No: 24-2256

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

LARRY GOLDEN
Appellant

v.

THE UNITED STATES
Appellee

ON APPEAL FROM THE UNITED STATES COURT OF FEDERAL CLAIMS
IN 1:23-cv-00811-EGB (RELATED CASE 13-307C)
JUDGE ERIC G. BRUGGINK

INFORMAL PETITION FOR REHEARING *EN BANC*

LARRY GOLDEN
740 Woodruff Rd., #1102
Greenville, S.C. 29607
(864-992-7104)
Atpg-tech@charter.net

Appearing ProSe

April 22, 2025

THE ABUSE OF PRECLUSION, KESSLER, AND *"STARE DECISIS"* CREATES LOOPHOLES IN ESTABLISHED PRECEDENCE AND DOUBLE STANDARDS

First Requirement for Issue Preclusion - "Same Parties"

The Defense and the lower court judge failed to establish the first requirement of issue preclusion: "The parties are identical … Mr. Golden does not dispute that *Golden I* involved the same parties as here—himself and the government."

The Federal Government is broken down into fifteen departments, each of which consists of a number of sub-departments and organizational groups tasked with accomplishing the Department's overall goals. In *Golden I*, Golden filed a claim against the Department of Homeland Security [DHS]. In this current case Golden filed a claim against a separate department; the Department of Defense [DoD]. The Circuit admits, "this complaint focused on a different governmental program and on different devices."

"Generally, claim preclusion applies where: (1) the parties are identical" … "Mr. Golden does not dispute that *Golden I* involved the same parties as here—himself and the government". See *Golden v. US* Case 13-307-EGB Dkt. 130 Filed 03/29/18 for a list of ***different*** agencies:

> "[t]he Dept. of the Army; the Dep.t of the Air Force; the Dept. of Defense ("DOD"); the Dept. of Energy; the Dept. of Homeland Security Science and Technology Directorate (*"DHS-S&T")*; the DOJ; the Dept. of the Navy; the AFRL; the Army Communications Electronics RD&E Center; the Army ECBC; ARL; the CBRN Information Resource Center; DARPA; DoD-DTRA; DNDO; the EPA; the EMA; the GSA; the HSARPA; the Integrated CBRN&E Program; the Joint Acquisition CBRN Knowledge System; the JPEO-Chemical and Biological Defense; the NASA; the Naval Air Systems Command; the NRA; the NIH; the NSF; the ORNL; and the ONR." *Golden v. US* Case 1:13-cv-00307-EGB Document 130 Filed 03/29/18

as having allegedly infringed at least one of Golden's patented inventions [CMDC devices; CPUs; Detection systems; Vehicle Slow-down systems; Locks] that are "used or manufactured" for the benefit of the Government. *Golden I* is against DHS; the current case is against DoD.

Question: Before Golden files another case, does this mean ***only*** the Black or African-American Golden is forever barred or forbidden to file an action against any branch; agency; department; or level of the Government; because they are all considered the "same party"?

The U.S. Constitution establishes three separate but equal branches of government: the legislative branch (makes the law), the executive branch (enforces the law), and the judicial branch (interprets the law). "Government" itself, is to broadly inclusive if considered one party.

18 U.S. Code § 6 - Department and agency defined: The term "department" means one of the executive departments enumerated in section 1 of Title 5, unless the context shows that such term was intended to describe the executive, legislative, or judicial branches of the government.

The term "agency" includes any department, *independent* establishment, commission, administration, authority, board or bureau of the United States or any corporation in which the United States has a proprietary interest, unless the context shows that such term was intended to be used in a more limited sense.

The difference between DHS Homeland Security [*Golden I*] and the DoD Homeland Defense [current case] are:

- "Homeland security" and "homeland defense" are often used interchangeably, but there is in fact a distinct, definitional difference between the two, especially concerning the Army's active role in both."
- DoD – "national security — A collective term encompassing both national defense and foreign relations of the United States with the purpose of gaining: a. A military or defense advantage over any foreign nation or group of nations; b. A favorable foreign relations position; or c. A defense posture capable of successfully resisting hostile or destructive action from within or without, overt or covert."
- DHS – "homeland security — A concerted national effort to prevent terrorist attacks within the United States; reduce America's vulnerability to terrorism, major disasters, and other emergencies; and minimize the damage and recover from attacks, major disasters, and other emergencies that occur."

Question: While the Circuit themselves admits, "this complaint focused on a different governmental program[s] and on different devices", is it not improper to say also, "Mr. Golden does not dispute that *Golden I* involved the same parties as here—himself and the government", as a means of satisfying the first requirement of claim preclusion ["the parties are identical"], and *Kessler*, only to justify affirming the USCFC judgement to dismiss?

Second Requirement for Issue Preclusion - "Final Judgement"

Res judicata require a final judgment. But here, the prior judgment, though challenged on appeal, was dismissed on mootness grounds. A dismissal solely on mootness grounds does not result in a final judgment "on the merits" as required to apply the doctrine of *res judicata.*

> A case becomes moot when: (1) it appears that a party seeks to obtain a judgment upon some controversy, when in reality none exists; or (2) a party seeks a judgment upon some matter which cannot have any practical legal effect upon a then existing controversy. *Mollinedo v. Tex. Employment Comm'n*, 662 S.W.2d 732, 738; *Scholl v.*

Firemen's & Policemen's Civil Serv. Comm'n, 520 S.W.2d 470, 471 (Tex. Civ. App.-Corpus Christi 1975, no writ) (per curiam).

Claim preclusion requires a final judgment on the merits, while issue preclusion requires a final adjudication of an issue. (*Samara v. Matar* (2018) 5 Cal.5th 322, 324.) "Here, the court held that an appeal challenging the trial court's conclusions, and then decided by the Court of Appeal, but decided on appeal solely on "a purely procedural or technical ground distinct from an actual determination of the merits," ***does not result in a judgment on the merits for purposes of res judicata or preclusion***.

In the lead case [*Golden I*] Case 1:13-cv-00307-EGB Document 249 Filed 11/10/21 pgs. 12-13 of 13, the Judge dismissed Golden's case on a purely procedural or technical ground:

> "[B]ecause plaintiff has failed to conform his preliminary infringement contentions with Patent Rule 4 and has failed to follow a court order in that regard, the case must be dismissed. Accordingly, the following is ordered: 2. Defendant's motion to strike and to dismiss (ECF No. 240) is granted pursuant to Rule 41(b)":
>
> > Rule 41(b) Involuntary Dismissal; Effect. "If the plaintiff fails to prosecute or to comply …, a defendant may move to dismiss the action … against it. Unless the dismissal order states otherwise, a dismissal under this subdivision (b) —except one for lack of jurisdiction, improper venue, or ***failure to join a party under Rule 19*** —operates as an adjudication on the merits.
> >
> > > Rule 19(a)(1)(A): "in that [party's] absence, the court cannot accord complete relief among existing parties; or, (B) that [party] claims an interest relating to the subject of the action and is so situated that disposing of the action in the [party's] absence may:
> > >
> > > > (i) as a practical matter impair or impede the [party's] ability to protect the interest

In the lead case [*Golden I*], the lower court Judge failed to join the primary contractor in the DHS *Cell-All* initiative Qualcomm; as well as, Nasa and its subcontractor Genel, Synkera, SeaCoast, Rhevision, Samsung, and LG.

In the current case, the lower court Judge failed to include the primary contractor in the DoD-DTRA initiative, the Defense Threat Reduction Agency; as well as, the iTAK that is built

on Apple's operating system (iOS) for at least the Apple products asserted in this case; the ATAK that is built on Google's android open-source operating system for at least that of Google, LG, Qualcomm, and Samsung products asserted in this case; the WinTAK that is built on Microsoft's operating system for at least that of Intel and Hewlett Packard products asserted in this case; and Draper Laboratories, Inc. who is responsible for the CBRNE Plugin sensors.

In this current case the Federal Circuit admits Golden brought both suits under the guidelines of 28 U.S.C. § 1498(a).

> "Mr. Golden first brought suit against the government ***under 28 U.S.C § 1498*** in May 2013, "alleging that the Department of Homeland Security infringed his patents by soliciting proposals for the development of cellular devices through its "*Cell-All'* initiative." Golden I, 2022 WL 4103287, at *1." … Mr. Golden then brought the present suit against the government in May 2023, [] again alleging patent infringement ***under 28 U.S.C. § 1498(a)*** under 28 U.S.C. § 1498(a), which states:
>
> > "… For the purposes of this section, the use or manufacture of an invention described in and covered by a patent of the United States by a contractor, a subcontractor, or any person, firm, or corporation for the Government and with the authorization or consent of the Government, shall be construed as use or manufacture for the United States."

In the lead case Golden; (1) alleged the Government (DHS-S&T and NASA) "used or manufactured" ***CBRNE sensors*** that enable mobile and consumer devices to function as a CBRNE detector; and, (2) alleged sufficient facts to plausibly establish that the use of Qualcomm, Genel, Synkera, SeaCoast, Rhevision, Samsung, Apple, and LG accused devices was with the "authorization or consent" of the Government (DoD-DTRA). This establishes infringement liability for the Government (DHS-S&T).

In this current case Golden, (1) alleged the Government (DoD-DTRA) "used or manufactured" ***ATAK, iTAK, or WinTAK software*** to enable Draper's CBRNE Plug-in sensors; and, (2) alleged sufficient facts to plausibly establish that the use of the Google accused devices was with the "authorization or consent" of the Government (DoD-DTRA). This establishes infringement liability for the Government (DoD-DTRA).

Question: Can we agree that in *Golden I* the USPTO decided to omit and not include seven of the eight third-party contractors [Synkera, Rhevision, SeaCoast, NASA, Qualcomm,

LG, and Samsung] and therefore disqualifies *Golden I* as a case dismissed on the merits for failure to join a party(s) *[FRCP under Rule 19]*?

> Rule 41(b) Involuntary Dismissal; Effect. "Unless the dismissal order states otherwise, a dismissal under this subdivision (b) and any dismissal not under this rule—except one for … ***failure to join a party under Rule 19*** —operates as an adjudication on the merits.

When the USCFC narrowed the case to a dispute between private parties ["the CBR sensors for detection must be found inside the Apple product and are *"native"* to the manufacture of the Apple product" — Golden v. Apple]; and ordered Golden to prove Apple's direct infringement under 35 U.S.C. § 271(a), as a necessary predicate to proving the Government directly infringed under 28 U.S.C § 1498(a), [*Zoltek III*; overturned in *Zoltek V*]; the USCFC lack jurisdiction to adjudicate *Golden I* and to dismiss the case on the merits.

Question: Can we agree that in *Golden I* the USPTO decided to omit and not include seven of the eight third-party contractors [Synkera, Rhevision, SeaCoast, NASA, Qualcomm, LG, and Samsung] and therefore disqualifies *Golden I* as a case dismissed on the merits for lack of jurisdiction *[FRCP 41(b)]*?

> Rule 41(b) Involuntary Dismissal; Effect. "Unless the dismissal order states otherwise, a dismissal under this subdivision (b) and any dismissal not under this rule—***except one for lack of jurisdiction*** []—operates as an adjudication on the merits.

Third Requirement for Issue Preclusion - "Based on the Same Set of Transactional Facts as the First"

> The descriptive meaning of "transactional facts" as defined in the Circuit's Opinion:
>
> "Mr. Golden does, however, seem to dispute whether his current action is based on the same set of transactional facts as *Golden I*. In making such a determination, we have observed that "in a patent case, the alleged infringer must demonstrate that the accused product or process is 'essentially the same' as the accused product or process in the first litigation." *Brain Life*, 746 F.3d at 1053 (quoting *Nystrom v. Trex Co.*, 580 F.3d 1281, 1285 (Fed. Cir. 2009)). Mr. Golden himself has repeatedly treated the Google devices accused in the present action as "the same" as the accused devices in *Golden I*."

First, the Court failed to look at the contracting officer instructions or specifications or drawings which impliedly sanction and necessitate[d] infringement" *Hughes Aircraft Co.*, 534 F.2d at 901, that the Government [DHS S&T] in *Golden I* and the Government [DoD-DTRA] in this current case authorized or consented to the third-party contractors' infringement of Golden's patents for the benefit of the Government. This theory is supported by Judge Braden in *Golden I*:

- "The February 12, 2016 Amended Complaint's [] claims also allege sufficient facts to plausibly establish that the use of the accused devices was "with the authorization or consent of the Government." *Authorization or consent* can be implied from the circumstances, "*e.g.*, by contracting officer instructions, [or] specifications or drawings which impliedly sanction and necessitate infringement." *Hughes Aircraft Co.*, 534 F.2d at 901. For example, in *TVI Energy Corp.*, the U.S. Court of Appeals for the Federal Circuit held that the Government impliedly sanctioned the use of a patented invention when it issued a solicitation that required bidders to submit for inspection, and perform live demonstrations of, the accused device. *See TVI Energy Corp.,806 F.2d at 1060.*"
- "Moreover, "*authorization or consent of the Government*," does not need to be expressly stated. *See TVI Energy Corp. v. Blane*, 806 F. 2d 1057, 1060 (Fed. Cir. 1986) ("[a]uthorization or consent by the Government can be express [or] [i]n proper circumstances, Government authorization can be implied."). Indeed, "authorization or consent . . . may be given in many ways other than by . . . direct form of communication--e.g., by contracting officer instructions, [or] by specifications . . . which impliedly sanction and necessitate infringement[.]" *Hughes Aircraft co*, 534 F.2d at 901." *Golden v. US* Case 1:13-cv-00307-EGB Document 94 Filed 11/30/16 Page 6-7 of 14
- "Regarding the second element, "*authorization or consent* of the Government" may be express or implied. *See TVI Energy Corp. v. Blane*, 806 F. 2d 1057, 1060 (Fed. Cir. 1986) ("Authorization or consent by the Government can be expressed ... or [i]n proper circumstances, Government authorization can be implied."); See also *Hughes Aircraft Co.*, 534 F. 2d at 901 (holding that implied authorization may be presumed when the Government provides "instructions, . . . specifications or drawings which impliedly sanction and necessitate infringement"); *IRIS Corp.*, 769 F. 3d at 1362 (holding that "the [G]overnment ... clearly provided its authorization or consent[,] because [the contractor] ... [could]not comply with its legal obligations without engaging in the allegedly infringing activities"); *Larson v. United States*, 26 Cl. Ct. 365, 370 (Cl. Ct. 1992) (holding that implied authorization or consent "may be found under the following conditions: (1) the [G]overnment expressly contracted for work to meet certain specifications; (2) the specifications cannot be met without infringing on a patent; and (3)

> the [G]overnment had some knowledge of the infringement")." *Golden v. US* Case 1:13-cv-00307-EGB Document 130 Filed 03/29/18 Page 23-24 of 218

Second, we look to the contracting officer instructions or specifications or drawings which impliedly sanction and necessitate infringement" *Hughes Aircraft Co.*, 534 F.2d at 901, that the Government [DHS S&T] in *Golden I* published in its Broad Agency Announcement on 10/30/2007 as DHS S&T BAA07-10; *Cell-All Biological and Chemical Sensing*:

> "In order to greatly expand coverage and realize greater WMD protection for the nation, a revolutionary breakthrough that provides for a much larger and lower cost sensing distributed network is required. For example, if biological and chemical sensors could be effectively integrated into common cell phone devices and made available to the American public on a voluntary basis, the Nation could potentially benefit from a sensor network with more than 240M sensors. Through this BAA, HSARPA is seeking to accelerate ***advances in miniaturized biological and chemical sensing (e.g. laboratories on a chip) with integration into common device(s)*** and a communication systems concept for large scale multi-sensor networks. This proof of concept should be capable of detecting hazardous biological and/or chemical materials with eventual expansion to the detection of explosive and eventually radiological materials (in future collaborations with other organizations)."

Third, we compare the contracting officer instructions or specifications or drawings which impliedly sanction and necessitate infringement" *Hughes Aircraft Co.*, 534 F.2d at 901, that the Government [DoD-DTRA] in the Current case published in its Broad Agency Announcement on 05/07/2019 as Defense Threat Reduction Agency BAA Call CBI-01 HDTRA1-19-S-0005 Chemical / Biological Technologies:

> "Mobile applications are revolutionizing the way we approach new technologies for the DoD. Lightweight and transportable devices such as smartphones and tablets [] enable the Warfighter to operate under the threat of Chem/Bio threats. Three iterations of TAK are of interest: ATAK (Android OS), WinTAK (Microsoft Windows OS), and WebTAK … The Chemical and Biological Defense Program charges the Joint Science and Technology Office (JSTO) Digital Battlespace Management Division [] goal of protecting military and civilian populations from intentional or incidental Chem/Bio threats and Toxic Industrial Chemicals/Materials (TIC/TIM) hazards. This topic supports the development of ATAK, WinTAK, and [iTAK] compatible versions [] for Chem/Bio warning and reporting, hazard prediction, and consequence assessment. Successful efforts will provide: • Software that is fully documented and easy to access, modify, and extend (modular) • Application with a robust data management approach, supporting easy retrieval/sending of updated data … on the device, for use during disconnected operations. • Software that is able to comply with DoD standards for authorization to operate • Software that is tested and verified • User Interface Designs that consider the warfighter (e.g., impact of PPE, voice activation)"

According to the contracting officer instructions or specifications or drawings which impliedly sanction and necessitate infringement" *Hughes Aircraft Co.*, 534 F.2d at 901, that the Government [DHS S&T] in *Golden I* published in its Broad Agency Announcement on 10/30/2007 as DHS S&T BAA07-10; *Cell-All Biological and Chemical Sensing*; the DHS S&T is requesting in the solicitation's specifications, "***biological and chemical sensors*** [that are] effectively integrated into common cell phone devices".

According to the contracting officer instructions or specifications or drawings which impliedly sanction and necessitate infringement" *Hughes Aircraft Co.*, 534 F.2d at 901, that the Government [DoD-DTRA] in the Current case published in its Broad Agency Announcement on 05/07/2019 as Defense Threat Reduction Agency BAA Call CBI-01 HDTRA1-19-S-0005 Chemical / Biological Technologies; the DoD-DTRA is requesting in the solicitation's specifications, "ATAK, WinTAK, and WebTAK, and also iTAK that is:

- Software that is fully documented and easy to access, modify, and extend (modular)
- Application with a robust data management approach, supporting easy retrieval/sending
- Software that is able to comply with DoD standards for authorization to operate
- Software that is tested and verified. Mobile applications for lightweight and transportable devices such as smartphones and tablets, that enable the Warfighter to operate under the threat of Chemical and Biological threats.

Question: Is it safe to say the only transactional fact that is the same between *Golden I* and the current case, is both share the same cause of action—Government infringement under 28 U.S.C. § 1498(a)?

The "Kessler Doctrine"

The Supreme Court has held that "claim preclusion prevents parties from raising issues that could have been raised and decided in a prior action—even if they were not actually litigated." *Lucky Brand Dungarees, Inc. v. Marcel Fashions Group., Inc.* ***However, claim preclusion generally does not bar claims that are predicated on events that postdate the filing of the initial complaint.*** The initial complaint [*Golden I*] was filed in May, 2013.

Issue preclusion is a doctrine distinct from claim preclusion. The Supreme Court has held that issue preclusion prevents a party from relitigating an issue actually decided in a

prior case and necessary to the judgment. Unlike claim preclusion, issue preclusion may apply to bar claims that post-date the underlying complaint and/or judgment. [same issue never identified]

The *Kessler* doctrine, a third form of preclusion specific to patent cases, derives from the Supreme Court's opinion in *Kessler v. Eldred*, 206 U.S. 285 (1907). In that controversy, Eldred sued Kessler for patent infringement and lost, with the 7th Circuit affirming a judgment of non-infringement in favor of Kessler. Kessler stepped in to assume the defense based upon the prior judgment of non-infringement. [dismissal under Rule 41 is not a dismissal for non-infringement]

The Supreme Court ruled that, based on the 7th Circuit's earlier judgment of non-infringement, Kessler was free to manufacture and sell the same lighter at issue in the underlying case "without molestation by Eldred." Any suit by Eldred against a customer of Kessler relating to the infringement of the same lighter was "a wrongful interference by Eldred with Kessler's business." [never proved DoD is a customer of DHS: DoD product is software, DHS is sensors]

First, a judgement of non-infringement was never entered, nor was it ever challenged or proven by the Government for the purpose of satisfying this requirement under the Kessler doctrine. "***Infringing activity*** is "for the Government" under section 1498(a) if it is "for the benefit of the Government." *Advanced Software Design Corp. v. Federal Reserve Bank of St. Louis*, 583 F.3d 1371, 1378 (Fed. Cir. 2009); *see* also *Madey v. Duke University*, 413 F. Supp. 2d, 601, 607 (M.D.N.C. 2006) ("A ***use*** is 'for the Government' if it is 'in furtherance and fulfillment of a stated Government policy' which serves the Government's interests and which is 'for the Government's benefit'." (quoting *Riles v. Amerada Hess, Corp.*, 999 F. Supp. 938, 940 (S.D. Tex. 1998)). In *Hughes Aircraft Co. v. United States*, 534 F. 2d 889 (1976), for example, the court held that a satellite program to advance the military defense and security of the United States was "for the Government." *Id.* at 898."

Second, the USCFC never adjudicated Golden's claim of government infringement under 28 U.S.C. § 1498(a) in *Golden I*. 28 U.S.C. § 1498(a) states: *"Whenever an invention described in and covered by a patent of the United States* ***is used or manufactured by or for the United States without license of the owner thereof or lawful right to use or manufacture the same****, the owner's remedy shall be by action against the United States in the United States Court of Federal Claims for the recovery of his reasonable and entire compensation* ***for such use and manufacture*** *... For the purposes of this section, the use or manufacture of an invention described in and covered by a patent of the United States by a contractor, a subcontractor, or any*

person, firm, or corporation for the Government and ***with the authorization or consent of the Government, shall be construed as use or manufacture for the United States.***"

Question: It has been determined that *Golden I* was not adjudicated on the merits because of failure to join partes and lack of jurisdiction. Therefore, *Golden I* was not dismissed on the merits. The question here is, if a judgement of non-infringement is required in the previous case, *Golden I*, and a showing that Golden is bringing actions against the Government's customers [unidentified] for "use or manufacture", with "authorization or consent" under 28 U.S.C. § 1498(a) in this current case, if neither exist, is dismissal under Kessler a valid and just dismissal?

The Federal Circuit's Extended Version of the "Kessler Doctrine"

The Federal Circuit in its "Order" in *Golden v. US* Case No. 24-2256 filed 03/24/2025: "[w]hen accused devices in an earlier suit are "essentially the same" [***the DoD product is software, DHS is sensors***]as devices in the present suit, but the alleged infringement postdates that of the earlier suit; Kessler bars a patentee from asserting the same patents against the currently accused devices. *See Wis. Alumni Rsch. Found. v. Apple Inc.*, 112 F.4th 1364, 1384–85 (Fed. Cir. 2024) ("[W]hen the devices in the first and second suits are 'essentially the same,' the 'new' product(s) also acquires the status of a noninfringing device vis-à-vis the same accusing party or its privies." (*Brain Life*, 746 F.3d at 1057))." The Circuit is relying on the following:

> "Addressing the issue of claim preclusion, the US Court of Appeals for the Federal Circuit affirmed the district court's holding that patent infringement customer lawsuits were precluded in view of a prior action … that was dismissed with prejudice and involved the same patents and accused product. In re: *PersonalWeb Techs, LLC*, Case No. 19-1918 (Fed. Cir. June 17, 2020)

The Circuit is quoted as saying: "Mr. Golden seems to contend that claim preclusion cannot apply because some of his patents were granted after the *Golden I* judgement. But these newly-issued patents which Mr. Golden refers to—U.S. Patent Nos. 10,984,619 and 11,645,898—are not the basis of his complaint".

Golden agrees; "U.S. Patent Nos. 10,984,619 and 11,645,898—are not the basis of his complaint" in *Golden I*. Not only because the patents were granted after the *Golden I* judgement, but because the '619 patent is directed to Golden's patented CPU for "processing instructions" that enables the DoD-DTRA ATAK software to integrate with Draper's CBRNE plugin sensors, and because the '898 patent is directed to Golden's patented CPU for "processing instructions"

that enables the DoD-JPEO-CBRND software, that is built on the TAK platform, to stall, stop, or slow-down autonomous vehicles equipped with Draper's CBRNE plugin sensors. The Court erred in not considering Golden's patented CPUs for processing instructions that enables the DoD software that enables the integration of CBRNE plug-in sensors; and the DoD software that enables the stall, stop, or slow-down of autonomous vehicles equipped with CBRNE sensors.

Question: How can this Court justifiably say issue preclusion, claim preclusion, and the Kessler doctrine is applicable in this case when there're difference in governmental agencies [DHS v. DoD]; there're different devices [CBRNE sensor development v. ATAK, iTAK, and WinTAK software development]; and there're additional patents asserted [the '189, '439, & '287 patents v. the '619, & '898 patents]?

Kessler Doctrine vs. Vertical Stare Decisis and Horizontal Stare Decisis

Below, Golden demonstrates how the same patents asserted in this current case, have been asserted in multiple cases that included devices with some form of sensing for CBRN&E. In cases the same patents are included in, the Judges are saying or impliedly saying, the accused infringer's devices, more likely than not, are infringing Golden's inventions' combinations.

First: "The August 10, 2017 [] Complaint identifies numerous "devices" and "programs" that allegedly were developed or procured, as a result of "contracts, agreements, grants, and procurements" between various federal entities and private parties. 8/10/17 Am. Compl. ¶¶ 91-406. These "devices" [smartphones, etc.] and "programs," independently or in combination, allegedly infringe claims of the '497, '033, '752, '761, '891, '990, '280, '***189***, and '***439*** Patent... "The federal entities identified include: "... ("DOD"); ... ("DHS-S&T"); the DOJ; ... the DoD-[JPEO-CBRND]" The "private parties" identified include: "... Apple Inc.; ... LG Electronics; ... Qualcomm Inc.; ... Samsung" ... *Golden v. US* Case 1:13-cv-00307-EGB Document 130 Filed 03/29/18 Pages 17-18 of 218.

Second: "Further, we read the complaint as asserting infringement from the 2011 demonstration forward. It appears that Mr. Golden asserts that the Cell-All initiative resulted in the manufacture of a variety of devices that infringe his patents. We can reasonably infer that he is pointing the finger at the federal government for the inclusion of his technology in these third-party devices." ... "We also find that plaintiff's [] complaint asserts different claims than those previously dismissed by the court. [] For aught that appears, plaintiff has added detail regarding

devices he believes were manufactured for or because of the government by these parties … Thus, the '497 patent remains at issue along with the newly added patents [the '***189*** patent, '***287*** patent, '***439*** patent, and the '752 patent]. We are thus unable to dismiss on the basis that the claims of the sixth amended complaint have been previously adjudicated." *Golden v. US* Case 1:13-cv-00307-EGB Dkt. 215 Filed 02/26/21 7 pgs.

Third: "As to defendant's argument that plaintiff's current infringement allegations are too "vague as to the nature of the Cell-All project and exactly how plaintiff alleges the Cell-All Project infringed the '497 Patent," ***we disagree.*** … In alleging infringement of his patented CMDC technology, plaintiff attached a lengthy series of "claim charts" illustrating allegations of how the government, and third parties at the government's behest, are infringing certain of his patents' claims. … "In exhibit 7 to his present complaint, plaintiff's claim chart illustrates instances of alleged infringement of the '***189*** patent, '***287*** patent, '***439*** patent, '497 patent, and the '752 patent. … He includes separate charts for a device manufactured by LG, one by Apple, and Samsung. The next chart in exhibit 7 explains why he believes that the *Cell-All* initiative resulted in the manufacture of these devices ***for*** DHS. More detail is appended regarding each of the accused devices in charts and diagrams that follow. In short, we cannot conclude on the face of these documents [] that no valid patent claim has been presented. Read together with the [] complaint, it is clear that Mr. Golden is alleging that the government caused the manufacture of all of these devices or caused these devices to use his technology. In light of his pro se status, we cannot say that he has failed to allege a patent infringement claim as a matter of law on the face of the complaint nor for any reason presented by defendant's motion. See *McZeal v. Sprint Nextel Corp.*, 501 F.3d 1354, 1356-58 (Fed. Cir. 2007)." … "For the reasons discussed herein, defendant's motion to dismiss is [] denied []. Claims relating to five patents [the '***189***, '***287***, '***439***, '497, and '752 patents] that survived the government's motion to dismiss are poised for claim construction." *Golden v. US* Case 1:13-cv-00307-EGB Dkt. 215 Filed 02/26/21 7 pages

Fourth: "Mr. Golden's complaint includes a detailed claim chart mapping features of an accused product, the [] Smartphone, to ind. claims from U.S. Patent Nos. 10,163,***287***, 9,589,***439***, and 9,069,***189*** … It [] attempts [] to map claim limitations to infringing product features, and it does so in a relatively straightforward manner …[W]e conclude that the district court's decision in the Google case is not correct with respect to at least the three claims mapped out in the claim

chart. Mr. Golden has made efforts to identify exactly how the accused products meet the limitations of his claims in this chart…." *Golden v. Google LLC*; CAFC 22-1267, filed 09/08/22

Fifth: Since Judge Bruggink's decision in *Golden v. US* case no. 13-307c; nine federal judges infer the United States allegedly directly infringed Golden's [U.S. Patent Nos. 10,163,***287***, 9,589,***439***, and 9,069,***189***] patented inventions combinations, because in the *United States Department of Homeland Security v. Larry Golden* "Final Written Decision" Case IPR2014-00714, Entered: October 1, 2015, the PTAB construed "built in, embedded" as "something is included within, incorporated into, disposed within, affixed to, connected to, or mounted to another device, such that it is an integral part of the device".

Sixth: In each cases filed after *Golden I*, Golden asserted independent claims from U.S. Patent Nos. 10,163,***287***, 9,589,***439***, and 9,069,***189***, the same as in *Golden I*. In each District Court case and even the cases appealed to the Federal Circuit it was decided and affirmed that: "the alleged infringing devices do not, or cannot function as a sensing device for CBRNE without modification by a third party to include at least that of the DOD-DTRA ATAK software integration with Draper's CBRNE plugin sensors".

Judge	Case Number	Case Title	Court	Filed - Closed
Judge Bruggink	1:2013cv00307	Golden v. USA	U.S. Court of Federal Claims	05/01/2013 - ***11/10/2021***
Judge(s)	**Case Number**	**Case Title**	**Court**	**Filed - Closed**
Three Appellate Judges	2022cvpri01267	Golden v. Google LLC	U.S. Court Of Appeals, Federal Circuit	12/16/2021 - ***09/08/2022***
One District Judge	3:2023cv00048	Golden v. Samsung Electronics America, Inc.	California Northern District Court	01/05/2023 - ***06/08/2023***
Three Appellate Judges	2023cvpri02120	Golden v. Samsung Electronics America, Inc.	U.S. Court Of Appeals, Federal Circuit	07/07/2023 - ***02/12/2024***
One District Judge	3:2022cv05246	Golden v. Google LLC	California Northern District Court	09/14/2022 - ***04/03/2024***
One District Judge	3:2022cv05246	Golden v. Google LLC	California Northern District Court	09/14/2022 - ***04/03/2024***

Question: "In May 2020, the Supreme Court decided the case of *Lucky Brand Dungarees, Inc. v. Marcel Fashions Grp., Inc.*, 140 S. Ct. 1589 (2020) and expressly refused to extend preclusion doctrines beyond their traditional bounds set by the doctrines of issue and

claim preclusion. The Supreme Court has repeatedly held that, absent guidance from Congress, courts should not create special procedural rules for patent cases or devise novel preclusion doctrines that stray beyond the traditional bounds of claim and issue preclusion. Did the Judge extend Kessler to supersede precedence established by the Supreme Court; the Federal Circuit Court of Appeals; and, the Northern District of California Courts?

Question: The above decisions that was made after *Golden I* is considered new evidence that could alter the case outcome. This new evidence that was unavailable during the USCFC *Golden I* was not considered in the current proceedings; why not?

CONCLUSION

The following excerpt is from *Dragasits v. Yu*, Case No. 16-cv-01998-BAS-JLB (S.D. Cal. 2018): "519, 520 (1972) ("however inartfully pleaded," allegations by a pro se plaintiff must be held "to less stringent standards than formal pleadings drafted by lawyers."); *Hebbe v. Pliler*, 627 F.3d 338, 342 (9th Cir. 2010) (courts should construe pro se pleadings liberally and afford the plaintiff any benefit of the doubt)."

Phase I of DHS S&T *Cell-All* initiative is a request for the development of third-party contractors Qualcomm, NASA, SeaCoast, Rhevision, and Synkera for miniaturized CBR sensors to be placed in at least that of a cell phone. *Phase II* of DHS S&T *Cell-All* initiative is a request for the development of third-party contractors Qualcomm, NASA, SeaCoast, Rhevision, and Synkera for CBR sensors that are remote the cell phone. Qualcomm, Apple, Samsung, and LG were contracted to commercialize the products "suitable for use" *FastShip, LLC v. United States.*

The DoD-DTRA *ATAK* initiative is to develop TAK software that is built on iOS operating system (iTAK); android open-source operating system (ATAK); and windows operating system (WinTAK), for integrating Draper's CBRNE Plugin sensors. An implied contract exists for at least Qualcomm, Apple, Samsung, Google, LG, Intel, and Hewlett Packard to commercialize the products "suitable for use" *FastShip, LLC v. United States.*

As the Supreme Court summed up in *James v. Campbell*, 104 U.S. 356, 358 (1882), a case concerning the alleged appropriation of a patent by the Government:

> *"[A patent] confers upon the patentee an exclusive property in the patented invention which cannot be appropriated or used by the government itself, without just compensation, any more than it can appropriate or use without compensation land which has been patented to a private purchaser."*

Golden has proven time and time again, over at least the past twelve (12) years, that the Government itself has continually appropriated and used Golden's patented inventions without paying just compensation. *James v. Campbell*, 104 U.S. 356, 358 (1882).

For twelve (12) years the Courts have managed to redirect Golden's claim [and violating multiply substantive rights]
that the Government has taken Golden's property under the Fifth Amendment Clause of the U.S. Constitution without paying just compensation.

The two requirements for proving Government infringement under 28 U.S.C. § 1498(a) are: 1- the use or manufacture of an invention described in and covered by a patent of the United States that is for the benefit of the Government; and, 2- the use or manufacture is done with the authorization or consent of the Government.

In *Golden I,* Golden was ordered by the Court to prove direct infringement under 35 U.S.C. § 271(a) as a necessary predicate to proving direct infringement under 28 U.S.C. § 1498(a). This requirement was overturned in *Zoltek V*, but the Court insisted Golden prove Apple's infringement. Apple's device was not "*suitable for use*" without the CBRNE sensors.

In *Golden I,* Golden was ordered by the Court to prove direct infringement under 28 U.S.C. § 1498(a) as a necessary predicate to receiving just compensation under 28 U.S.C. § 1491(a) [Government "takings" of a Patent under the Fifth Amendment Clause of the U.S. Constitution without paying just compensation; or the appropriation or used of Golden's patented inventions without paying just compensation]. *James v. Campbell*, 104 U.S. 356, 358 (1882)

Golden realizes he is not the first Black and/or African American to have his patented inventions taken and used by the Government without paying just compensation:

- Mark Dean – Inventor of the computer
- Roy Clay – Inventor of a minicomputer
- Henry Sampson – Inventor of the cell phone
- Gladys West – Inventor of GPS
- Marian Croak – Inventor of Voice over Internet Protocol, or VoID
- Mary Brown – Inventor of the door camera monitoring system
- Shirley Jackson – Inventor of caller ID, call waiting, fiber optic cables, touchphone phone, and portable fax machine
- Valarie Thomas – Inventor of three-dimensional images, or 3D
- George Toliver - Awarded a patent for the ship vessel's propeller in 1891

Signature / Date: Larry Golden / Apr. 22, 2025

CERTIFICATE OF COMPLIANCE

I hereby certify that an original version and three (3) copies of the foregoing "INFORMAL PETITION FOR REHEARING *EN BANC*: CASE NUMBER 24-2256" was sent on April 22, 2025 via U.S. Postal service "priority express mail", to: CLERK'S OFFICE, UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT, 717 MADISON PLACE, N.W., WASHINGTON, D.C. 20439

The petition complies with the 15 typewritten pages requirement and an attached copy of the opinion / judgement Plaintiff-Appellant is petitioning the court to review.

Respectfully submitted,

Larry Golden
Plaintiff-Appellant, *Pro Se*
740 Woodruff Rd., #1102
Greenville, South Carolina 29607
atpg-tech@charter.net
(Home) 864-288-5605
(Mobile) 864-992-7104

NOTE: This disposition is nonprecedential.

United States Court of Appeals for the Federal Circuit

LARRY GOLDEN,
Plaintiff-Appellant

v.

UNITED STATES,
Defendant-Appellee

2024-2256

Appeal from the United States Court of Federal Claims in No. 1:23-cv-00811-EGB, Senior Judge Eric G. Bruggink.

Decided: March 24, 2025

LARRY GOLDEN, Greenville, SC, pro se.

GRANT DREWS JOHNSON, Commercial Litigation Branch, Civil Division, United States Department of Justice, Washington, DC, for defendant-appellee. Also represented by SCOTT DAVID BOLDEN, BRIAN M. BOYNTON, CONRAD JOSEPH DEWITTE, JR.

Before MOORE, *Chief Judge*, CHEN, *Circuit Judge*, and BARNETT, *Judge*.[1]

PER CURIAM.

Larry Golden appeals from a decision by the United States Court of Federal Claims (Claims Court), which dismissed his patent infringement claims against the United States (government) and denied his motion for disqualification. *See Golden v. United States*, 171 Fed. Cl. 33 (2024) (*Order*). For the following reasons, we *affirm*.

BACKGROUND

Mr. Golden "owns a family of patents concerning a system for locking, unlocking, or disabling a lock upon the detection of chemical, radiological, and biological hazards." *Golden v. United States*, No. 2022-1196, 2022 WL 4103287, at *1 (Fed. Cir. Sept. 8, 2022) (per curiam) (*Golden I*). At issue are three patents in that family, U.S. Patent Nos. 10,163,287 ('287 patent), 9,589,439 ('439 patent), and 9,096,189 ('189 patent).

Mr. Golden first brought suit against the government under 28 U.S.C § 1498 in May 2013, "alleging that the Department of Homeland Security infringed his patents by soliciting proposals for the development of cellular devices through its 'Cell-All' initiative." *Golden I*, 2022 WL 4103287, at *1. He alleged that certain cellular devices manufactured by Apple, Samsung, and LG for the Cell-All initiative infringed his patents. In 2021, following a series of amended complaints, the Claims Court dismissed Mr. Golden's complaint with prejudice for "fail[ing] to correct . . . previously-identified deficiencies" in his infringement contentions. *Id.* We affirmed.

---

[1] Honorable Mark A. Barnett, Chief Judge, United States Court of International Trade, sitting by designation.

Mr. Golden then brought the present suit against the government in May 2023, once again alleging patent infringement under 28 U.S.C. § 1498.[2] SAppx. 1100–01.[3] He asserted three of the same patents that he already asserted in *Golden I*, and again alleged that certain cellular devices of various manufacturers infringed his patents. But this time, his complaint focused on a different governmental program and on different devices. He also filed a motion to disqualify the Claims Court judge.

The Claims Court dismissed Mr. Golden's complaint for failure to state a claim based on claim preclusion and the *Kessler* doctrine. *Order*, 171 Fed. Cl. at 36–37. It also denied Mr. Golden's motion to disqualify. *Id.* at 35, 37.

DISCUSSION

We review de novo a decision to dismiss a complaint for failure to state a claim under Rule 12(b)(6) of the United States Court of Federal Claims. *Kam-Almaz v. United States*, 682 F.3d 1364, 1368 (Fed. Cir. 2012). We review a denial of a motion to disqualify for abuse of discretion. *See Shell Oil Co. v. United States*, 672 F.3d 1283, 1288 (Fed. Cir. 2012).

Mr. Golden timely appeals both the dismissal of his complaint and the denial of his motion to disqualify. We have jurisdiction under 28 U.S.C. § 1295(a)(3).

---

[2] Between *Golden I* and the present suit, Mr. Golden brought two other suits, not at issue here. *See Order*, 171 Fed. Cl. at 34 & n.2.

[3] "SAppx." refers to the supplemental appendix filed with the government's informal response brief.

I

Mr. Golden first contends that his present suit is not precluded. We disagree.

"Generally, claim preclusion applies where: (1) the parties are identical or in privity; (2) the first suit proceeded to a final judgment on the merits; and (3) the second claim is based on the same set of transactional facts as the first." *First Mortg. Corp. v. United States*, 961 F.3d 1331, 1338 (Fed. Cir. 2020) (cleaned up). It "bars both claims that were brought as well as those that could have been brought." *Brain Life, LLC v. Elekta Inc.*, 746 F.3d 1045, 1053 (Fed. Cir. 2014) (emphasis omitted).

Mr. Golden does not dispute that *Golden I* involved the same parties as here—himself and the government. *See* 2022 WL 4103287, at *1. Nor does Mr. Golden challenge that *Golden I*'s dismissal with prejudice operated as a final judgment on the merits. *See Hallco Mfg. Co. v. Foster*, 256 F.3d 1290, 1297 (Fed. Cir. 2001) ("[A] dismissal with prejudice . . . is a judgment on the merits."). Mr. Golden does, however, seem to dispute whether his current action is based on the same set of transactional facts as *Golden I*.

In making such a determination, we have observed that "in a patent case, the alleged infringer must demonstrate that the accused product or process is 'essentially the same' as the accused product or process in the first litigation." *Brain Life,* 746 F.3d at 1053 (quoting *Nystrom v. Trex Co.*, 580 F.3d 1281, 1285 (Fed. Cir. 2009)). Mr. Golden himself has repeatedly treated the Google devices[4] accused in the present action as "the same" as the accused devices in *Golden I*. SAppx. 1104 ¶ 17. In the present complaint,

---

[4] Both the Claims Court's order and the government understood Mr. Golden's complaint to be accusing only Google devices. Mr. Golden does not contest that characterization on appeal.

for example, he compared certain features of the currently accused devices to analogous features in the accused devices in the earlier litigation. *Id.* at 1104 ¶ 17, 1120–27. As a result of that comparison, he asserted that the "alleged infringing products" "all have virtually identical elements." *Id.* at 1104 ¶ 17. On appeal, Mr. Golden does not provide an explanation for how or why the accused Google devices differ from the accused devices in *Golden I*. We accordingly agree with the Claims Court that claim preclusion bars Mr. Golden's allegations of infringement based on Google devices, to the extent that those infringing actions predated the *Golden I* judgment.

Mr. Golden seems to contend that claim preclusion cannot apply because some of his patents were granted after the *Golden I* judgment. But these newly-issued patents which Mr. Golden refers to—U.S. Patent Nos. 10,984,619 and 11,645,898—are not the basis of his complaint. His complaint in the present suit asserted only the '287 patent, the '439 patent, and the '189 patent, *see* SAppx. 1101, all of which were asserted in *Golden I*, *see* SAppx. 1135.

Mr. Golden also suggests that claim preclusion cannot apply because we previously vacated the dismissal of his complaint in a different case. *See Golden v. Apple*, No. 2022-1229, 2022 WL 4103285, at *2 (Fed. Cir. Sept. 8, 2022) (per curiam). But in that case, we merely found that some of Mr. Golden's allegations in his complaint were "not facially frivolous." *Id.* That his allegations in a prior case passed muster under Rule 12(b)(6) says nothing about whether his present allegations are barred under claim preclusion. We therefore agree with the Claims Court that claim preclusion bars Mr. Golden's claim to the extent it alleges infringement occurring prior to the *Golden I* judgment.

That still leaves open Mr. Golden's infringement allegations against products made or sold after the date of the *Golden I* judgment. And although "claim preclusion do[es]

not apply when a patentee accuses new acts of infringement, i.e., post-final judgment, in a second suit," "[t]here exists a separate and distinct doctrine, known as the *Kessler* Doctrine, that precludes some claims that are not otherwise barred by claim or issue preclusion." *Brain Life*, 746 F.3d. at 1055–56. When accused devices in an earlier suit are "essentially the same" as devices in the present suit, but the alleged infringement postdates that of the earlier suit, the *Kessler* doctrine bars a patentee from asserting the same patents against the currently accused devices. *See Wis. Alumni Rsch. Found. v. Apple Inc.*, 112 F.4th 1364, 1384–85 (Fed. Cir. 2024) ("[W]hen the devices in the first and second suits are 'essentially the same,' the 'new' product(s) also acquires the status of a noninfringing device vis-à-vis the same accusing party or its privies." (quoting *Brain Life*, 746 F.3d at 1057)). Mr. Golden himself, as explained above, alleged that all the accused devices "all have virtually identical elements." SAppx. 1104 ¶ 17. He offers no explanation, either in his filings at the Claims Court or in his opening brief, as to how the post-*Golden I*-judgment accused devices differ from the devices at issue in *Golden I*.

The Claims Court therefore correctly dismissed Mr. Golden's complaint.

II

We next address Mr. Golden's motion for disqualification. Mr. Golden contends that the Claims Court judge should have recused himself because of "racial bias and bias in favor of the Government." Appellant's Informal Reply Br. 12. Yet aside from that conclusory contention, Mr. Golden has offered no explanation or evidence of any bias. *See Charron v. United States*, 200 F.3d 785, 788 (Fed. Cir. 1999). Moreover, to the extent that Mr. Golden thinks that past adverse rulings by the Claims Court evinces bias, we have previously observed that "judicial rulings almost never constitute a valid basis for a bias or partiality

motion." *Micro Chem., Inc. v. Lextron, Inc.*, 318 F.3d 1119, 1126 (Fed. Cir. 2003) (citation omitted). The Claims Court judge accordingly did not abuse his discretion by denying the motion.

CONCLUSION

We have considered Mr. Golden's remaining arguments and find them unpersuasive. We therefore *affirm*.

AFFIRMED

COSTS

No costs.

Case: 24-2256 Document: 30 Page: 25 Filed: 04/24/2025

United States Court of Appeals for the Federal Circuit

LARRY GOLDEN,
Plaintiff-Appellant

v.

UNITED STATES,
Defendant-Appellee

2024-2256

Appeal from the United States Court of Federal Claims in No. 1:23-cv-00811-EGB, Senior Judge Eric G. Bruggink.

JUDGMENT

THIS CAUSE having been considered, it is

ORDERED AND ADJUDGED:

AFFIRMED

FOR THE COURT

March 24, 2025
Date

Jarrett B. Perlow
Clerk of Court

UNITED STATES POSTAL SERVICE

20439

APR 22, 2025

$31.65

RDC 07

S2324K504179-13

UNITED STATES POSTAL SERVICE®

PRIORITY MAIL EXPRESS®

EI 935 866 492 US

CUSTOMER USE ONLY

FROM: (PLEASE PRINT) PHONE (864) 288-5605

LARRY GOLDEN
740 WOODRUFF RD,
#1102
GREENVILLE, SC 29607

DELIVERY OPTIONS (Customer Use Only)

☒ **SIGNATURE REQUIRED** *Note:* The mailer must check the "Signature Required" box if the mailer: 1) Requires the addressee's signature; OR 2) Purchases additional insurance; OR 3) Purchases COD service; OR 4) Purchases Return Receipt service. If the box is not checked, the Postal Service will leave the item in the addressee's mail receptacle or other secure location without attempting to obtain the addressee's signature on delivery.

Delivery Options

☐ No Saturday Delivery (delivered next business day)
☐ Sunday/Holiday Delivery Required (additional fee, where available*)
*Refer to USPS.com® or local Post Office™ for availability.

TO: (PLEASE PRINT) PHONE (202) 275-8000

CLERK'S OFFICE
U.S. COURT OF APPEALS FOR THE FED. CIRCUIT
CASE NO: 24-2256
717 MADISON PLACE, N.W.
WASHINGTON, DC
ZIP + 4® (U.S. ADDRESSES ONLY)
20439-____

■ For pickup or USPS Tracking™, visit USPS.com or call 800-222-1811.
■ $100.00 insurance included.

PAYMENT BY ACCOUNT (if applicable)
Federal Agency Acct. No. or Postal Service™ Acct. No.

ORIGIN (POSTAL SERVICE USE ONLY)

☐ 1-Day ☒ 2-Day ☐ Military ☐ DPO

PO ZIP Code	Scheduled Delivery Date (MM/DD/YY)	Postage
29615	04-24-25	$

Date Accepted (MM/DD/YY)	Scheduled Delivery Time	Insurance Fee	COD Fee
04-22-25	☐ 6:00 PM	$	$

Time Accepted		Return Receipt Fee	Live Animal Transportation Fee
11:06	☐ AM ☐ PM	$	$

Special Handling/Fragile	Sunday/Holiday Premium Fee	Total Postage & Fees
$	$ 31.65	$

Weight		Acceptance Employee Initials
5 lbs	00 ozs. ☐ Flat Rate	SM

DELIVERY (POSTAL SERVICE USE ONLY)

Delivery Attempt (MM/DD/YY)	Time	Employee Signature
	☐ AM ☐ PM	
Delivery Attempt (MM/DD/YY)	Time	Employee Signature
	☐ AM ☐ PM	

LABEL [illegible] BER 2023 PSN 7690-02-000-9996

PEEL FROM THIS CORNER

+ Money Back Guarantee for U.S. destinations only.