

FILED

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION**

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U.S. DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION

CASE NO. 1:12cv 1489

GBL/TRJ

MERS KUTT, Pro Se

Plaintiff

v.

“The Group” comprising:  
INTEL CORPORATION,  
ADVANCED MICRO DEVICES, INC.,  
APPLE CORPORATION,  
RESEARCH IN MOTION INC.,  
IBM CORPORATION,

Individually:  
INTEL CORPORATION,  
ADVANCED MICRO DEVICES, INC.,  
APPLE CORPORATION,  
RESEARCH IN MOTION INC.,  
IBM CORPORATION,  
BEST BUY CO. INC. and  
J P MORGAN CHASE

Defendants

**JURY TRIAL DEMANDED**

**COMPLAINT**

Plaintiff MERS KUTT for his Complaint against Defendants INTEL CORPORATION, ADVANCED MICRO DEVICES, INC., APPLE CORPORATION, RESEARCH IN MOTION INC., IBM CORPORATION (together “The Group”) and Individually, and BEST BUY CO. INC., J P MORGAN CHASE (collectively “Defendants”), hereby alleges as follows:

**PARTIES**

1. MERS KUTT is a Canadian Citizen with principal place of business at 10 Tremely Crescent, Toronto, On., Canada.
2. Intel Corporation, a Delaware Corporation with its principal place of business at 2200 Mission College Blvd., Santa Clara, CA.
3. Advanced Micro Devices Inc., (AMD), a Delaware corporation, One AMD Place, P.O. Box 3453 Sunnyvale, CA.
4. Apple Corporation, Apple Inc., a California corporation, 1 Infinite Loop, Cupertino, CA.
5. Research In Motion Inc., an Ontario corporation, 295 Phillip Street, Waterloo, Ontario, Canada.
6. International Business Machines Corporation (IBM) a Delaware corporation, New Orchard Road, Armonk, New York 10504.
7. Best Buy Co. Inc., with corporate offices at 7601 Penn Ave. South Richfield MN55423.
8. J P Morgan Chase with corporate offices at 270 Park Avenue, New York, NY10017.

#### **JUSTIFICATION OF JOINDERS**

The Justification for Joinders being appropriate are set forth in paragraphs 42, 43, 45 and 48.

#### **NATURE OF THE ACTIONS**

9. This is a civil action for the infringement and related actions on United States Patent No. 5,506,981.

#### **JURISDICTION AND VENUE**

10. This Court has jurisdiction over the subject matter of this action pursuant to 28 U.S.C. §§ 1331 and 1338(a) because this action arises under the patent laws of the United States, including 35 U.S.C. § 271 et seq.
11. This Court also had Jurisdiction and was the Venue in the previous Case 106xx between the Plaintiff ALL Computers Inc., the previous owner of the patent, and the Defendant Intel Corporation.
12. This Court has personal jurisdiction over Defendants because Defendants have

committed acts of infringement in violation of 35 U.S.C. § 271 and have placed infringing products into the stream of commerce with the knowledge and/or understanding that such products are used and sold in this District. These acts cause injury to the Plaintiff within the District. On information and belief, Defendants derive substantial revenue sale of infringing products distributed within the District, and/or expect or should reasonably expect their actions to have consequences within the District, and derive substantial revenue from interstate and international commerce.

13. In addition, Defendants knowingly induced, and continue to knowingly induce, infringement within this State and within this District by contracting with others to market and sell infringing products with the knowledge and intent to facilitate infringing sales of the products by others within this District and by creating and/or disseminating data sheets and other instruction materials for the products with like mind and intent.

14. Venue is proper in this judicial district as to Defendants 28 U.S.C. §§1391 and 1400(b)

#### **THE PATENT-IN-SUIT**

15. Paragraphs 1-14 are reincorporated by reference as if fully set forth herein

16. On April 9, 2006, the 5,506,981 Patent, titled “Apparatus And Method For Enhancing The Of Personal Computers,” was duly and lawfully issued by the United States Patent and Trademark Office (“PTO”). The ‘981 Patent is attached hereto as Exhibit A.

17. Mers Kutt owns the ‘981 Patent and holds the right to sue and recover damages for infringement thereof, including past infringement.

#### **FACTUAL BACKGROUND**

18. Paragraphs 1-16 are incorporated by reference as if fully restated herein.
19. Mers Kutt is an internationally renowned Canadian inventor, best known for his invention of the Personal Computer in 1973, the MCM/70, although now that the real origin of “processor boards’ has been exposed it will far surpass the PC itself because of the unprecedented impact the combination of the PC and the Internet it has had not just on the computer world but on the world at large,
20. Mers’ first invention was Key-Edit in 1968. It was the first and also the leading Key-to-Disk data preparation system in the world and it led to the demise of the IBM Punch Card, a billion dollar division of IBM in the 60’s. The system was sold to the larger blue chip companies in many counties by the defendant’s company Consolidated Computer Ltd (CCL) who were joined by industry giants ICL for sales in Europe and the British Commonwealth and Fujitsu in Asia.
21. He founded ALL Computers Inc. in 1975 and invented ALL Card in 1983 and ALL Chargecard in 1988. ALL Chargecard was the world’s first “processor board” and it won the industry’s highest prize in 1988 – “The Technical Excellence Award”.
22. After the disappointing performance of the Pentium ‘chip’ product Intel introduced in 1993, Intel secretly switched to ALL Computers’ processor board design in 1995. Secretly because it included the ‘981 patent technology and was mounted on a board and the board made it a dead giveaway that it was an ALL Computers product. After winning The Technical Excellence Award the board had become an unofficial trademark for ALL Computers.
23. The amazing fact is that every microprocessor product Intel built prior to 1995 was a chip product but after 1995 Intel never released another chip product. They switched to the board product and to this very day they continue to mount each new Core chip on a board along

with the '981 patented circuitry.

24. They never use the word "board" and even coined the name "processor" as in 'Pentium processor' to avoid the mention or even the thought of a board. That was part of Intel's very effective cover-up program they launched mainly to avoid detection of their infringement, but also because they were still smarting from their embarrassment for having failed with their design of a product to compete with ALL Chargecard. When ALL Chargecard was installed in the PC, it bypassed Intel's circuitry and increased PC performance by a factor of 5, and that was what propelled ALL to win the major award.
25. Intel's cover-up of the Pentium processor worked well for many years but that ended in 2006 simply because their 'cover-up design' was compromised to hide their use however it could no longer cope with the new faster chips nor the multiple cores per chip which were fast becoming the new standard after their release in 2006.
26. In 2004, Mers received his most cherished award, he became a member of The Order of Canada which is Canada's highest lifetime achievement award and it was bestowed upon him by the Governor General of Canada.
27. Intel Corporation is the world's largest semiconductor company with the microprocessor chip as its mainstay product and the only very successful product since their RAM chips. Mers' company CCL bought Intel's RAM chips in large volumes for Key-Edit.
28. Bob Noyce started Intel 3 years after Mers started CCL. Mers in fact played a major role in convincing Intel's Board to build the first microprocessor chip for Mers' company. The Board had rejected Bob's earlier proposal to build it because they reasoned there is only be one microprocessor chip per computer while there are over a 100 RAM chips.

29. It was only after Mers made the offer to Bob to finance the development of the chip that the Board decided to just build it as a 'freebee' incentive for customers that buy Intel's RAM chips. Bob and Mers became good friends as well as colleagues and they helped each other with their complementary expertise. As a result Mers received the first 'beta' 8008 chip from Bob in December 1971 and by early 1973 Mers demonstrated the world's first PC to Bob who jumped up and down with joy and amazement like a young boy and Intel's Board finally succumbed.
30. Had Bob still been alive there would never have been any litigation however Intel has never been the same without Bob, in ethics, innovation and esprit de corps among their staff.
31. AMD is a large semiconductor manufacturer and their prime emphasis is on CORE level products 2<sup>nd</sup> only to Intel in the production of Intel compatible products at the CORE level. They also make and sell the ARM level products and all of these CORE and ARM level products include the '981 technology and infringe directly on the '981 patent.
32. Apple and Steven Job is a storybook tale to itself, and while their paths never crossed Mers hoped they would because he wondered if Steve knew the computer language that was invented by Ken Iverson, a Canadian working at IBM, was built into the MCM/70 and Mers realized that the Apple PC actually included it few people knew because it was directly not available to the user – however it played a big role and was the key to Apple being able to run spreadsheets which is the reason Apple sales finally really took off.
33. Apple and Intel share in each of the 2 diverse areas of infringing designs. Intel are primarily in the business computers arena with their higher cost, higher performing but also higher heat and battery dissipation with their Core i processors and these designs are primarily put forth by Intel (we will refer to them as "CORE" designs; and only marginally into the consumer

computer arena with low cost, mid-high performers, and low heat and battery dissipation and these designs are primarily put forth by ARM a British company and we will refer to them as “ARM” designs or “tiny PC” designs.

34. Apple is the diametrically opposite although they are more balanced as their Mac PC sales far exceed the consumer product sales by Intel, although Intel has begun to put more emphasis in the tiny PC area.
35. Apple like all the other main manufacturers of motherboards and PCs, knew what really caused their sales to sky rocket up while their costs plummeted beginning in 1995 – ‘981 technology’s addition of a new faster clock and a signal that synchronized it with the original slower clock with the minimum delay and maximum amount of flexibility was the answer for a PC.
36. Mainframes do not have this synchronization problem because they can afford to have all the components on the motherboard run at the same high frequency as the processor chip(s). The first clock therefore services all the chips and the synchronization problem disappears.
37. The ‘981 technology plays a very important role in the PC because in place of a FAST processor on a FAST (high cost) motherboard in larger, higher priced computers, the PC with ‘981 technology operates a FAST processor on a SLOW, low cost motherboard. It turns out there are also many other benefits when the ‘981 technology is present and that is why virtually all the motherboards and PCs today include the ‘981 Patent circuitry. You pay a small performance penalty, typically less than 5%, with the FAST/SLOW compared to a FAST/FAST scenario, but you gain in cost, size, weight, flexibility and upgradability so that it is just no contest....all because the optimum ‘981 synchronization circuitry is at work.

38. RIM is a company that is wholly involved with the ARM designs and in the past they actually bought the ARM design from Intel. They have resisted any offers of settlements with ALL Computers even with a Board member helped attempted to intervene. They have a number of former ALL Computers key staff who have been instructed neither to speak to me nor let me know they are working at RIM.
39. IBM, formerly the leading manufacturer of personal computers sold its personal computer division to Taiwan-based Lenovo however continued to manufacture processor boards that included a microprocessor chip along with the '981 Patent circuitry.
40. IBM's subsidiary in Canada and their manufacturing plant in Austin Texas were intimately familiar with the '981 technology because they both manufactured ALL Computers' Supercharge product. However the President of the Canadian division was the person that masterminded the demise of ALL Computers as an active participant in the field, a field in which ALL Computers was the undisputed world leader. IBM also a major buyer of ALL Chargecard even tried to copy it but, like Intel, they also failed.
41. The IBM President's devious actions in the 1994/1995 timeframe (described in this pleading ##) violated Anti-Trust laws in the USA which in retrospect makes it clear that their motive for transferring the manufacturing of Supercharge from Austin to IBM's Celestica plant in Toronto, in spite of Mers' objection, was to avoid anti-trust laws as they did not exist in Canada.
42. Best Buy is a seller at both the CORE and the ARM levels and **these products are the same as the ones being offered by Intel, AMD, Apple, IBM and RIM just at a different level in the distribution chain and joinder is appropriate.**



43. J P Morgan Chase is a large user of infringing computers, at the CORE level which include cell phones, modems and a variety of other ARM level products, and **these products are the same as the ones being offered by Intel, AMD, Apple, IBM and RIM** just at a different level in the distribution chain **and joinder is appropriate.**

### COUNT 1

44. Paragraphs 1-43 are reincorporated by reference as if fully set forth herein.

45. Intel, AMD, Apple, IBM and RIM, hereinafter referred to as "The Group", was fraudulent in leading their customers, users of their infringing products and the public at large that '981 technology was in the public domain while in fact the products The Group was making, using, offering to sell, selling and/or importing in or into the United States microprocessor chips, processor boards, motherboards/logic boards and personal computers in all form factors and sizes, as well as cell phones and other consumer products that include tinier versions of the above products whether embedded or external, devices (including but not limited to Intel CORE i based products and ARM designed-based products) without authority and in violation of 35 U.S.C. § 271. **This is a common question of fact and joinder is appropriate on this point alone.**

46. Given that the '981 Patent technology has touched almost everyone on this planet in a very positive way and promises to continue improving the quality of life for everyone however the Plaintiff who first invented the processor board that revolutionized the way personal computers and microprocessors were designed and built, then he led the 3 man team that created the '981 Patent's advanced clocking and synchronization circuitry, has received nothing and is in fact in a precarious position with a large debt, fighting foreclosure of his

home, and then forced to defend the '981 Patent pro se, it is time for justice to come to the fore and erase the falsehoods perpetrated by greedy actions of The Group.

47. Erasing falsehoods will rewrite history correctly for an innocent public that was misled to believe nothing special was created in 1995. The Groups' "nothing" just happened to be a reenergized, much lower priced PC triggering the explosive growth of an affordable and graphically-rich Internet world wide.

48. The infringing products of all parties in The Group include a varying number of buses and all are **synchronous** regardless of which of the very large number of buses (approx. 100) are used. This is another **common question of fact and joinder is appropriate on this point alone as well.**

49. Upon information and belief, all parties of The Group have been aware of the '981 Patents at all relevant times.

50. Upon information and belief, The Group has willfully infringed the '981 Patent.

51. Plaintiff has suffered greatly and unjustly as a result of The Group's actions and commensurate damages are due to the Plaintiff from The Group.

## **COUNT II**

52. Paragraphs 1-51 are reincorporated by reference as if fully set forth herein.

53. Intel either alone or in conjunction with others, has infringed and/or induced others to infringe, literally and/or under the doctrine of equivalents, one or more claims of the '981 Patent by making, using, offering to sell, selling and/or importing in or into the United States microprocessor chips, processor boards, motherboards and personal computers in all

form factors and sizes, as well as cell phones and other consumer products that include tinier versions of the above products whether embedded or external, devices (including but not limited to Intel CORE i based products and ARM design-based products) without authority and in violation of 35 U.S.C. § 271.

54. Upon information and belief, Intel has been aware of the '981 Patents at all relevant times.

55. Upon information and belief, Intel has willfully infringed the '981 Patent.

56. Plaintiff has suffered damages as a result of Intel's infringement of the '981 Patent

57. Intel's willful infringement of the '981 Patent renders this an exceptional case pursuant to 35 U.S.C. § 285.

### **COUNT III**

58. Paragraphs 1-57 are reincorporated by reference as if fully set forth herein.

59. AMD either alone or in conjunction with others, has infringed and/or induced

60. others to infringe, literally and/or under the doctrine of equivalents, one or more claims of the '981 Patent by making, using, offering to sell, selling and/or importing in or into the United States microprocessor chips, processor boards, motherboards and personal computers in all form factors and sizes, as well as cell phones and other consumer products that include tinier versions of the above products whether embedded or external, devices (including but not limited to CORE i based products and ARM designed-based products) without authority and in violation of 35 U.S.C. § 271.

61. Upon information and belief, AMD has been aware of the '981 Patents at all relevant times.

62. Upon information and belief, AMD has willfully infringed the '981 Patent.

63. Plaintiff has suffered damages as a result of AMD's infringement of the '981 Patent

64. AMD's willful infringement of the '981 Patent renders this an exceptional case pursuant to 35 U.S.C. § 285.

#### **COUNT IV**

65. Paragraphs 1-64 are reincorporated by reference as if fully set forth herein.

66. APPLE either alone or in conjunction with others, has infringed and/or induced

67. others to infringe, literally and/or under the doctrine of equivalents, one or more claims of the '981 Patent by making, using, offering to sell, selling and/or importing in or into the United States microprocessor chips, processor boards, motherboards and personal computers in all form factors and sizes, as well as cell phones and other consumer products that include tinier versions of the above products whether embedded or external, devices (including but not limited to CORE i based products and ARM designed-based products) without authority and in violation of 35 U.S.C. § 271.

68. Upon information and belief, APPLE has been aware of the '981 Patents at all relevant times.

69. Upon information and belief, APPLE has willfully infringed the '981 Patent.

70. Plaintiff has suffered damages as a result of APPLE's infringement of the '981 Patent

71. APPLE's willful infringement of the '981 Patent renders this an exceptional case pursuant to 35 U.S.C. § 285.

#### **COUNT V**

72. Paragraphs 1-71 are reincorporated by reference as if fully set forth herein.

73. RIM either alone or in conjunction with others, has infringed and/or induced

74. others to infringe, literally and/or under the doctrine of equivalents, one or more claims of the '981 Patent by making, using, offering to sell, selling and/or importing in or into the United States microprocessor chips, processor boards, motherboards and personal computers in all form factors and sizes, as well as cell phones and other consumer products that include tinier versions of the above products whether embedded or external, devices (including but not limited to CORE i based products and ARM designed-based products) without authority and in violation of 35 U.S.C. § 271.
75. Upon information and belief, RIM has been aware of the '981 Patents at all relevant times.
76. Upon information and belief, RIM has willfully infringed the '981 Patent.
77. Plaintiff has suffered damages as a result of RIM's infringement of the '981 Patent
78. RIM's willful infringement of the '981 Patent renders this an exceptional case pursuant to 35 U.S.C. § 285.

#### **COUNT VI**

79. Paragraphs 1-78 are reincorporated by reference as if fully set forth herein.
80. IBM either alone or in conjunction with others, has infringed and/or induced
81. others to infringe, literally and/or under the doctrine of equivalents, one or more claims of the '981 Patent by making, using, offering to sell, selling and/or importing in or into the United States microprocessor chips, processor boards, motherboards and personal computers in all form factors and sizes, as well as cell phones and other consumer products that include tinier versions of the above products whether embedded or external, devices (including but not limited to CORE i based products and ARM designed-based products) without authority and in violation of 35 U.S.C. § 271.

82. Upon information and belief, IBM has been aware of the '981 Patents at all relevant times.

83. Upon information and belief, IBM has willfully infringed the '981 Patent.

84. Plaintiff has suffered damages as a result of IBM's infringement of the '981 Patent

85. IBM's willful infringement of the '981 Patent renders this an exceptional case pursuant to 35 U.S.C. § 285.

### **COUNT VII**

86. Paragraphs 1-85 are reincorporated by reference as if fully set forth herein.

87. BEST BUY either alone or in conjunction with others, has infringed and/or induced others to infringe, literally and/or under the doctrine of equivalents, one or more claims of the '981 Patent by making, using, offering to sell, selling and/or importing in or into the United States microprocessor chips, processor boards, motherboards and personal computers in all form factors and sizes, as well as cell phones and other consumer products that include tinier versions of the above products whether embedded or external, devices (including but not limited to CORE i based products and ARM design-based products) without authority and in violation of 35 U.S.C. § 271.

88. Plaintiff has suffered damages as a result of BEST BUY's infringement of the '981 Patent

### **COUNT VIII**

89. Paragraphs 1-91 are reincorporated by reference as if fully set forth herein.

90. CHASE either alone or in conjunction with others, has infringed and/or induced

91. others to infringe, literally and/or under the doctrine of equivalents, one or more claims of the '981 Patent by making, using, offering to sell, selling and/or importing in or into the United

States microprocessor chips, processor boards, motherboards and personal computers in all form factors and sizes, as well as cell phones and other consumer products that include tinier versions of the above products whether embedded or external, devices (including but not limited to CORE i based products and ARM design-based products) without authority and in violation of 35 U.S.C. § 271.

92. Plaintiff has suffered damages as a result of CHASE's infringement of the '981 Patent

### **PRAYER FOR RELIEF**

WHEREFORE, Plaintiff respectfully requests the following relief:

- a) A judgment that The Group comprising Intel, AMD, Apple, RIM and IBM has committed a fraudulent action against the Plaintiff.
- b) A judgment that The Group has infringed the '981 Patent;
- c) A judgment that the Plaintiff be awarded damages adequate to compensate Plaintiff past infringement and any continuing or future.
- d) A judgment that Plaintiff be awarded damages adequate to compensate Plaintiff for The Group's past infringement and any continuing or future infringement of the '981 Patent up until the date such judgment is entered, including interest, costs, and disbursements as justified under 35 U.S.C. § 284 and, if necessary, to adequately compensate Plaintiff for The Group's infringement, an accounting:
  - a. that this case is exceptional under 35 U.S.C. § 285;
  - b. that the Plaintiff be awarded the attorney fees, costs, and expenses that he incurs and is allowed to receive by law in prosecuting this action pro se; and

- c. that Plaintiff be awarded such further relief at law or in equity as the Court deems just and proper.
- e) A judgment that Intel has infringed the '981 Patent;
- f) A judgment that the Plaintiff be awarded damages adequate to compensate Plaintiff past infringement and any continuing or future.
- g) A judgment that Plaintiff be awarded damages adequate to compensate Plaintiff for Intel's past infringement and any continuing or future infringement of the '981 Patent up until the date such judgment is entered, including interest, costs, and disbursements as justified under 35 U.S.C. § 284 and, if necessary, to adequately compensate Plaintiff for Intel's infringement, an accounting:
- a. that this case is exceptional under 35 U.S.C. § 285;
- b. that the Plaintiff be awarded the attorney fees, costs, and expenses that he incurs and is allowed to receive by law in prosecuting this action pro se; and
- c. that Plaintiff be awarded such further relief at law or in equity as the Court deems just and proper.
- h) A judgment that AMD has infringed the '981 Patent;
- i) A judgment that the Plaintiff be awarded damages adequate to compensate Plaintiff past infringement and any continuing or future.
- j) A judgment that Plaintiff be awarded damages adequate to



compensate Plaintiff for AMD's past infringement and any continuing or future infringement of the '981 Patent up until the date such judgment is entered, including interest, costs, and disbursements as justified under 35 U.S.C. § 284 and, if necessary, to adequately compensate Plaintiff for AMD's infringement, an accounting:

- a. that this case is exceptional under 35 U.S.C. § 285;
- b. that the Plaintiff be awarded the attorney fees, costs, and expenses that he incurs and is allowed to receive by law in prosecuting this action pro se; and
- c. that Plaintiff be awarded such further relief at law or in equity as the Court deems just and proper.

k) A judgment that Apple has infringed the '981 Patent;

l) A judgment that the Plaintiff be awarded damages adequate to compensate Plaintiff past infringement and any continuing or future.

k) A judgment that Plaintiff be awarded damages adequate to compensate Plaintiff for Apple's past infringement and any continuing or future infringement of the '981 Patent up until the date such judgment is entered, including interest, costs, and disbursements as justified under 35 U.S.C. § 284 and, if necessary, to adequately compensate Plaintiff for Apple's infringement, an accounting:

- a. that this case is exceptional under 35 U.S.C. § 285;
- b. that the Plaintiff be awarded the attorney fees, costs, and expenses that he incurs and is allowed to receive by law in prosecuting this action pro se; and
- c. that Plaintiff be awarded such further relief at law or in equity as the Court deems just and proper.

- m) A judgment that RIM has infringed the '981 Patent;
- n) A judgment that the Plaintiff be awarded damages adequate to compensate Plaintiff past infringement and any continuing or future.
- o) A judgment that Plaintiff be awarded damages adequate to compensate Plaintiff for RIM's past infringement and any continuing or future infringement of the '981 Patent up until the date such judgment is entered, including interest, costs, and disbursements as justified under 35 U.S.C. § 284 and, if necessary, to adequately compensate Plaintiff for RIM's infringement, an accounting:
  - a. that this case is exceptional under 35 U.S.C. § 285;
  - b. that the Plaintiff be awarded the attorney fees, costs, and expenses that he incurs and is allowed to receive by law in prosecuting this action pro se; and
  - c. that Plaintiff be awarded such further relief at law or in equity as the Court deems just and proper.
- o) A judgment that IBM has infringed the '981 Patent;
- p) A judgment that the Plaintiff be awarded damages adequate to compensate Plaintiff past infringement and any continuing or future.
- q) A judgment that Plaintiff be awarded damages adequate to compensate Plaintiff for IBM's past infringement and any continuing or future infringement of the '981 Patent up until the date such judgment is entered, including interest, costs, and disbursements as justified under 35 U.S.C. § 284 and, if necessary,

to adequately compensate Plaintiff for IBM's infringement, an accounting:

- a. that this case is exceptional under 35 U.S.C. § 285;
  - b. that the Plaintiff be awarded the attorney fees, costs, and expenses that he incurs and is allowed to receive by law in prosecuting this action pro se; and
  - c. that Plaintiff be awarded such further relief at law or in equity as the Court deems just and proper.
- 
- r) A judgment that Best Buy has infringed the '981 Patent;
  - s) A judgment that the Plaintiff be awarded damages adequate to compensate Plaintiff past infringement and any continuing or future.
  - t) A judgment that Plaintiff be awarded damages adequate to compensate Plaintiff for Best Buy's past infringement and any continuing or future infringement of the '981 Patent up until the date such judgment is entered, including interest, costs, and disbursements as justified under 35 U.S.C. § 284 and, if necessary, to adequately compensate Plaintiff for Best Buy's infringement, an accounting:
    - b. that the Plaintiff be awarded the attorney fees, costs, and expenses that he incurs and is allowed to receive by law in prosecuting this action pro se; and
    - c. that Plaintiff be awarded such further relief at law or in equity as the Court deems just and proper.
- 
- t) A judgment that Chase has infringed the '981 Patent;
  - u) A judgment that the Plaintiff be awarded damages adequate to compensate Plaintiff past infringement and any continuing or future.

- t) A judgment that Plaintiff be awarded damages adequate to compensate Plaintiff for Chase's past infringement and any continuing or future infringement of the '981 Patent up until the date such judgment is entered, including interest, costs, and disbursements as justified under 35 U.S.C. § 284 and, if necessary, to adequately compensate Plaintiff for Chase's infringement, an accounting:
- b. that the Plaintiff be awarded the attorney fees, costs, and expenses that he incurs and is allowed to receive by law in prosecuting this action pro se; and
- c. that Plaintiff be awarded such further relief at law or in equity as the Court deems just and proper.

With the many Billions of infringing units having been and continue to be manufactured and that recent awards of \$6 to \$9 per unit were granted, Plaintiff suggests that total damages approaching \$7B would be in order if the Court so agrees.

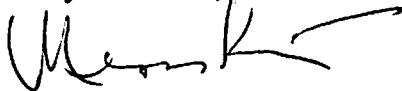
**DEMAND FOR JURY TRIAL**

Plaintiff hereby demands trial by jury on all claims and issues so triable.

I hereby certify that on \_\_\_\_\_, I caused a true and correct copy of the foregoing to be served by hand, courier, or mail, postage prepaid, to INTEL CORPORATION, ADVANCED MICRO DEVICES, INC., APPLE CORPORATION, RESEARCH IN MOTION INC., IBM CORPORATION, BEST BUY CO. INC., and J P MORGAN CHASE.

DATED: December 21, 2012

Respectfully submitted,



*Of Pro Se Party*  
Mers Kutt  
10 Tremely Crescent,  
Toronto, On. M1K 3Y7  
Canada  
416 755 1322

also:  
209 N. Fort Lauderdale Beach Blvd.,  
Suite 15B,  
Fort Lauderdale, Fl 33304  
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**ENCLOSED:**

**APPLICATION TO PROCEED WITHOUT PREPAYMENT OF FEES AND AFFIDAVIT.**

**COVER LETTER FOR ABOVE APPLICATION**

**SUMMONS**

**NOTICE OF LAWSUIT AND REQUEST FOR WAIVER OF SERVICE OF SUMMONS**

**RETURN OF SERVICE**