

CLERK  
U.S. DISTRICT COURT  
DISTRICT OF NEW JERSEY  
RECEIVED

2018 FEB -9 P 2:05

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

\_\_\_\_\_  
**ALLYSON WALLACE** PRO-SE

\_\_\_\_\_  
**- PLAINTIFF**

\_\_\_\_\_  
*(In the space above enter the full name(s) of the plaintiff(s).)*

- against -

VS.

**COMPLAINT**

Jury Trial:  Yes  No

(check one)

\_\_\_\_\_  
**IDEAVILLAGE PRODUCTS CORPORATION,**

\_\_\_\_\_  
**DEFENDANTS**

\_\_\_\_\_  
*(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. Addresses should not be included here.)*

**I. Parties in this complaint:**

**A. List your name, address and telephone number. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.**

Plaintiff	Name	<u>Allyson Wallace</u>
	Street Address	<u>P.O. Box 22715</u>
	County, City	<u>ESSEX, NEWARK</u>
	State & Zip Code	<u>NEW JERSEY, 07101-2715</u>
	Telephone Number	<u>(862)230-8970</u>

B. List all defendants. You should state the full name of the defendants, even if that defendant is a government agency, an organization, a corporation, or an individual. Include the address where each defendant can be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant No. 1 Name IDEAVILLAGE PRODUCTS CORPORATION  
 Street Address 155 Route 46 West, 4<sup>th</sup> Floor  
 County, City Passaic, WAYNE  
 State & Zip Code NEW Jersey, 07470-6831  
LUM, DRASCO & POSITAN LLC  
COUNSELORS AT LAW  
 Name KEVIN J. O'Connor, Esq.  
 Street Address 103 Eisenhower Parkway  
 County, City ESSEX, ROSELAND  
 State & Zip Code NEW JERSEY, 07068-1049

<http://www.ideavillage.com/contactus.html>  
 Phone: (973) 826-8400 Defendant's  
 Phone: (973) 403-9000  
 (973) 403-9021 (Fax)  
 Attorneys for Defendant  
 email: [www.lumalaw.com](http://www.lumalaw.com)

Defendant No. 3 Name \_\_\_\_\_  
 Street Address \_\_\_\_\_  
 County, City \_\_\_\_\_  
 State & Zip Code \_\_\_\_\_

Defendant No. 4 Name \_\_\_\_\_  
 Street Address \_\_\_\_\_  
 County, City \_\_\_\_\_  
 State & Zip Code \_\_\_\_\_

II. Basis for Jurisdiction:

Federal courts are courts of limited jurisdiction. There are four types of cases that can be heard in federal court: 1) Federal Question - Under 28 U.S.C. § 1331, a case involving the United States Constitution or federal laws or treaties is a federal question case; 2) Diversity of Citizenship - Under 28 U.S.C. § 1332, a case in which a citizen of one state sues a citizen of another state and the amount in damages is more than \$75,000 is a diversity of citizenship case; 3) U.S. Government Plaintiff; and 4) U.S. Government Defendant.

- A. What is the basis for federal court jurisdiction? (check all that apply)
- Federal Questions  Diversity of Citizenship  
 U.S. Government Plaintiff  U.S. Government Defendant

B. If the basis for jurisdiction is Federal Question, what federal Constitutional, statutory or treaty right is at issue? \_\_\_\_\_

JURISDICTION AND VENUE

\_\_\_\_\_ (1). This action arises under the patent laws of the United States, 35 U.S.C. §§271, 281,283-285. Subject matter jurisdiction is conferred on this Court by U.S.C. §§ 1331 and 1338(a). Venue is proper in this Court under 28 U.S.C. §§ 1391(b), 1391(c) and/or 1400(b). 35 U.S.C. § 289(1994).

C. If the basis for jurisdiction is Diversity of Citizenship, what is the state of citizenship of each party?

Plaintiff(s) state(s) of citizenship N/A (NONE)

Defendant(s) state(s) of citizenship N/A (NONE)

III. Statement of Claim:

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

A. Where did the events giving rise to your claim(s) occur? \_\_\_\_\_

The grounds upon which the court's jurisdiction depends on is theft of appellant invention US 485990S the Body Washing Brush. The cause of action is theft of appellant invention the Body Washing Brush.

B. What date and approximate time did the events giving rise to your claim(s) occur? \_\_\_\_\_

Appellant had her patent first and that appellant Allyson Wallace was issued a patent entitled the Body Washing Brush patent number US 485,990S on February 3, 2004. The defendant Idea Village has engaged in patent infringement of the appellant invention entitled of the Body Washing Brush US 485,990S.

What happened to you?

C. Facts: On 5/14/99 appellant Allyson Wallace disclosed her invention to the commissioner of patents in Washington, DC. 20231, under the Disclosure Document Program. Disclosure Document No. 457626, there was no co-inventor. Appellant had her patent first and that appellant Allyson Wallace was issued a patent entitled the Body Washing Brush patent number US 485,990S on February 3, 2004. The defendant Idea Village has engaged in patent infringement of the appellant invention entitled of the Body Washing Brush US 485,990S.

PATENT INFRINGEMENT AGAINST IDEA VILLAGE PRODUCTS CORPORATION. \_\_\_\_\_

Who did what?

Patent infringement and theft

No profit sharing and No Royalty and I am the original inventor, I had my patent first, a patent is a civil right and the defendants reduced my invention to practice and made money and still making money. The cause of this of this action is theft. The Jurisdiction depends on theft. The courts error of

Was anyone else involved?

compensation Theft of my invention. The United States Patent and Trademark Office had granted me a patent US 485,990S entitled The Body Washing Brush. And it was stolen by the Defendant Idea Village. I WAS Products Corp. I spent my time, creativity and money \$15,000 patenting this product just for it to be stolen and modified twice by the Defendants. I had my patent first US 485990S. The patent and trademark allowed Idea Village to still my original Patent that I disclosed to them on 5/14/99 to the Commissioner of patents Washington, DC 20231

Who else survived happened?

The primary objective of getting a patent is to stop infringement. My intellectual property was infringed on and reduce to practice a week after I had received my original patent from Washington DC Patent Office. I had paid Advent Product Development for a Marketability Report, I paid my patent attorney Mr. Paul Gauer Esq. to file the patent application, and I paid David Spivik from Draft Ink for the illustrations. Idea Village is receiving royalties and profit sharing from my patent. I could license my Idea years ago to Kessler and I received a letter from Shark Tank to be a guest on the TV Show however, my invention was stolen by thieves. It was nothing on the market like it this the only reason why I was able to attain a patent. On the Spin Spa TV commercial of 2017 they have the name of my invention the body wash incorporated in there commercial. I been through 7 settlement conferences in the Federal District court in Newark NJ. And I was appointed 2 attorneys.

By making, using, selling, and or/offering for sale, defendant IdeaVillage Products Corporation has induced infringement of, and will continue to induce infringement of, one or more claims of the US

IV. **Injuries:** D485,990 S patent under 35 U.S.C § 271 (b), and or (f), literally and /or under the doctrine of equivalents.

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received

As a direct and proximate consequence of the acts and practices of defendant, plaintiff Allyson Wallace small entity "BODY WASHING BRUSH", has been, is being and, unless such acts and practices are enjoined by the Court, will continue to be injured in its business and property rights, and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under 35 U.S.C § 284.

As a direct and proximate consequence of the acts and practices of defendant, defendant has also caused, is causing and, unless such acts and practices are enjoined by the Court, will continue to cause irreparable harm to plaintiff Allyson Wallace for which there is no adequate remedy at law, and for which plaintiff is entitled to injunctive relief under 35 U.S.C. § 283.

Damages (including treble damages for willful infringement),

V. **Relief:** DEMAND: 90 MILLION DOLLARS

Lost profits and Reasonable Royalty, Injunctive relief, Attorneys' fees, Court costs

State what you want the Court to do for you and the amount of monetary compensation, if any, you are seeking, and the basis for such compensation.

**PRAYER FOR RELIEF**

WHEREFORE, plaintiff ALLYSON WALLACE prays for the entry of a judgment from this Court:

- a. Declaring that United States Letters Patent US D485,990 S was duly and legally issued, is valid and is enforceable;
- b. Declaring that defendant IdeaVillage Products Corporation has directly infringed, contributory infringed, and /or induced infringement of one or more claims of the US D485,990 S patent;
- c. Declaring that defendant IdeaVillage Products Corporation has willfully infringed one or more claims of the US D485,990 S patent;
- d. Deeming this to be an "exceptional" case within the meaning of 35 U.S.C. § 285, entitling plaintiff to an award of its reasonable attorney fees, expenses and costs in this action; and
- e. Preliminarily and permanently enjoining defendant's IdeaVillage Products Corporation and its respective officers, agents, servants, employees, and attorneys, and those persons in active concert or participation with them who receive actual notice of the order by personal service or otherwise, from committing further acts of infringement under 35 U.S.C. § 271 of any one or more claims of the US D 485,990 S patent pursuant to 35 U.S.C. § 283;
- f. Awarding plaintiff damages in accordance with 35 U.S.C. § 284;
- g. Awarding plaintiff its costs in connection with this action; and
- h. Whoever during the term of a patent for a design, without license of the owner (1) applies the patented design, or any colorable imitation thereof, manufacture for the purpose of sale, or (2) sell or exposes for sale any article of manufacture to which such design or colorable imitation has been applied shall be liable to the owner in accordance with 35 U.S.C. § 289(1994);
- i. Awarding plaintiff such other and further relief as this Court may deem to be just and proper.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 19 day of January, 2018

Signature of Plaintiff Allyson Wallace  
Mailing Address PO BOX 22715  
NEWARK, NJ 07101-2715  
City, State, Zip Code  
Telephone Number (862)230-8970  
Fax Number (if you have one) N/A (NONE)  
E-mail Address WALLACEALLISON75@YAHOO.COM

**Note:** All plaintiffs named in the caption of the complaint must date and sign the complaint.

Signature of Plaintiff: Allyson Wallace

**COMMISSIONER OF PATENTS  
WASHINGTON, DC 20231**

Date 5/14/89

The undersigned, being the inventor of the disclosed invention, requests that the enclosed papers be accepted under the DISCLOSURE DOCUMENT PROGRAM, and that they be preserved for a period of two (2) years.

Please return the confirming copy with the Disclosure Document Number and the DATE to the undersigned in the enclosed, self addressed envelope.

ALLYSON WALLACE  
Inventor

\_\_\_\_\_  
Co-Inventor

789 50th ST.  
Street Address

NEWARK NJ 07103  
City State Zip

X *[Handwritten signature]*

**DISCLOSURE DOCUMENT NO.**

**457626**

**FILING FEE: \$10.00  
RETAINED FOR 2 YEARS**

**THIS IS NOT A PATENT APPLICATION**

PTO-1652 (4/96)



**COMMISSIONER OF PATENTS  
WASHINGTON, DC 20231**

Date

5/14/99

The undersigned, being the inventor of the disclosed invention, requests that the enclosed papers be accepted under the DISCLOSURE DOCUMENT PROGRAM, and that they be preserved for a period of two (2) years.

Please return the confirming copy with the Disclosure Document Number and the DATE to the undersigned in the enclosed, self addressed envelope.

ALLISON WALLACE

Inventor

Co-Inventor

789 SO. 18 ST.

Street Address

NEWARK NJ 07103

City

State

Zip

"THE WASH"

X Allison Wallace

