

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA**

ANITA I. CROOK,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CA No. 6:12-cv-00369-TMC
	)	
MAURICES INCORPORATED	)	JURY TRIAL DEMANDED
	)	
Defendant.	)	
	)	

**FIRST AMENDED COMPLAINT**

Plaintiff Anita I. Crook seeks legal and equitable remedies for infringement of Plaintiff's United States Design Patent No. D524,544 resulting from the actions and conduct of Defendant Maurices Incorporated as set forth herein.

1. This action arises under the patent laws of the United States, 35 U.S.C. §1 et seq., and this Court has subject matter jurisdiction over all causes of action set forth herein under 28 U.S.C. §§ 1331, 1332, and 1338.

2. Plaintiff Anita I. Crook is a citizen and resident of Greenville, South Carolina.

3. Upon information and belief, Defendant Maurices Incorporated, is a Delaware corporation having a principal place of business at 105 West Superior Street, Duluth, Minnesota 55802.

4. Upon information and belief, Defendant makes, uses, offers to sell, sells, and/or imports purse organizers in the United States.

5. This Court has personal jurisdiction over Defendant pursuant to S.C. Code Sections 36-2-803 and 36-2-805.

6. Upon information and belief, Defendant transacts business in South Carolina through retailers in South Carolina as well as an Internet website located at [www.maurices.com](http://www.maurices.com).

7. Upon information and belief, Defendant provides products that are and have been used, offered for sale, sold, and purchased in South Carolina.

8. Venue is proper in this district pursuant to 28 U.S.C. §1391 and §1400.

9. On July 11, 2006, United States Patent No. D524,544, entitled “Purse Organizer,” was duly and legally issued, naming Plaintiff as inventor.

10. Plaintiff is the owner by assignment of all right, title, and interest in United States Patent No. D524,544.

11. A true and accurate copy of United States Patent No. D524,544 is attached to this Complaint as Exhibit A.

12. Plaintiff has not granted Defendant any rights to United States Patent No. D524,544.

13. Upon information and belief, Defendant makes, uses, offers to sell, sells, and/or imports purse organizers such as the “Croco Handbag Organizer”, hereinafter referred to as the Accused Products.

14. True and accurate photographs of at least one of the Accused Products is attached to this Complaint as Exhibit B.

15. The Accused Products embody the patented subject matter within the scope of United States Patent No. D524,544.

16. Defendant’s act of making, using, offering to sell, selling, and/or importing the Accused Products constitute direct infringement, contributory infringement, and/or inducement to infringe United States Patent No. D524,544.

17. Defendant's acts of making, using, offering to sell, selling, and/or importing the Accused Products have been with knowledge of United States Patent No. D524,544.

18. Defendant's acts of making, using, offering to sell, selling, and/or importing the Accused Products have been willful and with conscious disregard of Plaintiff's exclusive rights protected by United States Patent No. D524,544.

19. Defendant will continue to make, use, offer to sell, sell, and/or import the Accused Products unless enjoined by this Court.

20. Plaintiff has been damaged by Defendant's acts of making, using, offering to sell, selling, and/or importing the Accused Products in an amount to be determined at trial or upon an accounting.

21. Plaintiff has been, and will continue to be, seriously damaged and irreparably injured unless Defendant is enjoined by this Court from making, using, offering to sell, selling, and/or importing the Accused Products, and thus, Plaintiff is without an adequate remedy at law.

**PRAYER FOR RELIEF**

22. WHEREFORE, Plaintiff prays for an Order of this Court entering judgment:

- a. holding that Defendant has infringed United States Patent No. D524,544;
- b. awarding Plaintiff damages in an amount adequate to compensate Plaintiff for the patent infringement and increasing damages awarded to Plaintiff up to three times pursuant to 35 U.S.C. § 284;
- c. awarding Plaintiff all of Defendant's gross profits derived from infringement of United States Patent No. D524,544 pursuant to 35 U.S.C. § 289;
- d. finding this to be an exceptional case and awarding Plaintiff its reasonable attorneys' fees under 35 U.S.C. § 285;

e. preliminarily and permanently enjoining Defendant, its officers, agents, employees, representatives, and all others acting in concert therewith, from further direct infringement, contributory infringement, and inducement to infringe United States Patent No. D524,544; and

f. affording Plaintiff such further and other relief as this Court may deem just and proper.

JURY DEMAND: Plaintiff requests a trial by jury of any and all issues triable of right by a jury.

Respectfully submitted,

DATE: February 24, 2012

/s/ Neil M. Batavia  
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