

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF NORTH CAROLINA
Civil Action No.: 06-513**

**LA-Z-BOY GREENSBORO, INC.,
a North Carolina Corporation**

Plaintiff,

vs.

**COA, INC.,
a California Corporation**

Defendant

**COMPLAINT
JURY TRIAL DEMANDED**

COMPLAINT FOR DESIGN PATENT INFRINGEMENT

For its complaint against the Defendant, Plaintiff alleges:

1. Plaintiff La-Z-Boy Greensboro, Inc. is a North Carolina Corporation doing business in this State and District having its headquarters in Greensboro, North Carolina. Prior to December, 2003, Plaintiff was known as LADD Furniture, Inc.

2. On May 6, 2003, the United States Patent and Trademark Office duly and lawfully issued United States Design Patent D474,054 (hereinafter the “’054 patent”). Plaintiff is, and at all relevant times has been, the owner by assignment of the ‘054 patent. A copy of the ‘054 patent is attached hereto as Exhibit A.

3. Defendant COA, Inc. is a California Corporation having its principal place of business in Sante Fe Springs, California. On information and belief, Defendant does or has done business in this and other states under the names “Coaster Company of America” and/or “Coaster Fine Furniture.”

4. This Action arises under the patent laws of the United States, Title 35 of the United States Code, and this Court has subject matter jurisdiction under 28 U.S.C. § 1338. Venue is proper under 28 U.S.C. §1400.

5. This Court has personal jurisdiction over Defendant and venue is both proper and convenient to both parties. Defendant maintains a showroom in this District and has sold infringing products for sale in this District and/or has offered such products for sale in this District.

6. Defendant has infringed, and is presently infringing, the '054 patent by manufacturing, importing and selling China cabinets that are confusingly similar to the ornamental design protected by the '054 patent.

7. Defendant has sold China cabinets as part of its "Nottingham" Collection that contain each and every ornamental feature disclosed in and by the '054 patent.

8. On information and belief, Defendant's infringement of the '727 patent is willful.

9. Plaintiff has suffered monetary damages as a result of Defendant's infringement of the '054 patent in an amount to be proven at trial.

10. On information and belief, Defendant's infringement is ongoing and Defendant will continue to infringe unless enjoined by this Court.

WHEREFORE, Plaintiff prays for:

1. A trial by jury of all issues so triable;
2. An accounting of Defendant's profits from or on account of its infringement of the '054 patent;
3. A permanent injunction enjoining Defendant from importing, purchasing, manufacturing, ordering, selling, or offering for sale articles that infringe the '054 patent;

4. A mandatory injunction requiring Defendant to destroy all infringing articles in its possession or control;
 5. An award of damages sufficient to compensate Plaintiff for Defendant's infringement;
 6. An order trebling all damages awarded;
 7. An order awarding Plaintiff its costs, expenses, attorney fees and prejudgment interest,
- and,
8. such other relief as the Court deems just.

This the 2nd day of June, 2006

/s/ Kevin L. Miller

Kevin L. Miller, N.C. Bar No. 12493
Stephen Robinson, N.C. Bar. No. 18401
Counsel for Plaintiff

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