

UNITED STATES DISTRICT COURT

★ OCT 25 2019 ★

for the
Eastern District of New York

LONG ISLAND OFFICE

Division

Claude Malloy Sr.

CV-19 6010

Case No.

(to be filled in by the Clerk's Office)

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Taylor Tadmor

Jury Trial: (check one) ☒ Yes ☐ No

COGAN, J

BLOOM, M.J.

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

COMPLAINT FOR A CIVIL CASE

RECEIVED

OCT 25 2019

EDNY PRO SE OFFICE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Claude Malloy Sr.
Street Address	P.O. Box 20308
City and County	Huntington Station
State and Zip Code	New York 11746
Telephone Number	631-455-4141
E-mail Address	cmyhands22@gmail.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name Taylor TadmorJob or Title *(if known)* Ceo Of Tekweld Inc.Street Address 45 Rabro DriveCity and County HauppaugeState and Zip Code New York, 11788Telephone Number (631)342-8960E-mail Address *(if known)* _____

Defendant No. 2

Name Taylor TadmorJob or Title *(if known)* Ceo Of Tekweld Solutions Inc.Street Address 180 Central Ave.City and County FarmingdaleState and Zip Code New York, 11735Telephone Number (631)694-5503E-mail Address *(if known)* _____

Defendant No. 3

Name _____

Job or Title *(if known)* _____

Street Address _____

City and County _____

State and Zip Code _____

Telephone Number _____

E-mail Address *(if known)* _____

Defendant No. 4

Name _____

Job or Title *(if known)* _____

Street Address _____

City and County _____

State and Zip Code _____

Telephone Number _____

E-mail Address *(if known)* _____

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

- ☒ Federal question ☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

under 35 U.S.C Section 284

B. If the Basis for Jurisdiction Is Diversity of Citizenship**1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, *(name)* _____, is a citizen of the State of *(name)* _____.

b. If the plaintiff is a corporation

The plaintiff, *(name)* _____, is incorporated under the laws of the State of *(name)* _____, and has its principal place of business in the State of *(name)* _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)**a. If the defendant is an individual**

The defendant, *(name)* _____, is a citizen of the State of *(name)* _____. Or is a citizen of *(foreign nation)* _____.

b. If the defendant is a corporation

The defendant, *(name)* _____, is incorporated under the laws of the State of *(name)* _____, and has its principal place of business in the State of *(name)* _____.

Or is incorporated under the laws of *(foreign nation)* _____, and has its principal place of business in *(name)* _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because *(explain)*:

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

I, Claude Malloy Sr., A Plaintiff & Owner of US Patent 8,484,807 has consulted this court regarding patent infringement of the above Patent Number 8,484,807 by Taylor Tadmor Of Tekweld Inc., a defendant and the owner of Tekweld Inc. located in Suffolk County, New York. And since, the Venue is proper in the District of Suffolk County, New York. I, Claude Malloy Sr. hope & pray to God to have the District of Suffolk County, New York, because all of the events or meetings occurred in the District Of Suffolk County, New York in 2010.

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

I, Claude Malloy Sr., A Plaintiff & Owner of US Patent 8,484,807, "Necklace with plastic hand having a fresh scent compartment." on July 16, 2013. Mr. Taylor Tadmor Of Tekweld Inc. manufactures & imports this item # sm-1535 from their factory in China Into the USA, constitutes patent infringement.

Under Patent law, the owner of the patent has the sole right to the invention and pursuant to 35 U.S.C. Section 284, an infringer may be liable for damages adequate compensate the patent holder for the infringement and in no event less than a reasonable royalty for the use made together with interest and costs. For the reasons, just stated, I, Claude Malloy Sr., demands that Taylor Tadmor Of Tekweld Inc. immediately stops manufactures & imports of this said item # sm-1535 into the USA. Notwithstanding the above, I, Claude Malloy Sr. will consider a reasonable and fair settlement. Accordingly, I request you, Taylor Tadmor provide a written proposal for a resolution of the matter within a week of the date hereof.

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

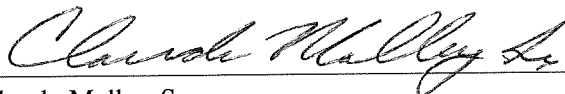
A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 10/25/2019

Signature of Plaintiff

Printed Name of Plaintiff



Claude Malloy Sr.

B. For Attorneys

Date of signing: 10/25/2019

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address