

FILED

2014 AUG 22 PM 2:14

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

BY: _____

1 JOSEPH A. WALKER, State Bar No. 47223
2 JASON MATTHEW LAMB, State Bar No. 222191
3 THE WALKER LAW FIRM,
4 A Professional Corporation
5 1301 Dove Street, Suite 720
6 Newport Beach, CA 92660-2464
7 Telephone: (949) 752-2522
8 Facsimile: (949) 752-0439
9 e-mail: jwalker@twlf.net & jlamb@twlf.net

10 Attorneys for Plaintiff,
11 PANAVISE PRODUCTS, INC.

12 UNITED STATES DISTRICT COURT
13 FOR THE CENTRAL DISTRICT OF CALIFORNIA
14 WESTERN DIVISION

15 PANAVISE PRODUCTS, INC., a Nevada)
16 corporation,)

17 Plaintiff,)

18 v.)

19 AMERICA DIGITAL ACCESSORIES)
20 CORP., an entity of unknown)
21 status and origin d.b.a. DIGI-)
22 POWER,)

23 Defendant.)

Case No.: 8:14cv-1347 DOC-AN
Assigned to Hon. _____

COMPLAINT FOR:

- 1. PATENT INFRINGEMENT;
- 2. TRADE DRESS INFRINGEMENT UNDER 15 U.S.C. § 1125(A);
- 3. VIOLATION UNDER § 43(A) OF THE LANHAM ACT;
- 4. STATE AND COMMON LAW MISAPPROPRIATION AND UNFAIR COMPETITION;
- 5. STATUTORY UNFAIR COMPETITION IN VIOLATION OF CALIFORNIA BUSINESS & PROFESSIONS CODE §§ 17200, ET SEQ.; AND
- 6. PASSING OFF UNDER § 43(A) OF LANHAM ACT, 15 U.S.C. § 1125(A).

DEMAND FOR JURY TRIAL

24 COMES NOW Plaintiff, PANAVISE PRODUCTS, INC., a Nevada
25 corporation ("PanaVise Products" and/or "Plaintiff"), for claims for
26 relief against Defendant, AMERICA DIGITAL ACCESSORIES CORP., an entity
27 of unknown status and origin d.b.a. DIGI-POWER ("Digi-Power" and/or
28 "Defendant"), complaining and alleging as follows:

/ / /

1 JURISDICTION AND VENUE

2 1. This Court has original jurisdiction over this action
3 pursuant to 28 U.S.C. §§ 1331 and 1338. This is an action for patent
4 infringement arising under the patent laws of the United States of
5 America, Title 35 U.S.C. § 271, et seq., United States Code; trade
6 dress infringement arising under the Trademark Laws of the United
7 States, 15 U.S.C. §§ 1051, et seq., 15 U.S.C. § 1125(a) and under § 43
8 of the Lanham Act, and, as such, this Court has jurisdiction over the
9 subject matter of this action under Lanham Act § 39(a), 15 U.S.C. §
10 1121(a) and 28 U.S.C. § 1338(a). Plaintiff invokes supplemental
11 jurisdiction of this Court under 28 U.S.C. §§ 1338(b) and 1367(a) to
12 consider claims arising under state law.

13 2. Venue is proper in this Court under 28 U.S.C. §§ 1391(b) and
14 (c).

15 THE PARTIES

16 3. PanaVise Products is a Nevada corporation, organized and
17 existing under the laws of the State of Nevada, with its principal
18 place of business located at 7540 Colbert Drive, in the City of Reno,
19 County of Washoe, State of Nevada. PanaVise Products is engaged in
20 the manufacture, distribution, and sale of suction cup mounts under
21 the registered trademark "PANAVISE" and the common law trademark "PV-
22 809".

23 4. Plaintiff is informed and believes, and upon such
24 information and belief alleges that Defendant is a business entity of
25 unknown status, and organized and existing under the laws of an
26 unknown jurisdiction, with its principal place of business located at
27 16031 Arrow Highway, Unit H & I, in the City of Irwindale, County of
28 Los Angeles, State of California. Plaintiff is informed and believes,

1 and upon such information and belief alleges that Defendant also does
2 business as DIGI-POWER and has not filed any fictitious business name
3 record for same anywhere. Plaintiff is informed and believes, and
4 upon such information and belief alleges that Defendant, through its
5 agents, employees, shareholders, and attorneys, is engaged in the
6 manufacture, importation, distribution, and/or sales of suction cup
7 mounts (identified by Defendant as "Gopromate(TM) Suction Cup Mount
8 For GoPro Hero 1,2,3 with 1/4 Inch Tripod Mount Adapter") on a
9 nationwide basis, including within the Central District of California,
10 by direct retail sales and/or shipments directly to consumers via the
11 internet, including but not limited to through an interactive store
12 front on Amazon <www.amazon.com>.

13 FIRST CLAIM FOR RELIEF

14 (Patent Infringement - United States Patent No. D521850)

15 5. Plaintiff realleges, refers to and herein incorporates by
16 reference each and every allegation contained in Paragraphs 1 through
17 4 of this Complaint as though fully set forth herein.

18 6. On May 30, 2006, United States Patent No. D521850 (the "'850
19 Patent"), for a design entitled "Window Grip," was duly and legally
20 issued in the names of Inventors, Gary Lee Richter and Bruce Edward
21 Richter. By virtue of proper assignment, PanaVise Products has
22 acquired and duly owns all right, title, and interest in the '850
23 Patent, including the right to sue and recover for infringement
24 thereof. Attached hereto as EXHIBIT A is a true and correct copy of
25 the '850 Patent, and the assignment which are incorporated herein by
26 reference as though fully set forth.

27 / / /

28 / / /

1 7. Since or about November 20, 2003, Window Grips manufactured,
2 distributed, and sold by Plaintiff have been marked to indicate that
3 such products were subject to a pending patent.

4 8. Since or about May 30, 2006, Window Grips manufactured,
5 distributed, and sold by Plaintiff have been marked to indicate that
6 such products are patented under the '850 Patent.

7 9. Defendant, through its agents, employees, shareholders, and
8 attorneys, have infringed the '850 Patent pursuant to 35 U.S.C.
9 Section 271 by:

10 (a) directly infringing through the acts of manufacturing,
11 importing, distributing, offering to sell, and/or
12 selling suction cup mounts embodying the ornamental
13 design of the Window Grip as shown and described
14 therein;

15 (b) contributorily infringing through the acts of
16 manufacturing, importing, distributing, offering to
17 sell, and/or selling components of suction cup mounts
18 constituting a material part of such design knowing the
19 components to be especially made or adapted for use in
20 infringing the '850 Patent and not commodities suitable
21 for substantial noninfringing use; and/or

22 (c) inducing infringement through the acts of
23 manufacturing, importing, distributing, offering to
24 sell, and/or selling components constituting a material
25 part of such design, knowing the components to be
26 especially made or adapted for use in infringing the
27 '850 Patent and not commodities suitable for
28 substantial non-infringing use.

1 Defendant, through its agents, employees, shareholders, and attorneys,
2 have committed the above-mentioned acts within this judicial district
3 and throughout the United States of America, and will continue to do
4 so unless enjoined by this Court.

5 10. Plaintiff is informed and believes, and upon such
6 information and belief alleges that Defendant's acts of infringement
7 have been committed willfully and with knowledge of Plaintiff's patent
8 rights.

9 11. Plaintiff is informed and believes, and upon such
10 information and belief alleges that Defendant, through its agents,
11 employees, shareholders, and attorneys, are unlikely to cease its
12 infringing acts upon receipt of this Complaint.

13 12. Plaintiff has suffered and is suffering damages, including
14 impairment of the value of the '850 Patent, in an amount yet to be
15 determined.

16 13. Defendant's acts of infringement are causing irreparable
17 harm to Plaintiff and will continue to cause irreparable harm unless
18 enjoined by this Court.

19 14. Plaintiff is informed and believes, and upon such
20 information and belief alleges that the Defendant's acts of
21 infringement have resulted and are currently resulting in substantial
22 unjust profits and unjust enrichment on the part of Defendant in an
23 amount yet to be determined.

24 SECOND CLAIM FOR RELIEF

25 (Trade Dress Infringement, 15 U.S.C. § 1125(a))

26 15. Plaintiff realleges, refers to and herein incorporates by
27 reference each and every allegation contained in Paragraphs 1 through
28 14 of this Complaint as though fully set forth herein.

1 16. Plaintiff has been and is engaged in the business of
2 manufacturing, distributing, and selling suction cup mounts. Since at
3 least as early as 2003, Plaintiff has actively advertised, promoted
4 and publicized its products to the trade and the public. Plaintiff
5 has acquired and developed substantial and valuable goodwill for
6 itself and its products among those in the trade and the public as a
7 result of: (a) Plaintiff's extensive sales and distribution throughout
8 the United States of America and internationally of its products; (b)
9 the high quality of Plaintiff's products; and (c) Plaintiff's
10 advertising and publicity of its products.

11 17. Plaintiff began to use a certain size, shape, color, and
12 texture as features in the PanaVise Products' suction cup mounts at
13 least as early as 2003 as a trade dress for its goods.

14 18. Plaintiff is informed and believes, and upon such
15 information and belief alleges that the Defendant's sales of suction
16 cup mounts (identified by Defendant as "Gopromate(TM) Suction Cup
17 Mount For GoPro Hero 1,2,3 with 1/4 Inch Tripod Mount Adapter") for
18 use with various products are facsimiles of Plaintiff's trade dress
19 for its suction cup mounts (identified by Plaintiff as WINDOWGRIP
20 DELUXE[®], model no. PV-809), when considered as a whole (with regard to
21 size, shape, color, and textures).

22 19. Defendant, through its agents, employees, shareholders, and
23 attorneys, began to use substantially similar sizes, shapes, colors,
24 and textures on his suction cup mounts in an area where Plaintiff was
25 already advertising and selling their suction cup mounts.

26 20. The design and appearance of the trade dress of Plaintiff's
27 suction cup mounts were all original creations developed expressly by
28 and for Plaintiff. Plaintiff is informed and believes, and upon such

1 information and belief alleges that Plaintiff was the first to make
2 use of the design and trade dress.

3 21. Defendant's use of Plaintiff's design and trade dress was
4 without the consent of Plaintiff.

5 22. Plaintiff's trade dress is non-functional.

6 23. Plaintiff's trade dress has acquired secondary meaning.

7 24. Defendant's trade dress has caused, and is likely to cause,
8 confusion among ordinary purchasers as to the source of Plaintiff's
9 and Defendants' goods.

10 25. As a result of Defendant's actions, Plaintiff has sustained
11 and continues to experience special and general damages in an amount
12 of \$ 100,000.00 or more to be determined according to proof at the
13 time of trial.

14 **THIRD CLAIM FOR RELIEF**

15 (Violation Under § 43(a) of Lanham Act)

16 26. Plaintiff realleges, refers to and herein incorporates by
17 reference each and every allegation contained in Paragraphs 1 through
18 25 of this Complaint as though fully set forth herein.

19 28. Plaintiff has caused the trade and public to recognize the
20 product design and trade dress of Plaintiff's suction cup mounts as
21 symbols of Plaintiff's goods by virtue of: (a) its original use of the
22 design and appearance of the trade dress of its suction cup mounts; (b)
23 its advertising, publicity and promotion of its suction cup mounts;
24 and (c) its commercial success of its suction cup mounts throughout
25 the trade and with the public. The design and trade dress which
26 Plaintiff has created symbolizes goodwill of significant value. As a
27 result of the Defendant's actions, Plaintiff has sustained and

28 / / /

1 continues to experience special and general damages in an amount to be
2 determined according to proof at the time of trial.

3 28. Defendant, through its agents, employees, shareholders, and
4 attorneys, are now manufacturing, importing, distributing, advertising
5 and selling in interstate commerce, including within the State of
6 California and the Central District of California, suction cup mounts
7 which imitate the distinctive design and trade dress of Plaintiff's
8 suction cup mounts in their overall appearance and shape.

9 29. Plaintiff is informed and believes, and upon such
10 information and belief alleges that Defendant, through its agents,
11 employees, shareholders, and attorneys, have advertised, promoted and
12 publicized their suction cup mounts throughout the trade and with the
13 public.

14 30. Plaintiff learned of Defendant's appropriation of the
15 appearance and design and Plaintiff's trade dress of its suction cup
16 mounts in or about July 2014.

17 31. Plaintiff is informed and believes, and upon such
18 information and belief alleges that Defendant's distribution and sale
19 of Defendant's suction cup mounts within and outside of this judicial
20 district, and in commerce, continues at present.

21 32. Plaintiff's design and trade dress have come to serve as a
22 designation of origin of Plaintiff's suction cup mounts and as a
23 symbol of the goodwill which Plaintiff has established for its product
24 by virtue of: (a) its original design and appearance of its suction
25 cup mounts; (b) its extensive advertising, publicity and promotion of
26 its suction cup mounts; and (c) its extensive sales of its suction cup
27 mounts.

28 / / /

1 pictures, text, appearance, and trade dress has caused and is likely
2 to cause confusion between Defendant and his products and Plaintiff
3 and its products, and such use by Defendant, through its agents,
4 employees, shareholders, and attorneys, infringes the valuable common
5 law right of Plaintiff in its product design and appearance and its
6 trade dress.

7 38. Defendant's activities also constitute unfair competition
8 with Plaintiff by creating confusion as to the source or sponsorship
9 of the suction cup mounts distributed and sold by Defendant, and by
10 misappropriating the fine reputation of Plaintiff in its product
11 design, appearance, and trade dress, thereby injuring that reputation
12 and goodwill and diverting from Plaintiff the benefits arising from
13 that reputation and goodwill.

14 39. As a result of Defendant's acts of infringement, unfair
15 competition, and misappropriation, Defendant, through its agents,
16 employees, shareholders, and attorneys, has damaged Plaintiff who has
17 sustained and continues to experience special and general damages in
18 an amount to be determined according to proof at the time of trial.

19 40. Defendant's aforementioned acts of infringement, unfair
20 competition and misappropriation have caused irreparable harm to
21 Plaintiff and, unless enjoined by this Court, will continue to cause
22 such irreparable harm, for which Plaintiff has no adequate remedy at
23 law.

24 / / /
25 / / /
26 / / /
27 / / /
28 / / /

FIFTH CLAIM FOR RELIEF

(Statutory Unfair Competition In Violation of California
Business & Professions Code § 17200, et seq.)

41. Plaintiff realleges, refers to and herein incorporates by reference each and every allegation contained in Paragraphs 1 through 40 of this Complaint as though fully set forth herein.

42. Plaintiff is informed and believes, and upon such information and belief alleges that the above-described conduct of Defendant was (1) an unlawful business practice, (2) an unfair business practice, (3) a fraudulent business practice, and (4) deceptive, unfair, false and misleading advertising, which constitutes unfair competition under California Business & Professions Code § 17200, et seq.

43. As a result of Defendant's actions, Plaintiff has suffered injury in fact and has lost money.

44. As a result of Defendant's actions, Plaintiff has sustained and continues to experience damages in an amount to be determined according to proof at the time of trial.

45. By reason of Defendant's actions alleged herein, Plaintiff has suffered, and will continue to suffer, irreparable harm unless and until the Defendant's conduct is enjoined.

SIXTH CLAIM FOR RELIEF

(Passing Off Under § 43(a)

of Lanham Act, 15 U.S.C. §1125(a))

46. Plaintiff realleges, refers to and herein incorporates by reference each and every allegation contained in Paragraphs 1 through 45 of this Complaint as though fully set forth herein.

/ / /

1 47. Plaintiff is informed and believes, and upon such
2 information and belief alleges that Defendant, through its agents,
3 employees, shareholders, and attorneys, have distributed, sold,
4 advertised, publicized, and promoted their products in interstate
5 commerce.

6 48. Defendant's use of Plaintiff's trade dress is a false
7 designation or false representation that has caused and is likely to
8 mislead consumers into believing that the Defendant's suction cup
9 mounts are manufactured by Plaintiff or produced under its supervision
10 and control or with its endorsement or approval. The passing off
11 occurs because there is a likelihood of consumer confusion. As a
12 result of the public acceptance of Plaintiff's suction cup mounts, the
13 Defendant's suction cup mounts have been and will continue to be
14 purchased as, and for, Plaintiff's suction cup mounts.

15 49. Plaintiff's trade dress is non-functional.

16 50. Plaintiff's trade dress has acquired secondary meaning.

17 51. Plaintiff is informed and believes, and upon such
18 information and belief alleges that Defendant's suction cup mounts are
19 facsimiles of Plaintiff's trade dress for its suction cup mounts, when
20 considered as a whole (with regard to size, shape, color, and
21 textures).

22 52. The aforementioned acts of false designation of origin and
23 false representation by Defendant, through its agents, employees,
24 shareholders, and attorneys, has damaged Plaintiff in an amount to be
25 determined according to proof at the time of trial.

26 53. By reason of Defendant's actions alleged herein, Plaintiff
27 has suffered, and will continue to suffer, irreparable harm unless and
28 until the Defendant's conduct is enjoined.

PRAYER FOR RELIEF

WHEREFORE, PanaVise Products prays for judgment as follows:

AS TO ALL CLAIMS FOR RELIEF

A. For preliminary and permanent injunctions enjoining Defendant, its divisions, subsidiaries, parents, affiliates and its respective officers, agents, servants, employees and attorneys, and those persons in active concert or participation with any of them, from:

1. Making, using, selling, offering for sale, or importing within the United States, its territories and possessions, the Plaintiff's products covered by the '850 Patent;
2. Reproducing, copying, counterfeiting, colorably imitating or otherwise using Plaintiff's trade dress;
3. Offering for distribution, distributing, offering for sale, selling, advertising, publicizing or promoting any suction cup mounts whose design, appearance and trade dress so resemble the distinctive design, appearance, and trade dress of Plaintiff's suction cup mounts as to be likely to cause confusion, mistake, or deception;
4. Using in connection with the Defendants' products any false or deceptive designation, representation or description of it or its products, whether by words, symbols, product design or appearance, or trade dress, which would damage Plaintiff;
5. Using any false designation of origin, false advertising, false impression or false representation that tends to pass off the Defendant's products as those of

/ / /

1 PanaVise Products in a way that is likely to cause
2 confusion, or likely to deceive as to the affiliation;

3 6. Engaging in any acts of state or common law
4 infringement or unfair competition which injure or would
5 tend to injure PanaVise Products;

6 7. Engaging in any acts causing injury to the business
7 reputation of PanaVise Products or dilution of the
8 distinctive quality of its product design and appearance or
9 trade dress;

10 8. Trading upon or appropriating the goodwill and business
11 reputation of PanaVise Products; and/or

12 9. Inducing, encouraging, aiding, abetting or contributing
13 to any of the aforementioned acts.

14 B. That Defendant files with the Court and serve on PanaVise
15 Products' counsel within thirty (30) days after service on Defendant
16 of an injunction order, or within such extended period as this Court
17 may direct, a report in writing and under oath, setting forth in
18 detail the manner and form in which Defendant has complied with the
19 injunction order;

20 C. That all suction cup mounts, in the possession or under
21 control of Defendant, and all plates, molds, matrices and other means
22 of manufacturing or making the same, which might, if used, violate the
23 order herein granted, be delivered up and destroyed as the Court shall
24 direct;

25 D. That Defendant be required to account and pay over to
26 PanaVise Products all gains, profits, advantages, benefits derived by
27 the from sales of suction cup mounts that infringe the '850 Patent,
28 and, in addition, pay the damages which PanaVise Products has

1 sustained from or by reason of the Defendant's acts of infringement of
2 the '850 Patent, together with legal interest accrued from the date
3 thereof, and that the total amount of damages be increased to a sum
4 not exceeding three times the amount thereof as provided for by 35
5 U.S.C. Section 284;

6 E. That Defendant be required to account to Plaintiff for
7 Defendant's profits and the actual damages suffered by Plaintiff as a
8 result of Defendants' acts of trademark infringement, false
9 designation of origin, unfair competition, and unfair and deceptive
10 trade practices, together with interest, and that Plaintiff's recovery
11 be trebled, pursuant to Section 35 of the Lanham Act (15 U.S.C. §
12 1117);

13 F. That Defendant be required to account and pay over to
14 PanaVise Products all gains, profits, advantages, benefits derived by
15 the and, in addition, the damages which PanaVise Products has
16 sustained from or by reason of the Defendant's acts of unfair
17 competition, unlawful business practice, unfair business practice,
18 fraudulent business practice, deceptive, unfair, false and misleading
19 advertising, false and deceptive designation and description, unlawful
20 trading upon and appropriation of the good will and reputation of
21 PanaVise Products in violation of California Statutes, together with
22 legal interest accrued from the date thereof, and that the total
23 amount of damages be increased to a sum not exceeding three times the
24 amount thereof as provided for by 35 U.S.C. Section 284;

25 G. That Defendant be required to pay Plaintiff, Plaintiff's
26 lost profits due to Defendant's acts of patent infringement, unfair
27 competition, unlawful business practice, unfair business practice,
28 fraudulent business practice, deceptive, unfair, false and misleading

1 advertising, false and deceptive designation and description, unlawful
2 trading upon and appropriation of the good will and reputation of
3 PanaVise Products in violation of California Statutes, together with
4 legal interest accrued from the date thereof, and that the total
5 amount of damages be increased to a sum not exceeding three times the
6 amount thereof as provided for by 35 U.S.C. Section 284;

7 H. For general damages in the amount of \$100,000.00, or more
8 according to proof;

9 I. For special damages in the amount of \$100,000.00, or more
10 according to proof;

11 J. For punitive damages in an amount according to proof;

12 K. For reasonable attorneys' fees;

13 L. For costs of the suit; and

14 M. That PanaVise Products have such other and further relief as
15 this Court deems just and proper.

16 AS TO THE FIRST CLAIM FOR RELIEF

17 N. That the present case be found exceptional and that
18 attorney's fees be awarded to PanaVise Products under 35 U.S.C.
19 Section 285; and

20 O. That PanaVise Products be awarded additional remedy for
21 infringement of a design patent, as appropriate, under 35 U.S.C.
22 Section 289.

23 AS TO THE THIRD AND SIXTH CLAIMS FOR RELIEF

24 P. That the present case be found exceptional and that
25 attorney's fees be awarded to PanaVise Products under Lanham Act §35
26 (15 U.S.C. Section 1117).


27 / / /

28 / / /

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DATE: August 19, 2014

THE WALKER LAW FIRM,
A Professional Corporation

By:  _____

JOSEPH A. WALKER
JASON MATTHEW LAMB
Attorneys for Plaintiff, PANAVISE
PRODUCTS, INC.

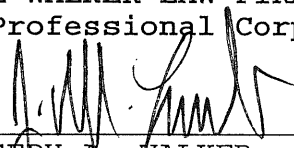
DEMAND FOR A JURY TRIAL

Plaintiff, PANAVISE PRODUCTS, INC., hereby demands trial by jury as provided by Rule 38 of the Federal Rules of Civil Procedure and Local Rule 38-1.

DATE: August 19, 2014

THE WALKER LAW FIRM,
A Professional Corporation

By: _____


JOSEPH A. WALKER
JASON MATTHEW LAMB
Attorneys for Plaintiff, PANAVISE
PRODUCTS, INC.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT A



US00D521850S

(12) **United States Design Patent** (10) Patent No.: **US D521,850 S**
Richter et al. (45) Date of Patent: **** May 30, 2006**

(54) **WINDOW GRIP** D439,135 S * 3/2001 Elmer D8/349
6,412,242 B1 * 7/2002 Elmer 52/235
6,467,227 B1 * 10/2002 Elmer 52/235

(75) Inventors: Gary Lee Richter, Reno, NV (US);
Bruce Edward Richter, Reno, NV
(US)

* cited by examiner

(73) Assignee: Panavise Products, Inc., Reno, NV
(US)

Primary Examiner—Holly H. Baynham
(74) Attorney, Agent, or Firm—The Walker Law Firm;
Allan Grant

(**) Term: 14 Years

(57) **CLAIM**

(21) Appl. No.: 29/194,089

The ornamental design of a window grip, as shown and as described.

(22) Filed: Nov. 20, 2003

DESCRIPTION

(51) **LOC (8) Cl.** 08-05
(52) **U.S. Cl.** D8/354
(58) **Field of Classification Search** D8/349,
D8/354; 248/205.4, 205.6; 52/235; 16/406
See application file for complete search history.

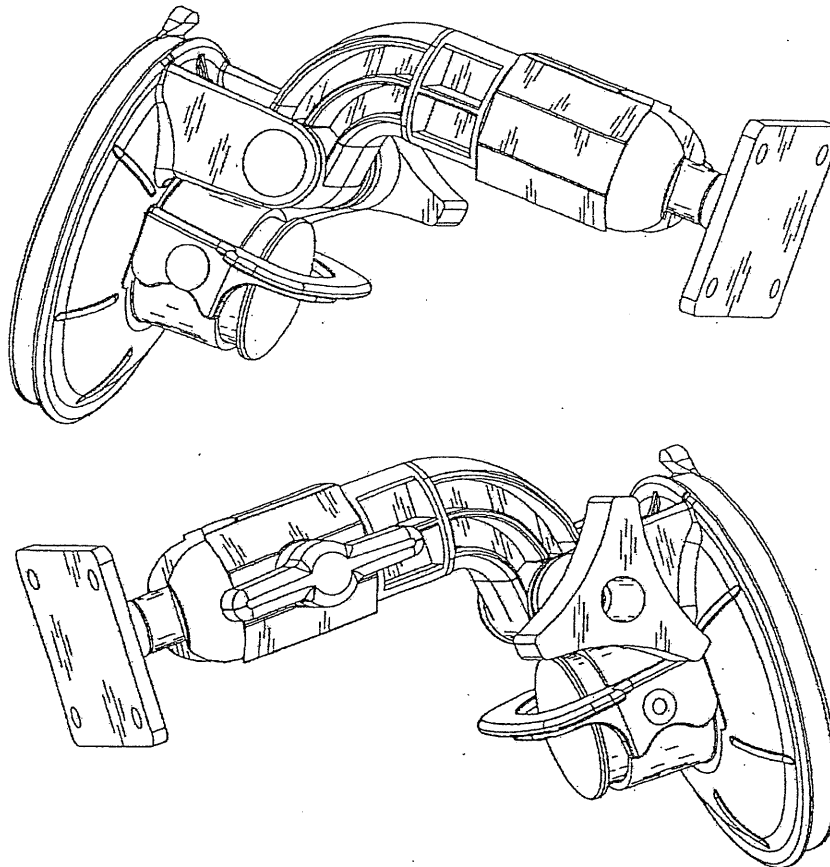
FIG. 1 is a perspective view from the left side of the window grip showing the front, side, and top;
FIG. 2 is a perspective view from the right side of the window grip showing the front, side and top;
FIG. 3 is a side view of the window grip.
FIG. 4 is a top view of the window grip.
FIG. 5 is a bottom view of the window grip.
FIG. 6 is a back view of the window grip; and,
FIG. 7 is a front view of the grip.

(56) **References Cited**

U.S. PATENT DOCUMENTS

5,102,090 A * 4/1992 Farris et al. 248/674
D360,710 S * 7/1995 Colwell D30/121
5,909,758 A * 6/1999 Kitamura 16/406

1 Claim, 3 Drawing Sheets



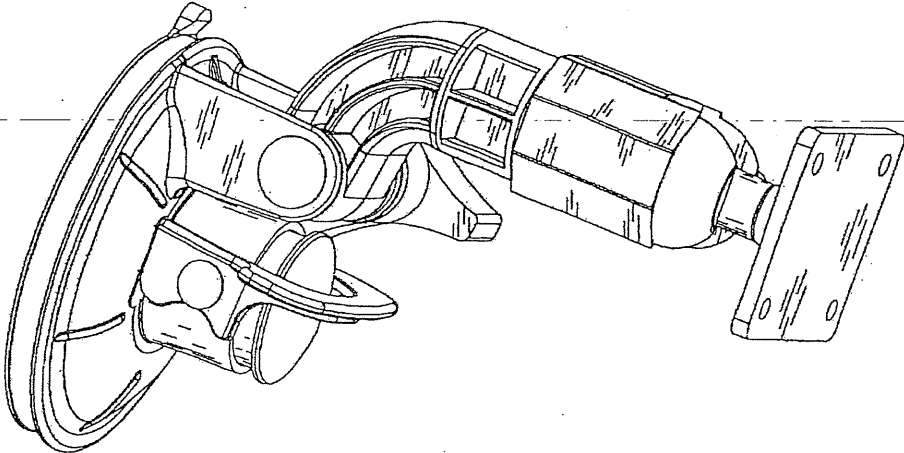


Fig. 1

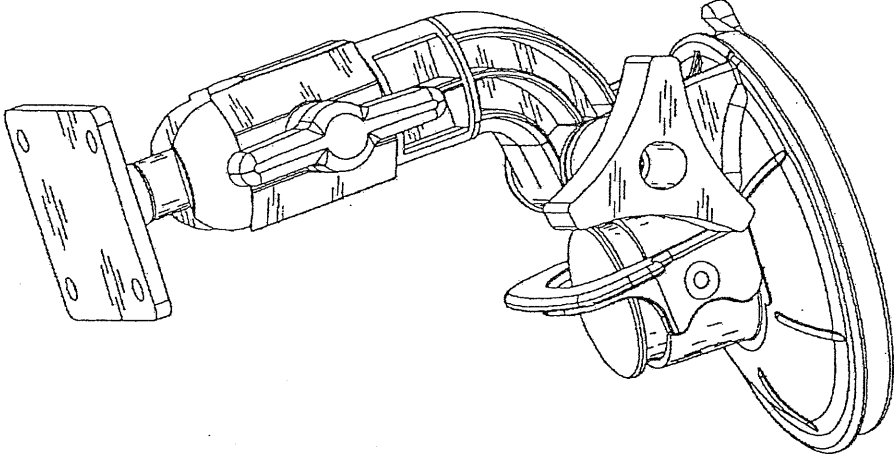


Fig. 2

U.S. Patent

May 30, 2006

Sheet 2 of 3

US D521,850 S

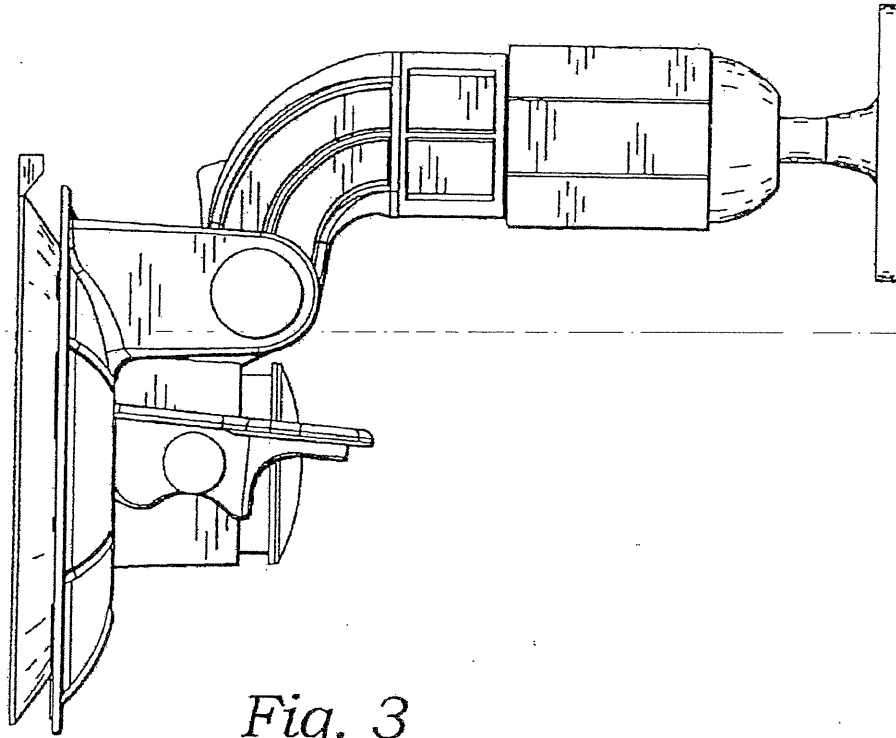


Fig. 3

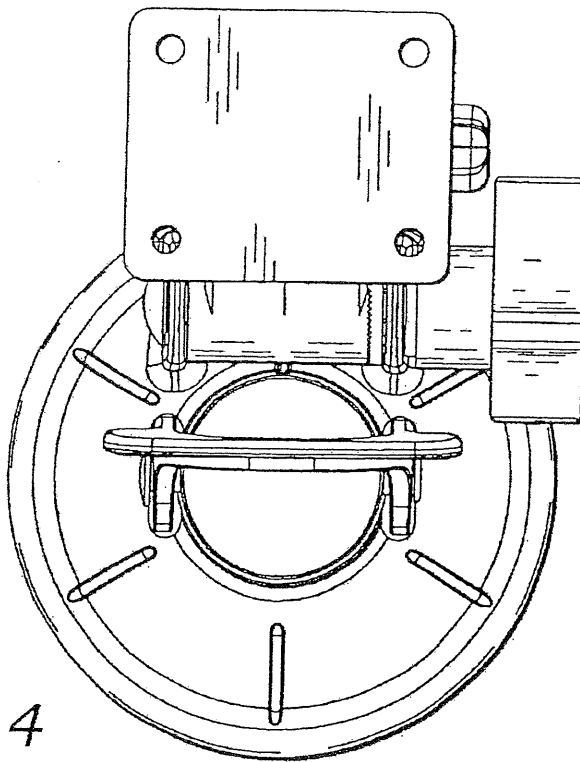


Fig. 4

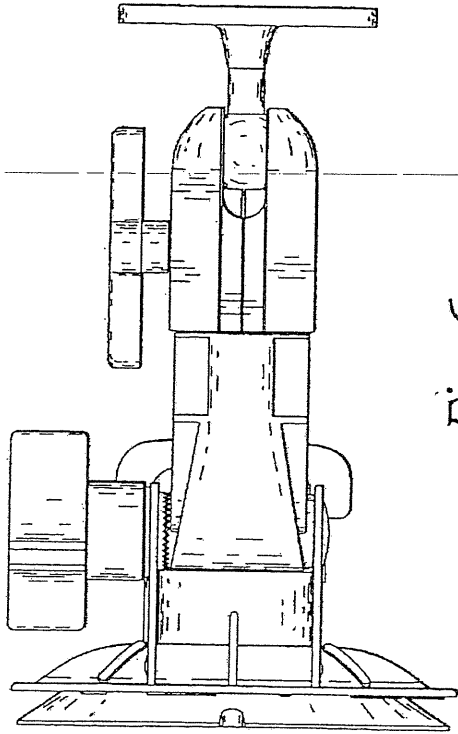


Fig. 6

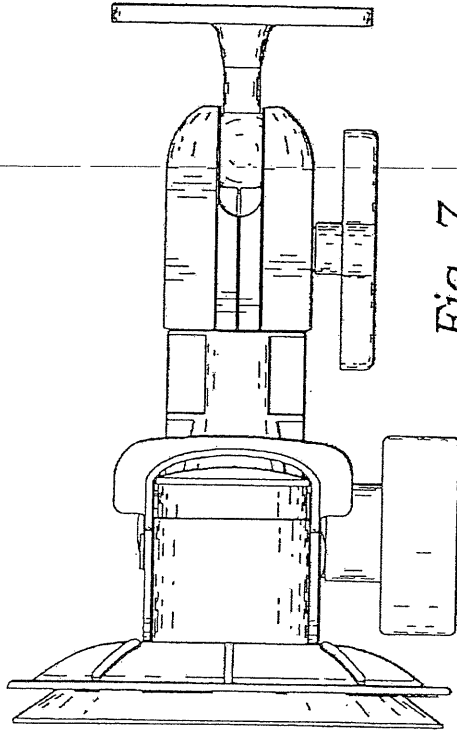


Fig. 7

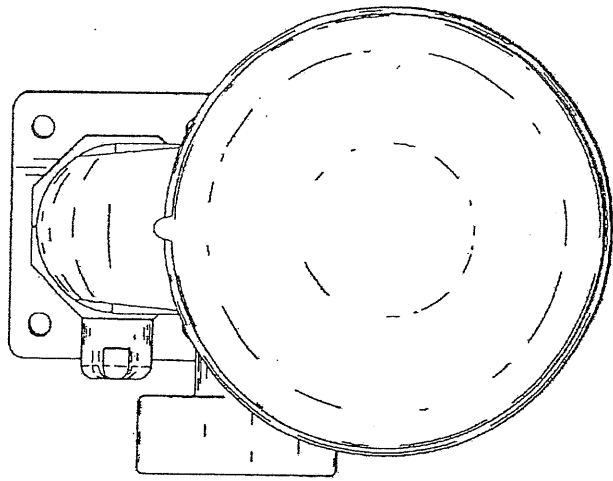


Fig. 5

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

I. (a) PLAINTIFFS (Check box if you are representing yourself)
PANAVISE PRODUCTS, INC.

DEFENDANTS (Check box if you are representing yourself)
AMERICAN DIGITAL ACCESSORIES CORP.

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

JOSEPH A. WALKER and JASON MATTHEW LAMB
THE WALKER LAW FIRM, A Professional Corporation
1301 Dove Street, Suite 720
Newport Beach, California 92660-2464
Telephone: 949.752.2522; Facsimile: 949.752.0439

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

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

1. U.S. Government Plaintiff
 2. U.S. Government Defendant
 3. Federal Question (U.S. Government Not a Party)
 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)

- | | | | | | |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in this State | <input type="checkbox"/> 4 | <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:** \$ 100,000

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 Infringement (35 U.S.C. Sec. 271, et seq.)

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	Habeas Corpus:	<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	TORTS	<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	PERSONAL PROPERTY	PERSONAL PROPERTY	<input type="checkbox"/> 530 General	SOCIAL SECURITY
<input type="checkbox"/> 450 Commerce/ICC Rates/Etc.	<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 370 Other Fraud	<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	Other:	<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	BANKRUPTCY	<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	FORFEITURE/PENALTY	FEDERAL TAX SUITS
<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	<input type="checkbox"/> 560 Civil Detainee Conditions of Confinement	<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	CIVIL RIGHTS	<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	REAL PROPERTY	<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	LABOR	
<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 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 445 American with Disabilities-Employment	<input type="checkbox"/> 740 Railway Labor Act	
			<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: 8:14-cv-1347

**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.

Question A: Was this case removed from state court? <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.	STATE CASE WAS PENDING IN THE COUNTY OF:		INITIAL DIVISION IN CACD IS:
	<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

Question B: Is the United States, or one of its agencies or employees, a party to this action? <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.	If the United States, or one of its agencies or employees, is a party, is it:		INITIAL DIVISION IN CACD IS:
	A PLAINTIFF?	A DEFENDANT?	
	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	

Question C: Location of plaintiffs, defendants, and claims?	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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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: <input type="checkbox"/> 2 or more answers in Column C <input checked="" type="checkbox"/> 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: <input type="checkbox"/> 2 or more answers in Column D <input type="checkbox"/> 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.

Question D: Initial Division?	INITIAL DIVISION IN CACD
Enter the initial division determined by Question A, B, or C above: ➡	SOUTHERN

**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

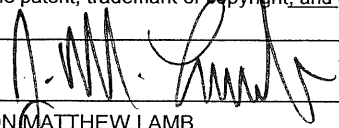
If yes, list case number(s): _____

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): _____



JASON MATTHEW LAMB

DATE: August 19, 2014

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))