19-7910

App. No. _____

ORIGINAL

In the Supreme Court of the United States

Dr. Lakshmi Arunachalam, a Woman,

Petitioner,

v.

INTUIT, INC.,

Respondent,

On Petition for Writ of Certiorari to
the United States Court of Appeals for the Fifth Circuit

PETITION FOR WRIT OF CERTIORARI

Dr. Lakshmi Arunachalam, a Woman,
PETITIONER
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March 1, 2020

QUESTIONS PRESENTED

PREAMBLE # I: JURISDICTION

I, Dr. Lakshmi Arunachalam, a Woman, one of We, The People, of the State of California and of the United States of America, and inventor of the Internet of Things — Web Apps displayed on a Web browser — in This Common Law Court of Record, Order The Supreme Court of The United States to Enforce The MANDATED PROHIBITION Against Repudiating Government-Issued Patent Contract Grants as Delineated in *Fletcher V. Peck* (1810), *Trustees Of Dartmouth College V. Woodward* (1819), *Grant V. Raymond* (1832), *U.S. V. American Bell Telephone Company* (1897), *Ogden V. Saunders* (1827) — Governing Supreme Court Precedents — The Supreme Law of The Land And Law of The Case — And Stop All Wrongdoers And Respondents from Breaching Their Solemn Oaths of Office And Making It Hazardous, Expensive And Burdensome for Me to Have Access to The Court In Violation of Due Process, All In Violation of The Constitution, Entitling Me To Constitutional Redress, As Per ALP VOL. 12. CONST. LAW, CH. VII, SEC. 1, §141.

I, Dr. Lakshmi Arunachalam, a Woman, Order The Supreme Court of The United States To Take This Case Under Original Jurisdiction, As The Entire Judiciary Has Lost Jurisdiction By Breaching Their Solemn Oaths of Office. Their Orders are Void. You Wrongdoers and Respondents of the Supreme Court of the United States lost your jurisdiction by breaching your solemn oaths of office and therefore, are not the tribunal, — I am the tribunal, I am the only Woman who has jurisdiction to rule on my case(s). The judgment is void for want of jurisdiction. This Court has no jurisdiction, because the Respondents failed to apply that a grant is a contract which the grantor cannot vacate. What other tribunal is there to exercise this jurisdiction? This is now a common law court. I am the claimant, I am the tribunal of the Court, I am the prosecutor in this Court.

I, Dr. Lakshmi Arunachalam, a Woman, Order the Wrongdoers and Respondents to stop imposing artificial procedures after losing jurisdiction and to stop avoiding enforcing the MANDATED PROHIBITION against repudiating Government-Issued Patent Contract Grants as delineated in *Fletcher* and Governing Supreme Court Precedents.

I, Dr. Lakshmi Arunachalam, a Woman, hereby Order that enforcing the MANDATED PROHIBITION against repudiating Government-Issued Patent Contract Grants as delineated in *Fletcher* and Governing Supreme Court Precedents — the Supreme Law of the Land and Law of the Case — is the *sole* issue and *undisputed material fact* and Law, integral to all of my cases and *prima facie* evidence of the validity of all of my claims.

The Wrongdoers and Respondents quashing access under color of law to hide their compromise all violate the Constitution. *See*

> With respect to Fundamental, Substantive, and Due Process Itself: "Any process or Court attempting to or adjudicating a contract by estopping a material part of it from being considered *prima facie* denies a litigant due process entitlement to an honest, though not learned tribunal; and if injured by the corruption or fraud of the court is entitled to redress." [ALP VOL. 12. CONST. LAW, CH. VII, SEC. 1, § 140]; "and final decisions upon the ultimate question of due process cannot be conclusively codified to any non-judicial tribunal. Any attempt to do this whether by direct denial of access to the courts upon this question of due process by hindering access to the courts or **making resort to the courts upon it difficult, expensive, hazardous, all alike violate the Constitutional provision**." [ALP VOL. 12. CONST. LAW, CH. VII, SEC. 1, §141]

I, Dr. Lakshmi Arunachalam, a Woman, one of the People of We, The People, of California and the United States of America, and inventor of the Internet of Things — Web Apps displayed on a Web browser — as the aggrieved, require the use of this venue, as a Court of Record, to seat a jury of which I move my Claim before, in order to determine and render a verdict. There is nothing for the courts to act upon, but simply for the Wrongdoers and Respondents to perform their duty and uphold their solemn oaths of office.

I, Dr. Lakshmi Arunachalam, a Woman, hereby file this Notice of and Verified Claim of (1) Trespass by Wrongdoers and Respondents on Property/my Rights/Case by False Claim and Tampering with Public Record, Warranting Criminal Charges, (2) Lack of Jurisdiction, (3) the entire Judiciary's and PTAB's Void Orders and Judgment, and (4) Injury: In Contempt, In Dishonor, In False Claim, In Breach of Fiduciary Duty/Public Trust/Solemn Oath of Office, without jurisdiction; Denial of Due Process, Moving into Jurisdiction Unknown.

The Wrongdoers and Respondents named are listed in the Title *infra* and incorporated herein by reference as if stated herein, and further include IPLAW 360, Britain Eakin, Kat Greene, Tiffany Hu, Kevin Penton, and Adam LoBelia, for false reporting, aiding and abetting treason by and in conspiracy with the other Wrongdoers and Respondents.

The Wrongdoers and Respondents breached their solemn oaths of office and exceeded jurisdiction. They have been in dishonor and contempt, breached their fiduciary duty, public trust and in corrupt association, denied me due process and my rights and moved into jurisdiction unknown. They lost their jurisdiction. The entire Judiciary's

and PTAB Orders and Judgment are Void, replete with False Claims and Tampering with Public Record, warranting criminal charges.

I Order and require the supposed jurisdiction duly placed into evidence. I Order and require all officers of the court who are counsel of record, Justices, judges, clerks and public officials place in the docket their oaths of office and bonds within 7 days of the date of docketing of this document.

I believe I have been done wrong, because they interfered with my rights, they trespassed on my property, my rights and on my case denying me access to the court.

I have been harmed because they violated my rights.

I want damages for my injury. I order immediate compensation for interfering with my rights, for trespassing on my property, on my rights and on my case.

I hereby order the Clerk of the Court to move this into the Claims side of the Court, to the Common Law Court of Record.

I order any man or woman who says I did any wrong to step forward.

I remind everyone, Equality under the Law is paramount and mandatory by law.

The entire Judiciary's and PTAB Orders and Judgment are Void, from their inception, are complete nullity and without legal effect, procured by fraud, extrinsic and collateral fraud, and by FALSE CLAIM and acted unconstitutionally in entering judgment and no *res judicata* consequences apply. The Judiciary acted in a manner contrary to due process. All persons concerned in executing the lower Courts' Judgment, are trespassers. The entire Judiciary's and PTAB Orders and Judgment have no legal force or effect, and are incapable of confirmation or ratification, and hereby stand vacated instantly, I claim the invalidity of the lower Courts' and PTAB Orders and Judgment, as my rights have been affected directly or collaterally.

I Order and require that the Respondents put up their bonds, as they have harmed me and I am the creditor and **they collectively owe me at least a hundred billion dollars**. The entire Judiciary's and PTAB Void Orders and Judgment entered where courts and PTAB lacked subject matter and personal jurisdiction, and otherwise entered in violation of due process of law, are hereby set aside. Relief from the entire Judiciary's Void Judgment is not discretionary matter, but is mandatory. There is no evidence to sustain the Judiciary's Void Judgment. The Judiciary's and PTAB's actions have been extra-judicial, with or without the authority of law, to render a judgment or decree upon the rights of Dr. Lakshmi Arunachalam, a Woman. The Judiciary proceeded without proving their jurisdiction to the counterclaiming court, the counterclaim filed on 2/6/2020, the proceedings are void. Notwithstanding, the proceedings have been void from the inception, by the Judiciary and lawyers

breaching their solemn oaths of office and not abiding by the Supreme Law of the Land and not enforcing Governing Supreme Court Precedents.[1]

Respondents made up rules repugnant to the laws of the United States, there is no excuse for the neglect of their duty. Their dereliction of duty has been wanton.

They are trespassers; and subject themselves to the penalties provided for the punishment of trespassers. They are violators of the laws of the land; of the Constitution of the United States, and of the acts of Congress, under the authority of which the decree of this Court would have been made. They cannot escape conviction and punishment. Respondents have made the Constitution a solemn mockery, and the nation is deprived of the means of enforcing its laws, by its own tribunal.

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[1] **Lower Court Decisions are contrary to Governing Supreme Court Precedents:**

Fletcher v. Peck, 10 U.S. 87 (1810) that **a grant is a contract** that cannot be repudiated— the Law of the Case and Supreme Law of the Land.

Trustees of Dartmouth College v. Woodward, 17 U.S. 518 (1819):

> "The law of this case is the law of all... Lower courts ...have nothing to act upon..." "...applicable to contracts of every description...vested in the individual; ...right...of possessing itself of the property of the individual...for public uses; a right which a magnanimous and just government will never exercise without amply indemnifying the individual;"

Grant v. Raymond, 31 U.S. 218 (1832):

> "By entering into public contracts with inventors, the federal government must ensure a "faithful execution of the solemn promise made by the United States;"

U.S. v. American Bell Telephone Company, 167 U.S. 224 (1897):

> "the contract basis for intellectual property rights heightens the federal government's obligations to protect those rights. ...give the federal government "higher rights" to cancel land patents than to cancel patents for inventions;"

Ogden v. Saunders, 25 U.S. 213 (1827) applies the logic of sanctity of contracts and vested rights directly to federal grants of patents under the IP Clause.

Lower Court Decisions are contrary to Federal Circuit's own rulings.

1. ***Aqua Products Inc. v. Matal***, Fed. Cir. 15-1177 (2017) reversed all Court and PTAB rulings that failed to consider "the entirety of the record" —Patent Prosecution History.
2. Federal Circuit's ruling of 2/13/20 in another case reported by IPLAW360 that PTAB may not find indefiniteness of a patent claim in an IPR Review.

The Judiciary and PTAB made threats to me, and engaged in extortion. This Court will not make a decree against me, a Woman, unless it shall be satisfied that the Constitution authorizes it, and that equity requires it.

Any proceeding without the limits prescribed, is coram non judice, and its action a nullity. And whether the want or excess of power is objected by a party, or is apparent to the Court, it must surcease its action, or proceed extra-judicially.

Respondents made False Claims. The Judiciary's Orders and Judgment are replete with false claims — A false representation was made by Respondents and the Federal Circuit Panel in its 2/13/20 Void Order and Judgment, as to a fact on which the whole cause depends. Criminal charges against the Respondents is warranted for the Federal Circuit's Panel's Void Order and Judgment based on false claims.

The Judiciary remaining silent (as fraud) in willful or culpable silence after being put on notice of and not enforcing Governing Supreme Court Precedents — the Supreme Law of the Land — first, above all else, in procedural error — in dishonor, in breach of fiduciary duty/public trust and solemn oath of office — voiding all Orders, has created a Constitutional emergency, placing national security at risk.

The Federal Circuit Panel in its 2/13/20 Void Order in Case #19-1251 made many false statements, one of which is as follows:

> "Regarding Dr. Arunachalam's challenges and motions under *Fletcher v. Peck*, 10 U.S. (6 Cranch) 87 (1810), and "prosecution history estoppel" under *Aqua Products, Inc. v. Matal*, 872 F.3d 1290 (Fed. Cir. 2017) (*en banc*), **we have previously addressed these arguments [False Claim.]**, stating that "[t]he Supreme Court in *Oil States Energy Services, LLC v. Greene's Energy Group, LLC*, — U.S.—, 138 S. Ct. 1365, 1375 & n.2, 1377–78, 200 L. Ed. 2d 671 (2018) **rejected several similar [False Claim.] constitutional challenges to the inter partes review process.**" Int'l Bus. Machs. Corp., 759 F. App'x at 933. Dr. Arunachalam has not provided any reason that the same reasoning does not apply to a district court's authority to invalidate a patent. Accordingly, we reject Dr. Arunachalam's constitutional challenges and deny her motions raising those same constitutional challenges."

This is a willfully false statement. The entire Judiciary failed to address Dr. Lakshmi Arunachalam, a Woman's notices of constitutional challenges and motions and *Fletcher v. Peck* and Governing Supreme Court Precedents, and the fact that the courts disparately failed to apply the reversal of all Orders by Courts and PTAB that failed to consider "the entirety of the record" — Patent Prosecution History in my cases. The Federal Circuit did not address these issues "previously" as the Panel has falsely alleged, nor did the Supreme Court "reject several similar constitutional

challenges to the inter partes review process" in *Oil States*. I, Dr. Lakshmi Arunachalam, a Woman, has been the first and only Woman who has been the whistleblower in bringing to the attention of the Courts that Governing Supreme Court Precedents as in *Fletcher v. Peck, Trustees of Dartmouth College v. Woodward, Grant v. Raymond, Ogden v. Saunders, U.S. v. American Bell Telephone Company* estop the Courts from breaching their solemn oaths of office in not enforcing the Governing Supreme Court Precedents. There could never have been any "similar constitutional challenges", let alone "several", as falsely alleged by the Panel in its Void 2/13/20 Order. Every inferior court and the Supreme Court must abide by the Supreme Law of the Land and must enforce it. This issue is material to the Panel's Void 2/13/20 Order based on its materially false statement and is a false claim by the Panel. This warrants criminal charges against the Panel and both Solicitees and Solicitors engaged in solicitation of false claims to be propagated across multiple courts and **against IPLAW 360 and Britain Eakin who published to the world**, as public fraud.

The Federal Circuit Panel could not Procedurally go into Session and Rule when I, A Woman, had already Ordered on 2/6/2020 that we are now in a Common Law Court of Record and that Court had Nothing to Act Upon But Do Its Duty and Abide By Its Oath of Office and Enforce the MANDATED PROHIBITION as declared in *Fletcher* and other Governing Supreme Court Precedents —The Supreme Law of The Land and Law of the Case — above all else.

The Federal Circuit Panel unlawfully went into session on 2/7/20, when I am the tribunal in this common law Court of Record as of 2/6/20, and failing to enforce the MANDATED PROHIBITION as declared in *Fletcher* and other Governing Supreme Court Precedents in an overt act of willful disobedience and desperation by moving to jurisdiction unknown is more than a dereliction of duty, by engaging in Mutiny and Sedition with intent to usurp or override lawful authority of the Constitution, and with intent to cause the overthrow or destruction of lawful civil authority, refusing, in concert with the USPTO/PTAB, Legislature and Judiciary, to obey orders or otherwise do its duty and creating revolt, violence, and other disturbance against that authority— the Supreme Law of the Land.

The Federal Circuit Panel moved into jurisdiction unknown and engaged in Mutiny by refusing to obey orders or perform duties in a collective concert of insubordination and necessarily including Defendants, Legislature, Agency, Judiciary and attorneys acting together in concert in resisting lawful authority and consisting simply of a persistent and concerted refusal or omission to obey orders, or to do duty, with an insubordinate intent to usurp or override lawful authority, the intent declared in words in Erroneous and Fraudulent Orders of the Judiciary or inferred from the Judiciary's acts, omissions, concealing material facts requires the Panel to be impeached and arrested.

The District and Circuit Courts' Rulings on the cases or The Appeal(s) Without First Upholding The Supreme Law of The Land and Abiding By Its Oath of Office Above All Else Is Procedural Error And Are Erroneous And Fraudulent Decisions.

I Have Been Harmed and Injured by the Judiciary Interfering with My Rights.

I seek Constitutional Redress.

The Orders by the Entire Judiciary in My Cases Are Void because The Entire Judiciary Failed To Enforce the MANDATED PROHIBITION declared in **Governing Supreme Court Precedents — *Fletcher V. Peck* (1810); *Trustees Of Dartmouth College V. Woodward* (1819); *Grant V. Raymond* (1832); *U.S. V. American Bell Telephone Company* (1897) — In Breach Of Solemn Oaths Of Office And Fiduciary Duty/Trust.**

The Judiciary Failed To Apply Federal Circuit's *Aqua Products Inc. V. Matal* (2017) that Reversed all Rulings that failed to consider "The Entirety of The Record" —Patent Prosecution History.

Judiciary Remained Silent as Fraud on Material *Prima Facie* Evidence — Patent Prosecution History — that the Patent Claim Terms are neither Indefinite nor the Patent Claims Invalid.

Courts condemned before inquiry, **when claims were unambiguous in view of *prima facie* material intrinsic evidence** of Patent Prosecution History, **never** considered by ***any*** Court in ***any*** of my cases, starting from the very first case, nor examine independent and dependent claims of my ***virgin*** U.S. Patent Nos. 7,930,340; 8,271,339, ***never*** examined by any court nor re-examined by PTAB, nor of **any** of my patents. Even if the claims of my U.S. Patent Nos. 5,987,500; 8,037,158; and 8,108,492 are invalid (which they are **not**), as falsely alleged by Appellees and Judges in an orchestrated farce, those so-called "invalid" claims of the '500, '492 and '158 patents have no effect on the independent or dependent claims of the patent-in-suit. The District Court never reached the patent case.

Appellees, attorneys, Courts, PTAB and USDOJ were put on notice of Governing Supreme Court Precedents and *Aqua Products*. They have remained silent (as fraud) in willful or culpable silence. "Silence" implies knowledge, and an opportunity to act upon it." Their lack of response is a Default, after being put on notice. Their Silence "comprises their stipulation and confession jointly and severally to acceptance of all statements, terms, declarations, denials and provisions herein as facts, the whole truth, correct and fully binding on all parties." "Upon Default, all matters are settled *res judicata* and *stare decisis*" and Appellees must pay up the royalties long overdue.

1. **JUDICIARY AND PTAB FAILED TO APPLY THAT GOVERNING SUPREME COURT PRECEDENTS COLLATERALLY ESTOP RESPONDENTS' FALSE PROPAGANDA OF COLLATERAL ESTOPPEL FROM VOID ORDERS BY FINANCIALLY-CONFLICTED JUDGES AND**

JUDGES WHO COMMITTED TREASON BY BREACHING THEIR SOLEMN OATH OF OFFICE.

2. JUDICIARY'S WILLFULLY FALSE STATEMENTS POSE A CONSTITUTIONAL EMERGENCY AND A NATIONAL SECURITY THREAT.

3. WILLFULLY FALSE STATEMENTS BY THE JUDICIARY CONTRARY TO MATERIAL *PRIMA FACIE* EVIDENCE—PATENT PROSECUTION HISTORY—THAT MY PATENT CLAIMS ARE VALID — AND CONTRARY TO GOVERNING SUPREME COURT PRECEDENTS — *FLETCHER V. PECK* (1810); *TRUSTEES OF DARTMOUTH COLLEGE V. WOODWARD* (1819); *GRANT V. RAYMOND* (1832); *U.S. V. AMERICAN BELL TELEPHONE COMPANY* (1897) — THE LAW OF THE CASE AND SUPREME LAW OF THE LAND — CONSTITUTE FRAUD ON THE COURT, SEDITIOUS ATTACK ON THE CONSTITUTION, PATTERNED BREACH OF SOLEMN OATHS OF OFFICE, OBSTRUCTION OF CONSTITUTIONAL JUSTICE — A CONSTITUTIONAL EMERGENCY.

4. DATE OF DISCOVERY DICTATES STATUTE OF LIMITATIONS IN RICO, NOT AN ARTIFICIAL 2002 DATE MANUFACTURED BY THE JUDICIARY IN ITS WILLFULLY FALSE STATEMENTS.

A.
JUDICIARY AND PTAB'S MISFEASANCE[2] UNDER COLOR OF LAW

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[2] Racketeering —By Patterned Breach of Solemn Oath(s) —Treason by ***intentional*** fiduciary breach of duty and public trust (after notice) by ***concerted*** silence as (public and private) fraud, Congressionally ***designed*** in cohort with the Executive USPTO and Judicial Branches of Government dwelling together with Appellees' Attorneys to impair the Contract Clause by subverting the Supremacy Clause of the Constitution to avoid the 'Mandated Prohibition' against repudiating Government issued contract grants (of ***any*** kind), by ***collectively*** failing to enforce the Supreme Law of the Land and Case, even after Notice -Why? In order to continue in breach of public contract (and conflicting USPTO mission objective), manufacturing litigation, Judges making erroneous and fraudulent decisions, where the courts have nothing to consider respecting 'The law of all,' as per Chief Justice Marshall in *Dartmouth College*; save, unjust enrichments off of clients; and placed on vested stock holdings of judges refusing to recuse — **in a patently (Manufactured) anti-trust environment**.
All of my cases are one continuum, wherein "a body of men/*women*...actually assembled for the purpose of effecting by force a treasonable object" perpetrated by the three branches of Government, (Judiciary, Legislature and Executive Agency—USPTO/PTAB), in cohort with the Respondents, against the inventor Dr. Lakshmi

> "A patent **shall be presumed valid**. Each claim of a patent (whether in independent, dependent, or multiple dependent form) **shall be presumed valid** independently of the validity of other claims; dependent or multiple dependent claims **shall be presumed valid** even though dependent upon an invalid claim." 35 USC § 282.

The very Patent Statute proves the Judiciary's and Respondents' Statements ***blatantly* false** that

> "patent claims asserted were barred by collateral estoppel either because they were squarely invalidated in prior cases or ***depended on claims previously invalidated***."

Judge Andrews admitted holding stock in JPMorgan during the pendency of that case. Supreme Court precedents ***and*** *Aqua Products* **collaterally estop Respondents' false allegations of collateral estoppel from void Orders.** Courts made it unreasonably burdensome, downright dangerous, and expensive for Dr. Lakshmi Arunachalam, a Woman, to have access to the Court on the question of due process itself.

The Judiciary must be punished for:

1. Along with Judges, Defendants, Attorneys, Agency, for making False official statements, with intent to deceive, signing false records, regulations, orders, and other official documents, knowing it to be false, and making other false official statements of collateral estoppel without considering Patent Prosecution History, and without enforcing *Fletcher*, knowing it to be false. The falsity has been in respect to a material matter, and may be considered as some evidence of the intent to deceive. Judges, Defendants, Attorneys, Agency have an independent duty or obligation to speak, as in the case of a custodian who is required to account for property, a statement made by that person during an interrogation into the matter is official. If the person chooses to speak, the person must do so truthfully. But Judges, Defendants, Attorneys, Agency failed to do so.

Arunachalam, a Woman, and the nation and in fiduciary breach of public trust, by stealing my significant inventions – Web Apps Displayed on a Web browser – from which Respondents and the Government are unjustly enriched by trillions of dollars, a sufficient overt act done with treasonable intent. Chief Justice Marshall said that war was actually levied under such circumstances in *U.S. v. Burr*, 25 F. Cas. 55, 161 (CCD, Va. No. 14693), warranting this Court to resolve what all courts have been avoiding, to stop the fraudulent and seditious administration of patent law as a public fraud perpetrated by all three branches of Government, as Solicitees in response to Solicitations by Respondents and their lawyers.

2. **for extortion for** communicating threats to Dr. Lakshmi Arunachalam, a Woman, with the intention thereby to obtain anything of value, by threats to do any unlawful injury to her or her property; a threat to accuse her, of any crime; a threat to expose or impute any deformity or disgrace to her; or a threat to do any other harm.

3. **for Perjury, because the Federal Circuit Panel** in a judicial proceeding or in a **course of justice willfully and corruptly,** upon a Lawful oath, gave **a false testimony material to the issue or matter of inquiry**; or in any statement subscribed any false statement material to the issue or matter of inquiry; and the Federal Circuit Panel did not then believe the testimony to be true.

4. as commissioned officers, for Conduct unbecoming of an officer and gentleman, as they did or omitted to do certain acts including knowingly making a false official statement and all disorders and neglects to the prejudice of good order and discipline in the United States and of a nature to bring discredit upon the Judiciary and United States; and offenses that involve noncapital crimes or offenses which violate Federal law; by acts of dishonesty, unfair dealing, indecency, indecorum, lawlessness, injustice, or cruelty toward Dr. Lakshmi Arunachalam, a Woman.

5. for misprision of serious offenses by Judges Andrews, Davila, Albright, Hixsom, Hamilton, Laporte, Appellees and attorneys and wrongfully concealed the serious offenses and failed to make it known to civilian authorities as soon as possible.

6. for obstructing justice by wrongfully influencing, intimidating, impeding, or injuring a witness, namely, Dr. Lakshmi Arunachalam, a Woman, and by means of bribery, intimidation, misrepresentation, or force or threat of force delaying or preventing communication of information relating to a violation of any criminal statute of the United States to a person authorized by a department, agency, or Judiciary of the United States to conduct or engage in investigations or prosecutions of such offenses; or endeavoring to do so; and did so in the case of Judges Andrews, Davila, Albright, Hixsom, Hamilton, Donato, Laporte against whom the Panel had reason to believe there would be criminal proceedings pending; and that the act was done with the intent to influence, impede, or otherwise obstruct the due administration of justice;

7. for willfully and unlawfully altering, concealing. removing, mutilating, obliterating, or destroying public record;

8. for Soliciting another to commit an offense, with the intent that the offense actually be committed;

In the commission of the offense, the Judiciary **knowingly created a grave risk of substantial damage to the national security; or any other factor that may be prescribed by the President by regulations.**

Respondents and the Judiciary interfered in the enjoyment of life, liberty and the pursuit of happiness of Dr. Lakshmi Arunachalam, a Woman, in which she cannot be disturbed.

Dr. Lakshmi Arunachalam, **a Woman** Against Federal Judiciary (status: clipped sovereignty), — District Courts of Delaware, Texas and California; — Caroline Craven; — Robert W. Schroeder, III; — Alan D. Albright; — Richard G. Andrews; — Elizabeth D, Laporte; — Phyllis J. Hamilton; — James Donato; — J. Rodney Gilstrap; — Edward J. Davila; — Sue L. Robinson; — Leonard P. Stark; — Thomas S. Hixsom; — John Cerino; — U. S. Court of Federal Claims; — Ryan T. Holte; — Lisa Reyes; — Third, Fifth, Ninth and Federal Circuit Courts; — Alan D. Lourie; — Kimberly A. Moore; — Raymond T. Chen; — Raymond C. Clevenger III; — Pauline Newman; — Sharon Prost; — Evan J. Wallach; — Jimmie V. Reyna; — Todd M. Hughes; — Timothy B. Dyk; — Kathleen M. O'Malley; — Richard G. Taranto; — Supreme Court of the United States;	**Jurisdiction: Court of Record** **Federal Case Nos.:** **19-50659 (Fifth Cir.)** **6:19-cv-172-ADA (W. D. TX, Waco Division)** **2019-1794;** **2019-1251;** **2019-1223;** **18-1250-EJD;** **12-4962-TSH;** **13-1248-PJH;** 16-358-RTH; 13-1812-RGA; 14-373-RGA; 16-281-RGA; **12-282-RGA/SLR/RGA;** **14-490-RGA;** 15-259-RGA; 12-355-RGA; 14-00091-RGA; **14-1495;** **15-1424;** **15-1429;** **15-1433;** **15-1831;** **15-1869;** 16-110; 16-1560; **16-1607;** 17-1721; 17-2401; 18-1057; 18-1064; 18-2105; 19-112; 19-113; 19-114;

	19-50597;
Executive Branch;	19-40597;
— U. S. Patent and Trademark Office (USPTO);	19-40601;
— Patent Trial and Appeals Board (PTAB);	19-50613;
— Brian J. McNamara;	19-50615;
— Sarah E. Craven;	19-50636;
— Nathan A. Kelley;	15-3569;
— David Ruschke;	16-3663;
— Andrei Iancu;	16-3765;
— Zoila E. Cabrera;	18-3177;
— Jennifer S. Bisk;	18-3178;
— Kevin Turner;	18-3179;
— Stephen C. Siu;	13-1333-RGA;
— Barack Obama;	15-00023-EDL;
— Vishal Amin;	15-00024-EDL;
— U.S. Department of Justice (USDOJ);	15-00025-EDL;
— Claire T. Cormier;	18-3995-EJD;
— Scott S. Bolden;	16-6591-EJD;
— Alice S. Jou;	17-3325-EJD;
— U.S. International Trade Commission (USITC);	17-3383-EJD;
	18-2488-JD;
Legislative Branch;	19-171-ADA;
— United States Congress;	19-349-ADA;
— Anna Eshoo;	19-350-ADA;
— United States Senate;	19-351-ADA;
— Patrick J. Leahy;	19-352-ADA;
— Dianne Feinstein;	13-605-JRG;
— Nancy Pelosi;	19-19-RWS-CMC;
	19-18- RWS-CMC;
Corporate Wrongdoers;	18-9383;
— Apple, Inc.;	18-9115;
— David Melaugh;	18-9346;
— Tim Cook;	19-5033;
— SAP America, Inc.;	18-9386;
— Samir Pandya;	18-7691;
— Jennifer Morgan;	17-231;
— Christian Klein;	17-277;
— William McDermott;	16-1442;
— Samsung Electronics America, Inc.;	16-1184;
— Facebook, Inc.;	15-691;
— Alphabet Inc.;	16-3663;
— Microsoft Corporation;	18-72569;
— International Business Machines Corporation;	18-72557;
— M.H. Browdy;	18-72572;
— Virginia "Ginni" Marie Rometty;	18-71335;
— JPMorgan Chase & Co.;	337-TA-1094;

— Jamie I. Dimon; — Kathlyn M. Cardbeckles; — Michael A. Pearce; — Daryl W. Wooldridge; — Fiserv, Inc.; — Lynn McCreary; — Jeffery W. Yabuki; — Fremont Bank and Fremont Bancorporation; — Terrance Stinnett; — Wells Fargo Bank, N.A.; — Citigroup, Inc., Citibank, N.A.; — Fulton Financial Corporation; — Eclipse Foundation, Inc.; — Presidio Bank; — Intuit, Inc.; — Uber Technologies, Inc.; — Tony West, — Lyft, Inc.; — Exxon Mobil Corporation; — Kronos Incorporated; — Citizens Financial Group, Inc. Corporate Wrongdoers' Attorneys; — Lori A. Gordon; — Edward L. Tulin; — Tharan Gregory Lanier; — Brian E. Ferguson; — Anita Fern Stork , Esq.; — Heidi Lyn Keefe; — Ryan R. Smith; — Klaus Hemingway Hamm; — Kevin James Culligan; — Joseph M Beauchamp; — Douglas R. Nemec; — Ramsey M. Al-Salam; — Danielle T. Williams; — Sarah S Eskandari; — Baldassare Vinti; — Justin Grant Hulse; — John H. Barr , Jr.; — John Allen Yates; — Michael J Sacksteder; — Michael Q. Lee; — David Ellis Moore; — Mark J. Abate; — Matthew John Parker;	**NOTICE OF AND VERIFIED CLAIM OF (1) TRESPASS ON PROPERTY/ RIGHTS/CASE BY FALSE CLAIM AND TAMPERING WITH PUBLIC RECORD, WARRANTING CRIMINAL CHARGES, (2) LACK OF JURISDICTION, (3) DISTRICT AND FIFTH AND FEDERAL CIRCUIT COURTS' VOID ORDERS AND JUDGMENT, AND (4) INJURY: IN CONTEMPT, IN DISHONOR, IN FALSE CLAIM, IN BREACH OF FIDUCIARY DUTY/PUBLIC TRUST/SOLEMN OATH OF OFFICE; DENIAL OF DUE PROCESS, MOVING INTO JURISDICTION UNKNOWN.** **I, Dr. Lakshmi Arunachalam, A Woman, one of We, The People, of the State of California and of the United States of America, in This Common Law Court of Record, Order The Supreme Court of The United States to Enforce The MANDATED PROHIBITION Against Repudiating Government-Issued Patent Contract Grants as Delineated in *Fletcher V. Peck* (1810), *Trustees Of Dartmouth College V. Woodward* (1819), *Grant V. Raymond* (1832), *U.S. V. American Bell Telephone Company* (1897), *Ogden V. Saunders* (1827) — Governing Supreme Court Precedents — The Supreme Law of The Land And Law of The Case — And Stop All Wrongdoers And Respondents from Breaching Their Solemn Oaths of Office And Making It Hazardous, Expensive And Burdensome for Me to Have Access to The Court In Violation of Due Process, All In Violation of The Constitution, Entitling Me To Constitutional Redress, As Per ALP**

— Sasha G. Rao; — Robert Scott Saunders; — Jessica R. Kunz; — Andrew D. Gish; — Daniel Alexander Devito; — David S. Bloch; — Candice Claire Decaire; — Winn Garth; — A.James Isbester; — Robert G. Sterne; — Sterne, Kessler, Goldstein & Fox P.L.L.C; — Skadden, Arps, Slate, Meagher & Flom LLP; — Jones Day; — Cooley LLP; Other Wrongdoers; — Eric M. Davis; — Supreme Court of the State of Delaware; — Newcastle County Superior Court; — O'Kelly & Ernst, LLC, — Pazuniak Law Office, LLC, — George Pazuniak; — Sean T. O'Kelly; — Ryan M. Ernst; — IPLAW 360; — Britain Eakin; — Kat Greene; — Tiffany Hu; — Kevin Penton; — Adam LoBelia. **Wrongdoers and Respondents.**	**VOL. 12. CONST. LAW, CH. VII, SEC. 1, §141.** **I, Dr. Lakshmi Arunachalam, A Woman, Order The Supreme Court of The United States To Take This Case Under Original Jurisdiction, As The Entire Judiciary Has Lost Jurisdiction By Breaching Their Solemn Oaths Of Office. You Wrongdoers and Respondents of the Supreme Court of the United States are not the tribunal, — I am the tribunal, I am the only Woman who has jurisdiction to rule on my case(s). The judgment is void for want of jurisdiction. This Court has no jurisdiction, because the Respondents failed to apply that a grant is a contract which the grantor cannot vacate.** What other tribunal is there to exercise this jurisdiction? This is now a common law court. I am the claimant, I am the tribunal of the Court, I am the prosecutor in this Court. **I, Dr. Lakshmi Arunachalam, A Woman, ORDER THE CLERK OF THE COURT TO MOVE THIS IN TO THE CLAIMS SIDE OF THE COURT, TO THE COMMON LAW COURT OF RECORD.** **TRIAL BY JURY.**

QUESTIONS PRESENTED

1. Who are you and why do you deem yourselves to have higher standing than Dr. Lakshmi Arunachalam, a Woman?

2. Whether no proof of jurisdiction by the Judiciary places Dr. Lakshmi Arunachalam, a Woman, as sovereign over all the courts, in view of the Judiciary not enforcing this Court's own decision — the MANDATED PROHIBITION against repudiating Government-issued Patent Contract Grants as delineated in *Fletcher V. Peck* (1810), *Trustees Of Dartmouth College*

V. Woodward (1819), *Grant V. Raymond* (1832), *U.S. V. American Bell Telephone Company* (1897), *Ogden V. Saunders* (1827) — Governing Supreme Court Precedents — the Supreme Law of the Land and Law of the Case — that declares a grant is a contract — where *Fletcher v. Peck*, 10 U.S. 87 (1810) constitutes contract.

3. Whether the entire Judiciary's *patterned* breach of solemn oaths of office, in dishonor, failing to enforce, first and foremost, above all else, the MANDATED PROHIBITION against repudiating Government-issued Patent Contract Grants as delineated in *Fletcher v. Peck* (1810), *Trustees of Dartmouth College v. Woodward* (1819), *Grant v. Raymond* (1832), *U.S. v. American Bell Telephone Company* (1897), *Ogden v. Saunders* (1827) — Governing Supreme Court Precedents — the Supreme Law of the Land and Law of the Case — after being put on notice, wherein war was actually levied by "a body of men/*women*...actually assembled for the purpose of effecting by force a treasonable object," from which Respondents are unjustly enriched by trillions of dollars, a sufficient overt act done with treasonable intent, warranting this Court to resolve what all courts have been avoiding, to stop the fraudulent and seditious administration of patent law as a public fraud perpetrated by all three branches of Government, in cohort with Corporate Infringers, as a racketeering enterprise, in a patently (Manufactured) anti-trust environment, creating a Constitutional emergency, placing national security at risk, leaving no tribunal to enforce the Laws of the Land, requires President Trump to step in and enforce martial law;

4. Whether the Judiciary moving into jurisdiction unknown and engaging in Mutiny by refusing to obey orders or failing to perform duties in a collective concert of insubordination acting together with Defendants, Legislature, Agency, and attorneys, with an insubordinate intent to usurp or override lawful authority, the intent declared in words in Erroneous and Fraudulent Orders of the Judiciary or inferred from the Judiciary's acts, omissions, concealing material facts, requires the Judiciary to be impeached.

5. Whether adjudicating non-issues to date without enforcing the MANDATED PROHIBITION against repudiating Government-issued Patent Contract Grants as delineated in *Fletcher v. Peck* (1810) and other Governing Supreme Court Precedents — the Supreme Law of the Land and Law of the Case — constitutes oppression, tort, denying access to the court, promoting antitrust objectives.

PREAMBLE # II.
A Patent Grant is A Contract.

Oil States and District and Circuit Courts failed to consider *Fletcher*[3], *Dartmouth College* and this Court's GOVERNING PRECEDENTS[4].

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6. Whether non-issue adjudication when courts have a duty to enforce the MANDATED PROHIBITION against repudiating Government-issued Patent Contract Grants as delineated in *Fletcher v. Peck* (1810) and other Governing Supreme Court Precedents — the Supreme Law of the Land and Law of the Case — and adjudicate issues before them is crime in progress to promote Corporate Infringers' misfeasance and antitrust objective.

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[3] *Fletcher v. Peck*, 10 U.S. 87 (1810).

[4] This Court's rulings in *Trustees of Dartmouth College v. Woodward*, 17 U.S. 518 (1819) reaffirmed the sanctity of legal contracts that "**The law of this case is the law of all**... Lower courts ...**have nothing to act upon**..." "... **applicable to contracts of every description**... vested in the individual; ...right...of possessing itself of the property of the individual, when necessary for public uses; a right which a magnanimous and just government will never exercise without amply *indemnifying the individual*;" *Grant v. Raymond*, 31 U.S. 218 (1832); *Ogden v. Saunders*, 25 U.S. 213 (1827); *U.S. v. American Bell Telephone Company*, 167 U.S. 224 (1897); *Shaw v. Cooper*, 32 U.S. 292 (1833); *Seymour v. Osborne*, 78 U.S. 516 (1870); *Burrow-Giles Lithographic Co. v. Sarony*, 111 U.S. 53 (1884).

PARTIES TO THE PROCEEDINGS BELOW

Petitioner, Dr. Lakshmi Arunachalam, a Woman, and one of We, The People of the State of California and the United States of America, the inventor and sole assignee of the patent(s)-in-suit was the Appellant in the court below. Dr. Lakshmi Arunachalam, a Woman, and one of We, The People of the State of California and the United States of America, is the sole Petitioner in this Court. Respondent Intuit, Inc. was the Appellee/Respondent in the court below.

RULE 29.6 STATEMENT

Pursuant to this Court's Rule 29.6, Dr. Lakshmi Arunachalam, a Woman, and one of We, The People of the State of California and the United States of America, is an individual and has no parent company and no publicly held company owns 10% or more of its stock.

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TABLE OF AUTHORITIES

Other Authorities:

U.S. Constitution, Federal Rules of Civil Procedure, Judicial Canons and Statutes:

PETITION FOR WRIT OF CERTIORARI

Dr. Lakshmi Arunachalam, a Woman, and inventor respectfully submits this petition for a writ of certiorari to review the judgment of the United States Court of Appeals for the Fifth Circuit. **The Fifth Circuit denied my Motion to transfer the case to the Federal Circuit. The Federal Circuit denied my Motion to transfer the case from the Fifth Circuit, leaving Petitioner without Appellate Review**.

OPINIONS BELOW

The Order of the United States Court of Appeals for the Fifth Circuit entering judgment in Petitioner's Appeal Case No. 19-50659, which is an Appeal from Case No. 6:19-cv-172-ADA (W. D. TX, Waco Division) in the U.S. District Court for the District of Delaware is reproduced at App. 1a. The Order of the U.S. District Court for the Western District of Texas, Waco is reproduced at App. 2a. **The Fifth Circuit denied my Motion to transfer the case to the Federal Circuit. The Federal Circuit denied my Motion to transfer the case from the Fifth Circuit, leaving Petitioner without Appellate Review.** The above Orders are not published.

JURISDICTION

The Court of Appeals for the Fifth Circuit entered judgment in Petitioner's Appeal on December 4, 2019, (App.1a). **The Fifth Circuit denied my Motion to transfer the case to the Federal Circuit. The Federal Circuit denied my Motion to transfer the case from the Fifth Circuit, leaving Petitioner without Appellate Review.** This Court's jurisdiction is invoked under 28 U.S.C. § 1254(1).

CONSTITUTIONAL AND STATUTORY PROVISIONS, JUDICIAL CANONS AND JUDICIAL RULES OF PROCEDURE INVOLVED

U.S. Const.:

The Supremacy Clause of the United States Constitution (**Article VI, clause 2**) establishes that "the Constitution, federal laws made pursuant to it...constitute the supreme law of the land."

Separation of Powers Clause, Arts. I, II & III; "The separation of powers ...the Legislative, Executive, and Judicial branches of the United States government are kept distinct in order to prevent abuse of power."

Contract Clause, Art. I, §10, clause 1; Art. I, §§9 & 10; "No bill of attainder or *ex post facto* Law shall be passed or law impairing the obligation of contracts."

IP Clause, Art. I, §8, clause 8; "To promote the Progress of Science..., by securing

for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries."

Equal Protection of the Laws Clause, Amend. XIV, §1; "All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

Due Process Clause, Amends. V & XIV; "Procedural due process is the guarantee of a fair legal process when the government tries to interfere with a person's protected interests in life, liberty, or property." "...the Supreme Court has held that procedural due process requires that, at a minimum, the government provide the person notice, an opportunity to be heard at an oral hearing, and a decision by a neutral decision maker. The Court has also ruled that the Due Process Clause requires judges to recuse themselves in cases where the judge has a conflict of interest. ...*Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868 (2009). Substantive due process is the guarantee that the fundamental rights of citizens will not be encroached on by government..."

Vol. XII, Constitutional Law, Chapter 7. Sec. 140. ***Erroneous and Fraudulent Decisions. Due Process and Equal Protection of Law***: **Procedure. Sec. 1.** ***Due Process of Law.*** Sec. 141. ***Denying or Hindering Access to the Courts upon the Question of Due Process Itself.***

Amend. I; "Right to Petition the Government for a Redress of Grievances."

42U.S.C. § 1983 Civil Rights Act;
JUDICIAL CANONS 2, 2A, 3, 3(A)(4);
FRCP Rule 60(b) (1-4 & 6);

18 U.S. Code§ 2382 - Misprision of treason
"Whoever, owing allegiance to the United States and **having knowledge of the commission of any treason** against them, conceals and does not, as soon as may be, disclose and make known the same to the President or to some judge of the United States, or to the governor or to some judge or justice of a particular State, **is guilty of misprision of treason and shall be fined under this title or imprisoned not more than seven years, or both.**"

The Legislature's 2011 America Invents Act (AIA) Re-examination Provision is a bill of attainder that took away Petitioner/inventor's rights and remedies. There can be no rights without a remedy.

Chief Justice Marshall declared in this Court's significant *'First Impression'* Constitutional *Res Judicata* precedential ruling in *Fletcher v. Peck*, 10 U.S. 87 (1810) and reaffirmed in numerous Supreme Court rulings[1] thereafter, that a Grant is a Contract, and the Mandated Prohibition from repudiating Government-issued Patent Contract Grants by the most absolute power, in accord with the Constitution. This is the 'Law of the Land.'

Fletcher v. Peck, 10 U.S. 87 (1810); *Ogden v. Saunders*, 25 U.S. 213 (1827) and other Supreme Court rulings listed *infra* apply the logic of sanctity of contracts and vested rights directly to federal grants of patents under the IP Clause. By entering into public contracts with inventors, the federal government must ensure what Chief Justice Marshall described in *Grant v. Raymond,* 31 U.S. 218 (1832) as a "faithful execution of the solemn promise made by the United States."

In *U.S. v. American Bell Telephone Company*, 167 U.S. 224 (1897), Justice Brewer declared: *"the contract basis for intellectual property rights heightens the federal government's obligations to protect those rights. ...give the federal government "higher rights" to cancel land patents than to cancel patents for inventions."*

To uphold **Patent Prosecution History** is a key contract term between the inventor and the Federal Government/USPTO. The claim construction of claim terms agreed to between the inventor and the Original Examiner at the USPTO before the patent was granted is cast in stone and cannot be changed by the USPTO, courts or the patentee. Federal Circuit's *Aqua Products, Inc. v. Matal*, Case No. 15-1177, October 4, 2017 has affirmed that Petitioner has *been* pleading correctly all along and has been rebuffed by collusive adjudications by Courts and USPTO/PTAB, induced by Corporate Infringers' and their attorneys' Solicitations, without considering Patent Prosecution History, in breach of contract with inventors. Federal Circuit ruled in *Aqua Products* that Orders by Courts and USPTO/PTAB that did not consider the "entirety of the record"— Patent Prosecution History — are void and reversed.

STATEMENT OF THE CASE

THIS ENTIRE CASE REVOLVES AROUND BREACH OF SOLEMN OATHS OF OFFICE BY FAILING TO ENFORCE THE MANDATED PROHIBITION AGAINST REPUDIATING GOVERNMENT-ISSUED PATENT CONTRACT GRANTS AS DELINEATED IN *Fletcher v. Peck* (1810); *Grant v. Raymond* (1832), *Ogden v. Saunders* (1827), *Trustees of Dartmouth College v. Woodward* (1819), *U.S. v. American Bell Telephone Company* (1897) — GOVERNING SUPREME COURT PRECEDENTS — THE SUPREME LAW OF THE LAND

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[1] *Grant v. Raymond*, 31 U.S. 218 (1832); *Ogden v. Saunders*, 25 U.S. 213 (1827); *U.S. v. American Bell Telephone Company*, 167 U.S. 224 (1897); *Trustees of Dartmouth College v. Woodward*, 17 U.S. 518 (1819); *Shaw v. Cooper*, 32 U.S. 292 (1833); *Seymour v. Osborne*, 78 U.S. 516 (1870).

AND LAW OF THE CASE — THEREBY LOSING JURISDICTION AND ORDERS ARE VOID. District Court Judges Andrews and Albright have not proven jurisdiction on the record, to date, even upon demand. Appellees, the Judiciary and lawyers do not refute these UNDISPUTED FACTS nor the lack of jurisdiction, nor can they. They are liable to Dr. Arunachalam for the collusive theft of her intellectual property, patented technology, and patents on the Internet of Things — Web apps displayed on a Web browser, collectively "Infringing Technology." The case is best described in the following video of the grand theft of Petitioner's IP: https://www.youtube.com/watch?v=b-8PeNheFco&feature=youtu.be

> "When a judge acts where he or she does not have jurisdiction to act, the judge is engaged in an act or acts of treason." *Cohens v. Virginia*, 19 U.S. 264 (1821); *U.S. v. Will*, 449 U.S. 200 (1980);
>
> "Court cannot confer jurisdiction where none existed and cannot make a void proceeding valid. It is clear and well-established law that a void order can be challenged in any court." 205 U.S. 8, 27 S Ct 236 (1907).
>
> "Jurisdiction of the court may be challenged at any stage of the proceeding...." *U.S. v. Anderson*, 60F. Supp. 649 (D.C. Wash. 1945);
>
> "We hold, for the reasons stated below, that the Foreign Agents Registration Act, June 8, 1938, "plainly and unquestionably" requires practitioners, Judges and lawyers to register." *Rabinovitz v. F. Kennedy*, 375 U.S. 605, 84 S.Ct. (1964)/Open Jurist, 84 S. Ct. 919, 11 L. Ed. 2d. 940; 115 U.S. App D, 210, 212; 318 F.2d. 181, 183; 375 U.S. 811, 84 S. Ct. 71, 11 L. Ed. 2d. 47; *Chisholm v. Gilmer*, 299 U.S. 99 (1936);
>
> "Precedents ought to go for absolutely nothing. The Constitution is a collection of fundamental laws, not to be departed from in practice nor altered by judicial decision... usurpation... the judge who asserts the right of judicial review ought to be prepared to maintain it on the principles of the Constitution."

When Congress makes a law which is outside the scope of its enumerated powers, it is no "law" at all, but is **void;** and American **men and women have no obligation to comply. America Invents Act is one such and is void.** Alexander Hamilton says this repeatedly **in** The Federalist Papers:

> "... If the federal government should overpass the just bounds of its authority and make a tyrannical use of its powers, **the people,** whose creature it is, **must appeal to the standard they have formed, and take such measures to redress the injury done to the Constitution as the exigency may suggest and prudence justify ...** " (Federalist No. 33, 5th para).

" .. .acts of .. . [the federal government] which are NOT PURSUANT to its constitutional powers ... will [not] become the supreme law of the land. **These will be merely acts of usurpation, and will deserve to be treated as such**... "(Federalist No. 33, 6th para), as in this Court's *Oil States*[2] ruling.

"...every act of a delegated authority, contrary to the tenor of the commission under which it is exercised, ***is void.*** **No legislative act ... contrary to the Constitution can be valid.**" as the Leahy-Smith America Invents Act, which is unconstitutional and void. (Federalist No. 78, 10th para).

Judges are oath-bound to defend the Constitution. Repeated violations of the Constitution compound the evil. District and Appellate courts failed to consider the "Law of the Case" and "Law of the Land." *Oil States* legitimizing corrupt process disorder constitutes prejudice of good order and justice and discredits the Judiciary by advocating treason against the Law of the Land and promoting obstruction of justice by the District Court *sua sponte* dismissing Petitioner's patent infringement case without a hearing in unfettered judicial misfeasance to the prejudice of ensuring a fair and proper administration of justice.

The Law of the Case, the Law of the Land, the Constitution and the facts are on Petitioner's side. Judge Albright ignored the concreteness of this mere fact. Samuel Johnson stated: "the most obdurate incredulity may be shamed or silenced by facts."

An intellectual property patent grant contract is protected by the Constitution of the United States from legislative alteration coloring decades-long unilateral breach of contract by the Agency, legalized by judicial review annulling vested rights to property, and destroying remedies by denying access to the courts.

This Court's *Oil States* ruling legalizing the America Invents Act Reexamination provision, corruptly usurping the Law of the Land by impairing the obligation of contracts violating the prohibition of the Constitution and failing to consider this Court's MANDATED PROHIBITION against repudiating Government-issued contract grants by remaining silent thereof, while encroaching upon the Separation of Powers Clause, coloring the USPTO's corrupt decades-long re-examination process of rescinding Government-issued contract granted patents by neglecting to consider Patent Prosecution History, in a unilateral breach of contract by the Agency with the inventor, prior to America Invents Act and continuing thereafter, delineated in the Federal Circuit's *Aqua Products* opting out reversal — the "Action" — breached the patent contract with the Inventor, expressly contained in

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[2] *Oil States Energy Services, LLC v. Greene's Energy Group, LLC,* 584 U.S. 16-712 (2018).

the Constitution, affirmed multiple times by this Court[3] as inviolate, and usurped the Constitutional Amendment Process with all its inherent protections against unlawful search and seizure at least without due compensation. The "Action" imposes a duty to reverse the lower courts' rulings as unconstitutional. It denied Dr. Lakshmi Arunachalam, a Woman, equal benefit of all laws and proceedings for the security of person and property, constitutionally enumerated rights, violates the rule of law designed by the framers of the Constitution as a bulwark against oppression to limit the exercise of power and to make the agents of the people accountable for revising the Constitution in accordance with their own predilections. It tortuously destroyed Dr. Lakshmi Arunachalam, a Woman and the inventor's vested contractually granted rights and remedies, giving superior bargaining power to Respondent (*having no reason to tender royalties owed*), denying access to an impartial court by making it difficult, expensive, or hazardous.

1. **The sanctity of contracts expressly contained in the Constitution is both the "Law of the Case" and "Law of the Land":**

Chief Justice Marshall declared in *Dartmouth College*: "**The law of this case is the law of all**... Lower courts ...**have nothing to act upon...**" "... **applicable to contracts of every description...**" and in *Fletcher*: "vested in the individual; ...right...of possessing itself of the property of the individual, when necessary for public uses; a right which a magnanimous and just government will never exercise without amply *indemnifying the individual.*"

2. **Courts/USPTO denied Dr. Lakshmi Arunachalam, a Woman, the protection from Patent Prosecution History, a key contract term between the Inventor and Government. Respondent and Judges concealed material *prima facie* evidence Dr. Arunachalam's patent claims are not invalid nor indefinite, propagated a false Collateral Estoppel Argument, which fails in light of GOVERNING SUPREME COURT PRECEDENTS and Federal Circuit's *Aqua Products'* ruling that voided all Court and PTAB Orders that failed to consider "the entirety of the record"— Patent Prosecution History, material *prima facie* evidence that my patent claims are neither invalid nor claim terms indefinite:**

Precedential Rulings long before *Aqua Products, see Festo Corp. v Shoketsu Kinzoku Kogyo Kabushiki Co.*, 535 U.S. 722 (2002); *Kumar v. Ovonic Battery Co., Inc.*

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[3] *Fletcher v. Peck*, 10 U.S. 87 (1810); *Trustees of Dartmouth College v. Woodward*, 17 U.S. 518 (1819); *Ogden v. Saunders*, 25 U.S. 213 (1827); *Grant v. Raymond*, 31 U.S. 218 (1832); *U.S. v. American Bell Telephone Company*, 167 U.S. 224 (1897).

And Energy Conversion Devices, Inc., Fed. Cir. 02-1551, -1574, 03-1091 (2003), restrain the District Court from disparately failing to consider Patent Prosecution History in Dr. Lakshmi Arunachalam, a Woman's patent cases. Lower courts failed to apply Federal Circuit's *Aqua Products* ruling which reversed all Orders in cases that failed to consider Patent Prosecution History.

3. **Expert testimony on claim construction is impermissible. Expert testimony from JPMorgan concealed *prima facie* evidence of Patent Prosecution History on claim construction:**

that the claim terms are ***not*** indefinite, falsely alleged by JPMorgan in 12-282-RGA (D.Del.) and collusively adjudicated by District and Appellate courts, without considering Patent Prosecution History, a key contract term between the inventor and the Government, in breach of contract with the inventor. *Bell& Howell Document Management Prods. Co. v. Altek Sys.*, 132 F. 3d 701(Fed. Cir. 1997) (citing *Vitronics* extensively and reversing district court because court erred in relying on expert testimony **when claims were unambiguous in view of intrinsic evidence**.)

4. **Inventor testimony is helpful to claim construction. District Courts and USPTO/PTAB gagged inventor Dr. Lakshmi Arunachalam, a Woman, ignoring the Constitution, a "bulwark against oppression":**

Dr. Lakshmi Arunachalam, a Woman, the inventor was denied access to the courts to give testimony on claim construction. *See Perhaps: Voice Technologies Group, Inc. v. VMC Systems*, Inc., 164 F.3d 605, 615 (Fed. Cir. 1999) ("An inventor is a competent witness to explain the invention and what was intended to be conveyed by the specification and covered by the claims.")

Judges Albright's Orders are void as repugnant to the Constitution.

I.
This Court must take Judicial Notice that *Fletcher* governs Granted Patents and is *not* nullified by *Oil States*.

The Judiciary, attorneys, USPTO/PTAB, Legislature and Respondent must enforce this Court's MANDATED PROHIBITION or stand to treason in breaching their solemn oaths of office and lose their jurisdiction and immunity. *See Cooper v. Aaron*, 358 U.S. 1 (1958).[4]

Justice Samuel Miller in *Burrow-Giles Lithographic Co. v. Sarony*, 111 U.S. 53

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[4] *Marbury v. Madison*, 5 U.S. 137, 177, 180 (1803); *Ableman v. Booth*, 62 U.S. 524 (1859); *Sterling v. Constantin*, 287 U.S. 397 (1932) on Government officials non-

(1884): "Contracts between the government and inventors are established under federal law." W. E. Simonds, USPTO Commissioner from 1891 to 1892, in the Manual of Patent Law (1874): "A Patent is a Contract between the inventor and the Government representing the public at large." Madison in Federalist No. 44: "Patent rights receive protection pursuant to ...contracts between inventors and the federal government."

1. **AIA Reexamination provision, *Oil States*, and District and Circuit Court rulings are *ex-post facto* laws, bills of attainder, violate Separation of Powers, Supremacy and Contract Clauses of the Constitution and are unconstitutional:**

AIA Reexamination provision passed under the form of an enactment is not therefore to be considered the "Law of the Land," declared inventors deprived and must be held to be void as being a bill of attainder. *State v. Cummings*, 36 Missouri 263. *People v. Hawker*, 14 App. Div. 188, 43 N.Y. S. 516.

> "If this were so, acts of attainder, bill of pains and penalties, acts of confiscation, acts reversing judgments, and *acts directly transferring one man's estate to another*, (without just compensation to citizens under the takings clause of the 5th Amendment and eminent domain), legislative judgments, decrees and forfeitures, in all possible forms would be the *law of the land. Such a strange construction would render constitutional provisions of the highest importance completely inoperative and void.* It directly established the union of all powers in the legislature. There would be no general permanent law for courts to administer or men to live under. The administration of justice would be an empty form, an idle ceremony. Judges would sit to execute legislative judgments and decrees, not to declare the law or administer the justice of the country." Webster's works Vol V., p 487; *Dartmouth College* (1819).

U.S. Const., Art. I, §§9 and 10, furnish to individual liberty, ample protection against the exercise of arbitrary power, prohibit the enactment of *ex post facto* laws by Congress and by State legislatures. Such deprivations of citizens' property by legislative acts having a retrospective operation are unconstitutional. It was not inserted to secure citizens in their private rights of either property or contracts. The U.S. Constitution prohibits the passing of any law impairing the obligation of contracts and was applied by this Court in 1810 and reaffirmed subsequently to secure private rights.

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exempt from absolute judicial immunity: "no avenue of escape from the paramount authority of the...Constitution...when ...exertion of...power... has overridden private rights secured by that Constitution, the subject is necessarily one for judicial inquiry...against...individuals charged with the transgression."

2. **This Court erroneously announced a rule contrary to the Constitution in its *Oil States* ruling and contrary to the first opinion of this Court in *Fletcher* and re-affirmations thereof:**

All courts should subsequently follow this Court's *Fletcher* ruling rather than this Court's own new unconstitutional *Oil States* decision, the law of this Court in *Fletcher* being *per se* justice. **The *Fletcher* ruling in accord with the Constitution is the controlling authority and reigns supreme as the Law of the Land**, not the unconstitutional *Oil States* ruling in violation of the Separation of Powers, Supremacy and Contract Clauses.

II.
BACKGROUND

1. **Dr. Lakshmi Arunachalam, a Woman, is the inventor of the Internet of Things (IoT) — Web Applications displayed on a Web browser — her dozen patents have a priority date of 1995, when two-way real-time Web transactions from Web applications were non-existent.**

Respondents and the Government benefited by trillions of dollars from Dr. Lakshmi Arunachalam, a Woman's patents — exemplified in Web banking Web apps, Apple's iPhone App Store with 2M+ Web apps (pre-packaged in China and imported into the United States), Google Play, Facebook's social networking Web app. JPMorgan's website states it has over 7000 Web applications in use in just ***one*** Business Unit.

2. **Proceedings of the District Court and Fifth and Federal Circuits**

The District Court rendered Orders without jurisdiction, dismissed the case without a hearing, denying due process to Dr. Lakshmi Arunachalam, a Woman, in contravention of the Due Process Clause of the Fifth, Seventh, Eighth and Fourteenth Amendments. Judges warred against the Constitution in treasonous breach of their solemn Oaths of Office, not enforcing the Supreme Law(s) of the Land Mandated Prohibition declared by Chief Justice Marshall in *Fletcher* against repudiating Government-Issued Patent Contract Grants by the highest authority, reaffirmed by this Court; lost their jurisdiction. Their Orders are Void. Respondent and the Fifth and Federal s have not proven an Exemption from the Mandated Prohibition. The 'Laws of The Land' on Dr. Lakshmi Arunachalam, a Woman's side, Judge Albright dismissed the Constitution without a hearing. Judge Albright disparately failed to consider Patent Prosecution History and the Federal Circuit's *Aqua Products* reversal of all Orders that failed to consider Patent Prosecution History. His Orders are void. **The Fifth Circuit dismissed the Appeal for lack of jurisdiction and refused to transfer the Appeal to the Federal Circuit. Federal Circuit refused to transfer the case from the Fifth Circuit, leaving Dr. Lakshmi Arunachalam deprived of any Appellate Review.**

Dr. Lakshmi Arunachalam, a Woman, has been deprived of her fundamental rights that are "implicit in the concept of ordered liberty," *Palko v. Connecticut*, 302 U.S. 319 (1937); *Mathews v. Eldridge*, 424 U.S. 319, 335 (1976); *Baldwin v. Missouri*, 281 U.S. 586, 595 (1930).

District and Appellate Courts' Order(s) are void, predicated upon fraudulent and erroneous renditions of the case and the law, not consistent with procedural rules and 'Law of the Case' and 'Law of the Land.' Judges are co-conspirators.

> "A decision produced by fraud upon the court is not in essence a decision at all, and never becomes final." *Kenner v. C.I.R.*, 387 F.2d 689 (7th Cir.1968).

The courts failed to consider that the claims of the patents-in-suit falsely alleged as invalid are ***not*** invalid, because the *JPMorgan Court* 12-282-SLR/RGA (D.Del.) failed to consider Patent Prosecution History, which had already established the claim construction of the terms alleged falsely as "indefinite" by JPMorgan, as ***not*** indefinite. Based on this fraudulent and erroneous decision by the *JPMorgan Court* procured fraudulently by JPMorgan, the *Fulton Court* 14-490-RGA (D.Del.) — and financially conflicted Judge Andrews fraudulently concealed from the Court that Patent Prosecution History was not considered by the *JPMorgan Court* or *the Fulton Court* and propagated to all tribunals a false theory of Collateral Estoppel, which is moot because:

(i) Judge Andrews is financially conflicted, by his own admission of buying direct stock in JPMorgan Chase & Co. during the pendency of the case. His Orders are void. ***There can be no collateral estoppel from void Orders***.

(ii) Patent Prosecution History estops all other estoppels, as proven *prima facie* that Petitioner has been right all along by

(iii) the Federal Circuit's *Aqua Products'* reversal of Orders that failed to consider "the entirety of the record" —Patent Prosecution History (*which the District Court failed to apply in my case*); and

(iv) this Court's precedential *'First Impression'* Constitutional *Res Judicata* Mandated Prohibition from repudiating Government-Issued Contract Patent Grants declared by Chief Justice Marshall himself in *Fletcher* that **a Grant is a Contract** and reaffirmed by himself in *Dartmouth College* (1819), *Grant v. Raymond* (1832), *Ogden v. Saunders* (1927), and *U.S. v. AT&T* (1897).

It is a material fact that the Judiciary, USPTO, PTAB, Respondent, Attorneys

and the Legislature (inserting the re-examination provision into the AIA, in breach of contract with the inventor) and this Court (except the dissenting Justices Gorsuch and Roberts, and now Justice Kavanaugh) in its *Oil States* ruling constitutionalizing the AIA re-examination provision and violating the Separation of Powers, Supremacy and Contract Clauses of the U.S. Constitution, warred against the Constitution, breached their solemn oaths of office and have lost their jurisdiction and immunities. *See Cooper v. Aaron,* 358 U.S. 1 (1958). Chief Justice Marshall in *Marbury v. Madison* (1803) has adjudicated that Courts cannot shirk their duty from adjudicating issues, even though they present complex Constitutional challenges, as here. No court can reverse the Constitution — as declared in *Fletcher, Dartmouth College, Grant v. Raymond, U.S. v. AT&T,* upholding the sanctity of contracts.

District and Appellate Courts *collusively* adjudicated in a *concerted* conspiracy as part of a corrupt enterprise, without considering Patent Prosecution History, *Aqua Products*' reversal, the Constitution or the "*Fletcher* Challenge." The District Court and all the other tribunals failed to give Dr. Lakshmi Arunachalam, a Woman, Equal Protection of the Laws and access to justice and to the courts.

Judge Albright failed to enforce the Constitution, he breached his solemn oath of office and lost his jurisdiction and immunity; obstructing justice, avoiding the significant Constitutional issues Judge Albright failed to address.

Judge Albright failed to adjudicate consistent with Procedural Rules and 'Law of the Case' and 'Law of the Land' — the '*Fletcher* Challenge.' Why would Judge Albright deny Petitioner due process — a Hearing?

The Fifth and Federal Circuits are guilty of the same. They joined the *collusive* conspiracy with the Respondent whose sole object is to deprive Dr. Lakshmi Arunachalam, a Woman, of her royalties to her significant patents on the **Internet of Things** — **Web apps displayed on a Web browser** — which she invented prior to 1995, by breaching their solemn oaths of office and violating the Constitution — the "*Fletcher* Challenge," which must be enforced.

Dr. Lakshmi Arunachalam, a Woman, continuing to defend the Constitution are not "scurrilous attacks" on the Judiciary.

The Fifth and Federal Circuits are themselves in treasonous breach of their solemn oaths of office in not enforcing the Laws of the Land — Object — to avoid ***enforcing*** the *countervailing:* **'Mandated Prohibition'** — incidentally — comforting the abusive object of Respondents' (18) requests to reexamine Dr. Lakshmi Arunachalam, a Woman's patent contract grants.

1. FALSE CLAIM OF COLLATERAL ESTOPPEL FROM VOID ORDERS BY JUDGE ANDREWS, WHO ADMITTED BUYING DIRECT STOCK IN

JPMORGAN DURING THE PENDENCY OF THAT CASE 12-282-RGA (D. DEL.) AND PTAB JUDGES MCNAMARA AND SIU, WHOSE FINANCIAL DISCLOSURES EVIDENCE DIRECT STOCK IN MICROSOFT AND IBM, AND REFUSED TO RECUSE, AND RETALIATED AGAINST DR. LAKSHMI ARUNACHALAM, A WOMAN.

Judge Andrews admitted himself in the Court records three years into Dr. Lakshmi Arunachalam, a Woman's JPMorgan Case 12-282-RGA (D.Del.) that he bought direct stock in JPMorgan Chase & Co. **He lost subject matter jurisdiction in *all* of Dr. Lakshmi Arunachalam, a Woman's cases he presided over, yet failed to recuse. His Orders are void in *all* of Dr. Lakshmi Arunachalam, a Woman's cases:** the *Fulton Financial Corporation* Case No. 14-490-RGA (D.Del.), the *IBM* RICO Case No. 16-281-RGA (D.Del.), *George Pazuniak* Case 15-259-RGA (D.Del.), the *Wells Fargo Bank* and *CitiBank* cases, the *Citizens' Financial* Case No. 12-355-RGA (D.Del.) and other cases he presided over. PTAB Judges McNamara's direct stock in Microsoft and Stephen Siu's financial conflicts of interest with Microsoft and IBM and failing to recuse makes all Orders void in all the 15 IPR/CBM re-exams and 3 CRU re-exams of Dr. Lakshmi Arunachalam, a Woman's patents at the USPTO/PTAB. Their Financial Disclosure Statements disclose they owned direct stock in Microsoft and IBM respectively and are material *prima facie* evidence Judge Andrews and PTAB Judges McNamara and Siu **lost jurisdiction;** yet failed to recuse and engaged in obstruction of justice and harassed Dr. Lakshmi Arunachalam, a Woman, in *Fulton Financial Corporation* Case 14-490-RGA (D.Del.) on Dr. Lakshmi Arunachalam, a Woman's virgin, unadjudicated Patent, her U.S. Patent No. 8,271,339 ("the '339 patent") and in the PTAB IPR/CBM Reviews and CRU re-exams of Dr. Lakshmi Arunachalam, a Woman's patents. **Those Orders are NULLITIES and ANY and ALL Orders DERIVING from those NULL and VOID Orders are themselves NULLITIES.** Judges and lawyers repeatedly made False Claims of *collateral estoppel from void Orders* and made a false propaganda and disseminated the **FALSE CLAIM** of *collateral estoppel from void Orders* to every District and Appellate Court. Respondent perpetrated the fraud, started by JPMorgan Chase & Co., carried on to the *Fulton Court* 14-490-RGA (D.Del.), and thereafter to every District and Circuit Court, and to the lower Courts in this case, precipitating the Constitutional crisis/emergency, described *infra.*

2. THIS COURT'S *OIL STATES* RULING IS AN AFFRONT TO PUBLIC MORALS, TRIGGERING LAWYERS AND JUDGES TO OBSTRUCT JUSTICE. COURTS ARE RUNNING FROM *THE FLETCHER CHALLENGE* LIKE EBOLA, WOULD RATHER DENY Dr. Lakshmi Arunachalam, a Woman, DUE PROCESS AND KEEP HER GAGGED, THAN ENFORCE *FLETCHER* AND RESOLVE THE CONSTITUTIONAL CHALLENGE.

Dr. Lakshmi Arunachalam, a Woman, is a constitutional warrior and **PATRIOT**. This Court must address security concerns raised by victim and witness Dr. Lakshmi Arunachalam, a Woman, who has been threatened by Judges Hixsom, Donato, Laporte, Hamilton, Davila of the Northern District of California, Judge Albright of the Western District Court of Texas, Waco and Judge Andrews of the Delaware District Court and Respondent, as a result of her defending her Constitutional rights. Judges, lawyers and Respondent have abused and harassed Dr. Lakshmi Arunachalam, a Woman, to no end, libeled and defamed her and denied her due process, for defending the Constitution. **The Judiciary in the District Courts in California, Texas and Delaware and Circuit Courts are adversely dominated by their own corruption and breached their solemn oaths of office in not enforcing *Fletcher*** – the Law of the Land – that **a Grant is a Contract** that cannot be repudiated by the highest authority (and without compensating the inventor) – as declared in this Court's **GOVERNING PRECEDENTS**. In *Trustees of Dartmouth College v. Woodward*, 17 U.S. 518 (1819), Chief Justice Marshall declared: "The law of this case is the law of all... and applies to contracts of any description..."); all reaffirming *Fletcher v. Peck*, 10 U.S. 87 (1810) in which Chief Justice Marshall declared: A Grant is a Contract. The entire Judiciary in the Northern District of California; Western District of Texas, Waco; District of Delaware; U.S. Courts of Appeal for the Third, Fifth, Ninth and Federal Circuits and seven Supreme Court Justices, USPTO/PTAB and Legislature's AIA failed to enforce the Law of the Land and adjudicate the constitutional conflict this Court failed to consider in its *Oil States* ruling over its own precedential rulings in *Fletcher v. Peck* — "*The Constitutional Challenge*" — "*The Fletcher Challenge*."

The Western District of Texas, Waco is an adverse domination judiciary system that denied due process to Dr. Lakshmi Arunachalam, a Woman. It aided and abetted the theft of Dr. Lakshmi Arunachalam, a Woman's significant inventions and intellectual property, from which Respondent benefited by trillions of dollars; the despicable display of judicial fraud, perpetrating anti-trust, in a cover-up of judges' own misconduct. Judges Albright, Stark, Hixsom, Donato, Laporte, Hamilton, Davila and Andrews have not complied with the law nor have they served the public interest.

The courts failed to apply *TC Heartland LLC v. Kraft Foods Group Brands LLC*, 581 U.S. 16-341 (1917), 137 S. Ct. 1514 in which this Court ruled against the Federal Circuit not abiding by this Court's precedential rulings in *Fourco Glass Co. v. Transmirra Products Corp.*, 353 U.S. 222–226 (1957) for almost a century. **District and Appellate Courts *disparately* denied Dr. Lakshmi Arunachalam, a Woman, her protected rights to a neutral judge with no financial conflicts of interest in her opponent**, to Patent Prosecution History and the Federal Circuit's *Aqua Products*' reversal of all Orders that failed to consider "the entirety of the record" — Patent Prosecution History — and failed to apply Patent Statutes. In those courts, Respondent, attorneys and the Judiciary made false claims to the

Government of collateral estoppel from Orders that are NULLITIES and VOID, when Judge Andrews admitted himself he bought direct stock in JPMorgan during the pendency of that case 12-282-RGA (D.Del.) and Judge Robinson recused due to her own conflicts of interests along with Jan Horbaly of the Federal Circuit, and furthermore, without those Courts considering *prima facie* material evidence of Patent Prosecution History. Respondent *knowingly and intentionally* made **FALSE CLAIMS** to and defrauded the United States Government of trillions of dollars — **the biggest contract fraud, theft and heist of intellectual property in the history of the United States.**

Respondent made **FALSE CLAIMS** that they had ownership of the technology, intellectual property and Web applications, induced the U.S. Government to buy defective goods and procured contracts from every Department of the United States, when in fact it was offered without the permission of the inventor Dr. Lakshmi Arunachalam, a Woman and without paying a license fee to Dr. Lakshmi Arunachalam, a Woman. Judges and attorneys in the Western District Court of Texas, Waco and Fifth and Federal Circuit were complicit in improperly and illegally promoting, fomenting, and legitimizing the erroneous idea that Respondent had ownership or standing to sell this stolen technology to the U.S. Government.

3. JUDICIARY CREATED A CONSTITUTIONAL CRISIS/EMERGENCY.

The judiciary and PTAB failed to uphold the Law of the Land. They would rather violate Dr. Lakshmi Arunachalam, a Woman/inventor's rights than acknowledge and enforce the MANDATED PROHIBITION from repudiating Government issued patent grants as delineated in *Fletcher* and *Dartmouth College* and other Supreme Court Governing Precedents. They denied Dr. Lakshmi Arunachalam, a Woman, access to the court by refusing to enforce *Fletcher*. They defamed/libeled Dr. Lakshmi Arunachalam, a Woman, sanctioned her for false, manufactured reasons, took her money, allowed the theft of Dr. Lakshmi Arunachalam, a Woman's monies by lawyers held in Client IOLTA account (*See* Dr. Arunachalam, a Woman's Petition for Writ of Certiorari in Case 18-9115) for 6 years not returned to date and theft of Dr. Lakshmi Arunachalam, a Woman's patents and inventions and intellectual property by Respondent without paying Dr. Lakshmi Arunachalam, a Woman, royalties, made it expensive, hazardous and burdensome for Dr. Lakshmi Arunachalam, a Woman, to have access to justice.

Dr. Lakshmi Arunachalam, a Woman, is a 72-year old, single, disabled, female inventor of significant inventions. Why would they all do this, when the facts and the Law of the Case and Law of the Land are on her side? They know they are wrong, and they do not want anyone to find out they are wrong. Why this outrageous obstruction of justice in a corrupt judicial organization? They are retaliating against Dr. Lakshmi Arunachalam, a Woman, for being the first to raise the *Fletcher Constitutional challenge.*

4. **FALSE CLAIM OF COLLATERAL ESTOPPEL FROM VOID ORDERS FROM JUDGE WITH NO JURISDICTION, FURTHER WITHOUT CONSIDERING PATENT PROSECUTION HISTORY.**

Respondent made a false claim that Dr. Lakshmi Arunachalam, a Woman's JPMorgan Case 12-282-RGA (D.Del.) rulings on her '500, '492 and '158 patents collaterally estop her Fulton Financial Corporation Case No. 14-490-RGA (D.Del.) on the unadjudicated '339 and '340 patents and concealed from the Government that the *JPMorgan Court, Fulton Court* and *Intuit Court* failed to consider Patent Prosecution History.

5. **FALSE CLAIM THAT PATENT PROSECUTION HISTORY NEED NOT BE CONSIDERED *ONLY* IN DR. LAKSHMI ARUNACHALAM, A WOMAN'S CASES.**

Patent Prosecution History is material *prima facie* evidence that Dr. Lakshmi Arunachalam, a Woman's patent claims are ***not*** invalid and that the claim terms are ***not*** indefinite, as *knowingly and intentionally* falsely claimed by Respondent, who defrauded our Courts and the Government. Yet Respondent *disparately* concealed in their Solicitations and the courts failed to consider Patent Prosecution History in Dr. Lakshmi Arunachalam, a Woman's cases.

6. **FALSE CLAIM THAT FEDERAL CIRCUIT'S *AQUA PRODUCTS'* REVERSAL OF ALL ORDERS THAT DID NOT CONSIDER "THE ENTIRETY OF THE RECORD"—PATENT PROSECUTION HISTORY—DOES NOT APPLY *ONLY* TO** Dr. Lakshmi Arunachalam.

Judges, lawyers and Respondent disparately denied Dr. Lakshmi Arunachalam, a Woman, her protected rights to Patent Prosecution History, and the reversal in *Aqua Products.*

7. **FALSE CLAIMS OF PRIOR ART BY RESPONDENTS TO FILE AND INSTITUTE SERIAL 18 IPR/CBM/CRU RE-EXAMS IN USPTO/PTAB.**

Respondents *knowingly and intentionally* made false claims of prior art to defraud the Government and engaged in waste, fraud and abuse of Government resources. IBM, Microsoft and SAP America, Inc. signed NDAs with Dr. Lakshmi Arunachalam, a Woman, in 1995 and 2003. Microsoft's CTO and IBM employees interviewed with Dr. Lakshmi Arunachalam, a Woman, to work for her company in 1995, 1996. They agreed there was ***no prior art*** then, and that the claim terms were enabled, had full written description and ***not indefinite*** and that the claims were valid; and offered to buy Dr. Lakshmi Arunachalam, a Woman's patents in 2003-2006. SAP offered $100M in 2003. How could there be prior art in 2008-2020, if there was no prior art in 1995?

8. FALSE CLAIM OF INVALIDITY OF PATENT CLAIMS AND INDEFINITENESS BY FAILING TO CONSIDER PATENT PROSECUTION HISTORY.

Respondent *knowingly and intentionally* made false claims of invalidity of patent claims and indefiniteness, knowing full well that the Patent Prosecution History (which this Court must take Judicial Notice of) of Dr. Lakshmi Arunachalam, a Woman's patents has cast in stone the construction of claim terms in Dr. Lakshmi Arunachalam, a Woman's granted patents, and that claims and claim terms are not indefinite nor invalid nor *not* enabled.

9. FALSE CLAIMS THAT THIS COURT'S PRECEDENTIAL RULINGS BY CHIEF JUSTICE MARSHALL THAT A GRANT IS A CONTRACT AND CANNOT BE REPUDIATED BY THE HIGHEST AUTHORITY — THE LAW OF THE LAND — DO NOT APPLY.

Respondents, in collusive conspiracy, *knowingly and intentionally* made false claims that the Law of the Land does not apply to Dr. Lakshmi Arunachalam, a Woman's patents.

10. FALSE CLAIM THAT AIA/REEXAMS DO NOT VIOLATE SEPARATION OF POWERS AND CONTRACT CLAUSE OF THE CONSTITUTION.

Respondent *knowingly and intentionally* made false claims that AIA/PTAB repudiating patent contract grants is constitutional, whereas in fact *Oil States*/AIA/reexams violate the Separation of Powers clause (*prima facie* evidence is Justice Gorsuch and Chief Justice Roberts correctly dissented in *Oil States*) and the Contract clause of the Constitution — hence unconstitutional and void.

11. BIG PICTURE POINTS TO A SERIOUS PROBLEM: OBSTRUCTION OF JUSTICE, OVERT CONSPIRACY, ANTITRUST

Microsoft and SAP America, Inc. filed 18 re-exams and IPR/CBM reviews against Dr. Lakshmi Arunachalam, a Woman and made false claims to the Government in an egregious waste, fraud and abuse of Government resources. Respondents cannot claim prior art, when they found none in 1995 when they signed NDAs with Dr. Lakshmi Arunachalam, a Woman. They concealed material *prima facie* evidence of Patent Prosecution History and defrauded the courts with false claims. Even after the Federal Circuit's *Aqua Products'* reversal, the courts failed to enforce the MANDATED PROHIBITION from repudiating patent contract grants delineated in *Fletcher and the Constitutional challenge.* Judges had stock in Respondents, failed to recuse, lost jurisdiction, their Orders are void. Judges and PTAB restricted inventor Dr. Lakshmi Arunachalam, a Woman and took away her rights, comforting antitrust violations by Respondent. The Judiciary, PTAB and Respondent's overt conspiracy against Dr. Lakshmi Arunachalam, a Woman's rights

has had a devastating effect on the public. Their overt and covert war on the Constitution has killed the entire patent system. Judge Andrews and PTAB Judge McNamara admitted direct stock holdings in JPMorgan Chase & Co. and Microsoft. Lawyers and judges breached their solemn oaths of office in warring against the Constitution. They engaged in taking retaliatory action and going out of the way to discriminate against Dr. Lakshmi Arunachalam, a Woman for being a **Patriot** defending the Constitution, continuing unabated with no signs of fairness or remedy — and made willful false claims *knowingly and intentionally* and defrauded the Government, in a collusive conspiracy with USPTO/PTAB, Legislature and Respondent. The Judiciary represented Respondents, comforting them in violating anti-trust laws. The Judiciary warred against the Constitution and denied Dr. Lakshmi Arunachalam, a Woman, access to justice, so as not to hear her case, to avoid enforcing the Mandated Prohibition from repudiating Government-issued patent contract grants as delineated in *Fletcher, Dartmouth College* and other Governing Supreme Court Precedents.

12. JUDICIARY AND PTAB DENIED Dr. Lakshmi Arunachalam, a Woman, ACCESS TO THE COURTS.

Judge Albright represented the Respondent by acting as their attorney, vacated the Hearing(s), dismissed her cases for false, manufactured reasons against Dr. Lakshmi Arunachalam, a Woman, for being a **Patriot** defending the Constitution, falsely dubbing her a "vexatious litigant" for crimes committed by Respondents, Judges and lawyers. District and Circuit Court Judges, and USPTO/PTAB Administrative Judges McNamara, Siu and Turner and Respondents *intimidated and harassed* Dr. Lakshmi Arunachalam, a Woman, *a 72-year old, single, disabled female,* the genuine inventor of the Internet of Things (IoT) — Web apps displayed on a Web browser.

13. BIAS AGAINST Dr. Lakshmi Arunachalam's RACE

The Judiciary and PTAB denied Dr. Lakshmi Arunachalam, a Woman, even something as basic as electronic filing for no logical reason, or for that matter illogical reason, except for bias against her race. They failed to docket her filings, removed her filings from the docket for moving to recuse Judge Andrews and PTAB Administrative Judge McNamara due to their direct stock holdings in JPMorgan Chase & Co. and Microsoft. PTAB Judge McNamara *disparately* required Dr. Lakshmi Arunachalam, a Woman, to call teleconference meetings with the PTAB and SAP America, Inc. to request that her filings be docketed.

14. RESPONDENT VIOLATED 35 USC §282: which states:

> "A patent **shall be presumed valid**. Each claim of a patent (whether in independent, dependent, or multiple dependent form) **shall be presumed valid** independently of the validity of other claims; dependent or multiple dependent claims **shall be presumed valid** even though dependent upon an invalid claim. ...The burden of establishing invalidity of a patent or any claim thereof shall rest on the party asserting such invalidity."

Respondent does not argue that the presumption or the assignment of the burden of persuasion on an accused infringer is unconstitutional. *See* pp. 17-18, **Roberta Morris amicus curiae brief in this Court's Case No. 10-290, *Microsoft v i4i***

15. RESPONDENT FAILED TO FURNISH THE BURDEN OF PROOF OF "CLEAR AND CONVINCING EVIDENCE" OF PATENT INVALIDITY, REQUIRED BY STATUTE.

The Fifth and Federal Circuits, like all the other District and Appellate Courts failed to enforce ***Fletcher.*** District and Appellate Court Judges denied Dr. Lakshmi Arunachalam, a Woman, due process and acted as Respondent's attorneys, manufacturing false reasons to dismiss her case in an egregious abuse of judicial power under the color of law and authority. Respondent committed acts of infringement, and falsely argued Patent invalidity "without clear and convincing evidence."

16. BY STATUTE, 35 U.S.C. § 282, A PATENT ISSUED BY THE PATENT OFFICE IS PRESUMED VALID, AND THE BURDEN OF ESTABLISHING INVALIDITY IS ON THE PARTY ASSERTING IT.

The presumption of validity is in the statute. *See* Roberta Morris, p. 22-23 "**the higher standard of proof should apply to "any issue developed in the prosecution history**." "A statutory presumption is a statutory presumption. It needs no justification as long as the presumption itself violates no Constitutional prohibition and the subject matter is within Congress' power..."

17. RESPONDENT'S "INVALIDITY DEFENSE MUST BE PROVED BY CLEAR AND CONVINCING EVIDENCE." "STANDARDS OF PROOF ON INVALIDITY ARE PART OF A VERY COMPLICATED CALCULUS." *See* Roberta Morris: pp. 9, 3:

> "This Court stated that *in order to invalidate, the proof would have to be* **"clear, satisfactory and beyond a reasonable doubt**....The Patent Act of 1952 included, for the first time, a statutory presumption of validity and a statement on the burden of proof. 35 USC § 282. (*See* Part III.A, *infra.*)." p.6: ("Prosecution history" refers to the record, required to be in writing, 37 CFR §1.2, of the exchanges between the applicant and the USPTO."
>
> "... **STANDARD OF PROOF WILL REQUIRE THE TRIAL JUDGE TO ANALYZE THE PROSECUTION HISTORY**. If there are rejections based on prior art, the judge will have to determine the scope and content of that art. Claim language may need to be construed so that the claimed invention can be compared to the examiner's art, and the examiner's art compared to the accused infringer's art. Once the

applicable standard of proof is determined, many of those same facts will be sifted again to determine whether invalidity has been proven. The process may seem convoluted and circular. Prior art invalidity is not, of course, the only kind of invalidity as to which the prosecution history may speak. Claims are rejected for failing to meet other requirements...§112: enablement, definiteness. *See* Part III.B, *infra.* Depending on how the dividing line is articulated and what the accused infringer argues, the same circular use of facts may occur."

p. 12: "... keep attention on the core issues: a comparison of the claimed invention to the prior art and to the patent's disclosure of how to make and use the invention. **Those inquiries would not become stepchildren to a dispute over how well or ill the Patent Office did its job**. ...participants in the patent system."

18. FRAUD AND PUBLIC CORRUPTION

This Court should investigate and prosecute this complex white collar crime involving corruption and fraud offenses committed against both the government and private citizens to enforce corruption laws as those laws apply to officials and employees of the United States government, including the USPTO. It is imperative that this Court work jointly with law enforcement task forces designed to proactively detect and deter crimes against the public trust, false claims, government contract fraud. Respondent's and the lower courts' offenses have a national impact including violations of the FALSE CLAIMS ACT. They concealed material *prima facie* evidence.

> "Silence can only be equated with fraud where there is a legal or moral duty to speak, or where an inquiry left unanswered would be intentionally misleading..." *U.S. v. Tweel*, 550 F.2d 297, 299 (1977), quoting *U.S. v. Prudden*, 424 F.2d 1021, 1032 (1970).

> "When circumstances impose duty to speak and one deliberately remains silent, silence is equivalent to false representation." *Fisher Controls International, Inc. v. Gibbons*, 911 S.W. 2d 135 (1995).

> "When a person sustains to another a position of trust and confidence, his failure to disclose facts that he has a duty to disclose is as much a fraud as an actual misrepresentation." *Blanton v. Sherman Compress Co.*, 256 S.W. 2d 884 (1953).

Aiding and abetting the theft of Dr. Lakshmi Arunachalam, a Woman's "The Internet of Things —Web apps displayed on a Web browser," **is an act of Treason for those under oath to the United States Constitution.**

19. TRESPASS UPON CONTRACT BETWEEN INVENTOR AND USPTO

Any collateral attack on this Contract is in bad faith and is a criminal trespass.

20. NATIONAL SECURITY

Respondent's violation of the Constitution and of the False Claims Act threatens our nation's security in killing innovation by bullying and threatening Dr Lakshmi Arunachalam, a Woman and a key witness and inventor of significant inventions, and allowing infringing products to come into the nation manufactured in foreign countries, hurting the domestic economy.

III.
This Court must review this Case because:

The Fifth and Federal Circuit's decision(s) failed to enforce this Court's Governing Precedents and the Mandated Prohibition from repudiating Government-issued Patent Contract Grants as delineated in *Fletcher* and *Dartmouth College* and avoid *"the Fletcher challenge"* and if followed, will conflict with this Court's precedent with respect to its findings on: (a) the denial of liberty and property without due process of law, and (b) this Court's *Oil States* ruling that violates the Separation of Powers, Supremacy and Contract Clauses of the U.S. Constitution and failed to consider this Court's precedential *'First Impression' Res Judicata* Mandated Prohibition declared by Chief Justice Marshall in *Fletcher, Dartmouth College* against repudiating Government-Issued Patent Contract Grants by the highest authority, reaffirmed multiple times by this Court - the Supreme Law(s) of the Land.

1. ***Oil States* injured citizens without providing a remedy by leaving them bereft of their vested rights directly to federal grants of patents under the IP Clause, Contract Clause, the Separation of Powers Clause, the Public Interest/Welfare Clause, Due Process and Equal Protections Clauses.**

Oil States constitutionalized the America Invents Act reexamination provision, in breach of contract with inventors of their protected rights to enjoy exclusive rights to collect royalties for a time certain — 20 years. It is not a "faithful execution of the solemn promise made by the United States" to inventors.

2. **Rights without Remedies:**

District and Appellate Court rulings, the Legislature's America Invents Act reexamination provision and this Court's *Oil States* ruling violate the "Law of the Land;" **deprived Dr. Lakshmi Arunachalam, a Woman/inventor of rights without remedies** by denial of substantive and fundamental rights by procedural and substantive unconscionability on discriminating terms, specifically denying her the equal protection of the *Aqua Products'* reversal itself, still unresolved, not

applying prevention of oppression, giving superior bargaining power to Respondent *(having no reason to tender royalties owed)* in violation of Equal Protection of the Law to inventors.

> "...it is manifest that the obligation of the contract and the rights of a party under it may in effect be destroyed by denying a remedy altogether ...", *Bronson v. Kinzie,* 42 U.S. 311 (1843), 1 How. 311. *See* Blackstone, in his Commentaries on the Laws of England, 1 vol. 55.
>
> "Nothing can be more material to the obligation than the means of enforcement. Without the remedy, the contract may, indeed, in the sense of the law, be said not to exist... The ideas of validity and remedy are inseparable, and both are parts of the obligation, which is guaranteed by the Constitution against invasion. The obligation of a contract "is the law which binds the parties to perform their agreement."
> ...Mr. Justice Swayne: "A **right without** a **remedy** is as **if** it **were not.** For **every beneficial purpose** it **may** be **said not** to **exist.**" *Von Hoffman v City of Quincy,* 71 U.S. (4 Wall.) 535, 552, 554 and 604 (1867).

In the case before us, the conflict of these laws, namely, *Oil States* and America Invents Act Reexamination provision, with the obligations of the contract is made the more evident by Federal Circuit's *Aqua Products'* reversal of all Orders where Patent Prosecution History (a contract term between the inventor and the Original Examiner before the patent was granted) was not considered. This case involves significant constitutional issues, making this case more significant than *Marbury v. Madison,* 5 U.S. 137, 177 (1803).

Respondent and the lower Courts colluded and brazenly devised schemes to evade the Government and the laws of the United States. Respondent engaged in Solicitations to induce the lower Courts to not enforce the Law of the Land. Respondent, the Judiciary, legislature, USPTO/PTAB, have "some explaining to do — for subjecting the nation to a long, cruel ordeal named 'collusion' and 'obstruction'" against Dr. Lakshmi Arunachalam, a Woman and the Constitution.

CONCLUSION: Lower Court ruling(s) must be reversed as unconstitutional.

WHEREFORE, Dr. Lakshmi Arunachalam, a Woman respectfully requests that the petition for a writ of certiorari be granted. My Judgment is attached.

March 1, 2020 Respectfully submitted,

Lakshmi Arunachalam

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