

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

**ICON OUTDOORS, LLC.**

3451 Ellicott Center Drive

Ellicott City, MD 21043

**Plaintiff,**

v.

**CORE RESOURCES, INC.,**

12257-C Nicollet Ave South

Burnsville, MN 55337

**Defendant**

Serve on:

Kevin Cook, President

Core Resources, Inc.

12257-C Nicollet Ave. South

Burnsville, MN 55337

**Civil Action No.:**

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**COMPLAINT FOR INJUNCTIVE RELIEF AND DAMAGES  
AND DEMAND FOR JURY TRIAL**

Icon Outdoors, Inc. ("Icon"), by its undersigned attorneys, hereby brings the following Complaint for injunctive relief and monetary damages against Defendant Core Resources, Inc. ("Core Resources") in support thereof alleges as follows:

**PARTIES**

1. Plaintiff Icon is a Maryland Limited Liability Corporation with its principal place of business in Ellicott City, Maryland. Icon is engaged in the business of designing, manufacturing and selling sporting apparel and accessories for hunting and fishing.

2. Defendant Core Resources, Inc. is a Minnesota corporation with its principal place of business in Burnsville, Minnesota. Core Resources is in the business of designing, manufacturing and selling sporting apparel and accessories for hunting and fishing under the registered “Gamehide” trademark.

### **JURISDICTION AND VENUE**

3. This is a claim for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code, and specifically alleges infringement under 35 U.S.C. §271, et seq.

4. This Court has exclusive subject matter jurisdiction over this case pursuant to 28 U.S.C. §§ 1331 and 1338(a).

5. This Court also has subject matter jurisdiction over this case pursuant to 28 U.S.C. 1332(a)(1) as this is a civil action between corporations of different states where the amount in controversy exceeds the sum of \$75,000 exclusive of interest and costs.

6. The Court has general personal jurisdiction because Core Resources has continuous and systematic general business contacts with Maryland. Specifically, Core Resources purposefully markets and sells its products in Maryland at such stores as Anglers Sport Center in Annapolis and Chesapeake Outdoors in Chester. Indeed, Core Resources’ Gamehide.com website lists its “Dealers” in Maryland.

7. This Court also has specific personal jurisdiction over Core Resources because Core Resources has offered to sell and has sold its infringing product in Maryland. Accordingly, Icon’s claim against Core Resources relates to, and arises out of, Core Resources’ activities in Maryland.

8. Venue is proper in this judicial district under 28 U.S.C. § 1391 and/or § 1400 because Core Resources is subject to personal jurisdiction in this judicial district.

**FACTS**

9. On January 15, 2008, U.S. Patent 7,318,239, entitled “Waterfowl Hunter’s Dual-Function Top Garments” (the ‘239 patent), was duly and legally issued to inventors Michael Tate Wood and Bobby Windham, Jr. A true and correct copy of the ‘239 patent is attached hereto as Exhibit 1.

10. Icon is the owner by assignment of the ‘239 patent with full and exclusive right to bring suit to enforce the patent.

11. The ‘239 patent discloses and claims innovative and valuable improvements in waterproof, windproof and breathable garments to be worn in conjunction with waders by waterfowl hunters, fishermen and the like.

12. Core Resources has been and is infringing, contributing to the infringement, and/or inducing others to infringe the ‘239 patent by making, using, offering for sale, selling or importing its Decoy Wader Shirt/FFS under the Gamehide trademark. Core Resources’ acts of infringement have occurred within this district and elsewhere throughout the United States.

13. Core Resources’ Decoy Wader Shirt/FFS infringes one or more claims of the ‘239 Patent under 35 U.S.C. § 271(a) based on Core Resources’ manufacture, use, sale, and/or offer for sale in the United States. Specifically, Core Resources’ Decoy Wader Shirt/FFS infringes at least claims 1, 2, 4, 5, 9, 11, 13, 18, 19 and 21 of the ‘239 patent.

14. Core Resources has willfully infringed the ‘239 patent by continuing its acts of infringement after being put on notice of the patent and the infringement.

**COUNT I**  
**Patent Infringement**

15. The allegations of paragraphs 1 through 14 are incorporated by reference as if fully set forth herein.

16. In violation of 35 U.S.C. § 271, Core Resources has infringed and is continuing to infringe, literally and/or under the doctrine of equivalents, the '239 patent by practicing one or more claims of the '239 patent in its manufacture, use, offering for sale, sale and/or importation of sportsman's waterproof, windproof and breathable garments embodying the patented invention, and/or by inducing or contributing to the infringement of the '239 patent by others.

17. Icon has been damaged by Core Resources' infringement and, unless Core Resources obtains a license to the '239 patent from Icon or is enjoined by this Court, Core Resources will continue its infringing activity and Icon will continue to sustain damage.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff Icon Outdoors, LLC prays for the following relief against defendant Core Resources, Inc.:

a. The entry of judgment in favor of Icon Outdoors, LLC and against the Defendant, Core Resources, Inc.;

b. An award of damages adequate to compensate Icon Outdoors, LLC for the infringement that has occurred, together with prejudgment interest from the date the infringement began, but in no event less than a reasonable royalty as permitted by 35 U.S.C. § 284;

c. A finding that Defendant's infringement has been willful and an award of increased damages as provided by 35 U.S.C. § 284;

- d. A finding that Defendant's infringement has been willful and an award of attorney's fees pursuant to 35 U.S.C. § 285;
- e. A preliminary and permanent injunction prohibiting Defendant from further infringement, inducement and/or contributory infringement of the '239 patent; and,
- f. Such other relief that this Court deems just and proper.

**DEMAND FOR JURY TRIAL**

Plaintiff requests a trial by jury on all issues so triable.

Respectfully submitted,

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