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September 30, 2008

Mr. Johan VanLeer

Santa Monica, CA 90405

Dear Johan:

I apologize for the unfortunate delay in responding to your letter. I have reviewed your paperwork and it is quite interesting. Indeed, your documents raise several issues.

As an initial matter, it would seem as though the expired patent of Mr. Bauer, U.S. Pat. No. 3,055,988, was likely improperly filed with incorrect inventorship information. It would seem that you should have been at the very least a co-inventor. Moreover, from what you state, it would appear that the inventorship was intentionally listed incorrectly, which could be considered to be what was then referred to as "fraud on the Patent Office." Such conduct, if proven, could have rendered the Bauer patent invalid and unenforceable.

In addition, the publications related to your Philips design, could arguably be "prior art" to the Bauer patent. As you may know, a patent or publication with an earlier date than the filing date of a patent can, in some circumstances, invalidate a patent as prior art. I do note, however, that a 1956-57 article by N. Wittenberg from Philip's Technical Library was disclosed to the Patent Office and is listed on the Bauer patent. Thus, one could argue that the Patent Office considered your disclosure, assuming it is in the disclosed Wittenberg article, and did not find that it taught or suggested the invention claimed in the Bauer patent.

Of course these issues are moot, as the patent expired many years ago. As you can appreciate, inventorship cannot be changed at this point and the expired patent can no longer be enforced, much less invalidated. Moreover, though you were likely an inventor, Philips probably owned all rights to the underlying invention.

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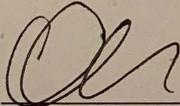
Typically, employers require their employees to assign all intellectual property rights over to the employer, as part of a written employment agreement. As you were an employee of Philips when you invented your cartridge, Phillips may have owned the patent rights. Indeed, Philips should have applied for a U.S. patent based on your initial disclosure, which could have prevented Mr. Bauer from appropriating it.

In view of the above, I am not sure that there is anything at this point that can be done to correct improper inventorship. You might try to again publish your story in the United States as a way to gain credit for your invention. If I can help accomplish this by sending your story on your behalf, under my firm's letterhead, to publications that you wish to contact, please let me know.

Anyway, thank you for sharing your information with me. Please contact me with any questions.

Very truly yours,

**McCORMICK, PAULDING & HUBER LLP**

By  \_\_\_\_\_

Kevin H. Vanderleeden

KHV/amp