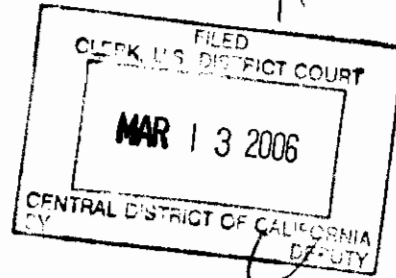


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7 Attorneys for PLAINTIFF  
8 Link Treasure Limited



9 UNITED STATES DISTRICT COURT  
10 CENTRAL DISTRICT OF CALIFORNIA

11 LINK TREASURE, LIMITED  
12 Plaintiff,

CASE NO.

CV06-1548

JFW (ASTW)

13 vs.

COMPLAINT FOR  
PATENT INFRINGEMENT

DEMAND FOR JURY TRIAL

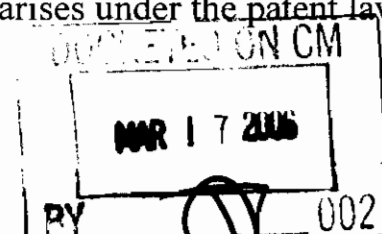
15 EVENFLO COMPANY INC., a Delaware  
16 corporation; WAL-MART STORES, INC. a  
17 Delaware corporation; TARGET  
CORPORATION, a Minnesota corporation; and  
DOES 1 through 100, inclusive.

18 Defendants.

19  
20 Plaintiff LINK TREASURE, LIMITED, a corporation (hereinafter "Plaintiff" or  
21 "LINK") alleges as follows:

22  
23 **JURISDICTION AND VENUE ALLEGATIONS**

24 1. The Court has jurisdiction over the subject matter of this action pursuant to  
25 28 U.S.C. sections 1331 and 1338(a), as this action arises under the patent laws of the  
26 United States.



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1 segment of a structure of a stroller is attached hereto as “Exhibit “A” and made a part  
2 hereof.

3 9. Plaintiff is the exclusive patent owner of US patent no. **5,865,460**, for a  
4 foldable mechanism for use in a stroller. A true and correct copy of the United States  
5 Patent for this device for a foldable mechanism for use in a stroller is attached hereto as  
6 Exhibit “B” and made a part hereof.

7 10. Plaintiff is the exclusive patent owner of US patent no. **6,416,124**, for  
8 highchair with horizontally adjustable tray. A true and correct copy of the United States  
9 Patent for this highchair with horizontally adjustable tray is attached hereto as Exhibit  
10 “C” and made a part hereof.

11 11. Plaintiff is the exclusive patent owner of US patent no. **6,692,070** , for a  
12 food tray adjustment structure for high chair. A true and correct copy of the United  
13 States Patent for this food tray adjustment structure for high chair is attached hereto as  
14 Exhibit “D” and made a part hereof.

15  
16 **FIRST CLAIM FOR RELIEF**

17 (For Infringement of U.S. Patent No. **5,276,941**)  
18

19 12. Plaintiff repeats and realleges the allegations of paragraphs 1 through 11 of  
20 the Complaint as if fully set forth herein.

21 13. Plaintiff is the sole owner and/or assignee of United States Patent No.  
22 **5,276,941** for a device for mounting a pair of casters to a segment of a structure of a  
23 stroller, United States Patent No. **5,276,941**, entitled Device For Mounting A Pair Of  
24 Casters To A Segment Of A Structure Of A Stroller, filed on June 3, 1992 and issued  
25 January 11, 1994 (hereinafter sometimes referred to as “‘941”).

26 14. Defendants EVENFLO , WAL-MART, and TARGET have infringed and  
27 are continuing to infringe the ‘941 Patent, in violation of 35 U.S.C. section 271, by  
28 making, using, importing, offering for sale and/or selling Aura Travel System, Ellipsa

1 Baby Travel System, and Comfort Dimensions Traditions Travel System products that  
2 are covered by one or more claims of the '941 Patent, and by contributing to or inducing  
3 others to infringe this patent.

4 15. Defendants' activities have been without an express or implied license by  
5 Plaintiff.

6 16. Defendants continue to infringe the '941 Patent and, unless enjoined by this  
7 Court, will continue to infringe the '941 Patent. Plaintiff has suffered and will continue  
8 to suffer irreparable harm for which there is no adequate remedy at law. Accordingly,  
9 Plaintiff is entitled to temporary, preliminary, and/or permanent injunctive relief against  
10 such infringement pursuant to 35 U.S.C. section 283.

11 17. As a result of Defendants' infringement of the '941 Patent, Plaintiff has  
12 been and will be damaged, and is entitled to be compensated for such damages pursuant  
13 to 35 U.S.C. section 284 in an amount that cannot presently be ascertained, but that will  
14 be determined at trial.

15 18. Plaintiff is informed and believes that Defendants' past and continuing  
16 infringement of the '941 Patent have been deliberate and willful, and that this case is  
17 therefore an exceptional case which warrants an award of treble damages and attorneys'  
18 fees to Plaintiff in accordance with 35 U.S.C. section 285.

19

20

## SECOND CLAIM FOR RELIEF

21

(For Infringement of U.S. Patent No. **5,865,460**)

22

23 19. Plaintiff repeats and realleges the allegations of paragraphs 1 through 11 of  
24 the Complaint as if fully set forth herein.

25

26 20. Plaintiff is the sole owner and/or assignee of United States Patent No.  
27 **5,865,460** for a foldable mechanism for use in a stroller. United States Patent No.  
28 **5,865,460**, entitled Foldable Mechanism For Use In A Stroller, filed on September 27,  
1996 and issued February 2, 1999 (hereinafter sometimes referred to as "460").

1           21. Defendants EVENFLO and WAL-MART have infringed and are continuing  
2 to infringe the '460 Patent, in violation of 35 U.S.C. section 271, by making, using,  
3 importing, offering for sale and/or selling Comfort Dimensions Traditions Travel System  
4 products that are covered by one or more claims of the '460 Patent, and by contributing  
5 to or inducing others to infringe this patent.

6           22. Defendants' activities have been without an express or implied license by  
7 Plaintiff.

8           23. Defendants continue to infringe the '460 Patent and, unless enjoined by this  
9 Court, will continue to infringe the '460 Patent. Plaintiff has suffered and will continue  
10 to suffer irreparable harm for which there is no adequate remedy at law. Accordingly,  
11 Plaintiff is entitled to temporary, preliminary, and/or permanent injunctive relief against  
12 such infringement pursuant to 35 U.S.C. section 283.

13           24. As a result of Defendants' infringement of the '460 Patent, Plaintiff has  
14 been and will be damaged, and is entitled to be compensated for such damages pursuant  
15 to 35 U.S.C. section 284 in an amount that cannot presently be ascertained, but that will  
16 be determined at trial.

17           25. Plaintiff is informed and believes that Defendants' past and continuing  
18 infringement of the '460 Patent have been deliberate and willful, and that this case is  
19 therefore an exceptional case which warrants an award of treble damages and attorneys'  
20 fees to Plaintiff in accordance with 35 U.S.C. section 285.

21  
22                           **THIRD CLAIM FOR RELIEF**

23                           (For Infringement of U.S. Patent No. **6,416,124**)

24  
25           26. Plaintiff repeats and realleges the allegations of paragraphs 1 through 11 of  
26 the Complaint as if fully set forth herein.

27           27. Plaintiff is the sole owner and/or assignee of United States Patent No.  
28 **6,416,124**, for highchair with horizontally adjustable tray. United States Patent No.

1 **6,416,124**, entitled Highchair With Horizontally Adjustable Tray, filed on August 17,  
2 2000 and issued July 9, 2002. ( hereinafter sometimes referred to as “124”).

3 28. Defendants EVENFLO and TARGET have infringed and are continuing to  
4 infringe the ‘124 Patent, in violation of 35 U.S.C. section 271, by making, using,  
5 importing, offering for sale and/or selling SmartSteps Discovery High Chair products  
6 that are covered by one or more claims of the ‘124 Patent, and by contributing to or  
7 inducing others to infringe this patent.

8 29. Defendants’ activities have been without an express or implied license by  
9 Plaintiff.

10 30. Defendants continue to infringe the ‘124 Patent and, unless enjoined by this  
11 Court, will continue to infringe the ‘124 Patent. Plaintiff has suffered and will continue  
12 to suffer irreparable harm for which there is no adequate remedy at law. Accordingly,  
13 Plaintiff is entitled to temporary, preliminary, and/or permanent injunctive relief against  
14 such infringement pursuant to 35 U.S.C. section 283.

15 31. As a result of Defendants’ infringement of the ‘124 Patent, Plaintiff has  
16 been and will be damaged, and is entitled to be compensated for such damages pursuant  
17 to 35 U.S.C. section 284 in an amount that cannot presently be ascertained, but that will  
18 be determined at trial.

19 32. Plaintiff is informed and believes that Defendants’ past and continuing  
20 infringement of the ‘124 Patent have been deliberate and willful, and that this case is  
21 therefore an exceptional case which warrants an award of treble damages and attorneys’  
22 fees to Plaintiff in accordance with 35 U.S.C. section 285.

23  
24 **FOURTH CLAIM FOR RELIEF**

25 (For Infringement of U.S. Patent No. **6,692,070**)

26  
27 33. Plaintiff repeats and realleges the allegations of paragraphs 1 through 11 of  
28 the Complaint as if fully set forth herein.

1 34. Plaintiff is the sole owner and/or assignee of United States Patent No.  
2 **6,692,070**, for a food tray adjustment structure for high chair. United States Patent No.  
3 **6,692,070** entitled Food Tray Adjustment Structure For High Chair, filed on October 15,  
4 2002 and issued February 17, 2004 (hereinafter sometimes referred to as “’070”).

5 35. Defendants EVENFLO and TARGET have infringed and is continuing to  
6 infringe the ‘070 Patent, in violation of 35 U.S.C. section 271, by making, using,  
7 importing, offering for sale and/or selling Envision High Chair products that are covered  
8 by one or more claims of the ‘070 Patent, and by contributing to or inducing others to  
9 infringe this patent.

10 36. Defendants’ activities have been without an express or implied license by  
11 Plaintiff.

12 37. Defendants continue to infringe the ‘070 Patent and, unless enjoined by this  
13 Court, will continue to infringe the ‘070 Patent. Plaintiff has suffered and will continue  
14 to suffer irreparable harm for which there is no adequate remedy at law. Accordingly,  
15 Plaintiff is entitled to temporary, preliminary, and/or permanent injunctive relief against  
16 such infringement pursuant to 35 U.S.C. section 283.

17 38. As a result of Defendants’ infringement of the ‘070 Patent, Plaintiff has  
18 been and will be damaged, and is entitled to be compensated for such damages pursuant  
19 to 35 U.S.C. section 284 in an amount that cannot presently be ascertained, but that will  
20 be determined at trial.

21 39. Plaintiff is informed and believes that Defendants’ past and continuing  
22 infringement of the ‘070 Patent have been deliberate and willful, and that this case is  
23 therefore an exceptional case which warrants an award of treble damages and attorneys’  
24 fees to Plaintiff in accordance with 35 U.S.C. section 285.

25  
26 **PRAYER FOR RELIEF**

27 **WHEREFORE**, Plaintiff requests that the Court enter judgment in its favor and  
28 against Defendants on its Complaint as follows:

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**ON THE FIRST CLAIM FOR RELIEF:**

A. Declaring that the **5,276,941** Patent is valid and enforceable, and that defendants have infringed, contributorily infringed, and/or induced the infringement of one or more claims of that patent;

B. Granting temporary, preliminary and permanent injunctive relief enjoining Defendants and their officers, agents, representatives, distributors, wholesalers, retailers, licensees, servants, employees, affiliates, parent or subsidiary corporations, attorneys, and all those in privity or acting in concert with Defendants, from further infringing, contributing to and/or inducing the infringement of the **5,276,941** Patent;

**ON THE SECOND CLAIM FOR RELIEF:**

C. Declaring that the **5,865,460** Patent is valid and enforceable, and that defendants have infringed, contributorily infringed, and/or induced the infringement of one or more claims of that patent;

D. Granting temporary, preliminary and permanent injunctive relief enjoining Defendants and their officers, agents, representatives, distributors, wholesalers, retailers, licensees, servants, employees, affiliates, parent or subsidiary corporations, attorneys, and all those in privity or acting in concert with Defendants, from further infringing, contributing to and/or inducing the infringement of the **5,865,460** Patent;

**ON THE THIRD CLAIM FOR RELIEF:**

E. Declaring that the **6,416,124** Patent is valid and enforceable, and that defendants have infringed, contributorily infringed, and/or induced the infringement of one or more claims of that patent;

F. Granting temporary, preliminary and permanent injunctive relief enjoining defendants and their officers, agents, representatives, distributors, wholesalers, retailers, licensees, servants, employees, affiliates, parent or subsidiary corporations, attorneys,



1 and all those in privity or acting in concert with Defendants, from further infringing,  
2 contributing to and/or inducing the infringement of the **6,416,124** Patent;

3  
4 **ON THE FOURTH CLAIM FOR RELIEF:**

5 G. Declaring that the **6,692,070** Patent is valid and enforceable, and that  
6 defendants have infringed, contributorily infringed, and/or induced the infringement of  
7 one or more claims of that patent;

8 H. Granting temporary, preliminary and permanent injunctive relief enjoining  
9 defendants and their officers, agents, representatives, distributors, wholesalers, retailers,  
10 licensees, servants, employees, affiliates, parent or subsidiary corporations, attorneys,  
11 and all those in privity or acting in concert with Defendants, from further infringing,  
12 contributing to and/or inducing the infringement of the **6,692,070** Patent;

13  
14 **ON ALL CLAIMS:**

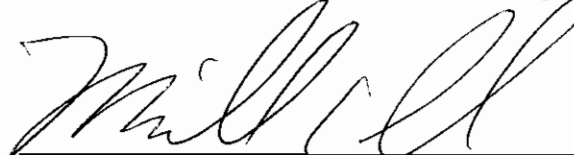
15 I. Awarding damages to Plaintiff adequate to compensate Plaintiff for  
16 Defendants' acts of infringement, together with interest thereon, and an increase in the  
17 amount of damages to three times the amount found or assessed by this Court because  
18 of the willful and deliberate nature of Defendants' acts, as provided by 35 U.S.C. section  
19 284, in an amount to be proven at trial;

20 J. Awarding Plaintiff's costs incurred in this action, together with reasonable  
21 attorneys' fees; and

22 K. Granting such other and further relief as this Court may deem just and  
23 proper.

24  
25 Dated: March 10, 2006

LAW OFFICE OF MICHAEL C. OLSON, P.C.

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28 Michael C. Olson, Esq.  
Attorney for PLAINTIFF Link Treasure Limited

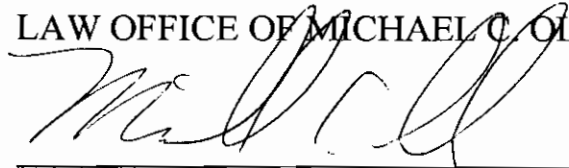
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**DEMAND FOR JURY TRIAL**

Plaintiff Link Treasure Limited hereby demands a trial by jury for all the issues so triable.

Dated: March 10, 2006

LAW OFFICE OF MICHAEL C. OLSON, P.C.



Michael C. Olson, Esq.  
Attorney for PLAINTIFF Link Treasure Limited