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9 Attorney for Plaintiffs
10 MESIKA MAGIC & YIGAL MESIKA

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**THE UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

MESIKA MAGIC, a California
corporation, YIGAL MESIKA, an
individual

Plaintiffs,

vs.

PENGUIN MAGIC, INC., a Nevada
corporation, CRAIG PETTY, a resident
of the United Kingdom, DOES 1-10,
inclusive,

Defendants

) Case No.: 2:25-cv-07943-MWF-(MBKx)

) **Declaration of Frederic M. Douglas in
Support of Plaintiffs' Opposition to
Defendant Penguin Magic, Inc.'s Motion
to Dismiss Second Amended Complaint
and Defendant Petty's Motion to Dismiss
Second Amended Complaint**

) Date: June 10, 2026

) Time: 10:00 A.M.

) Judge: Hon. Michael W. Fitzgerald

) Courtroom: 5A, 5th Floor

DECLARATION OF FREDERIC M. DOUGLAS, ESQ.

1 considered by examiner, that on April 13, 2026 the Examiner made an entry at the
2 bottom indicating that the Examiner considered all of the references Mesika
3 disclosed in the IDS.

4 7. All of these documents in Exhibit 1 were publicly available and would
5 be publicly available as of the entered dates in the docket of application documents.



6 8. I declare under the penalty of perjury under the laws of the United
7 States that the foregoing is true and correct.

8
9 Dated: May 20, 2026

10
11 By: /s/ Frederic M. Douglas
12 Frederic M. Douglas

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EXHIBIT 1

 An official website of the United States government
[Here's how you know](#) 

18/742,238 | MESIKA024:

ILLUSION DEVICE HAVING A KEY WITH RETRACTABLE KEYCHAIN CLIP

[PUBLIC VIEW](#)










Application #	Confirmation #	Attorney Docket #	Patent #
18/742,238	9831	MESIKA024	-
Filing or 371 (c) date	Status		
06/13/2024	Non Final Action Mailed 04/15/2026		

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Documents & transaction history

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Showing 1 to 30 of 30 entries

Mail room date  	Doc code  	Doc description  	Pages  	Quick download	File size (KB)	<input type="checkbox"/> 
04/16/2026	CTNF	Non-Final Rejection	7		420 / 28 / 25	
04/16/2026	892	List of references cited by examiner	1		60	
04/16/2026	FWCLM	Index of Claims	1		60	
04/16/2026	SRFW	Search information including classification, databases and other search related notes	1		60	

ID #:2427

Mail room date	Doc code	Doc description	Pages	Quick download	File size (KB)	
04/16/2026	SRNT	Examiner's search strategy and results	6		360	
04/16/2026	BIB	Bibliographic Data Sheet	1		60	
04/16/2026	1449	List of References cited by applicant and considered by examiner	2		120	
06/09/2025	NPL	Non Patent Literature	1		60	
06/09/2025	NPL	Non Patent Literature	9		540	
06/09/2025	N417	Electronic Filing System Acknowledgment Receipt	3		180	
06/09/2025	NPL	Non Patent Literature	4		240	
06/09/2025	REF.OTHER	Other reference-Patent/Application/Search Documents	9		540	
06/09/2025	NPL	Non Patent Literature	2		120	
06/09/2025	IDS	Information Disclosure Statement (IDS) Form (SB08)	2		120 / 58	
12/19/2024	NTC.PUB	Notice of Publication	1		60	
06/27/2024	APP.FILE.REC	Filing Receipt	3		180	
06/27/2024	WFEE	Fee Worksheet (SB06)	1		60	
06/27/2024	WELCOME.LET	Welcome Letter from USPTO Director and Deputy Director	1		60	
06/13/2024	APPTXT	Application body structured text document	14		37	
06/13/2024	PA..	Power of Attorney	2		120	
06/13/2024	DRW	Drawings-only black and white line drawings	5		300	

Mail room date	Doc code	Doc description	Pages	Quick download	File size (KB)	
06/13/2024	SPEC	Specification	11		660 / 26 / 33	
06/13/2024	CLM	Claims	2		120 / 8 / 23	
06/13/2024	ABST	Abstract	1		60 / 2 / 25	
06/13/2024	ADS	Application Data Sheet	8		480	
06/13/2024	N417.PYMT	Electronic Fee Payment	2		120	
06/13/2024	TRNA	Transmittal of New Application	2		120	
06/13/2024	OATH	Oath or Declaration filed	1		60	
06/13/2024	N417	Electronic Filing System Acknowledgment Receipt	3		180	
06/13/2024	SCORE	Placeholder sheet indicating presence of supplemental content in Supplemental Complex Repository for Examiners(SCORE)	1		60	

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<p>Substitute for form 1449/PTO</p> <h2 style="text-align: center;">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</h2> <p style="text-align: center;"><i>(Use as many sheets as necessary)</i></p> <p>Sheet <u>1</u> of <u>2</u></p>	<p style="text-align: center;">Complete if Known</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr><td>Application Number</td><td>TBD</td></tr> <tr><td>Filing Date</td><td>TBD</td></tr> <tr><td>First Named Inventor</td><td>YIGAL MESIKA</td></tr> <tr><td>Art Unit</td><td>TBD</td></tr> <tr><td>Examiner Name</td><td>TBD</td></tr> <tr><td>Attorney Docket Number</td><td></td></tr> </table>	Application Number	TBD	Filing Date	TBD	First Named Inventor	YIGAL MESIKA	Art Unit	TBD	Examiner Name	TBD	Attorney Docket Number	
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U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	1	US- 8133122	03-13-2012	MESIKA	
	2	US- 7987688	08-28-2011	MESIKA	
	3	US- 2023/0391577	12-07-2023	MESIKA	
	4	US- 6209548	04-03-2001	HARRISON	
	5	US- 9686158	03-07-2017	William Mark Corp.	
	6	US- 9039533	05-26-2015	Creative Kingdoms	
	7	US- 8398449	03-19-2013	FORTI	
	8	US- 8118634	02-21-2012	FORTI	
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		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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		First Named Inventor	YIGAL MESIKA
		Art Unit	TBD
		Examiner Name	TBD
		Attorney Docket Number	
Sheet	2	of	2

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	9	WOWSTUFF, Harry Potter Wingardium Leviosa Wand, 2018	
	10	AL KORAN, Ring Flight, 1968	
	11	SUMAG, Sumag Magic Ring Flight, 1967	
	8	AL KORAN, Rinkey Dinky, 1967	
	9	Written Opinion and Search Report of the International Search Authority, PCT/US23/16882, dated June 27, 2023	

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