

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

**FILED**

SEP 20 2019

Clerk, U.S. District Court  
Texas Eastern

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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, )  
NVIDIA 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, )  
eBAY INC., and CEO, )

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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., )  
TRAVELERS COMPANIES INC., )  
ROBERT AND RHEA GREENE individually, )  
PAMELA MARY DEVINS , ELLEN )  
AZEVEDO and CAROL CLAY individually, )  
BANKING & TRUST COMPANY, individually, )  
MR. STUART SMITH, LLP individually, )  
UNITED STATES OF AMERICA GOVERNMENTS )  
(re. infringement but special assistance being provided)

and,

“Group D” comprising:  
of Manufacturers, Suppliers and Users of Super- )  
computer Units and Processor Components and as )  
listed in Exhibit A and PC-Based Products as listed in )  
Exhibit B )  
and the following are also listed in Groups A & B )  
INTEL CORPORATION., IBM CORPORATION )  
ADVANCED MICRO DEVICES, NVIDIA CORP. )

Defendants.

**TRIAL DEMANDED**

## COMPLAINT

1. This is an extremely unique and a vitally important historic case that began as a typical patent case when filed in 2004 against Intel Corporation at the Eastern District Court in Alexandria, Va. by ALL Computers Inc. (“ALL”), the third company founded by plaintiff Mers Kutt. It addressed the defendant’s infringement and/or inducement of and contribution to others to infringe US patent 5,506,981 (“’981”).
2. The damages committed in this case far exceed typical patent infringement damages partly because it also addresses violation of antitrust laws, breach of agreements, obstruction, and theft.
3. We have 3 major items in this case which are also relevant to the large damages.
  - a. the original Patent Infringement;
  - b. the original now expanded causes of action and related damages;
  - c. Criminal actions which are a high priority because timely rulings may prevent 1 or more serious world disasters.
4. All damages sought in this case relate only to the defendants in this case however are very large damages as almost 7 billion products worldwide include the patented ’981 technology typically as part of the ALL Supercharge PC. Further, they are easily detected as without the technology in the ALL Supercharge PC, the product will run 30 times slower. If it already had ALL Chargecard installed, for a 3GHz rated microprocessor chip, the remaining 2.5GHz will be added to reach and then continually run at the rated 3.0GHz frequency.
5. The 34 defendants that are active in both the computer and world markets are herein referred to as ‘giant companies’

6. This case can serve as a good example and possibly as a precedent for other disciplines in the USA and in other countries. It need not get caught waiting for new laws or procedures to be authorized in each country because, as in the case, current civil and criminal laws in the United States are being broken by the defendants and these are being cited against these defendants in this case.
7. Plaintiff believes those not aware of the Scam will need only indicate so and refund the funds which were distributed to them illegally. Those funds would then be deposited in charitable Foundation(s) for legal and accurate distribution to the proper parties.
8. The Scam is described herein and will be exposed during this case. Plaintiff, although a former Full Professor of mathematics while setting up a computer science department at Queen's University in Canada, did not detect the Scam for a good period, he stresses one need not use higher math to understand the Scam. A solution proposed by plaintiff is included in the Factual Background section of this document.
9. We know that criminal actions have taken place most of all, with the advent of it the ALL Supercharge PC, no computer-based product can remotely compete with products that include the '981 technology either alone or inside the ALL Supercharge PC, even if ALL Chargecard was added previously.
10. 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.

11. 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.
12. 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.
13. 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.
14. 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.
15. 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.
16. IBM could not keep up with plaintiff's 3 inventions and it made the IBM products obsolete in all 3 of the divisions which made IBM the largest company in the world. However, when IBM had nothing to gain as the 3 divisions were already either disbanded or being disbanded, they barged ahead and 'effectively' put ALL Computers Inc. out of business when ALL Computers was at its very peak.

17. With about 7 billion products including the patented '981 technology out of the 7.5 billion sold, that is a very costly mistake.
18. In 1995 when IBM blocked the formal release of the ALL Supercharge PC, they also coerced and/or bribed defendant Scotiabank to cancel an order for 5,000 units even though plaintiff's won over about 8 giants in the field and did so before the product was even announced to the industry.
19. ALL had already made the initial delivery which the Bank tested and they performed flawlessly to the delight of the defendant Scotiabank's IT staff.
20. As a result of losing all the revenue from the 3 divisions, IBM narrowly missed going bankrupt as the new management changed their direction away from computer hardware and plaintiff is delighted to have them become so prosperous again as they can now afford to pay the huge damages for blocking ALL Computers from participating in the sale of the 7 billion products which included the ALL Supercharge PC technology and were sold after ALL's initial delivery in 1995 to the Scotiabank in Toronto, Canada.

#### **Plaintiff's Exposure of Inflation Scam**

21. With 7.6 billion people in the world in 2018, the sale of 7 billion units equipped with ALL Supercharge PC technology has to be the highest penetration for any technology product in history. However what is now happening in the world far overshadows that.
22. The world recently went completely out of control and amazingly plaintiff has not only found the scam that caused it, but he also believes he has the solution. The scam was buried deeply in the inflation process which it appeared the economists introduced at least 60 to 70 years ago, but there are now second thoughts about that.
23. The fact that inflation doubled the wealth in the world on a cycle basis has been known for sometime however nobody, except for the schemers who were probably present at the outset,

knew about the Scam. Plaintiff, a former Full professor of Mathematics at the age of 32 who also has an inquisitive mind, detected the scam recently and fortunately it turns out no higher math is involved so that it is easy for everyone to understand.

24. Assuming a 4.2% rate of inflation, it takes 17 years to double the wealth anyone may have, however one would just naturally assume that because this is effectively 'free' new money, that it would be distributed equally and hopefully favoring the poor who remain a disaster awaiting a solution. While that applies to the poor countries of the world, it is also a big factor for the poor in the advanced countries such as the United States and Canada in the North American hemisphere.
25. The fact is the survival of the world has never been so threatened and not just by nuclear warfare, but also by many by other threats ranging from terrorists to global warming, and this is happening now while the world is so out of control, and the hidden 'scam' is actually the major cause of all of this.
26. The Scam is amazingly distributing more of these 'new funds' to the rich who have more, and less to the poor who have less, and this has been going for the past 60 to 70 years, the period we are focusing on.
27. This happens because in this scheme, the inflation rate is multiplied by the wealth each person has. Once again, no need for higher math. If Bill Gates had 75 billion dollars back in 2002, then without any work or risk he would gain another 75 billion dollars, and this is independent of what he gains and losses with interest and investments are.
28. The poor with no wealth get nothing, and even the lower middle class get only another 25,000 dollars if that is the equity one has after subtracting the mortgage principal.

29. Actually the biggest hidden harm is best exposed with the following simple example. One person has 1,000 dollars equity and another has 10,000 dollar equity. After 1 cycle of 17 years, they have 2,000 and 20,000 equity. The problem is the Gap between them just doubled as it grew from 9,000 ( $10,000 - 1,000 = 9,000$ ) to 18,000 ( $20,000 - 2,000 = 18,000$ ).
30. That looks bad, but the Gap has grown to at least to 150 billion dollars between the richest and poorest, and the next doubling will take it to 300 billion dollars which is 300 followed by 9 zeros and is well beyond all danger point levels. A much smaller gap brought us here, but here is are with no room to go further is what caused the world to be put out of control, and also why the world's survival is being threatened on many counts from terrorists to global warming.

#### **A Solution Before a Survival Threat Strikes**

31. A 'Distribution of Wealth' table and description follow in the Factual Background section. The scam plaintiff discovered has an extreme peculiarity that has been hidden in the inflation process being used for almost 70 years in the United States. We will now cover one of the 4, 17 year cycles, where a person's wealth doubles during each cycle.
32. Higher math was certainly not required, because the process simply multiplies each person's wealth by the inflation rate to determine how much each party is entitled to, however a closer look exposes that it is severely slanted in the favor of the rich, and severely out of favor for the poor.
33. Also, although not too obvious at the start, the Gap between the rich and poor also doubles each cycle and it no longer a question, it is now indisputable, both must be blocked as soon as possible and this case is timely scheduled to accomplish both.
34. With it now becoming common knowledge, future violations will be guilty of committing criminal actions with huge damages and possibly a jail sentence.

35. Plaintiff submits the following as a potential solution:

- 1) Before anything else, we must block the CEOs of giant companies from further 'Keeping Secrets and Spreading Lies' and misleading the public. The biggest proof of just how damaging this has been is that it took 30 years and still counting to learn what was the first PC and who invented it.
- 2) The world's largest professional organization, IEEE, made it official by publishing the deeply, internationally researched paper submitted by computer science Professor Stachniak in the 2003 spring edition of their quarterly Journal, the Annals of the History of Computing.
- 3) The editor's commentary made it certain that not only was the MCM/70 the world's 1<sup>st</sup> PC when plaintiff invented in 1973 at the 2<sup>nd</sup> company he founded, Micro Computer Machines Corp., it also finally eliminated all the "fluff" from the many pretenders.
- 4) The MCM/70 was actually well ahead of its time with features such as virtual memory and multi-dimensional arrays which did not appear in the IBM PC until well after even its release, 8 years later in 1981.
- 5) We indicated earlier when the PC was invented by plaintiff in 1973 we were still counting and that is so because even now, 46 years later, the search engines on internet including Google and even Wikipedia, if you type "the world's 1<sup>st</sup> personal computer" you will still get a list about 10 or more candidates for the first PC.
- 6) For this to still be happening, even though the PC now clearly reigns supreme worldwide, it must now be corrected. However the ALL Supercharge PC which is still counting is now at 24 years and counting yet it provides the unprecedented 30/1 increase over PCs using the

same microprocessor chip but without ALL's technology. That is an even more extreme example of the power of the CEOs and their secrets and lies.

- 7) Having history written correctly is very important and there should be an organized process to replace the false history being written by the CEOs and others, and also to block their secrets and lies.
- 8) That requires that we place a high priority on beginning now to end the Scam's absurd process for the distribution of funds and replacing it with equal monthly payments to everyone in each country that opts into the program.
- 9) In the United States, those with wealth under 660 thousand dollars will receive a tiny amount growing to a 330 thousand dollars maximum refund per person, however while such single payments would be impossible to handle, except for possibly the billionaires, tiny monthly payments growing to 1,633 dollars/mo per person for 17 years, can be readily handled. That does not allow for interest but adding about 30% for with a 4.2% inflation rate as an example, solves that.
- 10) Initially, plaintiff 's Foundation will be set up to handle refunds with an inflation rate of 4.2%. with an ever increasing amount starting from a tiny refund parties from those with wealth just above 660,000 dollars to a maximum of 330,000 dollars from the billionaires.
- 11) These funds would then be redistributed to parties with under 660,000 dollars with an ever increasing amount of monthly payment from a tiny monthly payment to parties with wealth just under 660,000 dollars and climbing to a maximum of about 2,100 dollars per month and per person for 17 years to 2,123 dollars parties from those with zero wealth.
- 12) This would make a huge positive impact on removing threats to the survival of the world and is a very small price to pay for a safer world. Plaintiff also has an alternate solution

which uses an equal payment to everyone from the funds refunded and can be considered later.

13) The government could drag their decision over a couple of changes in government or not, however the findings in this case would be a big bonus that would lead to earlier action.

14) Plaintiff will have 100% of the refunds received deposited and used to make the above payments. With other damages, if they are very high then up to 99% and 99.9% of the total damages will be deposited into the Foundation as indicated in the Factual Background section, If damages are lower, the percentages will decrease considerably.

### **Effective Filing Date**

36. 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.

37. 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.

38. 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.

39. 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.
40. 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.
41. The date of December 20, 2012 when plaintiff first filed this Complaint at the Eastern District Court in Alexandria Va. is the first date potentially selected as the Effective Date. 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.
42. 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, but never did, with a notice to reopen the foreclosure, which itself improper because it was also without cause.

43. 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 as a retaliation to the 3 divisions being closed. However plaintiff was only advancing technology as he was expected to do and he had no other goal.
44. Plaintiff succeeded with his technology beyond all limits except when it came to a giant company picking on a senior person now 86 years old, without funds, assets, and staff and not receiving the Justice he worked so hard to receive and now deserves to have justice served.
45. 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 plaintiff's court reporter informed plaintiff that he had never witnessed or heard of a pro se plaintiff winning against local counsel during his 25 years at the Broward Courthouse.
46. Plaintiff almost won twice, however both were overturned when new Judges were assigned. 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.
47. 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.

### **ALL Supercharge Technology**

48. 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.

49. 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.
50. 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.
51. Further, the iPhone without ALL's technology would have been a repeat of Apple's earlier disaster with the 'execrable' Roker E1. ZDNet expert Adrian K-H said it best in the following ZDNet article about the fate of a smartphone, including iPhone, 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."

52. 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 only reason that his IPO was the only successful high-technology IPO among many failed IPOs in a very poor market.
53. 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.

54. 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".

55. 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.

56. 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.

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

58. The technology with Intel taking the credit with S&Ls, triggered the historic Dot-Com explosive growth of the PC and internet because even with Intel's compromised version of the technology to hide their infringement of plaintiff's patent, it was still fast enough to finally allow a graphic-based internet to operate on a PC.
59. 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.
60. IBM retaliated when they had nothing to gain and as it now turns out they have an exposure to damages ranging from just over 520 billion dollars to possibly a high of 1 trillion dollars because while all of this was happening, and climaxing in 2007 when iPhone made its entry, most of the other companies became aware of ALL's technology and began using it as did the 157 companies worldwide that were also building smartphones.
61. With a 30 times difference they simply could not compete but they did include it and sales records were being broke by virtually every company, and for the few that did not add the ALL '981 technology, their sales were incidental in comparison. For those that were already using ALL Chargecard the difference in performance due to the patented '981 technology was still monumental as with a 3.0 GHz processor, 2.5GHz was due to the '981 technology.

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

62. 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.
63. On 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 was ranked 4<sup>th</sup> and with no other computer invention in the top 10, the plaintiff’s PC was also the leading invention in computers 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       |

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

65. Together they increased the frequency and performance of a PC by a factor 30/1 over other PCs using the same microprocessor chip 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 control the other devices and also cause information to synchronously flow in either direction between the board and an optional number of slower devices.

**Ending CEOs 'Keeping Secrets and Spreading Lies'**

66. CEOs are the prime parties guilty personally or indirectly promoting S&Ls, and they are the best parties for leading the program to eliminate it. While it is certainly difficult to admit their experts’ designs in falling to 1/30<sup>th</sup> of the frequency they quote for them, it is clearly also a gross lie.

67. 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 has

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 just another lie.

68. 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 factious iPhone technology.
69. Another surprising fact reveals just how important was adding the patented '981 circuitry to the ALL Chargecard which had previously increased the 'effective frequency' of a 3.0 GHz chip from 100MHz to 500MHz. The '981 technology took it a further 2.5 GHz up to the rated frequency of a 3.0GHz
70. From 1995 on Intel began using a compromised version of ALL Supercharge PC design in an attempt to hide their infringement. Intel increased the frequency just enough to allow PCs to begin using a graphic-based internet. That was prerequisite as without a graphic-based internet we would not have had a 'dot-com' happening, and the resulting explosive growth of both the PC and internet.
71. 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.
72. The 2 most important results of all this is that we can get the entire world back in control which will eliminate the current threats to the survival of the world and that certainly

affects all of us. Equally important, finally the poor will join the rest of us more fortunate people and experience and enjoy their lives, the most precious gift of all.

### **PARTIES**

63. 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.
64. 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.
65. He began with the Key-Edit data entry system which made the IBM and 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.
66. 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.
67. 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.

68. 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.

69. 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.

70. 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.

71. 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 **United States of America Federal Government** are the Federal Government of the United States of America, Treasury Department. Washington, D.C. and the respective State Governments of the United States of America;
- 31) Defendant **Scotiabank** is a Canadian Bank having its principal place of business at Scotia Plaza, 44King Street West, Toronto, On, Canada M5H 1H1
- 32) 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;
- 33) Defendant **Edward Francis O'Connor**, LLP individually at 6345 Balboa, Blvd, suite 208, Encino, CA 91316, and Juniper, Florida;
- 34) Defendant **Jones Day** is a Law Firm having its principal place of business at 77 West Wacker Chicago, Illinois 60601-1692;
- 35) Defendant **Seasons** Condominium Association Inc. is a Condominium Association located at 209 N. Fort Lauderdale Beach Bld. in Fort Lauderdale, Fl 33304;
- 36) Defendant, **Storage Post, Inc.** 134 Chestnut Drive, Doraville, GA 30
- 37) Defendant, **Travelers Companies Inc.**, 485 Lexington Ave., New York, NY, 10017.
- 38) 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

- 39) Defendants **Pamela Mary Devins, Ellen Azevedo, and Carol Clay** at Tennis Club Wingfield Condominiums, 610 Tennis Club Drive, units 301, 302 and 407 respectively, Fort Lauderdale Fl. 33311
- 40) Defendant **Branch Banking & Trust Company** is a Corporation having its principal place of business at 223 West Nash Street Wilson NC 27893;
- 41) 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:

- 42) 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:

- Supercomputer MSU: ADVANCED MICRO DEVICES, INC., INTERNATIONAL BUSINESS MACHINES CORP., NVIDIA CORPORATION, INTEL CORP;
- 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. In the United States, if a correction in the distribution of funds people with less than \$660,000 assets would begin receiving refunds reaching a maximum of \$333,130 for the poorest people, which is \$1,633/mo. per person over a 17 year cycle for an inflation rate of 4.2%.
94. If we do not block this flow very soon, the Gap between the rich and the poor will have gone too far to fix and will simply burst, yet the economists for some strange reason do not appear to have even broached the issue of the Gap getting too large.
95. The most important fact we have been misled on is “inflation”. It is what caused the Gap to grow out of proportion and is the worst thing possible for the poor, middle class and even upper-middle class.
96. On a world-wide basis the \$333,130 becomes \$39,737, and the monthly payment becomes about \$200/mo. and refunds for more that 1 cycle would be required however what we gain is not measureable because we would be solving the biggest problem for a big portion of the 7.6 billion people in the world in 2018.
97. 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 increase the \$200 to \$500 and a family of 4 would receive \$2,000/mo.

**98.** 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 is not a tax.

**99.** This is a case of refunding funds that they should not have received in the first instance and this is the correction phase of the program. It is accomplished on a country by country basis, and after each country completes its correction phase, each joins a growing number of countries that have opted into the ongoing phase of the program.

**100.** 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 in the 3<sup>rd</sup> paragraph above this paragraph.

**101.** 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

**102.** 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!

**103.** 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.

**104.** 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.

**105.** 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.

**106.** 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.

**107.** Plaintiff is prepared to cut all damages in half for a limited number of early settlements. ARM is a prime example of inducing others to infringe. Amount owing and involve ARM. will be reduced by ARM's payment towards that amount,

**108.** The following is a simple example of how things have been working, and now should be working which means refunds are made until a fair equilibrium is reached. The same applies to prices of goods and services being reduced until a fair equilibrium is reached.

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

B. 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.

C. In the future, rather a ratio related to wealth driving Inflation, it would be much fairer to distribute amounts equally to everyone. For example, if the US government printed \$327

billion dollars wouldn't \$1,000 provided to everyone of the 327 million people in the United States do wonders for the poor, and also produce good feelings and good sleeping for the rich?

- D. With the current system, approximately 54.5 trillion dollars, which is 1/2 of the current 109 trillion dollars wealth in the United States, was distributed during the past cycle which would be 17 years if the inflation rate was 4.2%. An equal distribution would have sent 333,333 dollars to each person which is a huge sum, however on an annual basis, without considering interest rates to keep it simple, that is  $166,666/17 = 9804$  dollars to each person in United States, and on a monthly basis it is 817 dollars per person, which are reasonable numbers.
- E. Going forward, once a total refund has been made, whatever funds are generated by any inflation whether natural, money being printed, or raised prices of goods and services, are to be deposited into a foundation administered by the government in each country and when payments are made then they would either be equally divided among everyone except for special projects for the poor that the respective country governments select such as construction of homes and shelters, medical care or otherwise and favoring the have-nots whenever possible.

### **FACTUAL BACKGROUND**

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

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

- 109. The abrupt change was the result of the giant computer corporations of the world closing in on him largely because he kept making their products obsolete too early, but also for being caught in the sub-prime fiasco and they were respectively led by defendant IBM and the combination of defendants J P Morgan Chase and Jones Day.
- 110. Plaintiff somehow during this period working very hard on this submission at well under level of efficiency when younger, while and also having spent so much time and energy fighting court battles with the, defendants in group C, because he is an eternal optimist, he came across some good which far overshadows all of his woes.

**111.** Plaintiff earlier had 3 huge brainstorms in technology that combined to make 3 major advancements in technology that became milestones in the evolution of computers. The timing of his latest advancements in technology, along with the many court battles he has been fighting, are now coming to a head at this case at Marshall in East Texas and this led plaintiff to discover that this case can play an extremely important role in solving the biggest threats to the world's survival in the history of the world.

**112.** 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 should be in the billions and if so the major portion of the funds gained can be allocated to a fair redistribution of 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%.

**113.** The "Non-Stop Pursuit of Wealth" attitude is continuing to this very day and it along with 'keeping secrets and spreading lies', are both prevalent among the 32 giant defendants in this case.

### **THE PRODUCTS and TECHNOLOGIES**

**114.** 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 our new circuitry mounted on it.

**115.** 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:

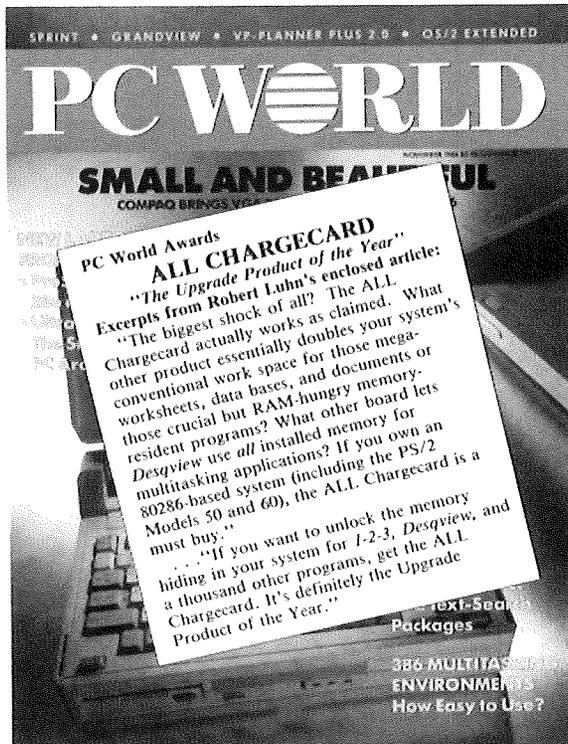
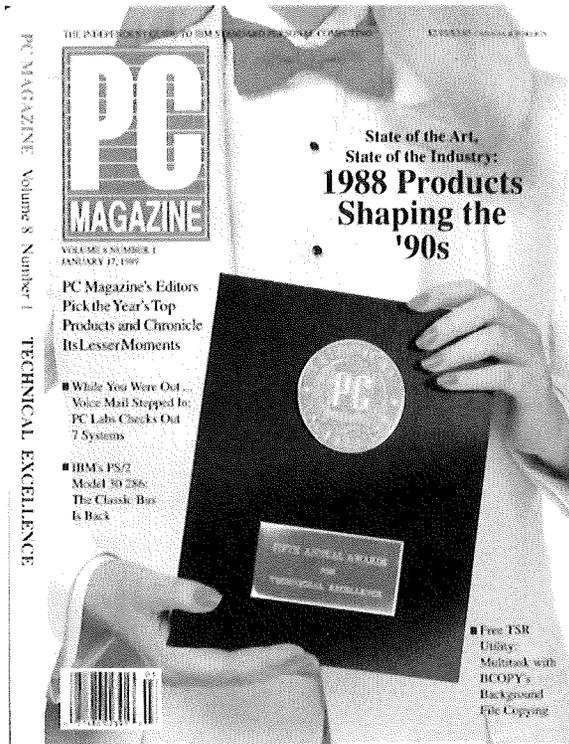
**“The biggest shock of all? The ALL Chargecard actually works as claimed”**

**What other product essentially doubles your system’s conventional workspce memory for those mega worksheets, data bases, and documents or those crucial but RAM resident 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.**

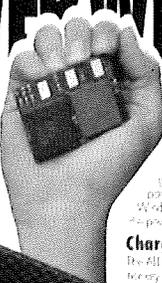
**It’s definitely the Upgrade Product of the Year”**



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

# POWERWINDOWS

**MICROSOFT  
WINDOWS  
AND THE ALL  
CHARGE CARD**



You already know that Microsoft Windows is the standard graphical user interface for IBM PC, PS/2 and Compatible systems. It's the one reason that lets you use "next-generation" graphics-based software of the preceding generation painlessly. Now, you can get all of your Windows application programs more elbow room with the power of the ALL CHARGE CARD.

### Charge It!

The ALL CHARGE CARD for ALL Computers uses a novel free-charge, no-circuit extended-to-expanded memory. With the ALL CHARGE CARD you can run all your Windows software with more speed and power than ever before. That's because the ALL CHARGE CARD lets you use as much as 128K of memory per standard, much more than the normal 64K. You can use RAM above 640K to position data and program code, giving all your applications more room to work at full RAM speed. The ALL CHARGE CARD also upgrades your existing Intel 80286 or 80386/486-based IBM PC/AT compatible software.



**ALL  
CHARGE CARD  
TECHNICAL  
EXCELLENCE  
AWARD**

**Microsoft**  
Only One Company Does It All

Runs in Microsoft's English or French • Available in Norwegian  
Applications • Languages • Systems • IBM PC/AT • Ataris  
Accessories • Utilities • Editors • Managers • Modules

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

Simple plug in board with on board refresh board replacement giving optimum performance and compatibility at the lowest cost.

**BETTER THAN A NEW PC!**

**THE TEN MINUTE UPGRADE TO 486 POWER**  
FROM THE INVENTORS OF PC PROCESSOR UPGRADE, MEMORY MANAGEMENT & THE AWAY BOARD ALL CHARGE CARD

**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, are 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.

### 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@allcomptersinc.com](mailto:mers@allcomptersinc.com).

116. It is no longer a secret that for United States and other advanced countries, it is not unusual for the richest 1% to share the same wealth that the remaining 99% share. The following Wealth Distribution Tables show the figures for United States, Canada and the world.

### 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 Payments in USA				\$ 1,633	825	81,650

117. Plaintiff submits the current distribution of funds is a classic example of an intentionally hidden 'scam' committing fraud while the rich are 'effectively' stealing from the poor. and theft. We must stop the rich from committing further illegal civil and criminal offences and it

must begin with a 'Correction Process' which redistributes unfairly distributed funds during at least the previous 'doubling cycle'

**118.** Plaintiff suggests one of the following two can be selected. processes ion following as one of the ways an of 'inflation funds' could take place. 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 during 17 years, that they paid will be covered by the same single or monthly amounts they automatically via inflation.

**119.** The above illustrates one method for eliminating the damages caused by the scam and it accomplishes it fairly by making equal payment to everyone in the United States and this can be done with the annual or monthly payments as shown above in the chart.

**120.** 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 per person for 17 years. Interest would also be into account when the payments are made in advance or in the past. 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

- plaintiff has been delayed by many defendants intentionally and willfully by defendants Chase, Smith, Devins & Azevdo, Greens, intentionally by Travellers and Storage Post;
- 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 sold that were sold with ALL Supercharge, and plaintiff believes damages will exceed \$520 billion dollars before even considering the infringement by their Supercomputers and blocking our sale .

## 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

Claim 5 'in expanded form' and applied to:

**INTEL E6XX PROCESSORS**

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

**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,**

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 .

*KPR\* : known phase relationship*

*S-H signal: sub-harmonic signal*

US PATENT 5,506,981

Claim 5 as printed in the patent

**ACCELERATOR 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:

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.

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

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

**82.** 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.**

**83.** 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.

**84.** 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.

**85.** 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**

**116.** 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!

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

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.

**117.** 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.

**118.** 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 reopened and conducted.

**119.** 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.

**120.** 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:

- 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.
- 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.
- 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.
- 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.
- 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.
- 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?

- 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.

**121.** 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.

**122.** 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.

**123.** 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.

**124.** 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.

**125.** 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.

126. It was not until much later when in Canada that he was finally diagnosed, then treated for a heart/pacemaker issue which had drained him due to a faulty, corroded lead.
127. Other defendants (list follows), who in addition to infringing, were also knowingly taking advantage of plaintiff when he was most vulnerable,
128. As a result of the entire incident, which also involved Jones Day reneging 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.
129. 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.
130. 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.
131. 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!

**132.** 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.

**133.** 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.

**134.** 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.

**135.** 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!

**136.** 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 85 in 2 weeks on February 24<sup>th</sup>, is fighting as hard as most 60 year old's  
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**

- 144.** 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.

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

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

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

**148.** 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.

**149.** 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.

**150.** 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.

**151.** 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.

**152.** 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.

**153.** 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**

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

**154.** 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.

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

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

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

**158.** 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.

- 159.** 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..
- 160.** 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.
- 161.** 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.
- 162.** 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**

- 163.** Paragraphs 1-163 are incorporated by reference as if fully set forth herein.
- 164.** 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.

**165.** 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.

**166.** Upon information and belief, Group B parties have willfully infringed the Patent.

**167.** Plaintiff has suffered damages as a result of Group B parties' infringement.

**168.** 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.

**169.** Plaintiff has suffered damages as a result of Group B parties' actions in preceding paragraph.

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

**171.** 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.

- 172.** 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.
- 173.** 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.
- 174.** 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.
- 175.** 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.
- 176.** 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.

**177.** 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.

**178.** 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.

**179.** 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.

**180.** 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?

**181.** 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:

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

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

**182.** 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.

**183.** 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.

**184.** 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

- 185.** Paragraphs 1-184 are incorporated by reference as if fully set forth herein.
- 186.** 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.
- 187.** 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.
- 188.** 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.
- 189.** 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.
- 190.** 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.

191. Plaintiff has suffered damages as a result of Group C parties' actions.

192. 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.

193. 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.
- f) 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.

- g) A judgment that Plaintiff be awarded damages from each party in Groups A, B, and C 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.
- h) And that Plaintiff be awarded such further relief at law or in equity as the Court deems just and proper
- i) 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.

**194.** 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.

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

**196.** 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**

**197.** 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.

**198.** Willful infringement Damages are calculated separately and added.

**199.** 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.

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

**CALCULATIONS of ROYALTIES and RECOMMENDATIONS for DAMAGES**  
(Sample Corporation uses Apple Data Figures and applies to Parties in Groups A and B)

**201.** 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.

**202.** 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.

Please Note: A mathematical notation is used in the table that follows to simplify the print-out as the numbers which have an extremely large spread. An explanation with samples are included in the table and paragraphs.

1e9 means 9 0's follow the 1, and is \$1 Billion

3.6e10 means 10 0's follow the 3.6 and is \$36 Billion

3.6e8 means 8 0's follow the 3.6 and is \$360 Million

1e6 means 6 0's follow the 1 and is \$1 Million

1e3 means 3 0's follow the 1 and is \$1 Thousand (not used below)

**203.** 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.

CALCULATION OF ROYALTIES (dollars)

Sales	Royalty Rates and Royalties			
	9%	6%	3%	1%
\$				
400B	3.6e10	2.4e10	1.2e10	4e9
40B	3.6e9	2.4e9	1.2e9	4e8
4B	3.6e8	2.4e8	1.2e8	4e7
400M	3.6e7	2.4e7	1.2e7	4e6
40M	3.6e6	2.4e6	1.2e6	400,000
4M	360,000	240,000	120,000	40,000
400K	36,000	24,000	12,000	4,000

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 also applies to Groups A and B.

	Cores	
	Single	Multiple
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	\$ 107.1B	\$ 214.2B
APPLE Damages 10 2007 to 10 2009: $3 * \$10B = \$30B$ (est)	\$ 30.0B	\$ 30.0B
APPLE Damages (MAC level) 4 6 1995 to 10 1 2007: $3 * \$10B = \$30B$ (est)	\$ 30.0B	\$ 30.0B
	\$137.1B	\$ 274.2B

Plus Apple's Value gain (Market Cap) with 50/50 % sharing.	0.50 x 665B=	<u>\$332.5B</u>	<u>\$ 332.5B</u>
	APPLE TOTAL	\$469.6B	\$ 606.7B

ALTERNATE Damages Calculation Based Only on Apple's Value Gain

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

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

OTHER PAYMENTS DUE BY 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)

<u>Infringing Period</u>	Royalty	Treble Damages	Induced Parties	Knowing Parties
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>\$ 13.9B</u>	<u>\$138.5B</u>
			\$ 23.6B	\$177.2B

Other Damages for Group C

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

*mk* 13<sup>th</sup> day of September, 2019.  
19<sup>th</sup>



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Plus:

Groups B and C (Addresses in Parties Section)