Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington , DC 200554

In the Matter of	)	
	)	**WT Docket No.03-66**
Amendment of Par t s 1, 21, 73 , and 101	)	**RM-10586**
Of the Commission's Rules to Facilitate	)	
The Provision of Fixed and Mobile	)	
Broadband Access , Educational and	)	
Other Advanced Services in the 2150-	)	
2162 and 2500-2690MHz Bands	)	
	)	
	)	
Part 1 of the Commission's Rules	)	**WT Docket No. 03-67**
Further Competitive Bidding	)	
Procedures	)	
	)	
	)	
Amendment of parts 21 and 74 of the	)	
Commissions's Rules With Regard to	)	**WT Docket No. 02-68**
Licensing in the Multipoint Distribution	)	**RM-9718**
Service and in the Instructional Television	)	
Fixed Service for the Gulf of Mexico	)	
	)	
	)	
	)	
Amendment of Part 2 of the Commission's	)	**ET Docket No. 00-258**
Rules to Allocate Spectrum below 3 GHz	)	
For Mobile and Fixed Services to Support	)	
The Introduction of New Advances	)	
Wireless Services , Including Third	)	
Generation Wireless Systems	)	

THESE COMMENTS ARE FILED EX-PARTE IN THE ABOVE REFERENCED DOCKETS AND RULE MAKING PROCEDURES BEFORE THE FCC .

Dorothy M. Hartman , inventor , in the above referenced matter(s) hereby opposes the referenced petitions only as they apply to bidding , leasing , or free access to Broadband which accesses to the INTERNET or WORLDWIDE WEB either by phone , cable , or wireless . **Hartman** who claims that she is the inventor of the

INTERNET and the WORLDWIDE WEB in an email to the FCC ,PLEASE STOP THE FREE GIVEAWAY OF INTELLECTUAL PROPERTY , June 26 , 2008 and by exparte comments to relevant proceedings before the FCC having to do with the disbursement of these services claims that this is her intellectual property. She further claims that the FCC is in error when it invokes the Communications Act of 1934 as its premise in taking such actions including the distribution of licensing and other matters relating to communications , Title 47 CFR , 27.1(a) " The Rules for miscellaneous wireless communications services (WCS) in this part are promulgated under the provisions of the Communications Act of 1934 …… The inventor Hartman contends that the FCC may be engaging in retroactive rulemaking citing the use of the 1934 Communications Act – law(s) written over 50 years before the introduction of the INTERNET , WORLDWIDE WEB , or 'BROADBAND'. Rules are retroactive if they " alter the past legal consequences of past actions " or " change what the law was in the past ."

The inventor , **Hartman** is addressing her comments before the **FCC** on these relevant matters in the hope that the FCC will cease and desist immediately in the matter of the distribution of INTERNET property which she claims is intellectual property and therefore the FCC may not be lawful in its actions .The **Commission** has within its own power and within its own rules the power to change this situation immediately , pursuant to 47 CFR 1.1, 1.2 , 1.3 . Subject to the provisions of the Administrative Procedure Act section 5(d) , '… On its own motion the [Commission] may issue a declaratory ruling terminating a controversy or removing uncertainty .' Under 47 CFR 1.3 and subject to the APA , the Commission may waiver its own rules if good cause is shown .Therefore Ms. Hartman hopes that the Commission will consider all of the ramifications of its actions regarding the distribution of INTERNET and INTERNET PROPERTIES as such actions could have grave consequences as to the rights of Inventor regarding proprietary information and

intellectual property as well . There may also be grave consequences to the economy . In the interest of justice and and sound economic sense , Ms. Hartman is hopeful that the FCC will consider all of hercomments in the relevant proceeding(s) and will alter its Rulemaking accordingly in these matter(s) .

Ms Hartman contends that she is the owner of proprietary information which was accepted by government research agencies as early as 1990 . She contends that her information was accepted in a confidential manner as part of requests for funding to start her own business , a telecommunications prototype.

Ms Hartman contends that confidential proprietary information contained in those proposals presented to the SBA (Small Business Administration) through its SBIR (Small Business Innovation Research) , BFTC (Benjamin Franklin Technology Center) , PA. Department of Commerce and indirectly to the NSF (National Science Foundation) and other programs resulted in use of her idea(s) , the *FEASIBILITY OF ACCESSING ACCESSIBILITY* as a template by the federal government through its funding to to educational institutions and private companies to build the INTERNET and the WORLDWIDE WEB .

She also contends that she was denied funding , primarily because she was poor , disadvantaged and a minority . Her ideas which were 'as good as gold' were kept and shared with existing telecom , computer companies and used without her permission to build the INTERNET which has brought trillions of dollars into the government and into private industry . Ms. Hartman who never minded sharing , if she herself had not been overlooked and treated so badly has yet to be recognized for her contributions as inventor of one of the greatest inventions of the 21st century . She has never been thanked or compensated in anyway – but the government now through actions by the FCC and delays in the USPTO is now robbing her of any opportunity whatsoever to recover. Ms. Hartman feels that these actions are unjust and unconscionable as the federal

government is well aware of her claims .

Financial hardship and disability have hampered her ability to overcome this injustice to her. Further upon learning of her plans to claim her rights by patent application – since 2004 , Ms . Hartman alleges that the federal government has made a monumental decisions to remove any rights that she might have to claiming the INTERNET as her intellectual property by the "rush" to declare the spectrum open for licenses , auctions , "giveaways", etc. The United States Patent and Trademark Office under the Department of Commerce has delayed the processing of Ms. Hartman's patent application for almost four (4) years essentially holding the patent application "hostage"while the government through the FCC has made its moves to strip Ms. Hartman of any proprietary or ownership rights by seeking even now to give away ' free access to all Americans ' and is apparently going around the world to give 'free access to everyone .' While on the face of it -it may seem "free access" – upon closer inspection it really is not ,as the tech companies which received government funding to build it in the first place will still be allowed to prosper for they will continue to charge fees for their services and costs for technology gadgets that customers will need to access the so called "free" internet .

The difference is that the INTERNET is bundled in and therefore any ownership or property rights by the inventor are made null and void . As altruistic as the acts appear to be on the face of it "broadband to all Americans " or 'free access to everyone ' – indeed it may simply be a ruse to cover a very unjust act– of racism and oppression . All indication is that the service is not free per se but bundled in with fee packages from various telecom and other tech companies and now even car companies and hotel packages- some of this bundling already begun and on the market using "free internet" as a 'hook' or 'draw.' The only thing supposedly non fee is the internet which is bundled in and Ms. Hartman contends that this arrangement is designed to strip her of any residual rights that she might

have even if awarded a patent and of any proprietary rights , such as ownership and management of the property .

Therefore , -not only for her protection as an inventor , but for the protection of other inventors and for the prevention of ad hoc laws and rules made on the basis of prejudice , suspicion , and fear and not jurisprudence and sound judgment- she hopes that the FCC will be very thorough in the evaluation of its acts and the facts .Being thus , perhaps it will not seek to hurt rules governing proprietary information , patent laws and intellectual property laws . This would be acting arbitrarily , capriciously , and not in accordance with law.

Ms. Hartman claims that not only would she be irreparably harmed by these actions by the FCC in reference to her intellectual property , but that this would open the door to any inventor or future inventors being hurt by the government making up **ad hoc** rules because they did not like the color , race , opinions , health or any other orientation of the inventor and decide to change the rules of the game just because it finds it convenient to deny or oppress the rights of inventor . The inventor , **Hartman** further contends that in the effort to deny one individual what is rightfully hers , the actions of the FCC might unwittingly hurt an already fragile economy and the millions of people who depend on it . An oppressive act does not foster competition , it stifles it and more importantly it makes nil a very powerful tool to hedge against recession and inflation .This is a very , very serious matter and the filer hopes that the FCC will seriously consider its actions and waive these procedures until such time – the legalities surrounding these matters are clarified .

Ms. Hartman contends that although she filed a patent for the ACCESSING ACCESSIBILITY PROCESS which is now in the final stages of the patent application and it status should be Patent Pending – that her ownership of this intellectual property extends to back to 1989 when she first conceived it and submitted it first to the SBA in 1990 . Priority Data as claimed by Inventor/ Applicant is as follows : Ms. Hartman claims that

copies of original documents have been submitted to the USPTO (the United States Patent and Trademark Office) on CD , discs #1 and #2 and that among the filings are the following : Computer Disk #1 , entitled Hartman Patent Docs #1-12 ACCESSING ACCESSIBILITY (Marketing Information and Service Brokerage) – 11 pages submitted 1991-1992 for Innovation Award Ben Franklin Partnership Program of the Commonwealth of Pennsylvania ; (2) the FEASIBILITY OF ACCESSING ACCESSIBILITY submitted March 1991 to Pennsylvania Department of Commerce for Benjamin Franklin Partnership Fund Project ; (3) Talk Shoppe Telecommunications Services business offering information retrieval application for registration of fictitious name – March 05 , 1990 ; (4) Hartman letter to Frank Campo – U.S. Small Business Administration Sept. 27 , 1990 ; Hartman letter to Tawanna Bivins , P.C.D.C . May 31 , 1990 ; (6) Hartman letter to Don Lonergan , LaSalle Small Business Development Center , February 13 , 1990 ;(7) Hartman letter to Shelly Fudge , Benjamin Franklin Technology Center of Southeastern Pennsylvania , August 23 , 1990; (8) Hartman Letter to Phillip A. Singerman , Benjamin Franklin Technology Center of Southeastern Pennsylvania letter to Hartman , Aug. 15 , 1991 ; (10) U.S. Small Business Administration letter to Hartman , Aug. 05 , 1992 ; (11) U.S. Small Business Administration letter to Hartman , Aug. 20 , 1992; Certified Mail envelopes from U.S. Small Business Administration to Hartman dated 08/21/92 and 01/22/93 . Computer Disk #2 entitled Hartman Patent Docs II , More Original Documents –pages 11-16 of 1991 Innovation Award Proposal , Resume and is further comprised of the following documents : August 31 , 1990 , letter from Shelly Fudge , BFTC to Hartman ; April 15 , 1991 – Proposal Review Form – Ruth Nesmith of BFTC to Hartman; July 24 , 1991 , William Harrington (BFTC , Director of Entrepreneurial Development) letter to Hartman (Innovation Candidate) ; Aug . 1992 , MCIMAIL customer letter to Talk Shoppe Inc. ; Dow Jones News Retrieval User Agreement ; pages 11-16 of 1991 Innovation

Award Proposal omitted from CD #1.

The patent application filed by Ms. Hartman in December , 2004 and later on March 7, 2005 is preceded by Ms. Hartman's November 9, 1990 Certified letter to Frank Campo , director of the SBA requesting that the SBA (the federal government) not divulge the proprietary content of the information presented to them in her writings on the Accessing Accessibility Process . Since Ms. Hartman was not granted funding , she subsequently requested that the information not be shared by others for their profit and gain – feeling very strongly that her proposals were certain to produce commercial success and hoping that therefore that inevitably she would be funded by a government body and have the opportunity to share her creative ideas with the world . Ideas which would explode commercial transactions and create an economic boom if implemented . Not to deny other success , but she herself also wanted an opportunity to succeed . History has demonstrated what has happened and is continuing to happen .

She hoped the government would see the value intrinsic in the plan and provide her supportive funding to build a prototype business, Talk Shoppe Telecommunications Services . She knew the value in the plan , and therefore upon recommendation by the SBA submitted proposals through the SBIR , the PA. Dept. of Commerce , and the BFTC . Her hopes were not realized as all government programs denied her funding , but the idea(s) from her proposals were kept, researched and developed and passed on to already established businesses like phone companies , computer companies , media corporations and the like . Internet Service Provider's and Internet protocol increased and sprang up. Computer and software companies increased and flourished . Other telecom companie ,search engines and the like sprang up . This innovation in internetting projects which is what they were called before the 1990's did not come as a natural evolution of all of the various "Nets" which existed before then like the ARPANET , INSTINET , CSNET , BITNET , and others which though brilliant in their

design and creation by the earlier pioneers of the internetting projects were still looking for ways to grow and improve but not finding them .

It was the intervention of **Hartman's** ACCESSING ACCESSIBILITY PROCESS or method of doing business integrating Commercialization with Computers that produced the INTERNET which unlike all of the internetting projects before it was a total integrated unit unto itself and has revolutionized telecommunications . It even retained one name , the INTERNET and being used from continent to continent and across oceans , the WORLDWIDE WEB . It was the introduction of Hartman's writings and influence that is responsible for this phenomenon to day which has brought trillions of dollars into the American and Global economy revitalizing the U.S. economy which was in the tank following the Savings and Loan Crisis and has become one of our country's most valuable resources . Yet , the inventor has never been acknowledged , paid or compensated in any way .

This Patent Application filed initially in December , 2004 and again March 7 , 2005 # 11/003,123 was published on September 7 , 2006 and is a part of the public record . The Priority Data documents cited above were submitted on disks with those filings so these documents as well as letters and correspondence to various agencies in 2003 and 2004 are part of the public record and therefore known or should have been known by the FCC when it began its auctions and giveaways in 2004 and 2006 and beyond . The FCC in COMMENTS and EXPARTE COMMENTS filed on 06/26/2008 and also on 07/07/2008 under Dockets 07-195 and 04-356 has been reminded if it was not previously aware of the existence of this patent application and also of the documents filed with it most notably : Nov. 7, 1990 letter from SBA to Hartman from Frank Campo – copy 2 pages ; Certified Letter , Nov. 9 , 1990 Hartman to SBA , Frank Campo – copy 2 pages , 1 certificate copy ; January 18 , 1991 letter from PA Dept. of Commerce to Hartman – 1 page; July 24 , 1991

letter from Ben Franklin Technology Center to Hartman – 1 page .

These documents have been submitted to the United States Patent and Trademark Office , and their existence published September 7 , 2006 . A few of these documents have been sent to the Department of Commerce and a few of these documents have been submitted as exparte comments to the FCC . This documentation is part of the public record and therefore inventor believes that the FCC should show consideration to their existence and govern its actions accordingly regarding the distribution of intellectual property . Therefore , the inventor requests a STAY with exceptions as described as follows – in that the FCC not only stay its motion that the licenses should expire 15 years after their start date but that all licenses after termination of the 15 year rule – then be subject to renewal based upon what the current legal conditions are in telecommunications as there may be premature terminations created by changes within the law , especially those governing the INTERNET and the WORLDWIDE WEB as the inventor / applicant claims that these are intellectual property . The inventor is noting her objections to the actions of the FCC by filing this document as well as other comments in these proceedings regarding telecommunications and the use of the internet and worldwide web .

Therefore this document supports the Petition for Stay , with the exceptions as noted above . This document opposes the Petitions for Reconsideration because of reasons as stated above . Further Inventor claims that the FCC may be in violation of the law and until the matter is settled either by the USPTO by the awarding of a patent , or a state or federal court determining whether there have been violations of confidential agreements between the inventor and the government dating back to 1990 , whichever comes first – the FCC should suspend all activities having to do with licensing , sale or barter , or “free access “to the INTERNET (Broadband) or WORLDWIDE WEB.

In reviewing the FCC website , on its **Broadband Network Management Practices** page the Commission writes from its Broadband Deployment Notice of Inquiry – April 16 ,

2007 :

" The Commission under Title 1 of the Communications Act , has the ability to adopt and enforce the net neutrality principles if announced in the Internet Policy Statement . The Supreme Court reaffirmed that the Commission " has jurisdiction to impose additional regulatory obligations under its Title 1 ancillary jurisdiction to regulate interstate and foreign communications ." Indeed , the Supreme Court specifically recognized the Commission's ancillary jurisdiction to impose regulatory obligations on broadband internet access providers ."

This statement appears ingenuous . Other portions of the statements by the FCC and to which the inventor objects , with perhaps other objections to follow are as follows :

" In section 230(b) of the Commissions Act of 1934 , as amended (Communications Act or Act) , Congress describes its national internet policy . Specifically , Congress states that it is the policy of the United States " to preserve the vibrant and competitive free market that presently exists for the Internet " and " to promote the continued development of the Internet In section 706(a) of the Act , Congress charges the Commission with encouraging the deployment on a reasonable and timely basis of advanced telecommunications capability " – broadband-" to all Americans ."

Questions that come immediately to mind are : What does the Communications Act of 1934 have to do with today's INTERNET and WORLDWIDE WEB ? According to the earliest accounts of the history of the internet and really stretching the envelope on its developmental history – the accounts do not go beyond prior to the 1960's . What is the origin of this obscure law and how does it translate to even a 1996 INTERNET ? How does one come up with Title 1 of the Communications Act of 1934 referencing the comment above regarding competitive free market and the Internet as quoted above ? Especially when the INTERNET and the WORLDWIDE WEB were unheard of – indeed not even conceived in 1934 ? Is this perhaps a guise for the FCC to give away private intellectual property ?

Other questions are how and when were these acts supposedly discharged by the Supreme Court and Congress , citing Title 1 of some obscure and/or outdated Communications Act of 1934 – which was enacted existed 30 to 50 years before the INTERNET or WORLDWIDE WEB came into existence and therefore could not have been

written with either in mind ?

Until the questions are resolved as to whether or not the INTERNET and the WORLDWIDE WEB are indeed the intellectual property of the inventor , **Hartman** by the granting of a Patent or and whether or not the U.S. government has been in breach of its contract with Hartman regarding the divulging of proprietary information by a court – the FCC Commission should not continue these actions in light of these facts as to act otherwise is an arbitrary , capricious , abuse of discretion , or otherwise not in accordance with law. The existence of these patent applications and original documents are known to the FCC .

Stated previously it should not be involved in the interpretation of private contractual agreement , concluding " best left to the individual state courts ." Since the full relationship of the Inventor to the claimed intellectual property is neither fully known or understood at this point – then the Commission would be acting prematurely and therefore capriciously and acting without discretion to continue to license , sell , barter , exchange , or give away property which it may not be authorized to disburse . Until this situation is thoroughly known and understood , the FCC should have no authority to grant such licensing be they private or public access - referring only to those licenses which have to do with access to INTERNET (Broadband or otherwise) and WORLDWIDE WEB services .

The FCC may be engaging in retroactive rulemaking by citing the use of a 1934 telecommunications law which was neither written for or should determine the outcome of telecommunications laws and law regarding internet or telecommunications intellectual property not known until after 1990 . Rules are retroactive if they "alter the past legal consequences of past actions or "change what the law was in the past ." The citing of the 1934 law as a reason to manage BROADBAND and grant free and/or public access to the intenet seems to satisfy this criteria of Retroactive Rulemaking . Such actions create injustice , cannot be sustained and therefore should not be consistent with actions by the Federal Communications Commission .

Irreparable harm to licenses ? No , as viability of the wireless business operations may continue as adequate incentive for funding . Hartman , if granted a patent hopes to ally with not be in opposition to existing telecom , cable , and otherwise tech companies which have amassed huge profits because of the Internet and Worldwide Web , but have also help build and create the technology for the success and popularity . These companies have built the INTERNET and are responsible for its popularity in the world . Therefore it is important that they be maintained and that their success should continue . However this should not be done at the expense of sacrificing the Inventor .

There should be an alliance between the Inventor and these companies to defend and protect the intellectual property of this nation and deals should be made to strengthen that allegiance and strengthen the nation's economy not minimize it . What is good for the economy is good for the nation and therefore good for the people . Competition would still be fostered both here and abroad . Those companies which have experienced success should be able to continue success – providing good management decisions .

As the Secretary of Commerce stated in his recent speech before the Intellectual Property Rights Coordination Center , patents and intellectual property are the "life blood" of the economy . Both the Internet and Worldwide Web if held as intellectual property within this country can only improve our flailing economy . The FCC by its actions is hemorrhaging it away . The Internet and WorldWide Web are as much a resource as any other natural resource that the country owned at one time or another , like gold , steel , oil and the automobile and manufacturing industries at their peak times .

It is not good economic sense – not to make this intellectual property of the country so as to import this precious resource . An alliance between the media , telecom and tech corporations , and relevant parties should shield and protect American intellectual property and not abuse and give it away . Wise use of such property can help sustain our

economy and get it back on its feet . Further the giving away of what by every indication is genuine intellectual property is a violation of the law and cannot be sustained , and could lead to a corruption of patent laws as well as hurt our economy not help it .

Licenses are useless and funding would not be readily available in an economy hard hit by a recession or depression . To maintain the Stay , with notable exceptions as previously stated by the inventor , would not do irreparable harm to licenses . To the contrary , if this licensing involves the perpetuity of licensing and free giveaways of Internet (Broadband or otherwise) or WorldWide Web property – licensing may be irreparably harmed by a damaged economy which would ensue , even if not immediately apparent . To continue to sustain those wireless operations already in existence , the opportunity to renew licensing should be offered – but with prevailing conditions and barring no other changes within the law or legal condition . Operators who prepare for the change and make necessary adjustments should be able to continue their services. No loss of the spectrum need necessarily occur –except for those totally unwilling or unable to adapt to change as any successful enterprise must . Continuity by those who make a successful adaptation will maintain subscribers and good will .

Courts have consistently found that contractual agreements and patents are sacrosanct and therefore cannot and should not be broken by retroactive rulemaking based on retroactive laws which lead to injustice , and may cause instability , chaos and create harm for all involved parties . Such are the actions by the FCC in continuing its push to advance wireless and otherwise broadband services as free access to all Americans while the USPTO under the Department of Commerce seems to hold **Hartman's** patent application hostage .It is simply not appropriate to give away private intellectual property . Until this matter is sorted either by the USPTO or the courts – the FCC should immediately suspend its actions of giving away INTERNET (Broadband or otherwise) and WORLDWIDE

WEB as either bartering , exchanging , sale or auction , or “free giveaway” of intellectual property as alleged by the Inventor .

Licenses already granted should be allowed to continue under the 15 year rule , until their expiration or a change in the legal circumstances or law so as to avoid “disruption” to these companies or agencies . Those seeking new licenses , purchase , or free access to Internet (Broadband) or WorldWide Web should not be able to move forward with their applications until the matter involving intellectual property as put forth in this document is understood , resolved and made legally explicit . Matters otherwise should move forward under the **Status Quo** so as not to interrupt existing agencies and businesses but with suspension by the FCC of its distribution(s) until these matters are appropriately resolved .

This should have not have a negative impact on those wireless corporations or cable or phone corporations which have continued their practices up until now . The federal government , including the FCC has allowed phone and other telecom companies or internet providers , computer and software companies , search engines , and more recently even other businesses access to the internet and has allowed these corporations to amass huge fortunes and profits on the creative contributions of the inventor , claims Hartman . Until now these companies have been allowed to grow prosperous assessing fees for access or use of the Internet and worldwide web . This has worked well for the country in growing the economy and especially for these companies . However , most preponderously since 2004 – and the inventor’s contact with the federal government about establishing her claims the government through the FCC has made a concentrated effort to give away more access to the internet and now ‘free access to all Americans ‘ to prevent the Inventor from sharing in this prosperity . Ms. Hartman contends that this is the “wrong move” both for the Inventor , the companies who have thus far been successful , and for the economy as these actions by the FCC weaken the economy ; they do not strengthen it and they do not foster free

competitiveness .

This seems somewhat ingenuous as this push to now make the internet" free" even worldwide seems to be an effort designed to strip its inventor of all proprietary rights rather than making any economic sense or satisfying any grand acts of altruism. The inventor contends that this is probably an unprecedented move in this country – to try and take away invention rights of an individual born in this country – this seems totally incongruous and inappropriate for an inventor who has contributed so much to be treated in this manner . Such actions create injustice and should not be sustained . There is no economic reason to do this . The telecom giants are already protected as search engines and phone companies cable and tv are now pairing up and offering free internet as their incentive to customers to keep them but customers are still paying fees for their services – just with the internet as as that "extra" in the package . These are 'separate companies '. What about Ms. Hartman's rights ? Though the INTERNET was obviously built by the tech companies and with a great deal of funding by the government – without Ms. Hartman's ideas and input –it [the INTERNET] as we know it would not even exist . So let's not underestimate the inventor or fail to see the role of sexism , racism , disability discrimination may have played in these actions and decisions by the FCC to strip away her intellectual property rights even as her patent application languishes in the patent office .

In truth , just as the internet and worldwide web have always been available to those who truly want access to it , it will continue to be available to those who want access to it . There is no reason for that to change . It is not necessary to give the service away for 'free.' The Inventor alleges that the service would not be free , as the users would still be paying the tech companies for the equipment , the gadgetry and software to run it . Inventor alleges this 'free' giveaway may be a deliberate ploy by the government designed to prevent her management and ownership no matter how limited and to continue to deny her any acknowledgment or profit from her own invention . Inventor further alleges that these may

unconscionable action(s) which could irreparably damage the Inventor and is totally undeserved for one whose creativity has contributed a marvelous and prosperous gift to the United States . Ms. Hartman claims that talents , skills , including the ability to own and manage your own intellectual property is not race and gender specific . Further no one race holds a monopoly on doing it well . The internet is a marvelous gift that keeps on giving and its inventor does not deserve to be treated in the manner in which she is being treated .

The INTERNET has given rise to the greatest economic boom that this country has ever experienced and it is not right that the inventor should have to live on disability insurance while the FCC gives it away "free." It is unconscionable . The INTERNET has put trillions of dollars into the US and Global economies . It brought the country out of recession in the early 90's . It has given rise to many other inventions , including technological and telecommunications revolution which continues to evolve , ipods , iphones , blackberries , improvement in TV and Cable , GPS systems and many other applications . It is a social network , information services and education network , a medium for home based and even office based businesses .

The Internet did not occur by accident or coincidence . Nor was it a result of obviousness or a natural evolution of the internetting projects . It came about as a result of the creative ideas and writings by the inventor , **Dorothy M. Hartman** who conceived it (the ACCESSING ACCESSIBILITY PROCESS)- the template or plan which became the INTERNET) . Though not herself supported and funded by the government to start her own business – nevertheless she has contributed to this national and international phenomenon which is now called the INTERNET and should be justly compensated for it .

If the Inventor , had been other than an African-American disabled female , it is unlikely that we would have come to this point where the federal government through the FCC is trying to take away the rights of this inventor – even to the point of undermining an

already fragile the U.S. economy . Therefore , in addition to other laws which may be violated by the FCC in its Management of Broadband and other telecommunications projects involving the dispersion of INTERNET and WORLDWIDE WEB property regardless of whether it is wireless , or wired by phone or cable or some other manner – it may also be in violation of constitutional law and civil rights .

The FCC should not give away intellectual property owned within this country to Africa or any other emerging nations . Africa like other poor and emerging nations should be given opportunity to access the internet however this does not have to be "free" within these bundled pay packages . The INTERNET can still be fee based but poorer countries should be charged according to their ability to pay just as they will be charged for the other telecom services . An allowance to this and other largely disadvantaged and impoverished nations should not be denied but based on ability to pay. However going around the world and giving away this one of this country's greatest resources "free" may not be as much an act of heroism and altruism as a ruse to wrest control of any proprietary rights whatsoever from the inventor of the INTERNET . The Inventor claims that the FCC is violating her rights .This inventor further contends that the FCC is in violation of the law by its bartering , exchanging , auctioning , licensing , or give away 'free' rights and access to the INTERNET (Broadband or otherwise) and WORLDWIDE WEB which upon closer inspection of the law , it may not be authorized to do . The inventor claims that this may not be the benefit to customers as described because customers would still have to pay for the "tech" companies which merely bundle the "free internet services " into their packages which they are now moving to foreign markets. This is preventing the Inventor from any ownership or any ability to participate in profits in the giving away of her intellectual property and would also be a detriment not a help to our own economy . The corporations which have profited from this invention here with the help of the federal government will perhaps continue to profit overseas . But what about the U.S. economy ? Will this add money to the U.S. Treasury ?

Probably not . Will this grow our economy ? Add jobs ? Probably not . Maybe the rich corporations will get richer but the average U. S. citizen will continue to suffer while our economy fails and our standard of living continues to decline . The inventor vehemently opposes what the FCC is doing and hopes that others will also see the fallacy in these policies and the total disrespect to the rights of the inventor .

The inventor claims that the Internet and Worldwide Web are intellectual property and are therefore subject to the provisions and parameters of any other intellectual property and should be respected and treated that way . The inventor contends that the FCC by its distribution of wireless mobile , fixed , cable , phone lines or other means of INTERNET access is in violation of the law and until these matters are resolved should suspend all such actions and otherwise leave the **Status Quo** until the legal ramifications of ownership and distribution are settled either by patent rights or a court of law by law .

To act in any other manner is irresponsible , capricious and would lead to an unjust and untenable condition . The inventor further contends that the emerging nations and continents would still have access to the internet as U.S. customers now have access by paying fees .Devaluing is not necessary.Allowances and consideration should be given to third world nations in allowing them perhaps to pay reduced fees – but just as in this country where consumers have paid fees to internet service providers , cable and media companies and others to gain access to the internet so should the customers of other nations be asked to pay . The economy of the United States is itself in a fragile and deteriorating condition . We have an overwhelming debt and a trade deficit . Why should we not export our resources instead of giving them away ?The country simply cannot afford to give away its precious resources “free”. The INTERNET and WORLDWIDE WEB and the United States control over it is one of our greatest strengths . If the intellectual property rights are held in this

country , we can export it as any other resource . Has the FCC looked into means and ways that this property could work on behalf of our government and our economy instead of finding ways which wrest rights away from the inventor ? We need some kind of way to even out the Trade Deficit and to pay our ballooning debt ?

The inventor argues that decisions regarding the WEB should be based on sound economic judgment and not on racism , fear , and prejudice which she alleges are motives at play here and not altruism .The FCC may not just be in violation of the law by its actions , but may be causing the American economy irreparable harm and may be contributing to the demise of the country 's economic status in the world . It is not the proper time to "give away " its assets and resources – contributing to its deterioration and devaluing of its currency . Unless it can be shown that this free giveaway of the internet and worldwide web would be beneficial in dollar amounts to this economy – it is the inventor's opinion that the FCC's policies are not economically viable and may not net the desired results that it so grandly puts forth in its rationale for these actions nor reap gains for the invested techs .

As for public access and educational access , healthcare and medical transmission , free access and certain channels could and should be set aside for the public good – this free access could even be extended to the international community . The nature of the spectrum and cyberspace make that possible at anytime . It is not necessary to sacrifice those good works . They can still be achieved while maintaining a fee- based INTERNET . In these circumstances and according to the discretion of relevant parties . Public programming which is for the advancement of education and the public good need not necessarily be interrupted and therefore should not cause harm .

To the contrary a great deal of harm would be contributed to an already flailing U.S. economy by stripping it of a valuable resource for "free" .The inventor contends that this wholesale giveaway of one of our country's most valuable resources may be more rooted in fear , suspicion ,and racial prejudice than in sound economic thinking .

The federal government has been in breach of its confidentiality agreement with the inventor since 1990 and also has been made aware by correspondence since 2003 of the inventor's intent to claim the intellectual property of ACCESSING ACCESSIBILITY by a patent . Since initially filing in December 2004 – the inventor , **Hartman** believes that her application has been unduly delayed in the patent office – while the federal government through the FCC has rushed to deregulate and disburse access to the invention [the INTERNET] to circumvent the inventor by making it accessible to "everyone ". Most especially the FCC has seemed to wage a campaign to strip the inventor of all intellectual property rights by the distribution of the web free to "everyone " even to the extent of going around the world with this "giveaway" of internet intellectual property (a recent communication 7/18/2008 from Ghana) . Ms. Hartman believes that this is her intellectual property and that it belongs right here in the United States to be exchanged and exported to international governments based on sound economic policies developed by the Department of Commerce , the Treasury Department and other governmental agencies authorized and experienced in determining how licensing and trading laws could be applied to enable it.

Ms. Hartman believes that these "scorched earth politics" steeped more perhaps in fear , suspicion and prejudice than in altruism and economic common sense will do her irreparable harm as an inventor . Also these acts by the FCC which may be unlawful may backfire on the country already hard hit by economic recession and which does not have many resources left to export to the world may at some point find this giving away "free access" to the internet a frivolous move . The country can hardly afford to give away its most precious resource(s) , when our own economy is failing . This behavior is incongruent and incompatible with the way inventors in this country have historically been treated – especially involving an invention like the INTERNET which has netted trillions of dollars into the economy and helped the economy through very trying and

difficult times . Just reading the writings of the Inventor , the FEASIBILITY OF ACCESSING ACCESSIBILITY – one can get an understanding of how that amount of wealth was created . Instead of embracing the inventor and the invention as patent and intellectual property which are a part of the “life blood” of the economy – what one finds instead is what appears to be discrimination and oppression of the inventor and the auctioning and giving away of privately owned intellectual property to strip the inventor of any opportunity for ownership . By its own actions , the FCC may have already caused hemorrhaging of some of this “life blood” of the economy . By denying the inventor intellectual property which rightfully belongs to her , the FCC may be denying the U.S. economy means and ways of bringing money back to sustain jobs and credit .

These actions only contribute to weakening the economy . This does nothing to reduce the overwhelming debt which it cannot pay and a trade deficit which it can not overcome having limited assets and resources to export . The repackaging of the INTERNET so that it is “free” (or “free” only as bundled in with paid services by major corporations) to “everyone” , the inventor believes to be a ploy to make its ownership and jurisprudence or sound economic judgment but on those ugly and ‘usual suspects ‘ , racism , greed , and oppression . This , unfortunately is a sad reality that we can never seem to get past in this country . The inventor is still hoping that the Commission by its own authority and by its own APA will correct this immediately by suspending all such actions until matters are properly adjudicated .

Therefore , there may be violations of constitutional civil rights as well as other laws , most notably constitutional amendments which protect individuals and their ownership of property and frees them from oppression and exploitation of their property even by the federal government . The FCC apparently justifying its actions by obscure and antiquated laws may be making decisions based on fear and prejudice and retroactive rulemaking and these are not activities in which the FCC should involve itself . This is

arbitrary , capricious , abuse of discretion , and contributes to injustice and uncertainty.

Inventor contends that the FCC has no authority to grant such licensing and other similar type agreements be they public or private access regarding the INTERNET or WORLDWIDE WEB unless or until such legal clarifications are made as to whether the Inventor's claims are true . Until then , the FCC should suspend its disbursements of all Internet property . Therefore , the EXPARTE COMMENTS supports the STAY petition in that these licenses should be allowed to expire and not be renewed in perpetuity but according to prevailing conditions and other exceptions as noted above . These comments oppose all petititions for RECONSIDERATION (* These comments relate only to proceedings before the FCC that relate to the INTERNET or WORLDWIDE WEB) .

By Dorothy M.Hartman
Inventor

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