

NOTE: This order is nonprecedential.

**United States Court of Appeals  
for the Federal Circuit**

---

**LAKSHMI ARUNACHALAM,**  
*Plaintiff-Appellant*

v.

**CITIGROUP INC., CITICORP, CITIBANK, N.A.,**  
*Defendants-Appellees*

---

2020-2196

---

Appeal from the United States District Court for the District of Delaware in No. 1:14-cv-00373-RGA, Judge Richard G. Andrews.

---

**ON MOTION**

---

PER CURIAM.

**O R D E R**

Dr. Lakshmi Arunachalam moves for leave to proceed *in forma pauperis*. Upon consideration of Dr. Arunachalam's complaint, the judgment of the United States District Court for the District of Delaware, and the opening informal brief, the court dismisses this appeal under 28 U.S.C. § 1915(e)(2)(B).

Dr. Arunachalam filed the operative complaint on March 24, 2014, asserting infringement of U.S. Patent Nos. 5,987,500 (“the ’500 patent”) and 8,108,492 (“the ’492 patent”). The parties agreed to stay the matter pending this court’s review of a related case’s judgment of invalidity over claims of the same two patents. Dr. Arunachalam sought to amend the complaint to assert U.S. Patent No. 7,340,506 (“the ’506 patent”). On June 18, 2020, the district court dismissed the underlying case after finding that all claims of the patents Dr. Arunachalam was asserting or attempting to assert were either finally declared invalid or are claims she is collaterally estopped from asserting. This appeal followed.

The court waives the fee on the ground that Dr. Arunachalam meets the standards for *in forma pauperis* status. However, we must now consider whether this appeal should be dismissed as lacking any arguable basis either in law or in fact. *See* § 1915(e)(2)(B) (“[T]he court shall dismiss the case at any time if the court determines that . . . [the] appeal . . . is frivolous . . .”); *Neitzke v. Williams*, 490 U.S. 319, 325 (1989) (holding that an appeal is frivolous if it “lacks an arguable basis either in law or in fact”). We conclude that the appeal so qualifies and must be dismissed.

As previously explained to Dr. Arunachalam, claims of the ’500 patent and ’492 patent were invalidated by decisions of a district court and the Patent Trial and Appeal Board, and Dr. Arunachalam was found to be collaterally estopped from asserting all remaining claims of these patents based on those decisions. *Arunachalam v. Presidio Bank*, 801 F. App’x 750, 751–54 (Fed. Cir. 2020). As to the ’506 patent, this court recently explained that a final decision of the Board had invalidated the remaining claims of that patent. *Arunachalam v. Int’l Bus. Machs. Corp.*, 759 F. App’x 927, 930 (Fed. Cir. 2019).

The district court acknowledged that precedent, and Dr. Arunachalam’s opening brief on appeal asserts arguments she raised previously and that this court repeatedly has rejected: arguments based primarily on the Contracts Clause and *Fletcher v. Peck*, 10 U.S. 87 (1810), on “prosecution history estoppel” and *Aqua Products, Inc. v. Matal*, 872 F.3d 1290 (Fed. Cir. 2017),<sup>1</sup> and error in a Delaware district court judge’s recusal decisions.<sup>2</sup> As such, Dr. Arunachalam has failed to provide any arguable basis in law or fact capable of supporting her appeal, and we therefore conclude that this appeal is frivolous. *Neitzke*, 490 U.S. at 325.

Accordingly,

IT IS ORDERED THAT:

- (1) The motion for leave to proceed *in forma pauperis* is granted.
- (2) The appeal is dismissed.
- (3) Each side shall bear its own costs.

FOR THE COURT

November 03, 2020  
Date

/s/ Peter R. Marksteiner  
Peter R. Marksteiner  
Clerk of Court

s31

---

<sup>1</sup> Arguments previously rejected in *Arunachalam*, 759 F. App’x at 930; *see also In re Arunachalam*, No. 2019-112 (Fed. Cir. Mar. 27, 2019); *In re Arunachalam*, No. 2019-113 (Fed. Cir. Mar. 27, 2019); *In re Arunachalam*, No. 2019-114 (Fed. Cir. Mar. 27, 2019).

<sup>2</sup> Arguments also previously rejected. *See Arunachalam*, 759 F. App’x at 933–34.