

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

DR. LAKSHMI ARUNACHALAM,

Plaintiff,

v.

INTERNATIONAL BUSINESS
MACHINES CORPORATION AND
DOES 1-100,

Defendant(s).

C.A. No. _____

COMPLAINT FOR PATENT
INFRINGEMENT AND VERIFIED
COMPLAINT FOR DECLARATORY
AND INJUNCTIVE RELIEF AND
DAMAGES FROM RACKETEERING,
CONSPIRACY TO ENGAGE IN A
PATTERN OF RACKETEERING
ACTIVITY AND RELATED CLAIMS;

Date Filed: April 18, 2016
JURY TRIAL DEMANDED

18 U. S. C. 1961 et seq.;
18 U. S. C. 1964
(Civil RICO Remedies);

DECLARATION OF DR. LAKSHMI ARUNACHALAM IN SUPPORT OF
PLAINTIFF DR. LAKSHMI ARUNACHALAM'S COMPLAINT FOR PATENT
INFRINGEMENT AND VERIFIED COMPLAINT FOR DECLARATORY AND
INJUNCTIVE RELIEF AND DAMAGES FROM RACKETEERING,
CONSPIRACY TO ENGAGE IN A PATTERN OF RACKETEERING
ACTIVITY AND RELATED CLAIMS

I, LAKSHMI ARUNACHALAM, declare:

I am the inventor and assignee of the U.S. Patent No. 7,340,506/US 7,340,506 C1 that has re-emerged successfully from an *inter-partes* re-examination by the United States Patent and Trademark Office initiated by Microsoft, and also of the prior patents-in-suit in the JPMorgan case 1:12-cv-282 (D.Del.), all of which derive their priority date from my provisional patent application with S/N 60/006,634 filed November 13, 1995. I reside at 222 Stanford Avenue,

Menlo Park, CA 94025. I am *pro se* Plaintiff in the above-captioned action. I make this declaration based on personal knowledge and, if called upon to do so, could testify competently thereto.

1. Attached as **Exhibit A1** is a true and correct copy of Dr. Arunachalam's patent, U.S. Patent No. 7,340,506.
2. Attached as **Exhibit B1** is a true and correct copy of Inter Partes Re-examination Certificate for Dr. Arunachalam's re-examined and re-issued patent, U.S. Patent No. 7,340,506C1.
3. Attached as **Exhibit A2** is a true and correct copy of a partial list of RICO Predicate Acts by IBM, SAP, JPMorgan and additional background.
4. Attached as **Exhibit C1** is a true and correct copy of a partial list of Documented Retaliations which Plaintiff had suffered *prior* to the date on which this federal case was first filed (April 18, 2016.)
5. Attached as **Exhibit D1** is a true and correct copy of a subset of those Documented Retaliations which also qualify as one or more of the RICO Predicate Acts that are itemized at 18 U. S. C. §§ 1961(1)(B), (1)(D), and (5).
6. Attached as **Exhibit D2** is a true and correct copy of CPL Agreement of Eclipse code, which shows IBM-SAP collusion from the Eclipse website. These documents are true and accurate copies of files downloaded from www.eclipse.org on April 18, 2016: 2002-08-29 Common Public License (CPL) Version 0.5 <http://www.eclipse.org/legal/cpl-v05.html> ; 2004-09-02 Tentative IP Log for eclipse.platform, eclipse.jdt and eclipse.pde http://www.eclipse.org/projects/ip_log.php?projectid=eclipse.platform,eclipse.jdt,eclipse.

pde ; and 2004-09-02 Eclipse CPL to EPL Transition Plan

<http://www.eclipse.org/legal/cpl2epl/>

7. Attached as **Exhibit A** is a true and correct copy of Judge William Alsup's Order in Case No. C 08-05149 WHA (N. Dt. CA) on February 17, 2009.
8. Attached as **Exhibit B** is a true and correct copy of April 5, 2016 Federal Circuit ("CAFC") Ruling in Case 14-1562, *Cardpool, Inc. v. Plastic Jungle, Inc.*
9. Attached as **Exhibit C** is a true and correct copy of the Mandate issued on July 24, 2015 in CAFC Case No. 14-1495, *JPMorgan v. Dr. Arunachalam and Pi-Net International, Inc.*
10. Attached as **Exhibit D** is a true and correct copy of CAFC's Order denying *en banc* rehearing issued in June 2015 in CAFC Case No. 14-1495, *JPMorgan v. Dr. Arunachalam and Pi-Net International, Inc.*
11. Attached as **Exhibit E** is a true and correct copy of U.S. Supreme Court's Letter to CAFC on Order denying rehearing of Dr. Arunachalam's Petition for Writ of Certiorari in Case No. 15-691.
12. Attached as **Exhibit F** is a true and correct copy of Claims 14, 20 and 21 in U.S. Patent No. 7,340,506/US 7,340,506 C1.
13. Attached as **Exhibit G** is a true and correct copy of excerpts pp. 175-181, 189-191 of the prosecution history of the related U.S. Patent No. 6,212,556, the ('556) patent in the same priority chain as the '506 patent.
14. Attached as **Exhibit H** is a true and correct copy of pp 1-5 of the parent provisional patent application with S/N 60/006,634 filed November 13, 1995.

15. Attached as **Exhibit I** is a true and correct copy of excerpts pp 82-93 from the prosecution history of the parent U.S. Patent No. 5,778,178, the ('178) patent in the same priority chain as the '506 patent.
16. Attached as **Exhibit J** is a true and correct copy of the web page for eclipse.org where Eclipse code is available for download including Plaintiff's inventions; list of members showing SAP, JPMorgan, IBM as members; board of directors showing SAP as a Board member; board meeting minutes of Dec 8, 2004 showing SAP's lead role; Eclipse awarded JPMorgan "Best Deployment of Eclipse Technology in an enterprise" at EclipseCon March 6, 2007; article entitled "JPMorgan raises the Bar for Banking Applications;" Amendment No. 8 to Form S-1 Registration statement for Facebook, Inc. showing JPMorgan, BofA, Barclays, Citigroup, Wells Fargo; and list of tutorials, sample code on Eclipse SOAP, REST, OData services from SAP.
17. I also certify that that the eclipse code, all versions, including version 2.0.1 is available for download at www.eclipse.org.
18. Attached as **Exhibit K** is a true and correct copy of letter from SAP's counsel Greg Lanier to Dr. Arunachalam, terrorizing her on April 8, 2016.

I declare under the penalty of perjury under the laws of the United States and the State of California and Delaware that the foregoing is true and correct. Executed this 18th day of April, 2016 in Menlo Park, California.

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Menlo Park, CA 94025
650 690 0995, laks22002@yahoo.com



Dr. Lakshmi Arunachalam