

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION**

**SIMNIC VENTURES LLC**

*Plaintiff,*

v.

**DONNA BELLA MILAN  
INCORPORATED**

*Defendant.*

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**Civ. Action No. 6:15-cv-1627-ORL28TBS**

**JURY DEMANDED**

**ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff SimNic Ventures LLC (“SimNic” or “Plaintiff”) files this complaint for patent infringement against Donna Bella Milan Incorporated (“Donna Bella” or “Defendant”) and states as follows:

**NATURE OF ACTION**

1. This is a claim for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code.

**THE PARTIES**

2. Plaintiff SimNic Ventures LLC is a Limited Liability Company organized under the laws of Florida with its principal place of business at 7620 Wood Violet Lane, Gibsonton, Florida 33534.

3. Donna Bella Milan Incorporated is a Utah corporation with its principal place of business at 751 W 800 S, Salt Lake City, Utah 84104. Donna Bella may be served by serving its registered agent, Logan M. Woolley, at 751 W 800 S, Salt Lake City, Utah 84104.

**JURISDICTION AND VENUE**

4. This is an action for patent infringement arising under the patent laws of the United States, Title 35, United States Code. Jurisdiction as to these claims is conferred on this Court by 35 U.S.C. §§1331 and 1338(a).

5. Donna Bella owns, operates and conducts business through their websites www.donnabellahair.com and www.donnabellahairextensions.com in this judicial district and throughout the United States.

6. Venue is proper within this District under 28 U.S.C. §§1391 and 1400(b). On information and belief, Donna Bella has committed acts of infringement in this District, has purposely transacted business in this District, has advertised and solicited business in this District, has committed acts of infringement in this District, and has established minimum contacts within this District.

7. This Court has personal jurisdiction over Donna Bella because, on information and belief, Donna Bella has conducted and does conduct business within this District, has committed acts of infringement in this District, and continues to commit acts of infringement in this District. On information and belief, Donna Bella sells infringing products into this District. On information and belief, Donna Bella has induced residents within this District to commit acts of infringement in this District.

**INFRINGEMENT OF UNITED STATES PATENT NO. 6,135,122**

8. SimNic incorporates by reference paragraphs 1-7 as if fully set forth herein.

9. On October 24, 2000, United States Patent No. 6,135,122 (“the ‘122 patent”) entitled “Self Adhesive Hair Weft Extension and Method of Securing Same” was

duly and legally issued after full and fair examination. SimNic is the owner of all right, title, and interest in and to the '122 patent by assignment, with full right to bring suit to enforce the patent, including the right to recover for past infringement damages and the right to recover future royalties, damages, and income. The '122 patent is attached hereto as Exhibit A.

10. The '122 patent is valid and enforceable.

11. Upon information and belief, Donna Bella has infringed and continues to infringe (literally and/or under the doctrine of equivalents) one or more claims of the '122 patent in this judicial district and elsewhere in the United States, by making, using, importing, selling, and offering for sale hair extension products including, for example and without limitation, Donna Bella Milan Tape-In Hair Extensions.

12. Donna Bella has been at no time, either expressly or impliedly, licensed under the '122 patent.

13. Donna Bella's acts of infringement have caused damage to SimNic. SimNic is entitled to recover from Donna Bella the damages sustained by SimNic as a result of the wrongful acts of Donna Bella in an amount subject to proof at trial.

14. To the extent required by law, SimNic has complied with the provisions of 35 U.S.C. § 287.

15. SimNic reserves the right to amend to assert a claim of willful infringement if the evidence obtained in discovery supports such assertion.

**DEMAND FOR JURY TRIAL**

SimNic hereby demands a jury for all issues so triable.

**PRAYER**

WHEREFORE, Brite Smart respectfully requests that the Court:

1. Enter judgment that Donna Bella has infringed the '122 patent;
2. Award SimNic compensatory damages for Donna Bella's infringement of the '122 patent, together with enhanced damages, costs, and pre-and post-judgment interest;
3. Find that this case is exceptional and award to SimNic its reasonable attorneys' fees and costs as provided under 35 U.S.C. § 285; and
4. Award any other relief deemed just and equitable.

DATED: September 29, 2015

Respectfully submitted,

/s/ Mark Warzecha

Mark Warzecha

Email: mfw@uslegalteam.com

**WIDERMAN MALEK, PL**

1990 West New Haven Ave, Suite 201

Melbourne, FL 32904

Phone: (321) 255-2332

Fax: (321) 255-2351

**ATTORNEYS FOR PLAINTIFF**

**SIMNIC VENTURES LLC**