC”) that plaintiff invented in 1973 enhanced by ALL Supercharge technology was ranked 4<sup>th</sup> in the history of the world. As the only computer invention in the top 10, the plaintiff’s PC became ranked 1<sup>st</sup> of all the computer inventions in history.

**The top10 Inventions in History**

- |                      |                  |
|----------------------|------------------|
| 1. Printing press    | 6. Automobile    |
| 2. Light bulb        | 7. Clock         |
| 3. Airplane          | 8. Telephone     |
| 4. Personal computer | 9. Refrigeration |
| 5. Vaccines          | 10. Camera       |

109. The ALL Supercharge PC is a tiny, super-powerful PC, and it is typically a small printed circuit board with circuitry on the top that includes a microprocessor chip, the patented ‘981 technology, and ALL Chargecard circuitry, the successor to the original ALL Card circuitry, the first PC performance enhancer, which was released in 1983.

110. Together they increased the frequency and performance of a PC by a 30/1 factor over other PCs using the same microprocessor but without ALL’s technology. On the bottom of the board are typically 1,000 to 1,500 electronic contact points that allow the tiny PC to communicate in either direction and also control all of the ‘other devices’ either housed in or attached to the outer plastic case.

111. Most important of all, the tiny ALL Supercharge PC which is in the center of everything, 'synchronizes' the processor clock signal with all of the different frequencies of the clock signals driving each of the 'other devices' which are included in the total configuration of each PC.

112. The ALL Supercharge PC includes 2 circuits to accomplish the synchronization of an entire PC with a microprocessor chip rated at 3.0GHz, and it along with the PC actually operate at an 'effective frequency' of 3.0GHz.

113. The first of the 2 circuits ALL Chargecard technology raised the 100MHz 'effective frequency' to a 500MHz effective frequency and won the Technical Excellence Award. Then along came the '981 technology and raised it by a further 2.5GHz (2500MHz) which produced of a PC with and a rated frequency of 3.0GHz (3000MHz).

#### **CEOs 'Keep Secrets and Spread Lies'**

114. CEOs are the prime parties guilty of personally or indirectly promoting S&Ls, however, if we got them on our side, they could become the best parties to lead the program to eliminate S&Ls, but not in one instance on a temporary basis, as we will see shortly.

115. It is certainly embarrassing to admit the designs by their computer staff operate as low as 1/30<sup>th</sup> of the rated frequency, or 1/6<sup>th</sup> if they include ALL Chargecard circuitry, of the rated frequency of the microprocessor chip, which is what their sales staff and brochures quote, and that is deceitful.

116. Each time the processor communicates asynchronously with an effective frequency is what counts and should be quoted, not the rated frequency, which are the rated frequencies of the microprocessor chip however when the rated frequency is lowered and ALL Supercharge is not included, then the effective frequency rapidly drops.

117. Unlike IBM where it could have been intentional because they certainly kept calling the PC a toy for 8 years before finally releasing their IBM PC in 1981. Their answer followed Steve Jobs' lead and say nothing and lead people to believe it was their design. That has become the common practice by large companies in software even more than hardware, as the reader may have already noticed with Microsoft's Windows and all of its bugs, which is not because they don't have good programmers, rather it is just another lie.
118. By 2007, with Apple's iPhone taking the lead, Intel was forced to remove their compromising circuitry and the resulting lightening 30/1 increase in PC performance shocked the world, however with the ever-present S&Ls by the giant corporations CEOs, and this time led by Steve Jobs, all the credit for ALL's technology was bestowed on a *fictitious iPhone technology*.
119. Ending this section on a high note is that if damages and awards reach 100 billion dollars, plaintiff will have 99% redistributed to the middle class and poor, with emphasis on the poor. If the total damages reach a trillion dollars, a 99.9% will apply.
120. Advancing technology certainly enriches our lives however it also can play a major role in providing the 4 basics, medicine, shelter and education, for the poor. Being able to produce these will also makes people healthier and happier.
121. PCs also help save lives and play a major role in education, medical research and in many other areas so that we should get CEOs to do away with those S&Ls that block advancements in technology. However, as indicated earlier, allow the Scam in inflation on a temporary basis while the funds it generates are being refunded and applied to shrinking the Gap.



122. That is how the advancements in technology help get the world back under control and safe, and the poor will finally join the rest of us more fortunate people and experience and enjoy their lives, the most precious gift of all.

### PARTIES

123. Plaintiff is a citizen of Canada residing in Toronto, Ontario. He is an internationally renowned pioneer and inventor in the computer field, one of the very few in the world who at age 32 became a Full Professor in Mathematics, his lifetime passion, and did so while also advancing the Computer Science Program at Canada's oldest university, Queen's University at Kingston, Ontario.

124. While Founder, Chief Executive Officer and Chairman of 3 companies Consolidated Computers Inc., MCM Corporation, and ALL Computers Inc., he invented 3 products which charted the path of evolution of computers.

125. He began with the Key-Edit data entry system which made the IBM an Remington Rand punch cards obsolete; followed with the MCM/70, the world 1<sup>st</sup> personal computer which now reigns supreme in the world over all other designs of computers and even the Supercomputers are built with PCs; and with ALL Chargecard which made the PC operate 5 times faster and was the only unanimous winner of the computer world's highest award, the Technical Excellence Award.

126. He then added and the ALL Supercharge PC which included the ALL Chargecard technology as well as the patented '981 circuitry which was developed by his engineer, Rich Madter, and increased PC performance by a further factor of 6 times for a completely unprecedented increase of 30 times.

127. His inventions ushered in the 3 the major path changes in the evolution of computers during the past 50 years from mainframes using the earlier punch card as input, to mini computers and PCs, to today's PC which dominates the world, and all were produced at ALL Computers Inc. the Toronto based company which filed the patent in 1993 and had it granted in April, 1996.

63. Defendants Apple, Samsung, Google, Intel, and IBM are well known giants in the computer and/or 'smart' product fields where smartphones are dominant. The latter two companies each became the largest company in the world not that many years ago, and thereafter the other three have spiked up to or very near that level.

64. The above Defendants are included in the composite list of all defendants and will be supplemented by below, and a separate preliminary list in the Exhibits including the providers of infringing Supercomputers as some of the infringing users of Supercomputers will be added if required.

65. The defendants include the manufacturers and designers of modules which include infringing processors each including a microprocessor chips and the '981 technology and thousands can be used in a single Supercomputer and if the original suppliers in the chain such as Intel, IBM and others is not accountable or for other reasons are not paying damages and /or the royalties due, then they will be called upon to provide plaintiff with a complete list of their customers to whom they provided the accused infringing products during any portion of the 6 years period prior to the expiry date of the '981 patent.

66. On information and belief, the following Defendants (1-43) have infringed and/or violated Florida statutes, condominium documents, civil and criminal laws with acts that they have committed.

- 1) Defendant **Apple Inc.** ("Apple") is a California corporation having its principal place of business at 1 Infinite Loop, Cupertino, CA 95014-2083;
- 2) Defendant **International Business Machines Corporation** ("IBM") is a New York corporation having its principal place of business at 1 New Orchard Road, Armonk, NY 10504-1722;
- 3) Defendant **ARM HOLDINGS PLC** is a United Kingdom Corporation having its principal place of business at 110 33304 designer of processors which it licenses to infringing companies;
- 4) Defendant **Samsung Electronics Company Ltd.** ("Samsung") is a Corporation having its principal place of business at 416, Maetan-Dong, Yeongtong-Gu, SUWON, 443742, South Korea, and may be served with process by serving Samsung Securities (America), Inc. a Delaware corporation at *1330 Avenue Of Americas 26th Floor New York NY 10019*;
- 5) Defendant **Intel Corporation** ("Intel") is a Delaware corporation having its principal place of business at 2200 Mission College Boulevard, Santa Clara, CA 95054-1549;
- 6) The Defendant **Advanced Micro Devices, Inc.** ("AMD") is a Delaware corporation having its principal place of business at One AMD Place, P.O. Box 3453, Sunnyvale, CA 94088-3453;
- 7) Defendant **Nvidea Corporation** is a Corporation having its principal place of business at 2701 San Tomas Expressway, Santa Clara, CA 95050;
- 8) Defendant **Microsoft Corporation** is a Corporation having its principal place of business at 1 Microsoft Way, REDMOND, WA 98052-6399;
- 9) Defendant **Google** is a Corporation having its principal place of business at 1600 Amphitheatre Parkway, Mountain View, CA 94043;
- 10) Defendant **Hewlett Packard Company** is a Corporation having its principal place of business at 3000 Hanover Street, Palo Alto, CA 94304-1185;
- 11) Defendant **Qualcomm Incorporated** is a Corporation having its principal place of business at 5775 Morehouse Drive, San Diego, CA 92121-1714;
- 12) Defendant **HTC Corporation** is a Corporation having its principal place of business at Xindian District, New Taipei City, Taiwan, and may be served with process by serving HTC LLC at 30 Water Street New York NY 10004;
- 13) Defendant **Nokia Corporation** is a Corporation having its principal place of business at Keilalahdentie 2-4 ESPOO, 02150 Finland, and may be served with process by serving Nokian Tyres OYJ at 120 Broadway 32nd Floor New York, NY 10271;
- 14) Defendant **Lenovo Group Limited** is a Corporation having its principal place of business at 23/F Lincoln House 979 King's Road Quarry Bay K3 0852, and may be served at 009 Think Place, Morrisville, NC 27560;
- 15) Defendant **Acer Incorporated** is a Corporation having its principal place of business at Xizhi, New Taipei City, Taiwan, and can also be served at Acer Technology Ventures America at 5201 Great America Parkway Suite 270 Santa Clara CA 95054;

- 16) Defendant **Asustek Computer Inc.** is a Corporation having its principal place of business at No.15, Li-Te Road, Beitou District, Taipei, 112, Taiwan;
- 17) Defendant **Dell Inc.** One Dell Way, Round Rock, TX 78682.
- 18) Defendant **Sony Corporation** is a Corporation having its principal place of business at 1-7-1, Konan, Minato-Ku, Tky 108-0075, Japan; and can also be served at a Delaware corporation at Sony Corp Of America, 550 Madison Avenue New York NY;
- 19) Defendant **Toshiba Corporation** is a Corporation having its principal place of business at Toshiba Bldg., 1-1-1, Shibaura, MINATO-KU, TKY 105-8001, Japan, and can also be served at Toshiba Holdings, 800 West Sixth Street, Suite 500 Los Angeles CA 90017;
- 20) Defendant **Fujitsu Limited** is a Corporation having its principal place of business at Shiodome City Center, 1-5-2, Higashi-Shimbashi, MINATO-KU TKY 105-712, Japan, and can also be served at Fujitsu Ltd, C/O Morrison & Forster LLP, 755 Page Mill Rd Palo Alto CA 94304;
- 21) Defendant **Verizon Communications Inc.**, is a Delaware Corporation having its principal place of business at One Verizon Waybasking Ridge NJ 07920;
- 22) Defendant **Sprint Corp.** is a Corporation having its principal place of business at 6200 Sprint Parkway Overland Park Ks 66251;
- 23) Defendant **AT&T Corp.** is a New York Corporation having its principal place of business At One AT&T Waybedminster NJ; 12920 Se 38th Street Bellevue WA;
- 24) T-Mobile, USA, Inc.,
- 25) Defendant **Amazon.com Inc.** is a Delaware Corporation having its principal place of business at 410 Terry Avenue North Seattle, WA 98109;
- 26) Defendant **eBay Inc.** is a Corporation having its principal place of business at Whitman Campus, 2065 Hamilton Avenue, San Jose, CA 95125;
- 27) Defendant **Blackberry Ltd.** formerly Research In Motion Limited ("RIM") is an Ontario corporation having its principal place of business at 295 Phillip Street, Waterloo, Ontario N2L 3W8 Canada;
- 28) Defendant **Atmel Corporation** is a Delaware Corporation having its principal place of business at 1600 Technology Drive, San Jose, CA 95110 USA;
- 29) Defendant **Best Buy Co., Inc.**, ("Best Buy") is a Minnesota corporation having its principal place of business at 7601 Penn Avenue South, Richfield, MN 55423;
- 30) Defendant **Scotiabank** is a Canadian Bank having its principal place of business at Scotia Plaza, 44King Street West, Toronto, On, Canada M5H 1H1
- 31) Defendant **J P Morgan Chase & Co.** (together with its subsidiaries, "J P Morgan Chase") is an FRS regulated Financial Holding Company under the *GLB Act* having its principal place of business at 270 Park Ave, New York, NY 10017;
- 32) Defendant **Edward Francis O'Connor, LLP** individually at 6345 Balboa, Blvd, suite 208, Encino, CA 91316, and Juniper, Florida;
- 33) Defendant **Jones Day** is a Law Firm having its principal place of business at 77 West Wacker Chicago, Illinois 60601-1692;
- 34) Defendant **Seasons Condominium Association Inc.** is a Condominium Association located at 209 N. Fort Lauderdale Beach Bld. in Fort Lauderdale, Fl 33304;
- 35) Defendant, **Storage Post, Inc.** 134 Chestnut Drive, Doraville, GA 30
- 36) Defendants **Robert Greene** and Rhea Greene, 40993 Winding Way, Oakhurst, CA 93644; Robert Greene and Rhea Greene are a married couple and owners of Palm Beach Carwash LLC at 7213 N. Ingram St., Fresno, CA 93650

- 37) Defendants **Pamela Mary Devins and Ellen Azevedo** at Tennis Club Wingfield Condominiums, 610 Tennis Club Drive, units 301, and 302 respectively, Fort Lauderdale Fl. 33311
- 38) Mr. **Stuart Michael Smith, LLP** individually, 633 SE 3<sup>rd</sup> Ave. Suite 302, Fort Lauderdale, Fl. 33301- 3151;

Defendants also include two additional categories:

- 39) Manufacturers, and Suppliers of Supercomputers. and Users (“MSU”) of Supercomputer Processors (“SSC”) and PC-based products ranging from tiny hearing aids to large TVs and Display Units. Partial lists are attached in Exhibit C and D respectively and the MSU will be approached by plaintiff to provide accurate lists.

The following is a list of some of the defendants listed above who also qualify for at least one of the following two categories:

128. Supercomputer MSU: ADVANCED MICRO DEVICES, INC., INTERNATIONAL BUSINESS MACHINES CORP., NVIDIA CORPORATION, INTEL CORP;
129. PC-based Designer and Inducer: ARM HOLDINGS PLC.

### THE PATENT-IN-SUIT

Previous paragraphs 1-71 are incorporated by reference as if fully set forth herein.

72. Plaintiff led a small 3 man R&D team at ALL Computers Inc. comprised of himself as leader, Richard C. Madter as engineer, and Mohammed M. Turki as technologist.
73. The ‘981 patent was filed on October 1, 1993 and Madter, the engineer on the team was the inventor, and the patent was without office actions. On April 9, 1996, the United States Patent and Trademark Office (“PTO”) duly and lawfully issued US Patent 5,506,981, titled “*Apparatus and method for enhancing the performance of personal computers*” (the "981 Patent"), a copy of which is attached hereto as Exhibit G.
74. The patent application was a continuation in part of application Ser. No. 08//037,875 filed Mar. 29. 1993. On September 12, 1995, the United States Patent and Trademark Office (“PTO”) duly and lawfully issued US Patent and issued as Patent No. 5,450,574, titled “*Apparatus and method for enhancing the performance of personal computers*” (the "574 Patent"), a copy of which is

attached hereto as Exhibit G, and plaintiff named both Richard C. Madter and Mohammed M. Turki, both of Canada, as the inventors.

75. Richard C. Madter, the lone patentee for the '981 patent, assigned the '981 Patent to ALL Computers Inc., and ALL Computers Inc. assigned the '981 Patent to the Plaintiff, who still owns it and holds the right to sue and recover damages and is not limited to the parties listed, nor the damages listed.

76. Plaintiff filed a Complaint on December 21, 2012 and due to the "fail for lack of standing" of the plaintiff acting pro se, the Court dismissed it without prejudice on February 20, 2013. Plaintiff had not registered the assignment change and in the interim has had an attorney file the registration and herein, is re-submitting a Complaint for Infringement of his patent.

77. ALL Computers Inc. formally assigned the '981 Patent to the Plaintiff in 2013 and he continues to own it to this very day and holds the right to sue and recover damages for infringement of the patent.

#### **JURISDICTION AND VENUE**

78. The Federal District Court of Arlington East Virginia had jurisdiction over the subject matter of this action in the earlier *Case No. 1:04-CV-586 v. Intel* and pursuant to 28 U.S.C. §§ 1331 and 1338(a) continued to have jurisdiction because this action arises under the patent laws of the United States, including 35 U.S.C. § 271 *et seq.* Following the Court's dismissal of plaintiff's Complaint without prejudice on February 20, 2013 because the assignment to plaintiff had not been recorded, plaintiff has since registered the earlier assignment.

79. Confusion in the Clerk's Office had the case transferred to the Court in Richmond EVa. and after returning much later another Judge unknowingly ruled the venue was incorrect and when that

was resolved neither the original Judge Gerald Bruce Lee, nor Judge Liam O'Grady (previously Magistrate Judge), were available and due to the costly delays Plaintiff chose to file in East Texas.

**80.** This Court has personal jurisdiction over Defendants because:

Defendants have committed acts of infringement in violation of 35 U.S.C. § 271 and have placed infringing products into the stream of commerce products that are used and sold in this District;

**81.** On information and belief, these Defendants derive substantial revenue from the sale of infringing product distributed within the District, and/or expect or should reasonably expect their actions to have consequences within the District, and derive substantial revenue from interstate and international commerce;

**82.** In addition, Defendants knowingly induced, and continue to do so within this State and within this District by contracting with others to market and sell infringing products with the knowledge and intent to facilitate infringing sales of the products by others within this District and by creating and/or disseminating data sheets and other instruction materials for the products with like mind and intent;

**83.** Defendants have used infringing products in this District;

**84.** Defendant has designed infringing products and caused licensees to place infringing products into the stream of commerce products that are used and sold in this District;

**85.** Plaintiff filed a motion at Broward County Courthouse Fort Lauderdale, Florida for compensation relative to patent losses incurred, however lower court denied the motion without prejudice stating it is should be heard in a patent case.

**86.** Venue is proper in this judicial district as to Defendants pursuant to 28 U.S.C.

§§ 1391 and 1400(b).

### NATURE OF THE ACTIONS

- 87.** This case began simply as a civil action for the infringement of United States Patent No. 5,506,981, and was filed at the Eastern District Court in Alexandria Virginia by ALL Computers Inc., a company founded by plaintiff.
- 88.** Further developments resulting from the technology involved have made case this uniquely qualified to make a major contribution to the world at a very crucial and critical time and as extreme as it may appear, this may soon become our last chance to rescue the world from extinction. The scariest part is that we hardly know that is where we are, let alone already dealing with it.
- 89.** Fortunately, Stephen Hawkins, a truly brilliant person but regretfully passed away, independently came to the conclusion that our only recourse is to find another planet where we humans can survive, implying and possibly stating, it is too late to save our planet, 'the earth'.
- 90.** Unlike the many predictions over the years that the world will end, each of those days came and went and we are all still here, This time however, that warning has real substance.
- 91.** Plaintiff believes the word "impossible" is overworked and when he hears it, he now uses it as an invitation to a challenge. His batting average for inventions thus far has been 1,000 by simply asking for input all along the way until he hears something that either requires modification or dissuades him, otherwise he just kept going until he successfully completed on 3 major products that were labeled 'impossible'.
- 92.** As result, plaintiff agrees with Stephen up to the point that to save our world, we must almost do the impossible and the time may run out first if we are not super aggressive with our timing.



93. It sounds too simple, but a relatively small but strong group of greedy billionaires have too much money and plaintiff found they discovered a way to perpetuate the growth of their wealth however in doing so they are actually taking money from the middle class and the poor, the latter in particular.
94. They are not able to live a proper life, and that is the most precious possession possible and each of us receive it at birth, but too few are able take advantage of this gift. With technology having advanced so much and continues to do so, we have the resources to at least ensure a family of 4 would receive at least \$1,500, preferably \$2,000/mo.
95. That would solve the current threats to the survival of the world we currently face and that should be enough of a benefit for the rich and the poor. About 1% of the world, 76 million people, would be funding this however this need not be a tax.
96. The goal is to have a correction phase which refunds of funds the rich in particular should not have received in the first instance and this if accomplished on a country by country basis would be a major move in the right direction. The ongoing phase will have a huge central foundation comprised of all the countries that have opted in, and it would aim to at least establish the \$2,000/mo. referenced above.
97. Many millionaires and billionaires already realized this and have set up foundations and now need only transfer funds from their personal foundation to a huge central foundation for the world in the world which would then be redistributed by each country to all of the people in each
98. Clearly the overall Gap is already at a dangerous level yet it continues to grow without constraints. There is no question it will burst at some point soon unless we act right now to prevent it!

99. What we in computers are now doing in Court is what other disciplines should also do and plaintiff intends to apply all of awards received for inflation to the poor in particular but also to other disciplines.

100. Plaintiff believes many defendants and others not on the list will join the many who have already deposited funds into a foundations and those funds being used or transferred to one of the two foundations being set up by plaintiff, will qualify as payments for damages.

101. In all of this our mutual goal should focus on solving the world's problem and that can only be accomplished if everyone begins to tell the truth and avoid secrets to mislead people.

102. Here we have been talking about a 30/1 total increase in PC performance and that is a 3000% increase which is phenomenal. Also noteworthy is that Apple's market cap increased by about 3000% between about 23 billion dollars just prior to 2007 to about 700 billion dollars in 2012. A strong indication that Apple's meteoric rise was due to ALL Supercharge and they should a good portion of those funds to be fairly distributed.

103. Plaintiff is prepared to cut damages in half for a limited number of early settlements. ARM is a prime example of inducing others to infringe.

104. The following is a simple example of how things have been working, and now should be working. The same applies to prices of goods and services being reduced until a fair equilibrium is reached.

130. If we start with: a rich person has \$100 wealth, and  
a poor person has \$1 wealth, and  
the Gap is  $100-1=$  \$99.

131. In the past, ratio-driven inflation doubled both during each cycle which is every 14 years  
with say a 5% inflation: the rich's \$100 becomes \$200, and  
the poor's \$1 becomes \$2, and

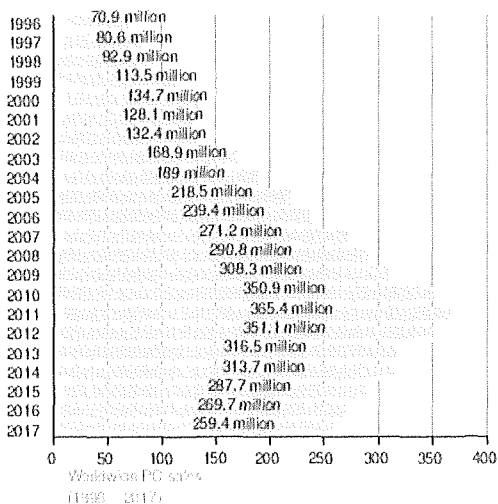
the Gap is now \$ 198.  
The Gap just doubled from \$99 to \$198.

### FACTUAL BACKGROUND

(Paragraphs 1- 108 are incorporated by reference as if fully restated herein.)

#### **The Father of the Personal Computer Also Raised The PC to Reign Supreme Worldwide.**

132. Understanding the Factual Background behind today's personal computer is extremely important because so much is common between the computer discipline's blockage of advancement in technology and the world's faulty distribution of wealth.
133. This case affords us the rare opportunity to immediately begin exposing what has thrown the world into such a sorrowful and dangerous state. Everything is already set up for us to deal with the United States portion of the world's financial and computers' technology problems. The computer discipline is the initial discipline being tackled because it fortunately has the most in common with the world. The same corporations and CEOs are involved, and the strategies adopted by defendants are also similar.
134. How real all of this is very obvious with the numbers that apply worldwide, however in this case even for the financial portion where we are dealing only with the 29 United States corporations that are defendants, their sales worldwide are included and that makes the total significant.
135. Further, the current worldwide penetration of plaintiff's '981 technology is an amazing record breaking 7 billion sold since 1995. The ALL Supercharge PC includes both the '981 and the ALL Chargecard technologies and that combination is what caused the dot-com craze because the higher speeds allowed Internet to finally produce graphics.



136. That not only opened the door to beautiful high resolution pictures for families and others, Facebook and the other social web sites could now make their entry. That is how finally damages that can be deposited in United States foundations for the world portion can be measured in hundreds of billion dollars, and the technology portion would be

a small to medium fraction of that.

137. When the first hundred billion is reached, 99.9% of the amount in the financial wealth area 1, and 99% of the amount in the computer portion will be deposited in foundations for the computer discipline.

138. This chart shows that the penetration of PCs as a result of the explosive start at dot-com which resulted in 5 billion PCs (4.959B) being sold by 2017, and easily another 2.5 billion smartphones during the same period. Of this total of 7.5 billion it is estimated that at least 7 billion included the patented '981 technology because a product operating at lower rates produces pictures with poor quality rather than beautiful pictures and not only would they not sell not sell, iPhone would have been another flop for Apple (see ZDNet quote page 8).

139. However the one area which is still outstanding is the 'being paid' portion which this case is addressing. The giant computer corporations of the world closed in on plaintiff largely because his inventions kept making their products obsolete. Plaintiff's first 3 inventions put IBM out of business in the 3 computer hardware divisions which made them the largest company in the world and even he did not think that was that was possible and certainly that was not his goal.

140. No inventor in computers during the past 50 years comes even remotely close to what plaintiff's inventions have accomplished and he even capped them off by playing an important role in getting Intel to build the first silicon-based microprocessor chip.
141. Intel's Board turned down Intel founder Bob Noyce's request to build the chip for plaintiff because they determined it had no future! Intel exists today solely due to the microprocessor chip which they now call processors because they include both of ALL's technologies, ALL Chargecard and the patented '981 circuitry.
142. It was not until plaintiff offered to pay for the entire development costs and also listed the key features the microprocessor chip required to be a success, that Intel's Board relented. Their design however failed in two the 2 most important areas, accessing memory and synchronization of microprocessor chip with the other slower devices in the PC.
143. "IT IS NOW TIME" to end procrastination and attack the problems facing both the 'computer discipline' as well as the 'world', and this case is almost a Godsend because of what it offers:
144. Both the 'computer discipline' and 'world' are closely intertwined with the 'same people' and CEOs in particular, because they have the power to move quickly and this time it will be in the right direction.
145. The 'same actions' are also involved, and they include a 'hidden Scam' which promises to be the key to a quick and total solution at both the computer discipline and the world levels.
146. The plaintiff very fortunately happened to detect the Scam recently because it truly is the key to an early solution to avoiding a disaster. He was shocked that he as a former professor in mathematics did not detect it earlier however that also applies to everyone as it does not require higher math to find it.

147. We are here now in Court and can avoid further delays, and even more important, neither new laws nor political action are required to eliminate the Scam because those that launched it, along with those that knowingly promote it, have been breaking existing laws by committing fraud and even grand theft, given 100's of billion dollars of damages are involved.

148. As supported in the previous section in particular with examples of calculations, "free funds" from the federal government are being indirectly but unfairly funnelled to the rich rather than being fairly dispersed with an equal number of of these "free dollars" to every person in each country that is currently allowing the Scam to be applied.

149. Fortunately the 'Factual Background' causing the and must now be returned for deposit in into government controlled Scam in computers in the United States can also be applied to other disciplines in the United States, and other countries can follow in the same manner, and Canada just might follow earliest, and plaintiff hopes almost simultaneously once progress is made in Court.

#### Computer Discipline's Factual Background

150. Plaintiff earlier had 3 huge brainstorm in technology that combined to make 3 major advancements in technology that became milestones in the evolution of computers. The timing of his discovery of the Scam led us to this case at Marshall in East Texas, and it can now play an extremely important role in solving and eliminating the biggest threats to the world's survival in the history of the world.

151. The vital common elements are all there: the same 32 defendants are giants in both computers and the world; the causes are both led by the same CEOs with the same strategies of 'keeping secrets and spreading lies' ("S&Ls"); the damages awarded should be in the billions of

dollars, and if so, the major portion of the funds gained can be allocated to a fair redistribution of the inflation funds to the poor and middle class. The portion reaches 99% at the 100 billion level, and if the total crosses over the 1 trillion dollar line, which with sales of the ALL Supercharge PC units approaching 7 billion units is definitely possible, the portion would then be raised to 99.9%.

152. The “Non-Stop Pursuit of Wealth” attitude is continuing to this very day and it along with 'keeping secrets and spreading lies', are both too prevalent among over 30 of the giant defendants in this case and serious steps should be taken to eliminate both as prime goals and the world will become a better place. .

#### THE PRODUCTS and TECHNOLOGIES

153. ALL’s technology is combined with existing and new designs of a microprocessor chip on a small PC board and Intel began calling this combination a “processor”, which not only replaced ‘microprocessor chip’ with the name, but also physically replaced a ‘chip’ with a small ‘PC board’ which has the microprocessor chip along with new circuitry mounted on it.

154. ALL Chargecard which really shook the world and won many awards, which not only included the Technical Excellence Award, the highest award in the computer industry, it was also the only product than ever received a unanimous vote by the huge PC Magazine Editorial panel – the first 2 pictures below are for the Technical Excellence Award, and the third is for PC World’s top annual award with the following quotes in a more legible size than those shown on top of the PC World cover page:

“The biggest shock of all? The ALL Chargecard actually works as claimed”

What other product essentially doubles your system's conventional workspce memory for those mega worksheets, data bases, and documents or those crucial but RAM residdent programs?

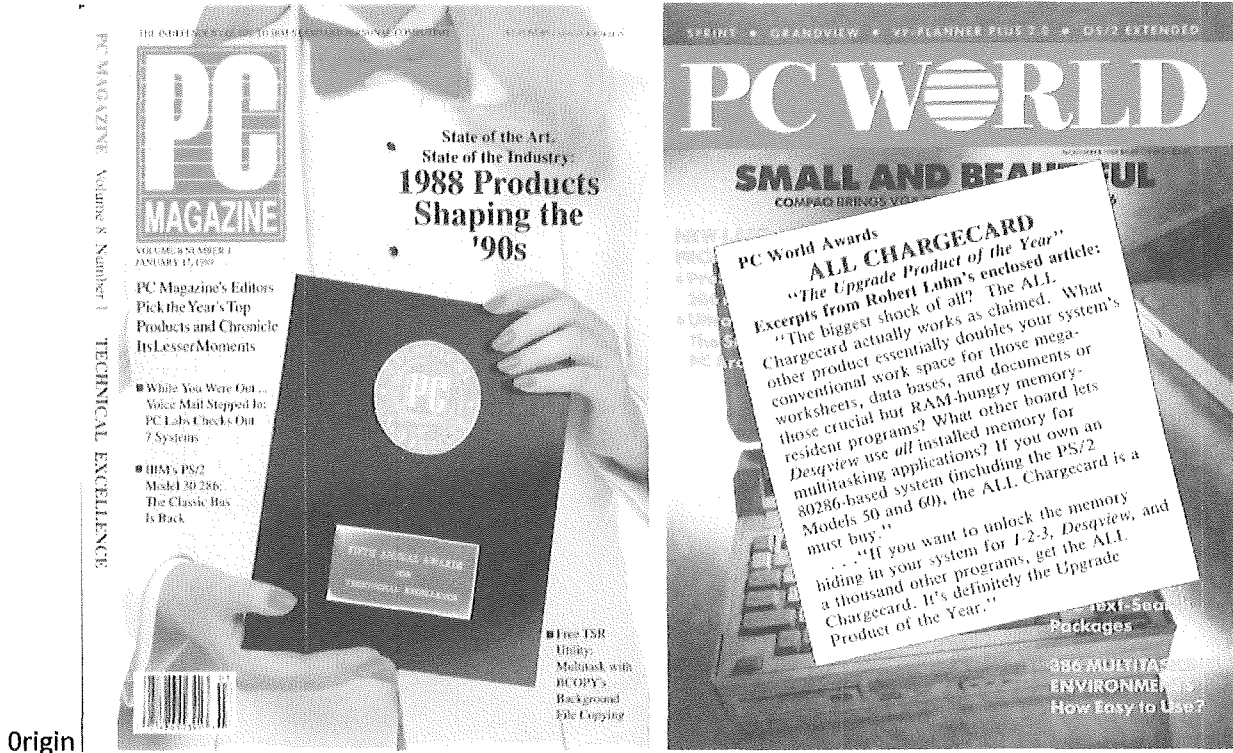
What other product let's Desqview use all installed memory for multitasking applications .....

The ALL Chargecard is a must Buy

“If you want to unlock the memory hiding in your system for 1-2-3, Desqview, and a thousand other programs, get ALL Chargecard.

It's definitely the Upgrade Product of the Year”



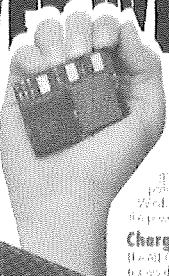


Origin

**ALL Computers' ALL CHARGE CARD** made **WINDOWS**, the product Microsoft earlier had to give away free, into a respectable, saleable product by:

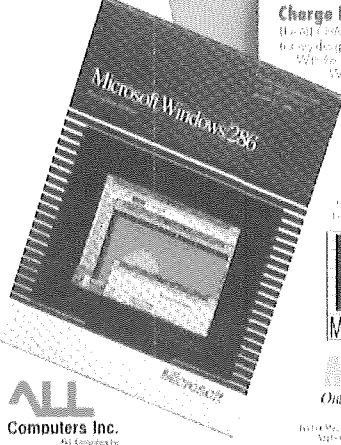
# POWER WINDOWS

**MICROSOFT WINDOWS AND THE ALL CHARGE CARD**



How does it work? The All Charge Card is a state-of-the-art memory card that fits into the 80286 PC, PS/2 and compatible systems. By the time you insert it, the program is already installed and ready to go. All you need to do is insert the All Charge Card into your system and you're ready to go. It's that simple.

**Charge III!**  
 The All Charge Card is a 4M Computer Upgrade Card that gives you access to 4M of random access memory. With the All Charge Card, you can run all your Windows applications with ease. It's that simple. You don't need a special card or a special program. You just need the All Charge Card. It's that simple.



**PC MAGAZINE**  
**ALL CHARGE CARD TECHNICAL EXCELLENCE AWARD**



**ALL Computers Inc.**  
 All Computers Inc.  
 1200 North Street, Suite 100  
 Irving, TX 75038-1200  
 Phone: (972) 251-1200  
 Telex: 750382 ALL  
 Fax: (972) 251-1200

Allowing access to multi-megabytes of RAM memory by eliminating memory limitations of 640K for the first program and 4K for every multi-tasked program that followed.

As a result, all multi-tasked programs now have access to unlimited memory (MBytes) and PC performance is increased by an unprecedented factor of 4x to 6x, an average of 500% increase when 20% was previously considered big news!

Little wonder that ALL Chargecard was the only product to ever receive the unanimous vote of the entire PC Magazine's editorial board was ALL Chargecard when it was awarded the Technical Excellence Award in 1988.

**Then Along Came ALL SUPERCHARGE - the Product that stands alone without an equal! It takes any microprocessor chip from**

Intel, AMD, Nvidia, ARM, IBM and the rest, and even gets a new name such as "Core-i5Processor" (which now is a processor 'board' product which ALL Computers Inc. made famous with the 1<sup>st</sup> ever unanimous Technical Excellence Award winning ALL Chargecard) and increases the performance of respective microprocessor chips and PCs by 3000% as ALL Supercharge also includes ALL Chargecard! It is a completely unheard of feat which may never be matched! It is what made iPhone so much faster, which automatically generates the highest resolution for the most beautiful pictures and videos on Displays – which is iPhones biggest selling feature without question.

### ALL SUPERCHARGE

ALL Computers Inc. in 1995 outdid themselves with their development of the next generation of their processor board technology. They went back to the drawing board and completely optimized the performance of the new PC's and existing PC-based products. In the process they also reduced the cost of building PCs when they included their ALL Computers' upgradeable 'processor board' product. First the clocking circuitry in the PC was vastly improved. No longer did the processor clock signal have to drop down to the lower frequencies of the other devices in the PC to synchronize the frequencies. Along with the new processor clock signal a sub-harmonic signal was also added to facilitate the synchronization of the processor clock signal with the other slower clock signals of the other devices in the PC. This optimized the synchronization of all the signals with the processor clock signal and made a huge increase of the performance of the processor and the PC.

UPGRADE YOUR OLD PC  
386DX to 486  
ALL DX 486

# ALL SUPERCHARGE

## PROCESSOR UPGRADE™

With Memory Manager

A simple plug in board with no messy motherboard replacement, optimum performance and consistency at the lowest cost.  
**BETTER THAN A NEW PC!**

THE TEN MINUTE UPGRADE TO 486 POWER

**ALL Computers**  
All the power, performance and memory management you'll ever need!

As elaborated upon later, an order for 5,000 ALL Supercharge PCs was received from a major Bank before it was even announced.

Plaintiff noted the giants were preoccupied with inventing means to avoid a disaster when the frequencies of two signals are 180 degrees out of phase, and engineers have been trying to solve that problem for years but now that simply became a by-product of this invention because it generates only the optimum frequencies which all have a phase difference of zero and the frequencies of the clock signals operating the man devices, or all integer multiples of the frequency

of the sub-harmonic clock frequency!

As a result it could never generate a 180 degree difference in the phases. PC and PC-based products since the 2007/2009 period are 'ALL Supercharged' with circuitry patented by ALL Computers Inc. They began to operate optimally while also accessing unlimited memory comprised of RAM and other forms of addressable memory. As a bonus, because the solution was derived at the absolute source of the problem, the design also generates the lowest cost to design, build, sell as well as providing inventory to also service the various models of the products.

155. Special Offer

Plaintiff, with approval of the Court for not prejudicing later rulings, will accept a limited number of settlements at a substantial discount for settlements made prior to the first hearing and payment made no later than 10 days after the first hearing. For more information contact Mers Kutt at [mers@allcomputersinc.com](mailto:mers@allcomputersinc.com).

**Wealth Distribution**

156. In the table below, parties in the US with wealth of 666,260 dollars will neither pay nor receive funds as they would have received  $\frac{1}{2}$  of the 666,260 during the past cycle which is 333,130 dollars and that is the maximum single "equal amount" everyone could be entitled to receive until the Gap drops to a reasonable level, thereafter the total amount available will become will be distributed equally to everyone.

157. Periods of deflation will also help to get to that lower level, however while it will not hinder the poor, it will continue to not help the poor.

158. During the correction process the rich much realize they neither earned nor inherited the huge gifts they received during at least the past 60 to 70 years, and therefore were not entitled to receive them and must begin to have the ill-gotten wealth fairly redistributed ideally to the entire world but the first step might best be taken in each country and then spread to all the countries that opt into the program.

159. The 'Scam' hidden in the process adopted during periods of inflation has been doubling the wealth of everyone which on first glance might appear fair, however definitely is grossly unfair.
160. If someone like Bill Gates had 75 billion dollars 12 years ago, and he found a place 'to park' his wealth at an inflation rate of 6%, even though the rate quoted publicly might be 2.1%, then he would have received another 75 billion dollars during these 12 years and this is over and above any interest or rental income he may have received. Further if he had some inside information about the longevity of inflation during this period, his gain is also risk-free wealth.
161. The working middle class Joe Unknown with a 100,000 dollar home with an 80,000 dollar mortgage, has his 20,000 dollar wealth doubled to 40,000 dollars and the Gap of ~75 billion dollars between Bill and Joe just doubled to ~150 billion dollars.
162. That is what the rich, middle class, and the poor have allowed to be tolerated for the past 60 to 70 years, and a very large number in each group was not even aware it was taking place, and those that did, knew how to 'milk' the most out of it.
163. However, now that all will be made aware of the truth, the rich and the upper middle class should not only apologize to the poor and lower middle class, but also immediately begin supporting the redistribution of the wealth to the parties who should have been the recipients in the first instance.
164. The rich neither earned nor deserved to receive the lions' share of the 'free government money' while the poor who needed it most, received no 'free government money'.
165. The government not only has it all wrong, and certainly should not have they allowed such a Scam to flourish. If there is any 'free money', and there should be, it has to be distributed to the poor first of all, followed by the lower middle class, but not to the rich.

166. While we are so far beyond a reasonable Gap size that we must narrow the Gap between rich and poor until it becomes reasonable, Those above will begin paying small amount and someone with 150 billion dollars wealth will repay 75 billion less a maximum of 333,130 dollars but typically much less. Those below will receive amounts ranging from 0 to a maximum of 333,130 dollars, which when paid on a monthly basis is 1,633 dollars per month for 17 years.

### Wealth Distribution Tables

#### 2018 USA, Canada, World - Previous Wealth Distribution (4.2% Inflation)

(With .50/.50 Split of Assets)

<u>Cycle</u>	<u>Countries</u>	<u>Assets</u>	<u>Population</u>	<u>Avge/100%Pop.</u>	<u>Avge/99%Pop.</u>	<u>Avge/1% Pop.</u>
17 years	World	US\$ 302T	7.6B	\$ 39,737	20,069	1,986,840
17 years	Canada	US\$ 6.3T	37.1M	\$169,995	84,856	8,499,730
17 Years	USA	US\$109T	327.2M	\$333,130	168,247	16,656,500
	Monthly USA			\$ 1,633	825	81,650

#### 2018 USA Canada World Wealth with Corrected Distribution (4.2% Inflation)

(With preferred .75/.25 Split of Assets)

<u>Cycle</u>	<u>Countries</u>	<u>Assets</u>	<u>Population</u>	<u>Avge/100%Pop.</u>	<u>Avge/99%Pop.</u>	<u>Avge/1% Pop.</u>
17 years	World	US\$ 302T	7.6B	\$ 39,737	30,104	993,421
17 Years	Canada	US\$ 6.3T	37.1M	\$169,995	128,645	4,245,280
17 years	USA	US\$ 109T	327.2M	\$333,130	252,371	8,328,240
167.		Monthly USA		\$ 1,633		1,237
						40,824

168. Plaintiff submits the current distribution of funds is a classic example of an intentionally hidden 'scam' by those hidden in the background who committed fraud initially when setting up the process for inflation with a Scam, and thereafter by controlling the inflation rates.

169. We must stop them from further committal of illegal civil and criminal offences and plaintiff recommends that after the 'Correction Process' where the '50% gain' during the last 'doubling cycle' is refunded, monthly payments must also be added during the current cycle while inflation continues. which redistributes unfairly distributed funds during at least the previous

170. Plaintiff suggests one of the following two processes can be selected for the correction process. For parties in the US with wealth of 666,260 dollars, the single payment of 333,130 dollars or 204 "equal amount" monthly payments of 1,633 plus interest during the next 17 years given the previous average inflation rate was 4.2% and a 17 year cycle.

171. A simpler process would be to divide the 54.5 trillion dollars increase in United States during the past 17 year cycle with a 4.2% inflation rate, by the 327 million population (with possibly special treatment of the children) which yields a 166,667 dollars single payment, or a monthly payment of 817 dollars plus interest per person for 17 years. These funds would be deposited into a central government Foundation for redistribution.

#### **Redistribution of Inflation Increases 'in Sale Price' of All Supercharge PCs**

Defendants are responsible for the funds they received as inflation increases in at the manufacturer level, an IBM is responsible for the balance received at the retail level in the sale of up to 7 billion products which included ALL Supercharge PC technology. JUSTIFY 7B received by defendants in the United States as refunds of the inflation portion of selling prices since 1996, on the sale of products which. will be deposited in plaintiff's Foundation for

redistribution as ruled by the Court. These are funds that plaintiff should have been received by ALL had IBM not effectively put ALL Computers out of business so that IBM is responsible for making these deposits . Any shortfall would be covered by IBM along with the profits that plaintiff would have received. Worldwide, as many as 7 billion products included the patented '981 technology and the units typically were housed the ALL Supercharge PC along with other attached devices. nd were manufactured by almost 160 manufacturers worldwide and also sold by resellers of computer products.

**Distribution of Funds Awarded for Infringement and Other Actions**

Foundation %	Initial Total \$Awards	Total \$Awards Deposited in Foundation
99.0%	100 billion & higher	99 billion & higher
99.9%	1 trillion & higher	999 billion & higher

172. plaintiff has been delayed by many defendants intentionally and willfully by defendants Chase, Smith, Devins & Azevdo, Greens, intentionally by Travellers and Storage Post;

173. it was beyond plaintiff's control as in the case of delays caused by Clerk's error at the Eastern District Court in Alexandria VA.;

**80.** We were abruptly stopped by a desperate but foolish and extremely costly retaliatory act committed by IBM which also included coercion of Scotiabank into cancelling the 5,000 order we won in a bid over IBM and many others and already made deliveries that amazed and delighted the IT staff and Manager.

**81.** We were not trying to put IBM out of business, simply doing our best to create superior new technology and products. Their goal was to put us away no matter the cost, however and it turns out the damages are extremely high and are backed by the billion units of iPhone alone.

CLAIMS CONSTRUCTION

**INFRINGING PRODUCT**

Apple's iPhone 4 (sample) includes an Apple A4 chip which uses accelerator board circuitry to clock Apple's adaptations of

ARM Cortex -A7 processor core(s) with synchronous version of AMBA. for operation by CPUCLK clock signal, the processor clock signal which is named second clock signal in patent

having said CPUCLK clock frequency of 210Mhz (also expressed as  $35 \times 2 \times 3$  to show 35 is a common denominator which is all important-see below).

higher than HCLK's frequency of 70Mhz, and is named first clock signal in patent (also expressed as  $35 \times 2$ );

trace(s) on the substrate of the enhanced Apple A4 microprocessor chip, are connected directly to a pad on the motherboard if A4 is soldered down, or indirectly (most common) via a socket if a socket is present;

a signal generator responsive to said HCLK clock signal for generating an HCLKEXT signal in known phase relationship with said HCLK signal

the frequency (35Mhz) of said HCLKEXT signal being a common denominator of said CLK frequency ( $35 \times 2$ Mhz) and said CPUCLK frequency ( $35 \times 3 \times 2$ Mhz); and

**PATENT 5,506,981 CLAIM 5**

An enhanced microprocessor

for operation by a second clock signal

having a second clock frequency

higher than said first clock frequency;

bus means for transmitting said first clock signal to said accelerator board;

a sub-harmonic generator responsive to said first clock signal for generating a sub-harmonic signal in known phase relationship with said first clock signal,

the frequency of said sub-harmonic signal being a common denominator of said first clock signal and said second clock frequency; and



a phase locked loop oscillator responsive to to said HCLKEXT signal for generating CPUCLK signal(s) in known phase relationship with said HCLK signal for the operation of said Apple A4 chip's adaptation of Cortex -A7 processor core(s) with synchronous version of AMBA .

said sub-harmonic signal for generating a second clock signal in known phase relationship with said first clock signal for the operation of said upgrade processor.

US PATENT 5,506,981

US PATENT 5,506,981

Claim 5 'in expanded form' and applied to:

Claim 5 as printed in the patent

**INTEL E6XX PROCESSORS**

**ACCELERATOR BOARD**

for use in replacing microprocessor of a Computer System Board which can generate 1<sup>st</sup>CLOCK SIGNAL at a 1<sup>st</sup>frequency to control flow of information on Computer System Board

An accelerator board for use in replacing the microprocessor of a computer system board including means for generating a first clock signal at a first frequency for controlling the flow of digital information on said computer system board; said accelerator board **(1)** comprising:

- 1 INTEL E6XX PROCESSOR**
  - i. Comprising:
- 2 ENHANCED MICROPROCESSOR**
  - ii. operated by a
- 3 2<sup>nd</sup> CLOCK SIGNAL at 1.0 GHz**
  - iii. which is greater than the **200MHz** frequency of the
- 4 1<sup>st</sup> CLOCK SIGNAL, and**
- 5 BUS MEANS**
  - iv. Is a lead on computer system board connected to a pin on accelerator board to transmit **1<sup>st</sup> Clock Signal** to accelerator board.
- 6 S-H SIGNAL GENERATOR**
  - v. is responsive to **1<sup>st</sup> Clock Signal** to generate
- 7 S-H Signal at 100MHz**
  - vi. in **KPR\*** with said **1<sup>st</sup> Clock Signal** a frequency which is a common denominator of frequencies of said **1<sup>st</sup> Clock Signal** and **2<sup>nd</sup> Clock Signal**, and a
- 8 PLL GENERATOR,**

an enhanced microprocessor**(2)** for operation by a second clock signal having a second clock **(3)** frequency higher than the first frequency; bus means **(5)**for transmitting said first clock **(4)** frequency to accelerator board;

a sub-harmonic generator **(6)** responsive to said first clock signal for generating

a sub-harmonic signal **(7)** in known phase relationship with said first clock signal,

the frequency of said sub-harmonic signal being a common denominator of said first clock frequency and said second clock frequency; and in known phase relationship, and

a Phase Lock Loop oscillator **(8)** responsive to said sub-harmonic signal for generating a second clock signal at said second clock frequency in known phase relationship with said 1<sup>st</sup> signal and 2<sup>nd</sup> Clock signal for the operation of said upgrade processor.

which is responsive to **S-H signal** for generating **2<sup>nd</sup> Clock Signal** at the frequency of **1.0 GHz** in **KPR\*** with **1<sup>st</sup> Clock Signal** for .

***Bold, numbered, caps for: components, signals and circuits when defined, otherwise bold first letter in caps; and 'i- vii': for actions taken.***

*KPR\* : known phase relationship*

*S-H signal: sub-harmonic signal*

### **Major Savings With Early Settlement**

174. Plaintiff advises all defendants that he prefers settlement prior to the beginning of the case and offers good incentive settle early to save not only legal fees, but also a portion of royalty and/or damages and willful Infringers are also included. For those who were induced, unaware or otherwise misled on their infringement, they will receive a discount and a possible refund if plaintiff is successful in receiving such payment from the inducer for example if they were licensed and used an infringing design from Arm Holdings in the UK.

### **Solving Same Problems In The Computer Field...and In The World.**

175. While solving these problem(s) in the computer discipline surprisingly we will also be solving the world's extremely crucial problems and solving it first in the computer discipline, is a big advantage because here we are already launched in the case at the Marshall Courthouse.

176. The Judicial discipline can then touch so many other discipline's quickly and begin eliminating the deceit, lies, sham, cover-up, and false history in particular in the 1<sup>st</sup> group, and theft, blockage and infringement in the 2<sup>nd</sup> group.

177. The highest priority is inflation which affects all the parties that have a hand in any way with "man-made" inflation, and whether innocent or intentional is not the issue as both need to be eliminated and we do not need to 'police' anybody. We just want to eliminate the gross unfairness of inflation.

### **IBM Leads the Pack with Biggest Mistake**

178. Sean Maloney, Intel's executive V/P, at Moscone Hall in San Francisco 10 years after the Pentium switched from the outdated clocking circuitry to this patent's circuitry, Sean implied that it was invented by Intel's engineers just doing their regular day to day work as he stated "First there was a step function increase in the performance of the PC, as the Pentium processor

really kicked in”, but no indication or explanation that ALL Computers Inc. invented the technology and that is what delivered the kick!

179. Years later, IBM printed in their internal paper that they invented the PC.

180. The head of the project to develop the PC at IBM attended plaintiff’s first public showing of the MCM/70 in Toronto, Spring 1973 at the International APL Conference held at the Inn on the Park Hotel complex and when plaintiff walked into the auditorium he was sitting alone waiting for the Birds of a Feather informal meeting to start.

181. He was completely dumbfounded and he asked plaintiff who are you and where did you come from. It turned out that he had just asked for or already received (not sure which) funding from IBM to build a personal computer at IBM. When he finally built ‘his PC’ years later it turned out to be nothing more than a very tight repackaging of a 1620 mini-computer, and it was further disqualified as it did not even have a microprocessor chip.

116. Mr. Stuart Smith (“Smith”), opposing external counsel for defendant Chase also a defendant in this case, caused this 2013 foreclosure case at Broward County Court to be improperly reopen, noticed, and conducted.

117. As is his Smith’s habit, he almost never commented on plaintiff’s advance submissions in that case, nor did he make any submissions himself. It was also his constant practice to take the floor right from the outset on my submission and either the Judge made it easy by asking Smith for what happened or Smith would simply interrupt and in either case the statement he favored most was - “to the best of my recollection your honor, we dealt with this matter before at length, and if I am not wrong I believe....”, and then would add his version of what happened.

118. The best examples deal with the incorrect revival of a foreclosure case which was settled and dismissed 4 years earlier and resulted in damages exceeding the price of US 775,000

dollars plaintiff was offered by an unsolicited buyer and complete details are presented here hoping the Court will deal at the outset to receive an early ruling thereby providing funds for plaintiff's use during the case:

182. There with as no question that the foreclosure case should never have been revived because even the Judge two days before the auction sale stated that if plaintiff produced a copy of the signed loan modification agreement then the case would not be dropped.

183. However it was proved about two years earlier when both the US government's IFR group won a Federal Court case against Chase, and a Consent Order was issued by the US Office of the Comptroller and Currency, in both cases Chase was cited for not providing the sub-prime mortgagors a copy of the signed loan modification agreement and instructed to desist from such practices which were also in breaching of the Loan Modification agreements.

184. No more proof was needed before dismissing the case yet Smith and the Court ignored both instructions and plaintiff, owner of his condo for 32 years and never missing a mortgage payment, was foreclosed and evicted.

185. The key problem otherwise was that plaintiff did not know the foreclosure was being revived until a few days before an auction sale of the condo plaintiff owned for 32 years.

186. Smith however convinced the Judge that that he had served notice legally, but that was a false statement and Smith also did not provide a copy of the signed receipt.

187. Smith claimed he sent the notice to Canada however plaintiff provided proof that he was in Fort Lauderdale that whole period, and also brought 80 documents that proved he was getting all the other mail from Chase addressed to his Fort Lauderdale location, however Judge Lazarus would not look at them stating he was not going to look at evidence that was 4 years old?

188. Further, even if he had sent a copy to Canada he should not have avoided sending a copy to the obvious address being used by everyone. Only his older brother stayed at the house in Canada, and he did not recall receiving the letter.

189. Plaintiff later also learned from a witness that Smith and the Judge were too friendly given the rules concerning contact between counsel with the Judge when the other counsel is not present.

190. First they were witnessed 'dinking together in public' by an attorney on more than one occasion (the name is available, and she believes she is not the only one). Second, they were on a first name basis even in court, supported by the transcript for a hearing in this case.

119. There was much more. The condo was sold that afternoon to a party who had approached plaintiff earlier to buy the property but was advised by Acting Manager Ken Sheard to wait for the auction.

120. Ken Sheard was also guilty of enforcing an extended rental restriction contrary to 718.110, 113 of the Florida Statutes and that involved considerable loss of rental income over many years and it was regular income that plaintiff depended on.

121. The Association's attorney made an extremely small offer of \$3,000 and was not prepared to negotiate, no doubt influenced by dealing with a pro se who as a result of the ban, as well as being overworked, underfinanced, and a senior (turning 85 in February), and also with an unknown and unattended-to health issue because it was not affordable away from Canada.

191. Other defendants (list follows), who in addition to infringing, were also knowingly taking advantage of plaintiff when he was most vulnerable,

122. As a result of the entire incident, which also involved Jones Day renegeing on their contingency agreement earlier, plaintiff lost his entire equity of almost \$775,000 as his mortgage had almost been completely paid down. Under proper circumstances, that would not have happened.

123. **Defendant Jones Day was selected from a group of leading firms to represent me on a contingency basis. However after advising the others that I picked Jones Day and they had to begin work immediately to meet the deadline, I was asked for payment of the Appeals fees and it was the case on remand which they termed as an obvious 'automatic' win, which would be on a contingency basis.**

124. I had to raise the funds quickly because being a Canadian took more time, and I happened to refinance my beach condo with what later became known as a sub-prime mortgage which got Chase involved and the improper foreclosure that followed many years later when they doubled the fees but with Judge Gardner's the loan modification agreement in December, 2008 reduced the monthly payment close to the original fee and all was well again.

125. However Chase breached after 3 months by not providing the signed copy of the loan modification agreement, and then breached again 4 months later about July, 2009 by doubling the fees as if there was no loan modification agreement. I just kept paying the correct amount and never missed a payment but in 2013 they breached again by reviving the foreclosure case without cause!

126. That does not amaze me any longer, first because that was how I was treated by many Judges at Broward, but I am happy to add that I experienced 4 outstanding Judges (2 at Broward as pro se), and 2 at the patent case in East Virginia, and 1 outstanding panel chair (as pro se) at the California Arbitration Court in Las Angeles where **Jones Day** was found guilty of

balloon billing and was the fees were reduced from \$405,000 to the agreed to amount of \$50,000.

127. My original counsel at EVa, Mr. Edward Francis O'Connor, who is also a defendant in this case for obstruction, and who I much later learned both was a former senior member of the Intel legal department, was severely chastised by M.J. Judge Liam O'Grady (and Judge Gerald Bruce Lee) at the fees hearing at Eva because O'Connor failed to disclose many points at the Summary Judgment hearing that could have made a huge difference in the case and they denied Intel's motion for \$1M fees, which I could not have paid.

128. When Jones Day withdrew because I would not pay more than the \$50,000 we agreed to, we had no choice but to accept O'Connor's plea to be rehired for the appeal at no cost whatsoever, However I should have attempted my debut at pro se because as I learned just in the past year by chance when researching on the web, we had not lost our appeal on the case's merits, rather it was because Edward was late filing his submission, which would add more credence to comments from other attorneys' opinion of O'Connor's work in this case



## COUNT I

### **IBM and Scotiabank Partnership**

This is an exceptional case which began as a David and Goliath scenario however the Goliath, IBM, out of desperation, overstepped all bounds and committed devastating actions which put a world leading creative company whose leader has done wonders for the world and his company, effectively out of business.

192. It was the culmination of a plot which IBM deviously began by unilaterally transferring the manufacturing of our product from their Austin Tx plant with whom we were extremely happy to Toronto, Canada, and they did that solely because they were planning to put us out of business and Canada did not have antitrust laws!

193. That is exactly what happened. In 1995, he witnessed firsthand the wrath and disgusting actions of the powerful companies and people, and it began with IBM coercing Scotiabank's V/P to cancel their 5,000 unit order as part of their plot to violate US antitrust laws and put plaintiff's company out of business! It was all very blatant but now that the piper must be paid. We saw just how vicious their actions were against us in Canada and now they will learn how their damages have grown in the interim:

- 1 ALL won a bid over about 10 major bidders which included IBM
- 2 the order was for 5,000 units to be delivered as soon as possible
- 3 the first deliveries were made almost immediately in 1995 and the products worked to perfection to the delight of all of the Bank's IT staff, except their V/P but for the other reason.
- 4 this all happened before the product ALL Supercharge was even announced to the public

- 5 this was an 'iPhone successful launch' in the making which sold 1 billion units sold in the  
10 years between 2007-2017, and how much would have iPhone had sold between 1995  
and 2017 – at least another billion!
- 6 with iPhones selling for about \$800 and royalty of 6% is \$48 each, is \$48B without treble  
damages, and \$144B with it.
- 7 then there are the lost sales of ALL Supercharge units 1995 – 2017, possibly 2B with a  
profit margin of at least \$100 per unit for a total of \$200B, and \$600B with treble  
damages.
- 8 IBM would also be exposed to damages for the sale of many Supercomputers and how  
many ALL Supercharge units would have been sold. they both included the same  
technology – ALL's 'accelerator' and 'synchronizer' circuits, so that 12 years later  
iPhone's 30/1 speedup would have been a 0% increase!
- 9 IBM's damages could be as high as \$700B, and 12 years earlier and what better proof!
- 10 however this was, and iPhone would not have taken off without going 30 times faster!

### **Blockage of Plaintiff by IBM**

- 137.** This case is way overdue because one cannot even begin to imagine the obstacles thrown  
at plaintiff, who at 86 is fighting as hard as most 60 year olds and is not doing it to simply  
become somewhat rich again.
- 138.** He is doing it to save a world in desperate straits and he knows exactly what he will do  
with the first 2 billion dollars damages received from the case, and the hundreds of billions  
that can and he believes will then follow as a result of Justice being served at Marshall  
Courthouse, here in this case, and now, at this crucial time.

139. Plaintiff will use the same successful tact he uses when inventing. He searches deep down to the very source of the problem, fixes it, then makes sure he is on the right path from that point onto the next detour point that new developments expose, with technology leading the way.

140. He took us away from punch cards, introduced the PC, and then made sure the PC got smaller and smaller because only then will electrons move shorter distances. and only then can the PC become the fastest product in the world, not in the monstrous huge computer rooms with raised floors that IBM kept promoting.

141. He was not trying to chase IBM out of computers but that is what his strategy accomplished as his inventions obsoleted all the previous designs of each of the 3 products areas that made IBM the largest company in the world.

142. Plaintiff's company ALL Computers Inc., beat IBM and many other giants by winning a huge multi-million dollar bid for 5,000 units from Scotiabank, a large bank in Canada. IBM had witnessed first-hand ALL Supercharge technology in action upon the first deliveries to the bank. ALL Supercharge outperformed IBM's new PCs by a large margin, yet the IBM PCs were more than double the cost.

143. IBM however then became personal and IBM simply lost it. They put Plaintiff virtually out of business by blocking further manufacturing, deliveries and even the announcement of the product to the world which was already scheduled to take place.

#### APPLE

194. Apple, either alone or in conjunction with others, has infringed and/or induced others to infringe, literally and/or under the doctrine of equivalents, one or more claims of the Patent by

making, using, offering to sell, selling and/or importing in or into the United States PCs and smart consumer products without authority and in violation of 35 U.S.C. § 271.

195. Upon information and belief, Apple has willfully infringed the Patent.

196. Plaintiff has suffered damages as a result of Apple's infringement.

197. Apple's willful infringement of the Patent renders this an exceptional case pursuant to 35 U.S.C. § 285.

198. Apple misled their customers and PC users generally, and the public at large, into believing that the '981 Patent technology was in the public domain and that they were not infringing when they became involved with products that included the patented circuitry.

199. The fact is that Apple in many of their divisions was making, using, offering to sell, selling, and/or importing in or into the United States, infringing products which included microprocessor chips, processors, motherboards, logic boards, and personal computers in all form factors and sizes, as well as cell phones and other consumer products that include tinier versions of a PC, whether embedded or external, and in doing so without authority or consent in violation of 35 U.S.C. § 271 they infringed on plaintiff's patent 5,506,981.

200. These Divisions were responsible for handling their iPhone and other smart and standard cell phones as well as smart TVs which included the infringing circuitry; their iPods; iPad and other table level models; and their Mac products.

144. These products also include models with additional cores, including but not limited to Apple iPhone and other single and multiple core processor based products which are primarily, but not exclusively, based on ARM designed-based licensed products, and they infringed the '981 Patent doubly or higher depending on the number of cores present and did so without authority or consent in violation of 35 U.S.C. § 271.

201. Plaintiff at 82 physically stressed, fighting foreclosure of his home, and forced to prosecute this Action *pro se* against the Defendants, who have profited from knowingly infringing the '981 Patent; it is time for justice to come to the fore and for Apple to begin rewarding plaintiff.

202. Upon information and belief, Apple has been aware of the '981 Patent infringement at all relevant times.

## COUNT II

### Comprised of 27 parties Numbered from 2 to 28 in Group B

203. Paragraphs 1-153 are incorporated by reference as if fully set forth herein.

204. Group A parties, either alone or in conjunction with others, has infringed and/or induced others to infringe, literally and/or under the doctrine of equivalents, one or more claims of the Patent by making, using, offering to sell, selling and/or importing in or into the United States PCs and smart consumer products without authority and in violation of 35 U.S.C. § 271.

205. Upon information and belief, Group A parties have willfully infringed the Patent.

206. Plaintiff has suffered damages as a result of Group A parties' infringement.

207. Group A parties' willful infringement of the Patent renders this an exceptional case pursuant to 35 U.S.C. § 285.

208. The parties in Group A parties misled their customers and PC users generally, and the public at large, into believing that the '981 Patent technology was in the public domain and that they were not infringing.

209. The fact was that the parties in Group A were making, using, offering to sell, selling, and/or importing in or into the United States, infringing products which included microprocessor chips, processors, motherboards, logic boards, and personal computers in all

form factors and sizes, as well as cell phones and other consumer products that include tinier versions of a PC, whether embedded or external, and in doing so without authority or consent in violation of 35 U.S.C. § 271 they infringed on plaintiff's patent 5,506,981..

**210.** These products also include models with additional cores, including but not limited to ARM designed-based products and Intel CORE i based products, and they infringed the '981 Patent doubly or higher depending on the number of cores present and did so without authority or consent in violation of 35 U.S.C. § 271.

**211.** These products also include models with additional cores, including but not limited to Apple iPhone and other single and multiple core processor based products which are primarily, but not exclusively, based on ARM designed-based licensed products, and they infringed the '981 Patent doubly or higher depending on the number of cores present and did so without authority or consent in violation of 35 U.S.C. § 271.

**212.** Upon information and belief, all parties of Group A have been aware of the '981 Patent infringement at all relevant times.

### **COUNT III**

#### **Comprised of IBM, Scotiabank, J P Morgan Chase, ARM and Jones Day**

**213.** Paragraphs 1-163 are incorporated by reference as if fully set forth herein.

**214.** Group B parties, either alone or in conjunction with others, have infringed and/or induced others to infringe, literally and/or under the doctrine of equivalents, one or more claims of the Patent by making, using, offering to sell, selling and/or importing in or into the United States infringing PCs and smart consumer products without authority and in violation of 35 U.S.C. § 271.

215. Upon information and belief, Group B parties have willfully caused plaintiff to disband staff and cease business operations just as industry's breakthrough product ALL Supercharge, was about to be publicly announced, having already won a large formal bid for 5000 units over many corporations, including IBM.
216. Upon information and belief, Group B parties have willfully infringed the Patent.
217. Plaintiff has suffered damages as a result of Group B parties' infringement.
218. Upon information and belief, Group B parties have willfully caused plaintiff to delay this filing prior to expiry of Patent on October 1, 2013, and further delay for two years after expiry of Patent, and by did so by abusing the elderly senior and rendering plaintiff vulnerable with less time, funds and declining physical and mental health; blocking his only source of income, rental of his condo when away and also sharing when present; breaching agreements; and anti-trust violations.
219. Plaintiff has suffered damages as a result of Group B parties' actions in preceding paragraph.
220. Group B parties' willful infringement of the Patent renders this an exceptional case pursuant to 35 U.S.C. § 285.
221. The parties in Group B also misled their customers and PC users generally, and the public at large, into believing that the '981 Patent technology was in the public domain and that products including this circuitry would not be infringing.
222. The fact was that the parties in Group B were designing, making, using, offering to sell, selling, and/or importing in or into the United States, infringing products which included microprocessor chips, processors, motherboards, logic boards, and personal computers in all form factors and sizes, as well as cell phones and other consumer products that include tinier

versions of a PC, whether embedded or external, and in doing so without authority or consent in violation of 35 U.S.C. § 271 they infringed on plaintiff's patent 5,506,981.

223. These products also include models with multiple cores, including but not limited to Apple iPhone and other single and multiple core processor based products which are primarily, but not exclusively, based on ARM designed-based licensed products, and they infringed the '981 Patent doubly or a higher number depending on the number of cores present and did so without authority or consent in violation of 35 U.S.C. § 271.

224. Given that the '981 Patent technology has touched almost everyone on this planet in a very positive way and promises to continue improving the quality of life for everyone, in the process it has also made it possible to adopt a fully synchronized multiple bus structure design which has become the new industry standard for PC architecture. All PC and smart products with such a bus structure infringe because of the first bus clock, not because more bus clocks are added.

225. The new multiple bus structure has revolutionized the way microprocessors are designed and built, and also the way PCs work. The plaintiff is entitled to receive just reward from the invention protected by the '981 Patent, but has received none.

226. As a result, the Plaintiff is financially stressed, has lost in fighting foreclosure of his home, and is forced to prosecute this Action *pro se* against the Defendants, who have profited while knowingly infringing the '981 Patent; it is time for justice to come to the fore and begin rewarding plaintiff in amounts commensurate with the value of the technology as well as appropriate damages measured in substantial billions of dollars in the same manner that sales, income and company valuation are measured.



227. Apple provides a good yardstick as their total number of infringing products since 2007 has already passed the 1 billion mark in January 2015, and iPhone leads the pack with a selling price of \$687 which is almost double the price of Apple's closest competitor. Apple sales at that rate will exceed \$1 trillion in the very near future and iPhone sales will be close behind.

228. With \$1 trillion in sight, it is more important than ever to keep things in perspective. After inventing the PC in 1973, it took me 10 years to invent the first processor upgrade technology. Five years later we followed-up with ALL Chargecard and won the Technical Excellence Award. It took another 4 years for us to come up with the patented version of the technology, yet no other company invented anything in that entire stream – they did however copy the 1983 version in 1988 and failed, but by the time the Pentium chip came along in 1992, they had succeeded and included that circuitry in all their processors that followed.

229. However 1992 is when we filed our first patent and it was not until 1995 that Intel came out with a compromised design of that technology in their first Pentium processor product and they experienced explosive growth because even compromised it was fast enough to get graphic Internet onto the PC. Although we lost that case, it was due to actions and lack thereof, of both attorneys, as their products did infringe.

230. It took 19 years (1973-1992) for us to get to the technology being used today, and it is now 12 years later and still nothing has been contributed by anyone else including the 3 giants. This true perspective begs the following question. How much longer would everyone still be waiting for a Graphic based Internet and iPhone if ALL Computers had not invented the technology 13 years ago?

231. A better question, which hopefully is an expensive as well as an embarrassing one for two of the members of this Group, IBM and Scotiabank, is:

232. “where would we all now be if IBM and Scotiabank did not put ALL Computers out of business in 1995?!

233. They have wasted 20 years of development time by the world’s leaders in PC technology and must now pay the price.

234. The anti-trust actions by IBM and Scotiabank were certainly improper and probably illegal but never tested in court until now. IBM unilaterally transferred the manufacture of our product from Austin, Tx to Toronto in Canada and that was not our choice however we were not aware that their motive was no doubt to circumvent the US Anti-Trust Laws prior to their being adopted in Canada.

235. Jones Day breached our contingency agreement and abruptly required me to refinance my almost fully paid mortgage on the condo I purchased in 1981. The mortgage was later exposed as a sub-prime mortgage and that aided by others who willfully blocked my income and diluted my time away from the patent litigation, along with an intentional rushed and unnoticed foreclosure hearing, led to my eviction from my condo on the beach which I thoroughly enjoyed during 32 years of ownership.

236. Upon information and belief, all parties of Group B have been aware of the ’981 Patents infringement at all relevant times.

#### **COUNT IV**

##### **Comprised of The Seasons, Greenes, Devins and Azevedo**

237. Paragraphs 1-184 are incorporated by reference as if fully set forth herein.

238. Upon information and belief, Group C parties have willfully caused plaintiff to delay this filing prior to expiry of Patent on October 1, 2013, and then again during the 5 years prior to this filing.
239. They also abused plaintiff an elderly senior, and took advantage of his vulnerability relative to availability of time, funds, physical and mental health; blocked plaintiff's source of rental income, breached agreements, caused plaintiff to live with mold caused by defendant Devins and full knowledge of defendant President Azevedo.
240. They have not paid for removal and restoration, and restoration remained partly finished with wall openings which rodents used for entry to suite. His loss of enjoyment of the suite in this unfinished state complements his being illegally barred from entry to the grounds, his home, clubhouse, tennis and other common facilities, yet has continued paying for all of them since he bought the unit in 1999.
241. Defendants Pamela Mary Devins and Ellen Azevedo personally launched a vendetta against plaintiff over a span of 9 years. Their falsely passing changes to the Condominium's documents with evidence to prove it, led to plaintiff losing 220,000 dollars of rental income and are damages being claimed by plaintiff.
242. Devins is currently Director, Building Manager, and possibly still Current President; and Azevedo is Past President and Director at Tennis Club Wingfield Condominiums, 610 Tennis Club Drive, Fort Lauderdale, Fl. 33311, and they reside at Wingfield units 301 and 302 respectively.
243. Plaintiff has suffered damages as a result of Group C parties' actions.
244. Upon information and belief, all parties of The Group have been aware of the '981 Patents and his all his vulnerabilities at all relevant times.

245. As a result, the Plaintiff, now 86, is financially and physically stressed, fought foreclosure of his earlier home and incorrectly and unjustly lost and was evicted, and as a result has been forced to prosecute this Action *pro se* against the Defendants.

#### **PRAYER FOR RELIEF**

WHEREFORE, the Plaintiff respectfully requests the following relief:

- a) A judgment that Apple has infringed the Patent 5,506,981 and induced other parties to infringe the Patent 5,506,981;
- b) A judgment that parties in Group A have infringed the Patent 5,506,981
- c) A judgment that parties in Group B have infringed the Patent 5,506,981.
- d) A judgment that IBM, Intel and ARM in Group B and others who followed their lead induced other parties to infringe the Patent 5,506,981. The will be named upon receipt of further data from defendants during the case.
- e) A judgment that IBM in concert with Scotiabank took actions to cancel a large sale and block manufacturing thereby preventing plaintiff's company ALL Computers Inc. from producing ALL Supercharge product, the first product which included ALL's patented technology and whose sales were destined to be \$Millions to banks alone, and over \$Billions for the entire field.

246. A judgment that recognizes Apple and IBM in Group A, and parties 2 - 7 in Group B are the most aggressive, and are followed aggressively by parties 8 – 26 in Group B. While Group C is comprised of smaller corporations and individuals, the parties willfully caused costly delays in the filing of Complaint for Patent 5,506,981 knowing in advance how costly and important it was for the vulnerable plaintiff in his 80's.

247. A judgment that Plaintiff be awarded damages from each party in Groups A, B, C and D (re Supercomputers) which is commensurate with the offences inflicted, including interest, costs, and disbursements as justified under 35 U.S.C. § 284 and recognizing that this case is exceptional under 35 U.S.C. § 285. if necessary, to adequately compensate plaintiff.

248. And that Plaintiff be awarded such further relief at law or in equity as the Court deems just and proper

f) A judgment that Plaintiff be awarded damages Infringement by Apple, and each member of Groups A and B, of the '981 Patent and wrongful acts as aforesaid have wrongfully injured the Plaintiff patentee who has suffered greatly and Apple and each member of Groups A, B, and C should be sanctioned as well with punitive and exemplary damages. as with sharing the valuation gain of \$680B equally with \$340B each.

j) Apple's damages be addressed in either the of the two methods shown below in # ROYALTIES AND DAMAGES DATA and RECOMMENDATIONS, or otherwise as determined by the Court.

249. Upon information and belief, the members of the Group A were willfully manufacturing, using, offering to sell, selling, and/or importing in or into the United States, infringing products which included microprocessor chips, processors, motherboards, logic boards, and personal computers in all form factors and sizes, as well as cell phones and other consumer products that include tinier versions of a PC whether embedded or external devices, plaintiff is entitled to receive just reward including fees and interest, treble damages and any further award the Court believes would be just.

250. Plaintiff has suffered damages as a result of infringement of the '981 Patent by Apple and others.

251. Willful infringement of the '981 Patent by Apple and named others renders this an exceptional case Pursuant to 35 U.S.C. § 285.

### **Royalty Payments**

252. The royalty rate is 9%, which is 3% above the typical 3% to 6% range due to the technology's truly unprecedented increase in performance accompanied with substantially reduced costs. This range typically excludes inventory hoarded patents and others which make either a small impact or no impact at all.

253. Willful infringement Damages are calculated separately and added.

254. Parties induced into infringement will be liable for a minimum of 1% to 3% royalties, and a maximum of 6% depending on the payment made by 3rd party responsible for inducement. To automatically qualify for the 1% to 3% range and no damages, an affidavit naming 3rd party accompanied by an advance 1% down payment on all infringing products defendant was making, offering to sell, selling, and/or importing in or into the United States, during the period from October 15, 2009 (based on this filing on October 15, 2015) to October 15, 2013 must be submitted during the settlement discussion period prior to the opening hearing. The down payment is refundable if the full amount due on your infringement is paid by the 3rd party.

255. Other infringing parties, named or not named in this Complaint, are also encouraged to seek early settlement.

256.

257. **CALCULATIONS of ROYALTIES and RECOMMENDATIONS for DAMAGES**

(Apple Data Figures as a sample, and similar calculations apply to all Parties in Groups A and B)

258. Overriding all the figures being quoted in this submission is that beyond the effective dates that apply for infringement, the 7 billion figure for the number of products that include the ALL Supercharge PC technology applies to dates well beyond the effective infringement dates for IBM in particular, but also to Apple and Chase as the causes of action also involve criminal charges where the Statutes of Limitation do not apply.

259. IBM put ALL Computers out of business when ALL was at its very peak with the order for 5,000 ALL Supercharge PCs their bid won from Scotiabank over bids from IBM and about 8 others prior to their public announcement of the product. IBM reduced ALL Computers to a single to plaintiff, a single unpaid employee for the next 24 years. They did this when they had nothing to gain but now approach 1 trillion dollars to lose.

260. Each core in a multiple core product infringes separately as each core has its own second clock and PLL circuit and shares the same sub-harmonic signal and first clock signal. A figure of 2 (double) is used to calculate the royalty although the average number is higher as the number of cores range from 2 up to and above 8 cores.

APPLE SALES DATA

Total Apples sales in billion dollars ("B") from 2009 to 2013:	I \$543.7B
Total Sales are reduced to the period between Oct 2 2009 and Oct 1 2013:	II \$469.3B
Total Sales with accessory products and iTunes excluded:	
\$50.1B - \$22.6B = \$469.3; \$469.3- 72.7B = \$396.6B	III \$396.6B
Total iPhone sales alone for this period is	IV \$185.9B

APPLE PAYMENTS DUE: ROYALTIES & TREBLE DAMAGES

Royalty is calculated on all infringing Apple hardware products and similar calculations also apply to the other hardware products to IBM in Group A, and to all parties in Group B.

APPLE Royalty 10 2009 -10 2013:  $0.09 * 396.6 = \$35.7B$  \$ 35.7B \$ 71.4B

APPLE Damages 10 2009 -10 2013: treble damage royalties $3 * 35.7 = \$107.1$ (est) $\$107.1B$	$\$ 214.2B$
APPLE Damages 10 2007 to 10 2009: $3 * \$10B = \$30B$ (est)	$\$ 30.0B \quad \$ 30.0B$
APPLE Damages (MAC level) 4 6 1995 to 10 1 2007: $3 * \$10B = \$30B$ (est)	<u><math>\\$ 30.0B</math></u> <u><math>\\$ 30.0B</math></u>
	$\$137.1B \quad \$ 274.2B$
Plus Apple's Value gain (Market Cap) with 50/50 % sharing. $0.50 \times 665B =$	<u><math>\\$332.5B</math></u> <u><math>\\$ 332.5B</math></u>
APPLE TOTAL	$\$469.6B \quad \$ 606.7B$

ALTERNATE Damages Calculation Based Only on Apple's Value Gain

Due to iPhone sales with 50/50 % sharing. $0.50 \times \$665B = \$332.5$	$\$332.5B \quad \$332.5$
APPLE Royalty	<u><math>\\$ 35.7B</math></u> <u><math>\\$ 71.4B</math></u>
APPLE TOTAL	$\$368.2B \quad \$403.9B$

The 3 methods are used yield essentially the same amount, the average being \$353B and the mid-value being \$345B. It is clear that a total payment of approximately \$350B is warranted.

OTHER PAYMENTS DUE FROM PARTIES IN GROUP B

Royalties & Treble Damages figures used convey only the relative amounts, not the actual amounts. (Table shows only single core figures and does not include Lost Time and other Damages)

Induced	Knowing	Treble		
<u>Infringing Period</u>	Royalty	Damages	<u>Parties</u>	<u>Parties</u>
4 6 1995 to 10 1 2007 (est)	$\$ 4.8B$	$\$ 14.5B$	$\$ 4.8B$	$\$ 19.3B$
10 2 2007 to 10 1 2009 (est)	$\$ 4.9B$	$\$ 14.5B$	$\$ 4.9B$	$\$ 19.4B$
10 2 2009 to 10 1 2013 (est)	$\$ 13.9B$	$\$124.6B$	<u><math>\\$ 13.9B</math></u>	<u><math>\\$138.5B</math></u>
			$\$ 23.6B$	$\$177.2B$

DAMAGES PAYMENTS DUE FROM GROUP C

Scotiabank	$\$ 5\%$ of amount IBM is assessed
J P Morgan Chase	$\$50,000,000$ losses due to eviction
Stuart Smith	$\$ 1,000,000$ " "
Edward Francis O'Connor	$\$ 1,500,000$ loss of case due to siding with Intel
(Intel's contribution)	$\$98,500,000$ " " "



Jones Day	\$ 5,000,000 losses due to breach of agreement
Seasons Condominiums	\$ 1,000,000 losses resulting from blockage of rentals
Acting Manager Kenneth Sheard	\$ 100,000 " " "
Storage Post	\$ 100,000 to 10,000,000 re. Evidence & R. Kennedy docs
Greenes	\$ 50,000 losses due to delays due to agreement breach
Devins & Azevedo	\$ 220,000 loss of rental income & interest

Calculated individually later when other damages & periods are known \$ tba

**DEMAND FOR JURY TRIAL**

The Plaintiff hereby demands trial by jury on all claims and issues so triable. DATED as of the 15<sup>th</sup> day of September, 2019.

Original SIGNED by MERS KUTT

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Plus:

Groups B and C (Addresses in Parties Section)