

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

MAY 7 2009
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JUDGE HARRY D. LEINENWEBER
U.S. DISTRICT COURT JUDGE

ERICH SPECHT, et al)
)
Plaintiffs)
)
vs.)
)
GOOGLE,INC., et al)
)
Defendants)
)

Case Number: 09 CV 2572

Judge: Hon. Harry Leinenweber

PROPOSED MOTION TO INTERVENE
AS AN ADDITIONAL PLAINTIFF AND MOTION FOR JOINDER

Greetings;

Comes now Kenneth Robblee, a single individual residing in the State of Washington, and of legal age. I am preparing this proposed motion pro se, as I just became aware yesterday of plaintiff Specht's emergency motion for a TRO and injunction this morning.

My current attorney does not have any expertise in trademark law or litigation (and lives in Tacoma WA), plus I have had a terrible time trying to engage a competent trademark litigator located in the Chicago area. Due to the extensive number of defendants, most of whom have a national or worldwide presence, the biggest hurdle I come up against in retaining appropriate counsel is the issue of conflict of interest. Even two nationally prominent trademark firms, of which I am a client, have conflict issues with this case. So your indulgence in the form of this pleading would be most kindly appreciated.

Due to the fact that he failed to include me as a plaintiff, I believe I have very strong cause of action against Mr. Specht, et al for unjust enrichment and quantum meruit.

Without delving into all of the facts of the case too deeply at this point in time, I hope the following facts will sufficiently establish that for both judicial economy and equity that I have a legal standing for intervention as an additional plaintiff and protect my rights.

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I first approached Mr. Specht on April 20, 2009, to discuss the purchase from him of the company called "Android Data" along with its trademark rights. He seemed quite surprised at my call and offer to purchase...he wondered why...and was afraid it may be a scam.

During the course of the phone negotiations that day, we discussed the status of the company, the software, his efforts on the venture over the years, etc. I pressed him hard for a VERY fast consummation of the transaction. This increased his aforementioned concern that this might be a scam. I finally had to divulge that his trademark for "Android Data" would permanently be lost if he or I failed to do a "Section 8" filing with the USPTO by April 22, 2009. I walked him through step by step as to how he might preserve the trademark and assign it over to me.

On April 21 I made another call to Mr. Specht. It was a very brief talk where he made it clear he was going to simply let the mark expire and no longer wanted to entertain a sale or joint venture. I thereafter learned that he took the precise steps I had advised should be done.

This statement is made under the penalty of perjury, on May 7, 2009.

Sincerely,

/ Sig /

Kenneth Robblee
P.O. Box 799
Tacoma, WA 98401