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**CLERK U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES**

BY \_\_\_\_\_

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9 **PATENT CATEGORY CORPORATION**

10 UNITED STATES DISTRICT COURT

11 CENTRAL DISTRICT OF CALIFORNIA

12 **CV07-08178**

**GAF**

**(JWJ)**

Case No. \_\_\_\_\_

13 **PATENT CATEGORY**  
14 **CORPORATION**, a California  
15 corporation,

16 Plaintiff,

17 vs.

**COMPLAINT FOR PATENT  
INFRINGEMENT**

**DEMAND FOR JURY TRIAL**

18 **SEA MONKEYS DISTRIBUCION**  
19 **S.L. d/b/a WORLD-ALIVE**, a Spanish  
20 corporation, **FASCINATIONS TOYS**  
21 **& GIFTS, INC.**, a Washington  
22 corporation, **TARGET**  
23 **CORPORATION**, a Minnesota  
24 corporation, **INNOVATION**  
25 **FRONTIER, INC.**, a California  
26 corporation, **FAT BRAIN TOYS,**  
27 **LLC**, a Nebraska corporation,  
28 **SHOPWIKI CORPORATION**, a  
Delaware corporation, and  
**THINKBUTTON, INC.**, a North  
Carolina corporation,

Defendants.

1 Plaintiff Patent Category Corporation (“PCC”), by and through its attorneys,  
2 alleges as follows:

3 **Jurisdiction and Venue**

4 1. This is a civil action for patent infringement arising under the Acts of  
5 Congress relating to patents, 35 U.S.C. § 1 *et seq.* This Court has jurisdiction over  
6 the subject matter of this action pursuant to 28 U.S.C. §§ 1331 and 1338(a).

7 2. Venue is proper in this Judicial District pursuant to 28 U.S.C. §§  
8 1391(b)-(c) and 1400(b). Upon information and belief, Defendants have engaged in  
9 the complained of activities in this Judicial District.

10 **The Parties**

11 3. Plaintiff Patent Category Corporation is a California corporation  
12 having its principal place of business in Walnut, California.

13 4. Defendant Sea Monkeys Distribucion S.L. is a corporation organized  
14 and existing under the laws of Spain having its principal place of business at Gran  
15 Via Carlos III, 53 entlo 4a, 08028 Barcelona Spain, and doing business, at least in  
16 part, as “World Alive” and on the World Wide Web as “world-alive.net.”

17 5. Defendant Fascinations Toys & Gifts, Inc. is a Washington corporation  
18 having its principal place of business at 19224 Des Moines Memorial Drive, Suite  
19 100, Seattle, Washington 98148, and doing business, at least in part, on the World  
20 Wide Web as “fascinations.com.”

21 6. Defendant Target Corporation is a Minnesota corporation having its  
22 principal place of business at 1000 Nicollet Mall, Minneapolis, Minnesota 55403,  
23 and doing business, at least in part, on the World Wide Web as “target.com.”

24 7. Defendant Innovation Frontier, Inc. is a California corporation having  
25 its principal place of business at 5318 East 2nd Street, Long Beach, California  
26 90803, and doing business, at least in part, on the World Wide Web as  
27 “physlink.com.”  
28



1           16.    On August 7, 2001, the U.S. Patent Office duly issued Patent No.  
2 6,269,826 (“the ‘826 patent”) to PCC as the assignee of inventor Yu Zheng.  
3 Attached hereto as **Exhibit 4** is a true and correct copy of the ‘826 patent.

4           17.    On November 20, 2001, the U.S. Patent Office duly issued Patent No.  
5 6,318,394 (“the ‘394 patent”) to PCC as the assignee of inventor Yu Zheng.  
6 Attached hereto as **Exhibit 5** is a true and correct copy of the ‘394 patent.

7           18.    On May 21, 2002, the U.S. Patent Office duly issued Patent No.  
8 6,390,111 (“the ‘111 patent”) to PCC as the assignee of inventor Yu Zheng.  
9 Attached hereto as **Exhibit 6** is a true and correct copy of the ‘111 patent.

10          19.    On June 10, 2003, the U.S. Patent Office duly issued Patent No.  
11 6,575,185 (“the ‘185 patent”) to PCC as the assignee of inventor Yu Zheng.  
12 Attached hereto as **Exhibit 7** is a true and correct copy of the ‘185 patent.

13          20.    On June 22, 2004, the U.S. Patent Office duly issued Patent No.  
14 6,752,163 (“the ‘163 patent”) to PCC as the assignee of inventor Yu Zheng.  
15 Attached hereto as **Exhibit 8** is a true and correct copy of the ‘163 patent.

16          21.    On information and belief, Defendants have made, used, sold, offered  
17 for sale and/or imported one or more products that infringe the ‘279 patent, the ‘697  
18 patent, the ‘772 patent, the ‘826 patent, the ‘394 patent, the ‘111 patent, the ‘185  
19 patent and/or the ‘163 patent, including but not limited to Defendants’ World Alive  
20 “Ladybird Kit,” “Butterfly Kit,” “Praying Mantis Kit,” “Exotic Jungle,” and  
21 “Enchanted Fairy Garden” products (collectively the “Accused Collapsible  
22 Products”).

23          22.    On information and belief, Defendants have induced others, including  
24 each other, to infringe one or more of the patents-in-suit by encouraging and  
25 promoting the use, manufacture, sale, offer for sale and/or importation of infringing  
26 products, including but not limited to one or more of the Accused Collapsible  
27 Products.

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1 23. On information and belief, Defendants had notice and actual  
2 knowledge of each of the patents-in-suit before the filing of this suit, and  
3 Defendants' infringement of the patents-in-suit has been and continues to be willful  
4 and deliberate.

5 24. Plaintiff has been damaged by Defendants' infringement of the  
6 patents-in-suit in an amount to be determined at trial. Furthermore, by these acts,  
7 Defendants have irreparably injured Plaintiff and such injury will continue unless  
8 Defendants are enjoined by this Court.

9 **PRAYER FOR RELIEF**

10 WHEREFORE, Plaintiff prays for judgment against Defendants as follows:

- 11 A. Defendants be adjudged to have infringed the patents-in-suit;
- 12 B. Defendants be adjudged to have induced infringement of the patents-  
13 in-suit;
- 14 C. Defendants' patent infringement be adjudged willful and deliberate;
- 15 D. This case be deemed exceptional under 35 U.S.C. § 285, and the  
16 damages for patent infringement be enhanced accordingly;
- 17 E. Defendants, their subsidiaries, parents, affiliates, successors, assigns,  
18 officers, agents, servants, employees, attorneys, and all persons acting in concert or  
19 in affiliation with Defendants be preliminarily and permanently enjoined from  
20 infringing or inducing infringement of the patents-in-suit, and specifically from  
21 directly or indirectly making, using, selling, offering for sale or importing any of  
22 the Accused Collapsible Products;
- 23 F. An award of monetary damages suffered by Plaintiff in an amount to  
24 be determined, and the trebling thereof;
- 25 G. Judgment, relief, and requests as set forth in this Complaint;
- 26 H. Reasonable attorneys' fees, prejudgment interest, and costs of this  
27 action; and

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I. All such other, further, and different relief as the Court deems proper.

Dated: December 14, 2007

Respectfully submitted,

**MANATT, PHELPS & PHILLIPS, LLP**

By: /s/ Stephen M. Lobbin

Stephen M. Lobbin

Attorneys for Plaintiff  
**PATENT CATEGORY  
CORPORATION**

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**DEMAND FOR JURY TRIAL**

Pursuant to Fed. R. Civ. P. 38(b), Plaintiff hereby demands a trial by jury in this action of all issues so triable.

Dated: December 14, 2007

Respectfully submitted,  
**MANATT, PHELPS & PHILLIPS, LLP**

By: /s/ Stephen M. Lobbin  
Stephen M. Lobbin

Attorneys for Plaintiff  
**PATENT CATEGORY  
CORPORATION**