

(JB)

FILED

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

2025 DEC 16 P 1:00

**PAUL GALLAGHER,**

Plaintiff.

v.

**CRANKING SOLUTIONS CO., LTD.; JACKY )  
HOU; STEFAN SACK; BIKE YOKE GmbH; )  
DR. ANDREAS Geissler; MAUCHER )  
JENKINS, LLP; ROSENBERG, KLEIN & LEE;) )  
TREND INTERNATIONAL PATENT & )  
TRADEMARK OFFICE; KE GUOZHEN; and )  
MARTIN MORAVCIK, )**

Case No. 1:25-cv-00705

Defendants. )

**PLAINTIFF'S NOTICE OF NEWLY DISCOVERED EVIDENCE**

Plaintiff Paul Gallagher respectfully submits this Notice of Newly Discovered Evidence for the Court's consideration. This Notice is provided to ensure that the record accurately reflects material documents that were not previously available to Plaintiff despite diligent efforts to obtain them.

Plaintiff does not submit this Notice to reargue pending motions, but solely to inform the Court of newly obtained documentary evidence directly related to the claims and defenses already pleaded, including the authenticity of a Power of Attorney filed with the United States Patent and Trademark Office ("USPTO") and the conduct of certain Defendants and their agents.

## **I. BACKGROUND**

This action concerns, among other things, the unauthorized filing and prosecution of a U.S. patent application in Plaintiff's name, including the submission of a Power of Attorney ("POA") purporting to bear Plaintiff's signature.

In his pleadings, Plaintiff alleged that the POA filed with the USPTO was not signed or authorized by him and was therefore fraudulent. At the time of filing, Plaintiff did not possess all underlying documents related to corresponding foreign filings, despite repeated attempts to obtain them from the Taiwan Intellectual Property Office ("TIPO").

Plaintiff notes that the referenced documents were obtained on the date shown in Exhibit E, following completion of required identity and residency verification procedures imposed by the Taiwan Intellectual Property Office.

## **II. NEWLY DISCOVERED EVIDENCE**

After obtaining lawful access to records from TIPO, Plaintiff has now received copies of documents that were not previously available to him and which bear directly on the allegations in this case. Plaintiff received these documents on December 15, 2024.

These newly obtained documents include:

**Exhibit A** – A written assignment document filed with TIPO purporting to transfer Plaintiff's patent rights, bearing a signature falsely attributed to Plaintiff. This document is dated November 1, 2024, the same date as the fraudulent POA filed with the USPTO.

**Exhibit B** – A Chinese-language translation of the same assignment document, prepared and submitted by Trend Patent & Trademark Office. Dated September 19, 2024. This document bears the official stamp of Defendant Ke Guozhen.

**Exhibit C** - An informal literal English translation of the Chinese “translation”.

**Exhibit D** – The Power of Attorney submitted to the USPTO in Plaintiff’s name, obtained directly from TIPO records, which differs in form from later versions filed in the USPTO record. This document is dated November 1, 2024.

**Exhibit E** - A receipt from the Taiwan Ministry of Economic Affairs, Dated December 15 2025, for \$6. (2 TWD per page x 3).

With respect to Exhibit D, the Power of Attorney submitted to the USPTO in Plaintiff’s name, Plaintiff notes a **material and objective discrepancy** between versions of the same document.

The copy of the Power of Attorney obtained directly from TIPO records is substantively identical in text and format to the version filed with the USPTO, **except** that it does not contain the U.S. patent application number or filing date that appear on the USPTO-filed version.

The presence of these identifiers in the USPTO-filed version, combined with their absence in the otherwise identical TIPO copy, demonstrates that the application number and filing date were **added after execution of the underlying document**. This conclusion follows from the face of the documents themselves and does not depend on inference or speculation.

In addition, the application number and filing date appearing on the USPTO-filed version are visually distinct from the remainder of the document. The body text and signature exhibit

characteristics consistent with a scanned document, while the application-specific identifiers appear as digitally rendered text, without corresponding scan artifacts, skew, or resolution variance. These observable characteristics further confirm that the application number and filing date were digitally introduced after execution.

Plaintiff does not, in this Notice, attribute responsibility for the post-execution insertion of this information to any particular individual or entity. The document is submitted solely as an objective artifact relevant to Plaintiff's pleaded claims concerning unauthorized representation before the USPTO and the authenticity of the Power of Attorney relied upon in that proceeding.

#### **Discrepancy Between English Declaration and Chinese "Translation"**

Plaintiff further notes that the Chinese-language document labeled as a "translation" of the English Declaration (Exhibit B) is not a literal or line-by-line translation of the English document (Exhibit A). Instead, the Chinese document materially regularizes the grammar, structure, and legal clarity of the English text.

The English Declaration contains numerous grammatical errors, non-standard phrasing, and ambiguities concerning the nature and effect of the purported abandonment. Those features are not preserved in the Chinese version, which presents a coherent and legally standardized statement of intent.

Plaintiff submits both documents together so that the Court may assess their relationship and evidentiary significance. Plaintiff does not, in this Notice, attribute authorship, intent, or responsibility for the drafting or translation of either document to any particular party.

**Discrepancy Between Dates on the English Assignment Document and Chinese  
“Translation”**

Plaintiff further notes that the English-language assignment document is dated **November 1, 2024**, while the Chinese-language document identified as a **translation** bears an **earlier date of September 19, 2024**. September 19, 2024 is the same date on which Plaintiff communicated to Defendants Jacky Hou and Stefan Sack a final demand to execute a continuation of the parties’ agreement.

The documents were obtained directly from the Taiwan Intellectual Property Office and are submitted without further characterization.

**III. RELEVANCE TO THIS ACTION**

The USPTO POA (Exhibit D) is directly related to Plaintiff’s pleaded claims and Defendants’ pending motions, as it concerns:

- Representation to a U.S. federal agency;
- Purported authorization by Plaintiff that he contends never occurred;
- Conduct undertaken in connection with the U.S. patent application that is central to this litigation.

The TIPO assignment documents (Exhibits A and B) were filed contemporaneously with the USPTO POA and bear on the same sequence of events. They are submitted solely to provide context and corroboration regarding the authenticity of the POA and the coordinated nature of the filings.

#### **IV. PROCEDURAL POSTURE**

Plaintiff recognizes that motions to dismiss and a motion for leave to amend are currently pending before the Court. Plaintiff does not request immediate action on this Notice and does not seek leave for additional briefing unless the Court deems it appropriate.

This Notice is submitted in the interest of completeness and accuracy of the record, and to ensure that the Court is aware of material documents that were not previously accessible to Plaintiff through no fault of his own.

#### **V. CONCLUSION**

Plaintiff respectfully submits this Notice of Newly Discovered Evidence to inform the Court of the existence and content of these documents and to preserve them in the record. Plaintiff stands ready to address the documents further should the Court request briefing or clarification.

Respectfully submitted,

/s/ PAUL DAVID GALLAGHER

Paul David Gallagher, Pro Se

#### **CERTIFICATION UNDER LOCAL RULE 83.1(M)**

I declare under penalty of perjury that no attorney has prepared, or assisted in the preparation of, this document.

Respectfully submitted,

/s/ PAUL DAVID GALLAGHER

Paul David Gallagher, Pro Se

**CERTIFICATE OF SERVICE**

I hereby certify that on December 16, 2025, a true and correct copy of the foregoing “PLAINTIFF’S NOTICE OF NEWLY DISCOVERED EVIDENCE”, and 5 exhibits, was hand delivered, by legal courier, to the Clerk of Court for filing. Upon filing, the Court’s ECF system will automatically transmit notice of the filing to all registered counsel of record, including:

- **John Cordani**, counsel for Maucher Jenkins LLP and Dr. Andreas Geissler
- **Nancy Reynolds**, Counsel for Rosenberg, Klein & Lee

I further certify that, on the same date, copies of the foregoing were sent by electronic mail to Mr. Cordani and Ms. Reynolds. A copy was also sent by electronic mail to Defendant Jacky Hou and Cranking Solutions Co., Ltd. at their last-known email addresses. Prior attempts at international certified-mail service to Defendant Hou were refused.

**/s/ Paul David Gallagher**

**Paul David Gallagher, Pro Se**

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