

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

SIMNIC VENTURES LLC

Plaintiff,

v.

GLAM SEAMLESS LLC

Defendant.

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Civ. Action No. 6:15-cv-1961-Orl-40TBS

JURY DEMANDED

ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff SimNic Ventures LLC (“SimNic” or “Plaintiff”) files this complaint for patent infringement against Glam Seamless LLC (“Glam” 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. Defendant Glam Seamless LLC is a Pennsylvania Limited Liability Company with its principal place of business at 616 Corporate Way, Ste 2-3603, Valley Cottage, NY 10989. Defendant may be served by serving its registered agent, United States Corporation Agents, Inc., at 1729 W. Tilghman St Rear, Allentown, PA 18109.

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. Glam owns, operates and conducts business through their websites www.glamseamless.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, Glam 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 Glam because, on information and belief, Glam 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, Glam sells infringing products into this District. On information and belief, Glam 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, Glam 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, Glam's Remy and Extra Virgin Tape-In Hair Extensions.

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

13. Glam's acts of infringement have caused damage to SimNic. SimNic is entitled to recover from Glam the damages sustained by SimNic as a result of the wrongful acts of Glam 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

Brite Smart hereby demands a jury for all issues so triable.

PRAYER

WHEREFORE, Brite Smart respectfully requests that the Court:

1. Enter judgment that Glam has infringed the '122 patent;
2. Award SimNic compensatory damages for Glam'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: November 17, 2015

Respectfully submitted,

/s/ Mark Warzecha

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**ATTORNEYS FOR PLAINTIFF
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