

2. On information and belief, defendant ABM IMPORTS, INC. (“ABM Imports”) is or was at all relevant times, a corporation organized and existing under the laws of the State of California, and having a place of business at 1817 Morena Boulevard, Suite A, San Diego, California 92110.

3. On information and belief, defendant TURBO STEAM, INC. (“Turbo Steam”), is or was at all relevant times, a corporation organized and existing under the laws of the State of Florida, and having a place of business at 2750 NW 30th Avenue, Lauderdale Lakes, Florida 33311.

4. On information and belief, defendant STEAMERS (“Steamers”) is or was at all relevant times, a company, and having a place of business at 4211 Camino de la Plaza, San Diego, CA 92173.

5. On information and belief, defendant L.I.O.R. INC. [sic] (“LIOR”) is or was at all relevant times, a corporation organized and existing under the laws of the State of California, and having a place of business at 1817 Morena Boulevard, Suite A, San Diego, California 92110.

6. On information and belief, defendant Revolution, Inc. (“Revolution”), is or was at all relevant times, a company, and having a place of business at 18320 Oxnard Street, Suite 4, Tarzana, CA 91356.

7. Plaintiff is unaware of the true names and capacities of the defendants sued herein under the names “Does 1 through 10” and therefore refers to said parties by such fictitious names. Plaintiff will amend this Complaint to allege the true names of the fictitiously named defendants when the same are ascertained.

8. Defendants ABM Imports, Turbo Steam, LIOR, Steamers, Revolution and Does 1 through 10, inclusive are hereinafter referred to collectively as defendants. Plaintiff is informed and believes that each of the defendants were in some manner responsible for plaintiff’s damages, whether as an agent, employee, partner, joint venturer, assignee, successor, or alter ego of another one of the defendants or in some other capacity.

JURISDICTION AND VENUE

9. This is a civil action for patent infringement arising under the patent laws of the United States, 35, U.S.C. § 101, *et seq.* This court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338.

10. This Court has personal jurisdiction over defendants because defendants have their principal places of business in this District or have committed acts of infringement in this District and continue to commit acts of infringement in this District. Further, on information and belief, defendants direct business activities toward and in this District through advertisements, promotions, sales, and the internet.

11. Venue is proper and reasonable in this District under 28 U.S.C. §§ 1391 and 1400, because, *inter alia*, defendants reside in the District or have committed acts of infringement in this District.

THE ‘774 PATENT

12. On November 7, 2006, the United States Patent and Trademark Office issued United States Patent Number D531,774 S (“the ‘774 Patent”) to Andrea Grossi. On November 11, 2004, Andrea Grossi assigned the ‘774 Patent to Euromarketing 90 S.R.L., an Italian Limited Liability Company. A true and correct copy of the ‘774 Patent is attached hereto as **Exhibit A.**

13. On November 12, 2010, Euromarketing 90 S.R.L. assigned the ‘774 Patent to plaintiff A. D. Importers, including without limitation the right to enforce the ‘774 Patent.

CLAIMS FOR RELIEF

First Claim for Relief

(Infringement of U.S. Patent No. D531,774 S against ABM Imports, Inc.)

14. Plaintiff repeats and incorporates by reference the allegations set forth in paragraphs 1 to 13 as though fully set forth herein.

15. The ‘774 Patent is valid and enforceable.

16. Plaintiff holds all rights to enforce the ‘774 Patent in the United States.

17. ABM Imports has infringed and continues to infringe the ‘774 Patent, either directly, by contributory infringement, or by inducing others to infringe through the making,

1 using, selling, offering for sale, or importation of products, including without limitation the
 2 “Turbo Steam” product. An exemplary photograph of ABM Imports’ “Turbo Steam” product is
 3 attached hereto as **Exhibit B**.

4 18. Despite ABM Imports knowledge of its infringement of the ‘774 Patent, ABM
 5 Imports continues to infringe. ABM Imports’ infringement of the ‘774 Patent is thus willful.

6 19. Plaintiff has suffered and continues to suffer damages, irreparable harm, and
 7 impairment of its patent rights as a direct result of ABM Imports’ infringement.

8 20. Plaintiff is entitled to recover from ABM Imports damages sustained by plaintiff
 9 as a result of ABM Imports’ infringement in an amount to be proven.

10 21. On information and belief, attached hereto as **Exhibit C** is an exemplary
 11 photograph of ABM Imports’ packaging for infringing articles.

12 **Second Claim for Relief**

13 **(Infringement of U.S. Patent No. D531,774 S against Turbo Steam, Inc.)**

14 22. Plaintiff repeats and incorporates by reference the allegations set forth in
 15 paragraphs 1 to 21 as though fully set forth herein.

16 23. The ‘774 Patent is valid and enforceable.

17 24. Plaintiff holds all rights to enforce the ‘774 Patent in the United States.

18 25. Turbo Steam has infringed and continues to infringe the ‘774 Patent, either
 19 directly, by contributory infringement, or by inducing others to infringe through the making,
 20 using, selling, offering for sale, or importation of products, including without limitation the
 21 “Turbo Steam” product. An exemplary photograph of Turbo Steam’s “Turbo Steam” product is
 22 attached hereto as **Exhibit B**.

23 26. Despite Turbo Steam’s knowledge of its infringement of the ‘774 Patent, Turbo
 24 Steam continues to infringe. Turbo Steam’s infringement of the ‘774 Patent is thus willful.

25 27. Plaintiff has suffered and continues to suffer damages, irreparable harm, and
 26 impairment of its patent rights as a direct result of Turbo Steam’s infringement.

27 28. Plaintiff is entitled to recover from Turbo Steam’s damages sustained by plaintiff
 28 as a result of Turbo Steam’s infringement in an amount to be proven.

29. On information and belief, attached hereto as **Exhibit D** is an exemplary photograph of Turbo Steam selling infringing articles in the Southern District of California.

Third Claim for Relief

(Infringement of U.S. Patent No. D531,774 S against Steamers)

30. Plaintiff repeats and incorporates by reference the allegations set forth in paragraphs 1 to 29 as though fully set forth herein.

31. The '774 Patent is valid and enforceable.

32. Plaintiff holds all rights to enforce the '774 Patent in the United States.

33. Steamers has infringed and continues to infringe the '774 Patent, either directly, by contributory infringement, or by inducing others to infringe through the making, using, selling, offering for sale, or importation of products, including without limitation the "Turbo Steam" product. An exemplary photograph of Steamers' "Turbo Steam" product is attached hereto as **Exhibit B**.

34. Despite Steamers' knowledge of its infringement of the '774 Patent, Steamers continues to infringe. Steamers' infringement of the '774 Patent is thus willful.

35. Plaintiff has suffered and continues to suffer damages, irreparable harm, and impairment of its patent rights as a direct result of Steamers' infringement.

36. Plaintiff is entitled to recover from Steamers damages sustained by plaintiff as a result of Steamers' infringement in an amount to be proven.

37. On information and belief, attached hereto as **Exhibit D** is an exemplary photograph of Steamers selling infringing articles in the Southern District of California.

Fourth Claim for Relief

(Infringement of U.S. Patent No. D531,774 S against L.I.O.R. Inc.)

38. Plaintiff repeats and incorporates by reference the allegations set forth in paragraphs 1 to 37 as though fully set forth herein.

39. The '774 Patent is valid and enforceable.

40. Plaintiff holds all rights to enforce the '774 Patent in the United States.

41. LIOR has infringed and continues to infringe the '774 Patent, either directly, by

1 contributory infringement, or by inducing others to infringe through the making, using, selling,
2 offering for sale, or importation of products, including without limitation the “Turbo Steam”
3 product. An exemplary photograph of LIOR’s “Turbo Steam” product is attached hereto as
4 **Exhibit B.**

5 42. Despite LIOR’s knowledge of its infringement of the ‘774 Patent, LIOR
6 continues to infringe. LIOR’s infringement of the ‘774 Patent is thus willful.

7 43. Plaintiff has suffered and continues to suffer damages, irreparable harm, and
8 impairment of its patent rights as a direct result of LIOR’s infringement.

9 44. Plaintiff is entitled to recover from LIOR damages sustained by plaintiff as a
10 result of LIOR’s infringement in an amount to be proven.

11 45. On information and belief, attached hereto as **Exhibit D** is an exemplary
12 photograph of LIOR selling infringing articles in the Southern District of California.

13 **Fifth Claim for Relief**

14 **(Infringement of U.S. Patent No. D531,774 S against Revolution, Inc.)**

15 46. Plaintiff repeats and incorporates by reference the allegations set forth in
16 paragraphs 1 to 45 as though fully set forth herein.

17 47. The ‘774 Patent is valid and enforceable.

18 48. Plaintiff holds all rights to enforce the ‘774 Patent in the United States.

19 49. Revolution has infringed and continues to infringe the ‘774 Patent, either
20 directly, by contributory infringement, or by inducing others to infringe through the making,
21 using, selling, offering for sale, or importation of products, including without limitation the
22 “Turbo Steam” product. An exemplary photograph of Revolution’s “Turbo Steam” product is
23 attached hereto as **Exhibit B.**

24 50. Despite Revolution’s knowledge of its infringement of the ‘774 Patent,
25 Revolution continues to infringe. Revolution’s infringement of the ‘774 Patent is thus willful.

26 51. Plaintiff has suffered and continues to suffer damages, irreparable harm, and
27 impairment of its patent rights as a direct result of Revolution’s infringement.

28 52. Plaintiff is entitled to recover from Revolution’s damages sustained by plaintiff

as a result of Steamers infringement in an amount to be proven.

PRAYER FOR RELIEF

WHEREFORE, A. D. Importers requests that this Court grant judgment as follows:

- (a) Defendants have infringed the '774 Patent;
- (b) An order permanently enjoining defendants, and their officers, agents, servants, employees, subsidiaries, attorneys, and those acting in concert with them, from infringement, inducing infringement, or contributory infringing of the '774 Patent;
- (c) An award of damages to A. D. Importers arising from infringement by defendants including prejudgment interest;
- (d) An award of enhanced damages to A. D. Importers pursuant to 35 U.S.C. § 284;
- (e) An award of attorneys' fees and costs A. D. Importers pursuant to 35 U.S.C. § 285; and
- (f) All other relief as the Court deems just and proper.

DEMAND FOR JURY TRIAL

Plaintiff hereby demands a trial by jury on its claims herein and all issues and claims so triable in this action.

Respectfully submitted,

Dated: November 16, 2010

MANDOUR & ASSOCIATES, APC

s/ Ben T. Lila

Ben T. Lila (SBN 246808)
blila@mandourlaw.com
Attorneys for Plaintiff,
A. D. IMPORTERS, INC.

EXHIBIT A

US00D531774S

(12) **United States Design Patent** (10) **Patent No.:** **US D531,774 S**
Grossi (45) **Date of Patent:** **** Nov. 7, 2006**

(54) **COMBINED TRAVEL STEAM IRON WITH
BRUSH OR SIMILAR ARTICLE**

(75) Inventor: **Andrea Grossi**, Esanatoglia (IT)

(73) Assignee: **Euro Marketing 90 S.R.L.**, Esanatoglia (IT)

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

(21) Appl. No.: **29/218,763**

(22) Filed: **Dec. 7, 2004**

(51) **LOC (8) Cl.** **07-05**

(52) **U.S. Cl.** **D32/70; D32/71**

(58) **Field of Classification Search** D32/68-72;
38/69, 77.1-77.9, 74-75, 77.81, 90-97; 219/245-248
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

4,366,367 A	* 12/1982	Mazzucco	392/335
D284,798 S	* 7/1986	Doyel	D32/69
4,688,340 A	* 8/1987	Ostrelch	38/90
D301,074 S	* 5/1989	Terraillon	D32/70
D340,330 S	* 10/1993	Seguljic	D32/70
D360,509 S	* 7/1995	Maeda et al.	D32/70

D416,655 S * 11/1999 Lin D32/70

* cited by examiner

Primary Examiner—Pamela J. Burgess

(74) *Attorney, Agent, or Firm*—Armstrong, Kratz, Qunitos,
Hanson & Brooks, LLP

(57) **CLAIM**

I claim the ornamental design for a combined travel steam iron with brush or similar article, as shown and described.

DESCRIPTION

FIG. 1 is a top perspective view of a combined travel steam iron with brush or similar article, showing my new design; FIG. 2 is a left side elevational view thereof; FIG. 3 is a right side elevational view thereof; FIG. 4 is a top plan view thereof; FIG. 5 is a bottom plan view thereof; FIG. 6 is a front elevational view thereof; FIG. 7 is a rear elevational view thereof; FIG. 8 is a top plan view thereof, in an alternate position, with the handle pivotally turned outwardly; FIG. 9 is a top plan view thereof, with the handle removed for clarity of disclosure; FIG. 10 is a bottom plan view of the handle thereof, shown separately for clarity of disclosure; and, FIG. 11 is a bottom perspective view thereof, with a brush attached thereto.

1 Claim, 4 Drawing Sheets

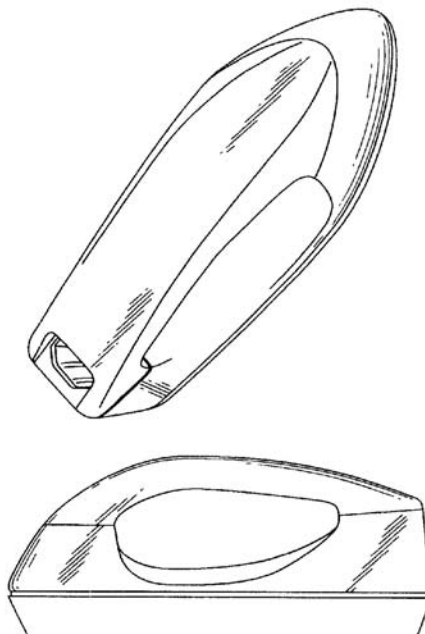


EXHIBIT A

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Sheet 1 of 4

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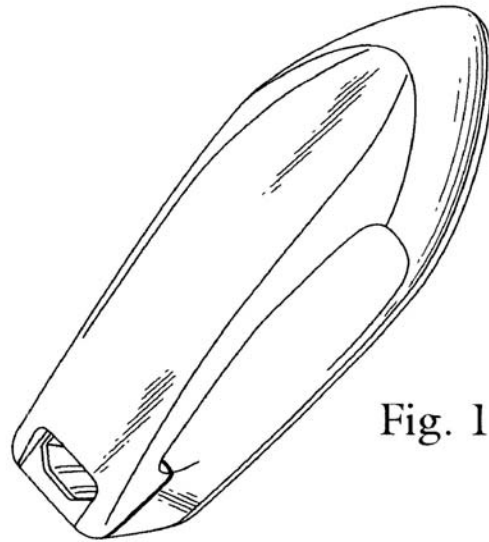


Fig. 1

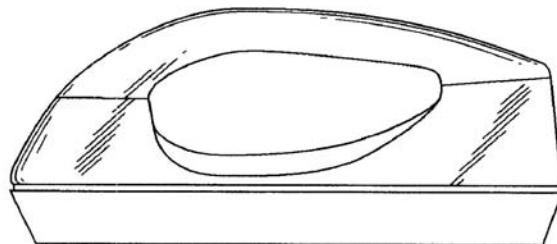


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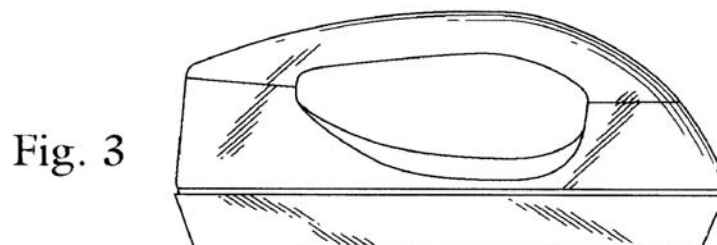


Fig. 3

EXHIBIT A

U.S. Patent

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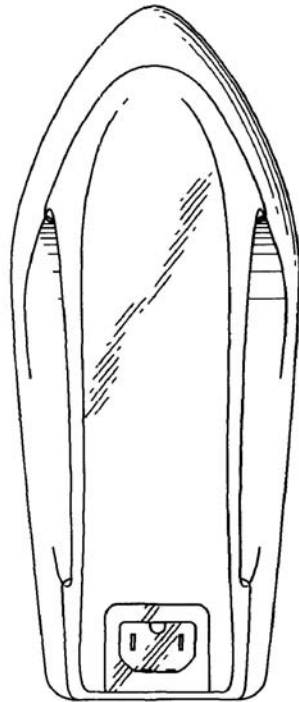


Fig. 4

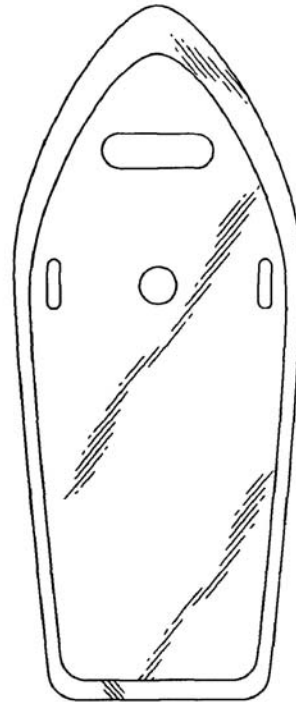


Fig. 5

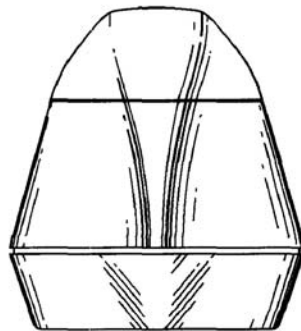


Fig. 6

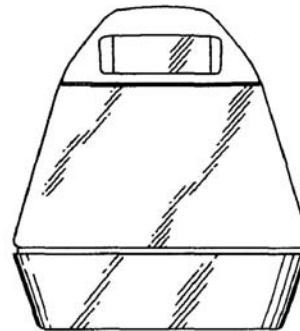


Fig. 7

EXHIBIT A

U.S. Patent

Nov. 7, 2006

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US D531,774 S

Fig. 8

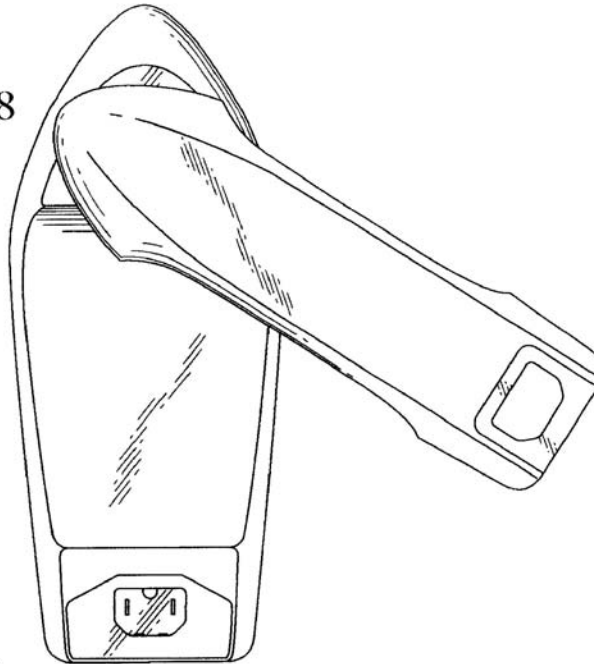


Fig. 9

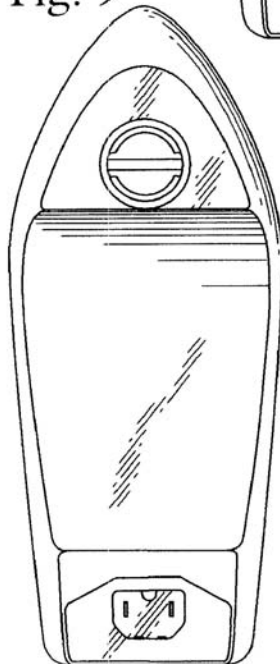


Fig. 10

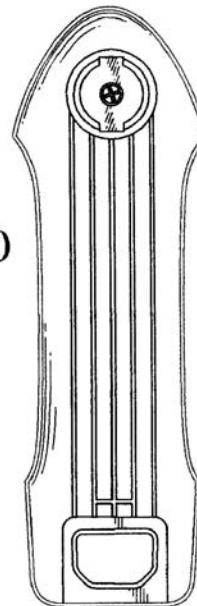


EXHIBIT A

U.S. Patent

Nov. 7, 2006

Sheet 4 of 4

US D531,774 S

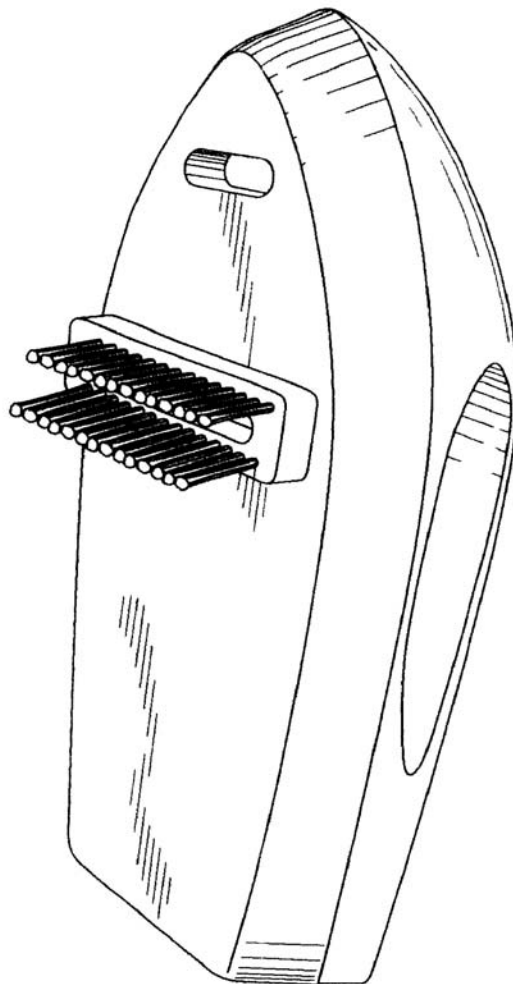


Fig. 11

EXHIBIT B



EXHIBIT C



EXHIBIT D



CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

A. D. Importers, Inc.

(b) County of Residence of First Listed Plaintiff Hudson County, NJ
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

Ben T. Lila, Gordon E. Gray, Joseph A. Mandour, Mandour & Associates, 16870
West Bernardo Drive, Suite 400, San Diego, CA 92127, (858) 487-9300

DEFENDANTS

ABM Imports, Inc., Turbo Steam, Inc., Steamers, L.I.O.R.
Inc., Revolution, Inc., and Does 1-10

County of Residence of First Listed Defendant San Diego County, CA
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE
LAND INVOLVED.

Attorneys (If Known)

'10CV2364 JLS CAB**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input checked="" type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395if) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition		

V. ORIGIN

(Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing. (Do not cite jurisdictional statutes unless diversity):

35 U.S.C. § 101, et seq.

Brief description of cause:

Patent infringement and related claims

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

11/16/2010

SIGNATURE OF ATTORNEY OF RECORD

s/ Ben T. Lila

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

I. (a) Plaintiffs-Defendants. Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.

(b) County of Residence. For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)

(c) Attorneys. Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".

II. Jurisdiction. The basis of jurisdiction is set forth under Rule 8(a), F.R.C.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.

United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.

United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.

Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.

Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; federal question actions take precedence over diversity cases.)

III. Residence (citizenship) of Principal Parties. This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.

IV. Nature of Suit. Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerks in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.

V. Origin. Place an "X" in one of the seven boxes.

Original Proceedings. (1) Cases which originate in the United States district courts.

Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.

Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.

Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.

Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.

Multidistrict Litigation. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.

Appeal to District Judge from Magistrate Judgment. (7) Check this box for an appeal from a magistrate judge's decision.

VI. Cause of Action. Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553
Brief Description: Unauthorized reception of cable service

VII. Requested in Complaint. Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.

Demand. In this space enter the dollar amount (in thousands of dollars) being demanded or indicate other demand such as a preliminary injunction.

Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.

VIII. Related Cases. This section of the JS 44 is used to reference related pending cases if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.