

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

_____)	
ANGEL SALES, INC.,)	
)	
Plaintiff,)	
)	Civil Docket No.: 07 C1362
v.)	
)	
HOLLYWOOD GADGETS INC.)	Judge John W. Darrah
)	
And)	Magistrate Judge Denlow
)	
JUDA LEVIN)	
)	
Defendants.)	
_____)	

FIRST AMENDED COMPLAINT FOR INJUNCTIVE AND OTHER RELIEF

Plaintiff, ANGEL SALES, INC. (“Angel Sales”), through its attorneys and for its First Amended Complaint for Injunctive and Other Relief against Defendant, HOLLYWOOD GADGETS INC. (Hollywood Gadgets), states as follows:

NATURE OF ACTION

This is an action for patent infringement under the patent laws of the United States, 35 U.S.C. § 101, *et. seq.*, stemming from Hollywood Gadgets’ selling, offering to sell, making, having made and/or importing into the United States goods that infringe U.S. Patent No. D524,500 (the “500 Patent”) (Exhibit A); trademark infringement and unfair competition under the Trademark Act of 1946, 15 U.S.C. § 1051, *et seq.* as amended (also referred to as the “Lanham Act”); and copyright infringement under the federal Copyright Act, 17 U.S.C. § 101, *et seq.*

THE PARTIES

1. Plaintiff Angel Sales is a company which is organized and existing under the laws of the State of Illinois, has a principal place of business at 4147 N. Ravenswood Avenue Chicago, Illinois 60613.

2. Upon information and belief, Defendant Hollywood Gadgets is a corporation which is organized and existing under the laws of the State of Nevada, with a principal place of business at 1245 Airport Road, Lakewood, NJ 08701.

3. Upon information and belief, Defendant Juda Levin is a resident of the state of New Jersey and resides at 341 11th Street, Lakewood, NJ 08701.

4. Upon information and belief Juda Levin is the President, Director, Treasurer and owns Hollywood Gadgets, Inc. and is a moving force behind the acts of Hollywood Gadgets, Inc.

JURISDICTION AND VENUE

5. This Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 1331, 1332 and 1338(a) in that this matter arises under an Act of Congress relating to patents; 15 U.S.C. §§ 1121 and 28 U.S.C. §§ 1331 and 1338(a) in that this matter arises under trademark and unfair competition laws of the United States; and 28 U.S.C. §§ 1331 and 1338(a) in that this matter arises under the Copyright Act.

6. This Court has personal jurisdiction over Hollywood Gadgets and Juda Levin in that Juda Levin in the guise of Hollywood Gadgets (hereinafter collectively “Hollywood Gadgets”) which is an alter ego shell corporation that committed the acts complained of herein within this district, transacts business within this district and/or because a substantial part of the events giving rise to Angel Sales’ claims occurred within this district.

7. Venue is proper in this district pursuant to 28 U.S.C. §§ 1391(c) and 1400(b), in that Hollywood Gadgets engaged in acts of infringement within this District, which acts are the subject matter of this action.

COUNT I

(Patent Infringement of U.S. Patent No. D524,500)

8. Angel Sales repeats and realleges the allegations of paragraphs 1 through 5 above, as if fully set forth herein.

9. Angel Sales is the owner, by assignment, of all rights, title and interest in and to the '500 Patent, entitled Garment Cage Assembly, which was issued by the United States Patent and Trademark Office on July 4, 2000.

10. Without permission or license from Angel Sales, Hollywood Gadgets has made, is making, has sold, is selling, has offered for sale, is offering to sell, has imported, and/or is importing into the United States, within this judicial district and elsewhere, products, including, *inter alia*, Garment Cage Assemblies having a design as depicted in Exhibit B, that infringe the '500 Patent, in violation of 35 U.S.C. § 271.

11. In selling and offering for sale its infringing products, Hollywood Gadgets has undercut Angel Sales' pricing of Angel Sales' patented Garment Cage Assemblies and has eroded the price of the patented Garment Cage Assemblies sold by Angel Sales.

12. Hollywood Gadgets has been given notice of its infringement, by letter dated October 9, 2006 (Exhibit C) as prescribed by 35 U.S.C. § 287(a).

13. Upon information and belief, Hollywood Gadgets will continue to infringe the '500 Patent unless and until enjoined from doing so by this Court. Angel Sales has been damaged by Hollywood Gadgets' infringing acts. Angel Sales has suffered and is suffering irreparable injury because of Hollywood Gadgets' infringement.

COUNT II

(Trademark Infringement and Unfair Competition)

14. Angel Sales repeats and realleges the allegations of paragraphs 1 through 11 above, as if fully set forth herein.

15. Since at least July 2005, Angel Sales has used the trademark BraBABY in commerce to identify its Garment Cage Assembly product. Angel Sales has extensively marketed, promoted and sold products under the BraBABY trademark in the United States and other countries.

16. By its extensive use and promotion of the BraBABY trademark to identify its goods, Angel Sales has established significant goodwill associated with that trademark. Angel Sales owns U.S. Trademark Application Serial No. 78/635,247 for BraBABY, with a filing date of May 23, 2005, which was allowed for registration on May 15, 2007, and was assigned registration number 3242980 (Exhibit D).

17. On or about May 31, 2006, Hollywood Gadgets contacted Angel Sales to inquire about purchasing BraBABY products for resale to the general public. In response, Angel Sales sent Hollywood Gadgets a sales quotation, sample product, and CD-ROM with photographs and sales material for use in promoting the item.

18. Hollywood Gadgets never purchased any BraBABY products from Angel Sales. However, it began advertising the BraBABY product in its catalog and on its web site, using the BraBABY trademark as well as product images supplied by Angel Sales. (See Exhibits B and C.)

19. On information and belief, Hollywood Gadgets knowingly and willfully made, is making, sold, is selling, has offered for sale, is offering to sell, has imported, and/or is importing into the United States, within this judicial district and elsewhere, products in connection with the

BraBABY trademark, which are not the genuine BraBABY product supplied by Angel Sales and instead are unauthorized copies of that product.

20. On information and belief, Hollywood Gadgets knowingly and willfully fulfilled or is fulfilling orders for the so-called “BraBABY” product advertised in its catalog and on its website by delivering unauthorized copies of Angel Sales’ genuine BraBABY product, including sales within this judicial district. These unauthorized copies have been falsely identified by Hollywood Gadgets as “BraBABY” products.

21. By selling and offering for sale unauthorized and unapproved products under the BraBABY trademark which compete directly with Angel Sales’ genuine BraBABY product, Hollywood Gadgets is misappropriating and misusing Angel Sales’ well-known mark. This misuse is likely to cause confusion, or to cause mistake, or to deceive the public, and unless enjoined, such acts will harm the goodwill appurtenant to the BraBABY mark.

22. Hollywood Gadgets’ activities constitute the use in commerce of a word, term, name, symbol or device, or any combination thereof or any false designation of origin, false or misleading description of fact, or false or misleading representation of fact in connection with goods, which in commercial advertising or promotion, misrepresents the nature, characteristics, qualities or geographic origin of its or another person’s goods, services or commercial activities in violation of Section 43(a) of the United States Trademark Act of 1946, 15 U.S.C. § 1125(a).

23. Hollywood Gadgets’ activities have caused and will cause further irreparable injury to Angel Sales, and unless such activities are restrained by this Court, they will be continued and will continue to cause irreparable injury to Angel Sales

24. The aforesaid acts of Hollywood Gadgets are without the permission, license or consent of Angel Sales, and Angel Sales is being damaged by Hollywood Gadgets’ acts.

25. Angel Sales has no adequate remedy at law.

COUNT III

(Copyright Infringement)

26. Angel Sales repeats and realleges the allegations of paragraphs 1 through 23 above, as if fully set forth herein.

27. Angel Sales has created original works of authorship in connection with its BraBABY product, including photographs, instructions, a web site, product packaging and other proprietary marketing materials (“Copyrighted Materials”).

28. Angel Sales owns valid and subsisting U.S. Copyright Registration Nos. VAU713-533 for “BraBABY Photograph” and VAU716-994 for “BraBABY Instructions,” with registrations for other Copyrighted Materials pending before the U.S. Copyright Office. (Exhibit E)

29. Hollywood Gadgets has had access to the BraBABY Photograph and other Copyrighted Materials, including items that were supplied directly to Hollywood Gadgets by Angel Sales.

30. Hollywood Gadgets has copied, displayed and distributed one or more of the Copyrighted Materials in advertisements, catalogs, or solicitations promoting unauthorized copies of Angel Sales’ BraBABY product. These unauthorized uses of the Copyrighted Materials infringes Angel Sales’ exclusive rights under the Copyright Act.

31. Upon information and belief, the acts complained of have been willful and intentional.

32. Angel Sales will suffer irreparable harm unless Hollywood Gadgets, its officers, agents and employees, and all persons acting in concert with them, are restrained from engaging in any further acts of copyright infringement.

33. Angel Sales also has sustained and will suffer damages as a result of Hollywood Gadgets' acts of infringement. At present, the amount of such damages cannot be fully ascertained by Angel Sales.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff pray that this Court enter an Order and Judgment, in its favor and against Defendant:

- (a) pursuant to 35 U.S.C. § 283, preliminarily and permanently enjoining Hollywood Gadgets and its parents, subsidiaries, affiliates, officers, directors, agents, employees, successors, attorneys and all persons in active concert or participation with them, from making, causing to be made, selling, offering to sell and/or importing into the United States any goods that infringe the '500 Patent;
- (b) pursuant to 35 U.S.C. § 284, ordering Hollywood Gadgets and Juda Levin, jointly or severally, to pay Angel Sales the damages that Angel Sales has respectively incurred as a result of the acts complained of herein;
- (c) pursuant to 35 U.S.C. § 289, awarding Angel Sales all of Hollywood Gadgets' total profit made from the sale, offer for sale, making, having made, and/or importation into the United States of Garment Cage Assemblies that are deemed to infringe the '500 Patent;
- (d) pursuant to 35 U.S.C. § 285, awarding Angel Sales reasonable attorneys' fees as a result of the acts complained of herein;
- (e) preliminarily and permanently enjoining Hollywood Gadgets, its officers, agents, servants, employees, attorneys and all other persons in active concert or participation with them, from manufacturing, causing to be manufactured, importing, marketing, offering to sell and selling products under the designation BraBABY or any substantially similar name or trademark which violates federal trademark and unfair competition laws;
- (f) awarding damages resulting from Hollywood Gadgets' activities in violation of Angel Sales' trademark rights as aforesaid, which damages should be trebled by reason of Hollywood Gadgets' willful actions;

- (g) preliminarily and permanently enjoining Hollywood Gadgets, its officers, agents, servants, employees, attorneys and all other persons in active concert or participation with them, from manufacturing, causing to be manufactured, importing, marketing, offering to sell and selling products using images, text, or any other Copyrighted Materials which infringe upon Angel Sales' copyrights;
- (h) ordering Hollywood Gadgets and Juda Levin, jointly and severally, to pay actual damages according to proof, and for any profits attributable to infringement of Angel Sales' copyrights, in accordance with proof; or entering judgment for Angel Sales and against Hollywood Gadgets and Juda Levin, jointly and severally, for statutory damages based upon Hollywood Gadgets' acts of copyright infringement, pursuant to the Copyright Act of 1976, 17 U.S.C. §§ 101 *et seq*;
- (i) ordering Hollywood Gadgets to deliver all remaining stock of infringing goods to Angel Sales for destruction;
- (j) ordering Hollywood Gadgets to advise Angel Sales the names, addresses, and all other pertinent information with respect to the sources of the infringing products, including but not limited to each supplier, manufacturer, agent, intermediary, affiliate, or other parties involved in the sale, purchase, or distribution of the products to Hollywood Gadgets;
- (k) awarding Angel Sales its interest and costs regarding this action; and
- (l) awarding Angel Sales such other relief that this Court deems just and fit.

DEMAND FOR JURY TRIAL

Pursuant to Fed. R. Civ. P. 38(b), Plaintiffs demand a trial by jury.

Respectfully submitted,

ANGEL SALES INC.

/s/ David L. Newman
David L. Newman (Illinois #6210912)
SEYFARTH SHAW, LLP
131 S. Dearborn Street, Suite 2400
Chicago, IL 60603
Telephone: (312) 460-5837
Facsimile: (312) 460-7837

DATED: February 19, 2008

EXHIBIT A



US00D524500S

(12) **United States Design Patent** (10) **Patent No.:** **US D524,500 S**
Wai (45) **Date of Patent:** **** Jul. 4, 2006**

(54) **GARMENT CAGE ASSEMBLY**

(75) Inventor: **Victor Wai, Kowloon (HK)**

(73) Assignee: **Angel Sales, Inc., Chicago, IL (US)**

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

(21) Appl. No.: **29/228,768**

(22) Filed: **Apr. 28, 2005**

(51) **LOC (8) Cl.** **08-99**

(52) **U.S. Cl.** **D32/35**

(58) **Field of Classification Search** **D32/25,**

D32/35; 68/213, 235 R; 223/84; D11/117,

D11/121; D21/405, 406, 707, 713; D23/208;

D30/160; 4/231; 119/702, 707; 273/157 R;

422/265, 277; 428/7, 11, 542.2; 446/122,

446/123, 409, 419, 431; 473/569, 612

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

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- 3,924,807 A * 12/1975 Morgan 422/265 X
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- D475,821 S * 6/2003 DesForges D32/25
- D483,628 S 12/2003 Smith
- 6,742,683 B1 6/2004 Phan

FOREIGN PATENT DOCUMENTS

- GB 2238323 A 5/1991
- GB 2291654 A 1/1996

* cited by examiner

Primary Examiner—Alan P. Douglas
Assistant Examiner—Lavone D. Tabor
 (74) *Attorney, Agent, or Firm*—Seyfarth Shaw LLP

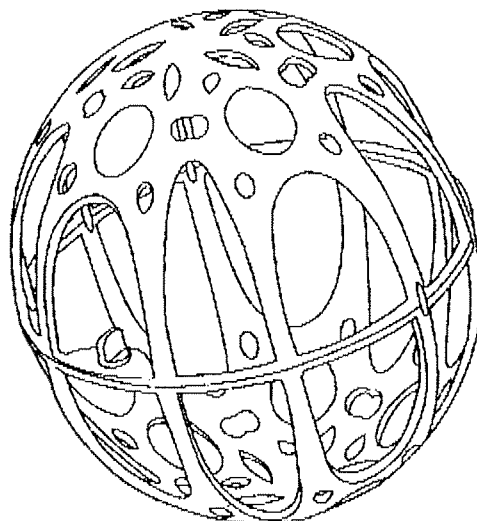
(57) **CLAIM**

The ornamental design for a garment cage assembly, as shown and described.

DESCRIPTION

FIG. 1 is a perspective view of the garment cage assembly showing my new design;
 FIG. 2 is a side view thereof;
 FIG. 3 is a top view thereof; and,
 FIG. 4 is a bottom view thereof.
 The broken lines shown in FIG. 3 are for illustrative purposes only and form no part of the claimed design.

1 Claim, 3 Drawing Sheets



U.S. Patent

Jul. 4, 2006

Sheet 1 of 3

US D524,500 S

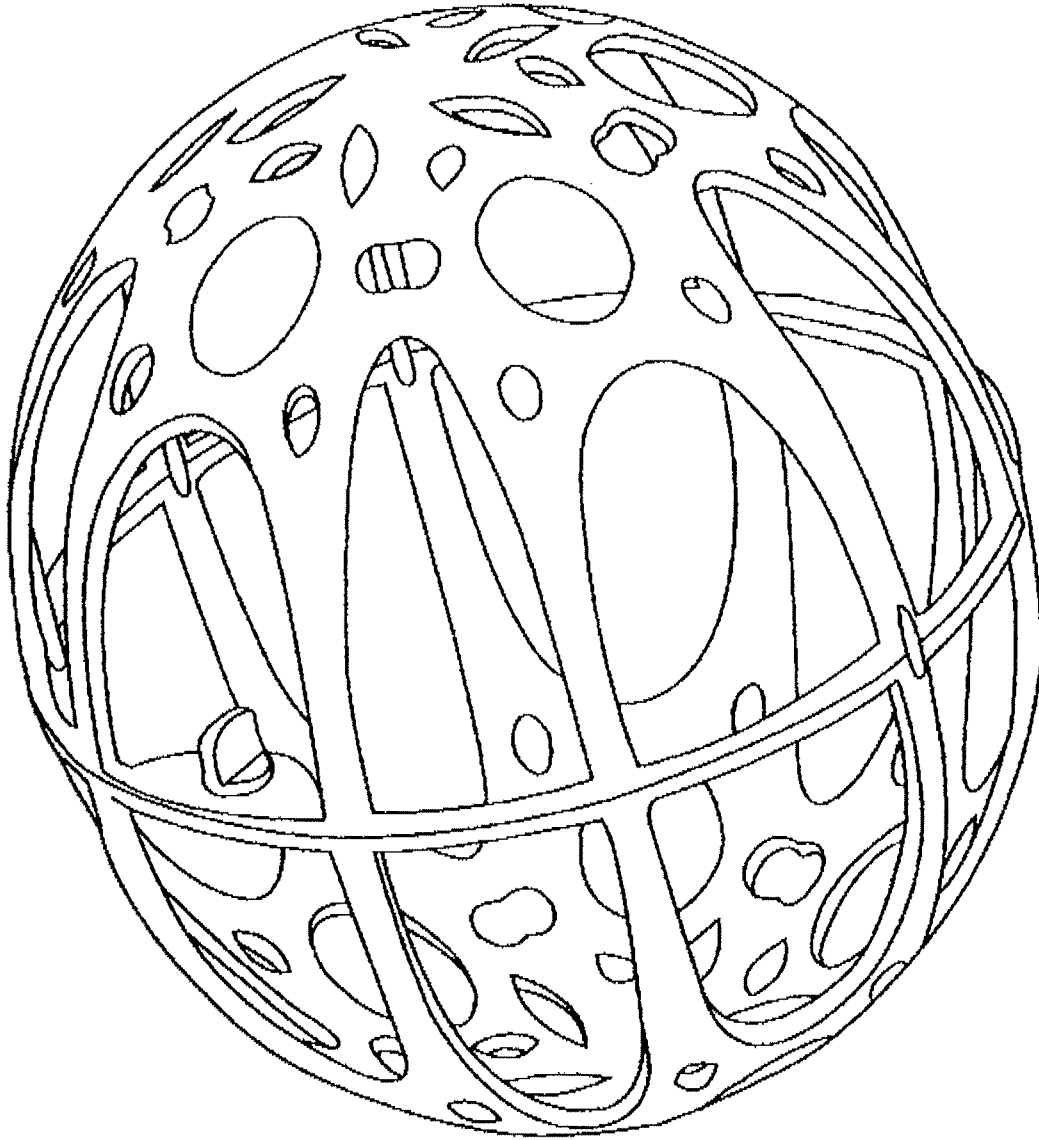


FIG. 1

U.S. Patent

Jul. 4, 2006

Sheet 2 of 3

US D524,500 S

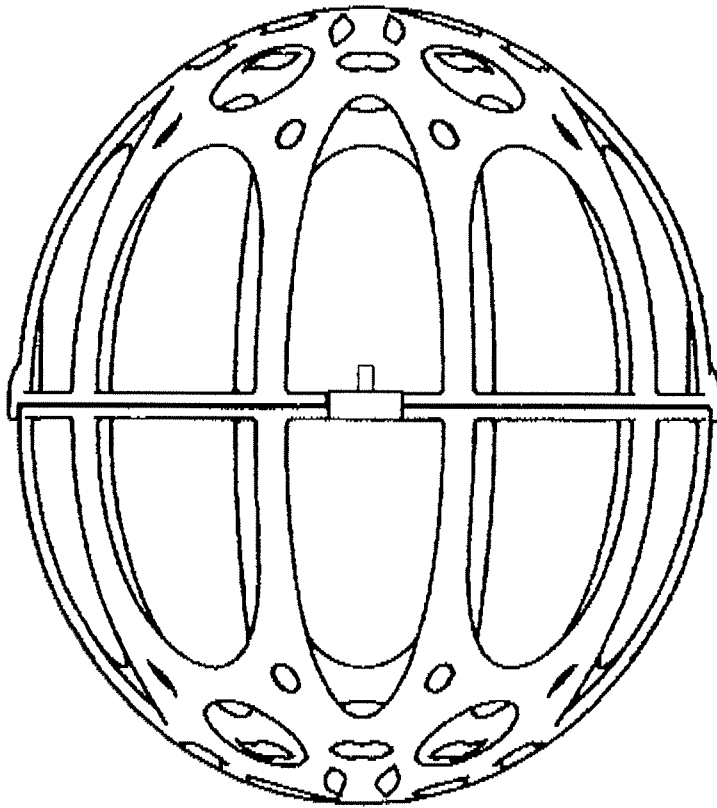


FIG. 2

U.S. Patent

Jul. 4, 2006

Sheet 3 of 3

US D524,500 S

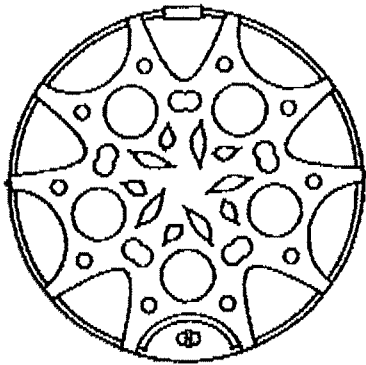


FIG. 4

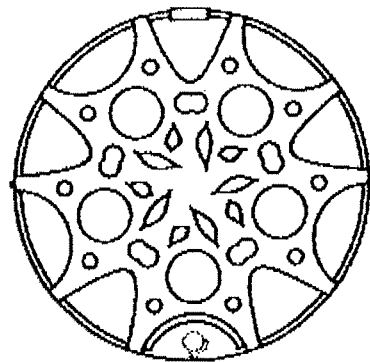


FIG. 3

EXHIBIT B

BraBaby **NEW!**

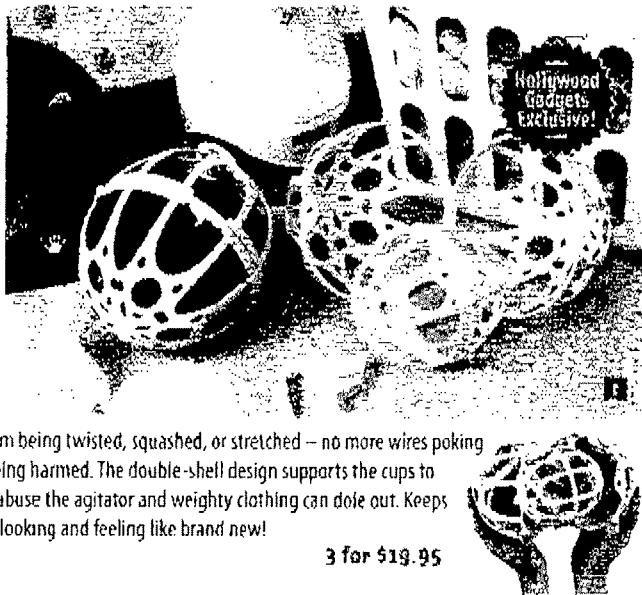
BraBaby brings an end to hand washing bras

You'll never have to spend precious free time hand washing your bras again. BraBaby lets you clean your bras in the washing machine and dryer without damage.

It protects your bras from being twisted, squashed, or stretched — no more wires poking out or delicate fabric being harmed. The double-shell design supports the cups to protect them from the abuse the agitator and weighty clothing can dole out. Keeps expensive padded bras looking and feeling like brand new!

#TAS205

3 for \$19.95



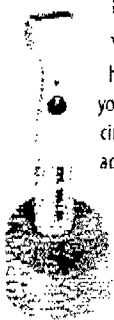
Magic Eye Roller **NEW!**

Magic Eye Roller brings back that youthful appearance to the skin around your eyes

You can lie about your age, but your eyes (or the skin around them) tell the truth. You simply can't hide dark circles, wrinkles, crow's feet and puffiness. The Magic Eye Roller helps you reclaim your youthful appearance. With unique silica gel rings, it massages away wrinkles and diminishes dark circles to reestablish a youthful glow. Mild emissions of LT heat waves stimulate the secretion of active polypeptides so skin is rejuvenated and skin's elasticity restored. So, how old are you? Your eyes will never tell.

#TYJ752

\$39.95



Ambient Light Makeup Mirror **NEW!**

Ambient Light Mirror mimics the light you'll be in for perfect makeup application!

Put your best face forward with the Ambient Light Makeup Mirror. Simply select one of five light settings (artificial light, cloudy day, sunny day, sunset or candlelight) and apply your makeup based on the lighting condition you'll be spending time in. Ten clusters of five LEDs provide a full spectrum of light, adjusting the combination of red, blue, green, white and yellow light to reflect the light mode you choose. Light intensity can also be adjusted in each mode. Mirror swivels to reveal a 2X magnification mirror on the other side.

#TRE409

\$69.95

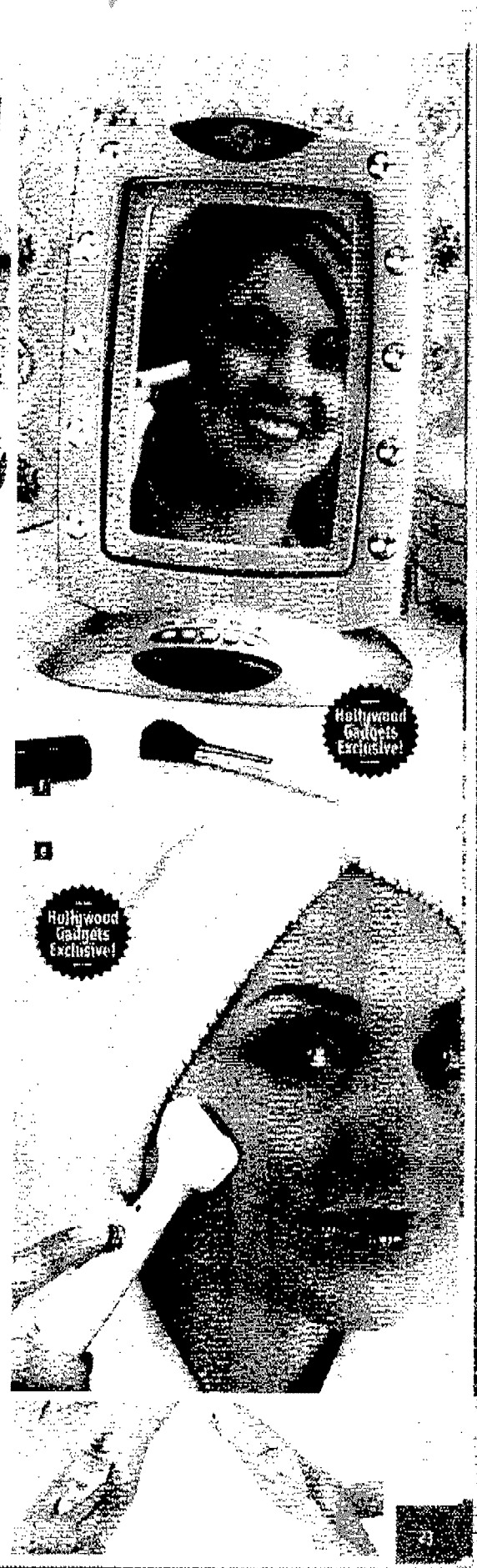
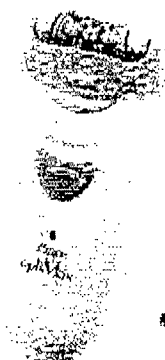
Optimax

Cordless Optimax keeps your skin hair-free and smooth for up to six weeks.

No more smelly depilatories. No more expensive visits to electrolysis salons. The Optimax removes hair easily and comfortably in the privacy of your own home. This versatile personal groomer has 30 individual tweezers, mounted on dual-opposed heads to allow removal of even the coarsest single hair, one at a time. Moreover, the epilating head removes excess hair directly from the root to keep your face, legs, bikini areas, and underarms completely smooth for up to six full weeks. For painless removal, Optimax has patented hair guides that channel those flat, short hairs, (so easy to miss), directly into the removal discs. You'll love the fact that it's both rechargeable and cordless. Easy to carry in your makeup case.

#TEMS64

\$79.95





October 9, 2006

VIA FACSIMILE +732-901-1909
AND FEDERAL EXPRESS

Hollywood Gadgets
Attn: Ms. Donna Mazzeo
1245 Airport Road
Lakewood, NJ 08701

Re: BRABABY Infringement

Dear Ms. Mazzeo:

Our records indicate that on or about May 31, 2006, in response to interest expressed by your buyer, Susan Williams, Angel Sales forwarded a sales quotation to Hollywood Gadgets for our BraBABY bra washer. We also sent a sample and CD-ROM containing photography for use in promoting the item. All of the accompanying sales materials and correspondence clearly indicate that the BraBABY is protected by patent, trademark and copyright law. To date, Hollywood Gadgets has not placed any orders for our BraBABY despite its inclusion in the Hollywood Gadgets catalog and web site.

Angel Sales recently purchased and examined the item advertised as our BraBABY in the Hollywood Gadgets catalog and on its web site. Not only does Angel Sales not offer any customer a "set of 3" as in your catalog and web site, but more importantly, the item Hollywood Gadgets is distributing is clearly a counterfeit. Angel Sales is aware of several factories and trading companies in China who are offering these fakes to companies such as yours. We have forwarded the information to our patent and trademark attorneys, Seyfarth, Shaw LLP, for further follow up action.

We are very concerned by your company's misleading use of our BraBABY trademark and copyrighted images, along with your sale of counterfeit goods. As you undoubtedly are aware, a finding of liability for patent, trademark and copyright infringement will have serious consequences for your business.

In addition to the seizure and destruction of the counterfeit goods, you face the forfeiture of other property and assets derived from your activity. Given the blatant and willful nature of your infringing acts, a court will have discretion to award treble

4147 North Ravenswood
Chicago Illinois 60613

Tel 773 883 8858

Fax 773 883 8889

www.angelsales.com



10/9/2006 Letter to Donna Mazzeo pg. 2

damages, and you may be ordered to reimburse Angel Sales' costs and attorney's fees. On the copyright infringement claims alone, Angel Sales is entitled to recover its own damages plus your profits, or statutory amounts of up to \$150,000 per infringed work.

Angel Sales has invested considerable time and money in creating and promoting its BRABABY product and will take appropriate steps to protect its intellectual property rights. Before taking such action, however, we are willing to give you this opportunity to immediately:

- discontinue all advertising, promotion, sale and distribution of the counterfeit "BraBABY" product identified above, and any other unauthorized product intended to compete with Angel Sales' BRABABY product;
- stop using the BRABABY trademark, logo, and any confusingly similar trademark or logo in any way, including but not limited to, any use on products, advertisements, packaging, sales materials, displays, catalogs, web sites, and the like;
- immediately withdraw from the market all unauthorized products and advertising bearing the BRABABY trademark, logo, or a confusingly similar trademark or logo, or Angel Sales' proprietary images;
- provide us with a full and detailed accounting of all units (a) manufactured by you or on your behalf, and (b) sold by you or on your behalf, including the number of units produced, dates and places of production, name and contact information of each manufacturer, number of units sold, dates and places of sale, shipping destination, price per unit, current inventory, and name and contact information of each distributor, vendor, reseller and purchaser;
- provide us with a full and detailed description of all efforts you have taken to promote and sell the "BraBABY" product, including but not limited to web sites, trade shows, Internet listings, catalogs, directories, and other media or events; and
- forward all existing units of the unauthorized "BraBABY" product to us for destruction, or have all such products destroyed at your own expense, and send us certification and all relevant documentation thereof.

We expect to receive your written reply by **Friday, October 13, 2006.**

4147 North Ravenswood

Chicago Illinois 60613

Tel 773 883 8858

Fax 773 883 8889

www.angelsales.com



10/8/2008 Letter to Donna Mazzeo pg. 3

Very truly yours,

A handwritten signature in black ink, appearing to read "Robert Engel", with a long horizontal flourish extending to the right.

Robert Engel
President, Angel Sales Inc.

Enclosures

cc: Suzanne L. Saxman
Bruce Haraguchi
David Newman
Seyfarth Shaw, LLP.

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Chicago Illinois 60613

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Fax 773 883 8869

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HOLLYWOOD Gadgets

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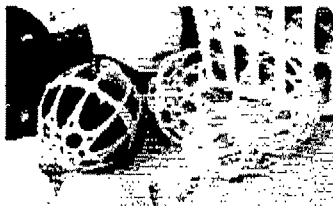
Specialty Shops

Closeouts

Gift Center

Testimonials

Privacy Policy



BraBaby brings an end to hand washing bras.



You'll never have to spend precious free time hand washing your bras again. BraBaby lets you clean your bras in the washing machine and dryer without damage. It

protects your bras from being twisted, squashed, or stretched – no more wires poking out or delicate fabric being harmed. The double-shell design supports the cups to protect them from the abuse the agitator and weighty clothing can dole out. Keeps expensive padded bras looking and feeling like brand new!

HACKER SAFE

TESTED DAILY 09-OCT

BraBaby Set of 3 AS205 \$19.95

[Add to Cart](#)

Save up to 50%!
Sign up for
exclusive offers!

E-Mail Address

[Send](#)



major credit cards accepted



e-commerce by
YAHOO!

Hollywood Gadgets

1245 Airport Road
 Lakewood, NJ 08701
 1.877.215.2600
 customersupport@hollywoodgadgets.com

Sales Receipt



SHIP VIA	CUST. ID	REF. NO.	DATE	ORDER NO.
Ground (1-7 Business days)	9741	12665	7/28/2006	7762

Sold To	
Laura Engel	773-883-8858
4147 N Ravenswood	
Chicago IL 60613	
US United States	

SHIP TO	
Shannon Lambert	773-883-8858
4147 N Ravenswood	
Chicago IL 60613	
US United States	

Shipped via:	Ground (1-7 Business days)	Payment Method:	AMEX	Last 4 digits of credit card #:	-023
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SKU	DESCRIPTION	ORDERED	SHIPPED	UNIT PRICE	TC
AS205	BraBaby Sm of 3	1	1	\$19.95	

Subtotal \$19.95
 Shipping \$5.95
 Sales Tax \$0.00
 Total \$25.90

Return Reason Codes

- 01 - Defective
- 02 - Not satisfied
- 03 - Received wrong item
- 04 - Received duplicate
- 05 - Arrived too late
- 06 - Does not fit
- 07 - Missing/Defective part
- 08 - Other

For questions please call 1.877.859.9800 or go to shophg.com for details.
Please send all returns to the Hollywood Gadgets address above
and attach the sales receipt with your return.

EXHIBIT D



United States Patent and Trademark Office

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BRABABY

Word Mark BRABABY
Goods and Services IC 020. US 002 013 022 025 032 050. G & S: Non-metal cage for protecting undergarments in a washing machine. FIRST USE: 20050700. FIRST USE IN COMMERCE: 20050700
Standard Characters Claimed
Mark Drawing Code (4) STANDARD CHARACTER MARK
Serial Number 78635247
Filing Date May 23, 2005
Current Filing Basis 1A
Original Filing Basis 1B
Published for Opposition May 9, 2006
Registration Number 3242980
Registration Date May 15, 2007
Owner (REGISTRANT) Angel Sales, Inc. CORPORATION ILLINOIS 4147 N. Ravenswood Chicago ILLINOIS 60613
Attorney of Record SUZANNE L. SAXMAN
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

[TESS HOME](#) [NEW USER](#) [STRUCTURED](#) [FREE FORM](#) [Browser Dict](#) [SEARCH LOG](#) [TOP](#) [HELP](#) [Prev List](#) [CURR LIST](#)
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Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2008-02-19 10:38:15 ET

Serial Number: 78635247 Assignment Information Trademark Document Retrieval

Registration Number: 3242980

Mark

BRABABY

(words only): BRABABY

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2007-05-15

Filing Date: 2005-05-23

Transformed into a National Application: No

Registration Date: 2007-05-15

Register: Principal

Law Office Assigned: LAW OFFICE 104

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 650 -Publication And Issue Section

Date In Location: 2007-04-09

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Angel Sales, Inc.

Address:

Angel Sales, Inc.
4147 N. Ravenswood

Chicago, IL 60613
United States
Legal Entity Type: Corporation
State or Country of Incorporation: Illinois

GOODS AND/OR SERVICES

International Class: 020
Class Status: Active
Non-metal cage for protecting undergarments in a washing machine
Basis: 1(a)
First Use Date: 2005-07-00
First Use in Commerce Date: 2005-07-00

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2007-07-25 - TEAS Change Of Correspondence Received
2007-05-15 - Registered - Principal Register
2007-03-28 - Law Office Registration Review Completed
2007-03-28 - Assigned To LIE
2007-03-05 - Allowed for Registration - Principal Register (SOU accepted)
2007-02-26 - Statement of use processing complete
2006-12-13 - Amendment to Use filed
2006-12-13 - TEAS Statement of Use Received
2006-07-31 - TEAS Change Of Correspondence Received
2006-08-01 - Notice of allowance - mailed
2006-05-09 - Published for opposition

2006-04-19 - Notice of publication
2006-03-18 - Law Office Publication Review Completed
2006-03-17 - Assigned To LIE
2006-03-17 - Assigned To LIE
2006-03-10 - Approved for Pub - Principal Register (Initial exam)
2006-03-10 - Teas/Email Correspondence Entered
2006-03-07 - Communication received from applicant
2006-03-07 - TEAS Response to Office Action Received
2005-12-22 - Priority Action E-Mailed
2005-12-22 - Priority Action Written
2005-12-15 - Assigned To Examiner
2005-10-20 - TEAS Change Of Correspondence Received
2005-05-31 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

SUZANNE L. SAXMAN

Correspondent

Luke W. DeMarte
Michael Best & Friedrich LLP
Two Prudential Plaza
180 N. Stetson, Suite 2000
Chicago IL 60601
Phone Number: 312.222.0800
Fax Number: 312.222.0818

EXHIBIT E

Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Marybeth Peters

Register of Copyrights, United States of America



Form VA
For a Work of the Visual Arts
UNITED STATES COPYRIGHT OFFICE

VAu713-533



EFFECTIVE DATE OF REGISTRATION

JUN 24 2006

Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

1

Title of This Work ▼

NATURE OF THIS WORK ▼ See Instructions

BraBABY Photograph

Photograph

Previous or Alternative Titles ▼

Publication as a Contribution If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work ▼

If published in a periodical or serial give: Volume ▼ Number ▼ Issue Date ▼ On Pages ▼

2

NAME OF AUTHOR ▼

DATES OF BIRTH AND DEATH

a Angel Sales, Inc.

Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"?
 Yes
 No

Author's Nationality or Domicile
Name of Country
OR
Citizen of _____
Domiciled in U.S.A.

Was This Author's Contribution to the Work
Anonymous? Yes No
Pseudonymous? Yes No

If the answer to either of these questions is "Yes," see detailed instructions.

Nature of Authorship Check appropriate box(es). See Instructions

- 3-Dimensional sculpture
- 2-Dimensional artwork
- Reproduction of work of art
- Map
- Photograph
- Jewelry design
- Technical drawing
- Text
- Architectural work

Name of Author ▼

Dates of Birth and Death

b

Was this contribution to the work a "work made for hire"?
 Yes
 No

Author's Nationality or Domicile
Name of Country
OR
Citizen of _____
Domiciled in _____

Was This Author's Contribution to the Work
Anonymous? Yes No
Pseudonymous? Yes No

If the answer to either of these questions is "Yes," see detailed instructions.

Nature of Authorship Check appropriate box(es). See Instructions

- 3-Dimensional sculpture
- 2-Dimensional artwork
- Reproduction of work of art
- Map
- Photograph
- Jewelry design
- Technical drawing
- Text
- Architectural work

3

a Year in Which Creation of This Work Was Completed

2005

This information must be given in all cases.

b Date and Nation of First Publication of This Particular Work

Complete this information ONLY if this work has been published. Month _____ Day _____ Year _____ Nation _____

4

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2. ▼

Angel Sales, Inc.
4147 North Ravenswood Avenue
Chicago, IL 60613

Transfer If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼

APPLICABLE RECEIVED

ONE DEPOSIT RECEIVED

TWO DEPOSITS RECEIVED

FUNDS RECEIVED

DO NOT WRITE HERE OFFICE USE ONLY

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• Complete all applicable spaces (numbers 1-4) on the reverse side of this page.
• See detailed instructions. • Sign the form at line 5.

DO NOT WRITE HERE

Page 1 of 2 pages

EXAMINED BY	RB	FORM VA
CHECKED BY		
CORRESPONDENCE		FOR COPYRIGHT OFFICE USE ONLY
<input type="checkbox"/> Yes		

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

Yes No If your answer is "Yes," why is another registration being sought? (Check appropriate box.)

- a. This is the first published edition of a work previously registered in unpublished form.
- b. This is the first application submitted by this author as copyright claimant.
- c. This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes," give: Previous Registration Number Year of Registration

5

DERIVATIVE WORK OR COMPILATION Complete both space 6a and 6b for a derivative work; complete only 6b for a compilation.

a. Preexisting Material Identify any preexisting work or works that this work is based on or incorporates.

6

b. Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed.

See instructions before completing this space.

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.

Name Account Number

7

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt./City/State/Zip

Bruce Haraguchi
55 E. Monroe Street, Suite 4300
Chicago, IL 60603-5803

Area code and daytime telephone number (312) 269-8963 Fax number (312) 269-8963

Email bharaguchi@seyfarth.com

a
b

CERTIFICATION* I, the undersigned, hereby certify that I am the

- check only one
- author
 - other copyright claimant
 - owner of exclusive right(s)
 - authorized agent of Angel Sales, Inc.

Name of author or other copyright claimant, or owner of exclusive right(s)

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Typed or printed name and date If this application gives a date of publication in space 3, do not sign and submit it before that date.

Bruce Haraguchi

Date June 28, 2006

Handwritten signature (X)

X *B. Haraguchi*

8

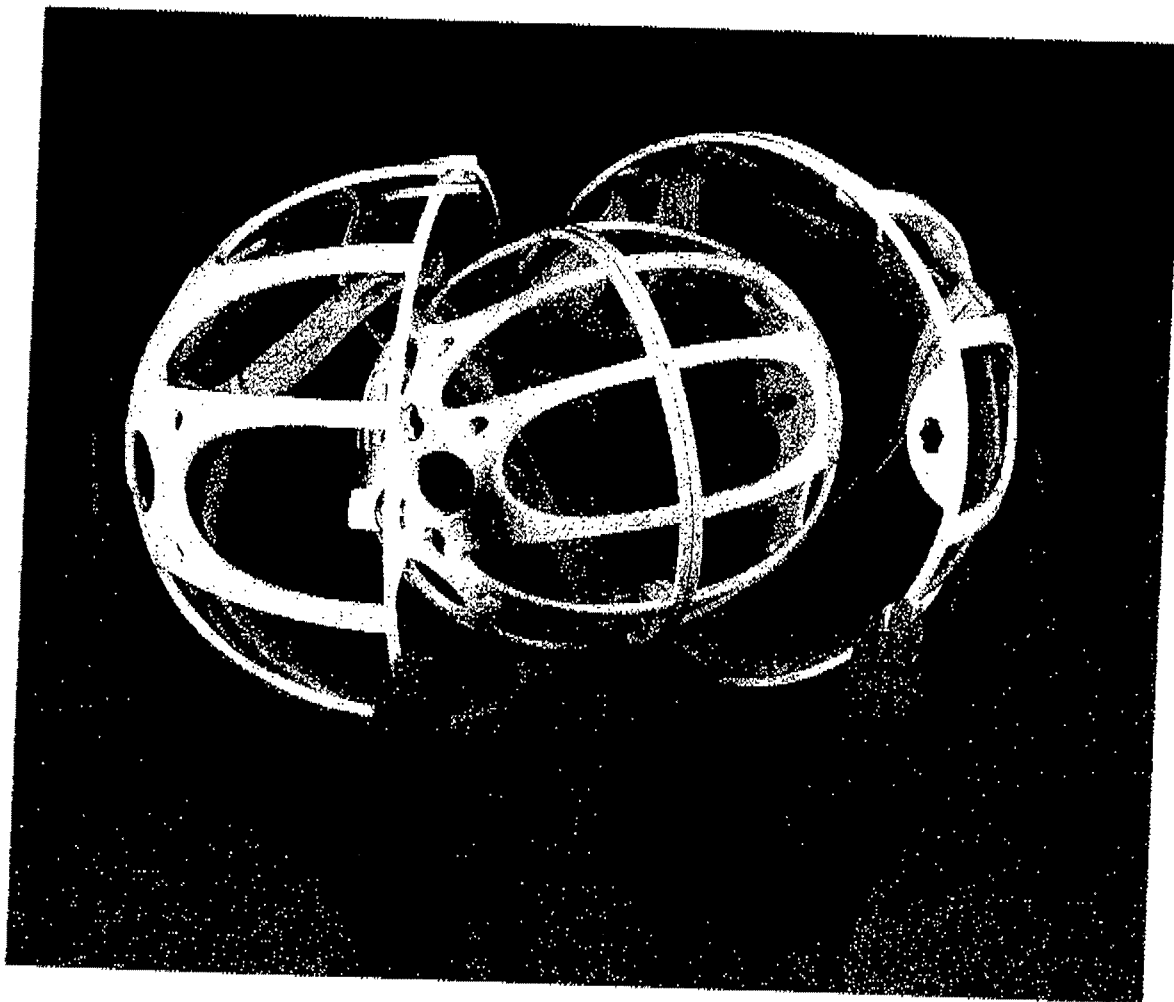
Certificate will be mailed in window envelope to this address:

Name	Bruce Haraguchi
Number/Street/Apt	55 E. Monroe Street, Suite 4300
City/State/ZIP	Chicago, IL 60603-5803

- Complete all necessary spaces
- Sign your application in space 8
- SEND ALL FEES AND PAYMENTS IN ORIGINAL ENVELOPE
- 1. Application form
- 2. Nonrefundable filing fee in check or money order payable to Register of Copyrights
- 3. Deposit material
- MAIL TO:
- Library of Congress
Copyright Office
101 Independence Avenue SE
Washington, DC 20559-0000

9

*17 USC §508(e): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 405, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.



Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Marybeth Peters

Register of Copyrights, United States of America

Form VA
For a Work of the Visual Arts
UNITED STATES COPYRIGHT OFFICE

VAU 716 - 994



EFFECTIVE DATE OF REGISTRATION

8.21.06

Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

Title of This Work ▼

NATURE OF THIS WORK ▼ See instructions

BraBABY Instructions

Text and graphics

Previous or Alternative Titles ▼

Publication as a Contribution: If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work ▼

If published in a periodical or serial give: Volume ▼ Number ▼ Issue Date ▼ On Pages ▼

2 NAME OF AUTHOR ▼

a Angel Sales, Inc.

DATES OF BIRTH AND DEATH
Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"?
 Yes
 No

Author's Nationality or Domicile
Name of Country
OR
Citizen of _____
Domiciled in USA

Was This Author's Contribution to the Work
Anonymous? Yes No
Pseudonymous? Yes No
If the answer to either of these questions is "Yes," see detailed instructions.

Nature of Authorship Check appropriate box(es). See instructions

- 3-Dimensional sculpture
- 2-Dimensional artwork
- Reproduction of work of art
- Map
- Photograph
- Jewelry design
- Technical drawing
- Text
- Architectural work

Name of Author ▼

b

Dates of Birth and Death
Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"?
 Yes
 No

Author's Nationality or Domicile
Name of Country
OR
Citizen of _____
Domiciled in _____

Was This Author's Contribution to the Work
Anonymous? Yes No
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- 3-Dimensional sculpture
- 2-Dimensional artwork
- Reproduction of work of art
- Map
- Photograph
- Jewelry design
- Technical drawing
- Text
- Architectural work

3

Year in Which Creation of This Work Was Completed
2006

This information must be given by all claimants.

Date and Nation of First Publication of This Particular Work
Month _____ Day _____ Year _____
Nation _____
Complete this information ONLY if this work has been published.

4

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2. ▼

Angel Sales, Inc.
4147 North Ravenswood Avenue
Chicago, IL 60613

Transfer: If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼

APPROPRIATE TO THIS DEPOSIT

AUG 21 2006

ONE DEPOSIT RECEIVED

AUG 21 2006

TWO DEPOSITS RECEIVED

FUNDS RECEIVED

DO NOT WRITE HERE OFFICE USE ONLY

MORE ON BACK ▶

• Complete all applicable spaces (numbers 1-6) on the reverse side of this page.
• See detailed instructions. • Sign the form at line 6.

DO NOT WRITE HERE

Page 1 of 2 pages

EXAMINED BY SPW FORM VA

CHECKED BY _____

CORRESPONDENCE
Yes

FOR COPYRIGHT OFFICE USE ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

Yes No If your answer is "Yes," why is another registration being sought? (Check appropriate box.)

- a. This is the first published edition of a work previously registered in unpublished form.
- b. This is the first application submitted by this author as copyright claimant.
- c. This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes," give: Previous Registration Number Year of Registration

5

DERIVATIVE WORK OR COMPILATION Complete both space 6a and 6b for a derivative work; complete only 6b for a compilation.

a. Preexisting Material Identify any preexisting work or works that this work is based on or incorporates.

Copyright is not claimed to the items on the page entitled "Steps to Breast Self-Examination"

6

b. Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed.

Text and images on the other pages are original works of authorship in which copyright is claimed.

See instructions before completing this space.

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.

Name Account Number

7

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/Zip

Bruce Haraguchi
131 S. Dearborn Street, Suite 2400
Chicago, IL 60603-5577

Area code and daytime telephone number (312) 460-5963

Fax number (312) 460-7963

Email bharaguchi@scyfarin.com

CERTIFICATION I, the undersigned, hereby certify that I am the

- check only one
- author
 - other copyright claimant
 - owner of exclusive right(s)
 - authorized agent of Angel Sales, Inc.
- Name of author or other copyright claimant, or owner of exclusive right(s)

8

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Typed or printed name and date If this application gives a date of publication in space 3, do not sign and submit it before that date.

Bruce Haraguchi

Date June 28, 2006

Handwritten signature (X)

X BHaraguchi

Certificate will be mailed in window envelope to this address:

Name
Bruce Haraguchi

Number/Street/Apt
131 S. Dearborn Street, Suite 2400

City/State/ZIP
Chicago, IL 60603-5577

REQUIREMENTS

- Complete all necessary spaces
- Sign your application in space 8

SEND ALL REQUIREMENTS IN THE SAME PACKAGE.

1. Application form
2. Nonrefundable filing fee in check or money order payable to Register of Copyrights
3. Deposit material

SEND TO:

Library of Congress
Copyright Office
101 Independence Avenue SE
Washington, DC 20540-6000

9

17 USC §504(e): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 409, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.