

**SECOND DECLARATION OF REEVE TYNDALL
PURSUANT TO 28 U.S.C. § 1746**

I, Reeve Tyndall, hereby state that I have personal knowledge of the facts set forth below and, if called to testify, I could and would testify as follows:

1. I am a United States citizen. I work as an Investigator for the Federal Trade Commission (“FTC”) in the Bureau of Consumer Protection’s Division of Marketing Practices. I investigate persons and entities that may be violating the FTC Act and other laws enforced by the FTC. My office address is 600 Pennsylvania Avenue, NW, CC-8528, Washington, DC 20580.

2. The following declaration outlines the results of my investigation after the court issued a Temporary Restraining Order against World Patent Marketing, Inc., Desa Industries, Inc., and Scott Cooper (“Defendants”).

IMMEDIATE ACCESS OF BUSINESS PREMISES

3. On March 8, 2017, I learned the Defendants were in the process of opening a new office at 150 SE 2nd Ave., Miami, FL, 33131. I informed the court appointed Receiver of this fact and the Receiver’s Deputies entered the business premises the same day. Officers from the Miami Police Department provided physical security while the Receiver’s Deputies took control of the business. I entered the business premises at the invitation of the Receiver’s Deputies.

4. The Defendants had two adjacent office suites – suites 401 and 402. Each suite had a separate entrance from the main hallway on the fourth floor. There was no signage on either door.

5. I entered Suite 402 first. Two World Patent Marketing employees and a third-party electrician were in Suite 402 when I entered. The employees informed the Receiver’s Deputies that World Patent Marketing was in the process of moving into the business premises. There were boxes and construction material strewn on the floor. I took photographs of Suite 402. I also labeled each room with a letter and created a map of the Suite. Selected photographs and a map of Suite 402 is **Attachment A**.

6. Suite 402 had seven rooms. Room A was the largest room and had a reception desk facing the door. Moving boxes and sundry office items lay strewn on the floor. Office supplies were also stacked along the wall adjacent to the front door. World Patent Marketing telemarketing scripts were scattered around the suite; some dated 2017. I attached some of these scripts to my declaration (see Paragraphs 6b, 6c, and 10). I examined the following material in Room A. I noted the following items in Room A.

a) The area contained 34 computers stacked along the wall near the front door (Location A1).

b) The area contained 22 boxes along the wall that contained empty binders with “World Patent Marketing” stamped on the front. The binders appeared new and ready to use. I counted approximately 462 binders (Location A1).

c) The area contained three boxes along the wall that contained new, empty file folders with “World Patent Marketing – Global Invention Royalty Analysis” printed on the front. I counted thousands of empty folders among these boxes. The folders appeared new and ready to use (Location A1).

d) The area contained three boxes containing a product called Safety Blade. I counted thousands of Safety Blade products.

f) The area contained a box of documents on the floor in the middle of the room (Location A3). The box contained a World Patent Marketing Employee ID for Scott Cooper. The box also contained a book titled “Inventions for Dummies.” The box also contains other miscellaneous documents. True and correct copies of selected documents from this box are attached hereto as **Attachment B**.

g) The area contained a box of documents on the floor in the middle of the room (Location A4). True and correct copies of selected documents from this box are attached hereto as **Attachment C**.

7. Hallway B contained moving boxes. One of the boxes contained samples of the Janus Case product.

8. Room C appeared to be a server room. The room was mostly empty and contained work tools.

9. Room D contained a kitchenette, a couch, and a desk with a computer. The computer had a post-it note on top marked “Esti.” FTC Forensic Examiners imaged this computer confirmed the computer belonged to Esther Prager.

10. Room E contained moving boxes, a gun safe, and a fire safe. One moving box contained a computer. FTC Forensic Examiners imaged this computer and confirmed it belonged to Scott Cooper. There was also a stack of documents on a chair in the middle of the room. True and correct copies of selected documents from this stack are attached hereto as **Attachment D**.

11. Rooms F, G, and H contained construction tools and various office supplies.

12. I then entered Suite 401. The suite consisted of one large room with rows of cubicles. I counted 37 cubicles. Most of cubicles had a computer and a telephone. I took photographs of suite. I also labeled row of cubicles with a letter and created a map of the suite. Selected photographs and a map of Suite 401 is **Attachment E**.

13. One cubicle had a stack of documents, including telemarketing scripts for World Patent Marketing. I did not see scripts for any other entity or business (Location A1).

14. The suite also contained boxes with computers. I found computers marked “James Garafano” and “Milena Roberts.” FTC forensic examiners imaged these computers and confirmed they belonged to these individuals.

FORENSIC IMAGES

15. During the course of the Immediate Access, FTC forensic examiners imaged various computers in Suites 401 and 402 under my supervision. Selected documents from these computers are attached hereto as **Attachment F**.

16. During the course of the Immediate Access, FTC forensic examiners secured and processed emails and other documents on World Patent Marketing’s Google account. Selected documents from World Patent Marketing’s Google account are attached hereto as **Attachment G**.

FORMER LANDLORD

17. On March 9, 2017, I spoke with Ashton Hamerlin, a representative for Market Street Real Estate Partners, the landlord at 1680 Meridian Avenue. Mr. Hamerlin told me World Patent Marketing signed a lease in November 2013 and rented Suites 600, 602, and 201. He told me World Patent Marketing just packed up and left at the end of January and defaulted on its lease.

CURRENT LANDLORD

18. I examined leasing documents for 150 SE 2nd Ave., Suites 401 and 402. Gallery Internet LLC applied for the lease on or about February 24, 2017. Gallery Internet stated that it started operating in 2017 on its application. The lease document also lists World Patent Marketing as the tenant company. Selected pages from the leasing documents are attached hereto as **Attachment H**.

BRANTLEY BARNES

19. On March 9, 2017, I sat in on an interview of Brantley Barnes, a Division Manager at World Patent Marketing. Mr. Barnes reported to the Receiver’s office pursuant to a subpoena issued by the FTC. Mr. Barnes subsequently agreed to speak voluntarily. Mr. Barnes informed me of the following facts:

- a) Mr. Barnes started working at World Patent Marketing in July 2015 as a Project Manager.
- b) Mr. Barnes’ immediate supervisor when he started was Jay Ward.
- c) Mr. Ward provided Mr. Barnes with telemarketing scripts.

- d) Mr. Barnes examined scripts that I collected and stated that he recognized them as scripts that Mr. Ward provided him.
- e) Mr. Barnes initial job was to speak with consumers who had invention ideas and to sell them a Global Invention Royalty Analysis.
- f) Mr. Barnes did not receive any formal training and that most of it he learned about the patent process and World Patent Marketing services was “on the job.”
- g) Mr. Cooper came into the office regularly and managed employees.
- h) World Patent Marketing later promoted Mr. Barnes to Division Manager and he supervised other project managers.

AMERICAN DREAM AWARD

20. On March 29, 2017, I executed a web search for “American Dream Award” and “world patent marketing.” I found no evidence that World Patent Marketing issued the award to anyone other than Richard Sulaka in February 2015. Mr. Sulaka served on World Patent Marketing’s Advisory Board at the time.

REPRESENTATIVE BRIAN MAST

21. Politico.com, a political news website, published two articles detailing the relationship between Representative Brian Mast and World Patent Marketing. True and correct copies of these articles are attached hereto as **Attachment I**.

GINA BAYER

22. On March 30, 2017, I participated in an interview of Gina Bayer. Ms. Bayer invented a series of toys marketed as Squatch World. World Patent Marketing touted the invention as a success story on its website. Ms. Bayer informed me of the following facts:

- a) Ms. Bayer first started working with World Patent Marketing in September 2014 after she found the company online.
- b) Ms. Bayer paid World Patent Marketing an initial \$30,000 for a Global Patent. Ms. Bayer paid additional money to manufacture and market her product. Financial records indicate Ms. Bayer paid at least \$140,000 to World Patent Marketing in 2016 alone. World Patent Marketing email records include references to a \$300,000 promissory note on Ms. Bayer.
- c) Ms. Bayer has not made any money from her invention in the nearly two and a half years since she started working with World Patent Marketing.

d) Ms. Bayer remembered seeing Teddy's Ballie Bumpers featured on the World Patent Marketing website. Ms. Bayer was surprised to learn the inventor of Ballie Bumpers never made money from his invention and ended up suing Desa Industries.

e) Ms. Bayer did not realize that a Global Patent does not exist.

f) Ms. Bayer was told when she paid \$30,000 that she would not have to pay any additional money.

TRUST ACCOUNTS

23. During the course of my investigation, I did not find evidence that World Patent Marketing created accounts for its inventors. According to the records I examined, revenue flowed into a general operating account and there was no evidence that World Patent Marketing remitted revenue to its inventors.

CONSUMER COMPLAINTS

24. Since March 8, 2017, the FTC has received dozens of phone calls and emails from consumers after the FTC filed its complaint. Some of these consumers have submitted declarations, which are included as exhibits to the FTC's Motion for a Preliminary Injunction.

25. Since March 8, 2017, the FTC has also received approximately 140 written complaints through its web portal.

26. I examined these complaints received by the FTC. The majority of the consumers never received a patent. None of the consumers made money with World Patent Marketing.

ARCHIVE.ORG

27. Archive.org captures and stores images of websites through time. I accessed a copy of WorldPatentMarketing.com. A true and correct copy of the WorldPatentMarketing.com website as it appeared on April 1, 2014 is attached hereto as **Attachment J**.

TGK WIRES

28. Attached as **Attachment K** are true and correct copies of excerpts from wire transfer records produced by the City National Bank of Florida. The excerpted records show wire transfers from Desa Industries, Inc. to TGK Associates. The address for TGK Associates in each record is 1680 Meridian Ave., Suite 600, Miami Beach, FL 33139. The records list the same address for Desa Industries.

PR WEB

29. A true and correct copy of a page from prweb.com is attached hereto as **Attachment L**.

ROSLAND CAPITAL LLC

30. On or about April 3, 2017, I reviewed a subpoena response from Rosland Capital LLC, a Los Angeles-based seller of gold and other precious metals. According to Rosland Capital, Scott Cooper contacted the Company on March 13, 2017, and the Company subsequently sent him a package of promotional materials; though he has not yet purchased any gold or precious metals from Rosland.

FINANCIAL DISCLOSURE DEFICIENCIES

31. The Defendants submitted financial disclosures pursuant to the Temporary Restraining Order in March 2017. The Defendants failed to include numerous items, including but not limited to, general ledger records (Item 11), appraisals of personal and real property (Items 17 and 18), a summary of financial schedules (Item 25), and a summary of combined current monthly income and expenses (Item 26) in Attachment A. Furthermore, the Defendants only listed one personal property item titled "Jewelry."

I declare under the penalty of perjury that the foregoing is true and correct on April 4, 2017



Reeve Tyndall

From: Matthew Whitaker <mwhitaker@whgllp.com>
Sent: Tuesday, August 25, 2015 8:12 AM
To: scott@worldpatentmarketing.com
Subject: Fwd: World Patent Marketing

----- Original message -----

From: A Rudsky [REDACTED]
Date: 8/25/2015 1:40 PM (GMT-06:00)
To: Matthew Whitaker <mwhitaker@whgllp.com>
Subject: Re: World Patent Marketing

what are the qualifications to get on the advisory board of WPM?
Do not email me again with your scare tactics. I a former United States attorney for the southern district of Brooklyn New York.

So stop with your bull shit emails..

You are party too a scam that is driving allot of traffic to WPM site.. You will be exposed... I hope I make myself clear Mr. Whitaker.

-----Original Message-----

From: Matthew Whitaker <mwhitaker@whgllp.com>
To: a.rudsky [REDACTED]
Cc: scott (scott@worldpatentmarketing.com) <scott@worldpatentmarketing.com>
Sent: Fri, Aug 21, 2015 12:58 pm
Subject: World Patent Marketing

Mr. Rudsky:

Scott forwarded me your emails and I am concerned about what you are trying to communicate to Scott Cooper and WPM.


I am a former United States Attorney for the Southern District of Iowa and I also serve on World Patent Marketing's Advisory Board.

Your emails and message from today seem to be an apparent attempt at possible blackmail or extortion. You also mentioned filing a complaint with the Better Business Bureau and to smear World Patent Marketing's reputation online. I am assuming you understand that there could be serious civil and criminal consequences for you if that is in fact what you and your "group" are doing.

I am familiar with your background and your history with Scott. Understand that we take threats like this quite seriously. Perhaps you can email me and specifically explain to me exactly what your intentions are with regards to World Patent Marketing so I can respond accordingly.
I can be reached at this email address.

Please conduct yourself accordingly.

Regards, MW

**WHITAKER HAGENOW
& GUSTOFF LLP** 

Matthew G. Whitaker
WHITAKER HAGENOW & GUSTOFF LLP
Counselors and Attorneys at Law

Attachment F

1543757253

PX 53, 4041

521 East Locust St., Suite 302
Des Moines, IA 50309-2017
Phone: 515.868.0210
E-Mail: mwhitaker@whgllp.com

Connect with me on:



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Attachment F

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