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Attorneys for Plaintiff,
AMINI INNOVATION CORPORATION

CONFORM COPY



**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

AMINI INNOVATION CORPORATION, a California corporation,

Plaintiff,

vs.

BANK AND ESTATE LIQUIDATORS, INC., a Texas corporation, BEL FURNITURE, INC., a Texas corporation, BEL FURNITURE I, INC., a Texas corporation, BEL FURNITURE II, INC., a Texas corporation, BEK FURNITURE III, INC., a Texas corporation, BEL FURNITURE IV, INC., a Texas corporation, BEL FURNITURE V, INC., a Texas corporation, BEL FURNITURE VI, INC., a Texas corporation, BEL FURNITURE VII, INC., a Texas corporation, BEL FURNITURE (BEAUMONT), INC., a Texas corporation, and BEL FURNITURE (CLEARANCE), INC., a Texas corporation, and DOES 1-9, inclusive,

Defendants.

Case No. **CV 13-07012** - PSG

(JEMx)

COMPLAINT FOR:

- (1) COPYRIGHT INFRINGEMENT**
- (2) DESIGN PATENT INFRINGEMENT**

DEMAND FOR JURY TRIAL

1 For its Complaint, Plaintiff Amini Innovation Corporation, alleges as
2 follows:

3
4 **PARTIES**

5 1. Plaintiff Amini Innovation Corporation (“Plaintiff” or “AICO”) is a
6 California corporation having its principal place of business at 8725 Rex Road,
7 Pico Rivera, California 90660. AICO displays its furniture at various trade shows
8 and on the Internet.

9 2. Defendant Bank and Estate Liquidators, Inc. (“BEL”) is a Texas
10 corporation with a business address of P.O. Box 421126, Houston, Texas 77242-
11 1126, and an address for its registered agent of 11155 Westpark Drive, Houston,
12 Texas 77042-5048.

13 3. Defendant BEL Furniture, Inc. (“BEL Furniture”) is a Texas
14 corporation with a business address of 910 Veterans Road, Del Rio, Texas 78840,
15 and an address for its registered agent of 11155 Westpark Drive, Houston, Texas
16 77042-5048.

17 4. Defendant BEL Furniture I, Inc. (“BEL Furniture I”) is a Texas
18 corporation with a business address of P.O. Box 421126, Houston, Texas 77242-
19 1126, and an address for its registered agent of 11155 Westpark Drive, Houston,
20 Texas 77042-5048.

21 5. Defendant BEL Furniture II, Inc. (“BEL Furniture II”) is a Texas
22 corporation with a business address of P.O. Box 421126, Houston, Texas 77242-
23 1126, and an address for its registered agent of 11155 Westpark Drive, Houston,
24 Texas 77042-5048.

25 6. Defendant BEL Furniture III, Inc. (“BEL Furniture III”) is a Texas
26 corporation with a business address of P.O. Box 421126, Houston, Texas 77242-
27 1126, and an address for its registered agent of 11155 Westpark Drive, Houston,
28 Texas 77042-5048.

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1 7. Defendant BEL Furniture IV, Inc. (“BEL Furniture IV”) is a Texas
2 corporation with a business address of P.O. Box 421126, Houston, Texas 77242-
3 1126, and an address for its registered agent of 11155 Westpark Drive, Houston,
4 Texas 77042-5048.

5 8. Defendant BEL Furniture V, Inc. (“BEL Furniture V”) is a Texas
6 corporation with a business address of P.O. Box 421126, Houston, Texas 77242-
7 1126, and an address for its registered agent of 11155 Westpark Drive, Houston,
8 Texas 77042-5048.

9 9. Defendant BEL Furniture VI, Inc. (“BEL Furniture VI”) is a Texas
10 corporation with a business address of P.O. Box 421126, Houston, Texas 77242-
11 1126, and an address for its registered agent of 11155 Westpark Drive, Houston,
12 Texas 77042-5048.

13 10. Defendant BEL Furniture VII, Inc. (“BEL Furniture VII”) is a Texas
14 corporation with a business address of P.O. Box 421126, Houston, Texas 77242-
15 1126, and an address for its registered agent of 11155 Westpark Drive, Houston,
16 Texas 77042-5048.

17 11. Defendant BEL Furniture (Beaumont), Inc. (“BEL Furniture
18 Beaumont”) is a Texas corporation with a business address of P.O. Box 421126,
19 Houston, Texas 77242-1126, and an address for its registered agent of 11155
20 Westpark Drive, Houston, Texas 77042-5048.

21 12. Defendant BEL Furniture (Clearance), Inc. (“BEL Furniture
22 Clearance”) is a Texas corporation with a business address of P.O. Box 421126,
23 Houston, Texas 77242-1126, and an address for its registered agent of 11155
24 Westpark Drive, Houston, Texas 77042-5048.

25 13. The true names and capacities, whether individual, corporate, or
26 otherwise of Defendants Does 1-9 inclusive, are unknown to AICO, who therefore
27 sues them by such fictitious names. AICO will seek leave to amend this complaint
28 to allege their true names and capacities when they have been ascertained. AICO is

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1 informed and believes and thereon alleges that each of the fictitiously named
2 Defendants is responsible in some manner for the occurrences herein alleged and
3 that AICO’s damages as herein alleged were proximately caused by those
4 Defendants. At all times herein mentioned, Defendants Does 1-9 inclusive were the
5 agents, servants, employees or attorneys of their co-defendants, and in doing the
6 things hereinafter alleged were acting within the course and scope of their authority
7 as those agents, servants, employees or attorneys, and with the permission and
8 consent of their co-defendants.

9
10 **JURISDICTION AND VENUE**

11 14. This Court has subject matter jurisdiction over this action pursuant to
12 28 U.S.C. § 1331 and U.S.C. § 1338(a) as it arises under Acts of Congress related
13 to patents and copyrights.

14 15. This Court has personal jurisdiction over the Defendants, and each of
15 them, as they are owned and operated by the same person/family, inasmuch as is
16 alleged hereinbelow, that Defendants’ infringements of AICO’s copyrights and
17 design patents are willful, intentional, with knowledge, and in blatant disregard of
18 AICO’s intellectual property rights. In addition, Defendants, by virtue of the prior
19 business relationship between Defendants and AICO in which Defendants
20 purchased a substantial amount of furniture from AICO, including at least some of
21 the accused products, AICO’s high profile in the industry, and Defendants’ overall
22 and substantial knowledge of AICO’s product lines over the past several years,
23 Defendants were, and are, fully aware that their infringing actions would cause
24 harm to AICO, a company Defendants knew, and know, is based in this judicial
25 district. See, Amini Innovation Corp. v. JS Imports, Inc., 497 F. Supp. 2d 1093,
26 1106-07 (C.D. Cal. 2007).

1 16. Venue is proper in this judicial district as Defendant is subject to
2 personal jurisdiction, in this judicial district, pursuant to 28 U.S.C. §§ 1391(b),
3 1391(c), and/or 1400.

4
5 **FACTUAL ALLEGATIONS**

6
7 **AICO and Its Copyrights and Design Patents**

8 17. AICO is a well-known furniture designer and manufacturer located in
9 Los Angeles County, California. AICO has advertised its furniture on page 3 of the
10 furniture industry’s flagship publication, Furniture Today, for many years. AICO
11 also has an extensive website showing its furniture collections (and its location in
12 this judicial district). In addition, AICO has brochures, which it disseminates, for
13 each of its furniture collections, the brochures showing photographs of the furniture
14 within the collection, as well as indicating AICO’s location in this judicial district.
15 AICO also displays its furniture at regular trade shows around the United States.
16 Defendants are aware of AICO’s location, and are aware of AICO’s furniture
17 designs based on the foregoing, and also based on the fact that Defendants have
18 sold products purchased from AICO for a number of years. Based on the
19 foregoing, Defendants are aware that its actions could potentially harm a company
20 within this judicial district.

21 18. AICO’s popular Cortina and Oppulente collections each include
22 furniture designs that consist of ornamental details and overall designs originated
23 and owned by Plaintiff. These collections have been shown on AICO’s website at
24 all relevant times herein, advertised in trade publications such as Furniture Today at
25 all relevant times herein, and displayed at trade shows in the United States at all
26 relevant times herein.

27 19. Photograph(s) of AICO’s Cortina and Oppulente collections are
28 attached hereto as **Exhibits 1-2**, respectively.

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1 20. AICO was awarded U.S. Copyright Registration No. VA 1-306-203
2 for the design that consists primarily of ornamental details on its Cortina Chair with
3 Arms (see attached **Exhibit 3**).

4 21. AICO was awarded U.S. Copyright Registration No. VA 1-306-208
5 for the design that consists primarily of ornamental details on its Cortina China
6 Cabinet/Buffet (see attached **Exhibit 4**).

7 22. AICO was awarded U.S. Copyright Registration No. VA 1-657-757
8 for the design that consists primarily of ornamental details on its Oppulente Dresser
9 (see attached **Exhibit 5**).

10 23. AICO was awarded U.S. Copyright Registration No. VA 1-681-372
11 for the design that consists primarily of ornamental details on its Oppulente Dresser
12 Mirror (see attached **Exhibit 6**).

13 24. AICO was awarded U.S. Copyright Registration No. VA 1-420-270
14 for the design that consists primarily of ornamental details on its Oppulente China
15 Cabinet/Buffet (see attached **Exhibit 7**).

16 25. AICO was awarded U.S. Copyright Registration No. VA 1-420-187
17 for the design that consists primarily of ornamental details on its Oppulente Arm
18 Chair (see attached **Exhibit 8**).

19 26. AICO may seek one or more additional copyright registrations and
20 may seek leave to amend this Complaint.

21 27. AICO was awarded U.S. Design Patent No. D514,839 (“839 Patent”)
22 for its Cortina Chair with Arms, which issued on February 14, 2006. Said patent is
23 attached hereto as **Exhibit 9**. The patent was duly and legally issued and assigned
24 to AICO.

25 28. AICO was awarded U.S. Design Patent No. D530,116 (“116 Patent”)
26 for its Cortina China Cabinet/Buffet, which issued on October 17, 2006. Said
27 patent is attached hereto as **Exhibit 10**. The patent was duly and legally issued and
28 assigned to AICO.

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1 29. AICO was awarded U.S. Design Patent No. D562,601 (“601 Patent”)
2 for its Oppulente Footboard, which issued on February 26, 2008. Said patent is
3 attached hereto as **Exhibit 11**. The patent was duly and legally issued and assigned
4 to AICO.

5 30. AICO was awarded U.S. Design Patent No. D562,587 (“587 Patent”)
6 for its Oppulente Dresser, which issued on February 26, 2008. Said patent is
7 attached hereto as **Exhibit 12**. The patent was duly and legally issued and assigned
8 to AICO.

9 31. AICO was awarded U.S. Design Patent No. D560,916 (“916 Patent”)
10 for its Oppulente Dresser Mirror, which issued on February 5, 2008. Said patent is
11 attached hereto as **Exhibit 13**. The patent was duly and legally issued and assigned
12 to AICO.

13 32. AICO was awarded U.S. Design Patent No. D564,795 (“795 Patent”)
14 for its Oppulente China Cabinet/Buffet, which issued on March 25, 2008. Said
15 patent is attached hereto as **Exhibit 14**. The patent was duly and legally issued and
16 assigned to AICO.

17 33. AICO was awarded U.S. Design Patent No. D564,773 (“773 Patent”)
18 for its Oppulente Arm Chair, which issued on March 25, 2008. Said patent is
19 attached hereto as **Exhibit 15**. The patent was duly and legally issued and assigned
20 to AICO.

21
22 **Defendant’s Infringements**

23 34. AICO and Defendant BEL were previously in litigation in connection
24 with BEL’s offering for sale and selling of certain furniture items, unrelated to the
25 items in the present case, that AICO believed infringed upon certain of AICO’s
26 copyrights and design patents. As a result of the prior litigation, as well as AICO’s
27 high profile in the industry, Defendants knew, and continue to know, that AICO is a
28 California corporation based within this judicial district.

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1 35. In the recent past, Defendants have been selling authentic furniture
2 legitimately purchased from AICO, including at least AICO's Oppulente dining
3 room collection.

4 36. On information and belief, in or about mid-2012, Defendants lost the
5 line of credit with AICO's "factor," Capital Business Credit, because of
6 Defendants' excessive delinquencies with their account. As a result, or by design,
7 Defendants then went into arrears with their account with AICO's "factor."
8 Thereafter, AICO only permitted Defendants to purchase its products "CBD"
9 ("cash before delivery"). Thereafter, Defendants' purchases from AICO decreased
10 dramatically, and are believed to have completely ceased at this point.

11 37. Meanwhile, AICO recently learned that Defendants have been
12 importing, stocking, publicly displaying in their stores and on their internet website,
13 offering for sale, and/or selling, knockoffs certain items from AICO's Cortina
14 dining room collection and certain items from AICO's Oppulente bedroom
15 collection and dining room collection. Attached hereto as **Exhibit 16** are
16 photographs from within at least one of Defendants' stores showing some of the
17 accused products. Attached hereto as **Exhibit 17** are pages from Defendants'
18 website showing at least some of the accused products.

19 38. To the extent that Defendants are importing, offering for sale, and/or
20 selling furniture that is substantially similar, if not virtually identical, to AICO's
21 copyrighted and/or design patented furniture designs as set forth in **Exhibits 3-15**,
22 Defendants have committed willful copyright and/or design patent infringement.

23 39. Such infringements are willful because Defendants, and their owners,
24 officers, and directors, are thoroughly familiar with AICO, AICO's furniture
25 designs, and AICO's position in the market, having previously sold furniture
26 purchased from AICO, and based on AICO's high visibility and success in the
27 industry.

28 40. In addition to the foregoing, Defendants admit on their website,

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1 www.belfurniture.com, that they “offer such great prices” because they “cut out the
2 middleman.” In connection with the present case, Defendants, by and through their
3 owners, officers, and directors, including Jamal Mollai, Said Mollai, and David
4 Mollai, purchased AICO furniture for a time, generated customer interest in the
5 AICO furniture designs, and then “cut out the middleman” (i.e., AICO) by having
6 cheap knockoffs of AICO’s furniture designs made (or by sourcing cheap knockoffs
7 of AICO’s furniture from overseas), and then offering the knockoffs to customers
8 whose interest was generated based on the authentic AICO designs. **See, Exhibit**
9 **18**, attached hereto.

10 41. Defendants also purport to be the creators of these designs by stating
11 on their website, “Bel is also pleased to offer two exclusive lines, the Mollai
12 Collection and the Sara Collection, designed by the owners themselves.” **See,**
13 **Exhibit 18**, attached hereto. The accused products identified herein, which purport
14 to be Defendants’ own collections, are anything but the designs of the owners of
15 Defendants, but are blatant knockoffs of AICO’s furniture designs.

16 42. AICO believes that Defendants made a conscious decision to cease
17 selling products purchased from AICO because consumers in Defendants’ market
18 have now become aware that Defendants sell (or sold) AICO products, and thus,
19 consumers have now associated AICO’s products with Defendants. Once such an
20 association was established, Defendants would use AICO’s products (some of
21 which remain in Defendants’ stores and on Defendants’ website) to draw in
22 consumers, but Defendants would then direct such customers to the cheap
23 knockoffs of AICO’s furniture products. In other words, to the extent that
24 Defendants have legitimate AICO products remaining in their stores (from their
25 previous purchases of legitimate AICO products from AICO), Defendants are
26 believed to use such legitimate AICO products to lure in customers who are seeking
27 furniture having an AICO look, but then Defendants similarly direct such customers
28 to the cheap knockoffs of AICO’s furniture products. Thus, Defendants are

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1 improperly and unfairly using AICO’s name and furniture designs to divert sales to
2 itself and away from AICO.

3 43. In addition to the foregoing, one aspect of the prior litigation between
4 AICO and Defendant BEL pertained to Defendant BEL’s use of a photograph of an
5 AICO furniture collection, said photograph belonging to AICO, in at least one
6 advertisement for BEL in the Houston Chronicle in or about February of 2005,
7 despite the fact that BEL was not selling the AICO product, but a knockoff of the
8 same.

9 44. Accordingly, Defendants’ infringements of AICO’s designs are
10 nothing other than intentional, willful, and done with knowledge.

11 45. Based on Defendant’s intentionally infringing activities as set forth
12 herein, AICO seeks to recover statutory damages on its copyright infringement
13 claim in the amount \$150,000 per copyright, or \$900,000 total. In addition, AICO
14 seeks, pursuant to 35 U.S.C. § 289, to recover Defendant’s profits for infringing the
15 7 design patents asserted herein. Furthermore, AICO seeks to recover all of its
16 attorneys’ fees and costs incurred in connection with this matter.

17
18 **COUNT I - COPYRIGHT INFRINGEMENT**

19 **17 U.S.C. §§ 101 ET SEQ.**

20 46. AICO hereby repeats and incorporates herein the allegations set forth
21 in paragraphs 1 through 45 above.

22 47. This claim is against Defendants for copyright infringement in
23 violation of the Copyright Act of 1976, 17 U.S.C. § 101 et seq.

24 48. AICO’s copyrighted works attached hereto as **Exhibits 3-8** (the
25 “Works”) contain a substantial amount of original material which constitutes
26 copyrightable subject matter protected under the Copyright Act of 1976, 17 U.S.C.
27 § 101 et seq.

28 49. As previously alleged, AICO has applied for, and received from, the

1 United States Register of Copyrights Certificates of Registration for copyrighted
2 Works. AICO has sought, or may seek, other copyright registrations and may seek
3 leave to amend this Complaint.

4 50. AICO has at all times complied in all respects with the Copyright Act
5 of 1976 and all other laws of the United States with regard to the Works.

6 51. Defendants have had access to AICO's proprietary Works by virtue of
7 AICO's extensive advertising and displaying of its furniture, AICO's sales
8 representatives providing Defendants with information about AICO's furniture
9 designs while Defendants were actively purchasing AICO's products, as well as
10 Defendants' sales of products purchased from AICO in the past.

11 52. Defendants have used or caused to be used various copies constituting
12 unauthorized copies of Plaintiff's Works in violation of AICO's exclusive rights
13 under the Copyright Act of 1976, 17 U.S.C. § 106.

14 53. Defendants' distribution, public display (including on the internet),
15 offering for sale and/or sales of substantially similar, and/or virtually identical
16 copies of the Works constitute copyright infringement in violation of AICO's
17 exclusive rights under the Copyright Act of 1976, 17 U.S.C. § 101 et seq.

18 54. For the reasons stated herein, Defendant's infringement of AICO's
19 copyright registrations attached hereto as Exhibits 3-8 has been willful, with
20 knowledge, and in disregard for the exclusive rights of AICO set forth in its
21 copyright registrations set forth herein.

22 55. By reason of Defendants' acts of copyright infringement, AICO has
23 suffered and will continue to suffer irreparable injury unless and until this Court (1)
24 enters an order enjoining and restraining Defendants from using the Works, or any
25 colorable imitations thereof, in any manner, and (2) orders all the knockoff products
26 to be impounded, and any planned shipments thereof to Defendants to be cancelled.

27 56. Defendants' continuing acts of copyright infringement, unless
28 enjoined, will cause and have caused irreparable damage to AICO in that it will

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1 have no adequate remedy at law to compel Defendants to cease such acts. AICO
2 will be compelled to prosecute a multiplicity of actions, one action each time
3 Defendants commit such acts, and in each such action it will be extremely difficult
4 to ascertain the amount of compensation which will afford AICO adequate relief.

5 57. By reason of Defendants’ acts of copyright infringement, AICO is
6 entitled to recover all profits received or otherwise achieved, directly or indirectly,
7 by Defendants in connection with its copying, advertising, distributing, and/or
8 selling of the accused products which are copies of AICO’s Works, as well as any
9 other acts of Defendants that violate 17 U.S.C. § 106. Or, in the alternative, AICO
10 is entitled to an award of statutory damages as provided for in 17 U.S.C. § 504(c),
11 to be enhanced as a result of Defendants’ willful infringement.

12
13 **COUNT II - DESIGN PATENT INFRINGEMENT PURSUANT TO 35 U.S.C**

14 **§ 101, ET SEQ.**

15 58. AICO hereby repeats and incorporates herein the allegations set forth
16 in paragraphs 1 through 57 above.

17 59. AICO’s ‘839, ‘116, ‘601, ‘587, ‘916, ‘795, and ‘773 Patents (see,
18 **Exhibits 9-15** attached hereto) have at all relevant times subsequent to their issue
19 dates been fully enforceable and are now fully enforceable.

20 60. Subsequent to the issuance of the ‘839, ‘116, ‘601, ‘587, ‘916, ‘795,
21 and ‘773 Patents, Defendants have infringed said patents by using, importing,
22 offering to sell, and/or selling, and continuing to use, import, offer to sell and/or sell
23 products that come within the scope of the claims of the patents, and that come
24 within a range of equivalents of the claims of the patents, and/or contributing to the
25 infringing activities of others.

26 61. The using, importing, offering to sell, and/or selling of infringing
27 products by Defendants, and/or contributing to the infringing activities of others,
28 has been without authority or license from AICO and is in violation of AICO’s

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1 rights, thereby infringing the ‘839, ‘116, ‘601, ‘587, ‘916, ‘795, and ‘773 Patents.

2 62. For the reasons stated herein, Defendants’ infringement of AICO’s
3 ‘839, ‘116, ‘601, ‘587, ‘916, ‘795, and ‘773 Patents has been willful, with
4 knowledge, and in disregard for the exclusive rights of AICO set forth in its patents
5 set forth herein.

6 63. The amount of money damages which AICO has suffered due to
7 Defendants’ acts of infringement cannot be determined without an accounting of
8 Defendants’ profits, and it is thus subject to proof at trial.

9 64. AICO is entitled to a complete accounting of all revenue and profits
10 derived by Defendants from the unlawful conduct alleged herein.

11 65. The harm to AICO arising from Defendants’ acts of infringement of
12 AICO’s ‘839, ‘116, ‘601, ‘587, ‘916, ‘795, and ‘773 Patents is not fully
13 compensable by money damages. Rather, AICO has suffered and continues to
14 suffer irreparable harm which has no adequate remedy at law and which will
15 continue unless Defendants’ conduct is enjoined.

16 66. AICO is therefore also entitled to a preliminary injunction, to be made
17 permanent on entry of the judgment, preventing Defendants from further acts of
18 infringement.

19
20 WHEREFORE, AICO demands judgment against Defendants, as follows:

21
22 A. For an order preliminarily and permanently enjoining the Defendants,
23 and their officers, directors, agents, servants, attorneys, and employees and all other
24 persons acting in concert with them from committing any further acts of
25 infringement, including but not limited to, copying, manufacturing, importing,
26 selling and distributing the accused products, or aiding or abetting or assisting
27 others in such infringing activities;

28 B. For an order directing Defendants to file with this Court and to serve

1 on AICO within thirty (30) days after service on Defendants of the injunction
2 granted herein, or such extended period as the Court may direct, a report in writing,
3 under oath, setting forth in detail the manner and form in which Defendants have
4 complied with the injunction and order of the Court;

5 C. For an order seizing and impounding all accused products, including
6 those en route to the U.S. from Defendants' overseas supplier(s);

7 D. For a judgment requiring Defendants to account to AICO for and to
8 pay AICO all profits acquired by Defendants from selling the accused products, as
9 well as any other acts prescribed by 17 U.S.C. § 106 and/or for statutory damages
10 based upon Defendants' acts of copyright infringement pursuant to 17 U.S.C. §
11 504(c), at AICO's election;

12 E. For a judgment to be entered for AICO against Defendants in an
13 amount equal to \$150,000 per copyright infringed, pursuant to 17 U.S.C. § 504(c).

14 F. For a judgment to be entered for AICO against Defendants in an
15 amount equal to the profits Defendants made in connection with their sales of
16 products that infringe the '839, '116, '601, '587, '916, '795, and '773 Patents
17 pursuant to 35 U.S.C. § 289 to be proven at trial, or in the alternative, a reasonable
18 royalty;

19 G. For a judgment awarding to AICO prejudgment and postjudgment
20 interest until the award is fully paid;

21 H. For a judgment that Defendants have willfully and deliberately
22 infringed AICO's rights, such that AICO is entitled to enhanced statutory damages
23 pursuant to 17 U.S.C. § 504(c), if elected, and a determination that this is an
24 exceptional case entitling AICO to enhanced damages under the Patent Laws of the
25 United States;

26 I. For an award to AICO of costs, including attorneys' fees, incurred in
27 bringing this action under both the Copyright Act and the Patent Laws of the United
28 States; and,

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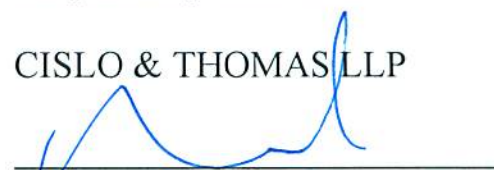
J. For such other and further relief as this Court may deem just and equitable under the circumstances.

Respectfully submitted:

CISLO & THOMAS LLP

Dated: September ^{20th}, 2013

By:


Daniel M. Cislo, Esq.
Mark D. Nielsen, Esq.

Attorneys for Plaintiff, AMINI
INNOVATION CORPORATION

T:\13-28113\Complaint.DOC

CISLO & THOMAS LLP
Attorneys at Law
SUITE 500
1333 2ND STREET
SANTA MONICA, CALIFORNIA 90401-4110
TELEPHONE: (310) 451-0647 FACSIMILE: (310) 394-4477
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DEMAND FOR JURY TRIAL

Plaintiff hereby demands a trial by jury on all issues raised by the Complaint.

Respectfully submitted:

CISLO & THOMAS LLP

By: _____

Daniel M. Cislo, Esq.
Mark D. Nielsen, Esq.

Dated: September 20th, 2013

Attorneys for Plaintiff, AMINI
INNOVATION CORPORATION

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ORIGINAL

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

UNITED STATES DISTRICT COURT

for the

Central District of California

AMINI INNOVATION CORPORATION, a California corporation

Plaintiff(s)

v.

BANK AND ESTATE LIQUIDATORS, INC., a Texas corporation, BEL FURNITURE, INC., a Texas corporation, BEL FURNITURE I, INC., a Texas corporation, BEL FURNITURE II, INC., a Texas corporation, BEL FURNITURE III, INC., a Texas corporation, BEL FURNITURE IV, INC., a Texas corporation, BEL FURNITURE V, INC., a Texas corporation, BEL FURNITURE VI, INC., a Texas corporation, BEL FURNITURE VII, INC., a Texas corporation, BEL FURNITURE (BEAUMONT), INC., a Texas corporation, and BEL FURNITURE (CLEARANCE), INC., a Texas corporation, and DOES 1-9, inclusive.

Defendant(s)

Civil Action No. **CV 13-07012** - PSG
(JEM)

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

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:

Daniel M. Cislo
Mark D. Nielsen
CISLO & THOMAS LLP
1333 2nd Street, Suite 500
Santa Monica, CA 90401

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.

CLERK OF COURT

Manly Dan

Signature of Clerk or Deputy Clerk

Date: SEP 20 2013

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

I. (a) PLAINTIFFS (Check box if you are representing yourself)

AMINI INNOVATION CORPORATION, a California corporation

DEFENDANTS (Check box if you are representing yourself)

BANK AND ESTATE LIQUIDATORS, INC., a Texas corporation, BEL FURNITURE, INC., a Texas corporation, BEL FURNITURE I, INC., a Texas corporation, BEL FURNITURE II, INC., a Texas corporation, BEL FURNITURE III, INC., a Texas corporation, BEL FURNITURE IV, INC., a Texas corporation, BEL FURNITURE V, INC., a Texas corporation, BEL FURNITURE VI, INC., a Texas corporation, BEL FURNITURE VII, INC., a Texas corporation, BEL FURNITURE (BEAUMONT), INC., a Texas corporation, and BEL FURNITURE (CLEARANCE), INC., a Texas corporation, and DOES 1-9, inclusive,

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

Daniel M. Cislo, No. 125,378
Mark D. Nielsen, No. 210,023
CISLO & THOMAS LLP, 1333 2nd Street, Suite 500, Santa Monica, CA 90401
(310) 451-0647

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

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)

- | | | | | | |
|---|--------------------------------|--------------------------------|---|--------------------------------|--------------------------------|
| 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:** \$ according to proof

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.)

35 U.S.C. Section 101 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	<input type="checkbox"/> Habeas Corpus: 463 Allen Detainee	<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"/> 510 Motions to Vacate Sentence	<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"/> 530 General	<input type="checkbox"/> 840 Trademark
<input type="checkbox"/> 430 Banks and Banking	<input type="checkbox"/> 140 Negotiable Instrument	TORTS	PERSONAL PROPERTY	<input type="checkbox"/> 535 Death Penalty	SOCIAL SECURITY
<input type="checkbox"/> 450 Commerce/ICC Rates/Etc.	<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	PERSONAL INJURY	<input type="checkbox"/> 370 Other Fraud	Other: <input type="checkbox"/> 540 Mandamus/Other	<input type="checkbox"/> 861 HIA (1395ff)
<input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 550 Civil Rights	<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"/> 315 Airplane Product Liability	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 555 Prison Condition	<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"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 560 Civil Detainee Conditions of Confinement	<input type="checkbox"/> 864 SSID Title XVI
<input type="checkbox"/> 490 Cable/Sat TV	<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 330 Fed. Employers' Liability	BANKRUPTCY	FORFEITURE/PENALTY	<input type="checkbox"/> 865 RSI (405 (g))
<input type="checkbox"/> 850 Securities/Commodities/Exchange	<input type="checkbox"/> 165 Contract	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	FEDERAL TAX SUITS
<input type="checkbox"/> 890 Other Statutory Actions	<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 690 Other	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)
<input type="checkbox"/> 891 Agricultural Acts	<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 350 Motor Vehicle	CIVIL RIGHTS	LABOR	<input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
<input type="checkbox"/> 893 Environmental Matters	<input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 710 Fair Labor Standards Act	
<input type="checkbox"/> 895 Freedom of Info. Act	<input type="checkbox"/> 210 Land	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 720 Labor/Mgmt. Relations	
<input type="checkbox"/> 896 Arbitration	<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 362 Personal Injury-Med Malpractice	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 740 Railway Labor Act	
<input type="checkbox"/> 899 Adm. Procedures Act/Review of Appeal of Agency Decision	<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 365 Personal Injury-Product Liability	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 751 Family and Medical Leave Act	
<input type="checkbox"/> 950 Constitutionality of State Statutes		<input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability	<input type="checkbox"/> 445 American with Disabilities-Employment	<input type="checkbox"/> 790 Other Labor Litigation	
		<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 446 American with Disabilities-Other	<input type="checkbox"/> 791 Employee Ret. Inc. Security Act	

FOR OFFICE USE ONLY: Case Number: CV 13-07012

AFTER COMPLETING PAGE 1 OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED ON PAGE 2.

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

VIII(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): _____

VIII(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.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named plaintiff resides.

Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles	

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named defendant resides.

Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
	Texas

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH claim arose. **NOTE: In land condemnation cases, use the location of the tract of land involved.**

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles	

*Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

Note: In land condemnation cases, use the location of the tract of land involved

X. SIGNATURE OF ATTORNEY (OR SELF-REPRESENTED LITIGANT): _____ **DATE:** 9-20-13

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))