

# CPLR 3123 Notice to Admit

48 per-patent admissions

+ 13 universe / smoking-gun / no-consent admissions

Total: 61 numbered requests

Litman v. Goldberg · Index No. 524343/2025  
NY Supreme Court, Kings County · Hon. Brian L. Gotlieb, J.S.C.

# CPLR 3123 Notice to Admit

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## Twelve-Patent Core Liability Set — § 51 Admissions

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**Litman v. Goldberg, Index No. 524343/2025** (NY Sup. Ct., Kings County, Hon. Brian L. Gotlieb, J.S.C.) **Served:** 2026-04-25 (*date placeholder — counsel to insert service date*) **By:** Plaintiff Richard C. Litman, pro se **To:** Defendant Joshua B. Goldberg

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### Notice

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PURSUANT TO **CPLR 3123(a)**, Plaintiff Richard C. Litman hereby requests that Defendant admit, within twenty (20) days of service hereof, the truth of each of the matters set forth below. Each matter is genuine, relevant, and material to this action and is one as to which Plaintiff reasonably believes there can be no substantial dispute. Defendant's failure to serve a sworn statement specifically denying the matter or setting forth in detail the reasons why Defendant cannot truthfully admit or deny it shall be deemed an admission pursuant to **CPLR 3123(a)** and **CPLR 3122-a**.

Each matter is supported by Defendant's own documents, the USPTO's public records, or both. Documents on which Plaintiff relies are: (a) the patent face pages produced as Exhibit A-1 through A-12, (b) the PTOL-85B (Issue Fee Transmittal) forms produced as Exhibit A-1B through A-12B, (c) the Powers of Attorney filed in each application, (d) the USPTO Open Data Portal grant XML data underlying the Exhibit B 449-patent capability roll-up, and (e) the documents specifically cited within each individual request.

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### Part I — Per-patent admissions (4 × 12 = 48 numbered items)

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For each of the twelve U.S. patents listed below, please admit the following four matters separately and individually for that patent.

**Template (applies to each patent)**

**N.a.** Admit that **U.S. Patent No. [P]**, issued on **[D]**, lists “**Nath, Goldberg & Meyer; Richard C. Litman**” as the Attorney, Agent, or Firm on its face page (Item 74).

**N.b.** Admit that **U.S. Patent No. [P]** issued on or after **July 21, 2024** (within the limitations period under CPLR 215(3)).

**N.c.** Admit that Defendant does not possess, and cannot produce, any **written consent signed by Richard C. Litman** authorizing the use of his name in the above-listed patent on or after **June 15, 2020**.

**N.d.** Admit that the above-listed patent was prosecuted on behalf of a **paying client** of Defendant — for client **[Assignee]** — for a fee, as part of Defendant’s commercial legal practice.

**Twelve patents (substitute into template)**

<b>N</b>	<b>Patent (P)</b>	<b>Issue Date (D)</b>	<b>Assignee</b>
1	12,043,608	2024-07-23	King Faisal University
2	12,043,609	2024-07-23	King Faisal University
3	12,049,459	2024-07-30	King Faisal University
4	12,054,460	2024-08-06	King Faisal University
5	12,054,464	2024-08-06	King Faisal University
6	12,062,780	2024-08-13	King Faisal University
7	12,065,424	2024-08-20	King Faisal University
8	12,071,437	2024-08-27	King Faisal University
9	D 1,046,141	2024-10-08	King Saud University
10	12,114,620	2024-10-15	Kuwait Institute for Scientific Research
11	12,116,333	2024-10-15	King Faisal University
12	12,194,434	2025-01-14	King Saud University

Numbering convention: Request 1.a, 1.b, 1.c, 1.d (for Patent 12,043,608), then 2.a–2.d, etc. Total Part I requests: 48.

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## Part II – Universe admissions (the 12-449-1 split and the per-patent election)

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49. Admit that as of April 25, 2026, **463 U.S. patents** issued under USPTO Customer Number 37833 between July 21, 2024 and April 25, 2026, of which **twelve (12)** list “Richard C. Litman” as the Attorney, Agent, or Firm on the face page, **four hundred forty-nine (449)** list “Joshua B. Goldberg,” and **one (1)** lists “James Lafave.”
50. Admit that **USPTO Customer Number 37833** is, and has been at all relevant times, controlled by Nath, Goldberg & Meyer (and/or Nath & Associates PLLC), the firm at which Defendant is a partner, and is used by Defendant to route correspondence concerning the patent applications referenced in the preceding requests.
51. Admit that **Box 2 of Form PTOL-85 Part B** (“For printing on the patent front page”) is a manually-completed field, and that the form’s own instructions state: “If no name is listed, no name will be printed.”
52. Admit that **James Lafave (USPTO Reg. 71,013)** personally signed Form PTOL-85 Part B for each of the twelve patents identified in Part I and personally typed “Richard C. Litman” in Box 2 of each such form.
53. Admit that **James Lafave** also personally signed Form PTOL-85 Part B in **U.S. Application No. 18/628,953** (which issued as **U.S. Patent No. 12,127,901** on October 29, 2024), and personally typed “**James Lafave**” in Box 2 of that form, dated **September 25, 2024**.
54. Admit that **James Lafave** signed at least one Form PTOL-85 Part B between **June 6, 2024 and September 25, 2024** in which he typed “**Joshua B. Goldberg**” in Box 2 (and that the patent so identified subsequently issued under USPTO Customer Number 37833).
55. Admit that no person registered with the USPTO or otherwise authorized to act for Defendant caused the name “Richard C. Litman” to appear in Box 2 of any Form PTOL-85 Part B filed under USPTO Customer Number 37833 with an IFEE date on or after **June 6, 2024**.
56. Admit that Defendant’s firm’s practice of typing “Richard C. Litman” in Box 2 of Form PTOL-85 Part B was **discontinued** on or about **June 5, 2024**, and that no Form PTOL-85 Part B filed under USPTO Customer Number 37833 with an IFEE date on or after that date contains the name “Richard C. Litman” in Box 2.
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### Part III — Specific-document admissions (the smoking-gun forms)

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**57.** Admit that the document attached as **Exhibit A-12B** is a true and accurate copy of the Form PTOL-85 Part B filed in U.S. Application No. 18/612,504 on May 28, 2024; that the form was signed by James Lafave (Reg. 71013); and that “Nath, Goldberg & Meyer / Richard C. Litman” appears in Box 2 of that form.

**58.** Admit that the document attached as **Exhibit A-Lafave-IFEE** is a true and accurate copy of the Form PTOL-85 Part B filed in U.S. Application No. 18/628,953 on September 25, 2024; that the form was signed by James Lafave (Reg. 71013); and that “Nath, Goldberg & Meyer / James Lafave” appears in Box 2 of that form.

**59.** Admit that the document attached as **Exhibit A-Goldberg-IFEE-Sample** is a true and accurate copy of the Form PTOL-85 Part B filed in U.S. Application No. [Goldberg sample appNum] on June 12, 2024; that the form was signed by James Lafave (Reg. 71013); and that “Nath, Goldberg & Meyer / Joshua B. Goldberg” appears in Box 2 of that form.

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### Part IV — No-written-consent admissions (the affirmative-defense gate)

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**60.** Admit that no written consent signed by Richard C. Litman authorizing the use of his name in any patent prosecution under USPTO Customer Number 37833 on or after **June 15, 2020** has been produced to Plaintiff in this litigation.

**61.** Admit that no such written consent exists in Defendant’s files or otherwise within Defendant’s possession, custody, or control.

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**Part V — Per-patent cascade admissions (the IFW + email use cascade)**

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**62.** Admit that USPTO Customer Number 37833 is registered, and has been at all relevant times during the SOL window, to the correspondence address: **“Richard C. Litman / Nath, Goldberg & Meyer / 112 S. West Street / Alexandria, VA 22314.”**

**63.** Admit that every outgoing USPTO document (including Office Actions, Notices of Allowance, Issue Notifications, Petition Decisions, and similar Office correspondence) for each of the twelve applications identified in Part I, Items 1–12, was addressed to “Richard C. Litman / Nath, Goldberg & Meyer” at the address recited in Request 62, by virtue of CN-37833 routing (the Customer Number registered to Defendant’s firm).

**64.** Admit that the Image File Wrapper (IFW) for each of the twelve applications identified in Part I, Items 1–12, contains a total of approximately **660 individual USPTO documents** across the twelve files, of which approximately **216 are outgoing USPTO documents** (each addressed as in Request 63) and approximately **311 are incoming documents filed by Nath, Goldberg & Meyer** under the same correspondence address.

**65.** Admit that all twelve attorney docket numbers for the patents identified in Part I, Items 1–12 follow the legacy Litman Law Offices (“LLO”) / STI PracticeMaster five-digit-period-two-digit format (specifically: 33120.91U, 33130.47U, 33120.88U, 33170.94A, 33175.68A, 33160.59U, 33175.60A, 33150.41U, 33056.38, 32366.97U, 33150.71A, and 33056.80A), and that this docket-numbering format pre-dates the NGM PCLaw renumbering scheme.

**66.** Admit that Martha Long, an employed paralegal of Nath, Goldberg & Meyer (mlong@nathlaw.com), sent client-facing email correspondence — under Defendant Goldberg’s supervision and on the firm’s email system — to one or more of the email aliases `kfu@4patent.com`, `ksu@4patent.com`, and `kisr@4patent.com` referencing one or more of the twelve dockets recited in Request 65; that such emails carried subject lines such as “Office Action Notification — Docket [docket],” “Patent Application Filed — Docket [docket],” “Issue Fee Paid — Docket [docket],” and similar; and that such emails contained Plaintiff’s name in the signature block or correspondence header.

**67.** Admit that the per-docket email index produced as `output/patent_count_refresh/per_docket_email_corpus_search.csv` is a true and accurate enumeration of the emails referencing each of the twelve dockets in Defendant’s email production (combined Martha Long, Joshua Goldberg, and Lindsay Dunbar correspondence, plus discovery TEXT-corpus mentions).

**68.** Admit that no person or entity, between June 15, 2020 and the date of service of this Notice, sent or filed any written notice to Plaintiff or to the USPTO instructing that Plaintiff’s name be removed from CN-37833 correspondence routing.

**70.** Admit that James Lafave (USPTO Reg. 71,013) is, and at all relevant times has been, an **employee attorney** of Nath, Goldberg & Meyer; that Martha Long (mlong@nathlaw.com) is, and at all relevant times has been, an **employed paralegal** of Nath, Goldberg & Meyer; and that Joshua B. Goldberg is, and at all relevant times has been, the **supervising attorney** for both Mr. Lafave’s official acts and Ms. Long’s paralegal acts within the firm.

**71.** Admit that the firm’s Attorney Docket Number for each of the twelve patents identified in Part I, Items 1–12, appears in a labeled “Attorney Docket No.” field on the face of each PTOL-85 Part B form attached as Exhibits A-1B through A-12B (and on the face of each Notice of Allowance, Issue

Notification, and other USPTO outgoing document filed under Customer Number 37833 in the same applications).

72. Admit that each of the Martha Long client emails identified in Part II, Request 67, includes the firm’s Attorney Docket Number in the email’s subject line and/or body – for example: “Office Action Notification – Docket 33120.91U,” “Patent Application Filed – Docket 33150.41U,” “Issue Fee Paid – Docket 33056.80A.”

73. Admit that each of the twelve dockets identified in Request 65 traces to a client matter originally opened by Plaintiff (under his pre-2017 Litman Law Offices, Ltd. practice) and carried forward into Nath, Goldberg & Meyer at the time of the May 2017 firm transition.

69. Admit that the four U.S. patents listed below – issued before the §51 SOL cutoff of 7/21/2024 but within the same Lafave-signed PTOL-85B pattern as the twelve patents identified in Part I – also list “Nath, Goldberg & Meyer; Richard C. Litman” on their respective face pages, were prosecuted under USPTO Customer Number 37833, and have IFWs containing approximately 221 USPTO and NGM documents in aggregate addressed to or filed under the Richard C. Litman correspondence address:

Patent	Application	Docket	Issued	Assignee
11,881,807	18/215,352	33110.68U	2024-01-23	King Faisal University
11,932,607	18/384,685	33135.26U	2024-03-19	King Faisal University
11,976,365	18/122,396	33101.73U	2024-05-07	King Faisal University
11,980,937	18/392,663	33150.15U	2024-05-14	King Faisal University

## Authentication / verification

This Notice is verified pursuant to **CPLR 2106** (affirmation in lieu of affidavit, as amended effective 1/1/2024). The factual representations in this Notice rest on (a) Defendant’s productions of NGM correspondence and IFW documents; (b) live data from the USPTO Open Data Portal ([api.uspto.gov](https://api.uspto.gov)), accessed and pulled by Plaintiff on April 25, 2026; and (c) the USPTO grant XML records underlying each issued patent, all of which are public records authenticated under **CPLR 4540**.

The PTOL-85 Part B forms attached as Exhibits A-1B through A-12B and as Exhibit A-Lafave-IFEE are produced by the United States Patent and Trademark Office on application by the inventor or applicant; they are public records of the USPTO and are self-authenticating under CPLR 4540.

The 463-patent classification underlying Part II is derived from USPTO grant XML files publicly hosted at [api.uspto.gov](https://api.uspto.gov); the methodology and source CSVs are described in [output/patent\\_count\\_refresh/findings/POST\\_SOL\\_AOR\\_DEEP\\_DIVE\\_2026-04-25.md](#). Plaintiff is prepared to produce all underlying CSVs and to demonstrate the live API query at any time.

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## Plaintiff's affirmation (CPLR 2106)

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I, Richard C. Litman, an attorney duly admitted to practice before the courts of the District of Columbia and the Commonwealth of Virginia, and pro se Plaintiff in the above-captioned action, under the penalties of perjury, do hereby affirm that the factual representations in this Notice to Admit are true to the best of my knowledge, except as to those matters stated to be on information and belief, and as to those, I believe them to be true.

Dated: April 25, 2026

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