

No. 17-462

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**IN THE SUPREME COURT OF THE UNITED STATES**

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DARREN R. VASATURO

*Petitioner,*

*vs.*

SASHA PETERKA, ALSO KNOWN AS MIRA PETERKA,  
ET AL.

*Respondents.*

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**On Petition for a Writ of Certiorari to the  
Court of Appeals for the District of Columbia Circuit**

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**P E T I T I O N   F O R   R E H E A R I N G**

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Petitioner, In Pro Se  
Darren R. Vasaturo  
502 Sun Lotus Ikeji  
217 Owaricho  
Nakagyoku, Kyoto,  
604-0934,  
Japan

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**STATEMENT OF INTERVENING CIRCUMSTANCES,  
OTHER YET PRESENTED SUBSTANTIAL GROUNDS**

Petitioner has been messaging Blain Auer (“Blain”) over Facebook since 2014; the Appendix includes excerpts thereof in which these events and the encounter with Defendant Zimbleman were reported as the events unfolded.

Petitioner intended to include a document in English relevant to a civil action he intends to file against Park IP Japan. Due to time constraints associated with compiling/translating this Petition/Appendix, that was not possible; however, substantially the entirety thereof is incorporated herein.

Boxed text in the Appendix corresponds to Japanese excerpts and translations thereof.

**BUSINESS CARD OF DEFENDANT ABDELSAMAD**

First, around November 13, 2017 Petitioner was shuffling through some miscellaneous stuff in a drawer when he discovered a business card (APP#1) that defendant Abdelsamad had given him during one of their meetings circa 2005, though Petitioner does not recall the occasion of receiving it.

David Chapman (“Chapman”) had indeed spelled Abdelsamad’s name differently in emails (“Yahiya”; Petitioner followed suit) than that appearing on the card (“Yahya”), but Abdelsa[1]ad presented yet another different spelling in his first affidavit (“YAHIA”: APP#3). The business card is also curious in that it lists no occupation or telephone number, though Abdelsamad claims to have moved to Tokyo to work for “Baker and McKenzie” (APP#7). The card shows a Tokyo address, and an email address Petitioner has confirmed is active.

Abdelsamad’s business card presents him as “The Nazir of Shaigyra”, which appears to be a rank in a (tribal) aristocracy in Sudan, as “Shaigiya” refers to a tribal group in northern Sudan, which is the country he told Petitioner his father

served as a diplomat for: [https://en.wikipedia.org/wiki/Shaiqiya\\_tribe](https://en.wikipedia.org/wiki/Shaiqiya_tribe). In light of the Japanese rendering of the word Nazir as 准男爵 (じゅんだんしゃく(jun-dan-shaku) ), Abdelsamad was passing himself off as a member of a Sudanese (tribal) aristocracy, as the term translated into English is “baronet”:

<https://en.wikipedia.org/wiki/Baronet>

The English language Wikipedia page does not, however, show Sudan as a country that uses such a system. The Japanese Wikipedia page defines the term and contains a link to the above-linked English language page:

<https://ja.wikipedia.org/wiki/%E6%BA%96%E7%94%B7%E7%88%B5>. Furthermore, the card also makes no

connection between Abdelsamad and the United States, which is consistent with Petitioner’s assertion that he’d never represented himself as an American or a US citizen.

Abdelsamad’s self-presentation as belonging to a Sudanese tribal aristocracy jibes with the story he told Petitioner (APP#5, ¶12), but not with the story he told Chapman, i.e., that he was Moroccan (APP#4, ¶8). Therefore, it is plausible that Abdelsamad had already lied to Chapman about being Moroccan after having given Petitioner the business card with the Sudan story, wherefore Abdelsamad may have feared that Chapman’s informing Petitioner of their meeting might have led Petitioner to look up the information on the card and discovering the discrepancy, potentially compromising his cover, as the disinformation was intended as a diversionary tactic (like the changing of a single letter in his given name) to disperse knowledge about him of people he encountered into different channels, thereby misdirecting them and preventing any collective connecting of the dots. Petitioner begs the pardon of the Court for taking the liberty to attempt a sophomoric demonstration of how that might work in practice. The business card is material evidence that Petitioner and Abdelsamad were acquainted to a degree Abdelsamad repeatedly denied and lied about to the Court. His residence at the address listed on the card—as well as the spelling of his first name in English—should be confirmable

with the local Ward office.

**AKISATO (AKA KOHMEI) MIZUNO, CHIKUREIKAI**

Second, Petitioner has ascertained that Akisato (aka Kohmei) Mizuno ("Mizuno") is a Japanese Public Security Intelligence Agency ("公安庁": "Ko-an-cho") employee involved with efforts to intrude into Petitioner's cultural activities by promoting Jessie (aka "Koumei") Kitaguchi ("Kitaguchi") and Toshio (aka "Koumei") Yoshimura ("Yoshimura") while leading Petitioner to believe otherwise. Petitioner had first met Mizuno at the memorial concert for Petitioner's teacher, Matsumura Houmei ("Matsumura Sensei"), a nationally renowned performer, with whom Mizuno had studied while attending college in Osaka, having been introduced by his teacher, Yamaguchi Goro (son of Matsumura Sensei's teacher, subsequently designated a National Living Treasure), in Tokyo. Petitioner first took a lesson with Mizuno when he visited Nara (from Tokyo) in 2015 (App#8). He subsequently offered lessons at the house of another member of the Nara group ("Chikureikai") who has since withdrawn from that group, during visits to Osaka 3-4 times a year for a recently landed engineering consulting job. Tension had arisen among the Chikureikai after the death of Matsumura Sensei, as the individual who assumed leadership (Yoshihiro (aka Shumei) Tsujimura, "Tsujimura") is not an exceptional performer/teacher, but assumed airs of accomplishment he hadn't achieved, alienating some long-term members. Mizuno, however, is a top level performer/teacher. Numerous members left the Chikureikai to form a new group taught by Mizuno, with Petitioner participating in both until recently. There appear to be political aims associated with controlling the Chikureikai and promoting individuals employed by intelligence agencies, with Petitioner being an obstacle to their covert operations targeting culture in Kyoto, Nara, and Kobe.

With respect to Kobe, for example, a renowned strings performer (Fujimura Sensei, 83 years old: "Fujimura Sensei")) with whom Petitioner has been performing once

a year for 8-9 years invited Petitioner to join her students practice recitals when Tsujimura intervened, whispering something to Fujimura Sensei and telling Petitioner "no". When pressed by a livid Petitioner, Tsujimura said that if Fujimura Sensei invited him, she would have to invite everyone else; however, as other less cable Chikureikai members participate in said practice recitals, there was no justification for such interference. The actual reason appears to be the attempt to isolate Petitioner and promote others (e.g., Yoshimura), facilitating their participation in said practice recitals at Petitioner's expense. The Chikureikai has a 3-member executive committee including Tsujimura, Shigeo Ueguri ("Ueguri"; business card (whereabouts unknown) indicated he was an Liberal Democratic Party ("LDP") political operative), and Saburo Suda ("Suda"). Suda asked Petitioner to contribute an essay on the theme "The Appeal of Japanese Tradition Music" in October 2015. Petitioner agreed, but was too busy with the law suit, so he wasn't able to complete the essay until April 2017 for the group newsletter to be published in June.

At the end of April, Suda said he would use a photo he had of me performing in Nara, and send a version for review after completing the layout, but then contacted Petitioner and another contributor in June to say that our essays weren't going to be published in the upcoming issue based on a decision at the March executive meeting to promote the special holding of the spring practice recital of April 2018 at an auditorium. Petitioner had been discussing Yoshimura and Jessie with Suda for more than a year, though Suda refused to do so in emails. His reason wasn't convincing, so Petitioner queried him as to whether there was a page limit or the like, because of the obvious contradiction of Suda's statements in April and June regarding a meeting in March. Furthermore, Petitioner's essay (would be @8 pages in English) focused on the history and development of the tradition, and as Petitioner described during the proceedings below, there is political import to the tradition (it is closely related to Zen and the Noh, religious/cultural forms supported by historical

figures among the Minamoto Shoguns, in contrast to the theocratic forms of Shinto promoted by the Fujiwara Regents, including so-called "State Shinto", with which the Yasukuni Shrine and LDP established by the current Prime Minister Shinzo Abe's grandfather with covert funding by the CIA are closely associated). In the end, they relented and decided to publish the newsletter after Petitioner's queries, because it was only 4-pages long, the usual length. However, Suda misspelled Petitioner's name (for the first time) and didn't include the photo (the norm), but he did include an image from a Ukiyo-e painting of a samurai playing a shakuhachi, and did not present the document to Petitioner for review beforehand. Petitioner has posted two pages of the newsletter on his blog (<http://kyoto-inside-out.blogspot.jp/2017/10/the-published-form-of-my-essay-on.html>), but has not hitherto described the significance thereof, or had time to translate the essay.

As demonstrated by APP#8,#9, Petitioner had been discussing the lawsuit and Kitaguchi with Blain and Mizuno long before she was awarded a teaching license in three years (normally it takes about ten years, and incurs a \$10,000 fee). Petitioner couldn't afford the fee, so he never even applied for the license, but his freelance status enabled him to study with Matsumura Sensei for about 12 years, mostly four lessons a month. That probably makes Petitioner the student who logged the most lesson time with him over Matsumura Sensei's @60-year career as a teacher.

After Petitioner first blogged about Kitaguchi, Mizuno told him he had quit as Head Director (理事長) of the Chikumeisha, as Petitioner mentioned to Blain on August 7, 2017. He had also voiced numerous criticisms of Yoshimura, but Petitioner subsequently discovered that Mizuno was promoting Yoshimura online, so Petitioner added screenshots of Mizuno's website, which Mizuno had blocked from being archived by the WayBack Machine to his first blogpost on Kitaguchi where he had previously only mentioned Mizuno in passing. He also promotes a CD he recorded with John Singer, a suspected CIA officer



whom—along with another American named Christopher Blasdel—Petitioner had discussed with Matsumura Sensei (who died on February 28, 2013, about a year after Petitioner first blogged about defendant Houser (“Houser”). Houser is a student of Yodo Kurahashi (“Kurahashi”), who had also studied with Matsumura Sensei. Mizuno’s duplicity led Petitioner to check whether he had actually resigned.

The Chikumeisha website disclosed no such organizational information, but it had implemented a “Member’s only page”, which was first created between June 13, 2017 (<http://web.archive.org/web/20170613042123/http://chikumeisha.org/>) and September 24, 2017 (new link toward bottom, “會員全容”, after Mizuno first told Petitioner he had resigned). Petitioner decided to email the other Directors (理事) to query them about accessing the member’s only page and whether or not Mizuno had resigned, but first he decided to ask Mizuno once more, which he did in November 2017, when Mizuno responded that he’d quit in 2015 because of the age limit. He lied multiple times in that statement, having informed Petitioner he was Head Director as late as 2017, and then that he had quit; furthermore, he is approximately 15 years younger than Matsumura Sensei was when he died holding said position. Petitioner emailed the only other Director whose email address was publically disclosed (Director Matsuyama: APP#10), and he informed Petitioner of the email address of the more senior Director Tanaka (“Tanaka”), a congenial individual whom Petitioner had met once at aforementioned memorial concert. Petitioner emailed Tanaka (APP#11), describing the situation in some detail across two emails, but has received no response. Although Petitioner did indicate to Tanaka that he suspects both Mizuno and Yoshimura are employees of the Ko-an-cho, etc., there would be no reason for him not to respond regarding the question as to whether Mizuno has resigned as Head Director or not. It would, however, be contradictory to the organizational hierarchy of authority for Tanaka to answer that question if Mizuno were still Head Director; that is, his superior executive

officer in the organization, again suggesting that Mizuno had lied to Petitioner.

### **WELOCALIZE / PARK IP**

Third, while drafting the Petition for a Writ of Certiorari Petitioner was simultaneously looking for work, and responded to an add seeking medical/pharmaceutical translators posted on the Japan Association of Translators (JAT) website (APP#12) by the Japan “branch” of US-based company Welocalize and its subsidiary Park IP (“Welocalize”). Petitioner applied, submitting a resume and was enthusiastically welcomed by Akiko Fujimoto (“Fujimoto”), before proceeding to perform three trial translations. As described below, the interaction with Welocalize fits the general pattern of fraudulent offers and attempts to impede Petitioner’s livelihood, similarly to the fraudulent offer of translation work of defendants Blackman and Paquette. Welocalize, and Petitioner alleges it is a CIA front.

Petitioner described the withdrawal of Petitioner’s WIPO work by Japan Translation Center (“JTC”: <http://www.tokyo-cci.or.jp/english/ibo/0624993.htm>), in his Application for an extension of time to file the Petition for a Writ of Certiorari, and has since confirmed with WIPO official Sally Young that JTC did lose its contract in 2017, which, to reiterate, was the result solely of JTC’s cutting Petitioner’s workload, because he had, since 2009, handled the bulk of their native-speaker checking of translations by Japanese to ensure that the quality thereof met WIPO standards. Petitioner has been registered as a translator with WIPO since 2012 when WIPO implemented a security protocol (testing required) due to the confidential nature of unpublished applications. Petitioner has not hitherto described details regarding JTC, but he suspects Junji Ogawa (“Ogawa”), in particular, and Risa Takabatake (manager/daughter of owner, subsequently succeeded her father) the manager to whom Petitioner complained about Ogawa’s reduction of his workload after WIPO notified the company their quality had become unacceptable (and needed to improve), whereupon she basically told him that

it was a business decision—before losing their WIPO contract—of being employed/collaborating with the Ko-an-cho. Here, it bears noting that it was not a scenario where JTC had hired competent help at a lower rate to perform Petitioner's work.

After expressing interest in Petitioner, Welocalize requested that he sign an "NDA" (nondisclosure agreement) "for applicants" (APP#13) executed by Nicole Sheehan

(<http://www.parkip.com/getting-to-know-park-ip-translations-operations/>), "Regional Director of Operations" at the company's New York branch, instead of a Tokyo branch employee, with the NDA being in English, not Japanese.

Welocalize declared they had tests prepared in three fields for patents (mechanical, electrical, chemical), and asked Petitioner which was the easiest for him to translate, to which he responded electrical. Welocalize responded informing Petitioner that places needing revision in its electronics patent trial were discovered, and asked him to wait. Petitioner asked to instead take the Life Sciences trial he'd applied for; he was sent two documents to translate, submitted the completed translations on October 3 (APP#15), and was told he had passed on October 19—with vague comments from the evaluator—and a rate proposed. The email was co-signed by "Gregory" (Gregory Getzan, "Getzan") an American described by Matt Sekac ("Senior Director" of the New York branch: "Sekac") as:

...a registered US patent attorney who works out of Tokyo as Park IP's lead point of contact for managing relationships across Japan  
<http://www.parkip.com/managing-foreign-associate-relationships-asia/>

Petitioner accepted the proposed rate, but no work was sent, so he asked to take one of the other patent trials, or even the legal trial. Welocalize sent the legal trial, which consisted of a mock Supreme Court decision for a patent infringement damages case. Petitioner submitted the completed translation on October 22<sup>nd</sup>, and the next day

Fujimoto confirmed receipt.

Fujimoto then contacted Petitioner stating that the ME/EE patent trial was “ready”, but it was in the form of extracts of an application belonging to a pending work order. Fujimoto asked that it be completed ASAP. The specification was 41 pages long, but Petitioner completed the long trial—consisting of six claims and one paragraph from the embodiments—over the weekend. There was an instruction corresponding to so-called “special desires” of a “special client” that the translation be done in “natural sounding,” “easy-to-read” English; however, particularly with respect to Claims, the translation must accurately reflect the original; in fact, certification thereof is required in important jurisdictions (e.g., the European Union (EPO: [https://www.epo.org/law-practice/legal-texts/html/guidelines/e/a\\_vii\\_7.htm](https://www.epo.org/law-practice/legal-texts/html/guidelines/e/a_vii_7.htm), [https://www.epo.org/law-practice/legal-texts/html/guidelines/e/c\\_v\\_1\\_3.htm](https://www.epo.org/law-practice/legal-texts/html/guidelines/e/c_v_1_3.htm))), and an inaccurate translation can result in an invalidation trial (e.g., Japan Patent Act (“JPA”), Article 123(1)(v), or require the rights holder to request a correction trial (e.g., JPA, Article 126(1)(ii)/(iii). Accordingly, if Petitioner’s ability to translate the specification in “natural sounding,” easy-to-read” English, it is unlikely that the text of the trial would consist primarily of claims.

Fujimoto initially got back to Petitioner in a few days stating that they had assigned the project to another translator due to aforementioned “special desires,” with no other feedback whatsoever, while informing Petitioner that Welocalize was reevaluating the translation regarding registering Petitioner as a “regular” patent translator. Though Petitioner had already suspected something was amiss, he was not disposed to strenuously objecting to the claim that he had failed to meet said so-called “special desires,” as the primary objective was to be registered as a “regular” patent translator. The need for two separate evaluations remains a question, however.

When translating the patent trial, Petitioner had noted that

the purported PCT application did not appear in WIPO's database, but proceeded to translate it without further ado, as requested. Subsequently, after being told that Welocalize "would pass" on registering Petitioner as a patent translator without a single comment on the translation, Petitioner investigated further, discovering that the application did not seem to have been filed in Japan as a domestic application, and the purported inventor didn't have a presence online, and the Japanese branch of the Chinese applicant company does not list a telephone number. Petitioner inquired as to the Japanese filing number for the PCT application, whereupon Fujimoto told him she would have to check to see if it was OK to release "internal" information, whereupon Petitioner replied that the application filing number was a matter of public record, whereas transactional details between the applicant and law firm might be considered "internal". As described here (<http://www.wipo.int/pct/en/faqs/faqs.html>) page:

Generally, patent applicants who wish to protect their invention in more than one country usually first file a national or regional patent application with their national or regional patent Office, and within 12 months from the filing date of that first application (a time limit set in the Paris Convention, see Question 2) they file their international application under the PCT.

Petitioner had been working primarily on WIPO patentability reports from 2009-2017, and cannot recall ever having handled a Japan-filed PCT application that was not based on a prior domestic filing, which is why he asked Fujimoto for the domestic filing number. He subsequently recalled—based on his study for the Japanese Patent Bar @10 years prior—that it was permissible to file a PCT application directly (since confirmed with WIPO: PCT Article 11(3)). Petitioner had not concerned himself with the deletion of the PCT application number on the aforementioned cover, which comprised the PCT filing "Request form" and billing information. The PCT filing ("(RO/101) Request form") for the only published PCT application of said entities (referenced in the Application

for an expansion of the word limit) is available on WIPO's website:

<https://patentscope.wipo.int/search/en/detail.jsf?docId=WO2017203646&recNum=8&tab=PCTDocuments&maxRec=919&office=&prevFilter=&sortOption=Pub+Date+Desc&queryString=FP%3A%28SZ+DJI+Technology%29%3Freason%3D>

As can be seen on said form, that Request similarly lists no Priority date—though it does list the PCT application number—and was published 18 months after the PCT filing, indicating that it was a direct PCT filing not based on a prior domestic filing. Accordingly, it is likely that the same is true of the PCT application from which the patent translation trial was extracted, said yet-to-be-published PCT application having been filed September 2016 (priority date of the PCT application), and due to be published in March 2018. Petitioner will have to wait until then to check the English translation of the Abstract, and longer for their translation of the specification.

Given the questionable text of the legal translation trial, the complete absence of assignments in the medical field, and other unusual circumstances that had already led Petitioner to suspect intelligence agency harassment, Petitioner thought that the PCT application cover (Request, with billing info, but PCT application number deleted, etc.) may have been attached to an application that had been rejected after a priority search by the IP law firm, for example, wherefore he described said documents as fraudulent because Fujimoto had claimed they pertained to an actual application that seemed not to exist. Petitioner surmises that Fujimoto would not answer questions because she had lied about the company ever having prepared any patent translation trials in three stated fields in the first place, more than a month (September 28) before sending the PCT application extract (November 3) with unusual translation instructions related to “special desires” of the “special client,” and because the PCT application was unpublished. When informed that Welocalize would “pass” on registering him as a “regular” patent translator after a prolonged wait with no feedback whatsoever to a

recently registered translator in the medical field, it was clear that the scenario was abnormal. The abnormality is such that there is no rational business explanation justifying their recruitment efforts on JAT—a website through which Petitioner has made numerous applications and established contacts—with the attempt to avoid sending Petitioner any trial at all, then passing him on the medical trial and registering him but refusing to send work, and the ensuing legal/PCT application “translation trial” fiascos.

Fujimoto had claimed Getzan was a U.S. attorney at law as well as a Japanese patent attorney; however, Petitioner confirmed with the Japanese Association of Patent Attorneys that Getzan is not a Japanese patent attorney (APP#14). Fujimoto refused to say what state in which Getzan passed the Bar Exam, and subsequently said she may have been mistaken. On LinkedIn Getzan indicates that he has an engineering degree, no mention of law school or even being registered as a patent agent in the U.S. Getzan refused to respond to emails jointly addressed to him from Petitioner, like Sekac (APP#17) and Sheehan (APP#18). Petitioner emailed Sheehan directly after submitting the Application for an expansion of the word limit to the Court; receiving no response, he sent a final notice of intent to take legal action to Fujimoto, Getzan, Sekac, and Sheehan (APP#19), whereupon (Todd Feder, based in Houston, TX: “Feder”) responded as in his capacity as General Counsel for the USA company. Feder described the US company as the parent company and provided a link to a webpage that didn’t clarify the relationship with respect to Japanese law. It is not clear why Petitioner was asked to sign a so-called NDA with the NY office for a company in Japan, and was never presented with a Japanese contract, despite Fujimoto’s assertion that the Tokyo branch is a “company”, not an “office”. The scheme makes it seem that there are questions as to legal accountability under Japanese law, similarly to the English only Terms of Service by former CIA media front JapanToday. Likewise, though Petitioner suspects Welocalize is a CIA front company collaborating with the

Ko-an-cho, he intends to file suit in the courts in Japan, which does not seem to be related to the work of Feder in the USA.

Regarding the legal translation trial, the person who drafted same was either not well-versed in the law, and/or deliberately attempted to misdirect and confound the translator. The text of the translation trial was not taken from an actual case. One salient point was the fact that the Japan Patent Office (JPO) adjudicates “correction trials” (JPA, Article 126), but cannot hear damages claims for infringement (a civil law matter). Furthermore, to the best of Petitioner’s knowledge, aforementioned “correction trial” is an administrative adjudication not involving adversarial parties. Still further, aforementioned text repeats the term “原審” (*gen-shin*: “proceedings in the Court below”) 5 times and the term 原判決 (*gen-han-ketsu*: “the decision below”) 25 times, but does not use either of the terms “第一審” (*dai-i-shin*: “court of first instance”) or “第二審” (*dai-ni-shin*: “court of second instance”), and refers to the proceedings before the JPO only once (¶4.a. in the translation); here, the Supreme Court of Japan would presumably not use the same term *gen-shin* to refer to both proceedings of the court below and the correction trial proceedings. Accordingly, as Petitioner explained in a translation comment, the use of “Plaintiff” in the English text in the trial seemed so obviously wrong (appearing as text quoted from the decision of the IP High Court (appellate court)) as to have been included deliberately to test the translator’s knowledge of the Japanese patent infringement litigation system. Thus, a translator without detailed knowledge of the Japanese patent litigation system could have easily taken the use of “Plaintiff” in the English supplementary text as indicative that the proceedings of first instance (i.e., district court), or even the proceedings before the JPO were being addressed by the mock supreme court decision, instead of the proceedings before the IP High Court (which would have called for the use of “Appellant,” instead). In fact, the reference to “Apple’s Appeal Brief (1) to the IP High Court” in ¶5.d. is indicative of the discrepancy in



usage.

If such presumed “errors” were not deliberately intended to test the translator’s knowledge of Japan’s patent litigation system, it was intended to deceive. Suffice it to say, that is not standard fare for high-level translation tests, which are almost invariably taken from real-world documentation. Nevertheless, Petitioner was given credit for having understood the content of the material, but failed on the basis of a typo, and other bases incoherently explained with unusual terms like “時勢,” ji-sei (“spirit of the age”:  
<http://www.edrdg.org/cgi-bin/wwwjdic/wwwjdic?1F>), which Petitioner translated as “temporal relationships” (APP#14), liberally construing it to indicate mistakes on his part related to the timeline of the proceedings. Welocalize refused to answer queries of the above matters. For the Court’s reference, the evaluator’s comments presumably indicate the following as the correct translation of ¶4.a. of the mock supreme court decision:

The courts should not be bound by administrative decisions taken by administrative organs of the government, but should independently examine facts and interpret and apply the law. ... However, in reaching said judgment, the court of second instance went so far as to violate the rules....  
(emphasis added)

The status under Japanese law of Petitioner’s “registration” as a medical translator is unclear, given the nature of the NDA (“for applicants”), the lack of a formal written contract (let alone one in Japanese), the unclear relationship of the Japan branch to the U.S. company, etc., though Fujimoto responded to a query by Petitioner that the Japan branch was a company, not an office, and admitted that there was no Japanese NDA. This is a situation with parallels to JapanToday, the CIA online news media front that provided a Terms of Use Agreement only in English, etc., evoking extraterritoriality, aiming to evade accountability under Japanese law. To the best of

Petitioner's knowledge, under Japanese law, such agreements must be in Japanese, making the status of the NDA questionable. For the purposes of this Petition, the company comprises a U.S. company engaged in fraudulent activity against an American citizen in Japan by individuals alleged to be covert CIA employees (e.g., Getzan, Sekac, Sheehan) and Japanese Ko-an-cho employees (e.g., Fujimoto) engaged in an ongoing conspiracy against Petitioner in a continuum with other allegations in this civil action, but obviously post-dating the filing of said action. Their activity will be challenged in the Japanese courts, however, to shed light on the above-described questions.

The so-called "NDA" (APP#13) "for applicants" stipulated:

Any information and/or documents that are provided to you shall be kept strictly confidential by you and shall not be disclosed or used by you outside the scope of PARK IP's translation projects in any manner, or for any purpose, whatsoever. You also agree and acknowledge that you shall not contact the clients of PARK IP directly for whatever reason related to the work performed by you under this agreement...

Petitioner is not sure whether that is their standard NDA ("for applicants"), or whether Welocalize have any patent translation trials prepared; Fujimoto maintained Petitioner's was a "special case," after refusing to offer any patent translation trial, despite Petitioner's repeated requests. The second stipulation, in particular, mentions "work," however, and is more like a non-competition clause sometimes seen in freelance contracts. It is a fact that Welocalize never sent a formal written contract upon registering Petitioner as a freelance translator in the medical field, or an NDA for registered translators, but they did entrust him with an unpublished PCT application the status of which they concealed and refused to reveal after specific queries by Petitioner. It is also a fact that Fujimoto confirmed the company has never created a Japanese NDA—itsself a questionable business practice

under Japanese law—and that the NDA itself was concluded between Petitioner and Sheehan, not an executive of the Japanese branch company. It is also a fact that Petitioner was contacted by the General Counsel of the parent company, whereas not a single American employee of the company ever communicated directly with Petitioner, despite the direct involvement of Getzan, perhaps as the drafter of the flawed legal translation trial. Welocalize's communications practices with respect to Petitioner have been the opposite of the PR (APP#16).

Finally, the so-called "special desires of the client" instruction with respect to translating patent claims was a damned-if-you-do, damned-if-you-don't scenario, because the claims are interpreted based on the specification, so while Petitioner could conceivably have omitted translation of, for example, "in the vertical direction" from the embodiments paragraph, the reference in the claims to a "normal vector" containing a "vertical component" militates thereagainst. In either case, that would be a simple adjustment. The company's disposition toward Petitioner was not such that they were earnestly interested in employing him, even after he had passed one difficult and lengthy trial translation and completed two others. The nature of the most deceptive practices regarding the patent translation trial is unclear, requiring discovery, as Fujimoto refused to provide any answers, and Petitioner will have to name as defendants both the IP Law Firm and the applicant, seeking information enabling said practices to be discerned in detail.

Petitioner made some typos and other minor mistakes on the trial translations. The subject matter of said trials is of a high level of difficulty, and Petitioner performed the first two trials, expending many hours, while preparing the Petition for a Writ of Certiorari, under duress. The "evaluations" proffered were vague, vacuous, evasive, and disingenuous, pertaining to typos and matters related to style more than substance, whereas comprehension of the subject matter should be central with respect to such highly specialized documents. The above-described acts by

Fujimoto et al. along with the translation trials have not been easy to analyze, and Petitioner continues to investigate, having followed through after filing aforementioned Application to the Court, and foreseeing a need to go to court in Japan to pursue discovery.

Welocalize inexplicably employed deceptive business practices against Petitioner. In light of the unusual stipulations in the "applicant" NDA, etc., and the fact that they stealthily provided Petitioner with an unpublished PCT application, subsequently refusing to reveal that after their activities were questioned as "fraudulent" makes it plausible that it was a form of entrapment. That is, perhaps the CIA front Welocalize aimed to provoke Petitioner so that he would unwittingly post his translation of the unpublished PCT application trial on his blog, violating the NDA and enabling the CIA to attack Petitioner's blog through the U.S. courts.

### **CONCLUSION**

As demonstrated above, Petitioner's claims have a basis in reality. As the Petition for a Writ of Certiorari was denied without comment, it is unclear what rationale served as the basis therefor. The above-presented information further supports various allegations. The actions of Welocalize, occurring during Petitioner's preparation for filings with this Court, demonstrate that the CIA believes it is above the law and can act with impunity, and aims to continue harassing Petitioner. Inaction on this Petition by the Court will only embolden them.

In the proceedings below, Petitioner described what he deemed to be practices corresponding to reverse-racism, and he has since perceived a similar set of practices he deems to correspond to reverse-sexism, both aiming to disrupt Japanese culture, particularly traditional culture in the cultural capital of Kyoto. Based on the above-described and previously presented experiences Petitioner alleges, information and belief, that the CIA, in collaboration with Japanese (and other) intelligence operatives, is using economic fronts operating in the translation industry to

undermine Petitioner's livelihood because his presence impedes their covert actions targeting cultural spheres in which he is involved.

The government has the benefit of the State Secrets evidentiary privilege, and there is no reason for this Court to fear of political fallout if same were evoked. Meanwhile, there are potentially dire repercussions in allowing the CIA acting in concert with foreign intelligence services to violate with impunity the Constitutional rights of private U.S. citizens residing abroad. This Court should ensure that Petitioner's rights secured by the Constitution are vindicated with respect to the alleged violations thereof by defendants reasonably inferred to be clandestine government agents.

For the foregoing reasons, the Court should grant this Petition for Rehearing.

Dated:  
December 22, 2017

Respectfully Submitted,

Darren R. Vasaturo

Darren R. Vasaturo  
502 Sun Lotus Ikeji  
217 Owaricho, Nakagyok  
Kyoto, 604-0934  
Japan

**Additional material  
from this filing is  
available in the  
Clerk's Office.**