

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
Case Number:**

PARIS PRESENTS INCORPORATED,

Plaintiff,

vs.

LIFESTYLE PRODUCTS, LLC,

Defendant.

COMPLAINT AND DEMAND FOR JURY TRIAL

Paris Presents Incorporated, by and through its undersigned attorneys, for its Complaint against Lifestyle Products, LLC ("Lifestyle"), states as follows:

PARTIES

1. Paris Presents Incorporated ("Paris Presents") is an Illinois corporation with its principal place of business located at 3800 Swanson Court, Gurnee, IL 60031.

2. Lifestyle Products, LLC ("Lifestyle") is a Utah limited liability corporation with its principal place of business at 619 Mount Logan Drive, Logan, UT 84321.

JURISDICTION AND VENUE

3. This is a civil action for patent infringement arising under the patent laws of the United States, 35 U.S.C. § 101, *et seq.*

4. This Court has jurisdiction over the subject matter of this action pursuant to 28 U.S.C. §§ 1331 and 1338(a).

5. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391 and 1400.

BACKGROUND OF DISPUTE

Paris Presents is an Innovator in the Beauty and Bath Industries

6. Paris Presents has long been recognized as an innovator of beauty and bath products and accessories, providing quality, inventive products in the beauty and bath industries.

7. The Real Techniques[®] line of products launched in 2011 by Paris Presents has become well known in the online and retail sections of the beauty industry with quality products coupled with advice from well-known makeup artists.

8. The Bold Metals[®] collection is a premium line of products included in the Real Techniques line of products and includes luxury brushes that are unique in the industry being comprised of tapered handles that are weighted for optimal control and comfort.

The Patent in Suit

9. Paris Presents has been granted eight (8) U.S. Patents on inventions ranging from bath brushes with a removable brush to animal themed bath accessories to a portable organizer for beauty care products.

10. One of Plaintiff's inventions covered by U.S. Patent No. D758,742 ("the '742 Patent"), entitled "Brush Handle," was duly and legally issued on June 14, 2016. A true and correct copy of the '742 Patent is attached hereto as Exhibit A.

11. The application that became the '742 Patent was filed with the USPTO on October 10, 2014 and assigned Application No. 29/504,879.

12. By assignment, Paris Presents owns all right, title and interest to the '742 Patent.

13. Upon information and belief, Lifestyle became aware of the '742 Patent upon its issuance.

Lifestyle's Infringing Products

14. Lifestyle is aware of Paris Presents and competes against Paris Presents in the United States.

15. Upon information and belief, Lifestyle has imported into the United States one or more makeup brushes with handles, such as the handles shown in Exhibit B, which are sold under Lifestyle's TRUBEAUTY product line.

16. Upon information and belief, Lifestyle is currently importing the TRUBEAUTY products such as the ones identified in Exhibit B.

17. Lifestyle has been offering to sell and selling, in the United States, one or more makeup brushes as part of its TRUBEAUTY product line.

18. Upon information and belief, Lifestyle has offered to sell and has sold at least one each of its TRUBEAUTY makeup brush handles, in the State of Illinois.

19. The TRUBEAUTY makeup brushes comprise a variety of handles covered by the '742 Patent. True and correct images of the infringing makeup brush handles, offered for sale, and/or sold by Lifestyle are included in Exhibit B.

20. Lifestyle's copying and importation of Plaintiff's products undercut Plaintiff's prices and steals its customers.

21. Paris Presents has been damaged by Lifestyle's sale of infringing makeup brushes, by virtue of lost sales and by incurring the expense of litigation to enforce its patent rights.

CLAIM FOR RELIEF
(Infringement of the '742 Patent)

22. The allegations of the preceding Paragraphs 1-21 are repeated, realleged, and incorporated herein by reference as if fully set forth herein.

23. Defendant's activities in making, using, selling and/or offering to sell in the United States, and/or importing into the United States, the product depicted below and the products depicted in Exhibit B constitute direct infringement of the '742 Patent, in violation of 35 U.S.C. § 271(a).



Lifestyle TRUBEAUTY Pro Metallic
Tapered Foundation Brush

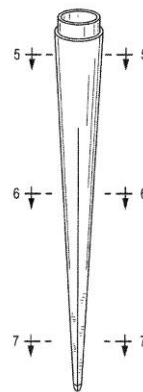


FIG.1

Fig. 1 of the '742 Patent

24. Defendant's actions as alleged herein are without right, license, or permission under the '742 Patent from Paris Presents.

25. Paris Presents is informed and believes that Defendant will continue to infringe the '742 Patent unless and until it is enjoined by this Court

26. Defendant's actions in infringing the '742 Patent have been, and are, willful, deliberate and/or in conscious disregard of Plaintiff's rights, making this an exceptional case within the meaning of 35 U.S.C. § 285 and entitling Paris Presents to enhanced damages and an award of its attorneys' fees.

27. Defendant's infringement of the '742 Patent has caused damage to Paris Presents in an amount to be ascertained at trial.

28. Defendant's infringement of the '742 Patent has caused and will continue to cause irreparable injury to Paris Presents, to which there exists no adequate remedy at law. Lifestyle's infringement of the '742 Patent will continue unless enjoined by this Court.

PRAYER FOR RELIEF

WHEREFORE, Paris Presents requests that judgment be entered in its favor and against Defendant as follows:

A. Declaring that Defendant has infringed U.S. Patent No. D758,742, and that Defendant's infringement of the '742 Patent was and continues to be willful;

B. Issuing temporary, preliminary, and permanent injunctions enjoining Defendant, its officers, agents, subsidiaries, and employees, and those in privity with or that act in concert with any of the foregoing, from further activities that constitute infringement of U.S. Patent No. D758,742, pursuant to 35 U.S.C. § 283;

C. Awarding Paris Presents damages arising out of Defendant's infringement of U.S. Patent No. D758,742 in an amount not less than Defendant's profits pursuant to

35 U.S.C. § 289 and/or a reasonable royalty and trebling thereof pursuant to 35 U.S.C. § 284, together with costs and pre- and post-judgment interest;

D. Finding that this is an “exceptional case” within the meaning of 35 U.S.C. § 285 and awarding reasonable attorneys' fees to Paris Presents; and

E. Awarding Paris Presents such further legal and equitable relief as the Court deems just and proper.

JURY DEMAND

Pursuant to Fed. R. Civ. P. 38, Paris Presents demands a trial by jury on all issues so triable.

Dated: August 2, 2016

PARIS PRESENTS INCORPORATED

By: s/Lynn Rosenthal Mayer

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