UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ANDREW WALKER, JR., (PRO SE- PLAINTIFF) VS. **i.MONICA RICH KOSANN,** **ii.AMAZON ADVERTISING LLC,** **iii.EBAY, INC.,** **iv.FISHER-PRICE, INC.,** **v.PROVENANCE GEMS,** **vi.WOODROW JEWELERS,** **vii.NICKELODEON,** **viii.DISNEY,** **ix.WALMART,** x.**KMART, and** **xi. Kroger Company** (DEFENDANTS)	CASE NO. 1:23-CV-04409-(JCP) (JW)

AMENDED COMPLAINT FOR PATENT INFRINGEMENT AND DEMAND FOR JURY TRIAL

COMES NOW Andrew Walker, Jr., Plaintiff, proceeding pro se, and respectfully submits this Amended Complaint for Patent Infringement against Defendants Monica Rich Kosann, Amazon Advertising LLC, eBay, Inc., Fisher-Price, Inc., Provenance Gems, Woodrow Jewelers, Nickelodeon, Disney, Walmart, and Kmart, Krogers Company, herein alleges and states as follows:

I. INTRODUCTION

1. Innovation and creativity stand at the core of America's spirit, driving progress in every field, from technology to the arts. At the heart of this innovation lies the protection afforded by our nation's patent laws, designed to safeguard the rights of inventors and creators, ensuring their inventions can flourish without unauthorized use or replication. It is under the umbrella of these laws that Plaintiff, Andrew Walker, Jr., seeks redress in this Court.

2. Plaintiff Andrew Walker, Jr., an individual of inventive spirit and creator of the "Fragrant Oil Burning Lamp," encapsulated in United States Design Patent No. D593,191 ("the D191 Patent"), comes before this Court pro se. The D191 Patent represents not only a culmination of Plaintiff's creativity and innovation but also his hope for fair recognition and protection under the law.

3. This action is precipitated by the Defendants' willful and unauthorized use of Plaintiff's patented design. Despite Plaintiff's clear ownership and the D191 Patent's duly registered status with the United States Patent and Trademark Office, Defendants have engaged in activities that directly infringe upon Plaintiff's patent rights. These activities include but are not limited to manufacturing, selling, and distributing products that replicate or substantially embody the unique design features protected by the D191 Patent.

4. The Defendants, spanning various sectors of commerce—from media conglomerates like Nickelodeon and Disney to retail giants Walmart and

Kmart—have collectively disregarded Plaintiff's intellectual property rights. Their actions have not only diluted the value of Plaintiff's invention but have also unjustly enriched themselves at Plaintiff's expense.

5. Through this Amended Complaint, Plaintiff seeks to affirm his rights under the patent laws of the United States, specifically 35 U.S.C. § 271, and to obtain relief for the Defendants' infringement of the D191 Patent. Plaintiff asks this Court for justice: to recognize the infringement that has occurred, to enjoin Defendants from further infringement, and to award damages reflective of the injury suffered by Plaintiff as a result of Defendants' actions.

6. Plaintiff's pursuit of this lawsuit, taken pro se, underscores the profound impact of the Defendants' infringement on his life and livelihood. It is a testament to the belief in the protection promised by the patent system and the trust in this Court's commitment to upholding these protections.

II. JURISDICTION AND VENUE

7. This Court has subject matter jurisdiction over this action under 28 U.S.C. § 1331, as this case involves a federal question arising under the laws of the United States, including the Patent Act, 35 U.S.C. §§ 1 et seq. Furthermore, this Court has jurisdiction under 28 U.S.C. § 1338(a), which grants exclusive jurisdiction to federal courts in any case arising under any Act of Congress relating to patents.

8. Pursuant to 28 U.S.C. § 1367, this Court has supplemental jurisdiction over any additional claims that are so related to the claims in action within this Court’s

original jurisdiction that they form part of the same case or controversy under Article III of the United States Constitution.

9. Venue is proper in this judicial district under 28 U.S.C. § 1391(b) because a substantial part of the events giving rise to the claim occurred in this district. Defendants conduct business within this district and have committed acts of infringement and/or contributed to acts of infringement within this district. Additionally, 28 U.S.C. § 1400(b) specifically provides for venue in patent infringement actions in the judicial district where the defendant resides or where the defendant has committed acts of infringement and has a regular and established place of business.

10. This Court has personal jurisdiction over each Defendant because they have sufficient minimum contacts with the forum as a result of conducting business in this State and within this judicial district. By engaging in commerce that affects residents of this State and by directly or indirectly offering for sale, selling, and distributing products that infringe upon the Plaintiff's patent rights within this district, Defendants have availed themselves of the privilege of conducting business within this jurisdiction. Therefore, the assertion of personal jurisdiction would not offend traditional notions of fair play and substantial justice.

11. Each Defendant will be duly served with the Summons and Amended Complaint in accordance with the Federal Rules of Civil Procedure, thus ensuring that this Court may exercise jurisdiction over them.

III. PARTIES

12. **Plaintiff** Andrew Walker, Jr., is an individual residing at 4055 Lafayette Place, Apt. 9, Culver City, California 90232. Plaintiff is the sole inventor and holder of United States Design Patent No. D593,191, titled "Fragrant Oil Burning Lamp," issued by the United States Patent and Trademark Office ("USPTO") on May 26, 2009. As an innovator in the field of aromatic home products, Plaintiff has dedicated substantial time, resources, and creativity to developing unique products that enhance the home environment. Plaintiff sells these products directly to consumers and through various online platforms, relying on the uniqueness and patented design of his creations to maintain a competitive edge in the market.

13. **Defendant Monica Rich Kosann** is a corporation with its principal place of business in the State of New York. Monica Rich Kosann is engaged in the business of designing, manufacturing, and selling jewelry and decorative items, including products that allegedly infringe upon Plaintiff's D191 Patent. Monica Rich Kosann conducts business across the United States, including within this judicial district.

14. **Defendant Amazon Advertising LLC** is a subsidiary of Amazon.com, Inc., with its principal place of business in the State of Washington. Amazon Advertising LLC operates a vast online marketplace that offers a wide range of products, including those alleged to infringe upon Plaintiff's D191 Patent, to consumers nationwide.

15. **Defendant eBay, Inc.** is a corporation with its principal place of business in the State of Delaware. eBay, Inc. operates an online auction and shopping website

in which people and businesses buy and sell a wide variety of goods and services worldwide, including products that are alleged to infringe upon Plaintiff's D191 Patent.

16. **Defendant Fisher-Price, Inc.** is a corporation with its principal place of business in the State of New York, known for designing and selling toys and products for children, including products that allegedly infringe upon Plaintiff's D191 Patent.

17. **Defendant Provenance Gems** is a corporation with its principal place of business in the State of Florida, engaged in the business of selling gemstones and jewelry, including products that are alleged to infringe upon Plaintiff's D191 Patent.

18. **Defendant Woodrow Jewelers** is a corporation with its principal place of business in the State of New York, engaged in the retail sale of jewelry, including products that allegedly infringe upon Plaintiff's D191 Patent.

19. **Defendant Nickelodeon** is a division of Viacom International Inc., with its principal place of business in New York, New York. 1515 Broadway, New York NY 10010. Nickelodeon is a television network and production company specializing in children's programming, including the creation and distribution of content that allegedly features designs infringing upon Plaintiff's D191 Patent. links to the Shimmer and Shine cartoon is attached here. The character "Leah" wears the infringing pendant around her neck in all episodes, also bottles/lamps and sculptures that infringe upon Plaintiff's D191 Patent are in every episode.

https://youtu.be/ad_r1nzcaFw?si=Y4jhg4brvujAenSi and https://youtu.be/g2MajtKsJGI?si=M1TceO_iClLi07z3.

20. **Defendant Disney** refers to The Walt Disney Company, a corporation with its principal place of business in Burbank, California. 500 S. Buena Vista St. Burbank Ca. 91521. Disney is a diversified international family entertainment and media enterprise, which includes producing and distributing motion pictures and television content that allegedly incorporates Plaintiff's patented design.

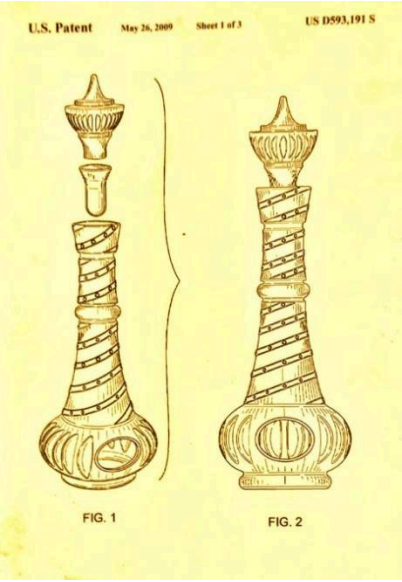
21. **Defendant Walmart** is a multinational retail corporation that operates a chain of hypermarkets, discount department stores, and grocery stores, with its principal place of business in Bentonville, Arkansas. 702 SW 8th Street, Bentonville Ak 72716. Walmart sells a variety of products, including those alleged to infringe upon Plaintiff's D191 Patent.

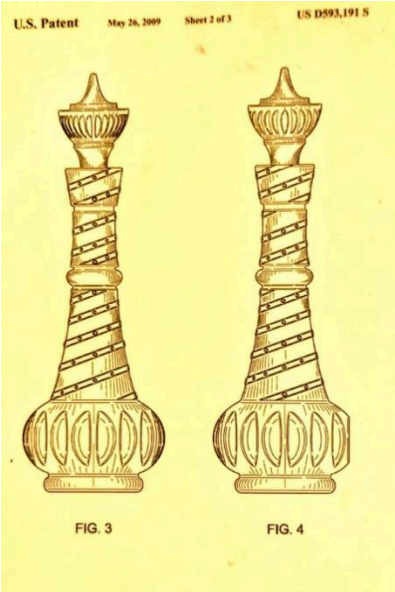
22. **Defendant Kmart** is a retail corporation with its principal place of business in Hoffman Estates, Illinois, 3333 Beverly Road, Hoffman Estates, Illinois, 60179. part of the Transform SR Brands LLC. Kmart operates retail stores across the United States, selling a wide range of consumer products, including those alleged to infringe upon Plaintiff's D191 Patent.

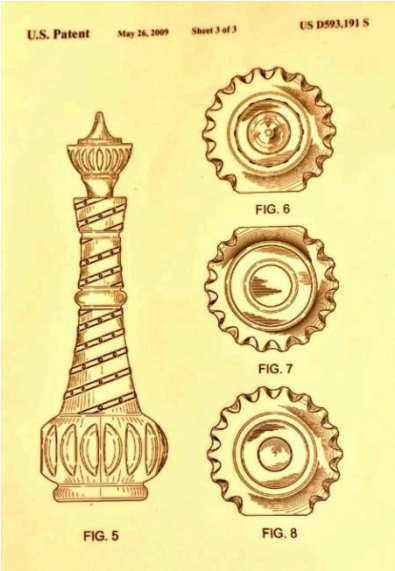
23. Defendant **Krogers Company** is a retail corporation with its principal place of business in Cincinnati, Ohio, 11310 Cornell Park Dr. Cincinnati Oh, 45242, is a multinational retail corporation that operates a chain of hypermarkets, discount stores, and grocery stores and are selling a wide range of consumer products, including those alleged to infringe upon Plaintiff's D191 Patent.

IV. FACTUAL ALLEGATIONS

24. Plaintiff Andrew Walker, Jr. is the sole inventor and owner of the United States Design Patent No. D593,191 (the "D191 Patent"), titled "Fragrant Oil Burning Lamp." The D191 Patent was duly issued by the United States Patent and Trademark Office ("USPTO") on May 26, 2009. The patented design is unique and ornamental, featuring distinctive aesthetic characteristics that are visually captured in Figures 1 through 5 of the patent. These figures illustrate a front, rear, left-side, and right-side elevational view of the invention, highlighting its unique design elements that contribute to its novel appearance and utility in the home and garden product market.







25. **Defendants' Infringing Activities**:

a. Despite Plaintiff's clear and lawful ownership of the D191 Patent, Defendants have independently and/or collectively engaged in unauthorized activities that constitute direct infringement, contributory infringement, and/or inducement of infringement of Plaintiff's patent

rights. Such activities include the manufacture, offer for sale, sale, and distribution of products that unlawfully replicate or embody the patented design, or are substantially similar thereto, without Plaintiff's permission.

b. Specifically, Defendant Nickelodeon has produced and distributed animated content, including the "Shimmer and Shine" series, featuring characters and elements that incorporate the patented design or are substantially similar to it. Defendant Disney has been involved in promoting and distributing this infringing content.

c. Defendants Walmart and Kmart have been selling products, including but not limited to toys and merchandise associated with the "Shimmer and Shine" series, that infringe upon the D191 Patent. These products closely mimic the design elements protected by the patent, leading to consumer confusion and diluting the value of Plaintiff's intellectual property.

d. Fisher-Price, Inc., as specifically mentioned, has also contributed to the infringement by manufacturing and distributing infringing products that are available for purchase at retail locations, including but not limited to Walmart and Kmart.

26. Plaintiff has made several good faith efforts to enforce his patent rights and prevent ongoing infringement. These efforts have included sending cease and desist letters to the Defendants, explicitly informing them of the D191 Patent and the alleged infringement. Despite these notices, Defendants have continued their infringing activities, demonstrating a willful disregard for Plaintiff's patent rights.

27. As a direct and proximate result of Defendants' infringement of the D191 Patent, Plaintiff has suffered significant harm, including but not limited to financial damages, loss of market share, and injury to his reputation and the goodwill associated with his patented design. The continued unauthorized use of Plaintiff's patented design by Defendants threatens to cause further irreparable harm for which there is no adequate remedy at law.

28. In light of the foregoing, Plaintiff seeks judicial intervention to protect his patent rights, to halt Defendants' infringing activities, and to obtain compensation for the damages incurred as a result of Defendants' unlawful actions.

V. CAUSES OF ACTION

COUNT I – PATENT INFRINGEMENT

29. Plaintiff reasserts and incorporates by reference all preceding paragraphs of this Amended Complaint as if fully set forth herein.

30. Plaintiff is the owner of all rights, title, and interest in United States Design Patent No. D593,191 (the "D191 Patent"), which was duly and legally issued by the United States Patent and Trademark Office ("USPTO") on May 26, 2009. The D191 Patent is valid and enforceable, and Plaintiff has complied with all statutory requirements to maintain the patent in force.

31. The D191 Patent protects an ornamental design for a "Fragrant Oil Burning Lamp," as specifically illustrated and described in Figures 2 through 5 of the patent. These figures detail unique design features that are novel and

non-obvious, qualifying the invention for design patent protection under Title 35 of the United States Code.

32. Without authorization or license from Plaintiff, Defendants have directly infringed and continue to directly infringe the D191 Patent under 35 U.S.C. § 271(a) by making, using, offering to sell, selling, and/or importing into the United States products that embody the patented design or are substantially similar to the patented design, thereby likely to cause confusion, mistake, or to deceive consumers.

33. Defendants' actions constitute infringement of the D191 Patent in violation of 35 U.S.C. § 271, including but not limited to:

a. Defendants have directly infringed upon the D191 Patent by producing and selling products that replicate or incorporate the design protected by the patent.

b. Defendants have sold, offered to sell, and imported products that constitute a material part of the invention, knowing that these products were especially made or adapted for use in an infringement of the D191 Patent, thereby contributing to direct infringement by others.

c. Defendants have knowingly induced others to infringe the D191 Patent by actively encouraging or facilitating the sale, use, or manufacture of infringing products through their distribution channels and marketing efforts.

34. As a direct and proximate result of Defendants' infringement of the D191 Patent, Plaintiff has suffered damages in an amount to be determined at trial. Plaintiff is entitled to recover damages adequate to compensate for the

infringement, but in no event less than a reasonable royalty for the use made of the invention by Defendants, pursuant to 35 U.S.C. § 284.

35. Defendants' infringement of the D191 Patent has been willful and deliberate, entitling Plaintiff to enhanced damages up to three times the amount of compensatory damages found or assessed, as provided under 35 U.S.C. § 284.

COUNT II – INDUCEMENT OF INFRINGEMENT

36. Plaintiff reasserts and incorporates by reference all preceding paragraphs as if fully set forth herein.

37. Defendants have knowingly induced infringement of the D191 Patent under 35 U.S.C. § 271(b) by encouraging, aiding, or otherwise causing third parties to infringe the D191 Patent through the manufacture, use, offer for sale, or sale of the infringing products, without Plaintiff's consent.

38. Defendants' actions were intentional and aimed at promoting the infringement of the D191 Patent, with knowledge of the patent and of the infringing nature of the activities they were inducing.

39. As a result of Defendants' actions, Plaintiff has suffered damages in an amount to be determined at trial, for which Plaintiff is entitled to compensation under 35 U.S.C. § 284.

COUNT III – CONTRIBUTORY INFRINGEMENT

40. Plaintiff reasserts and incorporates by reference all preceding paragraphs as if fully set forth herein.

41. Defendants have contributed to the infringement of the D191 Patent under 35 U.S.C. § 271(c) by offering to sell, selling, and/or importing into the United

States, products that constitute a material part of the invention, are not a staple article or commodity of commerce suitable for substantial non-infringing use, and knowing that the products are especially made or adapted to infringe the D191 Patent, without Plaintiff's consent.

42. Defendants' actions constitute contributory infringement, causing harm and damage to Plaintiff for which Plaintiff is entitled to recover damages adequate to compensate for the infringement, but in no event less than a reasonable royalty, as provided under 35 U.S.C. § 284.

COUNT IV – WILLFUL INFRINGEMENT

43. Plaintiff reasserts and incorporates by reference all preceding paragraphs as if fully set forth herein.

44. Defendants' infringement of the D191 Patent has been willful, deliberate, and in reckless disregard of Plaintiff's patent rights, warranting an enhancement of damages under 35 U.S.C. § 284.

45. Defendants had knowledge of the D191 Patent and the protective scope of its claims, yet continued their infringing activities with indifference or disregard to Plaintiff's intellectual property rights.

46. Due to Defendants' willful infringement, Plaintiff seeks enhanced damages, up to three times the amount of compensatory damages, and attorneys' fees as provided under 35 U.S.C. § 285.

DEMAND OF JURY TRIAL

Plaintiff demands that the instant action be tried before a jury.

VI. SUBMISSION AND PRAYERS:

i. Plaintiff respectfully requests that this Court declare that Defendants have infringed, induced the infringement of, and contributed to the infringement of United States Design Patent No. D593,191 owned by Plaintiff, in violation of 35 U.S.C. § 271.

ii. Plaintiff seeks an award of damages sufficient to compensate for Defendants' infringement of the D191 Patent, in an amount to be proven at trial, but in no event less than a reasonable royalty for the use made of the invention by Defendants, together with interest and costs as fixed by the Court, pursuant to 35 U.S.C. § 284.

iii. Due to Defendants' willful, deliberate, and egregious conduct in infringing the D191 Patent with knowledge of said patent and without regard for Plaintiff's rights, Plaintiff requests that this Court enhance the damages awarded up to three times the amount found or assessed, in accordance with the provisions of 35 U.S.C. § 284.

iv. Plaintiff seeks a preliminary and permanent injunction, pursuant to 35 U.S.C. § 283, enjoining Defendants and their officers, directors, agents, servants, employees, affiliates, attorneys, successors, and assigns, and all those in active concert or participation with them, from further infringement, inducement of infringement, and contributory infringement of the D191 Patent.

v. Plaintiff requests an award of LEGAL fees and costs pursuant to 35 U.S.C. § 285, as this case is made exceptional by the nature of Defendants' infringement, including willful and deliberate actions that warrant equitable relief. Plaintiff also seeks to recover costs and expenses incurred in this action.

vi. Plaintiff asks for an award of pre-judgment and post-judgment interest on all amounts awarded, at the maximum rate allowed by law, to fully compensate Plaintiff for the time-related value of money lost due to Defendants' infringement.

vii. Plaintiff requests an order requiring Defendants to deliver up for destruction all infringing products, materials, and advertisements in their possession, custody, or control that violate Plaintiff's D191 Patent rights.

viii. Plaintiff seeks an accounting of all gains, profits, and advantages derived by Defendants from their infringing activities and, if continued infringement is found post-judgment, an award of ongoing royalties to compensate Plaintiff for any future use of his patented design by Defendants.

ix. Plaintiff requests such other and further relief as this Court deems just and equitable under the circumstances, including but not limited to, corrective advertising and an order for Defendants to notify customers of the infringing nature of the products sold.

x. Plaintiff hereby submits to the jurisdiction of this Court and will comply with all legal and procedural requirements necessary to prosecute this action to a just and equitable conclusion.

Dated: 25-March-2024

Submitted by:

/ANDREW WALKER, JR.,

(PRO SE- PLAINTIFF)

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing pleading was sent by regular U.S. mail, by facsimile, or certified mail/email, to the following parties or attorneys of record:

MONICA RICH KOSANN,

AMAZON ADVERTISING LLC,

EBAY, INC.,

FISHER-PRICE, INC.,

PROVENANCE GEMS,

WOODROW JEWELERS,

NICKELODEON,

DISNEY,

WALMART,

KMART,

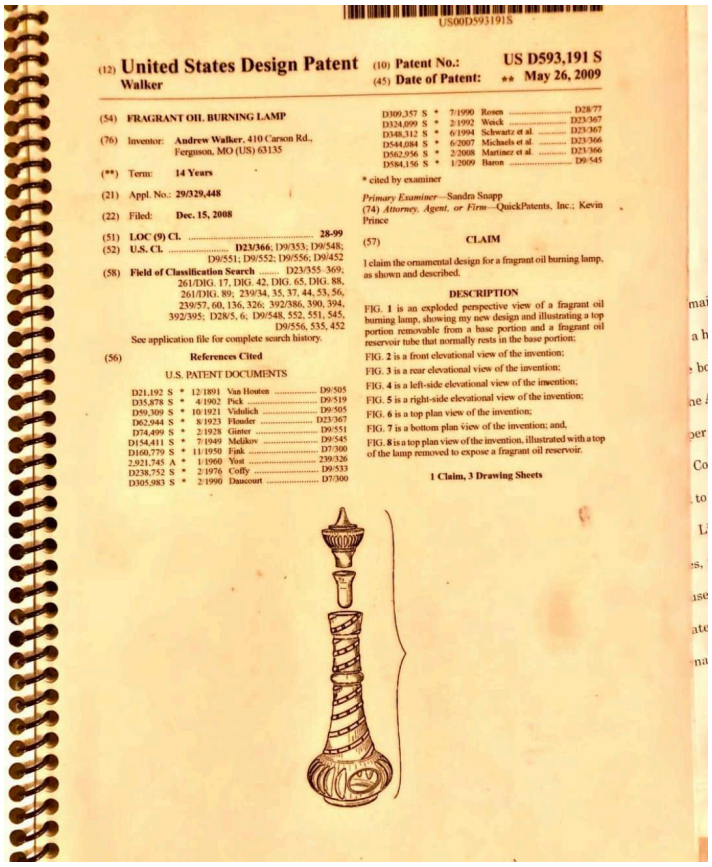
and, Kroger Company

Submitted by:

/ANDREW WALKER, JR.,

(PRO SE- PLAINTIFF)

ATTACHMENTS



US00D593191S

(12) **United States Design Patent**
Walker

(10) **Patent No.: US D593,191 S**
(45) **Date of Patent: ** May 26, 2009**

(54) **FRAGRANT OIL BURNING LAMP**

(76) Inventor: **Andrew Walker**, 410 Carson Rd., Ferguson, MO (US) 63135

(**) Term: **14 Years**

(21) Appl. No.: **29/329,448**

(22) Filed: **Dec. 15, 2008**

(51) **LOC (9) Cl.** **28-99**
(52) **U.S. Cl.** **D23/366**; D9/353; D9/548; D9/551; D9/552; D9/556; D9/452
(58) **Field of Classification Search** ..... D23/355-369; 261/DIG. 17, DIG. 42, DIG. 65, DIG. 88, 261/DIG. 89; 239/34, 35, 37, 44, 53, 56, 239/57, 60, 136, 326; 392/386, 390, 394, 392/395; D28/5, 6; D9/548, 552, 551, 545, D9/556, 535, 452

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D21,192	S *	12/1891	Van Houten	D9/505
D35,878	S *	4/1902	Pick	D9/519
D59,309	S *	10/1921	Vidulich	D9/505
D62,944	S *	8/1923	Flouder	D23/367
D74,499	S *	2/1928	Ginter	D9/551
D154,411	S *	7/1949	Melikov	D9/545
D160,779	S *	11/1950	Fink	D7/300
2,921,745	A *	1/1960	Yost	239/326
D238,752	S *	2/1976	Coffy	D9/533
D305,983	S *	2/1990	Dauscourt	D7/300
D309,357	S *	7/1990	Rosen	D28/77
D324,099	S *	2/1992	Weick	D23/367
D348,312	S *	6/1994	Schwartz et al.	D23/367
D544,084	S *	6/2007	Machado et al.	D23/366
D562,956	S *	2/2008	Martinez et al.	D23/366
D584,156	S *	1/2009	Baron	D9/545

* cited by examiner

Primary Examiner—Sandra Snapp
(74) *Attorney, Agent, or Firm*—QuickPatents, Inc.; Kevin Prince

(57) **CLAIM**

I claim the ornamental design for a fragrant oil burning lamp, as shown and described.

DESCRIPTION

FIG. **1** is an exploded perspective view of a fragrant oil burning lamp, showing my new design and illustrating a top portion removable from a base portion and a fragrant oil reservoir tube that normally rests in the base portion;

FIG. **2** is a front elevational view of the invention;

FIG. **3** is a rear elevational view of the invention;

FIG. **4** is a left-side elevational view of the invention;

FIG. **5** is a right-side elevational view of the invention;

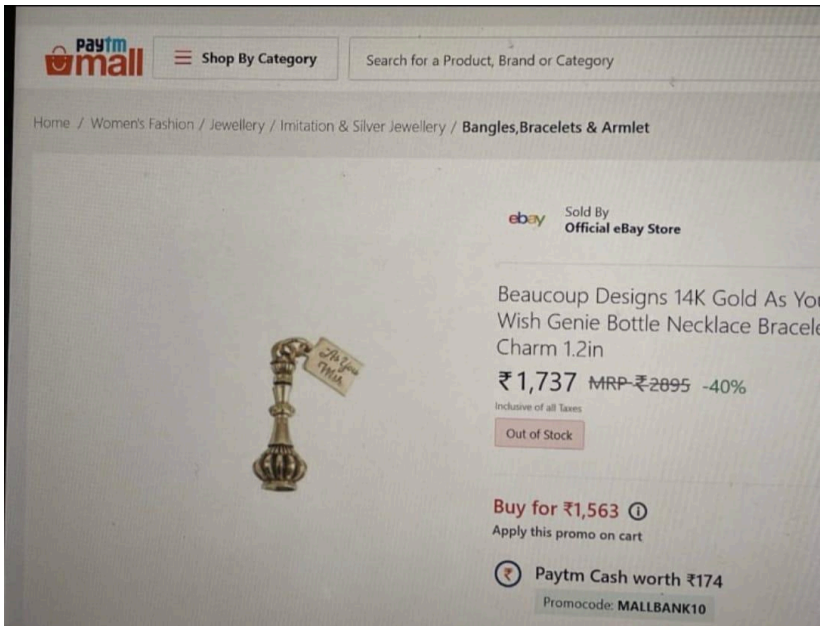
FIG. **6** is a top plan view of the invention;

FIG. **7** is a bottom plan view of the invention; and,

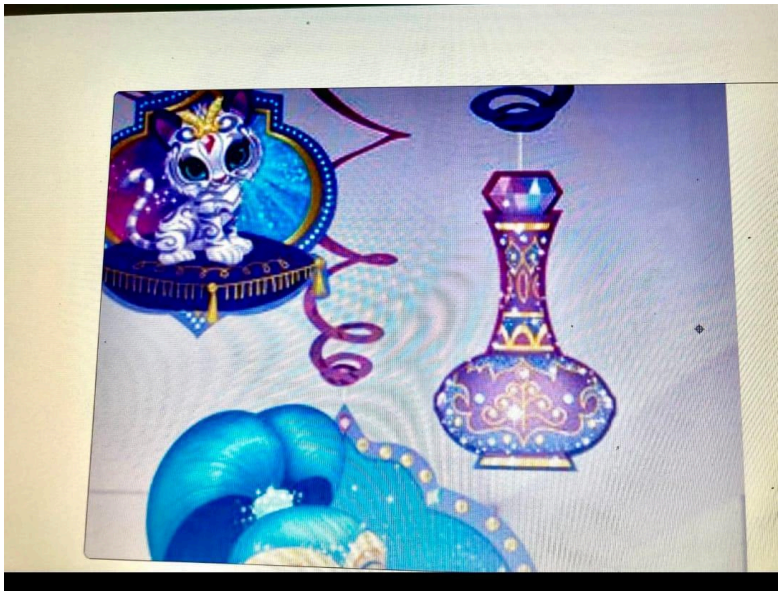
FIG. **8** is a top plan view of the invention, illustrated with a top of the lamp removed to expose a fragrant oil reservoir.

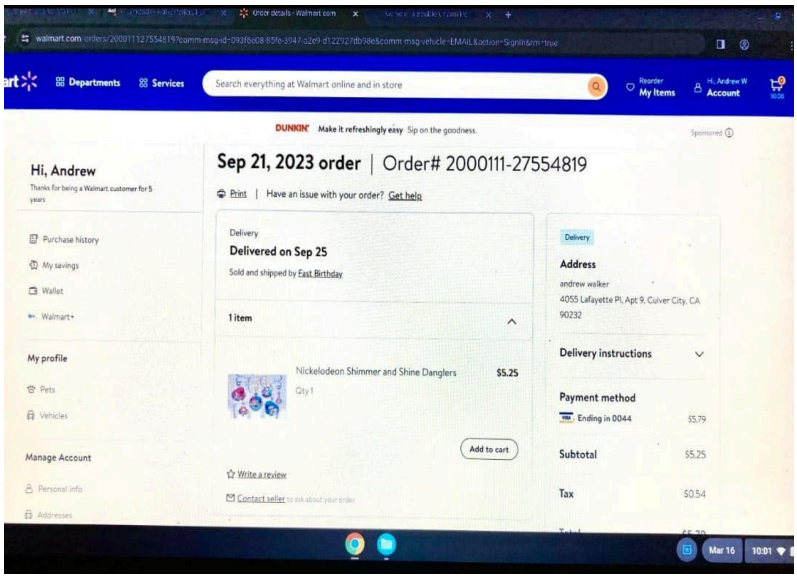
1 Claim, 3 Drawing Sheets

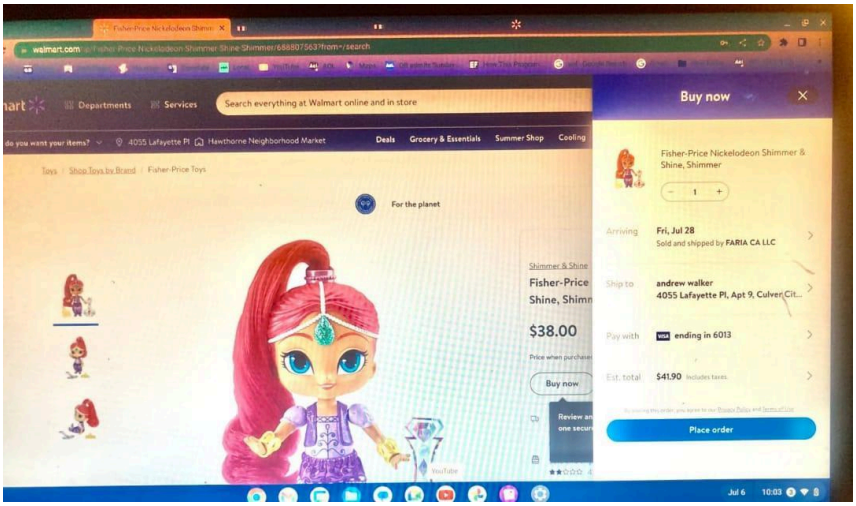
Infringing product sold by eBay

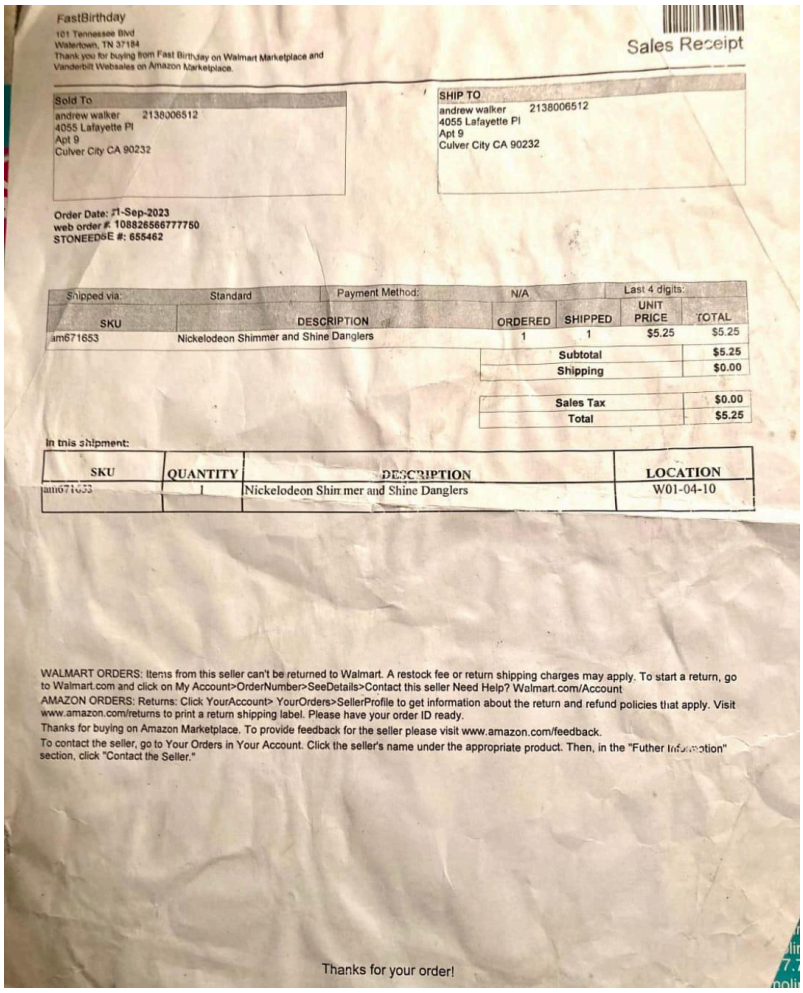


The infringing product sold by Nickelodeon, Walmart and Fisher and its price









FastBirthday
101 Tennessee Blvd
Watertown, TN 37184
Thank you for buying from Fast Birthday on Walmart Marketplace and Vanderbilt Websales on Amazon Marketplace.

Sales Receipt

Sold To
andrew walker 2138006512
4055 Lafayette Pl
Apt 9
Culver City CA 90232

SHIP TO
andrew walker 2138006512
4055 Lafayette Pl
Apt 9
Culver City CA 90232

Order Date: 21-Sep-2023
web order #: 108826566777750
STONEEDGE #: 655462

Shipped via:	Standard	Payment Method:	N/A	Last 4 digits:	
SKU	**DESCRIPTION**	**ORDERED**	**SHIPPED**	**UNIT PRICE**	**TOTAL**
am671653	Nickelodeon Shimmer and Shine Danglers	1	1	$5.25	$5.25

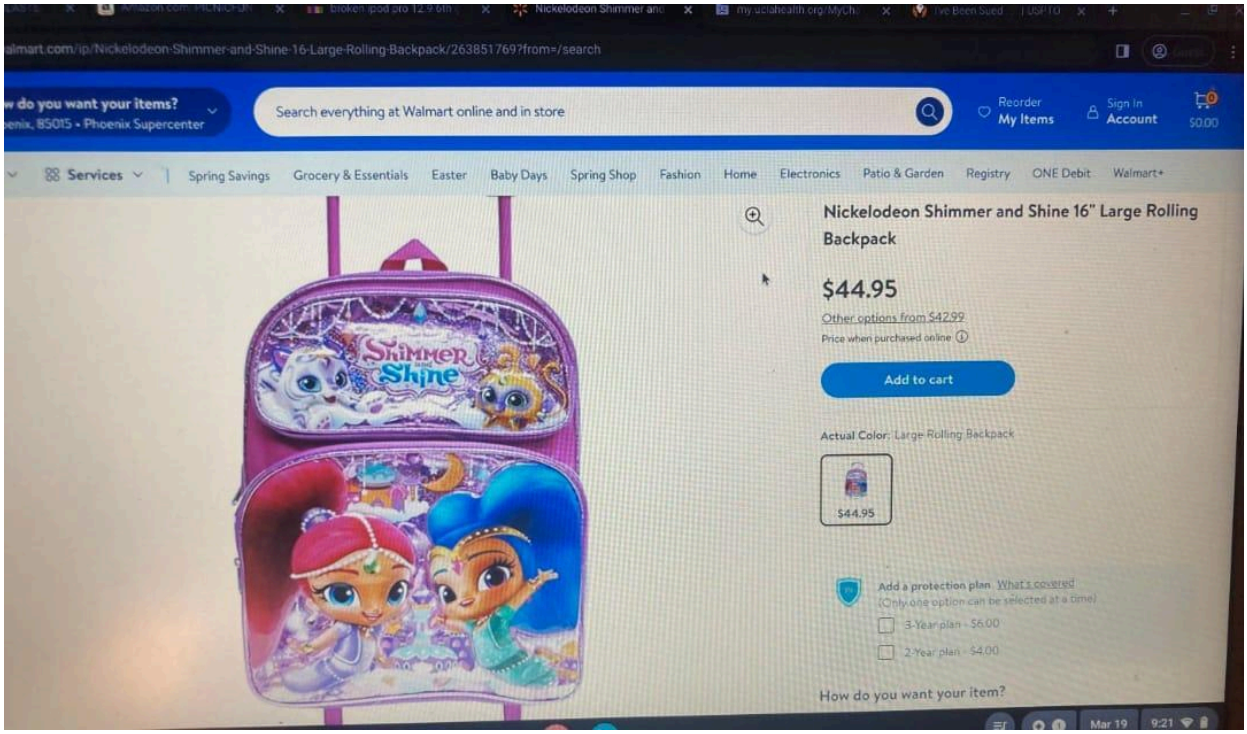
Subtotal	**$5.25**
Shipping	**$0.00**
Sales Tax	**$0.00**
Total	**$5.25**

In this shipment:

SKU	QUANTITY	DESCRIPTION	LOCATION
am671653	1	Nickelodeon Shimmer and Shine Danglers	W01-04-10

WALMART ORDERS: Items from this seller can't be returned to Walmart. A restock fee or return shipping charges may apply. To start a return, go to Walmart.com and click on My Account>OrderNumber>SeeDetails>Contact this seller Need Help? Walmart.com/Account
AMAZON ORDERS: Returns: Click YourAccount> YourOrders>SellerProfile to get information about the return and refund policies that apply. Visit www.amazon.com/returns to print a return shipping label. Please have your order ID ready.
Thanks for buying on Amazon Marketplace. To provide feedback for the seller please visit www.amazon.com/feedback.
To contact the seller, go to Your Orders in Your Account. Click the seller's name under the appropriate product. Then, in the "Futher Information" section, click "Contact the Seller."

Thanks for your order!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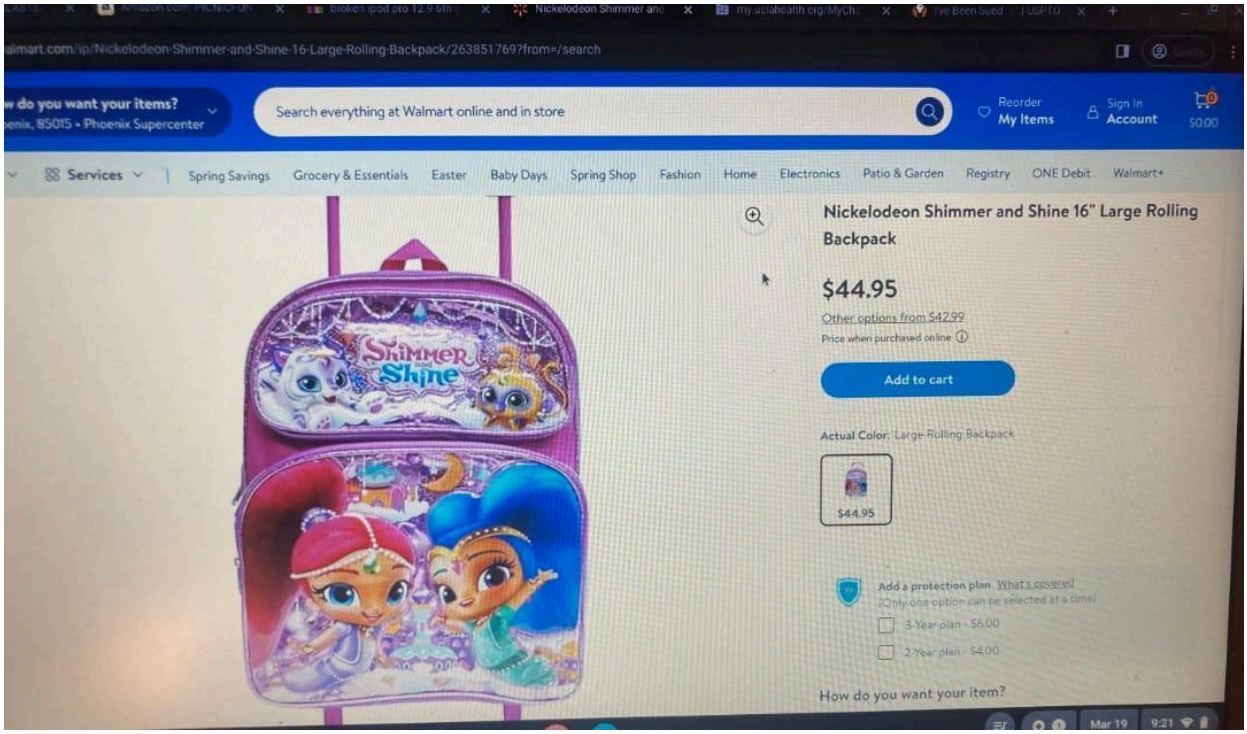
enix, 85015 • Phoenix Supercenter
Search everything at Walmart online and in store
Reorder
My Items
Sign In
Account
$0.00
Services
Spring Savings
Grocery & Essentials
Easter
Baby Days
Spring Shop
Fashion
Home
Electronics
Patio & Garden
Registry
ONE Debit
Walmart+
Nickelodeon Shimmer and Shine 16" Large Rolling Backpack
$44.95
Other options from $42.99
Price when purchased online
Add to cart
Actual Color: Large Rolling Backpack
$44.95
Add a protection plan. What's covered
(Only one option can be selected at a time)
3-Year plan - $6.00
2-Year plan - $4.00
How do you want your item?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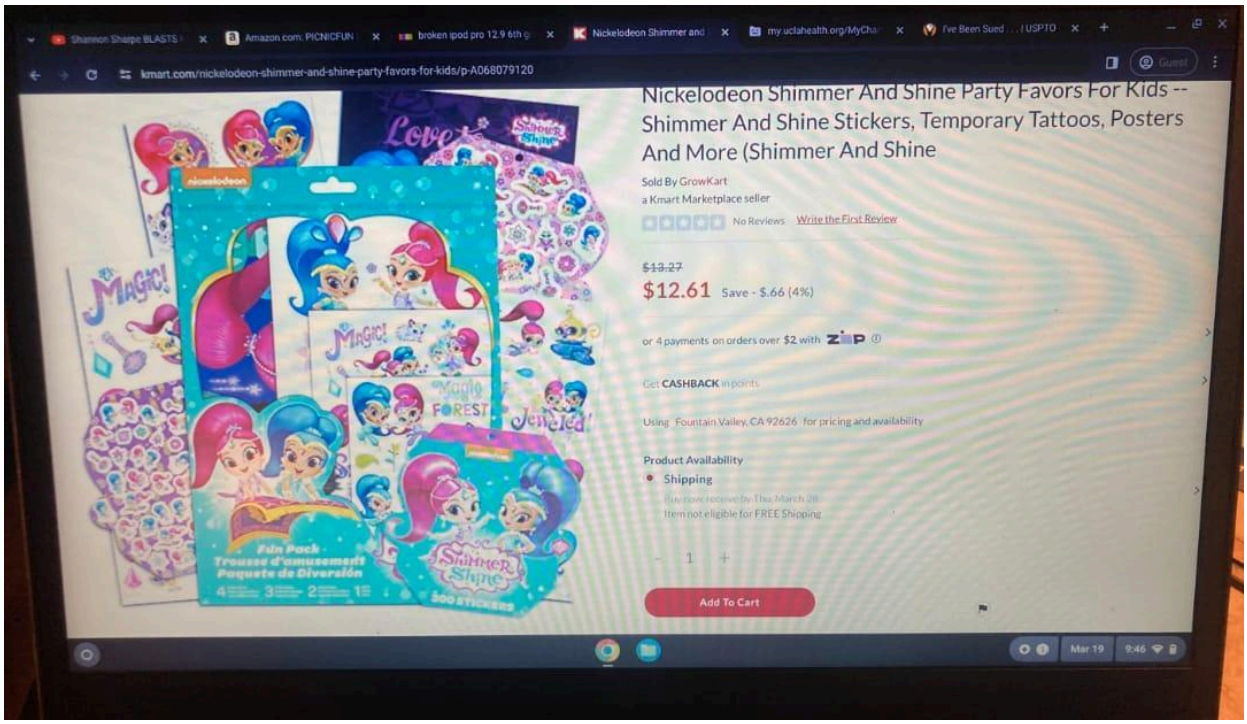
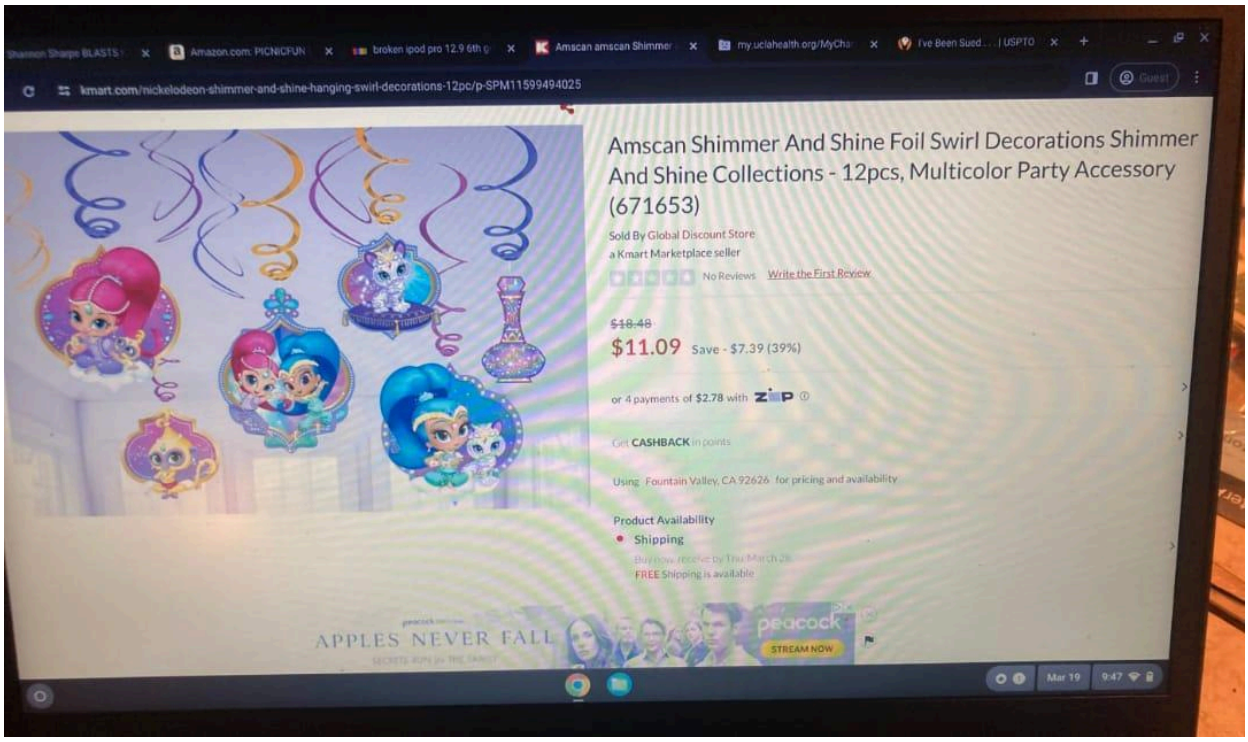
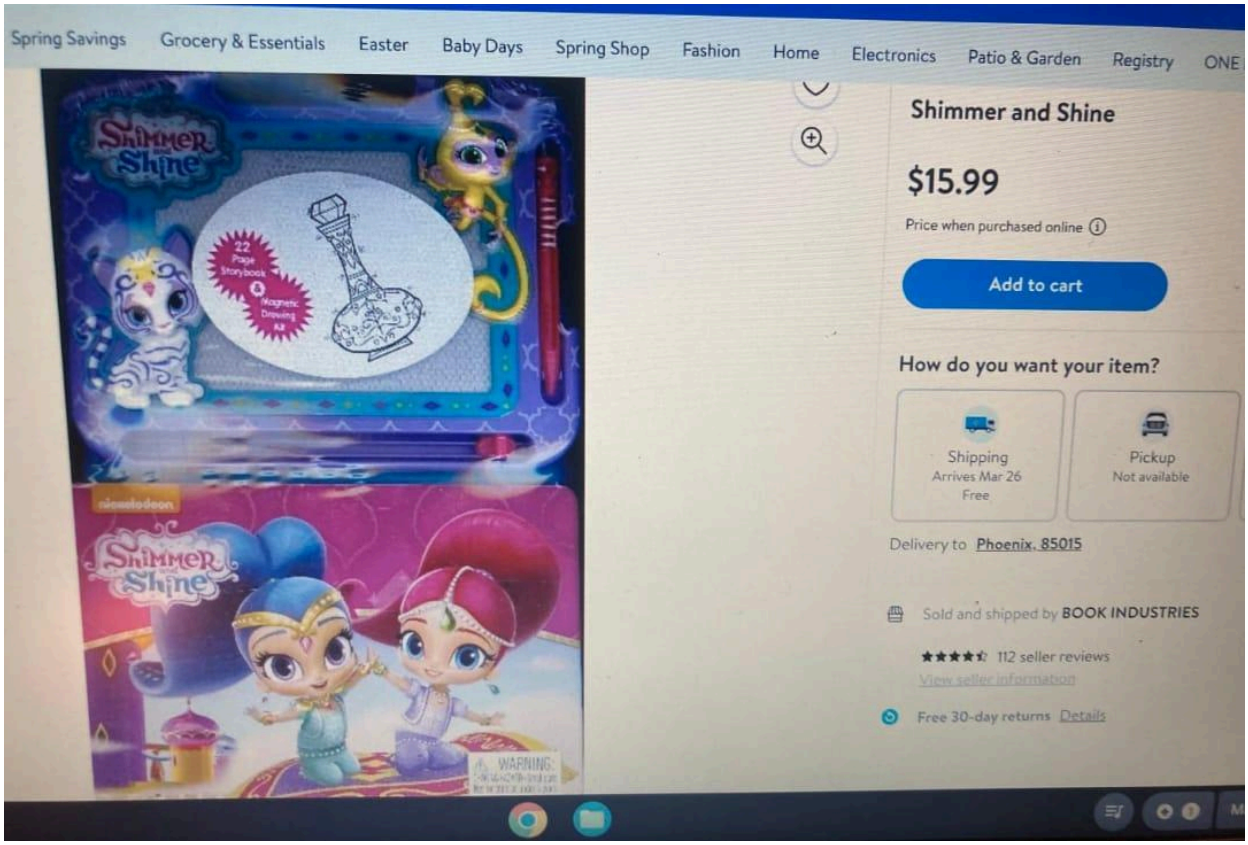
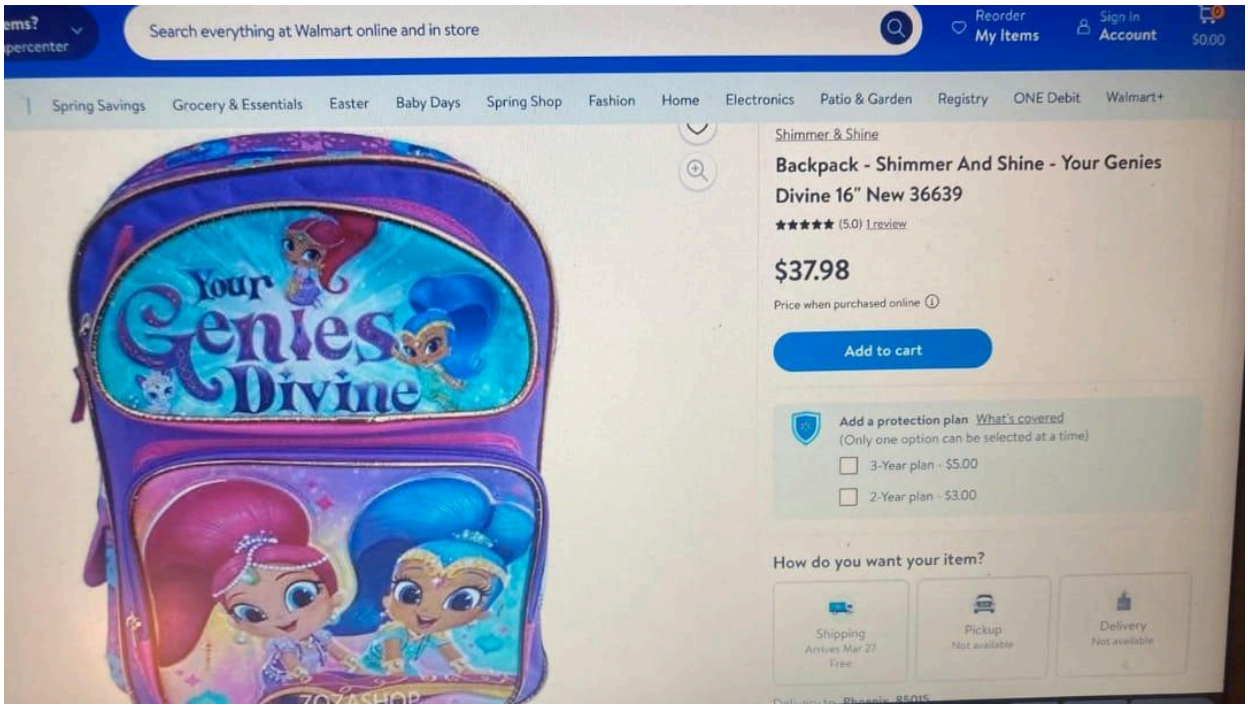
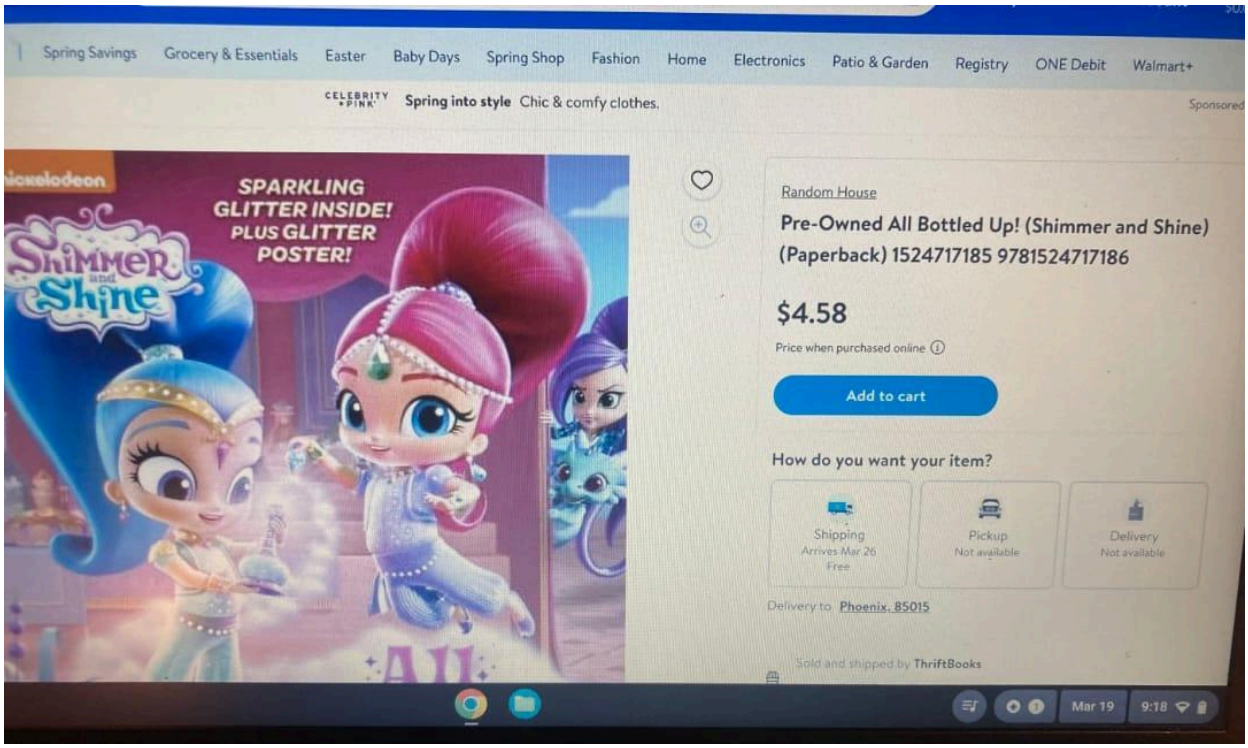
w do you want your items?
enix, 85015 • Phoenix Supercenter
Search everything at Walmart online and in store
Reorder
My Items
Sign In
Account
$0.00
Services
Spring Savings
Grocery & Essentials
Easter
Baby Days
Spring Shop
Fashion
Home
Electronics
Patio & Garden
Registry
ONE Debit
Walmart+
Nickelodeon Shimmer and Shine 16" Large Rolling Backpack
$44.95
Other options from $42.99
Price when purchased online
Add to cart
Actual Color: Large Rolling Backpack
$44.95
Add a protection plan. What's covered
(Only one option can be selected at a time)
3-Year plan - $6.00
2-Year plan - $4.00
How do you want your item?


kmart.com/nickelodeon-shimmer-and-shine-party-favors-for-kids/p-A068079120
Nickelodeon Shimmer And Shine Party Favors For Kids -- Shimmer And Shine Stickers, Temporary Tattoos, Posters And More (Shimmer And Shine
Sold By GrowKart
a Kmart Marketplace seller
No Reviews Write the First Review
$13.27
$12.61 Save - $.66 (4%)
or 4 payments on orders over $2 with zip
Get CASHBACK in points
Using Fountain Valley, CA 92626 for pricing and availability
Product Availability
Shipping
Item not eligible for FREE Shipping
Add To Cart

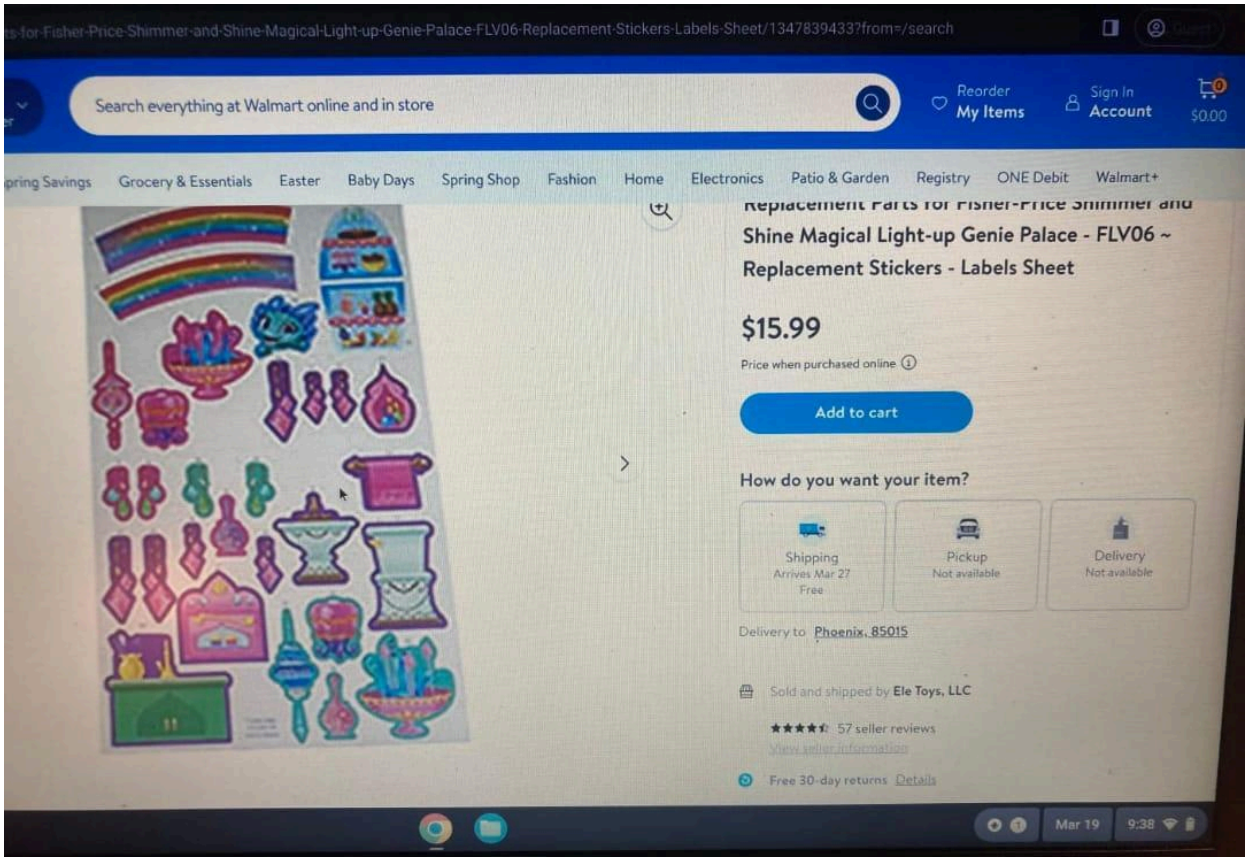

kmart.com/nickelodeon-shimmer-and-shine-hanging-swirl-decorations-12pc/p-SPM11599494025
Amscan Shimmer And Shine Foil Swirl Decorations Shimmer And Shine Collections - 12pcs, Multicolor Party Accessory (671653)
Sold By Global Discount Store
a Kmart Marketplace seller
No Reviews Write the First Review
$18.48
$11.09 Save - $7.39 (39%)
or 4 payments of $2.78 with zip
Get CASHBACK in points
Using Fountain Valley, CA 92626 for pricing and availability
Product Availability
Shipping
FREE Shipping is available
APPLES NEVER FALL
peacock
STREAM NOW

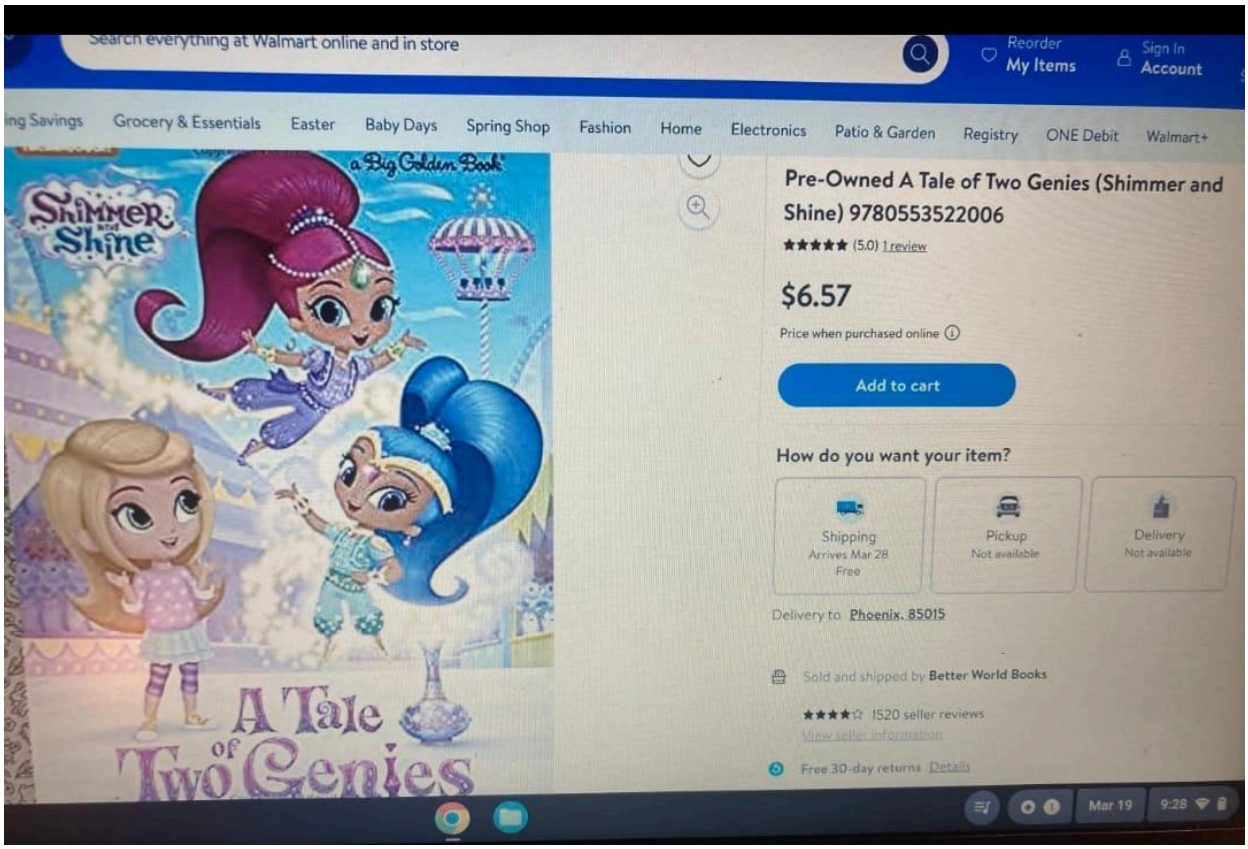

Spring Savings
Grocery & Essentials
Easter
Baby Days
Spring Shop
Fashion
Home
Electronics
Patio & Garden
Registry
Shimmer and Shine
$15.99
Price when purchased online
Add to cart
How do you want your item?
Shipping
Arrives Mar 26
Free
Pickup
Not available
Delivery to Phoenix, 85015
Sold and shipped by BOOK INDUSTRIES
112 seller reviews
View seller information
Free 30-day returns Details

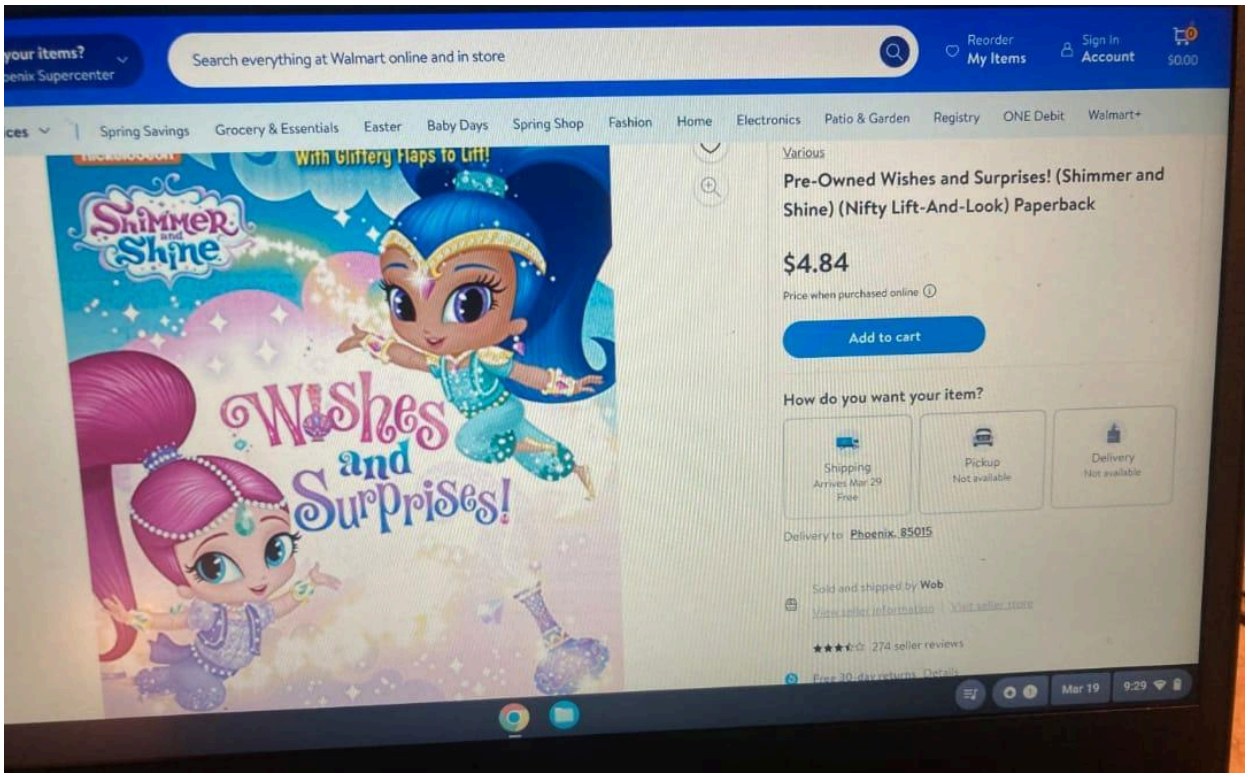

Search everything at Walmart online and in store
Reorder
My Items
Sign In
Account
Spring Savings
Grocery & Essentials
Easter
Baby Days
Spring Shop
Fashion
Home
Electronics
Patio & Garden
Registry
ONE Debit
Walmart+
Shimmer & Shine
Backpack - Shimmer And Shine - Your Genies Divine 16" New 36639
(5.0) 1 review
$37.98
Price when purchased online
Add to cart
Add a protection plan What's covered
(Only one option can be selected at a time)
3-Year plan - $5.00
2-Year plan - $3.00
How do you want your item?
Shipping
Pickup
Delivery

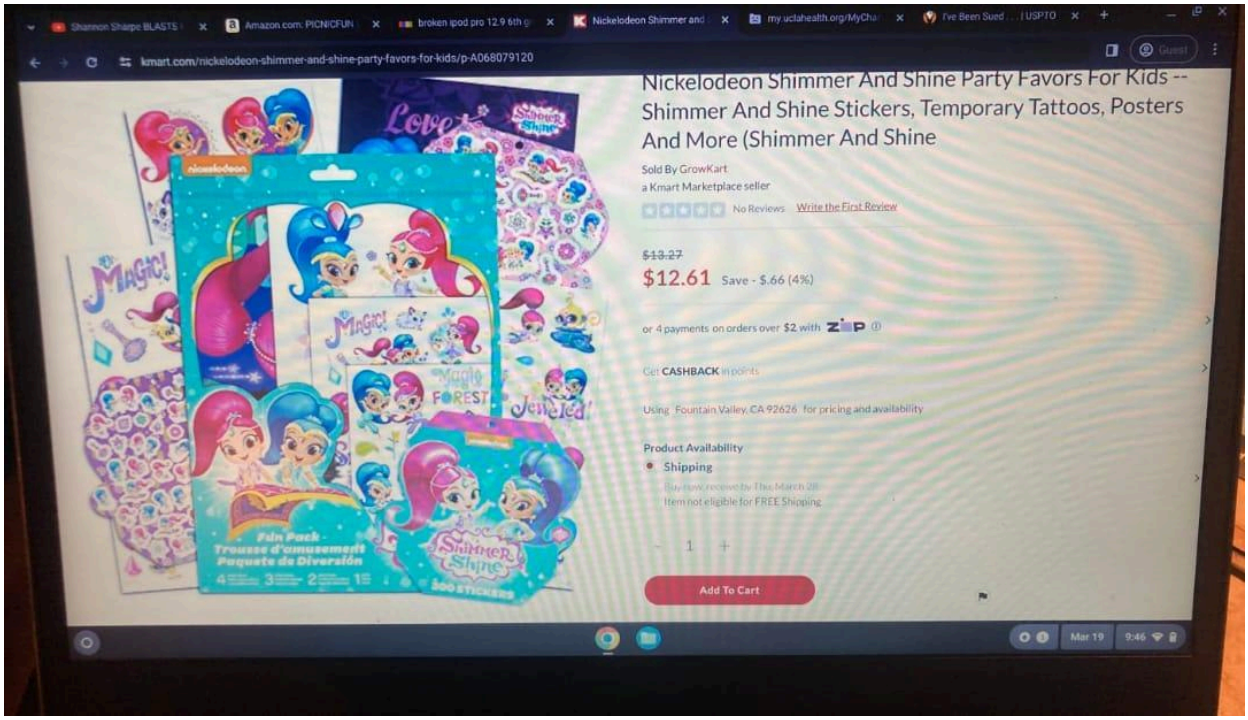

Spring Savings
Grocery & Essentials
Easter
Baby Days
Spring Shop
Fashion
Home
Electronics
Patio & Garden
Registry
ONE Debit
Walmart+
Spring into style Chic & comfy clothes.
Sponsored
SPARKLING GLITTER INSIDE! PLUS GLITTER POSTER!
Shimmer and Shine
Random House
Pre-Owned All Bottled Up! (Shimmer and Shine) (Paperback) 1524717185 9781524717186
$4.58
Price when purchased online
Add to cart
How do you want your item?
Shipping
Arrives Mar 26
Free
Pickup
Not available
Delivery
Not available
Delivery to Phoenix, 85015
Sold and shipped by ThriftBooks
Mar 19
9:18

My Items
Spring Savings
Grocery & Essentials
Easter
Baby Days
Spring Shop
Fashion
Home
Electronics
Patio & Garden
Registry
ONE Debit
Shimmer and Shine
First Look and Find
Find - PI Kids, Pre-Owned Board Book 150
9781503712393 Editors of Phoenix Internat
Publications
$4.74
Price when purchased online
Add to cart
How do you want your item?
Shipping
Arrives Apr 3
Free
Pickup
Not available
Delivery
Not available
Delivery to Phoenix, 85015
Sold and shipped by Discover Books
3497 seller reviews
Mar 19
9:17


Search everything at Walmart online and in store
Reorder
My Items
Sign In
Account
$0.00
Grocery & Essentials
Easter
Baby Days
Spring Shop
Fashion
Home
Electronics
Patio & Garden
Registry
ONE Debit
Walmart+
Shine Magical Light-up Genie Palace - FLV06 ~
Replacement Stickers - Labels Sheet
$15.99
Price when purchased online
Add to cart
How do you want your item?
Shipping
Arrives Mar 27
Free
Pickup
Not available
Delivery
Not available
Delivery to Phoenix, 85015
Sold and shipped by Ele Toys, LLC
57 seller reviews
Free 30-day returns Details
Mar 19
9:38


Search everything at Walmart online and in store
Reorder My Items
Sign In Account
Spring Savings
Grocery & Essentials
Easter
Baby Days
Spring Shop
Fashion
Home
Electronics
Patio & Garden
Registry
ONE Debit
Walmart+
a Big Golden Book
Shimmer and Shine
A Tale of Two Genies
Pre-Owned A Tale of Two Genies (Shimmer and Shine) 9780553522006
(5.0) 1 review
$6.57
Price when purchased online
Add to cart
How do you want your item?
Shipping
Arrives Mar 28
Free
Pickup
Not available
Delivery
Not available
Delivery to Phoenix, 85015
Sold and shipped by Better World Books
1520 seller reviews
View seller information
Free 30-day returns Details
Mar 19
9:28


Search everything at Walmart online and in store
Reorder My Items
Sign In Account
$0.00
Spring Savings
Grocery & Essentials
Easter
Baby Days
Spring Shop
Fashion
Home
Electronics
Patio & Garden
Registry
ONE Debit
Walmart+
With Giffery Flaps to Lift!
Shimmer and Shine
Wishes and Surprises!
Various
Pre-Owned Wishes and Surprises! (Shimmer and Shine) (Nifty Lift-And-Look) Paperback
$4.84
Price when purchased online
Add to cart
How do you want your item?
Shipping
Arrives Mar 29
Free
Pickup
Not available
Delivery
Not available
Delivery to Phoenix, 85015
Sold and shipped by Wob
274 seller reviews
Mar 19
9:29


kmart.com/nickelodeon-shimmer-and-shine-party-favors-for-kids/p-A068079120
Nickelodeon Shimmer And Shine Party Favors For Kids -- Shimmer And Shine Stickers, Temporary Tattoos, Posters And More (Shimmer And Shine
Sold By GrowKart
a Kmart Marketplace seller
No Reviews
Write the First Review
$13.27
$12.61
Save - $.66 (4%)
or 4 payments on orders over $2 with zip
Get CASHBACK in points
Using Fountain Valley, CA 92626 for pricing and availability
Product Availability
Shipping
Item not eligible for FREE Shipping
1
Add To Cart
Fun Pack
Trousse d'amusement
Paquete de Diversión
Mar 19
9:46

Infringement by Defendants Kroger, Kmart and Disney

KROGER CO.

1014 Vine Street

Cincinitti oh 45202

513 762 4935

For the attention of: Kroger Co., Inc. legal Dept.

To whom it may concern,

Re: Patent Number USD 593.191 (the Patent owner) owned by Andrew Walker jr

Date: January 8, 2024

Dear legal Dept. of Kroger Co:

Re: United States Patent No. USD 593,191

We represent Andrew Walker in intellectual property matters. Our client is the assignee of United States Patent No. USD593,191, (the USD593,191 patent) issued on 5/26/2009 and entitled Fragrant Oil Burning Lamp. A copy of the foregoing patent is enclosed. The USD593,191 patent is generally directed to the design of the patent.

Our client sells the following product using the invention of the USD593,191 patent:

Our product entitled the "DreamLamp".

We have conducted a reasonable investigation of your "Genie Bottle" charms and earrings, including analyzing the claims of the USD593,191 patent and comparing those claims with the features of each product, based on information reasonably available to us. Based on this analysis, we believe that the following products are covered by one or more claims of the USD593,191 patent, and that by making, using, offering to sell, selling or importing same you are infringing that patent:

nickelodeon
Shimmer and Shine
12 pieces
value pack!
Swirl Decorations
Decoraciones de remolino
KAGE INCLUDES:
OIL SWIRL DECORATIONS
OIL SWIRL DECORATIONS WITH 7 IN (17.7 CM) CUTOUTS
OIL SWIRL DECORATIONS WITH 5 IN (12.7 CM) CUTOUTS
El paquete incluye:
• 6 Decoraciones de remolino
• 3 Decoraciones de remolino con figuras recortables de 17.7 cm
• 3 Decoraciones de remolino con figuras recortables de 12.7 cm

Shimmer & Shine
Teenie Genies
WARNING

The products identified above each contain of of USD593,191 elements.. As a result, the products infringes all claims of the USD593,191 patent.

Our investigation and analysis is likely to continue, and Andrew Walker reserves the right to include additional infringing products or processes, and additional infringed patent claims in the future.

Your continued manufacture, use, offer to sell, sale, or importation of the identified products constitutes an infringement of the USD593,191 patent. Under the Patent Act, Andrew Walker is entitled to damages for all past and any future infringement. We therefore demand that your company immediately cease its unauthorized infringement of the USD593,191 patent.

We understand that the USD593,191 patent technology is valuable and offers significant advantages over alternative or prior art technologies. As a result, we are willing to discuss reasonable terms for a license to permit you to continue to practice under the patent. Any license would require a payment that fairly represents the value of the patented technology.

In order to preserve our client's right to litigate this matter in a venue of its choice, we are prepared to file immediately a complaint for infringement in the United States District Court for the District of New York. A copy of the complaint that we are prepared to file is attached for your information. We have refrained from filing an infringement action to allow you a reasonable opportunity to evaluate the basis of this letter, and to permit discussions relating to a license or other resolution of this matter without resort to court litigation. However, we reserve the right to file this complaint immediately and without further notice in the event you attempt to take advantage of this courtesy by filing a preemptive action in a different forum.

Kindly respond to us within 30 days. If you need any additional information from us or require further time to investigate this matter please let us know.

Very truly yours,

Andrew Walker jr.

4055 Lafayette Place apt. 9

Culver City Ca. 90232

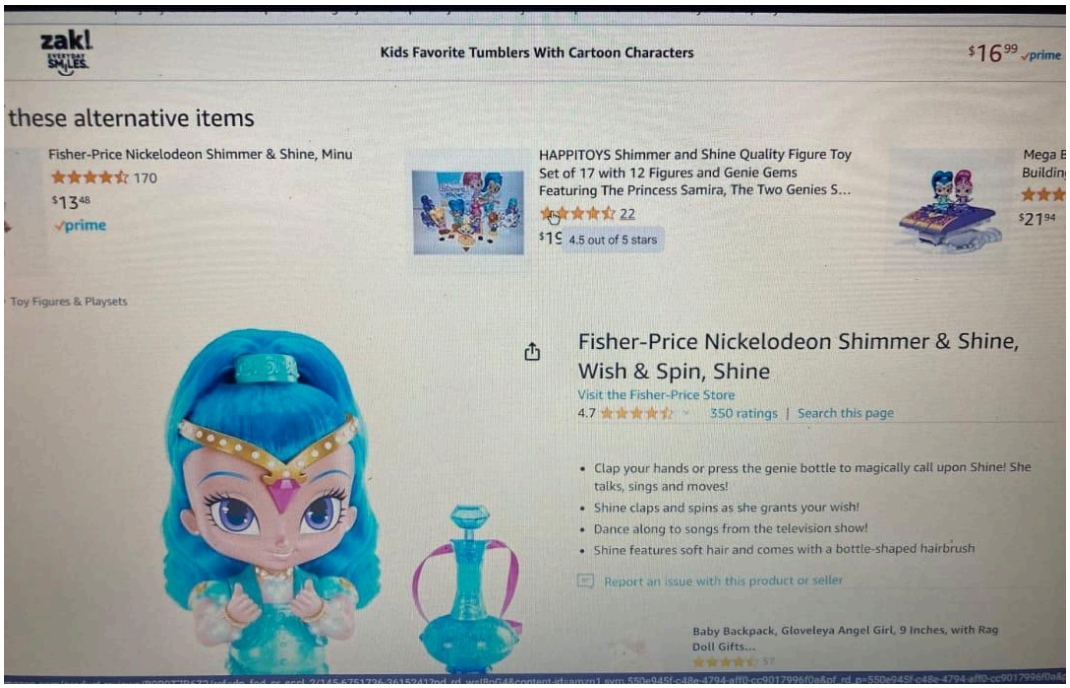
Cell. 310.569.2581

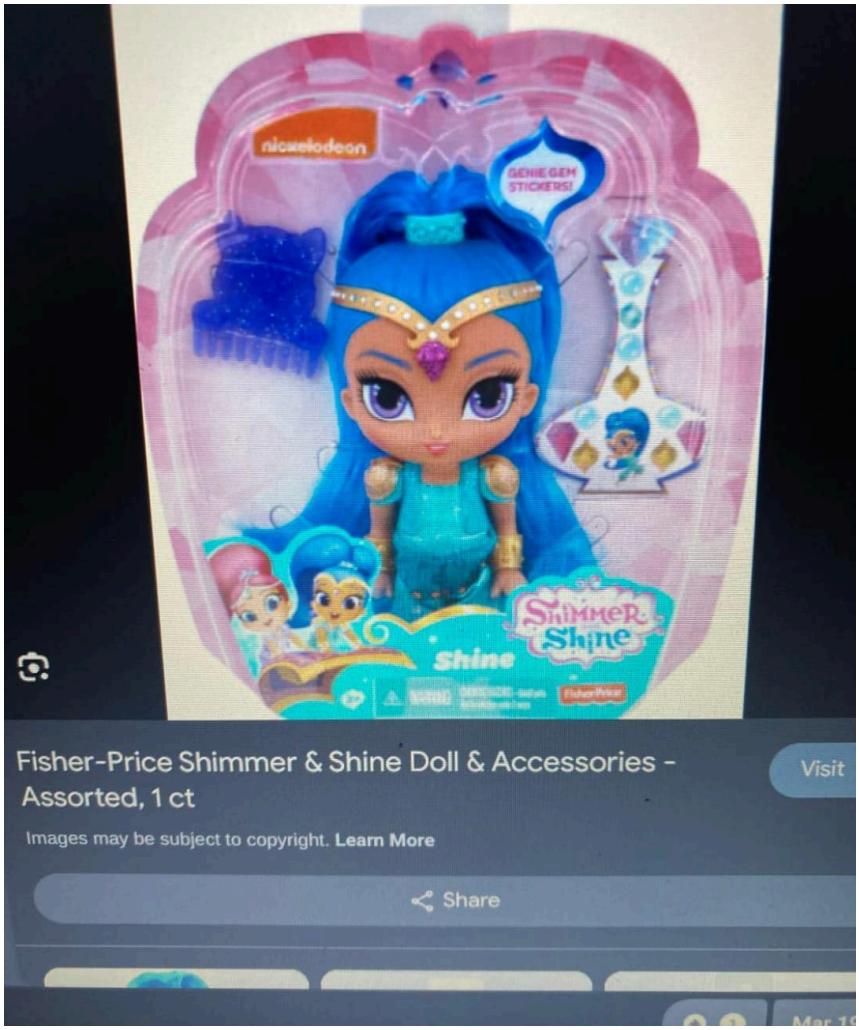
424.781.8860

Email. Walkerfellers1@aol.com

Photos of Leah wearing the pendant and sculptures infringing Plaintiff's Design D191 Patent on Nickelodeon's Shimmer and Shine Series

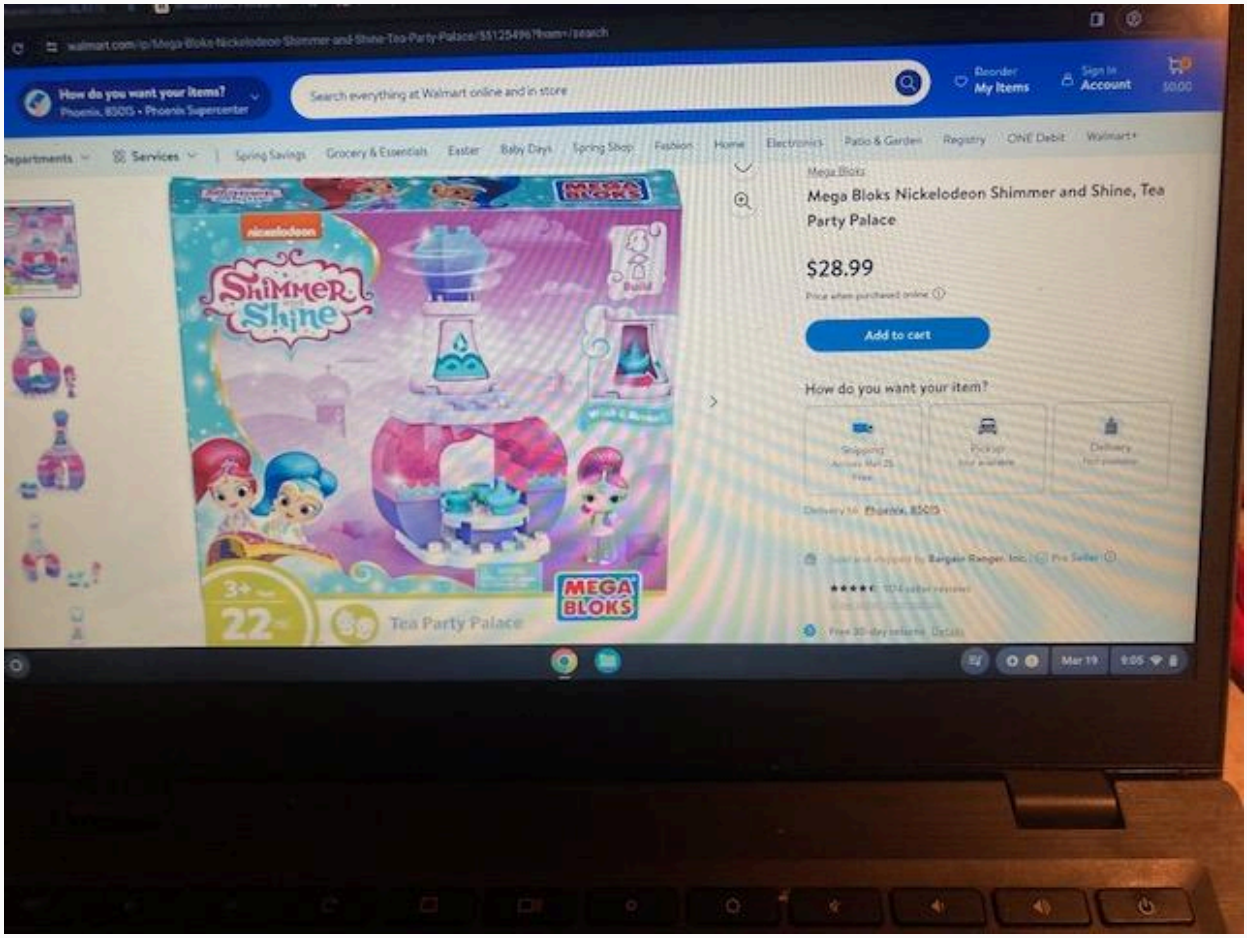
Infringement by Fisher



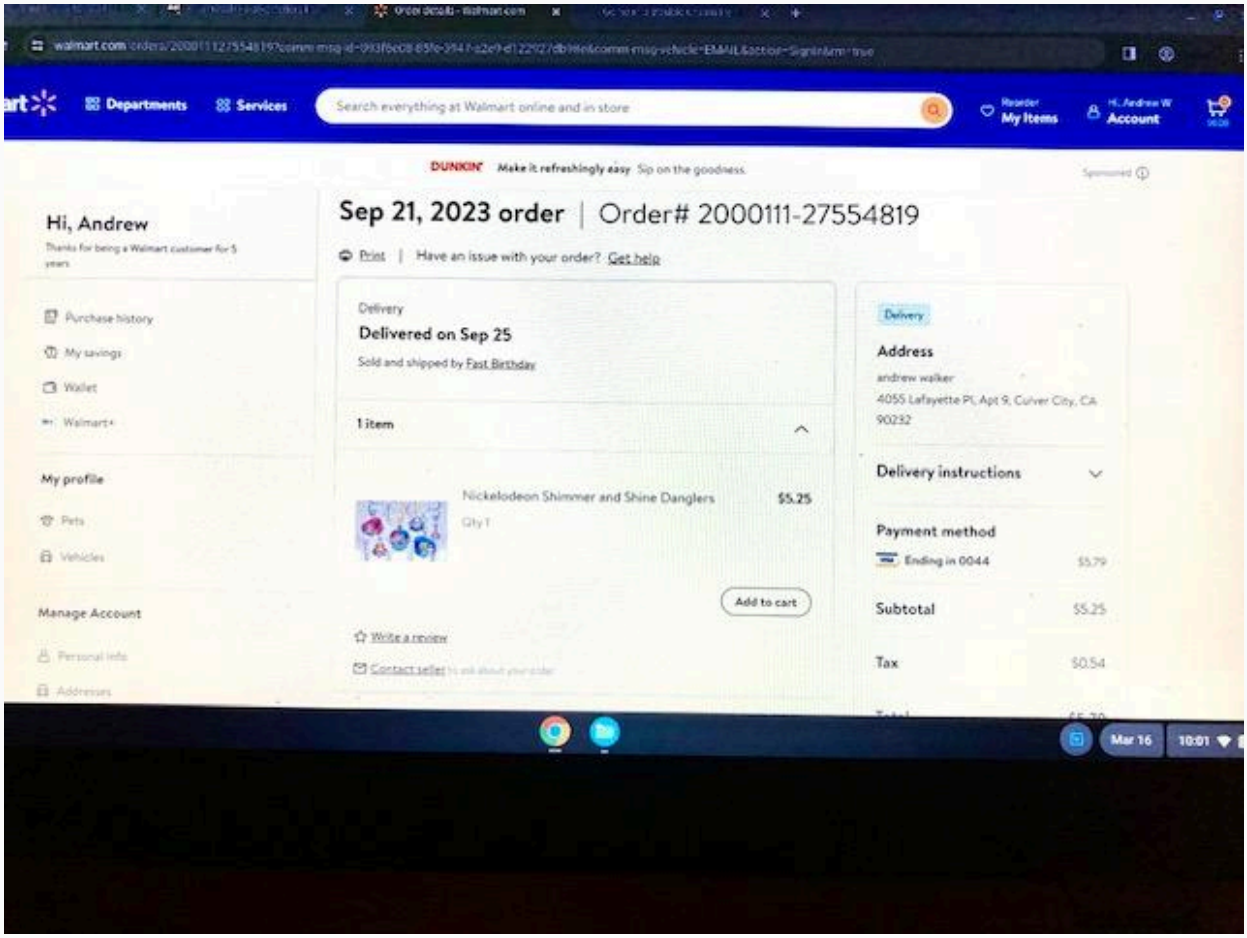

nickelodeon
GENIE GEM STICKERS!
Shimmer & Shine
Shine
Fisher-Price
Fisher-Price Shimmer & Shine Doll & Accessories - Assorted, 1 ct
Visit
Images may be subject to copyright. Learn More
Share

Disney's Infringement

Disney's Aladdin Genie Charm

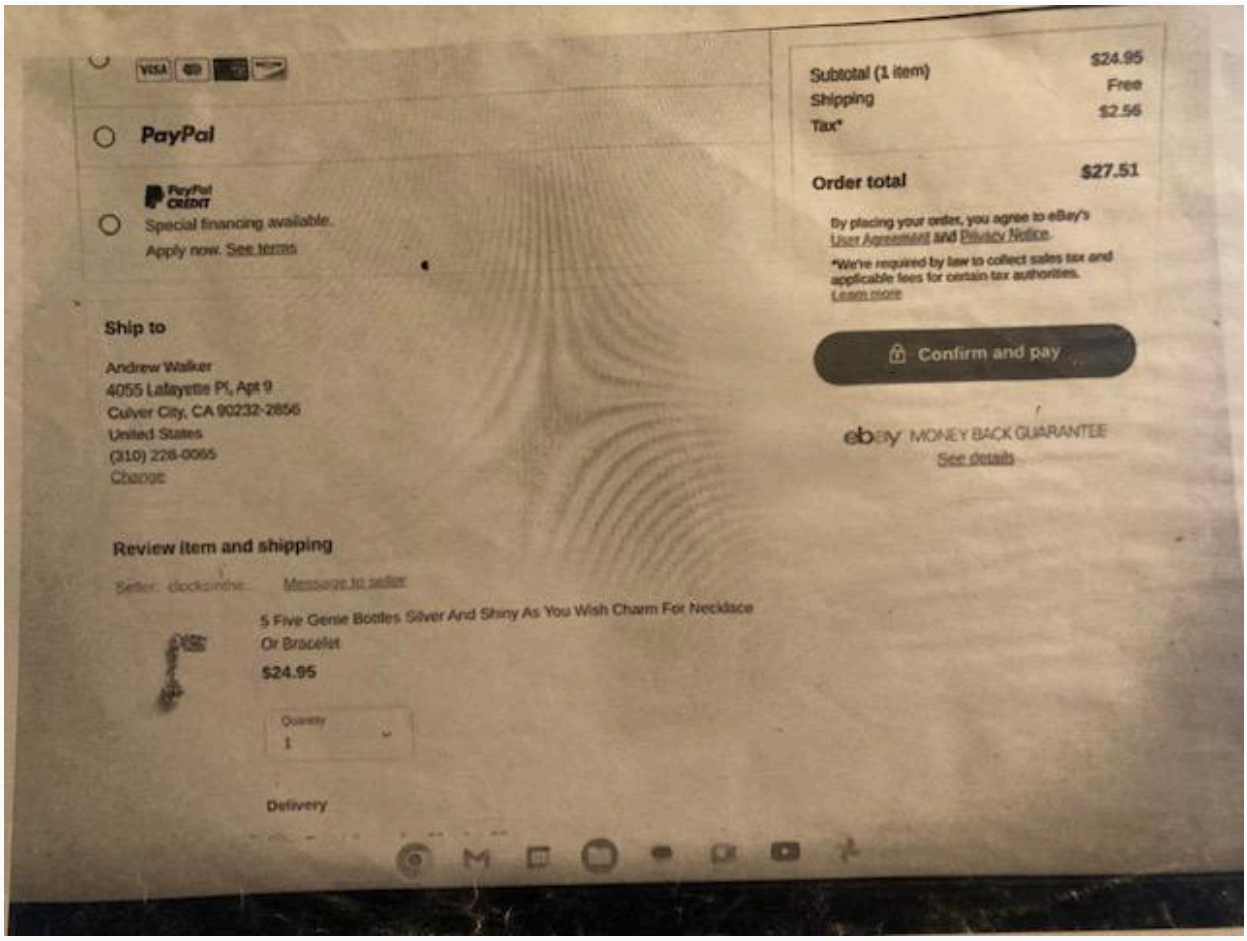


Fisher Price's Shimmer and Shine Blocks



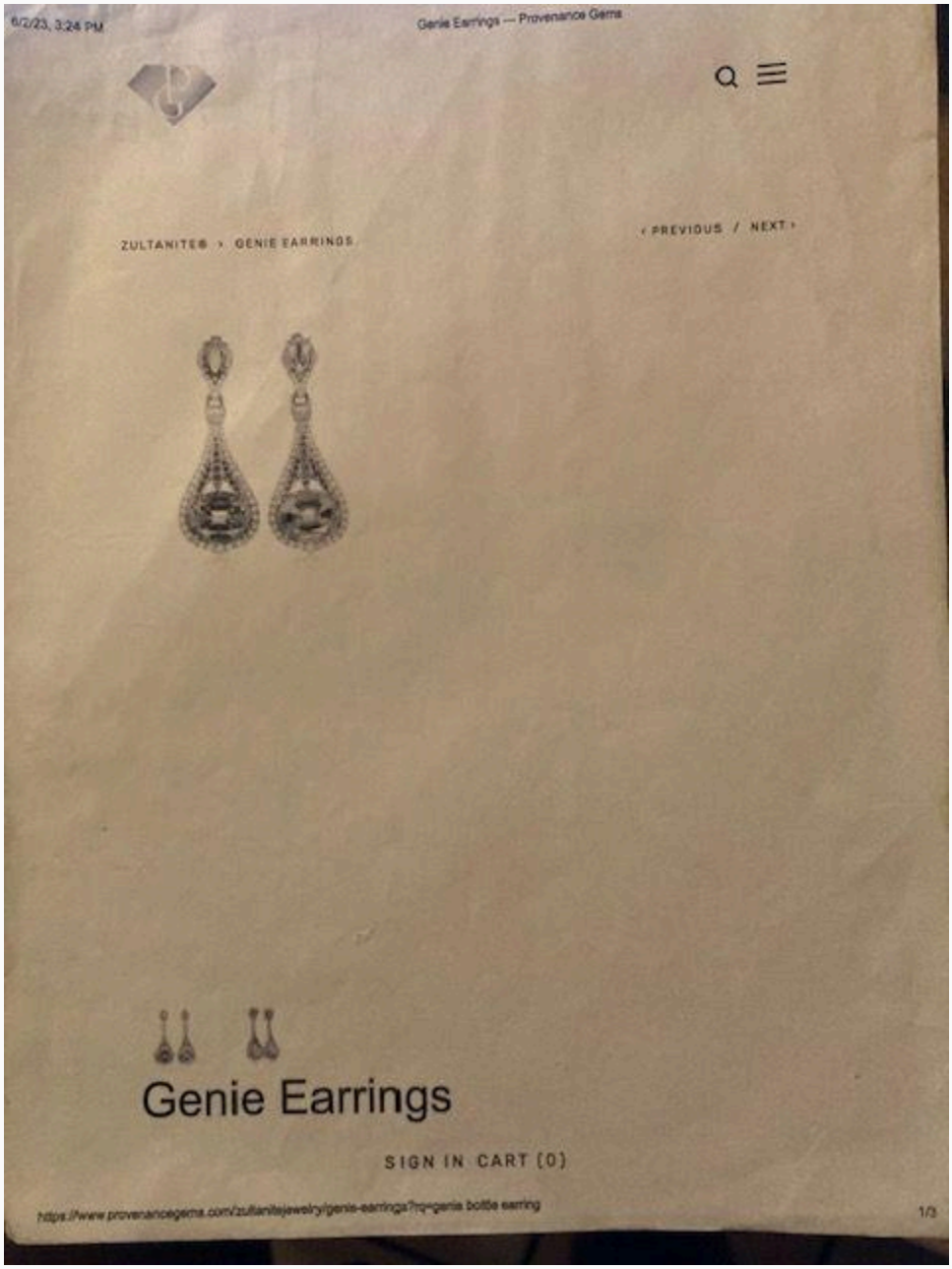
Plaintiff's Order receipt for Walmart's sells of Fisher Price's Danglers

Ebay's infringement

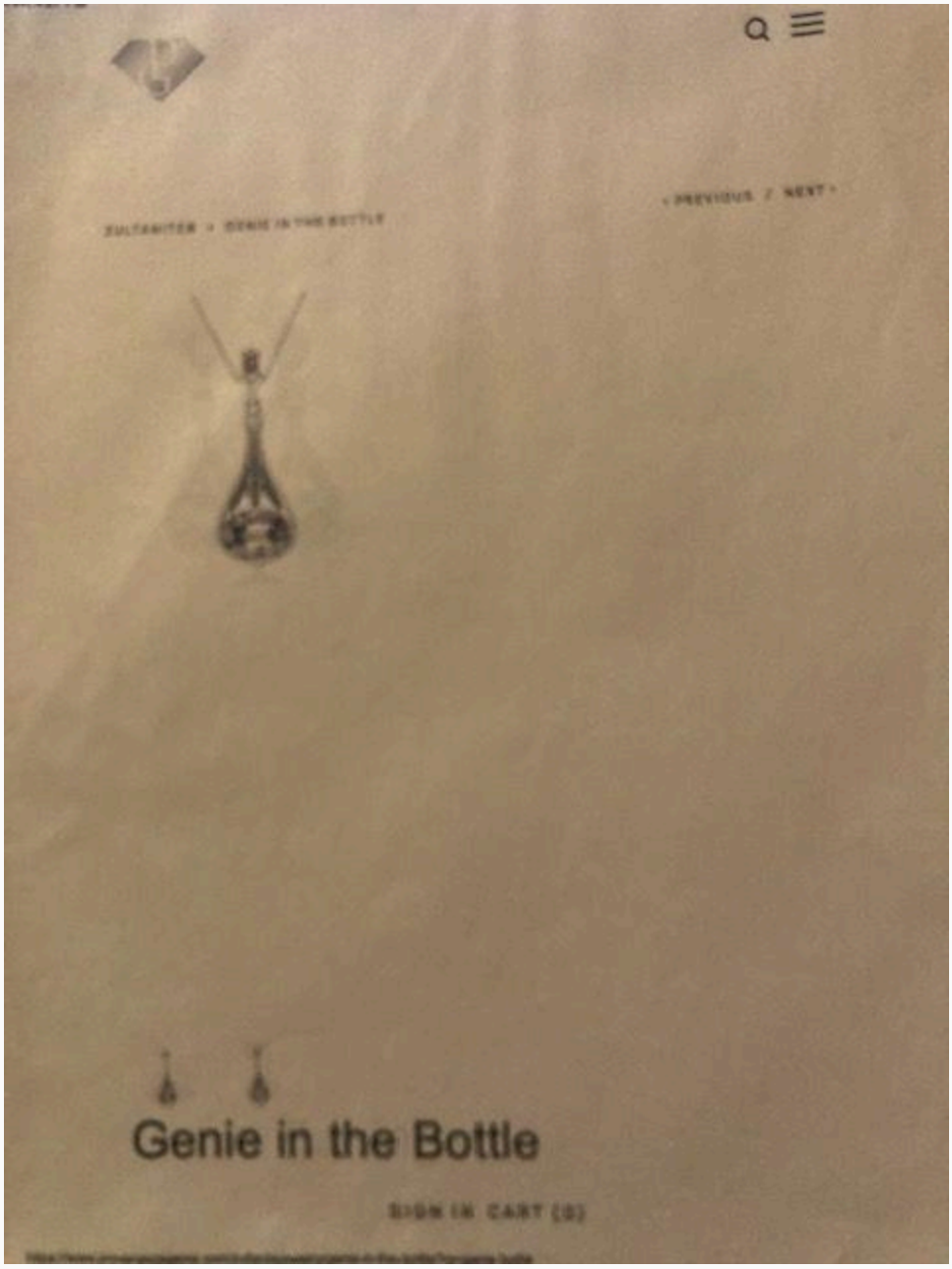


Plaintiff's Order receipt for Ebay 5 wish Genie pendants

Providence's Infringement

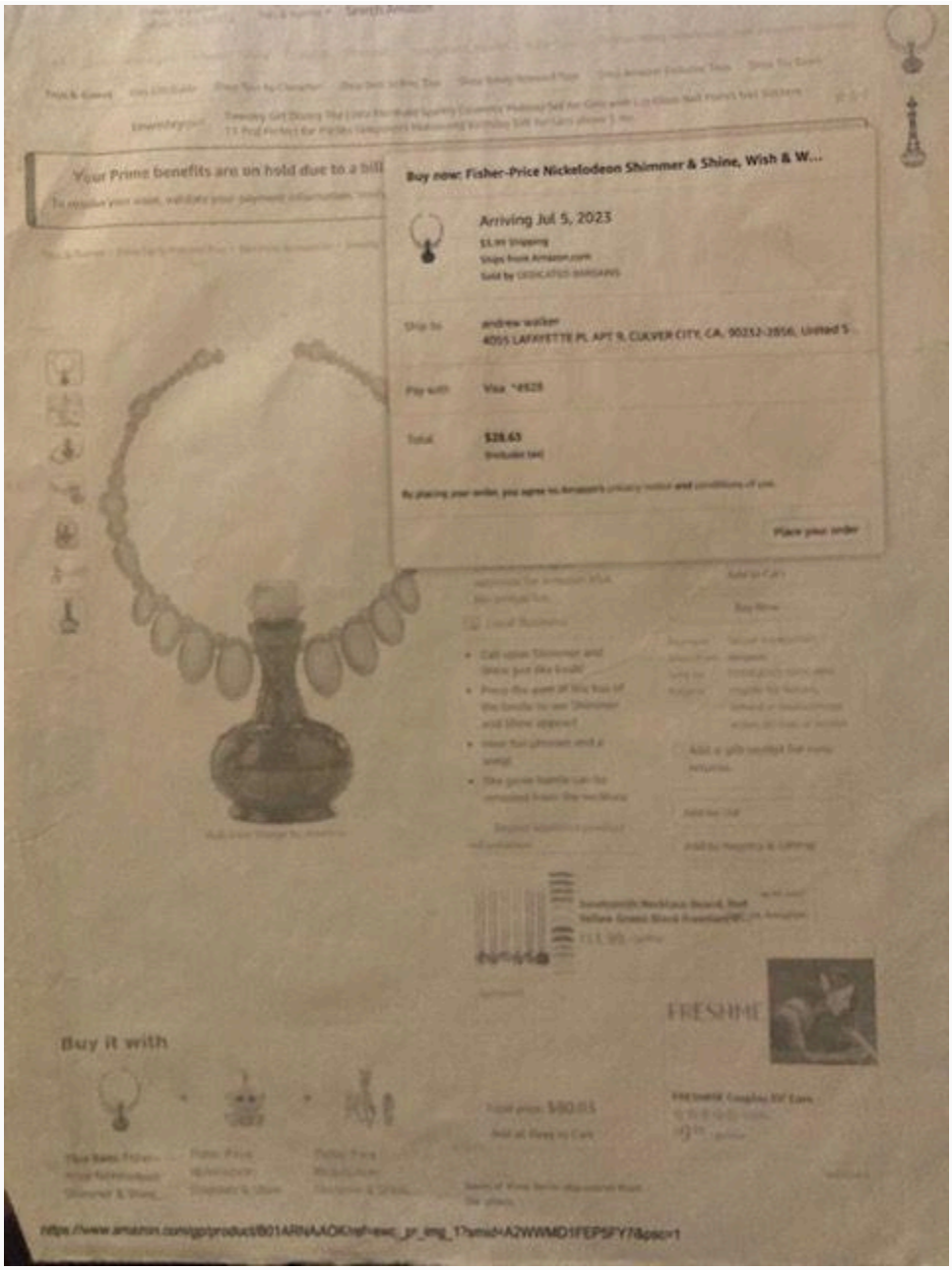


Providence Genie Earrings



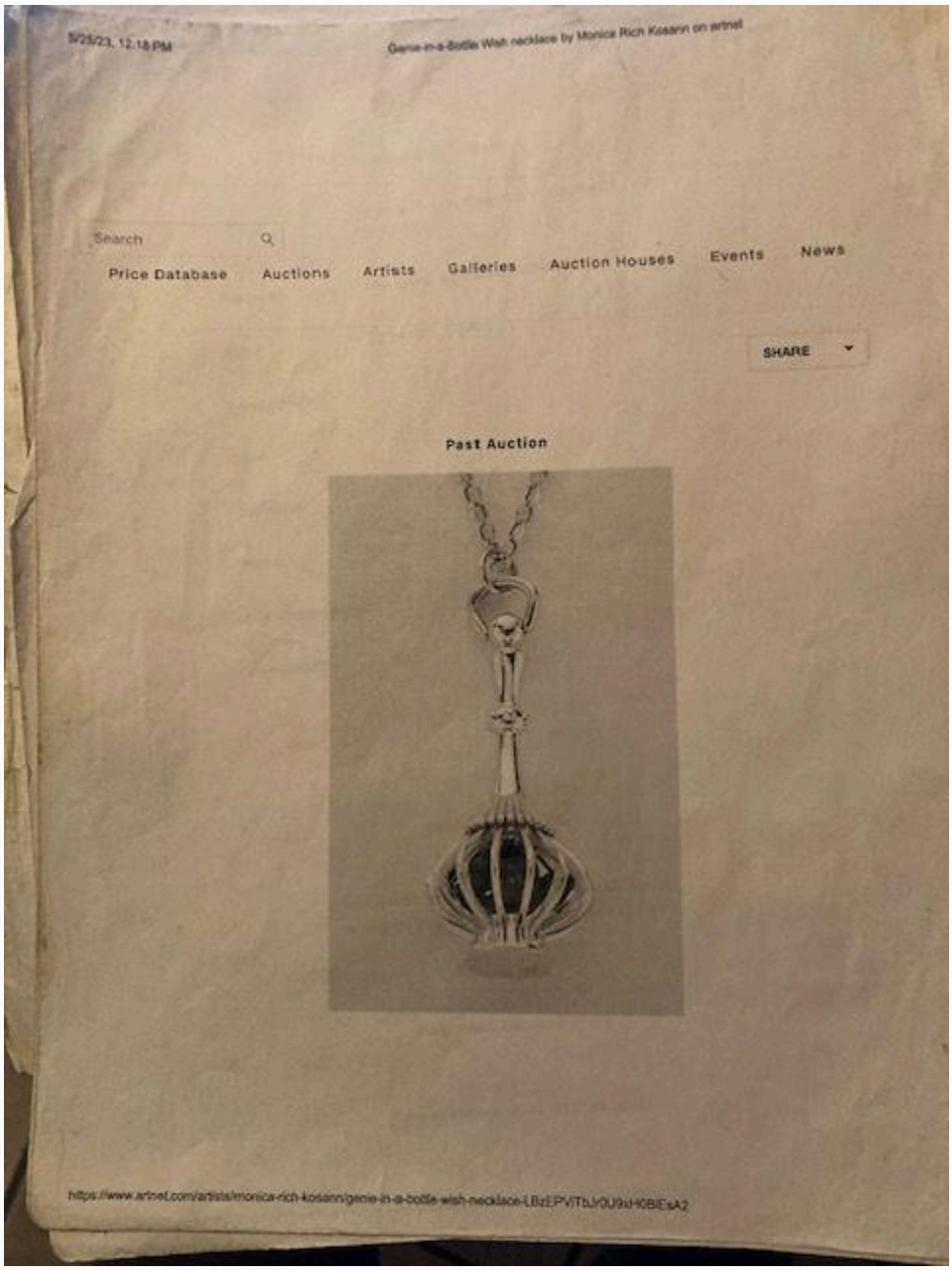
Providence's Genie Bottle Pendant

Amazon's and Fisher Price's Infringement



Plaintiff's Order receipt for Shimmer and Shine necklace

Monica Rich's Infringement



Monica Rich Pendant

Fisher Price's Infringement

Fisher Price Foil Bollons

Fisher Price Sipi Cups

Plaintiff's order receipt from Amazon's infringing Stencil product

6/1/23, 7:24 PM Place Your Order - Amazon.com Checkout

Checkout (1 item)

1 Shipping address
andrew walker
4055 LAFAYETTE PL APT 9
CULVER CITY, CA 90232-2856
Add delivery instructions
Change

2 Payment method
VISA Visa ending in 4928
Billing address: andrew walker,...
Add a gift card or promotion code or voucher
Enter code Apply
Change

3 Review items and shipping
Save
FREE Shipping on Eligible Items
Join Amazon Prime ▸
Receiving government assistance? Get 50% off Prime ▸

Estimated delivery: June 6, 2023 - June 9, 2023
Items shipped from Ai Peri

I Dream of Jeannie Bottle Reusable Sturdy Stencil Clear Custom Cut Plastic Sheet Template Cutout Sign DIY Supplies for Airbrush Painting Drawing 1-3x8 inch
$18.00
Qty: 1
Sold by: Ai Peri
Gift options not available

Choose a delivery option:
Tuesday, June 6 - Friday, June 9
FREE Shipping

Place your order
Order total: $19.85
By placing your order, you agree to Amazon's privacy notice and conditions of use.

Place your order
By placing your order, you agree to Amazon's privacy notice and conditions of use.

Order Summary

Items:	$18.00
Shipping & handling:	$0.00
Total before tax:	$18.00
Estimated tax to be collected*	$1.85
Order total:	**$19.85**

How are shipping costs calculated?

*Why has sales tax been applied? See tax and seller information.

Need help? Check our Help pages or contact us

For an item sold by Amazon.com: When you click the "Place your order" button, we'll send you an email message acknowledging receipt of your order. Your contract to purchase an item will not be complete until we send you an email notifying you that the item has been shipped.

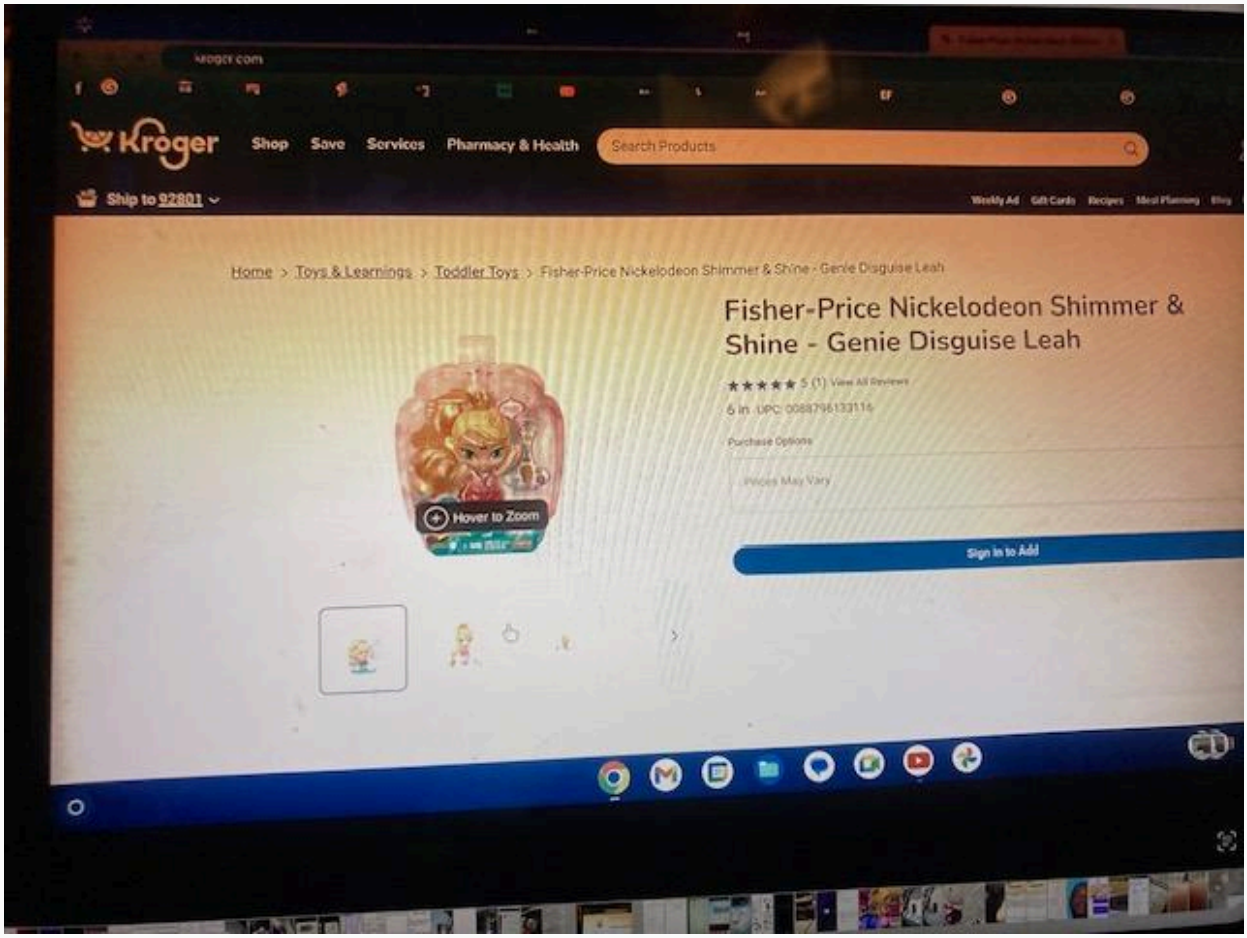
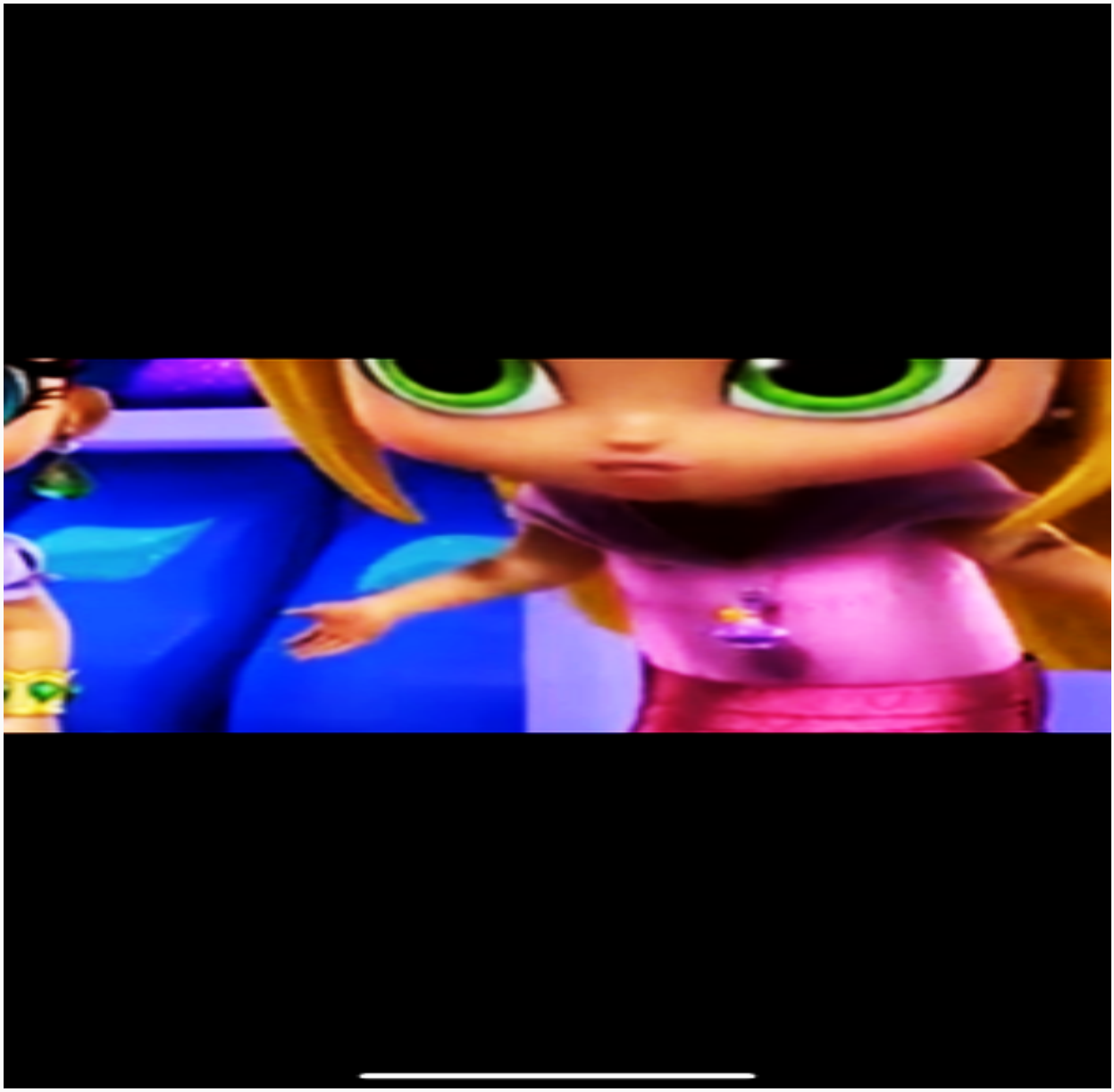
Important information about sales tax you may owe in your state

You may return new, unopened merchandise in original condition within 30 days of delivery. Exceptions and restrictions apply. See Amazon.com's Returns Policy.

Need to add more items to your order? Continue shopping on the Amazon.com homepage.

https://www.amazon.com/gp/buy/spc/handlers/display.html?_from=cheetah

Kroger's Infringement



Nickelodeon's character "Leah" wearing the infringing pendant on the Shimmer and Shine episodes