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CLERK U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES

BY \_\_\_\_\_

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10  
11 Attorneys for Plaintiff Yogitoes LLC

12 UNITED STATES DISTRICT COURT  
13 CENTRAL DISTRICT OF CALIFORNIA  
14

15 YOGITOES LLC,  
16  
17 PLAINTIFF,  
18  
19 v.  
LULULEMON ATHLETICA INC. AND DOES  
1-10,  
20 DEFENDANTS.

Case No.

**CV 13-07234-BRO**  
(SM)

**COMPLAINT FOR DAMAGES AND  
INJUNCTIVE RELIEF (PATENT  
INFRINGEMENT); DEMAND FOR JURY  
TRIAL**

21  
22  
23 For its Complaint, plaintiff Yogitoes LLC ("Yogitoes") avers as follows:

24  
25 **JURISDICTION AND VENUE**

26  
27 1. Claims alleged below are brought under the Patent Laws of the United  
28 States, 35 U.S.C. §§ 1 *et seq.* This Court has jurisdiction over these claims

COMPLAINT

1 pursuant to 28 U.S.C. §§ 1338(a). Venue in this District is based on 28 U.S.C.  
2 §§ 1391(b), 1391(c), 1391(d) and 1400(b).

3  
4 **PARTIES**

5  
6 2. Yogitoes is a limited liability company duly organized and existing  
7 under the laws of the State of Delaware, with its corporate headquarters and  
8 principal place of business within this District at 345 South Douglas Street, El  
9 Segundo, California.

10  
11 3. Yogitoes is informed and believes, and on that basis avers, that  
12 defendant lululemon athletica inc. ("Lululemon") is a corporation organized and  
13 existing under the laws of the State of Delaware with its principal place of business  
14 at 1818Cornwall Avenue, Vancouver, British Columbia. Lululemon operates retail  
15 stores throughout the United States and Canada, including several retail stores in  
16 this District.

17  
18 4. The true identities of Does 1-10 are not presently known to plaintiff,  
19 and so they are sued fictitiously as is permitted under Local Rule 19-1.

20  
21 **CLAIM FOR RELIEF**

22 **(For Patent Infringement, U.S. Patent No. 6,961,969)**

23  
24 5. Yogitoes is the owner by assignment of U.S. Patent No. 6,961,969 (the  
25 "'969 patent"), which issued November 8, 2005, for ABSORBENT TOWEL WITH  
26 PROJECTIONS. A copy of the '969 patent is attached hereto as Exhibit A.

1           6.     Yogitoes is informed and believes, and on that basis avers, that  
2 Lululemon has made, used, sold and/or offered for sale in this District and  
3 elsewhere in the United States and/or has imported into the United States articles  
4 (including Lululemon's "The (Towel) Mat") infringing at least claim 1 of the '969  
5 patent and/or has knowingly and actively induced others to do so. Yogitoes is  
6 further informed and believes, and on that basis alleges, that this infringement will  
7 continue unless and until enjoined by this Court.

8  
9           7.     Yogitoes, by this Complaint and otherwise, has notified Lululemon of  
10 its infringement, which has been and continues to be willful and deliberate.  
11 Yogitoes has been and continues to be damaged by the above-alleged infringement  
12 and will suffer irreparable harm until such time as that infringement is enjoined.

13  
14                               **PRAYER**

15  
16           Wherefore, plaintiff Yogitoes LLC prays for judgment as follows:

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18           1.     For a preliminary and permanent injunction against infringement of the  
19 '969 patent;

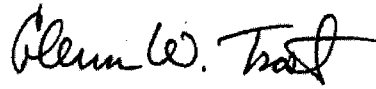
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21           2.     For an accounting and award of actual damages sustained by Yogitoes  
22 (but no less than a reasonable royalty) as a result of infringement of the '969 patent;

23  
24           3.     For treble damages under 35 U.S.C. § 285;

25  
26           4.     For plaintiff's attorneys fees and costs incurred in prosecution of this  
27 action under, *inter alia*, 35 U.S.C. § 285; and  
28

1           5.     For such other and further relief as this Court may deem just and  
2 proper.

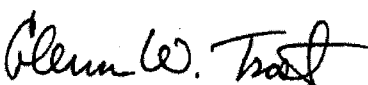
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4 Dated: September 30, 2013     NOVAK DRUCE CONNOLLY BOVE + QUIGG LLP

5  
6 By:   
7           Glenn W. Trost  
8           Attorneys for Plaintiff Yogitoes LLC  
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**DEMAND FOR JURY TRIAL**

Plaintiff Yogitoes LLC hereby demands trial by jury.

Dated: September 30, 2013      NOVAK DRUCE CONNOLLY BOVE + QUIGG LLP

By:   
Glenn W. Trost  
Attorneys for Plaintiff Yogitoes LLC

# **EXHIBIT A**



US006961969B2

(12) **United States Patent**  
**Nichols**

(10) **Patent No.:** **US 6,961,969 B2**

(45) **Date of Patent:** **Nov. 8, 2005**

(54) **ABSORBENT TOWEL WITH PROJECTIONS**

(76) **Inventor:** Susan Nichols, 2200 - 23 St., Apt. C,  
Santa Monica, CA (US) 90405

(\*) **Notice:** Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days.

(21) **Appl. No.:** **10/881,059**

(22) **Filed:** **Jun. 29, 2004**

(65) **Prior Publication Data**

US 2005/0003173 A1 Jan. 6, 2005

**Related U.S. Application Data**

(60) Provisional application No. 60/484,697, filed on Jul. 3, 2003.

(51) **Int. Cl.<sup>7</sup>** ..... **A47G 9/06**

(52) **U.S. Cl.** ..... **5/420; 5/925**

(58) **Field of Search** ..... **5/925, 420, 417**

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

4,147,828 A	4/1979	Heckel et al.	
4,278,719 A *	7/1981	Sarnecki	5/420
4,738,545 A	4/1988	Westgor	
5,010,610 A	4/1991	Ackley	
5,361,435 A	11/1994	Reeves	
5,386,603 A *	2/1995	Drust	5/417
5,467,487 A *	11/1995	Sicard	5/419
5,735,004 A *	4/1998	Wooten et al.	5/416
5,740,567 A *	4/1998	Mitchell	5/420

6,294,240 B1	9/2001	Brunetto	
6,419,988 B1	7/2002	Sovell	
6,493,891 B1	12/2002	Livingston	
6,579,816 B2	6/2003	Lockett	
6,663,537 B2 *	12/2003	McCoy	5/417

**FOREIGN PATENT DOCUMENTS**

WO WO 94/14361 \* 7/1994

**OTHER PUBLICATIONS**

Website: <http://www.aquis.com> owned by Brittan Corporation, San Francisco, California, USA.

\* cited by examiner

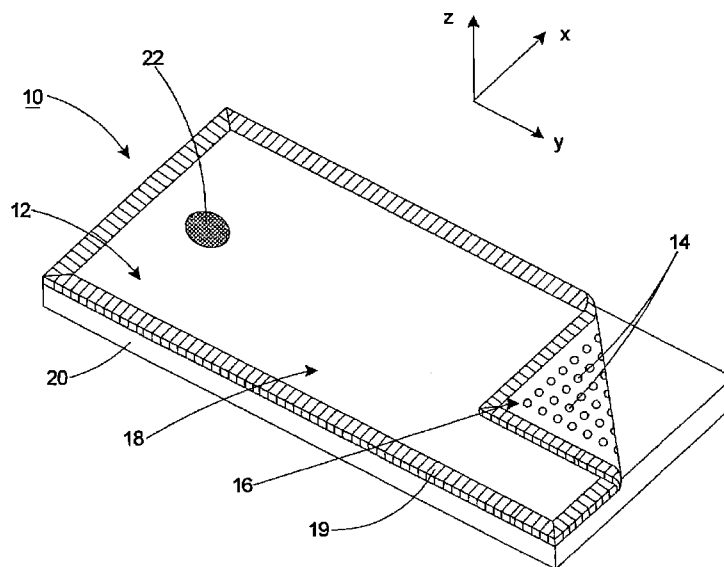
*Primary Examiner*—Frederick L. Lagman

(74) *Attorney, Agent, or Firm*—James P. Broder

(57) **ABSTRACT**

A towel (10) includes a base layer (12) and a plurality of raised projections (14) that project away from the base layer (12). The base layer (12) has a first side (16) and a second side (18). In one embodiment, the projections (14) are discontinuously positioned and are each separately secured to one or both of the sides (16, 18) of the base layer (12). In one embodiment, the projections (14) have a higher coefficient of static friction than the base layer (12) relative to a surface (20). The base layer (12) can be formed from an absorbent material and the projections (14) can be formed from a relatively non-absorbent material. In one embodiment, the projections (14) cover less than approximately 50 percent of one of the sides (16, 18) of the base layer (12). Moreover, in one embodiment, the projections (14) can be substantially hemispherical in shape.

**36 Claims, 3 Drawing Sheets**

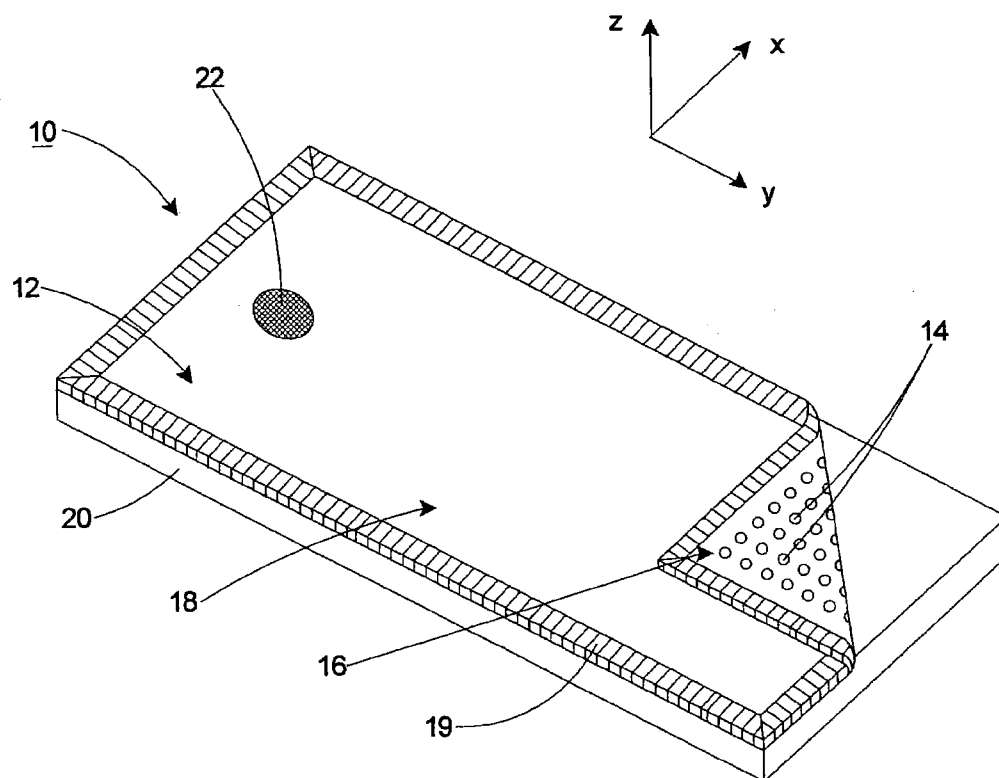


**U.S. Patent**

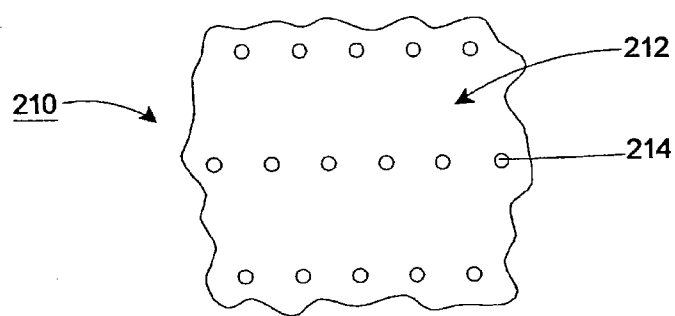
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**Fig. 1**



**Fig. 2**

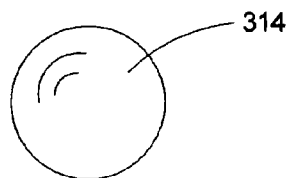


**U.S. Patent**

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Sheet 2 of 3

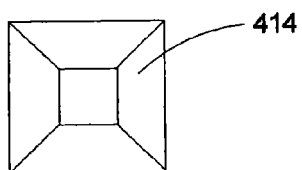
**US 6,961,969 B2**



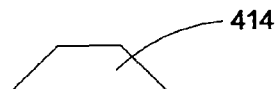
**Fig. 3A**



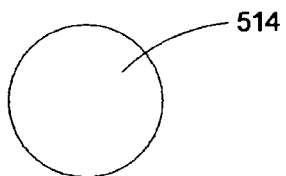
**Fig. 3B**



**Fig. 4A**



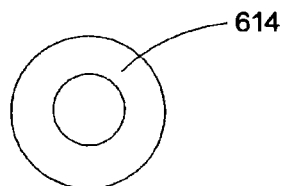
**Fig. 4B**



**Fig. 5A**



**Fig. 5B**



**Fig. 6A**



**Fig. 6B**

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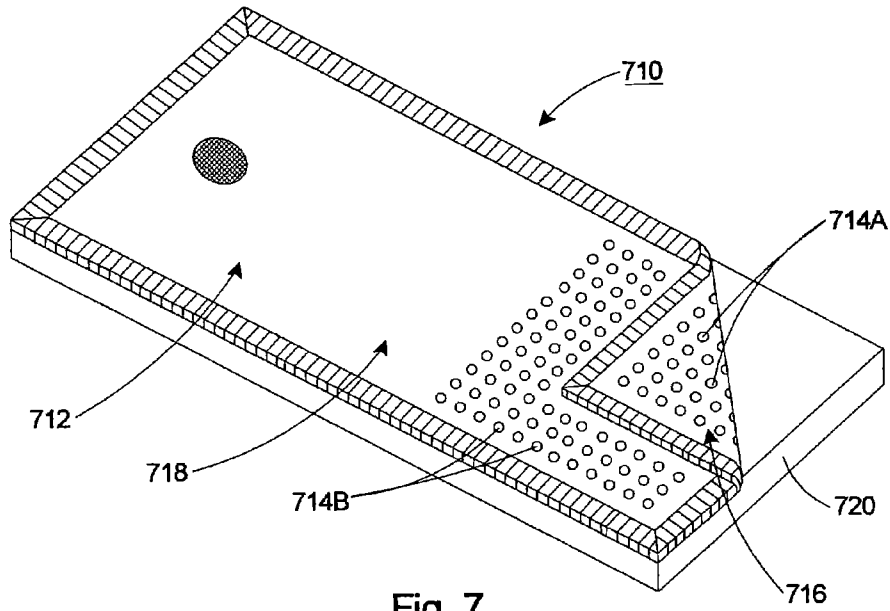


Fig. 7

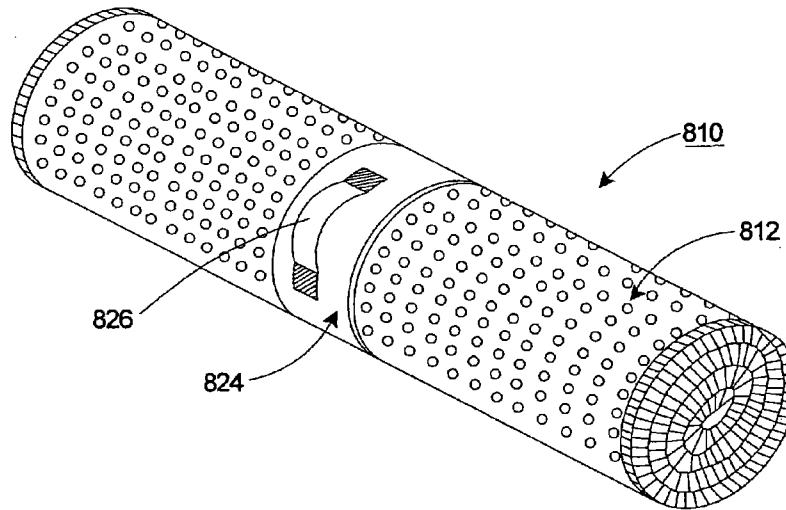


Fig. 8

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**ABSORBENT TOWEL WITH PROJECTIONS****RELATED APPLICATION**

This Application claims the benefit on U.S. Provisional Application Ser. No. 60/484,697 filed on Jul. 3, 2003. The contents of U.S. Provisional Application Ser. No. 60/484,697 are incorporated herein by reference.

**BACKGROUND**

Strength and coordination exercises are becoming increasingly more popular these days. Within health-conscious cultures, sports such as jogging, swimming and bicycling have long been common forms of exercise. More recently, however, those desiring to stay in shape are seeking different, more innovative ways to achieve or maintain a desired level of physical conditioning and mental health, while at the same time trying to decrease the incidence of injuries due to high impact exercising.

For example, various forms of yoga have gained greater acceptance within today's society. Yoga is known to increase strength and flexibility, while relaxing the mind through focusing on holding certain body positions. Consequently, yoga and other similar disciplines can provide participants with an increased fitness level and improved state of mind. Typically, cushioned rubber mats are used by those who practice yoga for providing a soft surface for kneeling, standing, and lying down. However, due to the physical demand of balancing while holding various poses for extended periods of time, the participants can perspire onto the mats, causing the mats to become slick, thereby increasing the likelihood of a slipping injury. Thus, the participant can become distracted from proper focus during the practice of yoga. Further, the mats are generally relatively non-absorbent, and offer few benefits other than creating a padded area for use by the yoga participants.

**SUMMARY**

The present invention is directed to a towel that includes a base layer and a plurality of raised projections that project away from the base layer. The base layer has a first side and a second side. In one embodiment, the projections can be discontinuously positioned and can each be separately secured to one or both of the sides of the base layer. In one embodiment, the projections have a higher coefficient of static friction than the base layer to inhibit relative movement between the towel and a surface upon which the towel is placed when the projections are in contact with the surface.

In one embodiment, the base layer is formed from a liquid-absorbing material such as a microfiber fabric material. Further, at least some of the projections are formed at least partially from a relatively non-absorbent latex material. In one embodiment, the projections cover less than approximately 50 percent of one of the sides of the base layer. Moreover, in one particular embodiment, at least some of the projections are substantially hemispherical in shape.

The present invention also includes a method for manufacturing a towel.

**BRIEF DESCRIPTION OF THE DRAWINGS**

The novel features of this invention, as well as the invention itself, both as to its structure and its operation, will be best understood from the accompanying drawings, taken

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in conjunction with the accompanying description, in which similar reference characters refer to similar parts, and in which:

FIG. 1 is a perspective view of one embodiment of a towel having features of the present invention, shown in a first configuration;

FIG. 2 is a partial plan view of a portion of another embodiment of the towel having features of the present invention;

FIG. 3A is a perspective view of a first embodiment of a projection;

FIG. 3B is a side view of the projection illustrated in FIG. 3A;

FIG. 4A is a perspective view of a second embodiment of a projection;

FIG. 4B is a side view of the projection illustrated in FIG. 4A;

FIG. 5A is a perspective view of a third embodiment of a projection;

FIG. 5B is a side view of the projection illustrated in FIG. 5A;

FIG. 6A is a perspective view of a fourth embodiment of a projection;

FIG. 6B is a side view of the projection illustrated in FIG. 6A;

FIG. 7 is a perspective view of another embodiment of a towel having features of the present invention; and

FIG. 8 is a perspective view of another embodiment of a towel having features of the present invention, shown in a second configuration.

**DESCRIPTION**

FIG. 1 is a perspective view of a towel 10 in a first, unrolled configuration. In this embodiment, the towel 10 includes a base layer 12 and a plurality of raised projections 14 that project away from the base layer 12 as described herein. The base layer 12 illustrated in FIG. 1 has a first side 16 and a second side 18. In this embodiment, the projections 14 are secured to the first side 16. It is recognized, however, that either side 16, 18 can be the first side 16 or the second side 18. For example, the projections 14 can be secured to the second side 18 of the base layer 12. The towel 10 also includes a perimeter edge 19 that can be bound by any generally acceptable manner known to those skilled in the art.

FIG. 1 includes an orientation system that illustrates an X-axis, a Y-axis that is orthogonal to the X-axis and a Z-axis that is orthogonal to the X- and Y-axes. It should be noted that these axes can also be referred to as the first, second and third axes, respectively, and that any of the axes can be the first, second or third axis.

In the embodiment illustrated in FIG. 1, towel 10 can be placed on top of a surface 20 that may otherwise become slick or slippery when moisture is introduced onto the surface 20. As shown in FIG. 1, the surface 20 can be any suitable type of yoga or other sports mat, such as those including closed or open-cell foam, for use during yoga or other sporting exercises, as explained in greater detail below. Alternatively, the surface 20 can be any type of flooring material, a table or other furniture, the ground, or any other type of supporting surface.

The dimensions of the towel 10 can vary. The towel 10 can be sized to be substantially similar to the surface 20 upon which the towel 10 is placed. In one embodiment, the towel 10 can have dimensions of approximately 24 inches by 68 inches, which are the approximate dimensions of a

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standard sized yoga mat 20. However, the towel 10 can have dimensions larger or smaller than 24 inches by 68 inches. For example, in alternative embodiments, the towel 10 can be sized for use as a washcloth, a hand towel, a beach towel, a bath towel, a bath mat, a dish towel, a gym or sport towel, a drop cloth, a throw rug, or a baby changing mat, as non-exclusive examples.

Further, although the towel 10 is particularly suited for use as a non-clothing item, the towel 10 can be used in other applications where absorbency is beneficial. For instance, the towel 10 can be incorporated into and/or manufactured for use as clothing, such as a bathrobe, a shirt, pants, a hat, a scarf, socks, or any other suitable clothing or non-clothing item. With this design, any moisture such as perspiration, precipitation or incidental moisture can be absorbed by the towel 10 as necessary.

The base layer 12 can be formed from relatively absorbent materials that can vary depending upon the design requirements of the towel 10. For instance, the base layer 12 can include any suitably absorbent natural fibers or fabrics, such as cotton, silk, wool, hemp, etc., and/or synthetic materials such as acrylics, polyester microfiber, nylon and/or rayon, as non-exclusive examples.

Further, the base layer 12 can have a wide range of thicknesses, weights and/or densities depending upon the absorbency and/or specific usage requirements of the towel 10. The base layer 12 can also include different colored materials and/or different colored patterns, images and the like.

For example, in the embodiment illustrated in FIG. 1, the second side 18 of the base layer 12 includes a focal region 22 having a color that is different than substantially the remainder of the base layer 12. With this design, an individual performing yoga, martial arts or other sporting activities can focus his or her attention on the focal region 22 to assist with concentration and/or focus during participation in such exercises. The focal region 22 can be formed from the same material used to form the remainder of the base layer 12, or the focal region 22 can be formed from a different material. In the embodiment illustrated in FIG. 1, the focal region 22 is somewhat disc-shaped and is sized small enough to allow the user to focus on the focal region 22 without substantial movement of the user's eyes during exercise. For example, the focal region 22 can be between approximately 1.0 centimeter and 6.0 centimeters in diameter. However, the size of the focal region 22 can be outside this range. In alternative embodiments, the focal region 22 can have any other suitable configuration, i.e. rectangular, triangular, linear, oval or another appropriate geometry.

The material(s) used for the projections 14 can be varied. For example, the projections 14 can be formed from a substantially non-absorbent material such as various forms of plastic (e.g., latex), rubber, epoxy, or any other suitable material, as non-exclusive examples. The material used to form the projections 14 can have a relatively high coefficient of static friction. In one embodiment, the material used to form the projections 14 can have a coefficient of static friction that is greater than a coefficient of static friction of the base layer 12. With this design, the relatively high static friction of the projections 14 decrease the likelihood that the towel 10 will slip, slide or otherwise move relative to the surface 20 upon which the towel 10 is positioned. Stated another way, the projections 14 provide greater traction between the towel 10 and the surface 20.

The positioning, shape and size of the projections 14 can vary. In one embodiment, the projections 14 are positioned in a pattern. For example, in the embodiment illustrated in

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FIG. 1, the projections 14 are positioned in a grid-like arrangement on the base layer 12. In this embodiment, the projections 14 are positioned in a plurality of substantially similar rows, each with a relatively consistent spacing between rows and between individual projections 14. Alternatively, the projections 14 can be positioned in a substantially random manner on the base layer 12.

Further, in the embodiment illustrated in FIG. 1, each projection 14 is separately secured to the first side 16 of the base layer 12 in an intermittent, unconnected and/or discontinuous manner. In one embodiment, the projections 14 can be secured to the base layer 12 by using a heat treatment method, which can include melting the projections 14 into position on the base layer 12. Examples of alternative methods that can be used to secure the projections 14 to the base layer 12 include chemical bonding, adhesive, or any other suitable means, although these methods are not intended to be limiting in any manner.

Because of the spacing between adjacent projections 14, the base layer 12 can more readily absorb moisture from the surface 20 and/or the user, with reduced or no interference by the projections 14. Stated another way, any inhibition of moisture absorption caused by the projections 14 is reduced or eliminated because a substantially portion of the first side of the base layer 12 is still exposed, notwithstanding the quantity of projections 14 secured to the base layer 12. For example, in one embodiment, the projections 14 are sized, shaped and positioned to cover less than approximately 20% of the total area of the base layer 12. In alternative embodiments, the projections 14 are sized, shaped and positioned to cover less than approximately 25%, 30%, 40%, 50%, 75% or 90% of the total area of the base layer 12.

In still an alternative embodiment, two or more of the projections 14 can be continuous, e.g. secured together on the base layer 12 to form lines, curves or other patterns on the base layer 12. Moreover, in one embodiment, each of the projections 14 can be symmetrical relative to two or more axes. For example, in the embodiment illustrated in FIG. 1, the projections 14 are symmetrical relative to three axes: the X-axis, the Y-axis and the Z-axis. In another embodiment, the projections 14 are symmetrical relative to two different axes, such as the X-axis and the Y-axis, although the particular axes about which the projections 14 are symmetrical can vary. With these designs, the manufacturing process is facilitated and the tactile stimulus of the user is enhanced, as set forth in greater detail below.

The spacing between the projections 14 can vary. In one embodiment, the spacing of the projections 14 can be approximately one-quarter inch on center. However, the spacing between the projections 14 can be greater or less than one-quarter inch on center achieve the desired level of inhibition of movement between the projections 14 (and thus the base layer 12) and the surface 20. Additionally, because the projections 14 can be positioned relatively close to one another while not unduly inhibiting moisture absorption by the base layer 12, there is less chance for the base layer 12 to move, e.g., between the projections 14, relative to the surface 20. Consequently, injuries caused by slippage of the towel 10 relative to the surface 20 are reduced.

Further, the distance that each of the projections 14 projects or extends away from the base layer 12 can vary. For instance, in one embodiment, the projections 14 can project at least approximately 0.1 millimeters away from the first side 16 of the base layer 12. In alternative embodiments, the projections 14 can project at least approximately 0.2 millimeters, 0.3 millimeters, 0.5 millimeters, 0.75 millime-

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ters, 1.0 millimeters, 1.5 millimeters, 2.0 millimeters, 3.0 millimeters or 5.0 millimeters away from the first side 16 of the base layer 12.

In alternative embodiments, the projections 14 can project within the range of (i) greater than 0.1 millimeters and less than 5.0 millimeters, (ii) greater than 0.2 millimeters and less than 2.0 millimeters, or (iii) greater than 0.5 millimeters and less than 1.0 millimeter away from the first side 16 of the base layer 12. Still alternatively, the projections 14 can project less than or greater than the foregoing distances and ranges away from the first side 16 of the base layer 12. Moreover, depending upon the spacing of the projections 14, the height of the projections 14, and/or the thickness and/or weight of the base layer 12, a user can receive various tactile sensations when in static or dynamic contact with the towel 10, including force on certain pressure points of the user's body or a massage of the musculature of the user, as non-exclusive examples. With the foregoing designs, the user can receive the requisite level of tactile stimulus during usage of the towel 10.

FIG. 2 is a partial plan view of an alternative embodiment of the towel 210. In this embodiment, the projections 214 are positioned in a repeated, somewhat diamond-shaped pattern on the base layer 212 so that the rows are somewhat staggered from those illustrated in FIG. 1. Still alternatively, the projections 214 can be separately positioned to form concentric circles, triangles, or any other suitable geometric patterns.

FIGS. 3A-6B show various representative shapes of several embodiments of the projections 14. The embodiments depicted in FIGS. 3A-6B are provided for convenience of discussion only, and are not intended to limit the scope of the present invention in any manner. The shape of the projections 14 can vary depending upon the level of tactile stimulus desired by the user in contact with the towel 10, and/or the extent to which a higher level of friction is necessary or desired between the projections 14 and the surface 20.

FIG. 3A is a top view of one embodiment of the shape of a projection 314. In this embodiment, the projection 314 has a round or circular footprint. FIG. 3B is a side view of the projection 314 illustrated in FIG. 3A. FIG. 3B shows that the projection 314 can have a substantially dome or hemispherical shape.

FIG. 4A is a top view of one embodiment of the shape of a projection 414. In this embodiment, the projection 414 has a rectangular footprint. FIG. 4B is a side view of the projection 414 illustrated in FIG. 4A. FIG. 4B shows that the projections 414 have a substantially frusto-pyramidal shape.

FIG. 5A is a top view of one embodiment of the shape of a projection 514. In this embodiment, the projection 514 has a round or circular footprint. FIG. 4B is a side view of the projection 514 illustrated in FIG. 5A. FIG. 5B shows that the projection 514 can have a substantially cylindrical, planar or flat shape.

FIG. 6A is a top view of one embodiment of the shape of a projection 614. In this embodiment, the projection 614 has a round or circular footprint. FIG. 6B is a side view of the projection 614 illustrated in FIG. 6A. FIG. 6B shows that the projection 614 can have a substantially frusto-conical shape.

FIG. 7 is an alternative embodiment of a towel 710. In this embodiment, the towel 710 includes a plurality of first projections 714A on each of the first side 716 of the base layer 712, and a plurality of second projections 714B the second side 718 of the base layer 712. With this design, the towel 710 can be used with either side 716, 718 facing downward (toward a surface 720) or upward (away from the

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surface 720). Further, the user can feel an increase in the tactile stimulation depending upon the quantity, shape, size and positioning of the projections 714A, 714B secured to the base layer 712 of the towel 710. The projections 714A, 714B can be substantially the same shape, size and positioning on both sides 716, 718, or the shape, size and positioning can differ from the first side 716 to the second side 718.

FIG. 8 illustrates an embodiment of the towel 810 in a second, rolled-up configuration. In this embodiment, the towel 810 can be substantially similar to those previously described. However, the towel 810 can also include a strap 824 that is removably or fixedly attached to the base layer 812. The strap 824 can be attached to the base layer 812 by any suitable means, including loop and pile, hook and loop, snaps, etc. Alternatively, the strap 824 can be tied around the base layer 812 to maintain the towel 810 in the rolled-up configuration. The strap 824 can include a handle 826 for more easily carrying or otherwise transporting the towel 810 between locations. Further, the strap 824 can be used for maintaining the towel 810 in the second, rolled up configuration (as illustrated in FIG. 8), e.g. for storage, until the towel 810 is ready for use.

While the particular towel 10 as herein shown and disclosed in detail is fully capable of obtaining the objects and providing the advantages herein before stated, it is to be understood that it is merely illustrative of some of the presently preferred embodiments of the invention and that no limitations are intended to the details of construction or design herein shown other than as described in the appended claims.

What is claimed is:

1. A towel for use on a surface, the towel comprising: a base layer having (i) a first side and (ii) a second side that is substantially opposite the first side; and a plurality of raised first projections that are each separately secured to the first side, the first projections having a higher coefficient of static friction than the base layer so that the first projections inhibit relative movement between the towel and the surface when the first projections are in contact with the surface.
2. The towel of claim 1 further comprising a plurality of discontinuous raised second projections that are each separately secured to the second side, the second projections having a higher coefficient of static friction than the base layer so that the second projections inhibit relative movement between the towel and the surface when the second projections are in contact with the surface.
3. The towel of claim 1 wherein the base layer is at least partially formed from a liquid-absorbing material.
4. The towel of claim 3 wherein the base layer includes a microfiber material.
5. The towel of claim 3 further comprising a plurality of raised second projections that are secured to the second side of the base layer.
6. The towel of claim 1 wherein the first projections are formed from a substantially non-absorbent material.
7. The towel of claim 1 wherein at least some of the first projections are formed at least partially from a plastic material.
8. The towel of claim 1 wherein at least some of the first projections are formed at least partially from a latex material.
9. The towel of claim 1 wherein at least some of the first projections are positioned on the first side so that the first projections have a density of at least nine first projections per square inch.



US 6,961,969 B2

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10. The towel of claim 1 wherein the first projections cover less than approximately 50 percent of the first side of the base layer.

11. The towel of claim 1 wherein at least some of the first projections are positioned at approximately one-quarter inch on center.

12. The towel of claim 1 wherein the first projections project within the range of between at least approximately 0.2 millimeters and less than approximately 2.0 millimeters away from the first side of the base layer.

13. The towel of claim 1 wherein at least some of the first projections are substantially hemispherical in shape.

14. The towel of claim 1 wherein at least some of the first projections are substantially symmetrical about a first axis and a second axis that is orthogonal to the first axis.

15. The towel of claim 1 wherein at least some of the first projections are substantially symmetrical relative to a third axis that is orthogonal to the first axis and the second axis.

16. The towel of claim 1 wherein the second side of the base layer includes a substantially disc-shaped region having a color that is different than substantially the remainder of the second side of the base layer.

17. The towel of claim 1 wherein the first side of the base layer is at least partially formed from a liquid absorbing material.

18. The towel of claim 1 wherein the entire base layer is formed from a liquid absorbing material.

19. A towel for use on a surface, the towel comprising:  
a base layer having (i) a first side that is at least partially formed from a liquid-absorbing material, and (ii) a second side that is opposite the first side; and  
a plurality of first projections that are each separately secured to the first side, the first projections being formed at least partially from a substantially non-absorbent material, the first projections having a higher coefficient of static friction relative to the surface than the base layer.

20. The towel of claim 19 wherein the first projections project within the range of between at least approximately 0.2 millimeters and less than approximately 2.0 millimeters away from the first side of the base layer.

21. The towel of claim 19 wherein at least some of the first projections are substantially symmetrical about a first axis and a second axis that is orthogonal to the first axis.

22. The towel of claim 19 wherein at least some of the first projections are substantially symmetrical relative to a third axis that is orthogonal to the first axis and the second axis.

23. The towel of claim 19 wherein the second side of the base layer includes a substantially disc-shaped region having a color that is different than substantially the remainder of the second side of the base layer.

24. The towel of claim 19 wherein the projections are formed at least partially from a plastic material.

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25. The towel of claim 19 further comprising a plurality of raised second projections that are secured to the second side of the base layer.

26. The towel of claim 25 wherein the second side of the base layer is at least partially formed from a liquid-absorbing material.

27. A method for manufacturing a towel, comprising the steps of:

providing a plurality of substantially non-absorbent projections; and

separately securing the projections to a liquid absorbing base layer so that the projections have a coefficient of static friction that is greater than a coefficient of static friction of at least a portion of the base layer relative to a surface.

28. The method of claim 27 wherein the step of providing a plurality of projections includes forming the projections so that each projection is substantially symmetrical relative to a first axis and a second axis that is orthogonal to the first axis.

29. The method of claim 28 wherein the step of providing a plurality of projections includes forming the projections so that each projection is substantially symmetrical relative to a third axis that is orthogonal to the first and second axes.

30. The method of claim 27 wherein the step of separately securing includes covering less than approximately 50 percent of the first side of the base layer with the plurality of projections.

31. The method of claim 27 wherein the step of providing a plurality of projections includes forming each of the projections in substantially a dome shape.

32. The method of claim 27 wherein the step of separately securing includes positioning the first projections to project within the range of between at least approximately 0.2 millimeters and less than approximately 2.0 millimeters away from the first side of the base layer.

33. The method of claim 27 further comprising the step of positioning a substantially disc-shaped focal region on a second side of the base layer so that the focal region has a color that is different than substantially the remainder of the second side.

34. The method of claim 27 further comprising the step of securing a plurality of substantially non-absorbent projections to a liquid absorbing, second side of the base layer.

35. The method of claim 27 wherein the step of separately securing includes positioning the projections so that the projections are spaced apart at least approximately one-quarter inch on center from one another.

36. The method of claim 35 wherein the step of providing includes providing projections that project at least approximately 0.1 millimeters away from the base layer.

\* \* \* \* \*

UNITED STATES PATENT AND TRADEMARK OFFICE  
**CERTIFICATE OF CORRECTION**

PATENT NO. : 6,961,969 B2  
DATED : November 8, 2005  
INVENTOR(S) : Nichols, Susan

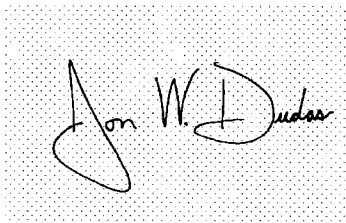
Page 1 of 1

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 8,  
Line 49, replace "35" with -- 27 --.

Signed and Sealed this

Third Day of January, 2006

A handwritten signature in black ink on a light gray, textured rectangular background. The signature is written in a cursive style and appears to read "Jon W. Dudas".

JON W. DUDAS  
*Director of the United States Patent and Trademark Office*

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

NOTICE OF ASSIGNMENT TO UNITED STATES JUDGES

This case has been assigned to District Judge Beverly Reid O'Connell and the assigned Magistrate Judge is Stephen J. Hillman.

The case number on all documents filed with the Court should read as follows:

2:13-CV-7234-BRO (SHx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge.

Clerk, U. S. District Court

September 30, 2013

Date

By MDAVIS

Deputy Clerk

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NOTICE TO COUNSEL

*A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).*

**Subsequent documents must be filed at the following location:**



Western Division  
312 N. Spring Street, G-8  
Los Angeles, CA 90012



Southern Division  
411 West Fourth St., Ste 1053  
Santa Ana, CA 92701



Eastern Division  
3470 Twelfth Street, Room 134  
Riverside, CA 92501

**Failure to file at the proper location will result in your documents being returned to you.**



ORIGINAL

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Central District of California

YOGITOES LLC,

\_\_\_\_\_  
*Plaintiff(s)*

v.

LULULEMON ATHLETICA INC. and DOES 1-10,

\_\_\_\_\_  
*Defendant(s)*

Civil Action No.

CV 13-07234-BRO  
(SH)

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* The Corporation Trust Company  
Corporate Trust Center  
1209 Orange Street  
Wilmington, DE 19801

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Glenn W. Trost, Esq.  
glenn.trost@novakdruce.com  
NOVAK DRUCE CONNOLLY BOVE + QUIGG LLP  
333 Grand Avenue, Twenty-Third Floor  
Los Angeles, CA 90071

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: SEP 30 2013

CLERK OF COURT

*Marilyn D.*  
Signature of Clerk or Deputy Clerk



AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
 was received by me on *(date)* \_\_\_\_\_.

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
 \_\_\_\_\_, a person of suitable age and discretion who resides there,  
 on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
 designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☐ Other *(specify)*:

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEET**I. (a) PLAINTIFFS** ( Check box if you are representing yourself ☐ )

YOGITOES LLC

**DEFENDANTS** ( Check box if you are representing yourself ☐ )

LULULEMON ATHLETICA INC. and DOE 1-10

(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same information.)

Glenn W. Trost, Esq. (glenn.trost@novakdruce.com)  
NOVAK DRUCE CONNOLLY BOVE + QUIGG LLP  
333 S. Grand Avenue, Twenty-Third Floor  
Los Angeles, CA 90071 (213) 787-2500

(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same information.)

N/A

**II. BASIS OF JURISDICTION** (Place an X in one box only.)

- ☐ 1. U.S. Government Plaintiff
- ☒ 3. Federal Question (U.S. Government Not a Party)
- ☐ 2. U.S. Government Defendant
- ☐ 4. Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES**-For Diversity Cases Only  
(Place an X in one box for plaintiff and one for defendant)

- |   |                                |                                |   |                                |                                |
|---|--------------------------------|--------------------------------|---|--------------------------------|--------------------------------|
| Citizen of This State                   | PTF <input type="checkbox"/> 1 | DEF <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in this State     | PTF <input type="checkbox"/> 4 | DEF <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2     | <input type="checkbox"/> 2     | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5     | <input type="checkbox"/> 5     |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3     | <input type="checkbox"/> 3     | Foreign Nation  | <input type="checkbox"/> 6     | <input type="checkbox"/> 6     |

**IV. ORIGIN** (Place an X in one box only.)

- ☒ 1. Original Proceeding
- ☐ 2. Removed from State Court
- ☐ 3. Remanded from Appellate Court
- ☐ 4. Reinstated or Reopened
- ☐ 5. Transferred from Another District (Specify)
- ☐ 6. Multi-District Litigation

**V. REQUESTED IN COMPLAINT: JURY DEMAND:** ☒ Yes ☐ No (Check "Yes" only if demanded in complaint.)**CLASS ACTION under F.R.Cv.P. 23:** ☐ Yes ☒ No **MONEY DEMANDED IN COMPLAINT:** \$**VI. CAUSE OF ACTION** (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

Patent Laws of the United States, 35 U.S.C §§1 et seq. Patent Infringement.

**VII. NATURE OF SUIT** (Place an X in one box only.)

OTHER STATUTES	CONTRACT	REAL PROPERTY CONT.	IMMIGRATION	PRISONER PETITIONS	PROPERTY RIGHTS
<input type="checkbox"/> 375 False Claims Act	<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 462 Naturalization Application	<b>Habeas Corpus:</b>	<input type="checkbox"/> 820 Copyrights
<input type="checkbox"/> 400 State Reapportionment	<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 463 Alien Detainee	<input checked="" type="checkbox"/> 830 Patent
<input type="checkbox"/> 410 Antitrust	<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 290 All Other Real Property	<b>TORTS</b>	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 840 Trademark
<input type="checkbox"/> 430 Banks and Banking	<input type="checkbox"/> 140 Negotiable Instrument	<b>PERSONAL PROPERTY</b>	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 530 General	<b>SOCIAL SECURITY</b>
<input type="checkbox"/> 450 Commerce/ICC Rates/Etc.	<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 310 Airplane	<b>PERSONAL PROPERTY</b>	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 861 HIA (1395ff)
<input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 371 Truth in Lending	<b>Other:</b>	<input type="checkbox"/> 862 Black Lung (923)
<input type="checkbox"/> 470 Racketeer Influenced & Corrupt Org.	<input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Vet.)	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 540 Mandamus/Other	<input type="checkbox"/> 863 DIWC/DIWW (405 (g))
<input type="checkbox"/> 480 Consumer Credit	<input type="checkbox"/> 153 Recovery of Overpayment of Vet. Benefits	<input type="checkbox"/> 330 Fed. Employers' Liability	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 864 SSID Title XVI
<input type="checkbox"/> 490 Cable/Sat TV	<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 340 Marine	<b>BANKRUPTCY</b>	<input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 865 RSI (405 (g))
<input type="checkbox"/> 850 Securities/Commodities/Exchange	<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 560 Civil Detainee Conditions of Confinement	<b>FEDERAL TAX SUITS</b>
<input type="checkbox"/> 890 Other Statutory Actions	<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<b>FORFEITURE/PENALTY</b>	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)
<input type="checkbox"/> 891 Agricultural Acts	<input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<b>CIVIL RIGHTS</b>	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
<input type="checkbox"/> 893 Environmental Matters	<b>REAL PROPERTY</b>	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 690 Other	
<input type="checkbox"/> 895 Freedom of Info. Act	<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 362 Personal Injury-Med Malpractice	<input type="checkbox"/> 441 Voting	<b>LABOR</b>	
<input type="checkbox"/> 896 Arbitration	<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 365 Personal Injury-Product Liability	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 710 Fair Labor Standards Act	
<input type="checkbox"/> 899 Admin. Procedures Act/Review of Appeal of Agency Decision	<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 720 Labor/Mgmt. Relations	
<input type="checkbox"/> 950 Constitutionality of State Statutes		<input type="checkbox"/> 368 Incest Personal Injury Product Liability	<input type="checkbox"/> 445 American with Disabilities-Employment	<input type="checkbox"/> 740 Railway Labor Act	
		<input type="checkbox"/> 448 Education	<input type="checkbox"/> 446 American with Disabilities-Other	<input type="checkbox"/> 751 Family and Medical Leave Act	
			<input type="checkbox"/> 448 Education	<input type="checkbox"/> 790 Other Labor Litigation	
				<input type="checkbox"/> 791 Employee Ret. Inc. Security Act	

**FOR OFFICE USE ONLY:**

Case Number:

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA**  
**CIVIL COVER SHEET**

**VIII. VENUE:** Your answers to the questions below will determine the division of the Court to which this case will most likely be initially assigned. This initial assignment is subject to change, in accordance with the Court's General Orders, upon review by the Court of your Complaint or Notice of Removal.

<b>Question A: Was this case removed from state court?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  If "no," go to Question B. If "yes," check the box to the right that applies, enter the corresponding division in response to Question D, below, and skip to Section IX.	<b>STATE CASE WAS PENDING IN THE COUNTY OF:</b>		<b>INITIAL DIVISION IN CACD IS:</b>
	<input type="checkbox"/> Los Angeles		Western
	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo		Western
	<input type="checkbox"/> Orange		Southern
	<input type="checkbox"/> Riverside or San Bernardino		Eastern

<b>Question B: Is the United States, or one of its agencies or employees, a party to this action?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  If "no," go to Question C. If "yes," check the box to the right that applies, enter the corresponding division in response to Question D, below, and skip to Section IX.	<b>If the United States, or one of its agencies or employees, is a party, is it:</b>		<b>INITIAL DIVISION IN CACD IS:</b>
	<b>A PLAINTIFF?</b>	<b>A DEFENDANT?</b>	
	Then check the box below for the county in which the majority of DEFENDANTS reside.	Then check the box below for the county in which the majority of PLAINTIFFS reside.	
	<input type="checkbox"/> Los Angeles	<input type="checkbox"/> Los Angeles	Western
	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo	Western
	<input type="checkbox"/> Orange	<input type="checkbox"/> Orange	Southern
	<input type="checkbox"/> Riverside or San Bernardino	<input type="checkbox"/> Riverside or San Bernardino	Eastern
<input type="checkbox"/> Other	<input type="checkbox"/> Other	Western	

<b>Question C: Location of plaintiffs, defendants, and claims?</b>	A. Los Angeles County	B. Ventura, Santa Barbara, or San Luis Obispo Counties	C. Orange County	D. Riverside or San Bernardino Counties	E. Outside the Central District of California	F. Other
Indicate the location in which a majority of plaintiffs reside:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indicate the location in which a majority of defendants reside:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indicate the location in which a majority of claims arose:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**C.1. Is either of the following true? If so, check the one that applies:**

- ☐ 2 or more answers in Column C
- ☐ only 1 answer in Column C and no answers in Column D

Your case will initially be assigned to the  
SOUTHERN DIVISION.  
Enter "Southern" in response to Question D, below.

If none applies, answer question C2 to the right. →

**C.2. Is either of the following true? If so, check the one that applies:**

- ☐ 2 or more answers in Column D
- ☐ only 1 answer in Column D and no answers in Column C

Your case will initially be assigned to the  
EASTERN DIVISION.  
Enter "Eastern" in response to Question D, below.

If none applies, go to the box below. ↓

Your case will initially be assigned to the  
WESTERN DIVISION.  
Enter "Western" in response to Question D below.

<b>Question D: Initial Division?</b>	<b>INITIAL DIVISION IN CACD</b>
Enter the initial division determined by Question A, B, or C above: →	Western Division

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA**  
**CIVIL COVER SHEET**

**IX(a). IDENTICAL CASES:** Has this action been previously filed in this court and dismissed, remanded or closed? ☒ NO ☐ YES

If yes, list case number(s): \_\_\_\_\_

**IX(b). RELATED CASES:** Have any cases been previously filed in this court that are related to the present case? ☐ NO ☒ YES

If yes, list case number(s): CV12-09294-BRO (PLAx)

**Civil cases are deemed related if a previously filed case and the present case:**

- (Check all boxes that apply)
- ☐ A. Arise from the same or closely related transactions, happenings, or events; or
- ☒ B. Call for determination of the same or substantially related or similar questions of law and fact; or
- ☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
- ☒ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

**X. SIGNATURE OF ATTORNEY  
 (OR SELF-REPRESENTED LITIGANT):**

*Glenn W. Trost*  
 DATE: 9/30/2013  
 Glenn W. Trost, NOVAK DRUCE CONNOLLY BOVE + QUIGG LLP

**Notice to Counsel/Parties:** The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet).

**Key to Statistical codes relating to Social Security Cases:**

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405 (g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))