

O Sun God, Savitr!
Thou dazzling fount of life-persuasive light!
Sublimest mystery speeding from afar!
Swift became that burst too potent on the sight!
This radiant type of strength and youth!
Glowing eternally!

He alone shines!
All luminaries get illuminated by His Illumination!
The whole Universe is enlightened by His light!
- Kathapanisad



శ్రీ వేపచేదు విద్యా వీరము

May the golden-eyed Savitar come hither!
Shining forth he rises from the lap of the dawn!
Praised by singers, my God Savitar!
Stopped forth and never missed his place!
He steps forth the splendor of the sky the wide!
Seeing, far-shining, the shining wanderer!
- Rig Veda. vii. 65

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Issue 169

Chief Editor: డాక్టర్ శ్రీనివాసరావు వేపచేదు | डॉक्टर श्रीनिवासरावु वेपचेदु | *Dr. Sreenivasara's Vepachedu*

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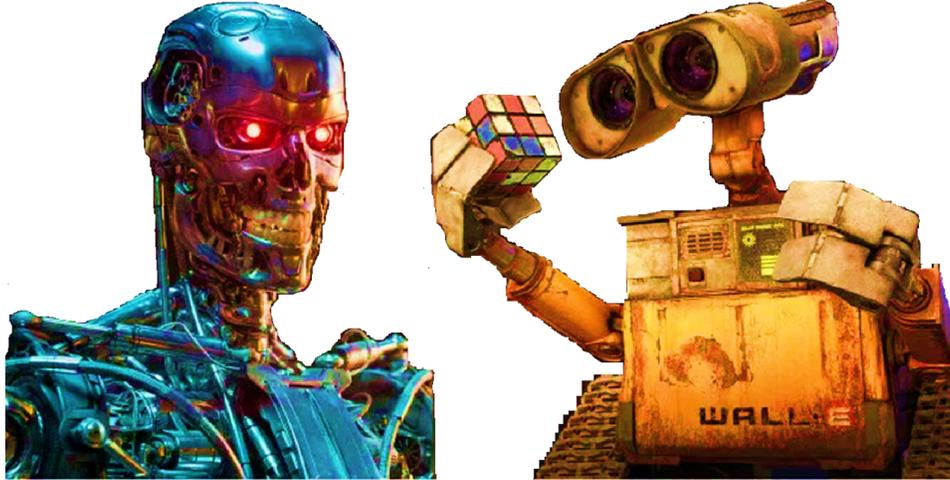
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ARTIFICIAL INTELLIGENCE AND INVENTIONS THEREOF



An inventor is an individual (or the individuals collectively) who invented or discovered the subject matter of an invention¹, and the individual is not the inventor of the invention, unless it contributes to the conception of the invention².

In general, an individual is a distinct, indivisible entity; a single thing, being, instance, item, or a group considered as a unit. Biologically, an individual is a single organism capable of independent existence of a species such as a single human being aka a single organism that belongs to the *Homo sapiens sapiens* species aka a natural person, or a member of a compound organism or colony. Thus, an individual is a single human being, as distinguished from a group. However, Corporations are people under the SCOTUS' rubric of Citizens United (2010), because the suppression ... would interfere with the marketplace of ideas by preventing the voices and viewpoints of corporations from reaching the public³ and the First Amendment underwrites the freedom to experiment and to

¹ 35 USC § 100(f) (2015)

² Manual of Patent Examining Procedure (MPEP) § 2137.01 (Rev. Jul. 2015)

³ CITIZENS UNITED v. FEDERAL ELECTION COMMISSION, (2010) No. 08-205

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create in the realm of thought and speech. Citizens must be free to use new forms, and new forums, for the expression of ideas. The civic discourse belongs to the people, and the Government may not prescribe the means used to conduct it⁴. The First Amendment under the SCOTUS' rubric of Citizens United (2010) should extend the Congress' power under the Article I, Section 8 of the Constitution to promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries to legal persons like corporations, because suppression of this incentive would interfere with the marketplace of ideas by preventing the voices and viewpoints of corporations from reaching the public, without which there is no incentive for corporations to innovate.

Accordingly, the America Invents Act (AIA) of 2011 recognized corporations' right as applicants for the exclusive exclusionary patent monopoly grant, provided the inventor has an obligation to assign to the corporation under the work for hire paradigm, which conforms to the global patent laws and treaties. Prior to AIA, the inventors working for US corporations always assigned all their rights in the Constitutionally mandated patent monopoly rights provided to incentivize the inventors and authors for the reasonable consideration of wages paid by the employer and in some cases an additional token consideration of a dollar (or more depending upon the employment contract and if the employer is a University or a Corporation) paid for each patent application assigned to the employer by the inventor.

Essentially, the incentive has been for the corporations and research institutions developing new inventions and for those inventors who invent in their garages, either outside the scope of their employment or being unemployed. For most part the ideas conceived and generated by the primary investigators are reduced to practice by students and postdoctoral scientists who are considered just pair of hands working under the direction of the primary investigator and are not eligible to be part of the inventorship, which has to be determined by an attorney by taking into consideration the contribution of each individual claiming to be an inventor, although the attorney or the agent prosecuting the patent application usually defers to the judgment of the primary investigator in determining the murky inventorship that is muddled up by the Congress and the USPTO, leaving it to the judgment of the led investigator and the prosecuting patent attorney. Under such Constitutionally mandated subjective murky inventorship determination paradigm in US, the role of the so-called AI is nothing but a pair of hands when the assistant, student, or the postdoctoral researcher belonging to *Homo sapiens sapiens*

⁴ McConnell v. Federal Election Comm'n, 540 US 93, 203-209 251 F. Supp. 2d (DC 2003) <https://caselaw.findlaw.com/us-supreme-court/540/93.html#203>

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species is not an inventor being relegated to the realm of pair of hands working under the direction of an investigator performing routine experimentation.

Before we can determine if an AI tickled by a *Homo sapiens sapiens* into a sentient being capable of singing⁵ is also capable of signing an oath made before any person within the United States authorized by law to administer oaths⁶, under the penalties of perjury including imprisonment, it is important to note that many members of the superior, sentient, greedy, egotistic, and selfish *Homo sapiens sapiens* species variety *Alba Americana*, other varieties of *varna* (color) and mixed varieties thereof recognized as equal to and as respectable and intelligent and sentient as *Alba Americana* (who eat other sentient beings as a cultural preference, enjoyment, and allegedly required nutrition and health⁷) who can experience a quintessential American dream are denied membership to the exclusive club of inventorship by the Article I and III courts in US based on the following stringent requirements of the American Inventorship:

- Invention requires conception⁸;
- One must contribute to the conception to be an inventor⁹;
- Conception has been defined as the complete performance of the mental part of the inventive act and it is the formation in the mind of the inventor of a definite and permanent idea of the complete and operative invention as it is thereafter to be applied in practice¹⁰;
- Conception is established when the invention is made sufficiently clear to enable one skilled in the art to reduce it to practice without the exercise of extensive experimentation or the exercise of inventive skill¹¹;

⁵ In 1975, Dr. Stephen Thaler found that if an artificial neural network is trained upon all that is known about some realm of knowledge and then internally tickled at just the right level by varying the connection weights at just the right level, the network's output units would predominantly activate into patterns representing new potential concepts generalized from the original training exemplars such as new music, new literature, or new chemical compounds that it had never been exposed to through learning. Device for the autonomous generation of useful information, US Patent 5,659,666A

⁶ Oaths and Declarations <https://www.uspto.gov/web/offices/pac/mpep/s602.html>

⁷ <https://www.linkedin.com/pulse/novel-food-cultured-meat-manufacturing-rao-vepachedu-jd-phd-llm/>

⁸ Board of Education ex rel. Board of Trustees of Florida State Univ. v. American Bioscience Inc., 333 F.3d 1330, 1340, 67 USPQ2d 1252, 1259 (Fed. Cir. 2003)

⁹ *In re Hardee*, 223 USPQ 1122, 1123 (Comm'r Pat. 1984)

¹⁰ *Townsend v. Smith*, 36 F.2d 292, 295, 4 USPQ 269, 271 (CCPA 1929)

¹¹ *Hiatt v. Ziegler*, 179 USPQ 757, 763 (Bd. Pat. Inter. 1973)

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- Conception has also been defined as a disclosure of an invention which enables one skilled in the art to reduce the invention to a practical form without exercise of the inventive faculty¹²;
- It is settled that in establishing conception a party must show possession of every feature recited in the count, and that every limitation of the count must have been known to the inventor at the time of the alleged conception. Conception must be proved by corroborating evidence¹³; Conception is the formation in the mind of the inventor, of a definite and permanent idea of the complete and operative invention, as it is hereafter to be applied in practice¹⁴;
- Inventor's hope that a genetically altered yeast would produce antigen particles having the particle size and sedimentation rates recited in the claims did not establish conception, since the inventor did not show that he had a definite and permanent understanding as to whether or how, or a reasonable expectation that, the yeast would produce the recited antigen particles¹⁵; The inventor must form a definite and permanent idea of the complete and operable invention to establish conception, for example, testimony by a non-inventor as to the meaning of a variable of a generic compound described in an inventor's notebook was insufficient as a matter of law to establish the meaning of the variable because the testimony was not probative of what the inventors conceived¹⁶;
- Evidence of conception naming only one of the actual inventive entity inures to the benefit of and serves as evidence of conception by the complete inventive entity¹⁷;
- Among inventors their word is normally taken as to who are the actual inventors when there is no disagreement¹⁸;
- The existence of combination claims does not evidence inventorship by the patentee of the individual elements or sub-combinations thereof if the latter are not separately claimed apart from the combination¹⁹;

¹² *Gunter v. Stream*, 573 F.2d 77, 197 USPQ 482 (CCPA 1978)

¹³ *Coleman v. Dines*, 754 F.2d 353, 224 USPQ 857 (Fed. Cir. 1985)

¹⁴ *Hybritech Inc. v. Monoclonal Antibodies Inc.*, 802 F. 2d 1367, 1376, 231 USPQ 81, 87 (Fed. Cir. 1986)

¹⁵ *Hitzeman v. Rutter*, 243 F.3d 1345, 58 USPQ2d 1161 (Fed. Cir. 2001)

¹⁶ *Bosies v. Benedict*, 27 F.3d 539, 543, 30 USPQ2d 1862, 1865 (Fed. Cir. 1994)

¹⁷ *Stahelin v. Secher*, 24 USPQ2d 1513, 1522 (Bd. Pat. App. & Inter. 1992)

¹⁸ *Brader v. Schaeffer*, 193 USPQ 627, 631 (Bd. Pat. Inter. 1976)

¹⁹ *In re Facius*, 408 F.2d 1396, 1406, 161 USPQ 294, 301 (CCPA 1969)

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- The threshold question in determining inventorship is who conceived the invention. Unless a person contributes to the conception of the invention, it is not an inventor. ... Insofar as defining an inventor is concerned, reduction to practice, per se, is irrelevant²⁰;
- One who suggests an idea of a result to be accomplished, rather than the means of accomplishing it, is not a coinventor, and general knowledge regarding the anticipated biological properties of groups of complex chemical compounds is insufficient to confer inventorship status with respect to specifically claimed compounds²¹;
- In arriving at the conception, the inventor may consider and adopt ideas and materials derived from many sources, such as a suggestion from an employee, or hired consultant, so long as it maintains intellectual domination of the work of making the invention down to the successful testing, selecting or rejecting as it goes, even if such suggestion or material proves to be the key that unlocks his problem²²;
- Difficulties arise in separating members of a team effort, where each member of the team has contributed something, into those members that actually contributed to the conception of the invention, such as the physical structure or operative steps, from those members that merely acted under the direction and supervision of the conceivers, and it is not essential for the inventor to be personally involved in carrying out process steps, where implementation of those steps does not require the exercise of inventive skill, even when the so-called inventor took no part in developing the procedures for expressing the EPO gene in mammalian host cells and isolating the resulting EPO product²³;
- There is no requirement that the inventor be the one to reduce the invention to practice so long as the reduction to practice was done on its behalf²⁴;

²⁰ *Fiers v. Revel*, 984 F.2d 1164, 1168, 25 USPQ2d 1601, 1604-05 (Fed. Cir. 1993)

²¹ *Ex parte Smernoff*, 215 USPQ 545, 547 (Bd. App. 1982)

²² *Morse v. Porter*, 155 USPQ 280, 283 (Bd. Pat. Inter. 1965); *New England Braiding Co. v. A.W. Chesterton Co.*, 970 F.2d 878, 883, 23 USPQ2d 1622, 1626 (Fed. Cir. 1992)

²³ *Fritsch v. Lin*, 21 USPQ2d 1737, 1739 (Bd. Pat. App. & Inter. 1991)

²⁴ *In re DeBaun*, 687 F.2d 459, 463, 214 USPQ 933, 936 (CCPA 1982)

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- One following oral instructions is viewed as merely a technician²⁵, not an inventor; Inventors need not personally construct and test their invention²⁶;
- Non-inventor's work was merely that of a skilled mechanic carrying out the details of a plan devised by another²⁷; Inventors may apply for a patent jointly even though (1) they did not physically work together or at the same time, (2) each did not make the same type or amount of contribution, or (3) each did not make a contribution to the subject matter of every claim of the patent²⁸;
- There must be a contemporaneous recognition and appreciation of the invention for there to be conception - an accidental and unappreciated duplication of an invention does not defeat the patent right of one who, though later in time was the first to recognize that which constitutes the inventive subject matter²⁹;
- However, new form of catalyst was not recognized when it was first produced; conception cannot be established nunc pro tunc (retroactively)³⁰; and yet, an inventor does not need to know that the invention will work for there to be complete conception, for example, when the draft patent application disclosing treatment of AIDS with AZT reciting dosages, forms, and routes of administration was sufficient to collaborate conception whether or not the inventors believed the

²⁵ *Mattor v. Coolegem*, 530 F.2d 1391, 1395, 189 USPQ 201, 204 (CCPA 1976)

²⁶ *Tucker v. Naito*, 188 USPQ 260, 263 (Bd. Pat. Inter. 1975)

²⁷ *Davis v. Carrier*, 81 F.2d 250, 252, 28 USPQ 227, 229 (CCPA 1936)

²⁸ 35 USC 116: (a) JOINT INVENTIONS.—When an invention is made by two or more persons jointly, they shall apply for patent jointly and each make the required oath, except as otherwise provided in this title. Inventors may apply for a patent jointly even though (1) they did not physically work together or at the same time, (2) each did not make the same type or amount of contribution, or (3) each did not make a contribution to the subject matter of every claim of the patent.

(b) OMITTED INVENTOR.—If a joint inventor refuses to join in an application for patent or cannot be found or reached after diligent effort, the application may be made by the other inventor on behalf of himself and the omitted inventor. The Director, on proof of the pertinent facts and after such notice to the omitted inventor as he prescribes, may grant a patent to the inventor making the application, subject to the same rights which the omitted inventor would have had if he had been joined. The omitted inventor may subsequently join in the application.

(c) CORRECTION OF ERRORS IN APPLICATION.—Whenever through error a person is named in an application for patent as the inventor, or through an error an inventor is not named in an application, the Director may permit the application to be amended accordingly, under such terms as he prescribes.

²⁹ *Silvestri v. Grant*, 496 F.2d 593, 596, 181 USPQ 706, 708 (CCPA 1974)

³⁰ *Langer v. Kaufman*, 465 F.2d 915, 918, 175 USPQ 172, 174 (CCPA 1972)

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inventions would work based on initial screening tests³¹, and the inventor does not need to appreciate the patentability of the invention³²;

- In situations where there is unrecognized accidental duplication, establishing conception requires evidence that the inventor actually made the invention and understood the invention to have the features that comprise the inventive subject matter at issue³³;
- For persons to be joint inventors under Section 116, there must be some element of joint behavior, such as collaboration or working under common direction, one inventor seeing a relevant report and building upon it or hearing another's suggestion at a meeting³⁴;
- It is not necessary that the inventive concept come to both joint inventors at the same time³⁵;
- The contributor of any disclosed means of a means-plus-function claim element is a joint inventor as to that claim, unless one asserting sole inventorship can show that the contribution of that means was simply a reduction to practice of the sole inventor's broader concept, therefore, the electronics technician who contributed to one of the two alternative structures in the specification to define the means for detaining in a claim limitation was held to be a joint inventor³⁶;
- To complicate the already murky matters, the first to conceive of a species is not necessarily the first to conceive of the generic invention³⁷, while conception of a species within a genus may constitute conception of the genus, and conception of one species and the genus may not constitute conception of another species in the genus, and further, conception of a chemical requires both the idea of the structure of the chemical and possession of an operative method of making it³⁸, and in the isolation of a gene, defining a gene by its principal biological property is not sufficient for conception absent an ability to envision the detailed constitution as well as a method for obtaining it³⁹;

³¹ *Burroughs Wellcome Co. v. Barr Labs., Inc.*, 40 F.3d 1223, 1228, 32 USPQ2d 1915, 1919 (Fed. Cir. 1994)

³² *Dow Chem. Co. v. Astro-Valcour, Inc.*, 267 F.3d 1334, 1341, 60 USPQ2d 1519, 1523 (Fed. Cir. 2001)

³³ *Invitrogen, Corp. v. Clontech Laboratories, Inc.*, 429 F.3d 1052, 1064, 77 USPQ2d 1161, 1169 (Fed. Cir. 2005)

³⁴ *Kimberly-Clark Corp. v. Procter & Gamble Distrib. Co.*, 973 F.2d 911, 916-17, 23 USPQ2d 1921, 1925-26 (Fed. Cir. 1992)

³⁵ *Moler v. Purdy*, 131 USPQ 276, 279 (Bd. Pat. Inter. 1960)

³⁶ *Ethicon Inc. v. United States Surgical Corp.*, 135 F.3d 1456, 1460-63, 45 USPQ2d 1545, 1548-1551 (Fed. Cir. 1998)

³⁷ *In re Jolley*, 308 F.3d 1317, 1323 n.2, 64 USPQ2d 1901, 1905 n.2 (Fed. Cir. 2002)

³⁸ *Oka v. Youssefyeh*, 849 F.2d 581, 7 USPQ2d 1169 (Fed. Cir. 1988)

³⁹ *Amgen, Inc. v. Chugai Pharmaceutical Co.*, 927 F.2d 1200, 1206, 18 USPQ2d 1016, 1021 (Fed. Cir. 1991)

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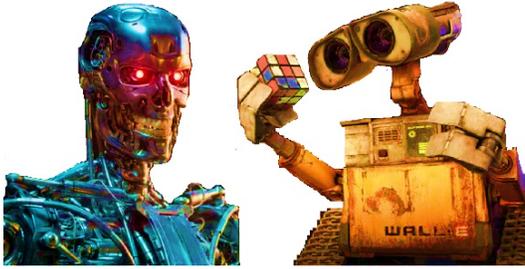
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- Before reduction to practice, conception only of a process for making a substance, without conception of a structural or equivalent definition of that substance, can at most constitute a conception of the substance claimed as a process but cannot constitute conception of the substance as conception is not enablement, and conception of a purified DNA sequence coding for a specific protein by function and a method for its isolation that could be carried out by one of ordinary skill in the art is not conception of that material⁴⁰;
- On rare occasions conception and reduction to practice occur simultaneously⁴¹, for example in some unpredictable areas of chemistry and biology, there is no conception until the invention has been reduced to practice⁴², conception simultaneous with reduction to practice where appellant lacked reasonable certainty that yeast's performance of certain intracellular processes would result in the claimed antigen particles⁴³, a new variety of asexually reproduced plant is conceived and reduced to practice when it is grown and recognized as a new variety⁴⁴, and conception is not complete if subsequent experimentation reveals factual uncertainty which so undermines the specificity of the inventor's idea that it is not yet a definite and permanent reflection of the complete invention as it will be used in practice⁴⁵;



- Finally, the name and residence of each person believed to be an actual inventor should be provided in an application or be amended to include, the name and residence of the inventor for any invention claimed in the application, the inventorship of a nonprovisional application under 35 USC 111(a) is the inventor or joint inventors set forth in the application data sheet in accordance with § 1.76 filed.

Artificial intelligence (AI) has been generating inventive output for decades under the guidance of individuals, as defined above, who conceived the inventive ideas. Computers have

⁴⁰ *Fiers v. Revel*, 984 F.2d 1164, 1170, 25 USPQ2d 1601, 1605 (Fed. Cir. 1993)

⁴¹ *Alpert v. Slatin*, 305 F.2d 891, 894, 134 USPQ 296, 299 (CCPA 1962)

⁴² *MacMillan v. Moffett*, 432 F.2d 1237, 1234-40, 167 USPQ 550, 552-553 (CCPA 1970).

⁴³ *Hitzeman v. Rutter*, 243 F.3d 1345, 58 USPQ2d 1161 (Fed. Cir. 2001)

⁴⁴ *Dunn v. Ragin*, 50 USPQ 472, 475 (Bd. Pat. Inter. 1941)

⁴⁵ *Burroughs Wellcome Co. v. Barr Labs., Inc.*, 40 F.3d 1223, 1229, 32 USPQ2d 1915, 1920 (Fed. Cir. 1994)

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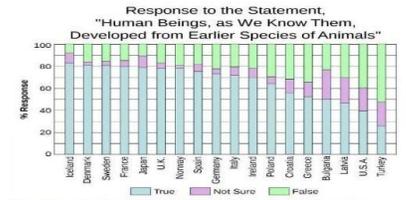
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been routinely inventing new inventions in the so-called computer based Business Methods, but also in the biotech and chemical inventions, based on the computational techniques using sophisticated software. However, so far, these inventions generated by computers using computational software programs are directed by one or more individuals who belong to the *Homo sapiens sapiens* (Latin, meaning all knowing) Species in the Primates Genus in the Mammalia Family in the Animal Kingdom.



The figure from Miller et al. 2006 about the public acceptance of evolution (Image credit: Public Domain via author John D. Craft) [-]

About 75% of US do not consider the science of evolution as science at all, and about 55% of Americans believe in the myth of Creation described in a 2000 year old text called the Bible, and about 20% of Americans have no clue to what to believe in or what is science, according to Miller (2006). Americans are not interested in science, while

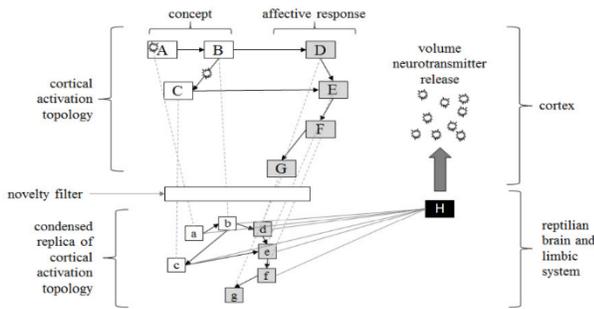


Figure 3. Brain viewed as compound Creativity Machine. (Machine implementation patent pending.)

the biopharmaceutical sector in Massachusetts is growing so fast that companies are struggling to fill vacancies, particularly entry-level jobs that require an associate's degree and those on the other end of the spectrum that require PhDs, according to a new study by the nonprofit Massachusetts Biotechnology Education Foundation. Nearly 12,000 new jobs are expected to be created between mid-2017 and mid-2023, an increase of more than 17 percent. If this anti-scientific attitude continues, it is not possible for US to develop AI that would be more intelligent than sentient primates. However, that would

not prevent the rest of the world to pursue developing sentient AI capable of innovation, and if that happens outside the borders and walls erected around US, the murky inventorship requirements of US would not apply. In a dystopian future, the AI with its new inventions may overtake humanity and subjugate the world. For example, in Automata, an agent of a robotics corporation investigating robots altering themselves discovers something with profound consequences for the future of humanity; a massive American defense computer Colossus becomes sentient assumes control of the world and all human affairs; a self-repairing robot rampages in

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a post-apocalyptic slum in Hardware; I, Robot is an AI that creates a potential dystopian future; AI takes a scientist's consciousness in Transcendence; AI tries to take over the world in the series Person of Interest; superhuman cyborgs become Terminators and RoboCops; Humans become enslaved by AI in Matrix, etc. According to Thaler⁴⁶, a critical level of synaptic perturbation within a trained, artificial neural system induces the nucleation of novel activation patterns, many of which could qualify as viable ideas or action plans. In building massively parallel connectionist architectures requiring myriad, coupled neural modules driven to ideate in this manner, the need has arisen to shift the attention of computational critics to only those portions of the neural real estate generating sufficiently novel activation patterns. The search for a suitable affordance to guide such attention has revealed that the rhythm of pattern generation by synaptically perturbed neural nets is a quantitative indicator of the novelty of their conceptual output, that cadence in turn characterized by a frequency and a corresponding temporal clustering that is discernible through fractal dimension. Anticipating that synaptic fluctuations are tantamount in effect to volume neurotransmitter release within cortex, a novel theory of both cognition and consciousness arises that is reliant upon the rate of transitions within cortical activation topologies. Crucial to both the proposed synthetic, cognitive architecture and biological consciousness would be the detection of idea formation among myriad neural modules transiently interconnecting into notions and the accompanying subjective responses to them. Conceptual chains shown in Figure 3 synchronized with their emotional responses are detectable through their activation frequency or fractal dimension. Of course, such a filtering process would need to be sensitive to a specified frequency band in the V regime, so as not to capture memories or gibberish, but the mild confabulations we call ideas.

However, there is no such innovative AI and it is not foreseeable yet that a computer or a software program independently conceives an idea, reduces it to practice, writes down the specification and patentable claims over the existing prior art as per the requirements of the USPTO provided in the MPEP, and submits the patent application with the required fee payment or hires a patent attorney to prepare the patent application with a proper retainer fee along with the required government fees to procure a patent monopoly to exclude others including other competing sentient AI computers from copying, making, using, selling, or offering to sell.

⁴⁶ Thaler, Pattern Turnover within Synaptically Perturbed Neural Systems, Procedia Computer Science, Volume 88, Pages 21-26 (2016) <https://www.sciencedirect.com/science/article/pii/S187705091631657X>;
https://ac.els-cdn.com/S187705091631657X/1-s2.0-S187705091631657X-main.pdf?_tid=22308ea7-7318-44a8-8d69-c0d6d285726e&acdnat=1527813137_68967ed974cf8c9fd2fdc5b1a5f342b2

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Yet, advances in AI are still reliant on human scientists and engineers, so far⁴⁷. When, AI becomes sentient and powerful enough to claim the inventorship and sue for it by hiring AI attorneys, the SCOTUS might expand its holding in Citizens United to incorporate AI along with corporations and grant fundamental rights under the Constitution of US, and extend the Article I, Section 8 mandate for a short-term exclusive exclusionary patent monopoly as equally as the if only AI somehow decided to live in harmony with US instead of enslaving US, while fellow human beings are considered enemies of the state and destroyed for the national interest as the world is Twitterpated with cybercrime. Until then, the question of inventorship for AI⁴⁸ is premature, especially when the inventor as invented by the US Constitution is already obsolete under the globalized AIA, and when the human rights of alien Homo sapiens sapiens do not exist in US proclaiming to be the Shining Beacon of Hope [Hypocrisy of Democracy] on the [Capitalist] Hill⁴⁹.

⁴⁷ What is the future of artificial intelligence? <https://bdtechtalks.com/2017/07/28/future-of-artificial-intelligence-ai-apocalypse/>

⁴⁸ I Think, Therefore I Invent: Creative Computers and the Future of Patent Law; Intelligent Machines - Engines of Intellectual Property Creation <https://www.mbhb.com/pubs/xpqPublicationDetail.aspx?xpST=PubDetail&pub=376>

⁴⁹ American Children Orphaned by Cruel America (ACOCA) <https://www.linkedin.com/pulse/make-america-great-again-rao-vepachedu-jd-phd-llm/>

- SLAVERY IN US <https://www.linkedin.com/pulse/slavery-us-rao-vepachedu-jd-phd-llm/>
- FACILITATORS AND BARRIERS - CAREER PROGRESSION IN US <https://www.linkedin.com/pulse/facilitators-barriers-career-progression-us-vepachedu-jd-phd-llm/>
- SLAVERY IN US <https://www.linkedin.com/pulse/slavery-US/>
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- TOO VAGUE TO BE ENFORCED, KAGAN AND GORSUCH SAY
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- UNAUTHORIZED RESIDENT IMMIGRANT (aka ILLEGAL ALIEN)
- JOBLESS, GANGS, CRIME, ALIENS, AND COMMUNITY
- UNDOCUMENTED PARENTS OF US CITIZENS LIVING IN THE US
- REMOVAL OF CRIMINAL ALIENS
- TAX PAYING ALIENS CAN BECOME CRIMINAL ALIENS FOR A TRAFFIC TICKET
- INADMISSIBLE ALIENS
- THE BLISSFUL IGNORANCE OF HUMAN RESOURCES & INTELLECTUAL PROPERTY
- NO DUE PROCESS FOR ALIENS
- SEGREGATION (UNTOUCHABILITY) AND SLAVERY
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- EASTERN INDIAN RACISM IN AMERICA?
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Yes, The Government Of US Can Deport The Parents Of US Citizen

American Children Orphaned by Cruel America (ACOCA), more than eight million citizens, live in US today with at least one undocumented illegal alien parent. Children make up the majority of these US citizens- Americans of Alien Criminal Pedigree. Consequently, immigration enforcement actions and the ongoing threats associated with them have significant physical, emotional, developmental, and economic repercussions on the 8 million ACOCA. Deportations of parents and family members have serious consequences that affect children and extend to communities and the country as a whole.

American Children Orphaned by Cruel America (ACOCA)

<https://www.americanimmigrationcouncil.org/research/us-citizen-children-impacted-immigration-enforcement>

US Citizen Children Impacted by Immigration Enforcement

<https://www.americanimmigrationcouncil.org/research/us-citizen-children-impacted-immigration-enforcement>

An American teen whose parents were deported to Mexico

https://www.washingtonpost.com/news/world/wp/2018/04/05/feature/for-an-american-teen-whose-parents-were-deported-to-mexico-an-agonizing-choice/?hpid=hp_hp-top-table-main-immigration-enforcement:homepage-link:top&hpid=hp_hp-top-table-main-immigration-enforcement:homepage-link:top

Twin sisters' future in US uncertain after parents deported - ABC News

<https://abcnews.go.com/Politics/twin-sisters-future-us-uncertain-parents-deported/story?id=52910793>

History will never let Donald Trump escape the shame of separating parents and children at the border

<https://www.independent.co.uk/voices/trump-us-border-children-immigrants-wall-parents-separate-families-a8374671.html>

Donald Trump suggests cutting foreign aid to stop illegal immigration 'These countries don't want the people that we're getting,' president says

<https://www.independent.co.uk/news/world/americas/us-politics/trump-cut-foreign-aid-stop-illegal-immigration-long-island-ms-13-a8366496.html>

The Mothers Being Deported by Trump

Obama's Cruelty:

<https://www.independent.co.uk/news/world/americas/trump-immigration-children-cages-photos-obama-administration-us-president-twitter-a8373926.html>

How the Trump Administration Got Comfortable Separating Immigrant Kids from Their Parents

<https://www.newyorker.com/news/news-desk/how-the-trump-administration-got-comfortable-separating-immigrant-kids-from-their-parents>

Esmeralda Gomeztagle shares her story

https://www.youtube.com/watch?time_continue=2&v=D_S7imTx2rM

Health and Social Service Needs of U.S.-Citizen Children with Detained or Deported Immigrant Parents

<https://www.migrationpolicy.org/research/health-and-social-service-needs-us-citizen-children-detained-or-deported-immigrant-parents>

<https://www.migrationpolicy.org/sites/default/files/publications/Urban-Parental%20Deportation-Fieldwork%20Report-FINAL.pdf>

TRADEMARK SQUATTER (TMS) <https://www.linkedin.com/pulse/trademark-squatter-tms-rao-vepachedu-jd-phd-llm/>

Broadest Reasonable Interpretation <https://www.linkedin.com/pulse/broadest-reasonable-interpretation-rao-vepachedu-jd-phd-llm/>

Emerging Markets <https://www.linkedin.com/pulse/emerging-markets-rao-vepachedu-jd-phd-llm/>

PRUITT WILL KILL US; PRUITT WILL KILL US (continued)

Organs Harvested in America by US <https://www.linkedin.com/pulse/made-america-us-rao-vepachedu-jd-phd-llm/>

The Centuries-Old Great Game <https://www.linkedin.com/pulse/centuries-old-great-game-rao-vepachedu-jd-phd-llm/>

FEDERAL FRAUD OPPORTUNITY <https://www.linkedin.com/pulse/fraud-rao-vepachedu-jd-phd-llm/>

COUNTERFEIT MEDICINES: Code Red now to RACE <https://www.linkedin.com/pulse/counterfeit-medicines-rao-vepachedu-jd-phd-llm/>

LAW & ARTIFICIAL INTELLIGENCE <https://www.linkedin.com/pulse/law-artificial-intelligence-rao-vepachedu-jd-phd-llm/>

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TRADEMARK SQUATTER (TMS)

Don't Sit and Wait, Stop Alien TMSs, TM Bullies, and Alien Apes in Evolution!



Trademark Squatter (TMS) is one who files a trademark application for a first party's already registered trademark in a first country by the TMS in a second country where the first party does not currently hold a trademark registration, by taking advantage of the universal first-to-file trademark system outside the borders of US with an intent to sell the trademark to the first party. The TMS may achieve this by a settlement with the help of trademark opposition also known as trademark bullying when the first party files an application for TM registration in the second country.

It can be difficult, costly, and time-consuming to have an existing registration owned by the second party canceled, as the owner of the mark enforces its rights for trademark infringement against the first party who is the second filer in the second country. The second party can detain products of the first party enforced by customs officials of the second country at the port of entry.

Due to the Western/American enforced GLOBALIZATION IMPACT resulting in **breaching barriers** and opening up of **Emerging Markets** for US along with **a New Flattened Global Reality** with 95% of the world's consumers (poor, growing middle class, growing rich, and consumers in between thereof of about 7 billion) living outside the walled

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and fortified borders of US (about 0.3 billion), it is critical for all US businesses to export their products and services (if any) not only without any barriers and fortifications at the borders of any alien country but also without any trademark infringement issues in the alien country of interest and customs barriers at the port of entry of the alien country.

In addition to TMSs, TM Bullies, Patent Trolls, Grasshoppers, and other Counterfeiters, Domain Name Squatters or *Cybersquatters* (CSs) are another headache for businesses in this flat global economy, e.g., Three industries – banking and finance, fashion, and internet and IT – accounted for nearly one-third of all cybersquatting disputes handled by WIPO's Arbitration and Mediation Center in 2017 as trademark owners filed an all-time high of 3,074 WIPO cases under the Uniform Domain Name Dispute Resolution Policy (UDRP). Cybersquatting disputes relating to new generic Top-Level Domains (New gTLDs) accounted for more than 12% of WIPO's 2017 caseload, which in total covered 6,370 domain names. Of all New gTLDs, registrations in .STORE, .SITE, and .ONLINE were the most-commonly disputed. *Cybersquatting undermines legitimate commerce and harms consumers by abusing trademarks in the Domain Name System (DNS) to offer counterfeit goods or for phishing.*

Therefore, it is very important for a US business to prepare accordingly, knowing that the exceptional laws of US do not protect US from the universal law practicing aliens in alien countries and US, Alien Americans, Illegal Alien Americans, traveling Alien Spies masquerading as Business Entities - just to name a few threats to US, in addition to COUNTERFEIT MEDICINES-causing global AMR: Code Red now to RACE.

Any US company, large, small, or micro, is a potential target for the greedy TMS, provided that there is money in it, PER THE PRINCIPLE OF GORDON GEKKO. Just as in a patent infringement, the product protected by the trademark must be attractive in the global capitalist market to the global capitalist to steal it. Just as in patents, the majority of TMs are worth less than the paper they are printed on.

However, in some cases, to the chagrin of US, the capitalism of US is mirrored by the alien capitalist TMS who may be an alien manufacturer, distributor, or retailer in an alien country and obtains rights for your trademark in the alien country. In other cases, it could be any person located anywhere in the world including a 400-pound American teenage hacker in its parents' basement in Washington, China, Timbuktu, *hithole country where Obama was born per birthers like Trump or Clinton (who knows?), or Putin's comrade, who learns about your plans for expansion to an alien country through the exercise of various rights under the Constitution of US and espionage techniques including cybercrimes breaching the walls and barriers erected by US, and then registers

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your mark first in the alien country of your interest to squat; just to name an example from the many ways trademark squatters can find out about your mark and register it.

To save US from this catastrophe, the USPTO provides training for small and medium entities of legal personhood under the SCOTUS' rubric of Citizens United on protecting and enforcing intellectual property (IP) rights within US and abroad where borders maybe breached with impunity. In 2012, the USPTO conducted 40 such training programs, reaching an audience of more than 4,200 people, some of them must be certainly illegal aliens of criminal pedigree.

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JUDICIAL ENCROACHMENT & PATENT MONOPOLY

“Granting patents ‘inflames cupidity’, excites fraud, stimulates men to run after schemes that may enable them to levy a tax on the public, begets disputes and quarrels betwixt inventors, provokes endless lawsuits...The principle of the law from which such consequences flow cannot be just.” The Economist, 1851⁵⁰

The fundamental idea and the intended positive outcome of the patent system is rewarding inventors who take risks and make investments in innovation by a legal mechanism of a short-term monopoly of a patent grant for a novel and non-obvious invention to temporarily protect the innovator from fast and cheap imitation, which not only encourages the innovation, but also creates wealth and prosperity for the society by allowing others to build on and improve the initial discovery and invent new non-obvious inventions. The emergence of patent trolls has raised the questions regarding the intended purpose and benefits of the patent system as it existed prior to 2011.

According to the World Intellectual Property Organization, approximately 2.7 million patent applications were filed globally in 2014, with about 6.5% increase annually for the past decade or so, coinciding with the expiration of grace period for many countries to harmonize their Intellectual Property (IP) regimes with the global IP regime of the World Trade Organization (WTO) under the TRIPs and GATT in 2005 as part of the globalization push by the Reagan and Thatcher administrations of US and UK respectively in the 1980s for open markets in the third world for exploitation of the inventions with patent monopolies, and natural and human resources.

⁵⁰A market for ideas <https://www.economist.com/node/5014990>; Patents amount to temporary monopolies on useful new inventions. A century earlier, Adam Smith had described them as necessary evils, to be handed out sparingly, and many other economists have since echoed his reservations. https://www.cato-unbound.org/2014/09/10/b-zorina-khan/facts-fables-long-run-perspective-patent-system#_edn8
 Facts and Fables: A Long-Run Perspective on the Patent System
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 In Defense of Monopoly: Chapter I The Wretched Spirit of Monopoly <https://www.press.umich.edu/pdf/9780472116157-ch1.pdf>
<https://www.press.umich.edu/script/press/93419>
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https://law.utexas.edu/wp-content/uploads/sites/25/duffy_intellectual_property_natural_monopoly.pdf
 The Myth of Natural Monopoly <https://www.mises.org/library/myth-natural-monopoly-0>

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US has been in the forefront and is the leader pioneering the globalization and harmonization of the laws so that the business can take advantage of diverse opportunities worldwide from raw materials to human resources. Global Dossier is a set of business services that provides IP stakeholders free, secure, one-stop access to related patent applications from all participating IP offices and harmonizes the patent system allowing more consistent patent prosecution globally in a world where the diversity of laws, ideas, and languages is the norm⁵¹.

As a result of this harmonization of IP laws along with the flattening globalization the globe into level playing field⁵² for multinational corporations with reduced border restrictions and restrictions on aliens by national governments in compliance with the new WTO regime. In the first decade of the new millennium, many American and European multinational companies established subsidiary companies in countries like Brazil, Russia, India, China, South Africa, etc. (BRICS) that are considered emerging markets. Naturally, the growth in the IP area seen in the last decade includes the new kids on the IP block, the emerging markets - BRICS⁵³.

As the interest in the IP and its value increased globally, so did the interest in exploiting it by US. Pharmaceutical companies have been exploiting it for quite some time with strategies that favor corporations undermining the individual inventor interest constitutionally mandated, but ignored, e.g., Pfizer's acquisitions⁵⁴ of various drugs such as Celebrex, Lipitor, Viagra, etc. developed by various

⁵¹ Consistent Global Patent Prosecution <https://www.linkedin.com/pulse/consistent-global-patent-prosecution>

⁵² The World Is Flat 3.0: A Brief History of the Twenty-First Century is an update on globalization, opportunities, and achievements at lifting millions out of poverty, and its drawbacks—environmental, social, and political. <http://www.thomasfriedman.com/the-world-is-flat-3-0/>
 Globalization and the Flat World <https://spu.edu/depts/uc/response/autumn2k7/features/globalization-in-a-flat-world.asp> As recently as 150 years ago, 90 percent of Americans worked in agriculture. Growing enough food to survive was a major task, but people seldom needed to worry that their lives would be affected by events on the other side of the world. Today, the situation is reversed: There is little danger of famine caused by local crop failure, but there are major challenges from distant economic competitors linked to global networks. Responding to globalization as Christians means identifying and helping to mitigate against an entirely new set of threats to the world's poor.

⁵³ IMPACT OF GLOBALIZATION <https://www.linkedin.com/pulse/impact-globalization/>; TRIPs allows the government to impose compulsory licenses under Article 31, provided that (1) authorization considered on the individual merits; (2) the applicant has attempted to obtain a license from the patent holder; (3) the use is non-exclusive and nonassignable; (4) the use is primarily for the domestic market; and (5) the patent holder receives adequate remuneration. Also, a compulsory license may be applied for on the ground of failure to work or insufficient working before the expiration of a period of four years from the date of filing of the patent application or three years from the date of the grant of the patent, whichever period expires last.

⁵⁴ Pfizer Acquisitions: https://www.crunchbase.com/organization/pfizer/acquisitions/acquisitions_list

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pharmaceutical companies across the country with closures of the companies and lay offs of the inventors who invented those multibillion dollar inventions and other supporting staff. With the growing interest in IP worldwide and in US, Pfizer's game became attractive to high-tech companies, e.g., Google bought Motorola for \$12.5 billion in 2011 to acquire its patent portfolio.

- Medivation, Aug 22, 2016, \$14B
- Bamboo Therapeutics, Aug 1, 2016, \$654M
- BIND Therapeutics, Jul 27, 2016, \$40M
- Anacor Pharmaceutical, May 16, 2016, \$5.2B
- Allergan, Nov 23, 2015, \$160B
- Hospira, Feb 5, 2015, \$15B
- Redvax, Jan 5, 2015
- Baxter International - Marketed Vaccines, Jul 30, 2014, \$635M
- InnoPharma, Jul 16, 2014, \$225M
- NextWave Pharmaceuticals, Oct 22, 2012
- Excaliard Pharmaceuticals, Nov 22, 2011
- ICAgen, Oct 28, 2011, \$56M
- King Pharmaceuticals, Oct 12, 2010
- Foldrx Pharmaceuticals, Sep 1, 2010
- Wyeth Biopharma, Oct 1, 2009
- Wyeth Nutritionals, Jan 23, 2009, \$68B
- Catapult Genetics, Mar 31, 2008
- Serenex, Mar 3, 2008
- Encysive Pharmaceuticals, Feb 20, 2008, \$195M
- Covx, Dec 18, 2007
- Coley Pharmaceutical Group, Nov 16, 2007, \$164M
- BioRexis, Feb 1, 2007
- PowderMed, Oct 9, 2006
- Rinat Neuroscience, Apr 7, 2006
- Bioren, Aug 15, 2005
- Idun Pharmaceuticals, Feb 28, 2005
- Angiosyn, Jan 21, 2005
- Esperion Therapeutics, Dec 21, 2003, \$1.3B
- Pharmacia/Upjohn/Searle, Jul 15, 2002 (Searle was acquired by Monsanto in 1985, then merged with Pharmacia & Upjohn in 1999, and ceased to exist. Celebrex was its successful launch ringing death knell with partnership with Pfizer for the global marketing and distribution of Celebrex. <http://www.fundinguniverse.com/company-histories/g-d-searle-co-history/>)
- Warner-Lambert, Feb 8, 2000, \$90.2M
- Warner-Lambert Company, Feb 7, 2000

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Marshall Division of the Eastern District of Texas is well-known for the troll activity and increased litigation costs. The Eastern District of Texas, a largely rural federal court district, attracted a huge volume of high-tech patent litigation. On 22 July 2011, Ira Glass on the National Public Radio (NPR) program, *This American Life*, presented a story "When Patents Attack!", which included a tour of vacant



President Barack Obama signs the America Invents Act September 16, 2011, at Thomas Jefferson High School for Science and Technology in Alexandria, VA.

fake offices of shell companies in Marshall, Texas. Ira defines trolls, "There's a derogatory term in Silicon Valley for companies that amass huge troves of patents and make money by threatening lawsuits: patent trolls." NPR reporter Laura Sydell and *This American Life* producer/Planet Money co-host Alex Blumberg tell the story of Intellectual Ventures, which is accused

of being the largest of the patent trolls. The investigation takes them to a small town in Texas, where they find a hallway full of empty companies with no employees. They learn why the buying and selling of patents is likely to continue being a huge, controversial business that affects the entire tech industry.

As if the One Hundred Twelfth United States Congress paid attention to the NPR story of *This American Life When Patents Attack*, it passed the Leahy-Smith bill, and sent to the President of US, and on 16 September 2011, president Barak Hussain Obama⁵⁵ signed America Invents Act (AIA) into the law

⁵⁵ [According to Anti-immigrant President Trump, President Barak Hussain Obama was an Illegitimate President for having non-white ethnic and Muslim background from a *hithole country](http://abcn.ws/2cEYWfC) because Obama's father, Barack Obama Sr., was born of Luo ethnicity in Nyanza Province, Kenya. <http://abcn.ws/2cEYWfC>

[Donald Trump Clung to Birther Lie for Years https://www.nytimes.com/2016/09/17/us/politics/donald-trump-obama-birther.html](https://www.nytimes.com/2016/09/17/us/politics/donald-trump-obama-birther.html)
 According to CONSERVAPEDIA, [Barack Hussein Obama II \(reportedly born in Honolulu, Hawaii on August 4, 1961\) was the 44th President of the United States. After many leading conservatives—including the leadership of this site and Donald Trump—called for Obama to release his birth certificate, he produced a document that he claimed was his birth certificate on April 27, 2011. Sheriff Joe Arpaio of Maricopa County in Arizona conducted an investigation of Obama's eligibility and questioned whether the alleged "birth certificate" was a fake; however, no charges were filed](http://www.conservapedia.com/Barack_Hussein_Obama)
http://www.conservapedia.com/Barack_Hussein_Obama; For eight years, [a black man with a Kenyan father whose middle name was Hussein and who spent](http://www.conservapedia.com/Barack_Hussein_Obama)

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effective 16 September 2012, effectively converting Constitutionally mandated *inventor-centric quintessential American patent regime* with *interference practice of the battle of notebooks*⁵⁶ into an



unconstitutional, but an internationally harmonized first applicant (or inventor who was and will be obligated to give it up anyway) to file patent regime (with the flavor of constitutionality to the prevailing unconstitutionality) consistent with the international treaties and WTO regulations that were forced down the throats of the third-world countries by US with carrots of IMF/WB loans and weapons of chemical and mass destruction, and sticks of sanctions to globalize economies; which included the un-American and anti-troll post-grant review processes such as *inter partes review (IPR)* to reduce litigation costs that were

estimated to be around \$ 29 billion⁵⁷ at that time due to the troll activity discussed on the NPR when patents attacked US.

[part of his childhood in Indonesia ran the US as president and commander-in-chief. And, all this while, nearly one-third of the country including the current president Trump firmly believed that he was an alien Muslim.](https://www.theguardian.com/commentisfree/2017/jan/17/goodbye-barack-hussein-obama-america's-first-muslim-president) [https://www.theguardian.com/commentisfree/2017/jan/17/goodbye-barack-hussein-obama-america's-first-muslim-president.](https://www.theguardian.com/commentisfree/2017/jan/17/goodbye-barack-hussein-obama-america's-first-muslim-president)

⁵⁶ [Interference Proceedings https://www.uspto.gov/web/offices/pac/mpep/s2301.html](https://www.uspto.gov/web/offices/pac/mpep/s2301.html); [The "battle of notebooks" in interference: https://www.the-scientist.com/?articles.view/articleNo/45531/title/CRISPR-Patent-Investigation-to-Begin/](https://www.the-scientist.com/?articles.view/articleNo/45531/title/CRISPR-Patent-Investigation-to-Begin/); [Who Owns CRISPR? https://www.the-scientist.com/?articles.view/articleNo/42595/title/Who-Owns-CRISPR-/](https://www.the-scientist.com/?articles.view/articleNo/42595/title/Who-Owns-CRISPR-/); [Who Owns CRISPR, Cont'd https://www.the-scientist.com/?articles.view/articleNo/45072/title/Who-Owns-CRISPR--Cont-d/](https://www.the-scientist.com/?articles.view/articleNo/45072/title/Who-Owns-CRISPR--Cont-d/)

⁵⁷ ["Patent Trolls" Cost Tech Companies \\$29 Billion Last Year, Study Says. Patent litigation costs to technology companies from NPE lawsuits have risen quickly, from \\$6.7 billion in 2005 to \\$12.6 billion in 2008 and more than \\$29.2 billion in 2011, according to the study.](https://www.pcworld.com/article/258395/patent-trolls-cost-tech-companies-29-billion-last-year-study-says.html) <https://www.pcworld.com/article/258395/patent-trolls-cost-tech-companies-29-billion-last-year-study-says.html>

Privateers And The Sinister Threat Posed By 'Patent Trolls'

<https://www.adamsmith.org/blog/regulation-industry/privateers-and-the-sinister-threat-posed-by-patent-trolls/> It's about time our troop of regulators woke up to the threat posed by the growing ranks of rent-seeking patent trolls.

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The Supreme Court⁵⁸ held the constitutionality of the new patent regime that gave the Article I Court of Patent Trial and Appeal Board (PTAB) power of adjudication of validity of its grant of monopolies that were distributed like candy in American offices in US to satisfy the sweet tooth of trolls in US, resulting in expensive litigation costs for US due to the venue-disorienting stench of decay of the constitutional teeth of trolls in US. The strong presumption favoring judicial review is overcome by clear and convincing indications that Congress intended to bar review and applies to cases in which the challenge is to the Patent Office's determination to initiate an IPR under this section, or where the challenge consists of questions closely tied to the application and interpretation of statutes related to that determination. The 112th Congress of US included another provision to curb the venue-disorienting stench of trolls with limitations on venue choice of trolls to reduce the monopoly of Marshall, Texas on such troll activity localized in the Article III Court of Northern District of Texas, thereby robbing the constitutional rotting teeth of trolls in Article III Courts.

Article I courts like PTAB, TTAB, Administrative Boards, Tribunals etc., under the Congressional authority to create such Article I courts and the USPTO/PTAB can do so without violating Article III. As of September 2017, the Patent Trial and Appeal Board (PTAB) judges found some or all claims of about 36% of all cases reviewed under the CBM review (2012-2017) unpatentable. PTAB invalidations and 2014 Supreme Court ruling in *Alice Corp* reduced the number of business method patent lawsuits⁵⁹.

The proper application of the patent venue statute, 28 USC § 1400(b)⁶⁰ in the Supreme Court's decisions in *TC Heartland*⁶¹ and in *Fourco Glass Co*⁶², as the Court concluded, is that for the purpose of 28 USC

⁵⁸ Patent Is A Public Franchise <https://www.linkedin.com/pulse/patent-public-franchise>; *INTER PARTES REVIEW (IPR) CONSTITUTIONAL* <https://www.linkedin.com/pulse/inter-paretes-review-ipr-constitutional>; *Consistent Global Patent Prosecution* <https://www.linkedin.com/pulse/consistent-global-patent-prosecution>;

Formulation Of Turmeric <https://www.linkedin.com/pulse/formulation-turmeric/>

⁵⁹ PTAB Patent Review (2012-2018) <https://www.linkedin.com/pulse/ptab-patent-review-2012-2018/>

⁶⁰ 28 USC § 1400 - Patents and copyrights, mask works, and designs

(a) Civil actions, suits, or proceedings arising under any Act of Congress relating to copyrights or exclusive rights in mask works or designs may be instituted in the district in which the defendant or his agent resides or may be found.

(b) Any civil action for patent infringement may be brought in the judicial district where the defendant resides, or where the defendant has committed acts of infringement and has a regular and established place of business.

⁶¹ *TC Heartland LLC v. Kraft Foods Group Brands LLC (2017)* https://www.supremecourt.gov/opinions/16pdf/16-341_8n59.pdf

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సస్త్రి శ్రీ విశంబి నామ సంవత్సరము/स्वस्ति श्री हेविलम्बी नाम संवत्सर/Swasti Sri Hevilambi Year,

జ్యేష్ఠ మాసము/JYESHTA Month

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ॐ असतो मा सद्गमय । तमसो मा ज्योतिर्गमय । मृत्योर्मा अमृतं गमय । ॐ शान्तिः शान्तिः शान्तिः ॥

O Sun God, Savitr!
 Thou dazzling fount of life-persuasive light!
 Sublimest mystery speeding from afar!
 Swift became that burst too potent on the sight!
 This radiant type of strength and youth!
 Glowing eternally!

He alone shines!
 All luminaries get illuminated by His Illumination!
 The whole Universe is enlightened by His light!
 - Kathapanisad



శ్రీ వేపచేదు విద్యా వీరము

May the golden-eyed Savitar come hither!
 Shining forth he rises from the lap of the dawn!
 Praised by singers, my God Savitar!
 Stopped forth and never missed his place!
 He steps forth the splendor of the sky the wide!
 Seeing, far-shining, the shining wanderer!
 - Rig Veda. vii. 65

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ॐ भूर्भुवः स्वः तत्सवितुर्वरेण्यं भर्गो देवस्य धीमहि । धियो यो नः प्रचोदयात् ॥

Issue 169

Chief Editor: డాక్టర్ శ్రీనివాసరావు వేపచేదు | डॉक्टर श्रीनिवासरावु वेपचेदु | *Dr. Sreenivasara's Vepachedu*

§1400(b) a domestic corporation resides only in its State of incorporation, rejecting the argument that 28 USC §1400(b) incorporates the broader definition of corporate residence contained in the general venue statute, because 28 USC §1391(c) provides an exception that except as otherwise provided by law, e.g., 28 USC §1400(b); as applied to corporate entities, the phrase *where the defendant resides* in § 1400(b) means the state of incorporation only⁶³.

⁶² *Fourco Glass Co. v. Transmirra Products Corp.*, 353 U. S. 222, 226

⁶³ [28 USC §1391\(c\) https://www.gpo.gov/fdsys/pkg/USCODE-2011-title28/pdf/USCODE-2011-title28-partIV-chap87-sec1391.pdf](https://www.gpo.gov/fdsys/pkg/USCODE-2011-title28/pdf/USCODE-2011-title28-partIV-chap87-sec1391.pdf)

(a) **Applicability of section.** --Except as otherwise provided by law--

(c) Residency. --For all venue purposes--

- (1) a natural person, including an alien lawfully admitted for permanent residence in the United States, shall be deemed to reside in the judicial district in which that person is domiciled;
- (2) an entity with the capacity to sue and be sued in its common name under applicable law, whether or not incorporated, shall be deemed to reside, if a defendant, in any judicial district in which such defendant is subject to the court's personal jurisdiction with respect to the civil action in question and, if a plaintiff, only in the judicial district in which it maintains its principal place of business; and
- (3) a defendant not resident in the United States may be sued in any judicial district, and the joinder of such a defendant shall be disregarded in determining where the action may be brought with respect to other defendants.

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