

1 **THE DARK KNIGHT**

2 Infringes The Plaintiff's Screenplay

3 "Butterfly Driver"

4 (AKA: "Uberopolis: City of Light")

5 Maybe the creepiest aspect of The Dark Knight's infringement of the Plaintiff's work
6 is how suddenly (after the Plaintiff's work was accessed and published) major well-known
7 structures of the Batman's world changed; for example, the high-tech Bat-Cave with all the
8 lights, bells and whistles, suddenly became a dreary, Spartan but functional lo-tech warehouse
9 (like the warehouse that the Plaintiff's hero Arlo worked in), and the little cared about
10 building that Bruce Wayne owned suddenly became huge (1,000 feet tall) and carried
11 Wayne's name when convenient or dropped the Wayne name (and became the "Corolla
12 Building") when Warner and the Defendants sought to make Batman more like Arlo by
13 distancing Batman from his well-established wealth (later the Wayne tower is said to . These
14 curiosities aside, each of the following story structures (some of which are wholly original
15 idea/expressions, originated by the Plaintiff), originally found in the Plaintiff's screenplay
16 Butterfly Driver (previously titled "Uberopolis: City of Light") are present in The Dark
17 Knight. These structures are certainly not stock or scene a faire, and most of them simply did
18 not exist prior to the Plaintiff's work. These collective elements, collectively, are
19 copyrightable, and many of these structures are very complex, creative and original and are
20 independently copyrightable (just as the Ninth properly ruled an uncreative simple round
21 smiley face is copyrightable, a simple character like Charlie brown is copyrightable, and a
22 simple "swoosh" is protectable. This theft amount to deep, deliberate and brazen theft of the
23 Plaintiff's work. Again, Most of the following citations infringe the earliest still existing
24 versions of the Plaintiff's script (dating back to May 2005); but "the hero who represents
25 hope" and also "hero who represents hope to a large group of oppressed people" concept was
26 added in late 2005 (seen in the January 2006 script). However, although a pronounced
27 discussion about hope was added to the hero's dialogue with the villain in the climax of the
28 January 2006 script (added to reinforce the idea that the hero represents hope to the oppressed

1 and otherwise hopeless people), the Plaintiff decided to make the hero’s symbolic
2 representation of hope unquestionable by adding more dialogue that clearly expressed the
3 hero was symbolic of and represented hope to the people in the spring of 2006. The Plaintiff
4 then reinforced this by adding symbolic color, symbolic flower and symbolic animals (a
5 butterfly and dolphin) in late 2006. The Dark Knight (**TDK**) infringes each of the following
6 enumerated story structures from the Plaintiff’s work:

- 7 **1. BOTH STORIES FEATURE A VILLAIN WHO IS VERY LIKEABLE**
8 **ELECTED OFFICIAL, WHO OPENLY SUPPORTS DOING HORRIBLE**
9 **THINGS TO PRESERVE ORDER AND INFLICT CONSEQUENCES ON**
10 **WRONG-DOERS, WHO ACTUALLY COMMITS HORRIBLE CRIMES FOR**
11 **THE GOOD OF SOCIETY (CAUSING VIEWERS TO FEEL CONFLICTED).**
12 **The villain of both stories (DREXLER in “Butterfly Driver”; TWO-FACE, AKA**
13 **Harvey Dent, in The Dark Knight) says and does things that are noble and good,**
14 **but also says and does things that are horrible and illegal –all because he wants**
15 **to create a safer society for his citizens. The people who the villain targets for**
16 **punishment are people who have committed crimes (or have been accused of**
17 **committing crimes) or who done bad things. These pronounced good and bad**
18 **attributes caused viewers to both love and hate the villain, and cause some**
19 **viewers/readers to feel some inner conflict for approving of the villains extra-**
20 **judicial and illegal punishments.** In Uber/BD, the villain Drexler is the world
21 President, who orders the murder of countless thousands, openly admits to defeating
22 nations by allowing their factions to kill each other, openly opposes allowing people
23 who are not very intelligent to vote, allows nations to starve to exploit their poor
24 people for cheap labor, and worse. In TDK, Harvey Dent (Two-Face) views vigilantes
25 to be heroic, hire Batman to commit an illegal abduction, puts guns to innocent
26 people’s heads to elicit confessions, and eventually begins randomly murdering
27 people he believes to be criminals.
28
 - The Plaintiff’s new villain prototype was an unprecedented, very complex, concept,

1 that took great labor to conceive and execute, and is independently copyrightable. [It
2 might also be observed that both villains are famous, blond, powerful and running for
3 elected public office (although these attributes are somewhat generic; but significant
4 because Two-Face had brown hair for 63 years, prior to the advent of the Plaintiff's
5 work, and Two-Face never ran for elected office.]

- 6 • **NOTE: Two-Face was created in 1942, and was never a deep-thinking villain or**
7 **man concerned with social issues and driven to improve his society by taking**
8 **unlawful drastic measures. This change occurred AFTER the Plaintiff created**
9 **his new vision of a truly evil but uncomfortably likeable and magnetic villain.**
- 10 • HISTORY: Two-Face was introduced in 1942, and, buffoonishly, Two-Face would
11 simply go on a looting and destruction rampage if he flipped his coin and it landed on
12 the scarred side. Two-Face appeared in only seven (7) comics (all Batman comics)
13 between 1942 and 1954. Two-Face was so unpopular that he then disappeared for 14
14 years, until 1968. But, from 1971 through the mid 1980s, Two-Face tended to appear
15 in about one Batman issue each year. DC tried various experiments with him from
16 1986 through 2001. BUT TWO-FACE WAS REFORMED INTO A LAW ABIDING
17 CITIZEN, AND KILLED OFF AS A VILLAIN FROM 2002 TO 2006. But, in 2006,
18 after the Def(s) saw the Plaintiff's villain, Peter Vitale, 2003-2005 (later named Peter
19 Drexler, 2006-2007), the Defendants were determined to infringed the Plaintiff's
20 villain (who does good things and horrific things, and who does his evil deeds for
21 what he believes is the good of society). Thus, in 2006, Warner Brothers and DC
22 revived Two-Faced, first in DC comics, and made him effectively identical to the
23 Plaintiff's villain, Drexler (AKA Vitale). Thus, after infringing the Plaintiff's villain,
24 Two-Face went from a character who disappeared for 14 years and was then killed off
25 in 2002, to becoming IGN's 12th greatest comic book villain of all time (2009 –
26 immediately after The Dark Knight was released).
- 27 • It should also be observed that both villains are famous, blond, powerful and running
28 for elected public office (although these attributes are somewhat generic). Harvet Dent

1 never ran for office until after the Plaintiff's amazing new villain.

2 2. **HERO IS A SYMBOL OF HOPE**. In both stories, the hero represents hope and is a
3 symbol of hope to most good people (particularly oppressed people). This “hero
4 represent hope and is a symbol of hope” concept is an original idea and expression,
5 first conceived and executed by the Plaintiff, and is **independently copyrightable**.
6 The Plaintiff achieved and executed this original concept by having characters say the
7 hero inspired them or gave them or others hope, and having the hero and other
8 character engage in multiple conversations about hope, and by layering in
9 conversations about symbols of hope (all extremely uncommon, especially in
10 adventure and sci-fi films, prior to the Plaintiff's work). TDK infringes all of this; one
11 example is found in TDK (at 42”43) when a good character, dressed as Batman, tells
12 the Joker that Batman is “the symbol that we don't have to be afraid of scum like
13 you.”

14 • **Batman calls Harvey Dent “the symbol of hope.”** The Defendant(s) also portray
15 Harvey Dent as a hero; until Harvey snaps after a tragedy, and becomes a villain.
16 Before Harvey snaps, while he is still heroic in Batman eyes, Batman calls Harvey
17 “the symbol of hope.”

18 • This idea had not been executed prior to the Plaintiff. Other writers are welcome to
19 create heroes that are symbols of justice or truth or virtue or kindness or bravery or
20 determination or patriotism or love of family.... But all of the Defendants and the
21 infringers and thieves, again and again, were so lacking in any cognitive abilities and
22 imagination that they could not change the Plaintiff's conception even an iota.

23 3. In both works, **Although The Hero Is A Symbol Of Hope, The Hero Says That**
24 **Another Character Actually Symbolizes Or Represents Hope**. In both stories the
25 hero (who symbolizes hope) says that another character symbolizes hope. In Butterfly
26 Driver, Arlo suggests Tamara represents hope (page 17: “Maybe it's cause you
27 represent hope”), and he associates Tamara with hope elsewhere in the script. In TDK,
28 Batman says tells Harvey Dent (Two-Face) “You're the symbol of hope I could never

1 be.” (See TDK, at 1:07:47,)

2 4. In both work, the unusual villain, who is a very likeable elected official who approves
3 of taking horrible and unlawful action to protect society, is (1) initially portrayed as
4 very likeable, admirable and heroic figure, who is very firm on crime; (2) but later it is
5 revealed that the villain openly supports very punitive and unlawful methods to
6 maintain social order. Finally, (3) at the end of the script/film we learn that the villain
7 is, in fact, “the villain,” and he is actively engaged in murders.

8 • In Uber/BD, Drexler orders mass prisoner executions and personally shoots Arlo in
9 the neck with a bullet, almost killing him. In TDK, Harvey Dent, AKA “Two-Face”
10 begins randomly killing people with a gun. (Harvey Dent, who is quite bad,
11 “transforms” into “Two-Face,” near the end of the film, after his fiancé is murdered.)

12 5. **The primary hero inspires many others characters to lead more courageous lives**
13 **and fight back against forces of oppression.** The characters themselves say the hero
14 inspired them. In Uberopolis/Butterfly Driver, the hero was always shown to inspire
15 the masses of good common people, but around spring 2006 (more than 2 years before
16 TDK) the Plaintiff changed the script, to have characters actually say the hero
17 “inspired” them or other heroes (so this structure is a fact and not merely an
18 inference); page 81 of Butterfly Driver, Benni tells Arlo he inspired millions of zone
19 fighters. In TDK, Batman twice speaks of how he inspires people (see 13:00 and
20 1:33:50).

21 • The Plaintiff’s concept of a fiction hero whose heroics inspire other heroes” to fight
22 back, and the dialogue says that the hero inspired other heroes may be independently
23 copyrightable. The Plaintiff is not aware of any prior work of fiction to do this.

24 • In The Dark Knight, organized crime is the force that oppresses the good citizens of
25 Gotham; but, with Batman’s inspirational model, many citizens dress up as Batman
26 and fight crime.

27 6. **The story includes a scene in which the hero battles the villain in a high**
28 **skyscraper or towering building, and, while in battle, the hero and villain leap or**

1 **fall or (or fly from) this towering building, and fall to the city floor below.** In all
2 versions of UBER/BD, Arlo and Drexler (AKA Vitale) battle at the top of the Drexler
3 Media Building (owned by the villain). In TDK, Batman battles with villains on top
4 of four (4) different skyscrapers or towers (Batman fights or confronts Joker on two
5 skyscrapers, Lau on one tower, and Two-Face on a multi-storied building; at each
6 tower one or more heroes or villains fall from or fly out of the building)/

- 7 • The Defendants infringe this scene 4 times (on 4 different towers), and infringe new
8 and different aspects of the Plaintiff's work at each tower confrontation scene. Thus,
9 each of TDK's tower confrontation, battle and fall scenes are separately enumerated in
10 the infringement claims, to address the varying infringement.

11 7. **SIGNATURE SCENE AND STRUCTURES: In pursuit of a corrupt billionaire**
12 **villain, the hero crashes through an upper-floor penthouse/office window of the**
13 **billionaire's skyscraper, causing shattered glass to fly everywhere, and causing**
14 **the hero to fall on the floor; here, the villain is protected by numerous guards.**

15 **and here the villain also has a large fish tank. The hero and villain fight.** In
16 UBER/BD, Arlo crashes a flying sky-ranger vehicle into the conference floor of the
17 villain's 3-floor penthouse, atop the towering Drexler Media building, ejecting the
18 hero onto the floor, shattered glass everywhere; here there are several guards (and in
19 the 2005 to mid-2006 versions of the script, the villain has a large tropical fish tank).
20 In TDK, in pursuit of the billionaire villain (Lau), Batman crashes through an upper
21 floor window of his towering building. Lau has many guards and a large tropical fish
22 tank.

- 23 8. **In the Climax, the hero crashes through a window of a skyscraper building,**
24 **where the villain is located. The hero and villain fight on a floor near the top of**
25 **the tower. Eventually, their fighting sends the hero and villain crashing out a**
26 **window near the top of the tower** (this structure is seen in all versions of the
27 Plaintiff's screenplay). TDK infringes this, as Batman flies through a high window of
28 the Pruitt building (2:04:53), fights with the Joker at the top of the tower, until their

1 battle sends them crashing out of a window (at 2:10:57).

2 9. **SIGNATURE ELEMENT. Proximate to both the hero and villain flying out the**
3 **window of a skyscraper or towering building, during a battle with a billionaire**
4 **villain, the hero grabs the villain's foot.** After crashing through the villain's
5 penthouse window, during the fight in Drexler's skyscraper, as the fighting takes them
6 out of a window, the hero (Arlo) grabs the billionaire villain's foot and throws him
7 toward the city floor (this is found in all versions of the script). TDK infringes this
8 twice, as follow:

9 a. In TDK, after the hero crashes through a window near the top of a towering
10 building, during a battle with the billionaire villain (Lau), Batman grabs the
11 billionaire villain by the foot and drags him to the broken window (see TDK,
12 36:39); moments later, Batman and Lau fly out of the window over Tokyo.

13 b. In TDK, Batman and Joker's battle at the top of the towering Pruitt Building
14 sends them flying through a window onto a ledge. Moments late their fighting
15 sends Joker hurling toward the city, far below, but Batman fires a rope at Joker.

16 The rope wraps around Joker's foot, saving him from certain death. (See 2:13:05)

17 10. **THE HERO'S WAREHOUSE.** In the Dark Knight, Batman's Bat-Cave is no longer
18 part of Batman's life, and it is not mentioned; the Batcave has been replaced by a big
19 warehouse. This new "Bat Warehouse" infringes the gritty, lo-fi warehouse in
20 Butterfly Driver/Uberopolis, where Arlo works with an older man named Dylan.

- 21 • The significance of this change is profound and prima fascia evidence of criminality.
22 Christopher Nolan and David Guyer wrote the 2005 film Batman Begins; they also
23 wrote (with Jonathan Nolan) The Dark Knight, 2008. The Nolans were so swept away
24 with the idea of a Batcave in Batman Begins (2005) that they actual showed Bruce
25 Wayne (as an adult) searching to find the cave, then building the Batcave. But
26 suddenly, 3 years later, after seeing the Plaintiff's gritty, no frills warehouse, the
27 Batcave is gone, without explanation, replaced by a gritty warehouse.

28 11. **After an important female character is murdered, the hero expresses a deep sense**

1 **of failure and regret about his inability to save her. Another character then**
2 **reassures the hero.** This scene occurs on page 61 of Butterfly Driver, as Arlo
3 explains Tamara’s death to Benni, and Benni reassures Arlo that he did all he could. In
4 the TDK, this scene occurs at 1:38:03; after Rachel is killed, Batman worries that he
5 brought about her murder. Alfred assures Batman that terrible things were sure to
6 happen.

7 12. **Guilty & Regretful Hero of the Deaths of Other Fighters and Soldiers. The hero**
8 **feels a deep regret and guilt about all the deaths he has caused to the good people**
9 **who found hope and inspiration in the hero.** (See Butterfly Driver, page 61, as Arlo
10 said he would not have caused the Zone Resistance continuation of a great war if he
11 had known how many good people would die.) This was an exceedingly uncommon
12 structure (perhaps not before done), prior to the Plaintiff’s work. TSK copies this as
13 Batman expressed regret about all of the Batman impersonators who have died trying
14 to emulate the hero.

15 13. **The hero’s and villain’s protracted battle spills into the streets of the central city,**
16 **where their battle unleashes massive chaos upon the city.**

17 14. **The primary hero and the primary villain (Drexler, Joker) battle in three**
18 **unusual locations: (1) the top of a towering building or skyscraper, (2) the chaotic**
19 **streets of a prominent city, (3) a location associated with prisoners.** In Uber/BD,
20 Arlo fights Drexler at the top of the Drexler Media building, in the Streets of
21 Uberopolis (where their fight unleashes pandemonium), and in the hull of a prisoner
22 transport space-shuttle train (moments after the prisoners evacuated). In TDK, Batman
23 fights the Joker at the top of the Pruitt building, in the streets of Gotham (where their
24 fight unleashes pandemonium), and inside of Gotham’s jail.

25 15. Just before the climatic final battle (at the top of a tall building), the politician villain
26 laments to the hero that WE LIVE IN A TIME when the people have poor character.
27 In Uneropolis: City of Light (2006. Page 89-90) Drexler explains:

28 PRES. PETER DREXLER: **“We live in a time** when the populace isn't

1 intelligent enough to elect the best candidate [Narration omitted.] They look
2 for wealth, and fame -not wisdom or character.”

3 TDK copies this, at 2:17:50, as just before the final climatic battle with
4 Batman, atop a tall building, Two-Face laments to Batman:

5 TWO-FACE: “It’s not about what I want, it’s about what’s fair! You thought
6 we could be decent men **in an indecent time!** You were wrong. The world is
7 cruel. And...”

- 8 • It should also be observed that the villains in both of these scenes are handsome
9 politicians. Drexler, the world president, running for office; Harvey Dent (Two-Face)
10 is an elected district attorney. Prior to 2006, the DC Two-Face character had never run
11 for elected office.

12 **16. In the climatic battle, the villain is about to kill the hero with a gun fired at close**
13 **range, when a secondary hero, armed with a gun (of sorts), hurries in behind the**
14 **villain and uses his weapon to stop the villain from killing the hero; thus, THE**
15 **HERO IS SAVED FROM CERTAIN DEATH, AT THE HAND OF THE**
16 **VILLAIN, BY A SECONDARY HERO.** This scene occurs in all version of
17 UBER/BD, and the secondary hero is shown behind the villain in all versions from Jan
18 2006 forward. In UBER/BD the secondary hero is armed with a stun-gun (not a
19 conventional gun). TDK infringes this (at 1:22:40), as the Joker prepares to kill
20 Batman with a gun, at close range, Commission walks up behind the Joker and places
21 a shotgun to Jokers head, causing the Joker to drop his gun.

22 **17. CITY WIDE CHAOTIC EVACUATION. In the climax, the chaos caused by the**
23 **villain and his battle with the hero causes citizens of an entire city rush to**
24 **evacuate the city.** In Butterfly Driver/Uberopolis, in pandemonium, the roughly
25 200,000 citizens of Uberopolis demand to be evacuated , a demand that is quickly
26 granted –as the air supply dwindles. In TDK (at 1:57:01) the citizens of Gotham all try
27 to flee and evacuate when the Joker takes over.

28 **18. The hero throws an object that the villain values out of a broken window near the**

1 **top of a beautiful skyscraper that the villain owns, causing the villain to leap out**
2 **of the broken window, after the thing he values. The hero then plummets to the**
3 **streets far below.** In Butterfly Driver. During their battle at the top of Drexler's
4 skyscraper, Arlo throws the A-cell that Drexler covets out of the broken window, this
5 send Drexler diving out of the window after the A-cell. In TDK, the Joker shoots out a
6 window near the top of the Wayne Tower and tosses Rachel (who Batman adores) out
7 the window. Batman leaps out the window to save Rachel and they both tumble
8 toward the city floor. (See TDK, at 52:41.)

- 9 • TDK reverses the Plaintiff's arrangement; thus the villain tosses something that the
10 hero values out of the tower window, which sends the hero after the object (Rachel).
11 Under copywrite law these immaterial changes and/or changes intended to disguise
12 theft/infringement are not allowed and must be treated as infringement.

13 19. The story includes a central theme about sacrifice, which is achieved by recurring
14 references to sacrifice, with at least one of these incidents occurring in the middle of
15 the story, and at least one of these incidents occurring toward the end, in the final act.

- 16 • This literally central and climatic emphasis of the importance of sacrifice was either
17 very rarely done or never done prior to the Plaintiff (2003), but this became diffuse
18 after the Defendants promulgated the Plaintiff's work

19 20. **The story emphasizes class and social division, by using a large group of**
20 **prisoners, in orange jumpsuits, riding in a transport vehicle.** The Plaintiff showed
21 class division via several methods, including showing a large group of prisoners (who
22 were largely poor and minorities) in a transport vehicle (a space train) being murdered
23 by the government, and juxtaposing this against the wonderful lives that the super rich
24 enjoyed on Uneropolis and the good lives the middle-class enjoyed in State cities on
25 Earth . [These prisoner transportation abuse scenes are in multiple places of all
26 versions of UBER/BUTTERFLY. The prisoners' jumpsuits are described as orange in
27 May 2005 version of the script.] TDK also articulates this class divide by showing a
28 large group of prisoners file into a large ferry boat in the climax, the prisoners and a

1 group of middle class people (in a separate nearby ferry) are then pitted against each
2 other when the Joker gives both boats detonators to bombs aboard the other boat, The
3 Joker then implores both groups to blow-up the other boat.

- 4 • Highlighting class division was also not done in action adventure films prior to the
5 Plaintiff. The only time the Plaintiff recalls seeing class division presented in an action
6 adventure (not a drama, or urban drama, etc) was a brief 2-minute scene when the

7 **21. The story is an action adventure fiction piece that overtly deals with real world**
8 **politics and amplifies these politics.** Hollywood simply avoided did not make overtly
9 political action adventure films that amplified contemporary issues until after I
10 executed this. This became all the rage, buzz and talk for several years, from late 2004
11 until around 2009.

12 22. The story includes a scene in which one of the central heroes works in a room with
13 hundreds of monitors.

14 23. In the climax, a subordinate male hero, who is a law enforcement officer, saves the
15 primary hero; the primary hero recovers and in the grand final battle save the heroic
16 officer who previously saved the primary hero.

17 24. OLD MAN, IN THE UNDERGROUND (SECRET) WAREHOUSE, WITH THE
18 HERO. In The Dark Knight, in the new gritty warehouse that replaces the Batcave,
19 Batman is always accompanied in the warehouse by Alfred (an old man). This is
20 identical to Butterfly Driver/Uberopolis , as the old man Dylan, who runs the
21 underground warehouse, is always present in the warehouse when Arlo is there.

22 25. BLAZING INTO THE NIGHT ENDING. The stories ends with the hero in his
23 signature transport vehicle blazing off into the night. (See Butterfly Driver, final page
24 and final sentence, page 118: “Catching the keys, Arlo hops into the hover-jet, cranks
25 the key and **blazes out of the warehouse, back into the night.**” See final shot of
26 TGK, just before credits roll.)

27 **26. Aggregated Data.** The plaintiff coined the term “aggregated data,” and conceived this
28 concept, in entirety. And introduced it in the “GenLab” or “The Accelerator” versions

1 of his script (Butterfly Driver, November 2006 to February 2007). TDK infringes the
2 concept of aggregated data as Batman and Luscious steal sound data from all of the
3 phones in Gotham to create a visual sonic display of Gotham –necessary to find the
4 Joker.

5 27. **“EVAC. “ Both stories feature the Plaintiff’s unique terminology: “EVAC.”** In
6 UBER/BD the hero twice escapes death in an “EVAC-shuttle,: (see UBER Jan 2006
7 script, and other script versions). In TDK, Gordon orders his officers to “EVAC”
8 portions of the city (see TDK at 1:43:56).

- 9 • The Plaintiff is aware of no other film/book using this language prior to the Plaintiff.

10 28. **In an early scene, the hero makes an unusual emphasis on the importance of**
11 **learning from one’s mistakes.** In all versions of Butterfly Driver/Uberopolis after
12 2005, the hero, Arlo, is first seen teaching a group of kids martial arts. In this scene,
13 when a young girl cannot execute the move, repeatedly, Arlo tells the girl to :Just try
14 again tomorrow.” He then explains, softly: “That’s the secret of life. In this, Arlo is
15 telling the girl (and the viewer) to never give up and to keep learning from their
16 mistakes (this point was re-emphasized in the ending in many drafts, until late 2006).
17 Similarly, in TDK, early in the film (12:29), the first time we hear Batman speak,
18 while stitching a large wound in his arm, when Alfred expresses concern,
19 Batman/Bruce says that committing the sort of combat mistakes that he just made
20 “Makes me learn from my mistakes.”

21 29. **A father goes to great lengths for his child/children.** [A “parent who goes to
22 impossible or great lengths for his child” is the overarching plot of the Plaintiff’s
23 work, and sprang exclusively from the Plaintiff’s mind, did not exist prior to the
24 Plaintiff’s work, and changed international storytelling. TDK uses this structure;
25 however, at least, TDK does not use this as an over-arching, first act to last, structure.
26 But TDK uses this as a central structure for the climax, as Commissioner Gordon
27 races from the scene of a crime in progress to protect his abducted wife and kids at
28 another location. As the scene develops, Gordon begs the villain to shoot him rather

1 than his son.]

2 **30. Healthcare. The Plaintiff’s screenplay features a prominent theme about**
3 **healthcare and how unaffordable healthcare drives good people to make**

4 **desperate decisions for their family** (this was non-existent in fiction action adventure
5 and sci-fi prior to the Plaintiff’s script, but spread everywhere a couple years after the
6 Plaintiff). TDK infringes this by tacking on a character who explains to Two-Face that
7 she set-up Rachel to die because her mother’s hospital bills were excessive and she
8 needed money (see TDK, 2:03:15).

9 **31. The story features a scene in which a billionaire villain speaks at a HUGE**
10 **TABLE to many powerful business leaders. (18:13)**

11 **32. One of the characters goes to “archives” and looks through files.**

12 33. The story includes a short discussion involving very special vehicular structural
13 blueprints. In Uberopolis: City of Light, the character “David” tells Arlo they can
14 escape danger by using the EVAC-shuttle, then explain he used to have **blue-prints** of
15 the shuttle (p44, Uber 2006; this concept remained in Butterfly Driver, although the
16 word “blue-print” was dropped). The is replicated in TDK as a character attempts to
17 blackmail Bruce Wayne after the character find blueprints of the Batmobile (57:47).

18 **THE WAYNE TOWER SKYCRAPER: Naked Infringement.** Batman was
19 introduced in 1939. However, Bruce Wayne (Batman’s unmasked alter-ego) did not come to
20 own a tower building until 1992 (Batman: Legends of the Dark Knight #27). From that point
21 forward, the Wayne building was not seen very often, and to the Plaintiff’s knowledge and
22 research, was never the location of any battle. That is, not until 5 years after the Plaintiff
23 created and expressed “Vitale’s Media Center” building (2003, later renamed the “Drexler
24 Media Center” building), where the villain and the hero fight. Then, suddenly, in 2008, in The
25 Dark Knight, following the Plaintiff’s precise example, the top of the Wayne tower was
26 featured as a setting for a great confrontation/battle between Batman and the Joker.¹

27

¹To improperly backdate the conception of the tower, for the 2005 film Batman Begins the producers created a new origin story, that the “old” Wayne tower was created in 1939 –the same year as Batman.