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**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

OLFA CORPORATION,

Plaintiff,

C.A. No.

v.

**COMPLAINT FOR PATENT
INFRINGEMENT**

FISKARS CORPORATION and
FISKARS BRANDS, INC.,

(Jury Trial Demanded)

Defendants.

Plaintiff Olfa Corporation (“Olfa”) for its complaint against Defendant Fiskars Corporation (“Fiskars Corp.”) and Fiskars Brands, Inc. (“Fiskars Brands”) (collectively “Fiskars” or “Defendants”), through its undersigned counsel, hereby alleges as follows:

NATURE OF THIS ACTION

1. This is an action arising under the patent laws of the United States, Title 35 United States Code, Sections 271 and 281 for Fiskars’ infringement of U.S. Patent No. 7,942,395 (“the ’395 patent”), owned by Olfa Corporation.

THE PARTIES

2. Olfa is a Japanese corporation with its principal place of business at Higashi-Nakamoto 2-11-8, Higashinari-Ku, Osaka, 537-0021, Japan.

3. On information and belief, Fiskars Corp. is a Finnish corporation with its principal place of business at Hämeentie 135 A, FI-00561 Helsinki, Finland.

4. On information and belief, Fiskars Brands is a Wisconsin corporation with its principal place of business at 2537 Daniels Street, Madison, WI 53718.

JURISDICTION AND VENUE

5. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338, as this action arises under the laws of the United States, namely the Patent Act, Title 35, United States Code.

6. This Court has personal jurisdiction over Fiskars by virtue of its transacting, doing, and soliciting business in this District and directing its infringing activities into this District. More specifically, Fiskars markets, promotes, advertises, offers for sale, sells and/or distributes products covered by one or more claims of the '395 patent to customers including wholesalers, retailers, chains, and others throughout the United States, including in the District of New Jersey. Fiskars has purposefully and voluntarily placed its infringing products into the stream of commerce with the expectation that the products will be purchased by consumers in the District of New Jersey.

7. Venue is proper in this District pursuant to 28 U.S.C. § 1391(b) because Fiskars regularly transacts business in this District and a substantial part of the events giving rise to Olfa's claims occurred in this District.

THE PATENTS IN SUIT

8. U.S. Patent No. 7,942,395 entitled "Rotary Cutting Mat," issued on May 17, 2011, to Olfa Corporation as assignee of the inventor Shoji Okada ("the '395 patent"). A true and correct copy of the '395 patent is attached to this Complaint as Exhibit 1.

9. The '395 patent was duly issued and is owned by Olfa. Olfa has the full legal right to sue, enforce, and recover damages for all infringements of the '395 patent.

FIRST CLAIM FOR RELIEF
Infringement of United States Patent No. 7,942,395

10. Olfa re-alleges and incorporates by reference the allegations contained in foregoing paragraphs as if set forth fully herein.

11. Fiskars has infringed and continues to infringe, directly and indirectly, the '395 patent either literally or under the doctrine of equivalents by making, using, offering for sale, or selling in the United States or importing into the United States products covered by one or more claims of the '395 patent, including but not limited to Fiskars' Rotating Cutting Mat products marketed under the name Self-Healing Rotating Cutting Mat.

12. Olfa has complied with the statutory requirement of placing a notice of the '395 patent on all Rotating Self-Healing Rotary Mat products it manufactures and sells, and upon information and belief defendant is aware of the '395 patent.

13. Upon information and belief, Fiskars' infringement has taken place with full knowledge of the '395 patent and has been intentional, deliberate, and willful.

14. Upon information and belief, Fiskars will continue to infringe the '395 patent unless and until Defendant is enjoined by this Court.

15. Olfa has suffered damages and irreparable harm as a result of Fiskars' infringement of the '395 patent and will continue to be damaged unless Fiskars is enjoined from future infringing activities.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff Olfa prays that this Court:

- A. Enter a judgment that Defendants have infringed the '395 patent;
- B. Enter a judgment that Defendants have willfully infringed the '395 patent;

C. Grant a preliminary and permanent injunction restraining and enjoining Defendants, their officers, directors, agents, servants, employees, successors, assigns, parents, subsidiaries, affiliated or related companies, and all others in active concert or participation with the foregoing from infringing, inducing others to infringe, and contributing to the infringement of the '395 patent;

D. Award Olfa damages in an amount sufficient to compensate Olfa for Defendants' infringement of the '395 patent, but not less than a reasonable royalty;

E. Award pre- and post-judgment interest to Olfa pursuant to 35 U.S.C. § 284;

F. Award increased damages, pursuant to 35 U.S.C. § 284, in an amount not less than three times the amount of actual damages awarded to Olfa, by reason of Defendants' willful infringement of the '395 patent;

G. Declare this case exceptional under 35 U.S.C. § 285 and award Olfa its reasonable attorneys' fees, expenses, and costs incurred in this action; and

H. Grant Olfa such other and further relief as this Court may deem just and proper.

DEMAND FOR JURY TRIAL

Plaintiff hereby demands a jury trial on all issues.

Respectfully submitted,

FOX ROTHSCHILD LLP

Dated: May 17, 2013

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CERTIFICATION PURSUANT TO LOCAL CIVIL, RULE 11.2

I, Gerard P. Norton, hereby certify that, to the best of my knowledge, the matter in controversy is not the subject of any other action pending in any court or of any pending arbitration or administrative proceeding.

Dated: May 17, 2013

By: s/ Gerard P. Norton
Gerard P. Norton

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EXHIBIT 1



US007942395B2

(12) **United States Patent**
Okada

(10) **Patent No.:** **US 7,942,395 B2**
(45) **Date of Patent:** **May 17, 2011**

(54) **ROTARY CUTTING MAT**

(75) Inventor: **Shoji Okada**, Osaka (JP)
(73) Assignee: **Olfa Corporation**, Osaka-shi (JP)
(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 1028 days.

(21) Appl. No.: 11/212,255

(22) Filed: **Aug. 26, 2005**

(65) **Prior Publication Data**
US 2006/0060052 A1 Mar. 23, 2006

(30) **Foreign Application Priority Data**
Sep. 17, 2004 (JP) 2004-271195

(51) **Int. Cl.**
B23Q 3/00 (2006.01)
(52) **U.S. Cl.** **269/289 R**; 269/302.1; 269/71;
269/57

(58) **Field of Classification Search** 298/399.1,
298/131; 108/139, 99, 103; 269/284 R,
269/57, 71

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

2,779,642 A * 1/1957 Matthews 248/349.1
5,479,867 A * 1/1996 Blevins et al. 108/94
2006/0060052 A1 * 3/2006 Okada 83/659

FOREIGN PATENT DOCUMENTS

JP 3022789 4/1996

* cited by examiner

Primary Examiner — Lee D Wilson

(74) *Attorney, Agent, or Firm* — Crowell & Moring LLP

(57) **ABSTRACT**

A rotary cutting mat of the present invention has a base plate and a rotary mat, which can be rotated relative to each other. The rotary mat is provided with a shaft member projected from a reverse side thereof. The base plate is provided with a receiving portion, which rotatably receives the shaft member of the rotary mat. Since the rotary mat is simply placed on the base plate with the shaft member being inserted in the receiving portion, there is no need of a rivet for connecting the rotary mat and the base plate. Thus, the constitution on the mat is simplified and the surface of the mat can be maintained flat without any buried rivet head in the mat.

6 Claims, 2 Drawing Sheets

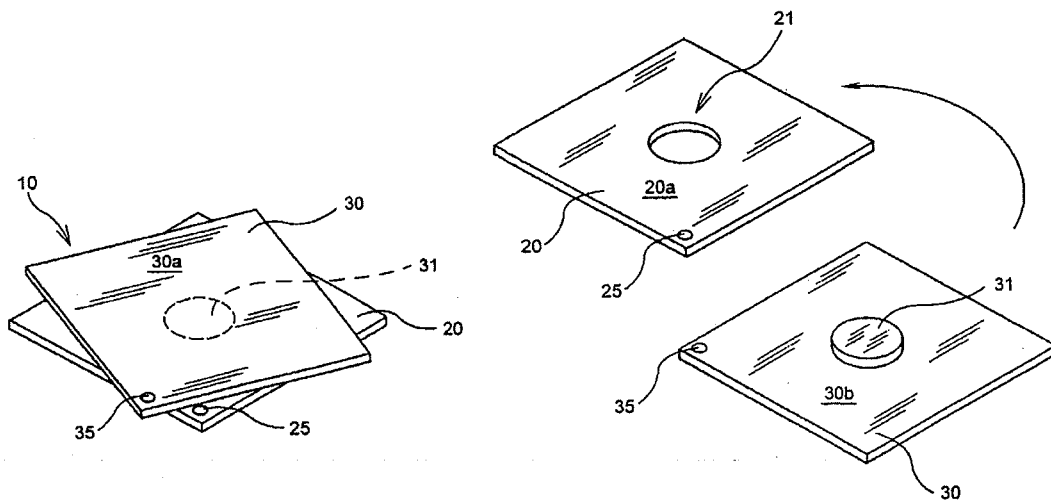


Fig. 1

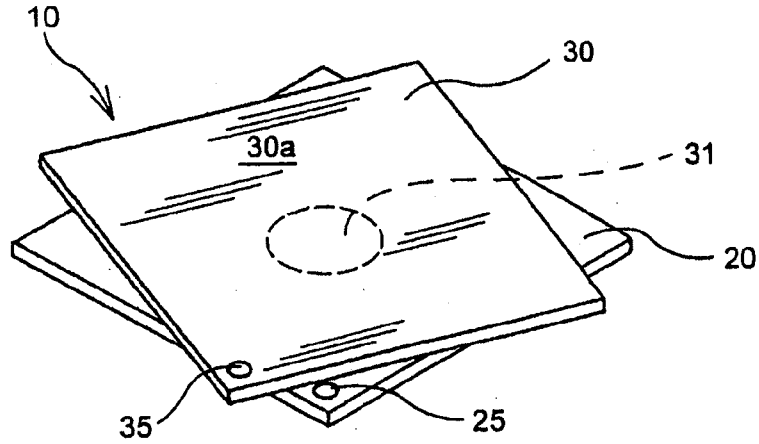


Fig. 2

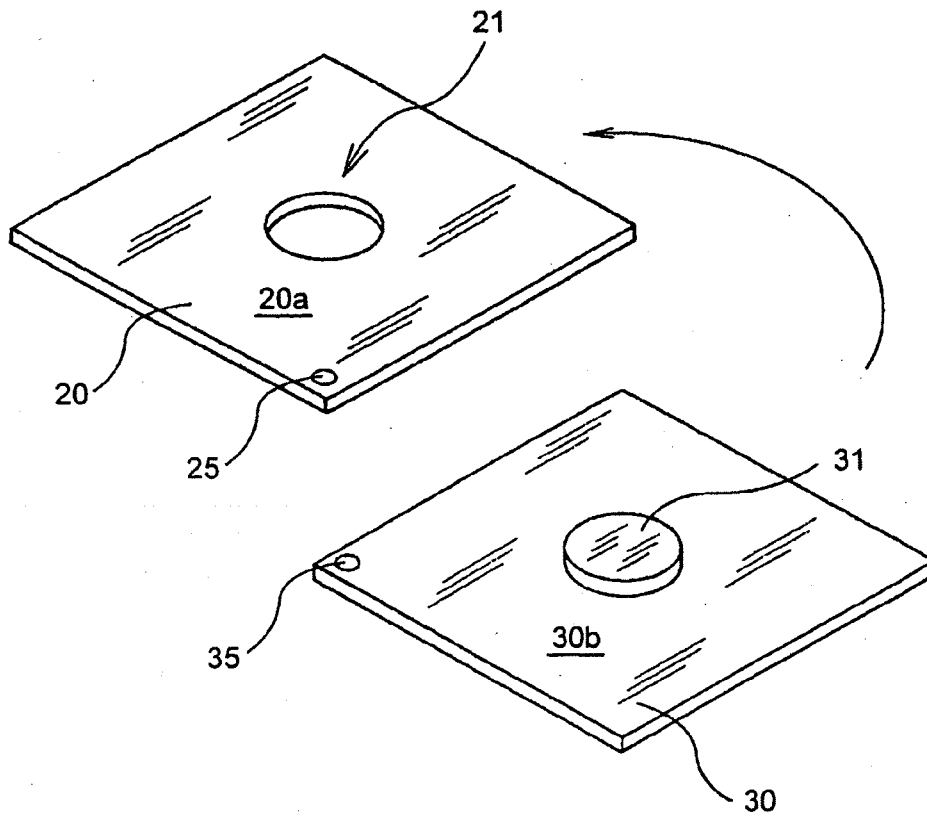


Fig. 3

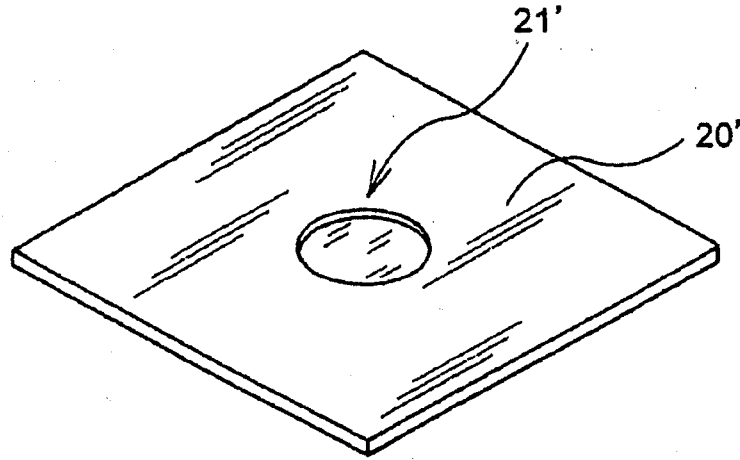
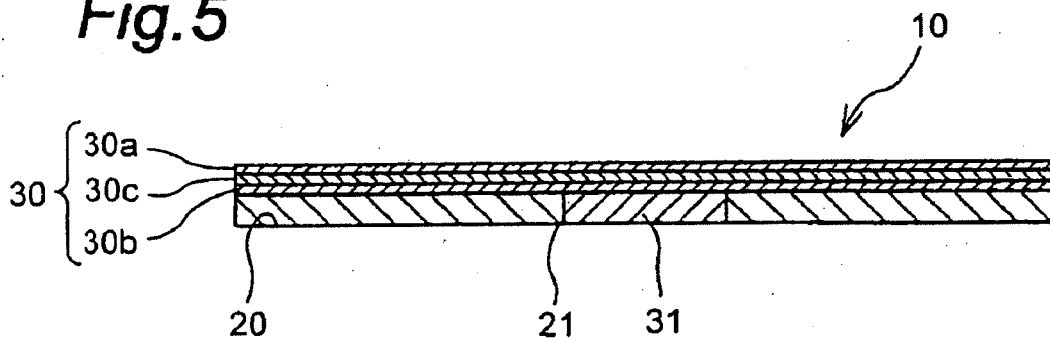


Fig. 4



Fig. 5



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ROTARY CUTTING MAT

This application claims the priority of Japanese Patent Application No. 2004-271195, filed Sep. 17, 2004, the disclosure of which is expressly incorporated by reference herein.

BACKGROUND OF THE INVENTION

1. Field of the Invention

The present invention relates to a cutting mat, on which a sheet of paper, cloth or the like is cut with a cutter knife. In particular, the invention relates to a rotary cutting mat, wherein the upper face of the mat can be rotated to improve efficiency of cutting work.

2. Description of the Related Art

A rotary cutting mat having a rotatable upper face is known, for example from Japanese Utility Model Registration No. 3022789.

The rotary cutting mat disclosed in Japanese Utility Model Registration No. 3022789 comprises a base plate and a rotary mat, which are so connected to each other with a rivet, as to be rotatable relative to each other. The reverse side of the base plate is roughened, such that the base plate does not slide on a working table, unintentionally. The rotary mat is rotated on such the base plate. That is, an operator puts a sheet of paper, cloth or the like on the rotary mat and cuts the same.

Accordingly, with appropriately rotating the rotary mat depending on a cutting direction, the operator always can conduct the cutting operation in easy working posture, without moving himself. In this way, with the rotary cutting mat, the efficiency of cutting work can be improved.

However, the rotary cutting mat in Japanese Utility Model Registration No. 3022789 confronts the following problems, since a rivet member is used to connect the base plate and the rotary mat.

(1) Firstly, since a sheet of paper, cloth or the like to be cut is placed on the upper surface of the rotary mat, the head of the rivet should not be exposed on the upper surface of the rotary mat. This is because: if a rivet head is exposed on the upper surface of the rotary mat, the upper surface in such the region can not serve as a cutting mat. To solve this problem, the rotary mat is made up having a multi-layer structure, and the rivet head is buried in the multi-layer structure. Therefore, the structure of the mat becomes complicated, which increases the number of the components of the mat and the number of the manufacturing steps, resulting in higher cost.

(2) Secondary, a region of the upper surface of the mat corresponding to the rivet head buried in the multi-layer structure is slightly raised. Thus, the upper surface of the mat can not be kept in flat, and thus, cutting lines can be easily deflected on such the raised region of the mat.

SUMMARY OF THE INVENTION

It is therefore an object of the present invention to provide a rotary cutting mat which has a simple structure and thus can be manufactured at a lower cost, and which has a flat upper surface so as not to deflect cutting lines.

In order to achieve the objects of the present invention, there is provided a rotary cutting mat comprising a base plate and a rotary mat, which can be rotated relatively to each other; wherein the rotary mat is provided with a shaft member projected from a reverse side of the rotary mat, the base plate is provided with a receiving portion, which rotatably receives the shaft member, and the rotary mat is placed on the base

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plate, with the shaft member of the rotary mat being inserted in the receiving portion of the base plate.

In the rotary cutting mat of the present invention thus arranged, the rotary mat and the base plate are not connected to each other, but simply, the rotary mat is rotatably placed on the base plate. Thus, there is no need of a connector such as a rivet or the like for connecting the rotary mat and the base plate. As a result, there are not needed complicated manufacturing steps, i.e., the steps of making up the rotary mat having a multi-layer structure, and burying the rivet head in the multi-layer structure of the mat so as to prevent the exposure of the rivet head on the mat surface, and thus the number of relevant components are decreased. In other words, the rotary cutting mat of the present invention can be manufactured at lower cost with a simple manner.

In addition, there is no buried rivet in the rotary mat of the present invention, and therefore, the surface of the mat can be maintained flat without any raised region, so that any cutting lines are not deflected on such the raised region.

In the present invention, it is preferable that the shaft member of the rotary mat can be selectively attached to either the upper side or the reverse side of the rotary mat, for example, with a pressure sensitive adhesive double coated tape or the like.

When the rotary cutting mat is thus arranged, it becomes possible to effectively utilize the reverse side of the rotary mat, in addition to the primary use of the upper side of the rotary mat for a cutting operation.

The reverse side of the rotary mat may be used for a cutting operation like the upper side, or may be used for other purposes, for example, for clay work or the like. In the former case, preferably, both the upper side and the reverse side of the rotary mat are made of the same material. In the latter case, preferably, the upper side and the reverse side of the rotary mat are made of different materials. However, the materials for the upper side and the reverse side of the mat are not limited to particular ones, and can be conveniently selected.

BRIEF DESCRIPTION OF THE DRAWINGS

These and other objects and features of the present invention will become apparent from the following description taken in conjunction with the preferred embodiments thereof with reference to the accompanying drawings.

FIG. 1 is a perspective view of a rotary cutting mat according to an embodiment of the present invention.

FIG. 2 is a perspective view showing the base plate and the rotary mat, which together constitute the rotary cutting mat shown in FIG. 1, in separated condition.

FIG. 3 is a perspective view of a modified base plate.

FIG. 4 is a perspective view of a removable shaft member.

FIG. 5 is a sectional view of the rotary cutting mat shown in FIG. 1.

55 DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENT

The embodiments of the present invention will be explained in more detail with reference to the accompanying drawings. FIG. 1 shows a perspective view of a rotary cutting mat 10 according to an embodiment of the present invention.

The rotary cutting mat 10 comprises a base plate 20 and a rotary mat 30, which are rotatable relative to each other. FIG. 2 shows the base plate 20 and the rotary mat 30, which are illustrated separately from each other for showing the upper surface 20a of the base plate 20, and the reverse side 30b of the rotary mat 30.

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The base plate 20 has a circular opening 21 formed at its center, and the rotary mat 30 has a cylindrical shaft member 31 at its reverse side 30b. As indicated by the arrow in FIG. 2, the rotary mat 30 is placed on the base plate 20 with its shaft member 31 inserted in the circular opening 21 of the base plate.

In this way, the rotary mat 30 is simply placed on the base plate 20 without any rivet or the like for connecting both of them.

The circular opening 21 and the shaft member 31 are formed having substantially the same diameters, respectively, so that the shaft member 31 is smoothly rotatable in the circular opening 21 of the base plate. Accordingly, the rotary mat 30 can be smoothly rotated on the base plate 20.

For rotating the rotary mat 30 on the base plate 20, the shaft member 31 is not necessarily cylindrically formed as shown in FIG. 2, and it can be formed in the shape of a polygonal prism inscribed in the circular opening, or it may be composed of a plurality of small pins disposed circularly.

On the other hand, the opening 21 in the base plate 20 is necessarily formed in a circular shape so as to rotatably receive the shaft member. But, instead of the opening 21, a bottomed circular recess 21' can be employed for rotatably receiving the shaft member, as is employed in a base plate 20' of FIG. 3.

The shaft member 31 may be either unremovably fixed on the reverse side of the rotary mat 30, or may be removably secured to the reverse side of the rotary mat 30 with a pressure sensitive adhesive double coated tape or the like. As shown in FIG. 4, a cylindrical shaft member 31 as a separate member, which is not necessarily formed cylindrically as mentioned above, may be attached selectively on either the upper side 30a or the reverse side 30b of the rotary mat 30, with a pressure sensitive adhesive double coated tape.

Thus arranged, it becomes possible to utilize both the upper side 30a and the reverse side 30b of the rotary mat 30.

In this case, both sides of the rotary mat 30 may be used for cutting operations, or may be used for different purposes: for example, the upper side of the rotary mat may be used for a cutting operation, and the reverse side may be used for clay work or the like. When both sides of the rotary mat are used for cutting operations, different patterns may be provided on both sides.

Many advantages can be enjoyed when both sides of the rotary mat are used, that is, one rotary cutting mat can be variously used when both sides are used for different purposes, while the lifetime as a cutting mat can be prolonged when both sides are used for cutting operations.

FIG. 5 shows a sectional view of the rotary cutting mat, wherein the base plate 20 and the rotary mat 30 are assembled. The shaft member 31 fixed on the reverse side 30b of the rotary mat 30 is inserted in the opening 21 of the base plate 20.

In the embodiment shown in FIG. 5, the rotary mat 30 has a three-layer structure, wherein the uppermost layer 30a, i.e., the upper side of the rotary mat 30, is made of a soft vinyl chloride material suitable for use in a cutting operation; the lowermost layer 30b, i.e., the reverse side of the rotary mat 30, is also made of a soft vinyl chloride material suitable for use in a cutting operation; and the intermediate layer 30c is made of a hard vinyl chloride material, serving as a core material for imparting appropriate strength to the rotary mat 30.

The layer structure of the rotary mat 30 shown in FIG. 5 is intended for a case where both sides of the mat are used for cutting operations. That is, the shaft member 31 is removably attached to the reverse side 30b of the rotary mat with a pressure sensitive adhesive double coated tape. For example, when the upper side 30a of the rotary mat has been worn out,

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the shaft member 31 is, in turn, attached to the upper side 30a of the rotary mat, to thereby use the reverse side 30b of the rotary mat for cutting operation.

When both sides of the rotary mat 30 are used for cutting operations, it is preferable to form the both sides of the same material. On the other hand, when the reverse side 30b of the rotary mat 30 is intended for different use such as clay work or the like, it is preferable to form the reverse side 30b of a material suitable for the intended use.

In the present invention, however, the materials for the rotary mat 30 and other components are not particularly limited, and can be appropriately selected. For example, olefin-based elastomer resins can be used instead of the vinyl chloride materials. Note that, the intermediate layer 30c as the core material can be omitted. Thus, rotary mat 30 can have a single-layer structure when both sides of the rotary mat 30 are used for cutting operations.

In any of the rotary cutting mats of the present invention, no rivet is used. Thus, there is no need for burying a rivet head in the layer structure of the rotary mat. Therefore, the rotary cutting mats of the present invention can be manufactured by a simple manner and at lower cost. Moreover, the surface of the mat is not raised due to the buried head of a rivet.

In the embodiments shown in FIGS. 1 and 2, the rectangular base plate 20 and rotary mat 30 have through holes 25 and 35 at their corner portions, respectively. The through hole 35 of the rotary mat 30 serves as an engagement portion, on which an operator puts his finger to rotate the same. In order to realize the function of the engagement portion, however, the engagement portion is not necessarily a through hole, but may be a concave or a convex portion, or otherwise, a piece of rubber may be applied on such a portion, or such a portion may be surface-roughened, so as to engage with the operator's finger.

When the through hole 35 is formed on the rotary mat 30 as the engagement portion, this through hole 35 can cooperate with another through hole 25 formed on the base plate 20, together to serve as one hole for hanging up the rotary mat.

That is, the through hole 25 is formed at such a position on the base plate 20 that the through hole 25 can be superimposed on the through hole 35 on the rotary mat 30 when the base plate 20 is aligned with the rotary mat 30. In other words, two through holes 25 and 35 are aligned with each other to form one through hole which penetrates the mat and the base plate. With a hook or the like passed through the through hole, the rotary cutting mat 10 can be hung up when not in use.

On the base plate 20 and the rotary mat 30, respectively, the engagement portion or the through hole can be formed at only one position or at a plurality of positions.

Although, in the illustrated embodiments, the base plates 20 and the rotary mats 30 are all formed in rectangular shapes, they are not necessarily formed rectangular, and can be formed in circular or other shapes. In such a case, the engagement portion for rotating the rotary mat, or the through hole for hanging the same, may be provided near the outer peripheral region of the base plate or the rotary mat.

Although the present invention has been fully described in connection with the preferred embodiment thereof with reference to the accompanying drawings, it is to be noted that various changes and modifications are apparent to those skilled in the art. Such changes and modifications are to be understood as included within the scope of the present invention as defined by the appended claims unless they depart therefrom.

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What is claimed is:

1. A rotary cutting mat, comprising:
a base plate and a rotary mat, which can be rotated relative to each other;
wherein the rotary mat is provided with a shaft member projected from a reverse side of the rotary mat,
wherein the base plate is provided with a receiving portion, which rotatably receives the shaft member, and
wherein the rotary mat is placed directly on the base plate without any structure disposed therebetween, with the shaft member of the rotary mat being inserted in the receiving portion of the base plate.
2. The rotary cutting mat of claim 1, wherein the shaft member of the rotary mat is selectively attachable to an upper side or to a reverse side of the rotary mat.

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3. The rotary cutting mat of claim 2, wherein the upper side and the reverse side of the rotary mat are made of a same material.
4. The rotary cutting mat of claim 2, wherein the reverse side of the rotary mat is made of a different material from the upper side, so that the reverse side is intended for a use other than that of the upper side.
5. The rotary cutting mat of claim 1, wherein an engagement portion is provided near an outer peripheral region of the rotary mat, the engagement portion being intended to be engaged with a finger of a user to be rotated.
6. The rotary cutting mat of claim 5, wherein the engagement portion is a through hole, and another through hole is provided on the base plate at a location aligning with the through hole on the rotary mat.

* * * * *