

**United States District Court
District of Minnesota**

Christopher Roller

(Plaintiff)

vs.

Godly Powers Patent Infringers
(Defendant)

Civil Action No. 07-1296

Amended Complaint

Amended Complaint

Per FRCP Rule 15 (a), "A party may amend the party's pleading once as a matter of course at any time before a responsive pleading (Answer) is served".

The Answer has not occurred yet, so I would like to amend the complaint, mass class action, to add more defendants (Joinder per Rule 20 (a)), this document added to the original complaint, in it's entirety. The original complaint is the first defendant.

There's some confusion whether I have patent rights to http://www.objectforce.com/php/MyTrumanShow___/Legal/Patent/Patent.html. So let me enlighten you.

From the USPTO website, "As a result of publication, an applicant may assert provisional rights. Thus, damages for pre-patent grant infringement by another are now available."

U.S.C. 35 § 154

(d) Provisional Rights.—

(1) In general.— In addition to other rights provided by this section, a patent shall include the right to obtain a reasonable

royalty from any person who, during the period beginning on the date of publication of the application for such patent under section 122 (b), or in the case of an international application filed under the treaty defined in section 351 (a) designating the United States under Article 21(2)(a) of such treaty, the date of publication of the application, and ending on the date the patent is issued—
(A)

(i) makes, uses, offers for sale, or sells in the United States the invention as claimed in the published patent application or imports such an invention into the United States; or

(ii) if the invention as claimed in the published patent application is a process, uses, offers for sale, or sells in the United States or imports into the United States products made by that process as claimed in the published patent application; and

(B) had actual notice of the published patent application and, in a case in which the right arising under this paragraph is based upon an international application designating the United States that is published in a language other than English, had a translation of the international application into the English language.

"a patent shall include the right to obtain a reasonable royalty from any person who, during the period beginning on the date of publication of the application for such patent under section 122 (b) and ending on the date the patent is issued"

People like to make fun of the fact I don't have a patent. This is true, but I have a pseudo-patent, a provisional patent, with provisional rights. It is legally enforceable for patent infringement once published. Don't confuse this with a "provisional application" - my application was regular. But every application, upon publication, makes the patent provisional. Notice from the above statement, "a patent shall include the right" calls it a patent even in it's provisional stages. So I am going to call it a patent from now on.

According to 35 U.S.C. 284, Damages, the court may increase the damages up to

three times the amount found or assessed. But....increased damages under this paragraph shall not apply to provisional rights under section [154 \(d\)](#) of this title.

That's too bad - I would've wanted to triple the damages for this case of patent infringement. But understand, 35 U.S.C. 284, signifying provisional rights damages, falls under TITLE 35 > PART III > CHAPTER 29 — REMEDIES FOR INFRINGEMENT OF PATENT. A provisional patent has full rights to assert damages for patent infringement per U.S.C. 35 § 154.

As for the notice...

U.S.C. 35 § 287 (b) (5) (A) For purposes of this subsection, notice of infringement means actual knowledge, or receipt by a person of a written notification, or a combination thereof, of information sufficient to persuade a reasonable person that it is likely that a product was made by a process patented in the United States.

U.S.C 35 § 287 (b) (5) (D) For purposes of this subsection, a person who obtains a product made by a process patented in the United States in a quantity which is abnormally large in relation to the volume of business of such person or an efficient inventory level shall be rebuttably presumed to have actual knowledge that the product was made by such patented process.

If you have godly powers, then you are infringing on my patent. If your work, product, or process requires the use of godly powers, then I get a cut of your pay wages, product, process, etc.

As for my cut - http://www.objectforce.com/php/MyTrumanShow___/Legal/Patent/RoyaltyCalculation.html, if you are at the top of the food chain in your class level, expect my cut to be around 80%. Bottom of your class - around 10%.

Per U.S.C 28 § 1338, Minnesota Federal court, the home of the patent, has exclusive/original jurisdiction. Personal jurisdiction is incorporated as part of the

"exclusive jurisdiction". I do not have to pursue people in their home state for infringing on my patent.

Attached supplements pertain to a specific defendant. If I don't see statements denying the allegations, then it's true. I charge \$trillion/hit attempt, so be sure to deny the hit allegation, otherwise be prepared to hand over the deed, as I'm just going to ask for summary judgment.

CONCLUSION

I'm suing defendants, mass class action for patent infringement, in accordance with U.S.C. 35 § 271 and U.S.C. 35 § 154. I want past royalties, amount to be determined.

Date: __18 May 2007_____

___s/Christopher Roller_____
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