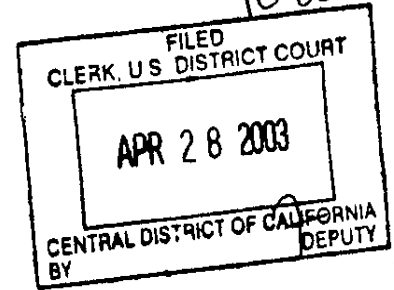


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7 **UNITED STATES DISTRICT COURT**
8
9 **CENTRAL DISTRICT OF CALIFORNIA**

11 **PATENT CATEGORY**
12 **CORPORATION**, a California
corporation

13 Plaintiff,

14 v.

15 **PRINCE LIONHEART, INC.**, a
16 California corporation

17 Defendant.

Case No. ^{CV} **03-2935**

CAS

(RZx)

PATENT CATEGORY
CORPORATION'S COMPLAINT
FOR PATENT INFRINGEMENT

DEMAND FOR JURY TRIAL

19 Plaintiff **Patent Category Corporation**, a California corporation, by and through
20 its attorneys, alleges as follows:

21 **Jurisdiction and Venue**

22 1. This is a civil action for patent infringement, injunctive relief, and damages
23 arising under the Acts of Congress relating to patents, 35 U.S.C. §§ 1 *et seq.* This Court
24 has jurisdiction under 28 U.S.C. §§ 1331 and 1338.

25 3. Venue is proper in this Judicial District pursuant to 28 U.S.C. §§ 1400(b)
26 and 1391; and, upon information and belief, Defendants, and each of them, have engaged
27 in the complained of activities in this Judicial District.

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The Parties

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2 4. Plaintiff Patent Category Corporation (sometimes hereinafter referred to as
3 “PCC”) is a corporation organized and existing under the laws of the State of California
4 and has a principal place of business at 368 South Cheryl Lane, City of Industry,
5 California 91789.

6 5. Upon information and belief, Defendant Prince Lionheart, Inc. is a
7 corporation organized and existing under the laws of California and has a principal place
8 of business at 2421 S. Westgate Road, Santa Maria, California 93455.

9 6. PCC is informed and believes, and on that basis alleges, that Defendant has
10 ongoing and systematic contacts with this Judicial District and the United States and has
11 placed products infringing the patent in suit in the stream of commerce knowing and
12 expecting that such products would end up in this Judicial District.

13 **COUNT I : PATENT INFRINGEMENT**

14 7. PCC hereby incorporates paragraphs 1 through 6, inclusive, herein by
15 reference.

16 8. On April 24, 2001, U.S. Patent No. 6,220,265 (the “265 Patent”) was duly
17 and legally issued to PCC, as assignee from the inventor Yu Zheng, by the United States
18 Patent and Trademark Office. Plaintiff PCC is the owner of the entire right, title and
19 interest in and to the ‘265 Patent and has been and still is the owner thereof. A true and
20 correct copy of the ‘265 Patent is attached hereto as Exhibit 1.

21 9. On April 3, 2001, U.S. Patent No. 6,209,557 (‘557 Patent”) was duly and
22 legally issued to PCC, as assignee from the inventor Yu Zheng, by the United States
23 Patent and Trademark Office. Plaintiff PCC is the owner of the entire right, title and
24 interest in and to the ‘557 Patent and has been and still is the owner thereof. A true and
25 correct copy of the ‘557 Patent is attached hereto as Exhibit 2.

26 10. On December 5, 2000, U.S. Patent No. 6,155,281 (the “281 Patent”) was
27 duly and legally issued to PCC, as assignee from the inventor Yu Zheng, by the United
28 States Patent and Trademark Office. Plaintiff PCC is the owner of the entire right, title

1 and interest in and to the '281 Patent and has been and still is the owner thereof. A true
2 and correct copy of the '281 Patent is attached hereto as Exhibit 3.

3 11. On information and belief, Defendant has manufactured, and has had
4 manufactured for it, used, sold and/or offered for sale one or more collapsible structure
5 products (the "Accused Collapsible Products") the use, manufacture, sale and/or offer for
6 sale of which infringes each of the '265 Patent, the '557 Patent and the '281 Patent. On
7 information and belief, the "Accused Collapsible Products" include, but may not be
8 limited to, products known as the "Popups Play Cabana."

9 12. On information and belief, Defendant has used and copied Plaintiff Patent
10 Category Corporation's patented collapsible structure technology as described in each of
11 the '265 Patent, the '557 Patent and the '281 Patent.

12 13. On information and belief, Defendant has induced others to infringe each of
13 the '265 Patent, the '557 Patent and the '281 Patent, by encouraging and promoting the
14 use, manufacture, sale and/or offer for sale by others of one or more of the Accused
15 Collapsible Structures.

16 14. Upon information and belief, Defendant had notice and actual knowledge of
17 each of the '265 Patent, the '557 Patent and the '281 Patent before the filing of this suit,
18 and its infringement of each of the '265 Patent, the '557 Patent and the '281 Patent was
19 willful and deliberate.

20 15. PCC has been damaged by Defendant's infringement of each of the '265
21 Patent, the '557 Patent and the '281 Patent in an amount to be determined at trial.
22 Furthermore, by these acts, Defendant has irreparably injured PCC and such injury will
23 continue unless Defendant is enjoined by this Court.

24 **PRAYER**

25 WHEREFORE, Patent Category Corporation prays for judgment against
26 Defendant as follows:

27 1. That Defendant be adjudged to have infringed each of the '265 Patent, the
28 '557 Patent and the '281 Patent;

1 2. That Defendant be adjudged to have willfully infringed each of the '265
2 Patent, the '557 Patent and the '281 Patent;

3 3. That Defendant has induced the infringement of each of the '265 Patent, the
4 '557 Patent and the '281 Patent;

5 4. That Defendant, its subsidiaries, affiliates, parents, successors, assigns,
6 officers, agents, servants, employees, attorneys, and all persons acting in concert or in
7 participation with Defendant be permanently enjoined from infringing, contributing to the
8 infringement of, and inducing infringement of each of the '265 Patent, the '557 Patent
9 and the '281 Patent, and specifically from directly or indirectly making, using, selling, or
10 offering for sale, any products embodying the inventions each of the '265 Patent, the '557
11 Patent and the '281 Patent during the life of the claims of the patents-in-suit, without the
12 express written authority of PCC;

13 5. That Defendant be directed to fully compensate PCC for all damages
14 attributable to Defendant's infringement of each of the '265 Patent, the '557 Patent and
15 the '281 Patent in an amount according to proof at trial;

16 6. That Defendants be ordered to deliver to PCC, for destruction at PCC's
17 option, all products that infringe each of the '265 Patent, the '557 Patent and the '281
18 Patent;

19 7. That this case be deemed exceptional;

20 8. That all damages awarded be trebled;

21 9. That PCC be awarded reasonable attorneys' fees;

22 10. That PCC be awarded the costs of suit, and an assessment of interest,
23 including prejudgment interest; and

24 11. That PCC have such other, further, and different relief as the court deems
25 proper under the circumstances.

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Dated: 4/28/03

William J. Robinson

William J. Robinson
FOLEY & LARDNER

Attorneys for
PATENT CATEGORY CORPORATION

DEMAND FOR JURY TRIAL

Patent Category Corporation hereby demands a trial by jury of all issues so triable.

Dated: 4/28/03

William J. Robinson

William J. Robinson
FOLEY & LARDNER

Attorneys for
PATENT CATEGORY CORPORATION