



**IVIEWIT TECHNOLOGIES, INC.
IVIEWIT HOLDINGS, INC.**

Eliot I. Bernstein
Founder & President (Acting), Inventor
Direct Dial: 530-529-4110

By Electronic Mail and Facsimile

Monday, February 05, 2007

Wim van der Eijk
Principal Director
European Patent Office
EPA/EPO/OEB
80298 Munchen

Re: Your Letter of September 19, 2006 in Response to My Letter of August 1, 2006 to the President of the European Patent Office (“EPO”), Requesting Formal Investigation of Members of the EPO

Dear Mr. van der Eijk:

I am in receipt of your above referenced letter. Moreover, as you will recall, that letter was in response to our correspondence of August 1, 2006, and allow us to succinctly state our positions:

I. Your Recent Correspondence

1. Clearly, you will not readily admit that some members of the EPO staff are simultaneously licensed attorneys at the EPO;
2. For those that are not licensed attorneys, such as Mr. Alain Pompidou, President of the EPO (“Pompidou”), we seek to have the complaint against him formally initiated by the appointing authority under the provisions of the European Patent Convention and the Service Regulations, as mentioned in your letter;

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3. Should we need to take additional steps to formally notify such authority, please respond with such steps for, including but not limited to (i) the Disciplinary Committee of the Institute of Professional Representatives before the European Patent Office; (ii) the Disciplinary Board of the European Patent Office; and (iii) the Disciplinary Board of Appeal of the European Patent Office;
4. Let this communication serve as formal request to such authority to initiate such investigation into the actions of Pompidou and Lise Dybdahl (“Dybdahl”); Dybdahl is both an employee of the EPO and a representative before the EPO and thus subject, in addition to the EPO, the rules under the EPI and we have asked that the EPI also review her actions;
5. We still request the EPO to investigate her actions and our complaint filed with the EPO’s disciplinary committee for internal employee investigations, afforded proper docketing, due process, procedure and formal disposition;
6. In contrast to your claim that Dybdahl did not tender false and misleading information in her May 24, 2005 letter; when asked where to file complaints against EPO members Pompidou and herself, Dybdahl referred us to the EPI, wherein the EPI states that it does not handle complaints against members of the EPO¹ not licensed before the EPO (such as Pompidou), wherein Dybdahl provided false and misleading information that has delayed investigations, possibly leading to the loss of patent rights;
7. Dybdahl, as a representative before the EPO, obligates the EPI to investigate claims of misconduct against Dybdahl; we are awaiting response from the EPI regarding such; and

¹ See attached Adobe PDF file – August 16, 2006 letter to Chris Mercer, President, EPI.



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8. As to Pompidou, and since he is not an attorney bound by the EPI, we request that you will take the appropriate actions under the provisions of the European Patent Convention and the Service Regulations to initiate our complaint, with all of the appropriate authorities.

Furthermore, according to the following Service Regulations, your letter again appears to proffer false and misleading information regarding investigatory procedures and factually contradicts the EPO position that it does not investigate attorney misconduct, and we point to:

Part III

Disciplinary Bodies

Article 5

Disciplinary Bodies

Infringements of the Rules of Professional Conduct may be considered by the following bodies:

- a) the Disciplinary Committee of the Institute of Professional Representatives before the European Patent Office,
- b) the Disciplinary Board of the European Patent Office,
- c) the Disciplinary Board of Appeal of the European Patent Office.

Furthermore, according to these rules, the EPO could have investigated complaints against Dybdahl and Iviewit's past foreign associate, Martin Molyneux ("Molyneaux"), as the initial filings of fraud against the EPO, by licensed members of the EPO, was filed by our counsel Molyneux. This should have been immediate cause for investigation.



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In addition, as to Molyneaux and other attorneys involved, we have formally filed complaints against them with the EPI, although the above rules appear to state the EPO could have also investigated the originally filed complaints against all former counsel involved with the filings of the applications.

II. **Additional Information.**

Furthermore, investigations into the criminal allegations of patent sabotage, patent fraud, and patent theft against the USPTO, Department of Commerce, the Small Business Administration, as well as Iviewit shareholders have begun in the United States at the USPTO-OED, the USPTO, the FBI, the U.S. House of Representatives -- Energy and Commerce Committee, and the U.S. House of Representatives -- Judiciary Committee, and at some point in the near future, Mr. Van der Eijk, any one or all of these bodies are going to look to the EPO with the same questions contained in this letter.

Moreover, it is imperative to point out that many of the crimes are crimes against not only U.S. Federal Agencies, the inventors, and Iviewit shareholders, but the EPO and all member countries themselves; the aforementioned instances of patent sabotage, fraud, and theft run so wide and so deep that it tears at the very fabric of the 1970 Patent Cooperation Treaty, as amended.

As has been previously stated in prior correspondences, many of our patents filed as PCT applications were knowingly and willfully filed with the wrong inventors, assignees, and purposely missing critical descriptions of the invention(s) as part of a complex, disingenuous scheme of sabotage and theft of enabling, backbone video technology that would have rendered the patent pools administered by MPEG LLC useless; these facts



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make it impossible for the true and proper inventors to even make any claims or changes to some of the intellectual properties filed solely in another purported inventor's name. As is consistent with the efforts of the U.S. Federal government, and in the same vein, we request that the EPO contact criminal authorities in all member countries in which the allegedly fraudulent papers were filed, and to oversight the investigations of those member countries.

Furthermore, it fascinates us that the EPO would be notified by legal counsel, Molyneaux, that fraud had occurred against the EPO and then let him cease representing his client after receipt of such charges, again against proper procedure and the rules regulating conduct by members of the EPO, violating the EPO's own rules on dismissing counsel in a situation which could jeopardize the patents of a client.

III. Summary

Please reply with detailed responses and/or actions to the following statements/requests:

1. We are completely aware of the differences between the EPI and the EPO regarding disciplinary actions; clearly, you will not readily admit that some members of the EPO staff are simultaneously representatives before the EPO as licensed attorneys; and
2. For those that are not licensed attorneys, such as Pompidou, President of the EPO, we seek to have the complaint against him formally initiated by the appointing authority under the provisions of the European Patent Convention and the Service Regulations, as mentioned in your letter and for your offices to also instigate investigations with criminal authorities regarding the crimes you are fully aware have been alleged to be committed against the EPO and the inventors; and



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3. Should we need to take additional steps to formally notify such authority, please respond with such steps and/or including but not limited to (i) the Disciplinary Committee of the Institute of Professional Representatives before the European Patent Office; (ii) the Disciplinary Board of the European Patent Office; and (iii) the Disciplinary Board of Appeal of the European Patent Office; and
4. Let this communication serve as formal request to such authorities in 3 above to initiate such investigation into the actions of Pompidou and Dybdahl; Dybdahl is both an employee of the EPO and a representative before the EPO and thus subject, in addition to the EPO, the rules under the EPI and we have asked that the EPI also review her actions; and
5. If Dybdahl is not a licensed representative before the EPI as her secretary stated, then we still request that her actions be reviewed and such report filed with the EPO's disciplinary committee for internal employee investigations, afforded proper docketing, due process, procedure and formal disposition; and
6. False and misleading information was proffered in Dybdahl's May 24, 2005 letter; when asked where to file complaints against EPO members Pompidou and Dybdahl, Dybdahl referred us to the EPI, wherein the EPI states that it does not handle complaints against members of the EPO, wherein Dybdahl provided false and misleading information that has delayed investigations into their actions, possibly leading to the loss of patent rights; and
7. That determination to relieve counsel Molyneaux, by members of the EPO, after receiving notice from Molyneaux that fraud had been committed on the EPO through falsified applications, was the utmost in irresponsible administration of the applications and in direct violation of EPO rules, especially where no formal investigation of Molyneaux or his filing of fraud was first investigated. This failure to follow formal



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procedure, usurping the inventors of counsel at the last minute filings were due, has directly affected the applications status and according to Dybdahl the lack of counsel may have prevented timely filings causing loss of rights. Further, it will further be proven that the EPO refused to let the inventors make representation to protect the intellectual properties themselves, immediately after the EPO released counsel with filings due instantly and then failed to take any action to suspend or otherwise protect the patents, while your supposed determinations were made by unknown parties, causing loss of rights. These actions are in diametric opposition to the supposed intent of the EPO to protect its inventor applicants from loss of invention due to lack of counsel. In fact, it appears this was the intent of the EPO, to force loss on the inventors, again a major factor in our complaints against members of the office; and

8. Dybdahl, as a representative before the EPO, obligates the EPI to investigate claims of misconduct against Dybdahl; we are awaiting response from the EPI regarding such, at first they claimed they did not investigate members of the EPO; and

9. As to Pompidou, and since he is not an attorney bound by the EPI, we will take the appropriate actions under the provisions of the European Patent Convention and the Service Regulations to initiate our complaint and we ask that the EPO file a similar complaint for possible conspiracy against the EPO; and

10. As a result, in your response to this letter, please address how you made your determination regarding our complaints against members of the EPO and the actions they took in the handling of our complaints and our allegations filed by former counsel Molyneaux of alleged fraud against the EPO:

The procedure applied by the competent departments in handling your requests was fully in compliance with the provisions of the European Patent Convention and no



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irregularities occurred. Therefore, your allegations against staff members of the EPO are without substance and do not call for the above mentioned disciplinary measures to be initiated.

As, at first glance, it appears that you attempt to dismiss the charges before properly filing them with the appropriate parties at the EPO, EPI, and with criminal authorities, please include in your response what codes and authority you are acting under to dismiss the complaints and charge they are “without substance” and what process, if any, was instituted to determine the invalidity of our claims; and

11. Additionally, we ask you to instruct us in the appeal process pertaining to these matters, matters that, at first glance, appear to have been made without one formal inquiry nor one calling for witness, nor one statement attempting to refute the charges by any of the accused; and

12. Moreover, if you hold such title and possess the powers to dismiss the complaints without investigation than we specifically ask for your direct report; and

13. Please forward this letter to the Registrar and the Rapporteur so that it may be properly filed and docketed to avoid further delays and loss of inventions to the inventors; and

14. If you are unwilling to call in criminal authorities to investigate the criminal fraud charges than we ask that this letter serve as official request, then to notify us of exactly who investigates such criminal activities as the filing of fraudulent patent documents with the EPO by licensed representatives of the EPO, include all agencies which would investigate the possible criminal activities within your organization and its members; and

15. Please provide the correct authorities, denoting what country they are from, what their title is and what part of the criminal allegations they will be investigating. As with any alleged fraud occurring by licensed representatives of the EPO and perhaps members of the EPO, against the EPO, as reported to the EPO by one of its representatives, we



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anticipate that criminal investigators will be summoned immediately to prevent further possible losses of patent rights to the inventors; and

16. Investigations into the criminal fraud allegations against the United States were instigated by Federal authorities, including but not limited to, the USPTO-OED, the USPTO and the FBI; the minute it was evident that the inventors were wrong through a series of fraudulent forms filed with governmental agencies by our patent attorneys and others. These investigations remain ongoing. Yet across the pond, when these similar allegations were made by our foreign counsel Molyneaux to the EPO, regarding the continuation applications at the EPO, we somehow remain stuck on your desk. No call to international criminal authorities that possible crimes have been committed against the EPO, as reported to you by a licensed attorney that is a member of your organization, no investigations of the attorney, no notice to foreign countries that may be affected or their respective patent offices. No, instead we find the EPO writing letters trying to deny us due process and procedure based on factually incorrect assertions of who should be investigating whom in the matters for over two years. Delays which have allowed culpable parties to gain time to attempt to murder inventors and where had such investigations been started properly and accorded due process and procedure, such attempts might have been negated. Further, if patent rights have been permanently lost you can certainly understand our motive in seeking liability against all parties involved, in either the direct crimes or crimes to cover them up. In fact, it will become legal and patent history, as to how the rights will be restored if denied from internal corruptions of the EPO and/or the EPI; and

17. Moreover, we ask that all participants from this point forward execute letters stating that each participant has no interests adverse, no conflict, with any of the thousands of



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attorneys accused in the almost ten law firms involved in the patterns of patent sabotage, fraud, and theft, worldwide; several of the law firms have offices in Europe and the U.S. Still further, please take notice that this letter serves as written notification of our complaints under those articles attached herein as Exhibit "A"; of course, after reviewing the bombing of my minivan here in the United States at www.iviewit.tv you can understand that time is of the essence in resolving these matters and that we therefore ask that your response and call to action be far speedier than your letter of September 19, 2006, which came after trying to reach you since December, 2005. Finally, since your last letter I have left messages for you to clarify certain statements in your letter; again you fail to return calls for months on end.

Respectfully yours,

IVIEWIT TECHNOLOGIES, INC.
IVIEWIT HOLDINGS, INC.

By: 

Eliot I. Bernstein
Founder & President (Acting), Inventor

cc: Jon W. Dudas – Under Secretary of Commerce for Intellectual Property and
Director of the United States Patent and Trademark Office
Harry I. Moatz – Director – Office of Enrollment and Discipline – The United
States Patent & Trademark Office
John J. Doll – Commissioner for Patents
The Honorable Glenn Fine - Inspector General Department of Justice
The Honorable Johnnie E. Frazier - Inspector General Department of Commerce
Daniel O'Rourke - Small Business Administration Inspector General Office



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Stephen Lucchesi, Special Agent, Federal Bureau of Investigation ~ West Palm Beach, Florida
Mindy Fleisher, Chief of Staff - Office of Commissioner of Patents
The Honorable United States Senator Dianne Feinstein
Chris P. Mercer, President - Institute of Professional Representatives before the European Patent Office (epi)
Alain Pompidou – President, European Patent Office (EPO)
P. Stephen Lamont, CEO (Acting) – Iviewit Technologies, Inc.
Caroline Prochotska Rogers, Esq.
Michele Marlene Mulrooney Jackoway, Esq.
Richard D. Rosman, Esq.
The Iviewit Shareholders
The Times UK, Editor
The New York Times, Editor



EXHIBIT "A"

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Article 6

Powers and responsibilities of the Disciplinary Committee of the Institute

1. The Disciplinary Committee shall consider any alleged breach of the Rules of Professional Conduct which may be brought to its notice in writing.

Article 7

Powers and Responsibilities of the Disciplinary Board of the European Patent Office

1. The Disciplinary Board of the European Patent Office shall consider any alleged breach of the Rules of Professional Conduct which is referred to it by the Disciplinary Committee or transferred to it by its Chairman under Article 6, paragraph 4 b.

We ask under Article 7 to have the matters transferred by the Chairman to the Disciplinary Board of the European Patent Office to jointly investigate the matters, especially where employees who are not representatives before the EPO are involved, so that the EPO investigated them simultaneously.

Article 8

Powers and Responsibilities of the Disciplinary Board of Appeal

1. The Disciplinary Board of Appeal shall hear appeals against final decisions, including dismissals, of the Disciplinary Committee of the Institute and the Disciplinary Board of the European Patent Office.

2. Appeals may be filed by the professional representative concerned, the President of the Council of the Institute and the President of the European Patent Office.

Under Article 8, we appeal your decision to dismiss the complaints against Pompidou and Dybdahl, as well as, a thorough review of all prior decisions that have led to the subterfuge of the complaints; we ask that these also be reviewed for possible criminal activities as well.

To ensure that formal procedures have been and will be followed, we request that this complaint and all prior complaints submitted in these matters follow the rules and procedures for formal written complaints as set forth below in Article 7 and 8.

Article 7 - Complaints

1. On request, the Registrar shall explain how a complaint should be formulated and filed.



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2. A complaint shall be in writing addressed to the Disciplinary Committee. It shall be signed by the complainant or any legal advisor or professional representative acting on his behalf and shall include the name and address of the complainant.
3. A complaint shall not be considered to have been brought to the notice of the Disciplinary Committee until it has been received by the Registrar in one of the official languages of the European Patent Office.
4. The Registrar shall:
 - a. register each complaint together with the date of receipt;
 - b. immediately send copies of the complaint to the Chairman and the Secretary of the Disciplinary Committee, to the President of the Council of the Institute and the President of the European Patent Office;
 - c. notify the Chairman of the Disciplinary Board of the European Patent Office of the receipt of a complaint and of the date of receipt.
5. The Chairman of the Disciplinary Committee shall without delay nominate a Chamber and assign the complaint to that Chamber.

Article 8 - Procedure following receipt of a Complaint

1. Unless a complaint is summarily dismissed on the ground mentioned in Article 18 hereof, the Chamber concerned shall, without delay, send a copy of the complaint, together with a reference to where these Rules of Procedure are published, to the professional representative concerned, who shall be given a period of two months after receipt by him of the copy of the complaint to present a written defense, which shall be addressed to the Rapporteur.
2. During this period, the professional representative concerned may request oral proceedings. If he does so, he shall be invited to attend a hearing and copies of the invitation shall be sent to the President of the Council of the Institute and to the President of the European Patent Office.

If the professional representative concerned does not reply in writing or attend the hearing, then the Chamber may take a decision on the basis of the available material.