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NORTHERN DISTRICT OF CALIFORNIA

EDL

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

15 ULRICH SCHELE)
16 Plaintiff)
17)
18 v.)
19 ▪ FEDERAL REPUBLIC of)
20 GERMANY,)
21 ▪ ANGELA MERKEL,)
22 ▪ SABINE LEUTHEUSSER-)
23 SCHNARRENBARGER)
24 ▪ KARL-HEINZ FEZER,)
25 ▪ DIETER von HOLTZBRINCK.)
26)
27 Defendants)
28 -----)

CV 10 1643
Case No: 10 1643

COMPLAINT

DEMAND FOR JURY TRIAL

I. INTRODUCTION

1. The German Courts and Offices naming of which is necessary in the Complaint have long names. Therefore, the following abbreviations are used:

German PTO is the German Patent and Trademark Office
([\(<www.dpma.de>\)](http://www.dpma.de))

FPC is the abbreviation of the German Federal Patent Court –
([\(<www.bundespatentgericht.de>\)](http://www.bundespatentgericht.de))

FSC is the abbreviation of the German Federal Supreme Court –
([\(<www.bundesgerichtshof.de>\)](http://www.bundesgerichtshof.de))

WIPO is the Office for the Worldwide Intellectual Property
([\(<www.wipo.int>\)](http://www.wipo.int))

GRUR is the German juridical association ([\(<www.grur.de>\)](http://www.grur.de))

2. From 1995 to 2010, **Ulrich SCHELE** (hereinafter, “**Plaintiff**”) has been ruined and defamed by a **German juridical conspiracy** which is supported by the Defendants. The juridical conspiracy is an illegal and secret enterprise located in the German GRUR-association. The conspiracy of about 100 special GRUR-members arranges lawsuits against foreign parties where the results are intentionally predetermined before the lawsuits start. The aims of the arranged lawsuits are the protection of the German market for special GRUR-members. The foreign competitors of these special GRUR-members are hindered by the misuse of trademarks. The results of decisions of German lawsuits concerning the Plaintiff were based on juridical essays of the conspiracy predetermined in secret circles in advance. All rivals of the Plaintiff are GRUR-members. Plaintiff was never personally heard by any German Judge who are secret GRUR-members too. The results of the lawsuits arranged against the Plaintiff are misused by subsequent malice actions to damage other American victims, e.g., CHRYSLER, BROOKSIDE.

1 CALLAWAY.

2 3. The Plaintiff offers the service to find new brand names for new products. This
3 service is named branding and the person offering this service is named trademark designer
4 of a trademark agency. For example, Defendant **NOMEN** offers the service of a trademark
5 agency in the United States (see: <www.nomenusa.com>). Plaintiff created various French
6 marks, e.g., "CLASSE E", "E-MOTION", "ECOTEC", "EGO", which were free and were
7 not used by other ones in Europe. In 1992, Plaintiff started his trademark agency in France
8 and Germany. Plaintiff was interested in extending his service as a trademark designer to
9 the whole world including the United States. Plaintiff's best marks have been stolen and
10 plundered by a German juridical conspiracy.

11 4. Hereinafter, "mark" is used for "trademark" to limit the Complaint's number
12 of pages. Plaintiff is the owner of the following five trademarks "CLASSE E" for cars. For
13 a better temporal distinction of Plaintiff's five marks "CLASSE E" the terms (M01),
14 (M02), (M03), (M04) and (M05) are used in the Complaint:

15
16 (M01) = a French mark "CLASSE E" filed on **Nov.24, 1992** (FR 92-443670)

17 and registered on **Jan. 15, 1993** by the French PTO;

18 (M02) = a part of an International Trademark "CLASSE E" for

19 Switzerland filed on **Apr. 19, 1993** (WIPO 600 173);

20 (M03) = a part of an International Trademark "CLASSE E" for

21 Germany filed on **Apr. 19, 1993** (WIPO 600173), the registration

22 was protracted by the German PTO until Nov. 1995;

23 (M04) = a German mark "CLASSE E" filed on **Jan. 01, 1995**

24 (DE 395 00 045); based on the new enacted German Trademark Law,

25 the registration was protracted seven years by the German PTO;

26 (M05) = a German mark "CLASSE E" filed on **Aug. 16, 2008**

27 (DE 30 2008 053 653) based on the German Law modified in 2004,

28 the registration is protracted by the German PTO since the filing date.

1 5. The International mark (**M02/M03**) is based on the French trademark
 2 "CLASSE E" (**M01**) filed on Nov. 24, 1992. The translations of the French trademark
 3 "CLASSE E" are "E-CLASS" (American) and "E-KLASSE" (German). The translations
 4 are also protected by the International Trademark Law. Hereinafter, in the Complaint the
 5 mark "E-CLASS" is used for all translations of Plaintiff's International mark (**M02/M03**).
 6 The mark "E-CLASS" is abbreviated to "EC". Sometimes it is necessary to speak about
 7 "E-CLASS" lawsuits, therefore the terms "EC-cases" or "EC-decisions" are used.

8 6. The **MERCEDES-BENZ AG** (hereinafter, "MBA"), the **DAIMLER-BENZ**
 9 **AG** (hereinafter, "DBA"), the **DAIMLERCHRYSLER AG** (hereinafter, "DCX"), and
 10 **DAIMLER AG** (hereinafter, "DAI") are involved in the German EC-cases. In 1994, DBA
 11 was the parent company of MBA. In 1997, MBA was merged in the DBA. In 1998, DBA
 12 was merged with the new German / American company **OPPENHEIM AG**, which name
 13 was changed into **DAIMLERCHRYSLER (DCX)**. Thereafter, the location of DCX was
 14 changed within Germany from DUESSELDORF to STUTTGART. The American
 15 company **CHRYSLER Corp.** changed its name into **DAIMLERCHRYSLER Corp.** and
 16 was the subsidiary company of DCX until the merger finished on May 14., 2007.
 17 Thereafter, the name of the German/American company **DAIMLERCHRYSLER (DCX)**
 18 was changed into **DAIMLER AG (DAI)**. Plaintiff never had any contact to **CHRYSLER**.
 19 However, **CHRYSLER** is a victim of the arranged German EC-cases. Hereinafter, MBA,
 20 DBA, DCX, DAI are summarized as **ZETSCHE's company** because CEO ZETSCHE has
 21 been engaged in malice EC-cases activities from 1995 to 2010.

22 7. In 1993, the German company MBA asked the Plaintiff for licenses of the
 23 marks (**M01**), (**M02**) and (**M03**). MBA paid a royalty for the French mark (**M01**) and the
 24 Swiss mark (**M02**). A further German royalty was promised by MBA when the German
 25 mark (**M03**) would be registered. MBA feigned interests at Plaintiff's marks (**M01**, **M02**,
 26 **M03**) to get licenses for the whole world. Plaintiff's marks (**M01**, **M02**, **M03**) would be
 27 used for the new Mercedes car model W210 which was to be offered in January 1996. The
 28 French and Swiss licenses were based on the number of car models exported from

1 Germany to these European countries. MBA feigned that a single German license (**M03**)
2 would cover a license for all countries in the world because all Mercedes car models W210
3 would be produced in Germany only.

4 8. In 1994, Plaintiff discovered that his former German patent attorney **DREISS**,
5 who was the president of the German Patent Attorney Bar, and the German PTO protracted
6 the registration of his German mark (**M03**). Plaintiff's former patent attorney DREISS
7 gave the Plaintiff false advices. Therefore, Plaintiff changed attorney. Plaintiff has been
8 represented by another German patent attorney (hereinafter, **PA TREUDLER**) since Nov.
9 1994. Later, PA TREUDLER found out that DREISS advised the DBA in parallel to the
10 Plaintiff. DREISS received lucrative patent applications from the group of DBA-
11 companies. There are a lot of foreign companies filing applications at the German PTO
12 who are represented by German patent attorneys who also represent German companies
13 which are rivals of these foreign companies. The German Patent Bar and the Federal
14 Ministry of Justice refused all of PA TREUDLER's requests to stop this way of
15 representing foreign companies in front of the German PTO.

16 9. The juridical GRUR-conspiracy falsified for the interests of special GRUR-
17 members that Plaintiff's mark (**M03**) would be an **ambush bad faith mark**. In all EC-
18 cases, Plaintiff has never been personally heard by a German Judge. There were no case
19 discussions in which way the Plaintiff had used underhand facts. Plaintiff asserts that these
20 GRUR-forgeries were spread to get malice reasons in order to plunder the best marks of
21 his trademark agency and ruin him. About 2000, Plaintiff tried to find an American lawyer
22 to defend his older trademark rights against ZETSCHE's company and the GRUR-rivals
23 defaming American companies by the falsified "E-CLASS bad faith fact". However, all
24 American lawyers who were asked refused to work for the Plaintiff. Two facts hindered
25 Plaintiff to find an American lawyer. First, Plaintiff was intentionally ruined by the malice
26 GRUR-defamations and could not pay a lawyer. Second, no American lawyer was
27 interested in defending a client who was defamed by the German Government as an
28 ambush bad faith trademark applicant. Due to the worldwide juridical defamations,

1 Plaintiff could not find an attorney at law in the United States. Therefore, over the years,
 2 Plaintiff and his German patent attorney TREUDLER tried to understand the Law of the
 3 United States by informations available on the internet. Some books were ordered from
 4 Amazon. A lot of decisions of Courts of the United States were read. Plaintiff and PA
 5 TREUDLER, who both are not skilled in the Law of the United States, tried to understand
 6 the RICO-claims. The present Complaint is the result of many internet legal researches
 7 performed over years. However, this was not enough and the Plaintiff apologizes for any
 8 lacks of the present Complaint.

9 10. The EC-cases are very complex. Therefore, Plaintiff gives a short schedule of
 10 the EC-cases in Germany. In the schedule, it is necessary to emphasize different predicate
 11 acts which are named by the following abbreviation "PCA". The temporal PCA-dates are
 12 underlined to show that the malice actions continue until today.

13 11. On **Nov. 24, 1992**, Plaintiff filed his French mark "CLASSE E" (M01).

14 12. On **Dec. 05, 1992**, Plaintiff's French mark (M01) could be seen by everyone in
 15 the database of the French Patent Office INPI.

16 13. On **Jan. 15, 1993**, the French PTO (INPI) published the registration of
 17 Plaintiff's French mark "CLASSE E" (M01).

18 14. On **Jan. 25, 1993**, a German newspaper reported about an old Mercedes car
 19 model (W124) whose new name would be "E-CLASS".

20 15. On **Feb. 02, 1993**, MBA used the name "C-CLASS" for another Mercedes car
 21 model for the first time.

22 16. On **March 17, 1993**, Plaintiff asked the French part of NOMEN (Paris) for a
 23 job as a trademark designer. Plaintiff had presented his marks as well as the
 24 French mark "CLASSE E" (M01) to show that he was skilled to work as a
 25 trademark designer.

26 17. On **Apr. 19, 1993**, Plaintiff filed his International mark (M02/M03) at the
 27 WIPO in Geneva.

28 18. On **May 03, 1993** – (PCA), MBA infringed Plaintiff's mark (M01) for the first

time.

19. On **July 12, 1993**, Plaintiff discovered that MBA infringed his mark (**M01**) in France for the old Mercedes car model (W124) which was to be canceled and replaced by the model (W210).
20. On **July 27, 1993** – (PCA), MBA asked the Plaintiff to discuss a license to use Plaintiff's marks in France, Switzerland and Germany.
21. On **Aug. 12, 1993**, MBA filed a German mark "VISION" which was the mark of a new car model of the US-company CHRYSLER Corp.
22. On **Aug. 30, 1993** – (PCA), MBA filed a German designation and trademark system comprising a lot of "CLASS"-marks which were combined with one or three letters.
23. On **Jan. 27, 1994**, MBA asked the CHRYSLER Corp. in a letter to Christopher TARAVELLA (Auburn Hills) for a double use of the mark "VISION" by both companies. CHRYSLER Corp. refused this double use by both companies and MBA changed the name from "VISION" to "A-CLASS".
24. On **Feb. 28, 1994**, the registration of MBA's German mark "VISION" was published (see: DE 2 054 865).
25. On **Aug. 03, 1994**, Plaintiff signed the French license contract with MBA for them to use his French mark "CLASSE E" (**M01**). Plaintiff agreed that he would not use the mark (**M01**) in any way in Germany or other countries.
26. On **Sep. 30, 1994**, the registration of CHRYSLER's German mark "VISION" was published, which was filed years before (04/14/1992).
27. On **March 22, 1995**, Plaintiff signed the Swiss license contract with MBA for them to use his mark "CLASSE E" (**M02**) in all translations "E-CLASS" and "E-KLASSE". Plaintiff agreed that he would not use the mark in any way.
28. On **Apr. 01, 1995** – (PCA), a German newspaper (Top Business) published the defamation for the first time that the Plaintiff was a "trademark shark".
29. On **Nov. 20, 1995**, the German PTO registered Plaintiff's mark (**M03**) and

- 1 MBA refused to discuss the promised license contract for Germany.
- 2 30. On Jan. 01, 1996, MBA was near bankruptcy.
- 3 31. On Jan. 01, 1996 – (PCA), MBA started a defamation campaign over the
- 4 world and falsified that Plaintiff is a trademark pirate. MBA sent copies of the
- 5 Top Business essay (01/01/1995) defaming the Plaintiff to journalists.
- 6 32. On Jan. 22, 1996 – (PCA), MBA filed two German lawsuits that Plaintiff had
- 7 no German trademark rights and requested the cancellation of Plaintiff's marks
- 8 (M03 and M04).
- 9 33. On Feb. 10, 1996 – (PCA), a German newspaper published an arranged
- 10 reader's letter saying that the Plaintiff is a sponger who should receive a
- 11 punishment from a strong Mercedes worker.
- 12 34. On Sep. 01, 1996 – (PCA), the GRUR-association published an arranged
- 13 juridical essay by MBA's lawyer that Plaintiff's mark (M03) is an ambush bad
- 14 faith mark of a trademark speculator.
- 15 35. On Sep. 18, 1996 – (PCA), Defendant FEZER, in his first book on the new
- 16 German Trademark Law, falsified that Plaintiff's mark is a bad faith mark.
- 17 36. On Dec. 01, 1996, MBA was rescued by the defamation campaign that the
- 18 Plaintiff is a trademark pirate. MBA had the best sellings in the history of the
- 19 company based on the defamation campaign.
- 20 37. On Apr. 01, 1997 – (PCA), an juridical essay was published with forgeries
- 21 suggesting in which way Plaintiff's lawsuit had to be decided.
- 22 38. On Sep. 23, 1997 – (PCA), Plaintiff received a notice of the German Judge
- 23 DEMBOWSKI that it was not necessary to travel from France to Germany to
- 24 attend the oral hearing (10/09/1997).
- 25 39. On Oct. 09, 1997 – (PCA), after the oral hearing with Plaintiff's patent
- 26 attorney TREUDLER, the German Judge DEMBOWSKI decided the
- 27 lawsuit based on the published forgeries of the juridical essay written by
- 28 KIETHE/GROSCHKE (04/02/1997) that Plaintiff's demand for a German

license contract was an abusive behavior with respect to MBA.

40. On Nov. 23, 2000 – (PCA), German highest Court (BGH) decided that Plaintiff's mark (M03) had older rights, that it was unclear whether there were bad faith facts, and that Plaintiff's mark (M03) was an abusive mark with regard to DCX because Plaintiff had no own general intention to use and DCX was making no use of it as a German trademark. Plaintiff was never personally heard by an engaged German Judge.
41. On July 07, 2001 – (PCA), PA TREUDLER lost a lawsuit against GRUR in front of the Local Court of Cologne that GRUR has to disclose to the public all names of the active German Judges who are secret GRUR-members.
42. On May 28, 2003 – (PCA), the German Legislator manipulated the German Trademark and Design Law based on the FSC-decision (11/23/2000) and falsified Plaintiff's mark (M03) is a bad faith mark. Until this date, there was no Court-decision that Plaintiff's mark (M03) is a bad faith mark.
43. On Oct. 30, 2003, the FSC-Judges ULLMANN and BORNKAMM dismissed the revision of the American company BROOKSIDE concerning the mark "S100" declared bad faith mark according to German Law. The bad faith facts of the mark "S100" were based on the bad faith facts of Plaintiff's mark (M03). Until this date, there was no decision of a German Court that Plaintiff's mark (M03) is a bad faith mark.
44. On Jan. 03, 2005 – (PCA), after ten years of protraction, the German PTO Officer MIEHLE decided that Plaintiff's mark (M03) was a bad faith mark. However, Plaintiff filed an appeal which was decided by the FCP-Court Judge STOPPEL (07/26/2006) and later by FSC-Court Judge BORNKAMM (04/19/2008). Plaintiff was never personally heard by any German Judge in the juridical Court line or in the registration Court line.
45. On Nov. 01, 2005 – (PCA), the FSC-Judge BORNKAMM falsified in his juridical book of German Competition Law that Plaintiff's mark was an

1 ambush bad faith mark which was recognized about July 2006. Until this date,
2 there was no decision of a German Court that Plaintiff's mark was a bad faith
3 mark.

4 46. On Apr. 27, 2006 – (PCA), the FSC-Judges ULLMANN and BORNKAMM
5 made another decision 'WM 2006' which was based on the juridical forgery
6 that Plaintiff's mark is an ambush bad faith mark.

7 47. On May 26, 2006 – (PCA), a German Court decided that DCX would receive
8 the mark (M03) by the way of enforcement.

9 48. On July 26, 2006 – (PCA), the FPC-Judge STOPPEL decided for the first time
10 that Plaintiff's mark (M03) was not registrable in Germany and that Plaintiff's
11 mark was an ambush bad faith trademark.

12 49. On Nov. 05, 2007 – (PCA), FPC-Judges canceled BROOKSIDE's mark.

13 50. On Jan. 07, 2008 – (PCA), the Supreme Court of Stuttgart – where Defendant
14 FEZER is Judge – dismissed Plaintiff's motion that he had to be personally
15 heard in the EC-cases by a German Judge.

16 51. On Apr. 19, 2008 – (PCA), the FSC-Judge BORNKAMM refused all motions
17 to hinder the defense of Plaintiff's older trademark rights.

18 52. On Aug. 16, 2008, Plaintiff filed a new German mark (M05) to defend his
19 older trademark rights. According to the German Civil Rules, Plaintiff had to
20 be heard by a Judge because the decisions were based on the Plaintiff's
21 behavior and intentions. In all decisions, the Plaintiff has never been heard by
22 any German (GRUR) Judge personally. There were no case discussions about
23 the feigned facts. However, the German PTO protracted the registration of the
24 mark (M05) again until now.

25 53. On Sep. 04, 2008 – (PCA), the WIPO published, based on the German EC-
26 decisions, that the German part of Plaintiff's mark (M03) was cancelled for the
27 goods of motor cars. Before this time, DCX gave wrong declarations within the
28 United States that DCX was the owner of the mark "E-CLASS".

- 1 54. On May 20, 2009 – (PCA), the German Legislator manipulated the German
2 Trademark Law for the third time based on the arranged and falsified FSC-
3 decision (11/23/2000).
- 4 55. On Feb. 01, 2009 – (PCA), DCX used the mark (M03) for the first time as a
5 German trademark mounted on a Mercedes car model to falsify that DCX had
6 an older right on Plaintiff's mark (M03). These pictures of the "E-CLASS"
7 Mercedes car models were published by the newspapers of Defendant
8 HOLTZBRINCK over the world.
- 9 56. On Sep. 10, 2009, Plaintiff's patent attorney TREUDLER sued the FRG and
10 LEUTHEUSSER to give him a list of the current members of the GRUR-
11 association in order to refuse all secret Judges who were engaged in the arising
12 lawsuits, and in order to defend Plaintiff's older trademark rights based on the
13 marks (M03) to (M05) and his right to be personally heard by a German Judge
14 one time. The Defendants FRG and LEUTHEUSSER refused TREUDLER's
15 demand to get a list of all secret German Judges. The Defendants FRG,
16 MERKEL and LEUTHEUSSER received all documents by TREUDLER's
17 lawsuit to recognize the malice activities of the German conspiracy arranging
18 lawsuits against foreign parties of German competitors.
- 19 57. On Mar. 09, 2010 – (PCA), the County Court of Berlin dismissed PA
20 TREUDLER's lawsuit against the Defendants FRG and LEUTHEUSSER. In
21 the lawsuit, PA TREUDLER asserted that the Defendants FRG and
22 LEUTHEUSSER were responsible for the Federal Judges who are secret
23 GRUR-members and that there was a GRUR-conspiracy. However, the Court
24 stated that PA TREUDLER had no legitimate interests in taking a legal action
25 to know the names of the German Judges who are secret GRUR-members
26 because the GRUR-association is a private organization and the Defendants
27 have no influence on a private GRUR-association.
- 28 58. Over the time (1996-2000), Plaintiff has discovered that MBA is not his only

1 rival. There are a lot of other rivals who came up step by step and had special interests at
2 the EC-cases. Plaintiff has discovered that all actions of the EC-cases are controlled to the
3 disadvantage of him. Over the years, Plaintiff and PA TREUDLER have assumed that
4 there is a timing organization behind a juridical fog which controls the malice actions of
5 the EC-cases directed against them and in order for all rivals to get the most advantages
6 over the Plaintiff as losing party. Very often, Plaintiff and PA TREUDLER recognized the
7 German juridical association named GRUR in this fog. However, so far, an unlawful
8 enterprise has not been visible within the GRUR-association.

9 59. About Aug. 2000, PA TREUDLER discovered in the internet that members of
10 DBA, the FSC-Judge ERDMANN and other Judges engaged in the EC-cases are leading
11 members of the GRUR. All Judges pointed out that they never discussed the EC-cases in
12 the juridical GRUR-association with any GRUR-rival. Plaintiff filed a lot of partiality-
13 motions because the GRUR-press defamed the Plaintiff since 1996. All partiality-motions
14 were dismissed by the refused FSC-Judges with the hint that they were not involved in the
15 published GRUR-defamation damaging the Plaintiff. GRUR advises the German
16 Government in necessary amendments to the German Trademark -, Design-, Patent-, and
17 Competition Laws. PA TREUDLER filed other partiality-motions because the secret
18 GRUR-Judges were engaged to advise the German Legislator. PA TREUDLER pointed
19 out that it is unlawful if secret Judges are involved in making new German Laws without
20 the public knowing the juridical opinions of the GRUR-Judges. Also, PA TREUDLER's
21 motions were dismissed by the GRUR-Judges and he received a process of canons of
22 professional etiquettes in front of a German Court deciding about the conduct of a patent
23 attorney. The process against PA TREUDLER is still going on until today. This Court has
24 three Judges whereof two of them are patent attorneys and secret GRUR-members.

25 60. About July 2006 to Dec. 2006, PA TREUDLER discovered first facts that
26 there was a conspiracy located within the GRUR-association because FSC-Judge
27 BORNKAMM wrote false facts about Plaintiff's mark (M03) outside of the FSC-Court.
28 FSC-Judge BORNKAMM stated without a legal procedure the false GRUR-facts in his

1 new book which Plaintiff's GRUR-rivals were interested to read. FSC-BORNKAMM
2 pointed out in his juridical book in advance to any decision of a German Court that
3 Plaintiff's mark (**M03**) was an ambush bad faith mark. FSC-Judge BORNKAMM is a
4 secret GRUR-member and he was engaged in the EC-cases. Therefore, FSC-Judge
5 BORNKAMM gave a juridical opinion in advance outside of a lawsuit and under the
6 influence of GRUR-rivals without hearing the Plaintiff before. Plaintiff asserts the fact that
7 a FSC-Judge who is a secret GRUR-member and who falsifies in advance that Plaintiff's
8 had filed an ambush bad faith mark discloses an unlawful enterprise containing German
9 Judges and GRUR-rivals. Plaintiff asserts that there is an illegal German network forming
10 a **Trademark- and Competition-Conspiracy** (hereinafter, "**TTC**") which is located
11 within the famous German juridical GRUR-association (see: <www.grur.de>). The TTC
12 infiltrates the juridical GRUR-associations and obstructs the legislators of different
13 countries.

14 61. Plaintiff asserts that the unlawful enterprise has a malice organization. The
15 TTC is comparable to an illegal syndicate. The TTC has a leading part, hereinafter named
16 conspiracy head. The conspiracy head is formed by about 30 secret members of a juridical
17 syndicate. All members of the conspiracy head are GRUR-members. The juridical
18 syndicate uses different helpers. These helpers could be GRUR-members or not. There are
19 cooperative helpers (= co-conspirators) and utilized helpers. Cooperative helpers know the
20 illegal and malice aims of the syndicate. Utilized helpers do not know the conspiracy aims.
21 The conspiracy head and the cooperative helpers form a secret juridical conspiracy because
22 they know what they do. The conspiracy head, the cooperative helpers and the utilized
23 helpers provide the whole TTC.

24
25 **Conspiracy Head + Cooperative Helpers = Conspiracy.**

26
27 **Conspiracy Head + Cooperative Helpers + Utilized Helpers = TCC**
28

1 62. There is a difference between the utilized helper. Some utilized helpers had the
2 possibility to recognize the secret aims of the conspiracy head because they had enough
3 informations that something was wrong. These utilized helpers profited from the
4 conspiracy head and closed their eyes so that they could not see the wrong facts in
5 Germany. These closed eyes helpers are named overlook helpers. For example, Defendant
6 HOLTZBRINCK is such an overlook helper. Furthermore, there are the innocent helpers
7 who profited from the conspiracy and who had no possibilities to recognize the malice
8 facts. Plaintiff asserts the GRUR-association is the camouflage enterprise of the conspiracy
9 formed by the head and the cooperative helpers. Hereinafter, the conspiracy (head +
10 cooperative helpers) is named **GRUR-Conspiracy** and has about 100 distinct members
11 who are German lawyers, patent attorneys and Judges deciding on trademark and
12 competition cases. Until today, the GRUR-association refuses all actions of PA
13 TREUDLER to disclose the names of the Judges who are secret GRUR-members and who
14 are public officers in service.

15 63. The GRUR-conspiracy acts in Germany, the United-States and all over the
16 world. The GRUR-press publishes translated German decisions of secret GRUR-Judges in
17 the United-States. One malice main aim of the GRUR-conspiracy is the protection of the
18 German market shares against foreign rivals of conspiracy members. Another malice aim
19 of the GRUR-conspiracy is the support of the GRUR-conspiracy members in bad faith acts
20 to steal foreign trademarks with older rights, e.g., by arranged lawsuits because sometimes
21 it is easier to rob a foreign mark than to create an own new one. The German GRUR-
22 conspiracy commits *trademark theft*, *trademark robbery*, and *trademark trafficking*
23 through a gang of juridical experts who are secret members of the conspiracy within
24 GRUR:

25 <i>Trademark theft-</i>	means stolen by willfully taken.
26 <i>Trademark robbery-</i>	means stolen by fraud.
27 <i>Trademark trafficking-</i>	means stolen by purchase from a trademark thief
28	or trademark robber.

1 64. Plaintiff asserts, the GRUR-conspiracy uses **three malice libel** tools to damage
 2 foreign owners of older trademark – and/or competition rights.

3 65. First, the arranged ambush essay: German Judges who decide the arranged
 4 lawsuits are secret GRUR-members as well as the German party suing a
 5 foreign rival. The GRUR-conspiracy determines the result of the arranged
 6 lawsuits in advance in a pool of many other essays with different juridical
 7 opinions. The predetermined results are published by a figurehead as an
 8 ambush essay. Later, the deciding GRUR-Judges choose this juridical ambush
 9 essay of the figurehead as an outstanding juridical opinion to decide against the
 10 foreign party. There is the deception that this ambush essay within the pool of
 11 various juridical opinions is an **amicus curiae letter**. The sued foreign party
 12 gets no possibility to plead against this arranged juridical ambush essay of the
 13 GRUR-conspiracy. The foreign party reads these ambush and predetermined
 14 facts for the first time in the decision of the Judges who are secret GRUR-
 15 members.

16 66. Second, the popular GRUR-press: the German boulevard press is under the
 17 control of the GRUR-conspiracy. Some German newspapers are secret GRUR-
 18 members. The popular GRUR-press, e.g., Defendant HOLTZBRINCK spreads
 19 the sensational story to the public that the foreign party is sued or lost a
 20 German lawsuit.

21 67. Third, the juridical GRUR-press: The juridical GRUR-press publishes the
 22 juridical opinions and decisions decided by the secret GRUR-Judges to the
 23 juridical experts. The juridical GRUR-press is under the control of the GRUR-
 24 conspiracy. Defendant FEZER is an outstanding member of the juridical
 25 GRUR-press and the GRUR-conspiracy.

26
 27 68. As necessary, the whole GRUR-press defames a foreign party before, during
 28 and after the decision of the German Judges who are secret GRUR-members.

1 The reporting about the arranged lawsuit is successful advertising of the German party. If a
 2 foreign party sues a German GRUR-member, the foreign party gets a German lawyer who
 3 is a secret GRUR-member. The **pushed under or insinuated lawyer** forgets to plead
 4 essential facts and the German Judges who are also secret GRUR-members decide that the
 5 foreign party gave no pleadings to the alleged facts which were the reasons for the losing.
 6 Later, the pushed under lawyer is paid by an order of representation in another lawsuit of a
 7 member of the GRUR-conspiracy. For a better understanding in which way the GRUR-
 8 conspiracy works, it is necessary to explain the **German Court system for Trademark-
 9 and Competition lawsuits**. There are three special Court lines in Germany a) to c).

11 69. a) The Juridical Court Line: The first way to sue is the juridical line of the
 12 Civil Courts. The juridical line is used to receive a decision for damages and/or declaratory
 13 actions. This juridical Court line has three Court steps. The highest Court is the First
 14 Senate of the Federal Supreme Court ('FSC'). The FSC has five Judges. The party who
 15 loses in the juridical line has to pay all costs. In the juridical line, a party needs a lawyer to
 16 file a complaint and motions (Anwaltszwang = mandatory representation by lawyers). The
 17 lawyer can be supported by a patent attorney if the complaint concerns a trademark,
 18 competition or patent case. These cases start in front of a Regional Court. There are about
 19 70 German Regional Civil Courts. However, the party without money can ask for legal aid
 20 to get a representative lawyer which is not to be paid in advance. Legal aid is only granted
 21 if the requesting party has success. Therefore, the Judges examine in advance whether the
 22 lawsuit of the party could have success. A party needs neither lawyer nor patent attorney to
 23 file a motion for legal aid. However, the losing party with legal aid has to pay all the costs
 24 of the winning party.

25 70. b) The Registration Court Line: The second way to attack a mark is the
 26 registration line. The registration line is used to cancel a mark. The registration line starts
 27 with a motion filed to the German Patent- and Trademark Office ("German PTO"). The
 28 next step is the Federal Patent Court ("FPC") and the last step of the second way is the

1 First Senate of the FSC again. A party does not need an expensive attorney in the
 2 registration line. A party can be represented by a patent attorney. In the registration line,
 3 only the last step to the highest Court, the FSC, has to be paid by the losing party or when
 4 a bad faith case exists. In the juridical line (*first way*) and the registration line (*second*
 5 *way*), a party needs a special FSC-lawyer to be represented in front of the FSC. The FSC-
 6 lawyer can be supported by a patent attorney.

7
 8 71. c) The Illegal GRUR Court Line: Plaintiff asserts, there is an illegal and secret
 9 GRUR-court-system acting in parallel to the juridical and registration Court lines in
 10 Germany. This illegal Court Line discusses new facts of the German Trademark- and
 11 Competition Law in secret circles without the public or sued party. This malice third
 12 GRUR-court-system is an unlawful enterprise located within the GRUR-association. This
 13 unlawful court-system is controlled by the GRUR-conspiracy. The illegal GRUR-court line
 14 advises the German Government to enact new sections of the German Trademark-,
 15 Competition-, Design-, and Patent Laws. The names of the GRUR-members and the names
 16 of the engaged German Judges are kept secret because the GRUR-club is a private
 17 association. One of the different malice aims of the illegal GRUR-court line is the
 18 decision-publishing to damage a foreign party. Normally, the names of the Judges, the
 19 names of the parties, the names of the attorneys, and the names of the trademarks are not
 20 mentioned and published. Sometimes, all that a juridical reader receives is the official
 21 filing number and the dates of the decision. However, if the foreign party is to be defamed,
 22 then the names of the parties or the marks are published. For example, the name of the
 23 Plaintiff, his mark (M03) or BROOKSIDE's mark "S100" or "P21S" are intentionally
 24 spread by the GRUR-press as outstanding "bad faith" objects. Furthermore, there is no
 25 central place for citation. Some publishings of one decision are performed only by the
 26 citation of the essay and the filing number to produce more juridical written fog. This
 27 juridical fog allows false citations by an unlawful scheme in two ways. First, some first
 28 juridical writers involve and add own juridical opinions later, which are misused by other

1 second juridical writers as a **false citation by opinions** because a reader believes the
 2 juridical opinion of the first writer are facts decided by the Court. This *external false*
 3 *citation by opinions* is performed outside of a Court by GRUR-members, e.g., Defendant
 4 FEZER. For example, in the "E-CLASS" – FSC decision (I ZR 93/98), there is no hint that
 5 the Plaintiff filed a bad faith mark. However, there are a lot of second false citations of this
 6 FSC-decision in the juridical GRUR-press that Plaintiff's mark (**M03**) is a bad faith mark.
 7 Second, there is another **internal false citation by Judges** from one Court decision to
 8 another decision performed by the secret GRUR-Judges. For example, the arranged "E-
 9 CLASS" decision was misused to decide that the marks "S100" and "P21S" of the
 10 American company BROOKSIDE were also bad faith marks. Plaintiff's mark "E-CLASS"
 11 (**M03**) is cited in BROOKSIDE's decision. If anyone reads BROOKSIDE's decision, he
 12 will get the false information that Plaintiff's mark is also a bad faith mark. On Oct. 30,
 13 2003, the *internal false citation* happened by the FSC-Judges ULLMANN and
 14 BORNKAMM (see: FSC-decisions "S100" – I ZB 9/01, and "P21S" – I ZB 8/01). On
 15 Apr. 27, 2006, FSC-Judges ULLMANN and BORNKAMM performed another *internal*
 16 *false citation* that Plaintiff's mark is a bad faith mark (see: FSC-decision "WM 2006" – I
 17 ZB 97/05). On Nov. 01, 2005, FSC-Judge BORNKAMM made an *external false citation*
 18 *by opinion* in his new book "Competition Law" by publisher BECK that Plaintiff's mark
 19 "E-CLASS" was an ambush bad faith mark. Defendant FEZER, who published this
 20 *external false citation by opinion* since 1996, is no FSC-Judge. FEZER's Court was
 21 engaged in the "EC-cases". FSC-Judge BORNKAMM was engaged in Plaintiff's appeal.
 22 FSC-Judge BORNKAMM made this *external false citation by opinion* as an appeal Judge
 23 in advance since 2005 to support the malice aims of the GRUR-conspiracy. About July
 24 2006, PA TREUDLER discovered BORNKAMM's book.

25 72. On July 07, 2001, PA TREUDLER sued GRUR in front of the Local Court of
 26 Cologne (Köln, file number 117 C 103/01) that GRUR should disclose all names of the
 27 active German Judges who are GRUR-members to the public. The Local Court dismissed
 28 PA TREUDLER's lawsuit by the following reasons (translated):

1 *"...The Plaintiff (PA TREUDLER) has no claim that the Defendant (GRUR)*
 2 *gives informations about which club members are Judges at the Federal*
 3 *Courts (...).*

4 *As far as the Plaintiff reprimands libels of his client, the trademark*
 5 *designer SCHELE, his claim already fails due to lack of the right to sue.*
 6 *Casualty of the alleged legal breaches is not the Plaintiff, but his client.*

7 *Nor are claims of the Plaintiff in evidence. It is not comprehensible that*
 8 *the Defendant is a Special Court. Just the fact that the Defendant has been*
 9 *dealing with commercial legal protection for over 100 years and accompanies*
 10 *legal plans from a scientific point of view inter alias does not justify such a*
 11 *classification. Therefore, a breach against article 101 of the Basic*
 12 *Constitutional Law does not exist. Also the fact that club members meet at*
 13 *various places in camera to exchange information does not allow any other*
 14 *judgment. It is not obvious to what extent the Plaintiff is hindered to argue for*
 15 *basic democratic values and to take legal actions against legislative and*
 16 *normative injustice. It is a matter of common knowledge that there are various*
 17 *possibilities to influence proceedings of legislation. Moreover, it is not*
 18 *noticeable why there is a claim to name the associated Judges of the Defendant*
 19 *due to the request of the Plaintiff.*

20 *According to the Court, article 103 of Basic Constitutional Law does*
 21 *not show the demand to inform the general public about which persons*
 22 *participate in the development of the proceedings of legislation in individual*
 23 *cases...".*

24
 25 73. Later, PA TREUDLER received the secret list of the GRUR-members (dated
 26 2002) in an anonymous letter. The list shows that most of the rivals and Judges of the EC-
 27 cases of the Plaintiff are GRUR-members as well as DCX and DCX representatives.
 28 Moreover, the German Patent Bar was a GRUR-Member. PA TREUDLER is a member of

1 the German Patent Attorney Bar. The money which PA TREUDLER has to pay to the Bar
2 is partially used to pay the Bar's GRUR-membership. Until today, GRUR refuses to
3 disclose the names of the Judges who are new GRUR-members. GRUR and the German
4 Bar refused all motions that PA TREUDLER could take a look at the newest GRUR-list to
5 refuse Judges who are engaged in the EC-cases. On Sep. 10, 2009, PA TREUDLER sued
6 the Defendants FRG and LEUTHEUSSER to name him the Federal Judges who are secret
7 GRUR-members because these Judges are under their administrative supervision as public
8 officers in service. On Mar. 03, 2010, the Court of Berlin dismissed PA TREUDLER
9 lawsuit because the names of the German Judges are GRUR's privacy data.

10 11 II. JURISDICTION

12
13 74. This Court has jurisdiction over this Complaint because it arises under the law
14 of the United States. All malice acts described in the Complaint have influence on or
15 occurred within the United States, California and San Francisco County. At all relevant
16 times and until today, each Defendant has conducted activities in the United States.

17 75. Pursuant to 28 U.S.C. § 1331, this Court has original jurisdiction over the
18 subject matter of this case because all or part of the claims arise from Defendant's
19 violations of the United States Codes. Moreover, the amount in controversy is in excess of
20 \$75,000. The Court has subject matter jurisdiction according to 28 U.S.C. §§ 1331 – 1332.

21 76. Plaintiff files this Complaint pursuant to civil protection of Chapter 96 of Title
22 18, United States Code, codified at 18 U.S.C. §§ 1961-1968, entitled Racketeer Influenced
23 and Corrupt Organizations ("RICO").

24 25 III. VENUE

26
27 77. Venue is proper in this Court pursuant to 28 U.S.C. § 1391 (d) and 18 U.S.C.
28 1962. At all times relevant to this Complaint, each RICO-Defendant named herein was and

1 is a "person" as the term is defined in 18 U.S.C. § 1961 and § 1962. All Defendants
2 violated the Plaintiff in the District of the Court.

3
4 **IV. INTRADISTRICT ASSIGNMENT**

5
6 78. Assignment to the San Francisco Division is proper under Local Rule 3-2
7 because substantial actions of the five Defendants cover the whole United States including
8 San Francisco County, California. Plaintiff Ulrich SCHELE, for his Complaint against five
9 main Defendants, alleges as follows based on his personal knowledge as for himself and on
10 information and belief as to acts of others.

11
12 **V. PARTIES**

13
14 79. Plaintiff Ulrich SCHELE is a German individual living with his French wife
15 in France since 1989. Plaintiff performed different successful businesses. Plaintiff offered
16 the services of a motor-car dealer and a trademark design agency. These services were
17 registered in Germany. Both businesses – motor car dealer service and trademark design
18 agency – have been destroyed by the GRUR-conspiracy step by step from 1993 to 2010.
19 Plaintiff was interested in extending the services of his two enterprises to the United States.
20 These both enterprises of the Plaintiff were systematically ignored by the engaged Judges
21 who are secret GRUR-members. The ignorance of Plaintiff's both enterprises were
22 necessary to falsify that the Plaintiff is a private person who has no general intention to use
23 his marks in his own enterprises, and that therefore, Plaintiff's marks are marks of a
24 speculator.

25
26 80. Defendant **Federal Republic of Germany** (hereinafter, "**FRG**") is a European
27 country. Since 1995, the German trademark law of the FRG depends on the advices of the
28 European Guidelines (Markenrichtlinien: zur Angleichen der Rechtsvorschriften der

1 Mitgliedstaaten über die Marken – 89/104/EWG – 12/21/1988; Verschiebung des
 2 Angleichungszeitpunktes – 92/10/EWG 12/19/1991). The FRG misused the “E-CLASS”-
 3 case to manipulate the European Guidelines to the advantages of special GRUR-members.
 4 The FRG is the main shareholder of the German juridical database JURIS
 5 (<www.juris.de>) which publishes defamations and forgeries of the Plaintiff and his mark
 6 (**M03**) until today. Plaintiff asserts that there are obstructions of the German justice by the
 7 GRUR-conspiracy.

8
 9 81. Defendant **Angela MERKEL** (hereinafter, “**MERKEL**”) is the Federal
 10 Chancellor of Defendant FRG. MERKEL represents the Defendant FRG. On **Sep. 10,**
 11 **2009**, PA TREUDLER filed a German lawsuit against FRG to disclose a new list of the
 12 secret GRUR-members to the public containing the names of the German Judges who
 13 decide German trademark and competition cases. The lawsuit of Plaintiff's patent attorney
 14 TREUDLER v. FRG was filed to the Local Court of Berlin (file number: 2 C 395/09). On
 15 **Jan. 11, 2010**, by a letter, PA TREUDLER informed the office of the Federal Chancellor
 16 about the malice activities of GRUR-conspiracy and the German Bar who hindered him to
 17 defend Plaintiff's older trademark rights. PA TREUDLER's lawsuit and letter contained
 18 all documents of juridical evidence to recognize the malice activities of the GRUR-
 19 conspiracy. Defendant MERKEL refused to issue or to provide the new list of GRUR-
 20 members to PA TREUDLER. On **Feb. 02, 2010**, Defendant MERKEL sent PA
 21 TREUDLER's lawsuit and letter to the German Federal Minister of Justice for further
 22 handling (reference number of the letter - 131 - 02908 - Ju 024 - NA 60). On **Mar. 10,**
 23 **2010**, the Local Court of Berlin decided that PA TREUDLER has no right to receive a list
 24 of the GRUR-members although PA TREUDLER is a member of the German Patent Bar.

25 82. Defendant Sabine **LEUTHEUSSER-SCHNARRENBARGER** (hereinafter,
 26 “**LEUTHEUSSER**”) was a former German Federal Minister of Justice (05/18/1992 to
 27 01/12/1996). LEUTHEUSSER was named as a GRUR-member in the old list of the year
 28 2002 which PA TREUDLER received by an anonymous letter. Thereafter,

1 LEUTHEUSSER was a member of the German Federal Parliament (Bundestag). In 2009,
 2 PA TREUDLER discovered in LEUTHEUSSER's own internet pages that she is still a
 3 GRUR-member. Therefore, on **Sep. 10, 2009**, PA TREUDLER sued LEUTHEUSSER
 4 together with Defendant FRG to issue a new list of the GRUR-members to the public. In
 5 the meantime, since Oct. 2009, Defendant LEUTHEUSSER has become again the German
 6 Federal Minister of Justice. Defendant LEUTHEUSSER refused to issue the new list of
 7 GRUR-members to PA TREUDLER. Defendant LEUTHEUSSER pointed out in a letter
 8 that she left the GRUR-association in the year 2001. Defendant LEUTHEUSSER is a
 9 cooperative helper of the GRUR-conspiracy because she was responsible for the
 10 manipulations of the new German Trademark Law enacted on **Jan. 01, 1995**, to favor
 11 GRUR-members and to damage foreign trademark owners like the Plaintiff.

12
 13 83. Defendant **Karl-Heinz FEZER** (hereinafter, "**FEZER**") is a secret GRUR-
 14 member and Judge of the Regional Appeal Court of Stuttgart, the place where DCX is
 15 located. Furthermore, FEZER is a German law professor at the University of Konstanz, is
 16 the leading part of the juridical GRUR-press and one of the most famous law experts of the
 17 German Trademark- and Competition Law who intentionally defamed the Plaintiff as a
 18 wrongdoing person and his mark "E-CLASS" (**M03**) as a bad faith mark in advance.
 19 FEZER wrote juridical books based on the EC-cases. FEZER publishes own opinion-
 20 citation forgeries of the EC-cases which are disclosed step by step from 1996 to 2009.
 21 FEZER's books are sold by AMAZON in the United States. FEZER is a head of the
 22 GRUR-conspiracy and publishes the other decisions against foreign companies which are
 23 competitors, rivals and/or victims of secret GRUR-members.

24
 25 84. Defendant **Dieter von HOLTZBRINCK** (hereinafter, "**HOLTZBRINCK**") is
 26 an owner and publisher of different German newspapers, e.g., "DER TAGESSPIEGEL",
 27 "HANDELSBLATT", "WIRTSCHAFTSWOCHE". These newspapers, controlled by the
 28 GRUR-conspiracy, are a part of the popular GRUR-press which defames and damages the

1 Plaintiff as well as other foreign victims. HOLTZBRINCK's newspapers are delivered to
 2 the United States. HOLTZBRINCK's newspapers sponsor Plaintiff competitor **Manfred**
 3 **GOTTA** and his German trademark agency whereas the Plaintiff is defamed. These former
 4 defamation editions of HOLTZBRINCK's newspapers damaging the Plaintiff are
 5 published in the internet in the database GENIOS (<www.genios.com>). HOLTZBRINCK
 6 is an overlook helper of the GRUR-conspiracy.

7 8 **VI. FACTUAL ALLEGATIONS**

9
10 85. Plaintiff's patent attorney TREUDLER recognized 30 special malice tricks and
 11 tools of the GRUR-conspiracy to damage a foreign party. A lot of the victims of the
 12 GRUR-conspiracy losing German trademark- or competition lawsuits are companies of the
 13 United States. The GRUR-conspiracy works within three **main activities ranges** to
 14 damage foreign owners of trademarks by infiltrations, influences and obstructions:

15 86. aa) – the **influence on the German legislator** to manipulate German Laws to
 16 the advantages of GRUR-members (see: para.89),

17 87. bb) – the **time control of the two Court lines** to coordinate the malice
 18 proceedings (see: para.107), and

19 88. cc) – the **controlled GRUR-Judges** to perform trademark robbery and/or
 20 competition damages of foreign owners of older rights (see: para.110):

21
22 89. aa) – **First, the influence on the German legislator:** The GRUR-conspiracy
 23 took influence on the German legislator to manipulate the German Trademark- and
 24 Competition Law to the advantages of special GRUR-members. MBA had own interest
 25 (see: para.104) and was a figurehead of the GRUR-conspiracy to manipulate the European
 26 directive (Markenrichtlinie) which determines that every private person is able to file a
 27 trademark. In most European countries, every private person can register a trademark only
 28 to sell it without an intention to use it by his own. Some GRUR-members were not

1 interested in getting the European filing rules in Germany that every private person can file
 2 a trademark. These GRUR-members could not manipulate the European rules determining
 3 the basic facts of the new German Trademark Law, enacted in 1995. However, the GRUR-
 4 conspiracy could manipulate the new German Trademark Law with the help of the secret
 5 GRUR-Judges by arranged decisions of Judge Law. These arranged decisions were used to
 6 change the German Trademark Law within the guidelines of the European directives
 7 concerning what a "bad faith trademark" should be. The "bad faith fact" was the juridical
 8 key to stop applications of private persons. Therefore, after enacting this new law in 1995,
 9 the GRUR-conspiracy needed an arranged lawsuit to get a decision of the secret GRUR-
 10 Judges which was used to advise the German legislator to manipulate the German
 11 Trademark- and Competition Law against private applicants. Plaintiff asserts that he was
 12 spied upon to become a victim of the arranged EC-cases to manipulate the new German
 13 Trademark Law. Therefore, MBA filed the following three lawsuits as a figurehead of the
 14 GRUR-conspiracy against the Plaintiff in Germany:

- 15
- 16 90. **First EC-case:** In Jan. 1996, a first arranged lawsuit was directed to the
 17 IR- mark (M03) and was proceeded in the juridical Court
 18 line. On Nov. 23, 2000, the first EC-case ended by the
 19 FSC-decision (file number I ZR 93/98). In this decision,
 20 the Judges pointed out that the Plaintiff had older
 21 trademark rights and that there were no hints that the
 22 Plaintiff had received the mark by a malice way. But the
 23 Judges pointed out that Plaintiff misused his older rights
 24 as an abuse trademark of a speculator. Furthermore, the
 25 Judges decided that the misuse happened after the
 26 registration. The juridical question about Plaintiff's mark
 27 being a bad faith mark was not considered. The FSC-
 28 Judges falsified that the Plaintiff had no general intention

1 to use his mark (M03). The French and Swiss licenses
2 with MBA requested that the Plaintiff would not make
3 own use of his marks (M01 and M02). All allegations
4 that MBA promised a German license if the Plaintiff did
5 not use his marks (M01, M02, M03) were ignored.
6 According to a German/Swiss Convention (Deutsch-
7 Schweizer Handelsabkommen), Swiss uses of a mark by
8 a licensee are German uses by the licensor. All
9 allegations that ZETSCHE's company MBA uses
10 Plaintiff's mark in Switzerland were ignored. All
11 engaged German Judges ignored the German/Swiss
12 Convention to support malice interests of the GRUR-
13 conspiracy.

14
15 91. Second EC-case: In Jan. 1996, a second arranged lawsuit was proceeded in
16 the registration line to cancel the German part of the IR-
17 mark (M03) by the German PTO. The decision of the
18 German PTO was protracted until Jan. 1995 so that the
19 other malice aims within the juridical Court line (first
20 EC-case) could be reached. After ten years, on July 26,
21 2006, the FPC decided. On Apr. 19, 2008, this arranged
22 lawsuit ended by a further FSC-decision. In this decision,
23 it was falsified by the GRUR-conspiracy that the mark
24 "E-CLASS" is an ambush and bad faith mark of a private
25 speculator.

26
27 92. Third EC-case: The third arranged lawsuit concerned the German mark
28 (M04) filed in the registration line of the German PTO in

January 1995. The third EC-case started in Jan. 1996 and ended in the year 2007. There was no decision because the German PTO has intentionally delayed the registration from Jan. 01, 1995 to Jun. 28, 2001. Based on the defamations of the GRUR-press, Plaintiff could not pay the extension fee because he was ruined by the GRUR-conspiracy.

93. There were no case discussions in the above EC-cases. The results of the EC-cases were always based on falsified facts of the popular GRUR-press and on juridical libel essays published in advance by the juridical GRUR-press.

94. **Plaintiff was never personally heard by any German Judge**

95. to plead against the forgeries of the GRUR-conspiracy. In all EC-cases,

96. **there were no case discussions.**

97. PA TREUDLER got no chance to discuss the arranged juridical facts during the suit. There were a lot of different juridical essays written about the EC-cases by GRUR-members and published in the GRUR-press. The Judges who are secret GRUR-members gave no hint about which juridical opinion was preferred. Sometimes, if essential essays were published in books, the relevant books of the juridical GRUR-press disappeared from the library in a mysterious way. Therefore, PA TREUDLER could not see these launched juridical GRUR-essays which were not comparable with *amicus curiae* letters. The launched main GRUR-essay in the EC-case was a **juridical ambush essay** by the juridical figureheads **KIETHE/GROSCHKE** because the secret GRUR-Judges used it as basis for a decision against the Plaintiff. KIETHE/GROSCHKE's juridical ambush

1 essay was published on **Apr. 01, 1997** (see: WRP 1997, page 269) and intentionally
 2 misused by Judge DEMBOWSKI of the Appeal Court of Frankfurt on **Oct. 09, 1997**.
 3 Judge DEMBOWSKI alleged no facts of KIETHE/GROSCHKE's essay to PA
 4 TREUDLER during the oral hearing. However, the whole arranged decision was based on
 5 the forgeries of the Plaintiff as a wrongdoing person. KIETHE/GROSCHKE refused all
 6 questions in which way they received the detailed facts about the Plaintiff although they
 7 were not engaged in the lawsuit and had no contact to the Plaintiff. The publishing of such
 8 juridical ambush essays in advance among different arranged juridical GRUR-opinions is
 9 one of the 30 malice tricks of the GRUR-conspiracy to damage a foreign competitor by
 10 malice misuses of the German Law.

11 98. Plaintiff gives another malice example of an oral hearing occurred at the FSC
 12 (07/13/2000) in the first EC-case. In 1998, Plaintiff received a legal aid FSC-lawyer
 13 **VORWERK** by a motion of PA TREUDLER. Plaintiff was represented by the FSC-
 14 Lawyer VORWERK and PA TREUDLER. As could be seen later, except PA
 15 TREUDLER, all the named persons, lawyers and Judges as well as ZETSCHE's company,
 16 were secret GRUR-members. Plaintiff and PA TREUDLER did not know this. Months
 17 before, in May 2000, DCX pleaded the new fact that DCX had an own competition right
 18 based on the designation "S-CLASS" including the new used designation "E-CLASS".
 19 Furthermore, PA TREUDLER pointed out that DCX was the wrong party because the
 20 Plaintiff never had contact to CHRYSLER. Therefore, PA TREUDLER informed
 21 Plaintiff's FSC-lawyer VORWERK to plead against these false facts. VORWERK advised
 22 PA TREUDLER to shut up and not to come to the oral hearing. However, PA TREUDLER
 23 filed documents to the FSC that DCX had no own competition right at the designation "S-
 24 CLASS" which was used by other car producers before. On **July 13, 2000**, at the
 25 beginning of the oral FSC-hearing, PA TREUDLER could not find a table and chair in the
 26 FSC-Courtroom for his records, his documents and for himself as Plaintiff's patent
 27 attorney. During the FSC-hearing, PA TREUDLER was hindered by the FSC-Judges
 28 ERDMANN to defend Plaintiff's trademark rights. The engaged FSC-lawyer VORWERK

1 and Chief Justice ERDMANN of the FSC defamed PA TREUDLER in the public hearing.
 2 FSC-lawyer VORWERK, the representative of the Plaintiff defamed the written "S-
 3 CLASS"-pleading of PA TREUDLER as a "Kiloschriftsatz" (which means a lot of paper
 4 without relevance"). The FSC-lawyer JORDAN of DCX explained that it was not
 5 necessary to read the written "S-CLASS"-pleading of PA TREUDLER. Judge ERDMANN
 6 refused the "S-CLASS"-pleading. The five FSC-Judges moved PA TREUDLER's
 7 documents like a hot potato over the long table of the Court. Later, on Nov. 23, 2008,
 8 Plaintiff's appeal was willfully dismissed and all documents showing that ZETSCHE's
 9 company was not owner of the designation "S-CLASS" were intentionally ignored by the
 10 FSC-Judges. The FSC-decision was essentially based on the false "S-CLASS" fact that
 11 ZETSCHE's company DCX was the owner of an older competition right. Furthermore, the
 12 FSC-decision was additionally based on false facts of the ambush essays by
 13 KIETHE/GROSCHKE (1997) and DCX's FSC-lawyer JORDAN (1996). FSC-Judge
 14 ERDMANN didn't call the Plaintiff for the hearing. However, the GRUR-Conspiracy had
 15 ordered a journalist GEIGER to the FSC-hearing to defame the Plaintiff and PA
 16 TREUDLER in the popular GRUR-press. The report by the journalist GEIGER of the
 17 STUTTGARTER ZEITUNG was printed on July 14, 2000. Here a translation of
 18 journalist's GEIGER report about the oral FSC-Hearing:

19
 20 ***"DAIMLER DOES NOT USE E-CLASS AS A BRAND NAME"***

21
 22 ***"Brand Designer Versus Automobile Company: Federal Court of Justice
 23 negotiates about rights on a name, licenses and registration"***

24 *"The lawsuit between Daimler-Chrysler and the brand designer Ulrich*
 25 *Schele about the name "E-CLASS" goes into the next round. The Federal*
 26 *Court of Justice negotiated yesterday. In the meantime, Schele applied to clear*
 27 *Daimler brand "S-CLASS" at the German Patent Office.*

28 *One person disturbs. The court room of the Federal Court of Justice*

1 *has recently been renovated and furnished, with small tables for the pleading*
2 *lawyers. It corresponds to the form and style of the court. Today there are,*
3 *other than usual, two lawyers in front of the small table: Volker Vorwerk,*
4 *accredited to the Federal Court of Justice and known to the court, and*
5 *Reinhard Treudler in the exotic robe of a patent lawyer. His brush haircut*
6 *somehow looks strange here.*

7 *Treudler takes one of the visitor's chairs as there is no room, and wants*
8 *to spread his files there. This does not work. "We try to keep a certain form*
9 *here", explains his combatant and colleague Vorwerk in a piqued way. As the*
10 *recording clerk, complaining about the scarce room, tries to arbitrate,*
11 *Vorwerk stops him: There is enough room. It is obvious: Both men who serve*
12 *the same issue but who are completely different when it comes to appearances,*
13 *self-image and legal proceedings, do not like each other. Their client is Ulrich*
14 *Schele, and he claims to be a "brand designer". On the other side where the*
15 *representatives of Daimler-Chrysler are, this small quarrel is appreciated with*
16 *a quiet smile.*

17 *Schele has registered a lot of names and terms as "brands" for*
18 *products. One of them was the registration of "E-CLASS" in France in 1992.*
19 *The international registration was in April 1993 – just in time before Daimler*
20 *started to advertise for its "E-CLASS". As a result, the company paid Schele*
21 *100,000 DM license fee for France and 48,000 DM for Switzerland. Daimler-*
22 *Chrysler did not want to pay for Germany. As Schele asked for the money, the*
23 *company arose "action for a negative declaratory judgment" to finally*
24 *evidence the unjustified claims. It is a matter of some million EUR.*

25 *Daimler-Chrysler prevailed at the Higher Regional Court in Frankfurt.*
26 *The judge confirmed that the casual worker Schele tries to make money with*
27 *his "E-CLASS" as an ambush brand with misfeasance and without legitimate*
28 *usages and "under exploitation of a formally better legal position". Schele*