
From: Eliot I. Bernstein [mailto:iviewit@iviewit.tv]
Sent: Friday, March 13, 2009 7:07 PM
To: Paul S. Otellini, President and Chief Executive Officer @ Intel Corporation (paul.otellini@intel.com); Steven R. Rodgers, Vice President and Associate General Counsel Legal and Corporate Affairs, Director, Litigation @ Intel Corporation (steven.rodgers@intel.com)
Cc: 'krhall007@aol.com'; Caroline Prochotska Rogers, Esquire (caroline@cprogers.com); Michele M. Mulrooney Esq. - Jackoway Tyerman Wertheimer Austen Mandelbaum & Morris (MMulrooney@JTWAMM.com); Marc R. Garber Esq. @ Flaster Greenberg P.C.; Marc R. Garber Esq. @ Flaster Greenberg P.C. (marcrgarber@verizon.net); 'Andy Dietz'; 'Barry Becker'
Subject: FW: URGENT 24 HR Iviewit Demand Letter for Intellectual Property Infringement & Lawsuit Liability Exposure

Dear Mr. Otellini and Mr. Rodgers ~ please accept this courtesy copy of an email DEMAND LETTER relating to a liability to Intel of ONE TRILLION DOLLARS for PATENT INFRINGEMENT AND A FEDERAL LAWSUIT YOUR COMPANY IS NAMED IN. I have sent information regarding this matter to your corporate counsel for delivery to you and had wished that prior to more formal actions on my part you would have called regarding the information in the letter addressed to you in the attached PDF file. Upon calling your offices today for such confirmation, I was referred back to counsel who has not returned a timely call. If you I do not hear back from your offices by Monday at 3pm EST I will infer that Intel has choose not to discuss these matters other than with Federal authorities. Thank you ~ Eliot Bernstein

From: Eliot I. Bernstein [mailto:iviewit@gmail.com]
Sent: Friday, March 06, 2009 3:48 PM
To: 'Sewell, Bruce'
Cc: 'krhall007@aol.com'; 'Caroline Prochotska Rogers, Esquire'; 'Michele M. Mulrooney Esq. - Jackoway Tyerman Wertheimer Austen Mandelbaum & Morris'; 'Marc R. Garber Esq. @ Flaster Greenberg P.C.'; 'Andy Dietz'; 'Barry Becker'; 'Guy Iantoni'
Subject: RE: URGENT 24 HR Iviewit Demand Letter for Intellectual Property Infringement & Lawsuit Liability Exposure

Bruce ~ I appreciate your empathy both personally and on behalf of Intel and look forward to a timely response from the appropriate parties mentioned in my letters. ~ Eliot



I  **VIEW**  **IT TECHNOLOGIES, INC.**
Surf with Vision

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From: Sewell, Bruce [mailto:bruce.sewell@intel.com]
Sent: Friday, March 06, 2009 2:48 PM
To: Eliot I. Bernstein
Cc: krhall007@aol.com; 'Caroline Prochotska Rogers, Esquire'; 'Michele M. Mulrooney Esq. - Jackoway Tyerman Wertheimer Austen Mandelbaum & Morris'; 'Marc R. Garber Esq. @ Flaster Greenberg P.C.'; 'Andy Dietz'; 'Barry Becker'
Subject: RE: URGENT 24 HR Iviewit Demand Letter for Intellectual Property Infringement & Lawsuit Liability Exposure

Dear Mr. Bernstein,

I am indeed sorry that you feel anyone has threatened your family. Such an belief is in no way a game and on that point we can certainly agree.

Of course neither Intel not any individual connected with Intel has any knowledge of such a matter.

Thank you for your letter. We will consider the points you have raised and take the appropriate action.

Best regards,

Bruce Sewell

From: Eliot I. Bernstein [mailto:iviewit@gmail.com]
Sent: Friday, March 06, 2009 10:23 AM
To: Sewell, Bruce

Cc: krhall007@aol.com; 'Caroline Prochotska Rogers, Esquire'; 'Michele M. Mulrooney Esq. - Jackoway Tyerman Wertheimer Austen Mandelbaum & Morris'; 'Marc R. Garber Esq. @ Flaster Greenberg P.C.'; 'Andy Dietz'; 'Barry Becker'

Subject: URGENT 24 HR Iviewit Demand Letter for Intellectual Property Infringement & Lawsuit Liability Exposure



I  VIEW  IT TECHNOLOGIES, INC.
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Dear Mr. Sewell, please read the attached PDF file which we demand you forward to the CEO and COB of Intel with the attached letter to them within the timeframe of 24 hours outlined in the letter. Thank you

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I-VIEW-IT HOLDINGS, INC.
I-VIEW-IT TECHNOLOGIES, INC.

Eliot I. Bernstein
Founder & Inventor
Direct Dial: (561) 245-8588
2753 N.W. 34th Street
Boca Raton, Florida 33434

Friday, March 06, 2009

D. Bruce Sewell, Esq.
Senior Vice President - General Counsel
Intel Corporation

Re: Follow Up of March 3, 2009 Phone Discussion; Responsible Business Judgments; Financial Accounting Standards Board "FASB" Statement of Financial Accounting Standards No. 5 Accounting for Contingencies - Reporting Requirements; Limited Time Offer

Dear D. Bruce Sewell, Esq.:

As a follow up from our telephone discussion on Tuesday, March 5, 2009, I wish to make several observations as part of this 24-hour limited time offer to enter sound and responsible business negotiations on behalf of the Intel Corporation. As you will note further herein, there is definite and certain action to be taken at the conclusion of the 24-hour limited time offer herein with such 24-hour period commencing upon 3:00pm EST on Friday, March 06, 2009 and ending 3:00 pm EST on Monday, March 09, 2009. Thus, you may wish to pay particular attention herein.

As you will see, it is respectfully requested and suggested that you, Mr. Sewell, Senior Vice President - General Counsel of the Intel Corporation, will be making a sound and proper business decision herein by taking this matter and limited time offer to negotiate to your Chairman and CEO within 24-hours herein. Please read below to see the definite and certain action that I will be taking in the event you do not properly bring this matter to the Chairman and CEO within 24 hours for their response which will be due 48-hours after the ending of such 24-hour period.

As the original Owner and Inventor of backbone "technologies" and a business person myself, I was alarmed and shocked at your hostile resistance to commence sound, responsible business discussions in this matter and further alarmed at the hostile reaction you exhibited when I suggested speaking with the Chairman and the CEO of Intel Corporation in this matter.

Private & Confidential Iviewit Technologies, Inc. and Eliot Ivan Bernstein

Re: Follow Up of March 3, 2009 Phone Discussion; Responsible Business Judgments; Financial Accounting Standards Board "FASB" Statement of Financial Accounting Standards No. 5 Accounting for Contingencies - Reporting Requirements; Limited Time Offer

I respectfully suggest that you, Mr. D. Bruce Sewell, Esq., have admitted to failing and may be presently and currently failing in a variety of legal and ethical obligations under law and codes of conduct and as it relates to Intel and the rights of the shareholders and others in Intel and other interested parties who may incur liabilities. This failure centers around your admission that a "contingent" liability has not been booked and will not be booked on the records of Intel as it relates to my claims as Original Owner and Inventor of backbone technologies as set out further herein.

Remarkably, however, this admission by you Mr. Sewell during this phone discussion referenced above was made despite your further admission during the same conversation that you are personally familiar with our contracts that were signed with Real 3D, Inc. that were transferred with your acquisition of Real 3D and as stated by Tim Connolly when he transferred from Real 3D to Intel, our technologies and relations were now being handled by Lawrence S. Palley, Director of Business Development and further assuring by Palley with former Pres. Of Iviewit Brian G. Utley and others, that Iviewit's NDA's, Strategic Alliances and Licensing Agreements both signed and in draft with both Real 3D and Iviewit's legal counsel were going to be honored and furthered with Intel's use of the scaling imaging and video technologies they had already begun using. As Intel was also a 10% owner of Real 3D and engineers from Intel and Lockheed Martin were brought into Real 3D to evaluate the technologies that led to the agreements, we presume that Intel has had direct and binding knowledge since that original point of knowledge of possible and future litigation of the patents that you signed NDA's to review, on or about 1999 and certainly when Mr. Palley began oversight of the Iviewit patent and intellectual property agreements inherited by Intel wholly.

Because it is possible that your failures in this matter are in part premised upon an improper interpretation of applicable FASB accounting rules, I have enclosed relevant sections of these rules for your further review:

Financial Accounting Standards Board Statement of Financial Accounting Standards No. 5 Accounting for Contingencies rules for booking a "contingent" liability in this matter:

For the purpose of this Statement, a contingency is defined as an existing condition, situation, or set of circumstances involving uncertainty as to possible gain (hereinafter a "gain contingency") or loss (hereinafter a "loss contingency") to an enterprise that will ultimately be resolved when one or more future events occur or fail to occur. Resolution of the uncertainty may confirm the acquisition of an asset or the reduction of a liability or the loss or impairment of an asset or the incurrence of a liability.

Re: Follow Up of March 3, 2009 Phone Discussion; Responsible Business Judgments; Financial Accounting Standards Board "FASB" Statement of Financial Accounting Standards No. 5 Accounting for Contingencies - Reporting Requirements; Limited Time Offer

4. Examples of loss contingencies include:

e. Pending or threatened litigation.

f. Actual or possible claims and assessments.

Litigation, Claims, and Assessments

The following factors, among others, must be considered in determining whether accrual and/or disclosure is required with respect to pending or threatened litigation and actual or possible claims and assessments:

a. The period in which the underlying cause (i.e., the cause for action) of the pending or threatened litigation or of the actual or possible claim or assessment occurred.

b. The degree of probability of an unfavorable outcome.

c. The ability to make a reasonable estimate of the amount of loss.

Please take note of the following FASB language:

By way of further example, an enterprise may believe there is a possibility that it has infringed on another enterprise's patent rights, but the enterprise owning the patent rights has not indicated an intention to take any action and has not even indicated an awareness of the possible infringement. In that case, a judgment must first be made as to whether the assertion of a claim is probable. If the judgment is that assertion is not probable, no accrual or disclosure would be required. On the other hand, if the judgment is that assertion is probable, then a second judgment must be made as to the degree of probability of an unfavorable outcome. If an unfavorable outcome is probable and the amount of loss can be reasonably estimated, accrual of a loss is required by paragraph 8. If an unfavorable outcome is probable but the amount of loss cannot be reasonably estimated, accrual would not be appropriate, but disclosure would be required by paragraph 10. If an unfavorable outcome is reasonably possible but not probable, disclosure would be required by paragraph 10.

I respectfully Direct your focused attention to the following: **"In that case, a judgment must first be made as to whether the assertion of the claim is probable."**

Surely it is "probable" that a claim will be asserted as claims have already been formally asserted in litigation and I remind you of prior communications with you

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Re: Follow Up of March 3, 2009 Phone Discussion; Responsible Business Judgments; Financial Accounting Standards Board "FASB" Statement of Financial Accounting Standards No. 5 Accounting for Contingencies - Reporting Requirements; Limited Time Offer

whereby it is noted to notify your shareholders or any others with liability of these claims.

Then I Direct your focused attention to the following: **"then a second judgment must be made as to the degree of probability of an unfavorable outcome."**

At the time of our recent discussion, I attempted on more than one occasion to suggest to you during this discussion that the claims I have currently asserted in the federal courts of New York are Not the only claims which I may assert and further attempted to politely suggest to you that despite a present Dismissal from the Southern District of New York District Court Judge, that not only is the case on Appeal to the US Second Circuit Court of Appeals, but that further Lawsuits, Motions and filings would soon be forthcoming which were not necessarily limited to the US Second Circuit Court of Appeals and not limited to the Federal Courts in New York. Further, as a result of ongoing state, federal and international investigations, it is possible that criminal charges may soon be filed by any of the numerous investigatory agencies worldwide against certain defendants and certainly this could have catastrophic individual and corporate ramifications on Intel Corporation and certainly shareholders and regulators would have to be notified of these possible actions as well.

I do note as an aside, Mr. Sewell, that your hostile reactions and refusal to have polite discussions may be a sign of personal failings and/or medical/psychological conditions or even perhaps reactions based upon intimate relevant knowledge of wrongdoings herein but no matter what the cause you may wish to Consult your company's Own Code of Conduct Rules for internal reporting where it is possible that a company employee such as yourself may or likely is Not acting in the best interests of the Intel Corporation. A Link to the Intel PDF Code of Conduct and Conflict of Interest Rules is @ <http://www.intel.com/intel/finance/docs/code-of-conduct.pdf> for your convenience.

Returning your focus, however, to the issues at hand, I remind you that the Appeal in my case is currently and presently pending at the US Second Circuit Court of Appeals which raises a very remarkable issue based on your conduct: Since in any fair and ethical court and tribunal the outcome of a matter is never certain "in advance", are You suggesting Mr. Sewell that you have some advance insight or knowledge of the outcome that is forthcoming at the US Second Circuit Court of Appeals sufficient to not render the matter "contingent"? If you do, of course, I will most certainly immediately Report this matter to any and All appropriate authorities including the US Attorney's Office, US DOJ Inspector Glenn A. Fine, Marshall Jarrett of the FBI OPR, the US Judicial Council, US House, the Internal Revenue Service, the Securities and Exchange

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Commission, the Intel Board and Shareholders and US Senate Judiciary Committees and other as proper.

If, however, you do not have such "definite" and "certain" information in advance which would of course be "Illegal" and proof of corruption if you did, then you Must admit that the liability is "contingent" and based upon your specific personal knowledge of the Signed NDA's, Strategic Alliance Agreements, Licensing Agreements, etc. you must Book the liability and Disclose same and Assign an estimated value which such value has been estimated to be nearly a Trillion dollars over the life of the IP and further the lawsuit you are named defendant in, contained in the Amended Complaint you have been served and current filings in the United States Court of Appeal, has 12 Counts currently cited against all and are claimed at One Trillion per Count. Obviously you must be aware of what type of catastrophic consequences these liabilities will have on Intel and if you are not taking appropriate actions I again suggest you may be either suffering from some form of personal disability or are acting directly against the Intel Code of Conduct and against the interests of Intel Shareholders and against the accounting Laws and rules.

Keep in mind, however, that just this analysis under the Rules while my current case is "pending" with the US Second Circuit Court of Appeals does not contemplate future action at the US Supreme Court, returned action at the District Court, additional motions at the US Second Circuit Court of Appeals, other Federal Courts and International venues, which I politely suggested to you during our phone conversation that Intel can definitely anticipate which is why I was suggesting as a responsible business person that we now begin possible settlement discussions, discussions which may alleviate certain of the liabilities although not perhaps your personal liabilities.

More importantly, however, as you should be expressly aware, I have yet to file a formal claim based strictly on the violations of the Signed NDA's, Strategic Alliance Agreements and Licensing Agreements themselves, although contained in broad strokes in the Amended Complaint, yet these claims may also be separate claims which not only do you have personal knowledge of the existence of the claims but were being advised during our conversation of my clear intent to pursue such filings in the near future. You have also been aware of the patent claims from Iviewit, along with many others at Intel for many years now and where shareholders will question the impact of the royalties owed that were left off the books perhaps.

Now it is possible, however unlikely, that my interpretations of these Accounting Rules possibly somehow do not comport with current interpretations of these matters by the IRS/SEC but certainly I will call them within 24 hours to apprise the IRS/SEC of the

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situation and seek guidance and advice relative to the proper interpretations and whatever else may be just and proper.

Prior to doing so, however, I am once again offering you as a sound and proper business judgment matter an opportunity, a 24 hour opportunity measured from 3:00pm EST on Friday, March 06, 2009 to 3:00pm EST on Monday, March 09, 2009 time to turn these matters over to the CEO and Chairman of the Board and have them call me within such time to address first if you should continue to handle these matters in light of the possible FASB issues and two if they would like to have the business discussion you failed to even desire to hear, in your repeated statements that in your opinion Intel had NO liability in these matters at this time. FASB would point to the time of liabilities beginning when Intel was aware of the Intellectual Properties in 1999 and the royalties that would be due under licensing agreements and other agreements for the technologies and additional reporting under FASB would point to the time that you and Intel were aware of the legal liabilities resulting from the lawsuits and other actions filed in these matters, including your initial contact from Iviewit and myself.

Any reply to this communication is demanded to be by the CEO and Chairman only and if they choose to have counsel present prior to our conversation, we would prefer they choose non-conflicted counsel, which would now exclude you. As you are again made aware the federal case has been called a MURDER case by Judge Shira Scheindlin and one of Patent Theft and Car Bombings, certainly we anticipate that with matters as serious of these, with liabilities over the top (some that Intel may or may not be involved in) each liability must be reported to the top senior executives and board members of Intel and anything short will prompt immediate actions on our part to inform those at risk and those in charge of investigating such failures of disclosure.

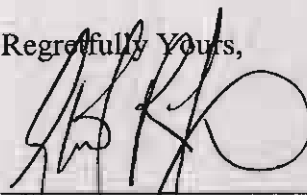
Further, I have attached for your convenience and completion of Due Diligence some selected article links, which have direct and/or related relevance to the matters herein.



Re: Follow Up of March 3, 2009 Phone Discussion; Responsible Business Judgments; Financial Accounting Standards Board "FASB" Statement of Financial Accounting Standards No. 5 Accounting for Contingencies - Reporting Requirements; Limited Time Offer

Finally, you asked if I was threatening you and if I thought this was a game. Yes, most certainly, I was communicating my continued assertion of rights and claims through continued litigation in multiple venues and no, I do not think people trying to Murder my wife, children and myself as a game but instead as a war.

Regretfully Yours,



Eliot I. Bernstein
Founder & Inventor
Iviewit Technologies, Inc.

ARTICLE LINKS:

1. Today's Article March 5, 2009 on Request to US Attorney General Holder for Special Prosecutor in NY Judicial and Ethics Scandals involving NYS First Department DDC and more;

<http://exposecorruptcourts.blogspot.com/2009/03/us-attorney-general-eric-holder-asked.html>

2. Article Excerpt on Iviewit Patengate at Website Nov. 24, 2007:

The OPR investigation was sparked by a request from the DOJ - OIG, Inspector General Glenn Fine's Office whom is also conducting an ongoing investigation. The patent pending applications and other IP have been suspended by the Commissioner of Patents pending the outcome of ongoing state, federal and international investigations. The probe reaches some of New York's most prominent politicians and judges, and has already proven to be a stunning embarrassment to the State's ethics watchdog committees.

As a backdrop to the technologies in question, Mr. Bernstein's inventions, the Iviewit video scaling and image overlay systems, are the backbone, enabling technologies for the transmission of video and images across almost all transmission networks and viewable on all display devices, an elegant upstream solution (towards the content creator) of reconfiguring video frames to unlock bandwidth, processing, and storage constraints -- the "Holy Grail" inventions of the digital imaging and video worlds that enable low bandwidth video on the Internet and mobile phones."

Re: Follow Up of March 3, 2009 Phone Discussion; Responsible Business Judgments; Financial Accounting Standards Board "FASB" Statement of Financial Accounting Standards No. 5 Accounting for Contingencies - Reporting Requirements; Limited Time Offer

Article Link: <http://exposecorruptcourts.blogspot.com/2007/11/press-release-november-23-2007-for.html>

3. Article Excerpt from "Justice Department Widens Patentgate Probe..." August 24, 2007:

This is quite serious," says an investigator close to the federal probe. "The charges allege that valuable 'back-bone enabling digital imaging technology'-- MPEG type intellectual property-- was stolen by the inventor's own attorneys, the once-untouchable Manhattan based law firm Proskauer Rose. This is going to get very ugly," he says.

I know how," says a retired federal agent who asked not to be identified. "Phone calls were made—many phone calls. Plain and simple." And while this retired federal agent isn't surprised by the apparent "cover-up," he is alarmed by his own findings after a month-long independent review of all submitted Iviewit papers. "I can't find one discrepancy in the allegations, not one unsubstantiated charge," he says.

The powers that be can't contain this story anymore—it's out, U.S. Senators and Congressman are talking about it. This involves national Commerce issues: attorneys stealing U.S. Patents from their own client, and the illegal failings of a state's ethics agency by its own cover-up, and selective, self-dealing, politically-based inaction. Patentgate appears to have exposed the true, and troubling, underbelly of ethics investigations in New York State. And it's not pretty.

**Earlier this year, FBI headquarters in Washington, D.C. assigned additional agents to the Public Integrity Corruption squad at 26 Federal Plaza in Manhattan, and where agents have been actively conducting interviews. **

Article Link: <http://exposecorruptcourts.blogspot.com/2007/08/justice-dept-widens-patentgate-probe.html>

4. Article Excerpt from "NY Ethics Scandal Tied to International Espionage Scheme"; April 1, 2008;

The evidence in the corporate eavesdropping cover-up "is frightening," according to an informed source who has reviewed the volumes of documentation. The espionage scheme, he says, is directly tied to the growing state bar ethics scandal at the Appellate Division First Department, Departmental Disciplinary Committee (DDC) in Manhattan.

Article Link: <http://exposecorruptcourts.blogspot.com/2008/04/ny-ethics-scandal-tied-to-international.html>



I-VIEW-IT HOLDINGS, INC.
I-VIEW-IT TECHNOLOGIES, INC.

Eliot I. Bernstein
Founder & Inventor
Direct Dial: (561) 245-8588
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Boca Raton, Florida 33434

Friday, March 06, 2009

Craig R. Barrett
Chairman of the Board
Intel Corporation

and

Paul S. Otellini
President and Chief Executive Officer
Intel Corporation

Re: Limited Time Offer; Agree to Agree

Dear Mr. Barrett and Mr. Otellini:

Please accept this communication as a Limited time Offer to enter in to sound and responsible business negotiations in this matter involving the Intel Corporation and my rightful and proper claims as the Original Inventor and Owner of "backbone technologies" deemed as the "Holy Grail" of inventions back in 1998 which have been wrongfully used for over 10 years by Intel Corporation and others.

As you will both note from the attached Letter to your In House General Counsel Mr. Bruce Sewell which references a host of federal and other sources in support of my claims and rights, it is ever so clear that the Intel Corporation has had knowledge of the claims to such Technologies dating back to 1999.

In that the value of my "backbone technologies" has been estimated at nearly a trillion dollars over the life of the IP and that Intel is a named Defendant in a federal RICO case marked "related" to the federal Whistleblower case of Christine Anderson presently ongoing in the Southern District of New York, and that the US Southern District of New York Judge presiding over the "Anderson" case has declared that my case of Iviewit involves "Murder", and further considering that litigation is being pursued at the US Second Circuit Court of Appeals and is contemplated at the US Supreme Court, other federal court venues, international venues and more, I respectfully suggest that an

Paul S. Otellini, President & CEO
Intel Corporation

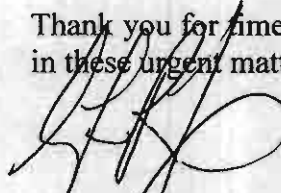
Re: Limited Time Offer; Agree to Agree

"Agreement" to "Agree" to a business solution in this matter is a sound and responsible judgment on the part of Intel which shall begin by an immediate Deposit of \$10 Million US Dollars into an account to be determined while Intel obtains Non-conflicted counsel and I engage Counsel for details on a Global resolution and settlement of both past claims and going forward.

Moreover, because I believe that the actions of your present In House Counsel Bruce Sewall may be conflicted, violate FASB Rules and thereby damaging to the Intel Corporation's best interests, thus further likely being in violation of Intel's own Code of Conduct, as referenced above it is requested that Intel seek non-conflicted Counsel to move forward on this Agreement to Agree which is literally a Global matter necessitating Global resolution. The attached Letter to Intel Counsel Sewall is self-explanatory in describing the various manners in which Mr. Sewall's actions are in question. *EF*

Such Deposit shall be made by Monday, March 09, 2009 by 5pm EST as an initial good faith action on the part of the Intel Corporation in this Agreement to Agree.

Thank you for time, effort and consideration
in these urgent matters,



Eliot I. Bernstein
Founder & Inventor
Iviewit Technologies, Inc.

From: Eliot I. Bernstein [mailto:iviewit@gmail.com]
Sent: Friday, March 13, 2009 7:13 PM
To: Paul S. Otellini, President and Chief Executive Officer @ Intel Corporation (paul.otellini@intel.com); Steven R. Rodgers, Vice President and Associate General Counsel Legal and Corporate Affairs, Director, Litigation @ Intel Corporation (steven.rodgers@intel.com)
Subject: FW: FEDERAL COMPLAINT SERVICE Docket No. 08-4873-cv FINAL SIGNED BRIEF PLAINTIFF-APPELLANT BERNSTEIN USCA 2nd Circ 13988ll.pdf - Adobe Acrobat Professional

From: Eliot I. Bernstein [mailto:iviewit@gmail.com]
Sent: Friday, February 27, 2009 11:23 PM
To: D. Bruce Sewell, Senior Vice President - General Counsel @ Intel Corporation (bruce.sewell@intel.com)
Cc: Caroline Prochotska Rogers, Esquire (caroline@cprogers.com); Marc R. Garber Esq. @ Flaster Greenberg P.C.; Michele M. Mulrooney Esq. - Jackoway Tyerman Wertheimer Austen Mandelbaum & Morris (MMulrooney@JTWAMM.com)
Subject: FEDERAL COMPLAINT SERVICE Docket No. 08-4873-cv FINAL SIGNED BRIEF PLAINTIFF-APPELLANT BERNSTEIN USCA 2nd Circ 13988ll.pdf - Adobe Acrobat Professional

D. Bruce Sewell and Lawrence S. Palley,
Please accept the following as service of my Brief in the USCA 2nd Circ. as INTEL CORPORATION and Lawrence S. Palley, Director of Business Development are named Defendants in these matters. Please report this liability to all proper regulatory agencies, shareholders, and liability carriers. Thank you, Eliot Bernstein

From: Eliot I. Bernstein [mailto:iviewit@gmail.com]
Sent: Friday, February 27, 2009 7:05 PM
To: Deborah Holmes, Deputy Clerk, United States Court of Appeals for the Second Circuit; Pro Se Cases @ United States Court of Appeals for the Second Circuit; Civil Cases @ United States Court of Appeals for the Second Circuit
Cc: Caroline Prochotska Rogers, Esquire; Marc R. Garber Esq. @ Flaster Greenberg P.C.; Michele M. Mulrooney Esq. - Jackoway Tyerman Wertheimer Austen Mandelbaum & Morris; 'Andy Dietz'; Barry Becker @ Rock-It Cargo USA, Inc.; iviewit@iviewit.tv; 'Guy Iantoni'; Frank Brady @ Expose Corrupt Courts
Subject: Docket No. 08-4873-cv FINAL SIGNED BRIEF PLAINTIFF-APPELLANT BERNSTEIN USCA 2nd Circ 13988ll.pdf - Adobe Acrobat Professional

I-VIEW-IT TECHNOLOGIES, INC.
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Dear Deborah,

I have enclosed, per our conversations and your instructions, a PDF copy of my FINAL SIGNED BRIEF FOR PLAINTIFF-APPELLANT BERNSTEIN USCA 2nd Circ for Docket No. 08-4873-cv. I have also sent the document via US Mail as you specified and thus this electronic communication and the mailed copy should constitute a timely filing. I have attached in the document the following,

1. US Postmaster Certified Letter Receipts showing the same Document as attached herein has been mailed and postmarked with the date Friday, February 27th 2009,
2. A signed Electronic Notification Agreement,

3. A Signed Anti-Virus Certification Form of which a virus check was performed,
4. A Signed Notice of Appearance Form and
5. A Signed Brief.

If you need additional information, please feel free to contact me.

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From: Eliot I. Bernstein [mailto:iviewit@gmail.com]
Sent: Friday, March 13, 2009 7:13 PM
To: D. Bruce Sewell, Senior Vice President - General Counsel @ Intel Corporation (bruce.sewell@intel.com); Paul S. Otellini, President and Chief Executive Officer @ Intel Corporation (paul.otellini@intel.com); Steven R. Rodgers, Vice President and Associate General Counsel Legal and Corporate Affairs, Director, Litigation @ Intel Corporation (steven.rodgers@intel.com)
Cc: Caroline Prochotska Rogers, Esquire (caroline@cprogers.com); Michele M. Mulrooney Esq. - Jackoway Tyerman Wertheimer Austen Mandelbaum & Morris (MMulrooney@JTWAMM.com); Marc R. Garber Esq. @ Flaster Greenberg P.C.; Marc R. Garber Esq. @ Flaster Greenberg P.C. (marcrgarber@verizon.net); 'Andy Dietz'; 'Barry Becker'; 'krhall007@aol.com'
Subject: INTEL DEFENDANT IN FEDERAL LAWSUIT

Please see the attached Amended Complaint wherein Intel is a Named Defendant in a Trillion Dollar Lawsuit. Please report this liability to all proper regulatory agencies, shareholders and liability carriers. Thank you, Eliot Bernstein



I  VIEW  IT TECHNOLOGIES, INC.
Surf with Vision

Eliot I. Bernstein
Inventor
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2753 N.W. 34th St.
Boca Raton, Florida 33434-3459
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-----Original Message-----

From: Eliot Ivan Bernstein [<mailto:iviewit@iviewit.tv>]
Sent: Wednesday, May 14, 2008 10:54 AM
To: 'D. Bruce Sewell (bruce.sewell@intel.com)';
'larry.palley@intel.com'
Subject: Bruce Intel and Larry Palley are named defendants in a federal lawsuit

Dear Bruce,

Both Intel and Lawrence Palley are named defendants in the attached federal complaint. Please notify any liability carriers of this action.

Thank you,

Eliot I. Bernstein
Founder & Inventor
Iviewit Technologies, Inc.
Iviewit Holdings, Inc.
39 Little Ave
Red Bluff, California 96080-3519
(530) 529-4110 (o)
(530) 526-5751 (c)

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From: P. Stephen Lamont [<mailto:pstephen.lamont@verizon.net>]
Sent: Tuesday, March 06, 2007 8:14 PM
To: Sewell, Bruce
Cc: Eliot I. Bernstein; Caroline P. Rogers Esq.; Andrew Dietz; Simon, David; Rodgers, Steve R
Subject: RE: Email to Paul S. Otellini

Mr. Sewell:

Thank you for your quick response on behalf of Intel, and, of course, Iviewit will abide by your wishes and communicate directly with you in the immediate future. Iviewit has the reputation in the community for creating those solutions necessary for the benefit of our children and our children's children.

Moreover, and perhaps this was not made clear in my previous email, but Iviewit's irritation stems more from the fact that contracts were walked away from in 1999, whereby Iviewit presented to Real 3D, taught them how to scale video and zoom on images without pixelation and for delivery over low bandwidth networks (clearly, we later found that such solutions apply to all networks at any higher bandwidth), witnessed Real 3D's validation of same, executed NDA's and alliance contracts with Real 3D, saw the acquisition by Intel with the promise that they would abide by such confidentiality and contracts, then saw the then Intel employees halt any further communication. Second to this issue would be my recent discussion with SSG and DHG concerning Viiv, where you may know better than I what future business emphasis may be steered for this platform.

Additionally, grant it, I was not a participant, as I only assumed my post in December 2001, but at this point may I suggest a reverse chronological approach that might bring us to the heart of the matters in a quicker fashion:

- I have attached my email of December 12 to Rajeev Kapur (SSG) and David Vogel (DHG);
- Attached v-cards for those SSG and DHG employees concerned;
- Mutual production of executed Iviewit and Real 3D contracts that Intel assumed;
- Mutual production of Iviewit and Real 3D NDA's that Intel assumed; and
- As Intel is intimately familiar with its just past Managing Director in the Intel Capital Group, Hassan Miah, a discussion with Mr. Miah, as to what Iviewit is and what Iviewit does (v-card attached for your convenience), and a discussion with former head of Real 3D, Gerald Stanley, is in order (contact information unknown to Iviewit).

Iviewit looks forward to your response to this proposed approach and working together with Intel on these matters, and hopefully my friends in SSG and DHG; as should be clear from the email history attached, it is not Iviewit's style nor interest in a quick payment, but keeping our eye on the real prize, 105 million U.S. digital households, together.



Email of December
12, 2006.pdf...



Hassan Miah



Rajeev Kapur



Kostas Katsohirakis



David S Law



David Vogel

Best regards,

P. Stephen Lamont
Chief Executive Officer
Iviewit Technologies, Inc.
39 Little Avenue
Red Bluff, Cal. 96080
Tel: 914-217-0038
Email: psl@iviewit.tv; pstephen.lamont@verizon.net; pstephenlamont@mycingular.blackberry.net
URL: www.iviewit.tv

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-----Original Message-----

From: Sewell, Bruce [<mailto:bruce.sewell@intel.com>]
Sent: Tuesday, March 06, 2007 6:28 PM
To: pstephen.lamont@verizon.net
Cc: Rodgers, Steve R; Simon, David
Subject: Email to Paul S. Otellini

Dear Mr. Lamont,

Given the nature of the allegations contained in your e-mail to Mr. Otellini dated March 6, 2007, I have been asked to respond to you on behalf of Intel Corporation.

Intel treats the use of third party intellectual property very seriously. We endeavor to investigate and resolve any legitimate claim of unlicensed use that is brought to our attention. At the same time we are frequently a target for spurious or premature claims by individuals or companies

hoping for a quick nuisance payment. In order to properly characterize and respond to your assertions I must ask you to provide us with some more pertinent information about the nature of the intellectual property you believe you own and the basis for your claim that certain Intel products may infringe those rights. Specifically, please provide the following information at your convenience so that we may properly analyze your claims:

the number, date of issuance, and ownership for each patent or patents that you believe Intel has infringed;
each claim, including the claim number and a brief description of the specific claim language, that you believe Intel has infringed;
each Intel product that you allege infringes the patents and claims identified in answers #1 and #2;
a brief description of the structures or methods within each product identified in answer #3 that you allege to be infringing;
a brief statement regarding the basis for your belief that the Intel products are infringing, i.e., describe the documentation or testing that you rely upon as the foundation for your allegations;
and,
the names of the individuals within DHG and SSG with whom you have already communicated regarding the technology or the intellectual property rights that are the subject of your allegations, including a copy of the "December 12, 2006 email to DHG and SSG" referenced in your most recent note.

Receipt of this preliminary information will enable Intel to investigate and analyze your claims. Your failure to provide any of the information requested will delay the point at which we can effectively begin our investigation.

For the immediate future please communicate directly with me rather than with Mr. Otellini or any other executives within the company. As this matter progresses I may ask you to work with other lawyers either inside Intel or retained on behalf of Intel.

Thank you for your cooperation in this matter.

Sincerely,

Bruce Sewell
Senior Vice President
General Counsel
Intel Corporation

From: P. Stephen Lamont [<mailto:pstephen.lamont@verizon.net>]

Sent: Tuesday, March 06, 2007 11:38 AM

To: Arena, Marise G

Cc: Caroline P. Rogers Esq.; Andrew Dietz; Eliot I. Bernstein

Subject: Email to Paul S. Otellini

Importance: High

Dear Mr. Otellini:

By way of introduction, I am CEO of Iviewit Holdings, Inc., and its subsidiaries, affiliates, and related parties, where we have designed and developed video frame manipulation techniques and image overlay systems for the encoding, delivery of, and rendering/decoding of, when combined with other proprietary technologies, DVD quality video across all transmission networks and viewable on all display devices with the value propositions of lower bandwidth, processing, and storage requirements than other solutions than do not utilize Iviewit techniques and systems; Hassan Miah was an early on looker and termed Iviewit solutions "Holy Grail" technologies, and a tagline we have used more than once.

Since October 2006, we have been in touch with Intel's Digital Home Group through the SSG people when it became clear that the Intel G695 Express Chipset, and any other chipset designed for the Viiv platform, probably through the chipset functions of, including but not limited to, Clear Video processing, overlaps our patent pending claims filed in 2000 in rendering full screen, full frame rate video encoded by your major motion picture studio partners who, upon information and belief, have all adopted Iviewit's patent pending video scaling and image overlay techniques. Moreover, we have waited patiently for an answer to the implications of my December 12, 2006 email to DHG and SSG, specifically advising them that Intel, in the rendering of full screen, full frame rate Iviewit encoded video from your studio partners on including but not limited to the Viiv platform, is directly infringing on our proprietary rights. Since their answer has not been forthcoming in almost 90 days, I can only assume that Intel is continuing to render such video in blatant disregard for Iviewit's patent pending claims and in direct, disregard for Iviewit's proprietary rights.

Moreover, the issue is more serious than outlined above, and as we have discussed that it is mathematically impossible to deliver DVD quality, full screen, full frame rate video, in less than ideal bandwidth, storage, and processing power conditions without overlapping Iviewit's proprietary rights, and since Iviewit management began discussions with representatives of Real 3D, Inc. some years ago we have watched our techniques drive across your product groups, including but not limited to microprocessors and chipsets for home entertainment PCs, and embedded consumer electronics designs such as digital televisions, video recorders, and set-top boxes. Since Intel acquired the Real 3D business in 1999, pursuant to Iviewit/Real 3D contracts and confidentiality agreements, therefore, Intel has consistently conducted these unauthorized uses on the aforementioned products, without limitation, learned in prior business discussions with executed contracts, confidentiality agreements, and such.

Of course, it is Iviewit's goal to resolve the situation of the unauthorized use of Iviewit techniques embodied in prior Iviewit/Real 3D contracts and agreements in the easiest and most seamless way possible, prior to my shareholders pushing me to an edge I would rather not walk upon at this time, but will do so if the need be.

Please let us know when you are available for a conversation with our Founder, Eliot Bernstein, and myself at your earliest convenience.

Best regards,

P. Stephen Lamont

Chief Executive Officer

Iviewit Technologies, Inc.

39 Little Avenue

Red Bluff, Cal. 96080

Tel: 914-217-0038

Email: psl@iviewit.tv; pstephen.lamont@verizon.net; pstephenlamont@mycingular.blackberry.net

URL: www.iviewit.tv

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From: P. Stephen Lamont [<mailto:pstephen.lamont@verizon.net>]

Sent: Friday, March 02, 2007 1:35 PM

To: Caroline P. Rogers Esq.; Andrew Dietz
Cc: Eliot I. Bernstein
Subject: Intel Email and Advanced Royalty Agreement -- Comments Requested
Importance: High

David/Raj,

We have waited patiently for an answer to the implications of my December 12, 2006 email, specifically advising you that Intel, in the rendering of full screen, full frame rate Iviewit encoded video from your studio partners on including but not limited to the Viiv platform, is directly infringing on our proprietary rights. Since your answer has not been forthcoming in more than 60 days, I can only assume that you are continuing to render such video in blatant disregard for Iviewit's patent pending claims and in direct, disregard for Iviewit's proprietary rights. Therefore, unfortunately, Iviewit must demand that you CEASE AND DESIST rendering such Iviewit encoded scaled video and imaging according to our claims, else we must follow-up on the issue in due course.

Moreover, the issue is more serious than outlined above, and as we have discussed it is mathematically impossible to deliver DVD quality, full screen, full frame rate video, in less than ideal bandwidth, storage, and processing power conditions without overlapping Iviewit's proprietary rights, and since Iviewit management began discussions with representatives of Real 3D, Inc. some years ago we have watched our techniques drive across your product groups, including but not limited to microprocessors and chipsets for home entertainment PCs, and embedded consumer electronics designs such as digital televisions, video recorders, and set-top boxes. Since Intel acquired the Real 3D business in 1999, pursuant to Iviewit/Real 3D contracts and confidentiality agreements, therefore, you must similarly CEASE AND DESIST these unauthorized uses on the aforementioned products, without limitation, learned in prior business discussions.

Please take notice that this is advise of a future complaint seeking permanent injunction, and that the previous offer of license is withdrawn, and is substituted in its entirety by the attached agreement, executable only for 30 days post hence, else Intel must CEASE AND DESIST the use of rendering full screen, full frame rate video and image overlays where an image can be zoomed upon and panned without pixelation from Intel products, and please advise if anything will prevent you from accepting our demand, in which case we will file suit shortly thereafter complaining of breach of prior confidential disclosures and our attached offer will be deemed withdrawn; certainly, as a public company governed by the Securities and Exchange Act of 1934, you have perfect record keeping of those 1999 discussions and the agreements signed thereunder.

Finally, I await timely execution of the attached and your request of wire transfer instructions, where Iviewit is firmly committed to protecting its proprietary rights against any and all knowing and willful breaches of its confidential disclosures and disregard of recent advise and discussions.



Iviewit_Intel_Advan
ced Royalty...

Best regards,

P. Stephen Lamont
Head Boy
Hogwarts School of Witchcraft & Wizardry
666 Professor Dumbledore Lane
Surrey, UK

Tel: 914-217-0038

Email: pstephen.lamont@verizon.net; pstephenlamont@mycingular.blackberry.net

URL: www.iviewit.tv

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P. Stephen Lamont

From: P. Stephen Lamont [pstephen.lamont@verizon.net]

Sent: Tuesday, December 12, 2006 11:38 AM

To: Vogel, David; Kapur, Rajeev

Cc: Katsohirakis, Kostas; Law, David S

Subject: RE: Answers to Your Questions

Sensitivity: Confidential

Dave,

Thanks for your timely update, and it is much appreciated. Moreover, what we have generally discussed up until now consists of: what Iviewit is, what Iviewit does, who benefits and at what magnitudes, and what is the end result.

Furthermore, when one would scratch the surface of this discussion, what shows through would be the fact that from 2000 to 2001, Iviewit was introduced, presented to, and signed NDA's with six out of the seven of the major studios (Disney was the exception). Following along, again with the exception of Disney, all the studio executives, technical and non-technical, marveled at what the Iviewit techniques did to the encoding solutions of their raw video and began to use Iviewit techniques (evidenced by a Warner Bros email offered post NDA); other prospective partners began to use it as well (did you ever wonder why the free download of Windows Media Encoder defaults to a 320x240 frame size, the first essential characteristic of the Iviewit techniques?). Therefore, upon information and belief, I submit that what you are seeing from your studio partners (Iviewit's prospective partners under NDA) is video encoded according to the Iviewit techniques.

So, where does that leave us as prospective partners? Secondly, and I am trying to choose my words very carefully at this point in respect of what has been and will continue to be a much appreciated, collegial discussion especially when my acquaintance with Raj and Kostas is taken into account, it is that any issued patent or patent application for enabling, backbone technology such as Iviewit's contains claims on all ends. More specifically, once Iviewit files "Petitions to Make Special" (as a result of the aforementioned unauthorized uses) those continued patent applications are going to include claims to scaled video on the content creation side (studios/others), claims to scaled video on the transmission of such (pick a transmission network), and claims to scaled video on the client side (pick a device) that scales the video back to full screen; for a small sum, Iviewit has the power to file these petitions, with the cost of only 100 or so man hours, in an instant.

Third, I have petitioned our board that issued patents are only as good as the resources in place to defend, and that is where a big device partner comes into play. As a result, the offer I began to extend in my initial October 29 email consists of a partner to license and assist in the defense of enabling, backbone entertainment technology in the digital home. In return, what Iviewit has to offer is an MFN license, a share of past and future recovered royalties, a piece of Iviewit equity, and, perhaps, an option to buy the Iviewit IP. In the case of the Digital Home Group, if the discussion followed along these lines from MFN to shared royalties to Iviewit equity to ownership

of the Iviewit IP, then the guessing game is over for what platform is going to dominate the future digital home, a very good case, if not a definite bet, would be made for an Iviewit enabled Viiv platform whether it is embedded in a PC or a STB or a DTV -- "ensur[ing] a quality end-to-end experience for the consumer" to the exclusion of all others. Respectfully, I would also submit that this partnership will take a big step towards quelling the critics and nay Sayers comments who clamor for a more proprietary Viiv platform; including an Iviewit enabled proprietary Intel codec into the equation some years out might be second step in any MOU.

Fourth, in light of the upcoming holiday season, I can hold the exclusive offer open up to and including January 15, and I think a good starting place would be comments on the Advanced Royalty Agreement attached to my November 27 email; you have excellent references in place in Hassan Miah, Gregory Thagard, and Gerald Stanley, and post NDA I can introduce Eliot I. Bernstein, Iviewit's Founder and Principal Inventor.

Lastly, I have appreciated and will continue to appreciate the collegial, supportive discussion that has taken place, and the fact that any platform or device that renders scaled video back to full screen is overlapping Iviewit's claims will be placed on the back burner, and I would look forward to keeping all our eyes on the prize: 105 million U.S. households!

Best regards,

P. Stephen Lamont
Chief Executive Officer
Iviewit Technologies, Inc.

From: P. Stephen Lamont [mailto:pstephen.lamont@verizon.net]
Sent: Friday, November 10, 2006 4:08 PM
To: Eliot Bernstein
Cc: 'Caroline Prochotska Rogers, Esq.'; 'Andy Dietz'
Subject: RE: INTEL IMPLICATED IN BABY'S BRAIN DAMAGE & MURDER PLOT
Sensitivity: Confidential

Again, I am so, so sorry to hear this...we'll be here for you should you need emotional support, you did a hell of a job for me.

Best regards,

P. Stephen Lamont
Head Boy -- Hogwarts School of Witchcraft & Wizardry
Tel: 914-217-0038
Email: pstephen.lamont@verizon.net; pstephenlamont@mycingular.blackberry.net
URL: www.iviewit.tv

-----Original Message-----

From: Eliot Bernstein [mailto:iviewit@iviewit.tv]
Sent: Friday, November 10, 2006 4:03 PM
To: pstephen.lamont@verizon.net
Cc: 'Caroline Prochotska Rogers, Esq.'; 'Andy Dietz'
Subject: RE: INTEL IMPLICATED IN BABY'S BRAIN DAMAGE & MURDER PLOT
Importance: High
Sensitivity: Confidential

greatly appreciated but it is not your problem and those that have caused it either way will have to pay, one way or another. as the next steps to really test out danny they are not things we will

subject him too at the moment until further signs are present as they are painful and complicated lung tests, etc.

Respectfully yours,

Eliot I. Bernstein
Inventor
E iviewit@iviewit.tv
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From: P. Stephen Lamont [mailto:pstephen.lamont@verizon.net]
Sent: Friday, November 10, 2006 8:44 AM
To: Eliot Bernstein
Subject: RE: INTEL IMPLICATED IN BABY'S BRAIN DAMAGE & MURDER PLOT
Sensitivity: Confidential

I am so, so sorry to hear that. If I can be of any help with medical referrals, please feel free to call on me. As a starter, Dr. Young at Johns Hopkins Medical Center is the best neurosurgeon in the world, and I may be able to move a new patient up on his schedule through my neuroscience contacts there.

Best regards,

P. Stephen Lamont
Head Boy -- Hogwarts School of Witchcraft & Wizardry
Tel: 914-217-0038
Email: pstephen.lamont@verizon.net; pstephenlamont@mycingular.blackberry.net
URL: www.iviewit.tv
