

[My email addressed to MATTHEW KIRKLAND and DOUGLAS FORBES , as well as a number of other recipients, on Saturday the 4th of April 2009 at 11:56 PM. Matthew Kirkland's reply to this email is below]

Dear Matthew,

RE: DOUGLAS FORBES PATENT AND IP CLAIMS INVESTIGATION:

Attachment 1: Local and international patent name search report (Paulo Lopes (**MyPatent**))

Attachment 2: Washington State Library Correspondence and feedback (Kathryn Devine (**WSL**))

Attachment 3: ZIP archive with background information; including legal correspondence

I make reference to your comments on the Wikipedia discussion page for the Human Pin Code, where you state that "*Forbes has a granted patent - please check with the DTI in PTA. User Matthew Kirkland 21 October 2008*". Your statement implies that Forbes's patent was granted locally in South Africa under his personal name.

http://en.wikipedia.org/wiki/Talk:Human_pin_code

I make further reference to comments which appear on Douglas Forbes's website which read as follows: "*Please note that the intellectual property with all papers and formula mentioned above, is registered in the USA for world protection in the Washington State Library*". My understanding is that aside from your various contributions, you are also involved in the administration and upkeep of Forbes's website.

http://www.douglasforbes.com/index.php?option=com_content&task=view&id=13&Itemid=27

Any encyclopaedia, whether electronic or otherwise, is ultimately judged by the relevance, scope and accuracy of its content. Wikipedia is no exception, and as such, I feel the need to set the record straight on a number of issues raised on the aforementioned Wikipedia discussion page. Those issues include, *inter alia*, the subject of Forbes's claimed granted patent as well as his claims to have IP and related matter registered on the Washington State Library; the latter claim of which is a clear demonstration of Forbes's ignorance as to how IP actually functions. I further notice that the Wikipedia link to a certain critic site not favourable to Forbes's point of view was removed.

Forbes is keen to boast of his exploits and has documented that he regards himself as superior to the academia. I therefore find it rather paradoxical that Forbes avoids mentioning the patent directly, and instead delegates to his associates the task of making vague references on his behalf. In Forbes's book "**Human Pin Code**" which was published in 2002, Forbes writes on page 21 that "*I have applied this theory **to create a Black Hole**, which I have utilised in a **patented invention***". This clarification is strangely not mentioned on Wikipedia, and Forbes's very own website makes no mention of any patents whatsoever. Since about 2003, numerous attempts have been made to gain even rudimentary details about this invention such as the **patent number**, and to date no information has ever been forthcoming.

Therefore, I took the liberty of conducting a comprehensive investigation of my own into Forbes's IP and patent claims. This was achieved by way of a local and international name search for any patents or patent applications which cite the name "Douglas Forbes" as the applicant (patentee), inventor or assignee. This search was conducted by a patent attorney and IP specialist representing **MyPatent**. The name search was further complimented by feedback received from a reference librarian at the Washington State Library within the United States of America. Attached please find reports that reveal the findings thereof.

To pre-empt the attached reports, it is noteworthy to mention that:

1. According to the patent name search, **Douglas Forbes presently does not hold any valid or granted patents in his personal name, whether locally or internationally.**
2. The only South African patent that was ever granted to a “Douglas Forbes” is South African patent no. **99/6722** entitled “***Apparatus and Method for Granulating a Material***”, the granted patent of which lapsed due to non-payment of renewal fees on 26 October 2006.
3. An unusual number of changes in ownership were effected against the above-mentioned patent **99/6722** during its term (see the attached report).
4. The patent as referred to above was filed under the category “**B 02 C - CRUSHING, PULVERISING, OR DISINTEGRATING IN GENERAL; MILLING GRAIN**” and denoted by the code 19/18 to include the use of auxiliary physical effects, e.g. ultrasonics, irradiation, for disintegrating. The technology upon which this patent is based is well known and has absolutely nothing to do with the creation of “Black Holes” as is understood in science and/or physics. Patent **99/6722** appears to be a slightly modified version of earlier patents by other inventors. This point is mute as the patent is now lapsed.
5. It should be noted that in the **ISR section** (International Search Report) pertaining to **99/6722** as indicated in the last section of the report, that the examiner marked an “X” in the reference boxes which is an indication that **the examiner felt that at least some of the claims made in the patent application were neither novel nor inventive in the light of the prior art document located.** Again, this point is mute and for historical background only, given that the patent is now lapsed.
6. Attached at the end of the Local and international patent name search report is the full documentation for the **PCT / international patent application WO 00/24518, which refers to the same invention as the above-mentioned South African complete patent application 99/6722** which is lapsed.
7. **There is no such thing as “world protection” in terms of patents, design and trademarks.** These rights are territorial and require that an application be filed in each country in which protection is required. Therefore, **PCT or international patent applications within themselves do not grant patent rights, and instead are dependent on the success or outcome of the national phase applications** within the various territories for which the PCT or international application applies.
8. According to the International Search, **the national phase applications extending from WO 00/24518 in the countries Australia, Taiwan and Uruguay were never granted.** South Africa is also one of the national phase applications extending from **WO 00/24518**, and since the only granted South African patent is now lapsed, **WO 00/24518** within itself is lapsed and no longer in force.
9. Other **provisional applications** were matched to the name “Douglas Forbes” in the local name search, which have subsequently lapsed, one of which was for an “**Anti Hijack-Anti Theft Device**” (provisional application) which may not necessarily belong to the same “Douglas Forbes”, as implied by the subject.
10. **Provisional patent applications expire after 12 months, and unlike complete patents, they cannot be scrutinized by the public.** No registered claims are filed against provisional applications.

11. **I.D. documents are not required for the filing of any patent application** and patent attorneys who file such applications are not at liberty to reveal the identities or contact details of their clients.
12. It follows that an “*identity shield*” can be created when more than one different inventor and/or applicant and/or assignee share the same first and last names, and where claimed inventors and/or applicants and/or assignees that also bear the same first and last name refuse to provide patent numbers upon request.
13. **Anybody can obtain a patent for anything at the South African Patent Office** due to the fact that it is a non-examining patent office. This is a key difference to foreign patent office’s who employ full time examiners to examine the subject matter of all patent applications filed and, only if the examiner is satisfied that the invention fulfils the patent requirements, will a patent on that invention be granted.
14. The claims made about having IP, formulas and papers “registered” at the Washington State Library in the U.S. are completely invalid.

Please refer to the **South African Patents Act section 85 (1) through to (4)** and be aware of the penalties for making false representations. Perhaps you were unaware of the findings that I have presented, and made your comments on Wikipedia in good faith that the information provided to you was in fact correct. Accordingly, it is my intention to make this information public knowledge, particularly to individuals whom I know or have established to currently have or have had dealings or ventures with Forbes.

The non-examining status of the South African Patents office is such that the South African patenting system is open to abuse by mistaken inventors who file patent applications believing them to be patentable when they are in fact not, or by fraudulent inventors who file patent applications while knowing full well that their inventions are not patentable. Therefore, holding a granted patent does not guarantee that the invention for which the patent applies works, or is valid, nor does such a patent guarantee the expertise of the inventor or the applicant.

This information has been brought to you at great personal risk, expense and labour in the interests of presenting truth for the benefit of the public. I hope that in doing so, others may avoid suffering damages as a result of making uninformed decisions based on false and contradictory information, unsubstantiated claims and misleading marketing. In a country such as South Africa where the vast majority of its citizens are too apathetic to challenge even bad customer service, it is very unlikely that many individuals will go to the expense and the trouble that I have in order to uncover the truth. Sadly, this status quo is taken full advantage of by unscrupulous individuals who depend on the widespread gullibility and apathy of the public.

The attached ZIP archive is for your reference, and presents background information that is useful for placing my investigations into perspective. This includes legal correspondence that Forbes to date has failed to respond to; which also highlights the blatant contradictions in his “scientific” theories. In a display of unbridled audacity, Forbes writes on Wikipedia that “*I research everything to the enth degree before writing a word about it*” approximately a month after receiving my attorney’s letter. This is further exacerbated by a series of statements that are inaccurate, self-contradicting, slanderous and utterly disrespectful. As a matter of observation, Forbes should at least make an attempt to improve his spelling and grammar before making arrogant assumptions about the capacity of the “*general public*” to take interest in and grasp scientific material.

I trust that you will give serious consideration to the contents of this email and its attachments, and that in future you will exercise more discrimination and caution before posting on public forums. You are entitled to charge for any work that you do for Forbes, and you are also entitled to insist upon the substantiation and proof for any claim that you are asked to represent on his behalf.

Please note that I am not associated in any way with any of the comments that presently appear on Wikipedia concerning the Human Pin Code or Douglas Forbes. Any representations that are made by me will reflect my name accordingly.

Sincerely,
Mr. Jason Dale

[The REAL Matthew Kirkland responds]

from Matthew Kirkland matthewk@channeldata.co.za
To Jason Dale jason.eddison.dale@gmail.com
cc dforbes@telkomsa.net,
douglas forbes <douglasfrbs@yahoo.com>
Date Mon, Apr 6, 2009 at 7:07 AM

Subject RE: [IMPORTANT] DOUGLAS FORBES PATENT AND IP INVESTIGATION

Hi Jason,

This is the first I've seen or heard of that Wikipedia article. I certainly have never written anything for Douglas Forbes nor have I given authorization for my name to be used. Those comments were not made by me, thank you for bringing that to my attention.

If you have a grievance with Douglas, please keep it between the two of you. I do not want to be involved.

Thanks,

Matt