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WESTERN DISTRICT OF WASHINGTON
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

LAUGHLIN PRODUCTS, INC.,
Plaintiff,

v.

DEBBIE ALTON d/b/a BAILINE OF
BALLINGER,
Defendant.

No. **C03-3820P**
COMPLAINT



03-CV-03820-CMP

Plaintiff, LAUGHLIN PRODUCTS, INC., alleges:

1. This is an action for patent infringement, brought under the patent laws of the United States, 35 U.S.C. § 271 et seq.

PARTIES

2. Plaintiff, Laughlin Products, Inc., is a Texas corporation having its principal place of business at 3506 Blueberry Hill, Grapevine, Texas 76051.

3. Defendant, Debbie Alton d/b/a Bailine of Ballinger has a business address of 2206 Ballinger Way NE, Shorcline, Washington.

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JURISDICTION AND VENUE

4. This is an action for patent infringement brought under the patent laws of the United States, 35 U.S.C. § 271 et seq. Jurisdiction of the patent infringement claims is conferred on this Court under 28 U.S.C. §§ 1331 and 1338 (a).

5. This Court has personal jurisdiction over Defendant.

6. Venue is proper in this district under 28 U.S.C. §§ 1391 and 1400(b) in that the unlawful activities herein alleged were performed in whole or in part in this district.

COUNT ONE - PATENT INFRINGEMENT of U.S. PATENT NO. 5,922,333

7. Plaintiff reasserts the foregoing paragraphs 1 through 6.

8. Plaintiff is the owner of U.S. Patent No. 5,922,333 ("the '333 patent") titled "System for Automatically Coating the Human Body." The '333 patent describes and claims a system for spray applying self-tanning solutions and other compositions onto the human body. Plaintiff licenses others to manufacture and sell the system of the '333 patent to businesses and individuals. A true and correct copy of the '333 patent is attached hereto as Exhibit A.

9. On information and belief, Defendant operate within this district a system for spray applying self-tanning solutions and other compositions onto the human body ("The System"). Defendant's use of The System constitutes infringement of the '333 patent under 35 U.S.C. § 271.

10. Plaintiff has suffered damages as a direct result of Defendant's infringement. Under 35 U.S.C. § 284, Plaintiff is entitled to damages adequate to compensate for the infringement, including lost profits, but not less than a reasonable royalty.

11. On information and belief, Defendant's infringement of the '333 patent is willful.

COUNT TWO - PATENT INFRINGEMENT OF U.S. PATENT NO. 6,298,862

12. Plaintiff reasserts the foregoing paragraphs 1 through 11.

1 13. Plaintiff is the owner of U.S. Patent No. 6,298,862 ("the '862 patent") titled
2 "Method of and Apparatus for Automatically Coating the Human Body: Fogging
3 Technology." The '862 patent describes and claims a method and apparatus for spray applying
4 self-tanning solutions and other compositions onto the human body. Plaintiff licenses others
5 to manufacture and sell the system of the '862 patent to businesses and individuals. A true
6 and correct copy of the '862 patent is attached hereto as Exhibit B.

7 14. On information and belief, Defendant operates within this district a system for
8 spray applying self-tanning solutions and other compositions onto the human body ("The
9 System"). Defendant's use of The System constitutes infringement of the '862 patent under 35
10 U.S.C. § 271.

11 15. Plaintiff has suffered damages as a direct result of Defendant's infringement.
12 Under 35 U.S.C. § 284, Plaintiff is entitled to damages adequate to compensate for the
13 infringement, including lost profits, but not less than a reasonable royalty.

14 16. On information and belief, Defendant's infringement of the '862 patent is
15 willful.

16 **COUNT THREE - PATENT INFRINGEMENT of U.S. PATENT NO. 6,474,343**

17 17. Plaintiff reasserts the foregoing paragraphs 1 through 16.

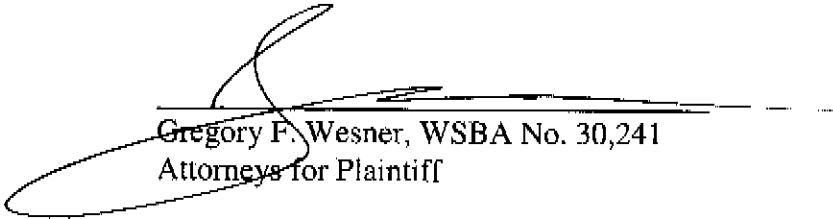
18 18. Plaintiff is the owner of U.S. Patent No. 6,474,343 ("the '343 patent") titled
19 "Method of and Apparatus for Automatically Coating the Human Body." The '343 patent
20 describes and claims a method and apparatus for spray applying self-tanning solutions and
21 other compositions onto the human body. Plaintiff licenses others to manufacture and sell the
22 system of the '343 patent to businesses and individuals. A true and correct copy of the '343
23 patent is attached hereto as Exhibit C.

24 19. On information and belief, Defendant operates within this district a system for
25 spray applying self-tanning solutions and other compositions onto the human body ("The
26 System"). Defendant's use of The System constitutes infringement of the '343 patent under 35
27 U.S.C. § 271.

1 G. awarding Plaintiff such other and further relief as this Court may deem
2 appropriate.

3 Dated this 3rd day of December, 2003.
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5 CHRISTENSEN O'CONNOR
6 JOHNSON KINDNESS^{PLLC}

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