

Re: TRACK ONE Non-Provisional Patent Application: Motorized rotatable treadmill and system for creating the illusion of movement (Our File: G185.0001US1)

From Amanda Prose <aprose@wck.com>
To mattguertin<MattGuertin@protonmail.com>
CC Megan Neumann<mneumann@wck.com>
Date Monday, January 2nd, 2023 at 5:25 PM

Hi Matt,

My earlier email referred to the context of your patent application only and related to PhotoRobot - not the larger issue with the Internet Archives.

This does call into question the authenticity of documents from the Internet Archives on their face and the legitimacy of its use as evidence in any area of law. Clearly such evidence should be subject to scrutiny regardless of what tribunal the documents/captures are submitted to.

This appears now to be a more significant issue than within the context of your patent application/ patent and duty of candor requirements we owe to the USPTO while you have a pending patent application. Albeit still a separate issue from your patent activity.

I am not sure yet who the proper authority would be to make aware of this - it would seem that the Internet Archives should be made aware of the vulnerability in the way back machine if they are not already. I do not know off hand if they have any such disclaimers on the wayback machine that indicate the risk of inaccurate/inauthenticity of the captures. I would need to research the ownership/interested parties of the Internet Archives to see where the information needs to, at least initially, be made public.

I still need to take a closer look at what you've sent over today.

Best regards,

Amanda