

Candice Bernstein

Subject: FW: Final -- For Your Records
Importance: High

From: P. Stephen Lamont [<mailto:pstephen.lamont@verizon.net>]
Sent: Thursday, September 28, 2006 7:53 PM
To: Eliot I. Bernstein
Subject: Final -- For Your Records
Importance: High

**P. Stephen Lamont
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By Overnight Mail

September 29, 2006

Representative Nita M. Lowey
United States Congress
2329 Rayburn House Office Building
Washington, D.C. 20515-3218

Re: Affirmed Request for Investigation Regarding Article 1, Section 8, Clause 8 of the Constitution of the United States as a Result of Denial of Due Process in the Alleged Improprieties in the Filing of Patent Applications on behalf of Iviewit Holdings, Inc. and its Subsidiaries, Affiliates, and Related Parties and the Resulting Cover-Ups Thereto.

Dear Representative Lowey:

By way of introduction, I am P. Stephen Lamont, former CEO of, as well as a significant shareholder in, Iviewit Holdings, Inc., a privately held Delaware corporation, and its subsidiaries, affiliates and related parties (collectively "Iviewit") with more than a fifteen year track record as a multimedia technology and consumer electronics licensing executive and holder of a J.D. in Intellectual Property Law, an M.B.A in Finance, and a B.S. in Industrial Engineering, and I write in disgust at the denial of due process in the pattern of frauds, deceits, and misrepresentations that run so wide and so deep that it tears at the very fabric of what has become to be know as free commerce in this country, and, in the fact that it pertains to inventors rights, tears at the very fabric of the Constitution of the United States more fully described below.

BACKGROUND

In mid 1998, Iviewit's founder, Eliot I. Bernstein, among others ("Inventors"), came upon inventions pertaining to what industry experts have heretofore described as profound shifts from traditional techniques in video and imaging then overlooked in the annals of video and imaging technology. Factually, the technology is one of capturing a video frame at a 320 by 240 frame size (roughly, 1/4 of a display device) at a frame rate of one (1) to infinity frames per second ("fps" and at the twenty four (24) to thirty (30) range commonly referred to as "full frame rates" to those skilled in the art). Moreover, once captured, and in its simplest terms, the scaled frames are then digitized (if necessary), filtered, encoded, and delivered to an agnostic display device and zoomed to a full frame size of 1280 by 960 at the full frame rates of 24 to 30 fps. The result is, when combined with other proprietary technologies, DVD quality video at bandwidths of 700 or more Kbps to 6 Mbps per second, at a surprising seventy five percent (75%) savings in throughput ("bandwidth") on any digital delivery system such as digital terrestrial, cable, satellite, multipoint-multichannel delivery system, or the Internet, and a similar 75% savings in storage on mediums such as digital video discs ("DVD's") and the hard drives of many consumer electronic devices. Moreover, on the imaging side, the Iviewit inventions are used on almost every digital camera and present screen design and other devices that utilize the feature of "digital zoom". Furthermore, industry observers who benefited from the Iviewit disclosures have gone on to claim "you could have put 10,000 engineers in a room for 10,000 years and they would never have come up with these ideas..."

Moreover, and while grant it I was not a participant during the alleged burying and purported theft of the technologies, I found myself leading a company in the midst of a cover up surrounding the following depictions of frauds, deceits, and misrepresentations that run so wide and so deep that it tears at the very fabric of what has become to be know as free commerce in this country, and, in the fact that it pertains to inventors rights, tears at the very fabric of the Constitution of the United States.

Initially, and early in my tenure, rumors began swirling around the company with finger pointing and all from Florida to Los Angeles wherein it caught the jet stream and arrived very soon in New York of alleged breaches of confidentiality pertaining to Iviewit technology, transfers of trade secrets, and, even in certain circumstances, the knowing and willful invention fraud by the outright switching of signature pages of patent filings by early patent counsels. Additionally, during my tenure, I was in possession of an executed patent application pertaining to Iviewit's core imaging technology with the inventors of Bernstein and Shirajee, when, out of thin

air, and just prior to filing, such patent application witnesses the addition of a one Brian G. Utley (“Utley”) as an inventor, and an individual who could not have been farther from the heat of the inventive stage of the imaging technology.

Still further, I submit that at the first disclosures of the inventions, patent counsel, who had spent half a lifetime procuring technologies for the transmission of full screen, full frame rate video across a variety of transmission networks, and who during the Iviewit disclosures have been known to state “[I] missed that,” and “[I] never thought of that,” and “[This] changes everything,” or words to those effects, were so fearful that Iviewit would partner with other proprietary technologies across the video value chain and wipe the carefully crafted patent pools off the face of the map, therefore, the Iviewit inventions HAD to be buried to preserve those pools. That was the first step, with the second step, through the direct and indirect introductions of Iviewit, with executed confidentiality agreements (“NDA’s”), to some five hundred potential licensees by colleagues of patent counsel, being the proliferation of Iviewit disclosures across a wide array of potential licensees and competitors.

Following along, we arrive at the point in the past when the Iviewit inventions had been buried and that everyone had begun to use it, when past management in Iviewit and new patent counsel may have thought “Hey, okay, great, but now what’s in it for us,” that proceeded to a final step, and in addition to the intentional change of inventors with the inclusion of Utley, the corporate shell game that involved multiple, unauthorized, similarly named corporate formations and unauthorized stock swaps and unauthorized asset transfers that resulted in the core patent applications assigned to an entity that may have only one shareholder, the limited liability partnership of Proskauer Rose, the alleged perpetrating patent counsel, perhaps, with a view towards resurrecting the backbone technologies at some future point.

Moreover, in the above series of allegations, Iviewit is confident that your Office will find a reasonable certainty that Messrs. Kenneth Rubenstein (“Rubenstein”), Raymond A. Joao (“Joao”), William J. Dick (“Dick”), Steven Becker, and Douglas Boehm, all present or former members of the distinguished Bar of the United States Patent and Trademark Office (“USPTO”), designed and executed, either for themselves or others

similarly situated, the deceptions, improprieties, and, even in certain circumstances, outright misappropriation by the disingenuous redirection of the disclosed Iviewit techniques by: (i) burying the critical elements of the inventions in patent applications; (ii) allowing the unauthorized use of Iviewit's inventions under NDA's without enforcement of said NDA's; (III) filing patent applications of their own or others based on the Iviewit inventions; (IV) submitting knowingly false statements and falsified documents done with intent to commit fraud on the USPTO, Iviewit's shareholders, and the Iviewit inventors.

Furthermore, as a result of the series of allegations enclosed, and although it is clear to Iviewit that the role of Congress is to *make* law not to *enforce* law, Iviewit finds it reasonable that your Office: (i) shall find the requisite merit to initiate Congressional investigations; (ii) shall pass these allegations to a Congressional staff attorney in the House Committee on Energy and Commerce, or other appropriate committee, for further investigation; (iii) shall instruct said staff attorney to institute a formal Congressional investigation, including questioning, requests for records, and other information from all parties involved; (iv) shall refer said attorney's findings back to you as a Representative in the Congress of the United States; (v) shall present such findings to the House Committee on Energy and Commerce, or other appropriate committee, for determinative review; and finally (vi) shall witness said Congressional committee to urge disciplinary action against the alleged offending attorneys by the U.S. Attorney's Office or other organization, agency, or court of appropriate jurisdiction.

Lastly, Iviewit often asks itself, among other things, "Why did the Hon. Jorge LaBarga of the Circuit Court of the Fifteenth Judicial District, Florida deny Iviewit's Motion for Leave to Amend Answer to Assert Counterclaim for Damages (concerning the aforementioned allegations)" and "Why did The Florida Bar ('TFB') dismiss the complaint against Christopher C. Wheeler, Esq. ('Wheeler' and, a non-patent attorney, a main protagonist of the above referenced allegations) despite overwhelming evidence to the contrary" and "Why did the Supreme Court of Florida deny Iviewit's Petition to begin the immediate investigation of the Wheeler complaint (when TFB admitted in writing that the answer to the Wheeler complaint was authored by an attorney in flagrant violation of his public office obligations)" and "Why did the First Department Departmental Disciplinary Committee of New York stall Iviewit's complaint against Rubenstein and Joao

despite overwhelming evidence to the contrary” and “Why, despite the New York State Supreme Court Appellate Division First Department’s order to begin the immediate investigation of Rubenstein and Joao, did the Second Department Departmental Disciplinary Committee of New York dismiss the Rubenstein and Joao complaints and stating that they were ‘not under the jurisdiction’ of the First Department Court” and “Why did the Virginia Bar Association dismiss the Dick complaint despite overwhelming evidence to the contrary” and “Why did the Supreme Court of the United States decline to hear Iviewit’s *Petition for Writ of Certiorari to the Florida Supreme Court* to overturn the Florida Court’s decision” and “why did John Doll, Commissioner of Patents at the USPTO, fail to correct the inventors, and refuses to take or return Iviewit’s call, in a petition filed more than three years ago” and Iviewit finds itself answering “[T]HAT IT IS ALL PART AND PARCEL OF THE TOTAL DENIAL OF DUE PROCESS IN THE PATTERN OF FRAUDS, DECEITS, AND MISREPRESENTATIONS THAT RUN SO WIDE AND SO DEEP THAT IT TEARS AT THE VERY FABRIC OF WHAT HAS BECOME TO BE KNOW AS FREE COMMERCE IN THIS COUNTRY, AND, IN THE FACT THAT IT PERTAINS TO INVENTORS RIGHTS, TEARS AT THE VERY FABRIC OF THE CONSTITUTION OF THE UNITED STATES.”

Very truly yours,

P. Stephen Lamont

CERTIFICATE OF AFFIRMATION

STATE OF NEW YORK
COUNTY OF WESTCHESTER:

Before me, the undersigned authority, personally appeared P. Stephen Lamont, who was duly sworn and says that the facts alleged in the foregoing statement are true.

P. Stephen Lamont

Sworn to and subscribed to me on this 29th day of September 2006.

Notary Public

Best regards,

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