

REC'D 220819AM1025MDG7-ATH

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
ATHENS DIVISION

EULA WINFREY

CIVIL ACTION NO. 3:22-cv-83

V.

THE US DEPARTMENT OF
COMMERCE AND
THE UNITED STATES
PATENT AND TRADEMARK
OFFICE

*True Trial
Demanded*

United States inventor, Eula Winfrey, comes before the court seeking just relief for the issue of two pillaged patents filed in 10/18/99 / 2/28/17 application # 62600707 and application # 9422542. An entirely new case comes before the court now with previously unexposed, unrevealed proof of said claims.

Because Ms. Winfrey formerly was unable to gain relief from her previously filed cases due to the inability to pierce the private veil of responsibility and accountability within the PTO by proof of this negligence and pillaging, she was unable to procure the relief sought or see the rightful issue of her patents.

In this new case, all those obstacles will be vanquished by documented proof and previously unknown mis-actions and thefts of her ideas within the patent office only to be granted to others within major companies.

Ms. Winfrey will be able to show:

1. That Ms. Winfrey has fought diligently for her patents within the office itself and within the legal system since 2001. To date there was no delay in her complaints for rectification.
2. That exact replicas of her claims were filed two years subsequent to her original application of her first invention.
3. That the patent office added in unlawful disclosure of her second patent application to third parties, and thereby preventing Ms. Winfrey from proceeding and answering required office

actions causing her second invention and patent application to be unjustly abandoned and granted to other claimants within other law firms.

4. That this case must be re-evaluated seeing that the former attorneys of Kimberly Clark Huggies / Troutman Sanders argued that 'res judica or "repetitive claims" be dismissed, that her claim adds no new evidence, no new claims, and can prove no new set of facts in support of her claims would not entitle her to relief.

Those arguments presented in this new case today are no longer true.

Hidden evidence has now been disclosed and uncovered within actual government documentation. After the mishandling and pillaging of her second patent application, Ms. Winfrey secured a local attorney granting him Power of Attorney to act as her officiate to file a demand upon the Patent and Trademark Office with the "Power to Inspect." The patent office forced to release previously concealed records sent to Ms. Winfrey's chosen law firm. These records were then delivered by sign on delivery overnight mail to Ms. Winfrey's doorstep on July 16th, Saturday, the year of our Lord, 2022. Seeing that the proof of her claims has at last been recovered, she comes humbly before the court to reveal proven documentation of her claims she has cried and expressed over the decades.

- The attorney Ms. Winfrey had predisposed Power of Attorney said he had been given the information that Ms. Winfrey's first application had been abandoned on January 17, 2007.
- An employee, Charles A. Pearson, signed a sworn affidavit that Ms. Winfrey's application was abandoned on January 7, 2007.
- However, when the actual records were delivered to Ms. Winfrey's doorstep, there was no correspondence at all between the years of 2004 – 2007. But before Ms. Winfrey entered America's courts for justice, she sought after an appeal and investigation within the patent office itself by filing an appeal in 2006 which went ignored. Ms. Winfrey then began to file in court in 2008 against Kimberly Clark and the USPTO. Kimberly Clark was subsequently the only remaining defendants to these cases until today, because of the documented proof now in her hands.
- For the USPTO to claim that Ms. Winfrey's first application pended from 1999 to 2007 would mean illogically and unbelievably that her patent pended a whopping eight years! All of this occurring while her inventions were being mass produced and sold unlawfully all over the United States, Europe, and beyond. "No diaper, trainer like it ever in the world," as loftly claimed by Kimberly Clark.
- In suing the USPTO and the Department of Commerce in this suit, this case will strike at the root, cradle, and cause of this corruption that caused both of her inventions to be denied, given to inventor Eula Winfrey their rightful owner.
- Seeing that the Attorney of Power and Mr. Charles A. Pearson had conflicting dates of this so called "abandonment," Ms. Winfrey took it upon herself to comb through her records page by page carefully that spanned from 1999 to 2004, where all correspondence abruptly ended until Ms. Winfrey sought an appeal before going to the courts two years later in 2008. (Ms. Winfrey would have proceeded sooner to court but was forced into bed rest while carrying her baby during a crisis pregnancy. Her baby girl survived and was born in 2007.) Diligently she recovered by the grace of God and prayer and returned back to the fight in court.

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- In order to find the odd discrepancy of her attorney and Charles Pearson, employee of the PTO, concerning the “abandonment”, she continued to comb painstakingly through a “phone book” of her work and actions of the patent office over the many years.

Concluding her search, she found these records:

- Her patent application was secretly abandoned without her knowledge but done autonomously within the Patent and Trademark Office in 2002.
- There were no other “abandonments” within Ms. Winfrey’s record.
- Upon this document there is no date, but the notes signed and written on the back of this document were clearly and criminally dated in 2002.
- Appearing upon this falsified document were whited out, doctored signs, handwritten notations, and marked out evidence in an attempt to conceal this previously unknown document from the inventor. The examiners notes were attached to this document in 2002 as proven now.
- In fact, this would have had to happen in 2002 “to have Ms. Winfrey’s application unlawfully abandoned in 2002” in order to grant her patent to someone else. Any other way was an impossibility. Ms. Winfrey found this proof two weeks ago, never knowing what was done previously and could not have sued successfully until this time, this very time, as this filing is now in your hands, and understanding that the courts award settlements and judgments only according to proof. Only according to proven claims which she now holds.
- Ms. Winfrey also has a witness to her final phone conference with her examiner, John Weiss, who called to congratulate her on her new patent in 2001, only to disappear from her case. This sworn affidavit is included in this filing.
- Ms. Winfrey also found that every part of her patent application had been completed by this inventor and verified by the examiner from its inception. Ms. Winfrey includes this proven documentation in this court filing.
- Ms. Winfrey also discovered that although she sent signed documentation to have her invention published, it never was.
- Ms. Winfrey also found that her patent application received its confirmation status number identification.
- Ms. Winfrey was able to discover that all her required fees were fully paid to the PTO. She continued to send so much income that she had, in fact, overpaid. Funds were rejected and sent back to Ms. Winfrey. She, herself, not knowing that the USPTO had already “abandoned” her application but continued corresponding with her for two remaining years under examiner Michelle Kidwell’s exit until 2004, as to deceive her into the false belief that her patent application was “still pending”. Proven documentation is included in the conclusion of this filing.
- Ms. Winfrey was able to acquire AT&T records from 2001 – 2002 showing blatantly the unanswered phone calls to the USPTO. Mailings, writings, requests for appeals, hearings, and fees paid were all denied.
- Ms. Winfrey also filed a second invention titled “Perambulatory Connecting Device” for child safety.
- Ms. Winfrey again diligently tended to her case, sending necessary fees, and answering in a timely manner when suddenly all correspondence ended. There is proof in this filing that the USPTO had mailed her confidential information to other patent law firms. Ms. Winfrey found

that once again her invention was patented to a third party and became mass produced by large companies in 2021.

- Within her file she also found another “ghost” law firm which was somehow connected to Ms. Winfrey’s inventions, Kenyon and Kenyon. The use of this law firm and their relationship to the USPTO, only that their records were also included in her records that were sent during this inspection demand order.
- Ms. Winfrey found records that within the time that her patent actually pended before being falsely abandoned from 1999 – 2002, the Director of Patents at that time, Q Todd Dickinson, who abruptly resigned after the “abandonment” of her first patent application and granted to Kimberly Clark Huggies attorneys/inventors in 2001. James E. Rogan served from 2001 – 2004 over replacement examiner Michelle Kidwell, who also ceased correspondence with this brilliant inventor, Eula Winfrey, in 2004, just as proven in her records.

There is proven corruption that must be detained that all Americans be treated with the integrity America has vowed to stand for with equal protection under the law.

Our courts rule by proof. The proof Ms. Winfrey has brought into your jurisdiction.

Yes, Ms. Winfrey is the inventor behind the Huggies empire that has amassed seven billion in sales per year since the inception of the all-around stretch, three leak guard design and easy open side Pull-ups which has blessed our nation, our children, and grandchildren.

She is the inventor of the Perambulatory Safety Device protecting children all around the world.

She is an award-winning Blue-Ribbon Preschool Teacher who was invited to the Governor’s mansion by then former Governor Nathan Deal. Her school rated a 100% score of accreditation, the highest rated preschool in the nation.

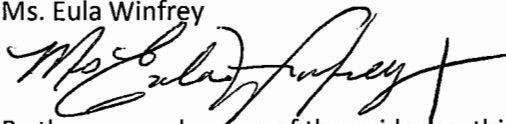
Ms. Winfrey has been an ordained minister of women and children for over 23 years and has a Doctor of Divinity.

Ms. Winfrey prays justice and relief in these complaints and now proven claims; both patents issued to her in her name, punitive damages and proceeds which were gained through the revolutionary disposable designs sold and produced without her consent or knowledge, and proceeds gained through the production and selling of the perambulatory connecting device.

This settlement or judgment amount to be determined by the court.

In Jesus name,

Ms. Eula Winfrey



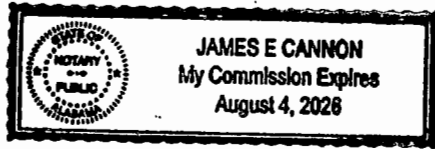
108 A Second Street
Elberton Ga. 30635
(706) 254-1174

By the preponderance of the evidence, this new case has proven sufficiently that beyond a shadow of a doubt Ms. Winfrey did not abandon either of her patent applications, but to the contrary, it was the patent office who abandoned this lucrative, revolutionary American inventor.

ACKNOWLEDGMENT

State of ALABAMA
County of JEFFERSON

On this 16th day of AUGUST, 2022, Josephine Person personally appeared before me,
____ who is personally known to me,
 whose identity I verified on the basis of AL DL,
____ whose identity I verified on the oath/affirmation of _____,
a credible witness,
to be the signer of the foregoing document, and he/she acknowledged that he/she signed it.



James E Cannon
Notary Public
My Commission Expires: 08/04/2024

Attribution Clause: This Certificate is prepared for, and exclusively belongs to, the accompanying document entitled

_____, which consists of _____ page(s) and is dated _____.

If this Certificate is appropriated to any document other than the one described herein, it shall be deemed null and void.

I, Josephine Persons, affirm that I witnessed Examiner John Weiss call Ms. Eula Winfrey in 2001 finalizing her patent application at its completion.

Ms. Winfrey was in a crisis pregnancy, and I was called to come in and care for her in her home. I watched her grab her file and comb through every aspect required for the issuance of her first patent. I remember being in awe of how quick and organized she was in satisfying answering him so professionally as she turned the pages of her patent application.

Mr. Weiss exclaimed, you have completed every facet of your application and congratulations... looks like you have yourself a patent! I remember how we rejoiced. She had been so faithful and had worked so hard. We buried the beautiful baby boy who Ms. Winfrey carried to 20 weeks.

I affirm that I was Ms. Winfrey's caretaker, and I was there to witness this conversation.

Signed and notarized this day *8/19/22*
Josephine Persons



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

FILING RECEIPT

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
09/422,542	10/18/99	3735	\$380.00	DON-148	4	9	2

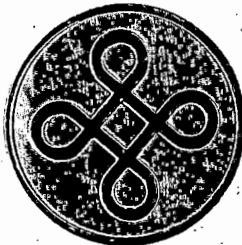
21 CHATFIELD DR APT A
STONE MOUNTAIN GA 30083

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts of Application" ("Missing Parts Notice") in this application, please submit any corrections to this Filing Receipt with your reply to the "Missing Parts Notice." When the PTO processes the reply to the "Missing Parts Notice," the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s) EULA BELLE STONE MOUNTAIN, GA.

IF REQUIRED, FOREIGN FILING LICENSE GRANTED 11/12/99 ** SMALL ENTITY **
TITLE
"STEP-UP"

PRELIMINARY CLASS: 604



Confirmation & Letters

17

DATA ENTRY BY: GARNETT, SANDRA TEAM: 06 DATE: 11/12/99

(See reverse for new important information)