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

BY \_\_\_\_\_

8 Attorneys for Plaintiffs  
9 Jumbo Bright Trading Limited and Charles Anthony Philip Pozzi,

10 UNITED STATES DISTRICT COURT  
11 CENTRAL DISTRICT OF CALIFORNIA  
12 WESTERN DIVISION

13 JUMBO BRIGHT TRADING )  
14 LIMITED, a Hong Kong corporation, )  
15 and CHARLES ANTHONY PHILIP )  
16 POZZI, an individual )

Case No. **CV12-8932** - DDP  
MANA

17 Plaintiffs,

18 vs.

19 THE GAP, INC., and DOES 1 through  
20 10

21 Defendants,

COMPLAINT FOR:  
(1) False Designation of Origin and  
Unfair Competition Under the United  
States Trademark Act;  
(2) False Description of Fact and  
Representations and False Advertising  
Under the United States Trademark Act;  
(3) Trademark Dilution Under the  
United States Trademark Act;  
(4) Trade Dress Infringement Under  
Federal Law; (5) Trademark Dilution  
Under California State Law;  
(6) Common Law Trademark  
Infringement; (7) Unfair Competition;  
(8) California Business & Professions  
Code §§ 14245, *et seq.*;  
(9) Patent Infringement Under Federal  
Law; (10) California Statutory Right of  
Publicity; Civil Code § 3344;  
(11) Common Law Right of Publicity;  
and (12) Accounting

JURY TRIAL DEMANDED

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**COMPLAINT**

1. Plaintiffs, Jumbo Bright Trading Limited (“Jumbo Bright”) and Charles Anthony Philip Pozzi, for their Complaint against Defendants The Gap, Inc. (“GAP”) and DOES 1 through 10 allege as follows:

**Nature of Action**

2. This is an action for trademark infringement, trade dress infringement, unfair competition, trademark dilution, patent infringement, right of publicity and other related causes of action under federal, state and common law arising from the unauthorized use by Defendant of Jumbo Bright’s CHARLES PHILIP and CP CHARLES PHILIP trademarks, the Striped Design on the Inside of a Shoe trademark and the use of the Philip name.

**The Parties**

3. Jumbo Bright is a Hong Kong Corporation with a principal place of business at 161-167 Des Voeux Road, Hong Kong Trade Center, 7/f, Central, Hong Kong.

4. Charles Anthony Philip Pozzi is a United States citizen living abroad in Milan, Italy. Charles Anthony Philip Pozzi is an owner of Jumbo Bright Trading Limited and for that reason, Charles Anthony Philip Pozzi and Jumbo Bright will be referred to collectively as “Jumbo Bright.”

1           5.     Upon information and belief, Defendant GAP is a Delaware Corporation  
2 with a principal place of business at Two Folsom Street, San Francisco, California  
3  
4 94105.

5           6.     Upon information and belief, Defendant GAP is engaged in the promotion  
6 and sale of various products in the United States, including in this District, through  
7  
8 their business, their distributors and through its website at www.gap.com.

9           7.     The true names and capacities of Defendants DOES 1 through 10 are  
10 unknown to Plaintiffs, who therefore sues said Defendants by such fictitious names.  
11  
12 Plaintiffs are informed and believe and thereon allege that each of the Defendants  
13 designated herein as a fictitiously named Defendant is, in some manner, responsible  
14 for the events and happenings herein referred to, either contractually or tortuously, and  
15 caused damage to the Plaintiffs as herein alleged. When Plaintiffs ascertain the true  
16 names and capacities of DOES 1 through 10, they will ask leave of this Court to amend  
17  
18 their Complaint by setting forth the same.

19  
20           8.     Plaintiffs are informed and believe and thereon allege that at all times  
21 herein mentioned, each of the Defendants was and is an agent, servant, employee  
22  
23 and/or partner of each of the other Defendants, and all of the things alleged to have  
24 been done by said Defendants were done in the capacity, and as the agent, servant,  
25 employee, and/or partner of the other Defendants.  
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1 **Jurisdiction and Venue**

2 9. Jurisdiction of this Court is based on 28 U.S.C. §1332(a)(1) (Diversity  
3 Jurisdiction); U.S.C. §§1338(a) and (b) (Acts of Congress relating to trademarks and  
4 related actions); Sections 39 and 43(a) and (c) of the United States Trademark Act of  
5 1946 (“Lanham Act”), as amended (15 U.S.C. §1121 and 1125(a)(c); and 28 U.S.C.  
6 §1367 (Supplemental Jurisdiction), as well as the principles of pendent jurisdiction.  
7  
8 The amount in question exceeds \$75,000.00, exclusive of interests and costs.  
9

10 10. This action arises out of wrongful acts including advertising, offering for  
11 sale, selling and distributing products by Defendants within this judicial district. Venue  
12 is proper in this district under 28 U.S.C. §1391(b) and (c) because the claims arise in  
13 this judicial district.  
14  
15

16 **Plaintiffs’ Use and Ownership of CP CHARLES PHILIP Trademark**  
17 **and Striped Design on the Inside of a Shoe Trademark**  
18

19 11. Plaintiff Jumbo Bright is engaged in the business of selling loafers  
20 designed by Charles Anthony Philip Pozzi under the trade name of Charles Philip.  
21

22 12. Loafers designed by Charles Philip are sold worldwide. The Charles  
23 Philip loafers have gained worldwide recognition and reputation.

24 13. Jumbo Bright is the sole owner of the CP CHARLES PHILIP trademark,  
25 U.S. Trademark App. No. 8546692. This Trademark is pending at the U.S. Patent and  
26 Trademark Office, and has been continuously and exclusively used in commerce by  
27  
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1 Charles Anthony Philip Pozzi since at least August 1, 2010. A copy of the  
2 Trademark's application is attached hereto as Exhibit A.

3  
4 14. Jumbo Bright is the sole owner of the common law trademark CHARLES  
5 PHILIP as used with shoes, and has been continuously and exclusively used in  
6 commerce by Charles Anthony Philip Pozzi since at least August 1, 2010.

7  
8 15. Jumbo Bright is the sole owner of the distinctive Striped Design on the  
9 Inside of a Shoe trademarks, U.S. Trademark App. Nos. 85602476 and 85602452.  
10 These Trademarks are pending at the U.S. Patent and Trademark Office, and have been  
11 continuously and exclusively used in commerce by Jumbo Bright since at least August  
12 1, 2010. Copies of these Trademark applications are attached hereto as Exhibit B.

13  
14 16. In addition to the trademark applications, Plaintiffs have used CHARLES  
15 PHILIP and CP CHARLES PHILIP in the advertising and marketing of the distinctive  
16 loafers thus acquiring common law rights in the trademarks.

17  
18 17. Plaintiffs have spent significant time and resources in the advertising and  
19 promotion of the CHARLES PHILIP, CP CHARLES PHILIP trademarks and the  
20 distinctive Striped Design on the Inside of a Shoe trademark (hereinafter collectively  
21 referred to as the "Jumbo Bright Trademarks") which have been used in conjunction  
22 with Charles Philip loafers.

23  
24 18. As a result of the quality of Jumbo Bright's products and the extensive  
25 sales, licensing and marketing, advertising and promotion of these products under the  
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1 Jumbo Bright Trademarks, CHARLES PHILIP, CP CHARLES PHILIP trademarks  
2 and the distinctive Striped Design on the Inside of a Shoe trademark have become  
3 famous trademarks that are widely and favorably known by consumers in the United  
4 States and elsewhere as designating high quality and dependable products originating  
5 exclusively from Jumbo Bright and its related companies.  
6

7  
8 19. The Jumbo Bright Trademarks have been famous in the United States and  
9 elsewhere since prior to the acts complained of herein.

10 **Jumbo Bright's Patent Ownership of Striped Design on the Inside of a Shoe**  
11

12 20. Jumbo Bright is the sole owner of two design patents on the distinctive  
13 Striped Design on the Inside of a Shoe, U.S. Patent Reg. Nos. D668849 and D668850.  
14 U.S. Patent Reg. No. D668849 was issued by the United States Patent and Trademark  
15 Office on October 16, 2012. U.S. Patent Reg. No. D668850 was issued by the United  
16 States Patent and Trademark Office on October 16, 2012. Hereinafter, collectively  
17 "Design Patents." Copies of these design patents are attached hereto as Exhibit C.  
18  
19

20 **Charles Philip Right to Publicity**

21 21. Charles Anthony Philip Pozzi who operates under the name, Charles  
22 Philip is an internationally known shoe designer, herein after "Charles Philip."  
23

24 22. Charles Philip has attained an extraordinary level of popularity and fame  
25 in the United States and around the world, and is the subject of public interest in the  
26 fashion world.  
27  
28

1           23. Charles Philip's distinct shoe designs have been featured in fashion  
2 magazines both in the United States and around the world including Elle, Glamour,  
3 Instyle, Marie Claire, Vanity Fair, and Vogue.  
4

5           24. Charles Anthony Philip Pozzi endorses his shoes through his trade name  
6 Charles Philip. It is common in the fashion industry for a designer to build significant  
7 fame in their name; such examples include Ralph Lauren, Liz Claiborne, Tommy  
8 Hilfiger, Christian Louboutin, and Gianni Versace.  
9

10           25. Charles Philip has invested significant time, energy, finances and  
11 entrepreneurial effort in developing his considerable professional and commercial  
12 achievements and success, popularity, fame, and prominence in the public eye.  
13

14           26. Charles Philip's name, likeness, identity and persona have come to be  
15 associated in the minds of the consuming public with his unique loafers.  
16

17           27. Charles Philip's name, likeness, identity and persona have become widely  
18 known by a substantial segment of the public in the United States and internationally  
19 and thereby have become, and are, valuable commercial assets that symbolize Charles  
20 Philip and the level of quality associated with his distinctive loafers and the goodwill  
21 associated with them.  
22

23           28. Charles Philip maintains strict control over the manner in which his name,  
24 likeness, identity and persona are used. Charles Philip exercises careful consideration  
25  
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1 to ensure that his name, likeness, identity or persona is only used with products  
2 designed or endorsed by him.

3  
4 **Misuse By Defendants of the Plaintiffs' Trademarks**

5 29. Upon information and belief, Defendants offer for sale and sell products  
6 using the PHILIP trademark, CP CHARLES PHILIP trademark and the distinctive  
7 Striped Design on the Inside of a Shoe trademark or a substantially similar confusing  
8 mark ("Defendants' Unauthorized Products") (See Exhibit D).

9  
10 30. Upon information and belief, notwithstanding the lack of authorization  
11 from Plaintiffs and the fact that said Defendants' Unauthorized Products otherwise are  
12 not authorized to be sold utilizing the Jumbo Bright Trademarks, Defendants have  
13 made repeated unauthorized use of the Jumbo Bright Trademarks in connection with  
14 said products, as described below, with the intent to mislead and confuse consumers  
15 into believing that said Defendants' Unauthorized Products are made directly by  
16 Jumbo Bright pursuant to Jumbo Bright's strict quality control standards or that said  
17 Defendants' Unauthorized Products are otherwise authorized or licensed by Jumbo  
18 Bright and with the intent of misappropriating, for their own benefit, the tremendous  
19 goodwill built up by Jumbo Bright in the Jumbo Bright Trademarks.

20  
21 31. In particular, Defendants have improperly used the Jumbo Bright  
22 Trademarks in their advertising and promotional materials for said Defendants'  
23 Unauthorized Products as well as on their Internet website at www.gap.com, and  
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1 otherwise have falsely stated or implied that said Defendants' Unauthorized Products  
2 are made directly by Jumbo Bright pursuant to Jumbo Bright's strict quality control  
3 standards or that their use of the Jumbo Bright Trademarks is authorized or licensed by  
4 Jumbo Bright.  
5

6 32. Upon information and belief, the aforementioned misuse of the Jumbo  
7 Bright Trademarks by Defendants was done by Defendants with the intent of deceiving  
8 or misleading customers into mistakenly believing that said Defendants' Unauthorized  
9 Products were authorized Jumbo Bright products originating from Jumbo Bright or its  
10 related companies and otherwise misappropriating the goodwill built up by Jumbo  
11 Bright in the Jumbo Bright Trademarks and otherwise attracting and misdirecting  
12 consumers looking for genuine or authorized Jumbo Bright goods to Defendant's  
13 website.  
14  
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16

17 33. Prior to commencing this lawsuit, Jumbo Bright and its representatives  
18 communicated directly with Defendants and their representatives in an attempt to  
19 resolve this matter without the necessity of bringing this lawsuit, but Defendants have  
20 refused to cease all unauthorized use of the Jumbo Bright Trademarks as requested by  
21 Jumbo Bright and continues to deliberately and intentionally use the marks without the  
22 consent of Jumbo Bright.  
23  
24

25 34. The misuse of the Jumbo Bright Trademarks by Defendants was intended  
26 to cause, has caused and is likely to continue to cause consumer confusion, mistake or  
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28

1 deception including the misleading of consumers into mistakenly believing that the  
2 Defendants' Unauthorized Products are made directly by Jumbo Bright pursuant to  
3 Jumbo Bright's strict quality control standards or Jumbo Bright has authorized or  
4 licensed the use by Defendants of the Jumbo Bright Trademarks for those products.  
5

6 35. The aforementioned misuse of the Jumbo Bright Trademarks by  
7 Defendants is damaging to the reputation and goodwill of Jumbo Bright and the Jumbo  
8 Bright Trademarks.  
9

10 36. Upon information and belief, the aforesaid acts of Defendants have  
11 caused and, unless enjoined will continue to cause irreparable damage to Jumbo Bright  
12 and to the reputation of its valuable Jumbo Bright Trademarks.  
13

14 37. Jumbo Bright has no adequate remedy at law.  
15

16 **Infringement By Defendants of the Jumbo Bright Patents**

17 38. Upon information and belief, without Jumbo Bright's authorization,  
18 Defendants have offered for sale and sold products in the United States having designs  
19 that are covered by U.S. Patent Reg. Nos. D668849 and D668850 ("Defendants'  
20 Unauthorized Products") (See Exhibits C and D). Upon information and belief,  
21 Defendant knowingly and intentionally sold and continues to sell the Defendants'  
22 Unauthorized Products as simulations of Jumbo Bright's CHARLES PHILIP loafers.  
23  
24

25 39. Based on information and belief, Defendants infringed and continue to  
26 infringe the Jumbo Bright Design Patents within the meaning of 35 U.S.C. §271(a) at  
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28

1 least by selling and offering to sell the Defendants' Unauthorized Products without  
2 Jumbo Bright's authorization or license.

3  
4 40. Jumbo Bright has offered to sell, sold and is currently selling its  
5 CHARLES PHILIP loafers bearing the design claimed in the '849 and '850 patents.  
6 As contemplated by the Patent Act, 35 U.S.C. §287, Jumbo Bright is now working to  
7 providing notice of its '849 and '850 patents by marking the '849 and '850 patent  
8 numbers on or near the CHARLES PHILIP loafers bearing those patented designs  
9 since approximately the time the United States Patent and Trademark Office issued the  
10 '849 and '850 patents.  
11

12  
13 41. Upon information and belief, Defendants' infringement of the Jumbo  
14 Bright Design Patents has been and continues to be intentional and willful.  
15

16 **Defendants Violation of Charles Philip's Right of Publicity**

17 42. On or before August 2012, Defendants began selling loafers containing  
18 the Charles Philip distinctive Striped Design on the Inside of a Shoe. In addition to  
19 this design, the Defendants' loafers contained a stamp on the inside identifying the  
20 loafers as "Phillip Moccasin Slipper" and "Phillip Slipper" respectively. See Exhibit  
21 E.  
22

23  
24 43. This Phillip stamp used the name and likeness, identity and persona of  
25 Charles Philip for commercial purposes without his consent.  
26  
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1           44. The Defendants' Unauthorized Products are likely to cause confusion, and  
2 have caused actual confusion, in the minds of the consuming public as to an  
3 association of Charles Philip with Defendants' loafers.  
4

5           45. Defendants knowingly and intentionally took steps to exacerbate and  
6 perpetuate the likelihood of confusion and actual confusion in the minds of the  
7 consuming public, and to perpetuate their unlawful exploitation of Charles Philip's  
8 name, likeness, identity and persona for Defendants' commercial gain, including by  
9 Defendants' unlawful use of Charles Philip's name.  
10

11           46. Defendants' Unauthorized Products continue to broadcast publically  
12 Charles Philip's name, likeness, identity and persona.  
13

14           47. The Defendants' Unauthorized Products falsely represent that Charles  
15 Philip sponsors, endorses, or is associated with, Defendants.  
16

17           48. Charles Philip did not authorize Defendants to use his name, likeness,  
18 identity or persona in connection with Defendants' Unauthorized Products or  
19 otherwise.  
20

21           49. Charles Philip was not contacted by Defendants to seek or to obtain his  
22 permission, nor was he compensated by Defendants, for the use of his name, likeness,  
23 identity or persona.  
24

25           50. The use of Charles Philip's name, likeness, identity and persona by  
26 Defendants was, and is, in conscious disregard of Charles Philip's right of publicity,  
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1 and of his exclusive right to control the use and exploitation of his name, likeness,  
2 identity and persona.

3  
4 51. The aforementioned misappropriation and use of Charles Philip's name,  
5 likeness, identity and persona by Defendants was intentional. Defendants'  
6 misappropriation was purposefully designed and intended to confuse, to cause mistake,  
7 and to deceive the public into believing that Charles Philip sponsored, endorsed or was  
8 associated with Defendant's Unauthorized Products.  
9

10  
11 52. Defendants have created a likelihood of confusion in the minds of the  
12 consuming public as to the source, sponsorship, endorsement, or association of Charles  
13 Philip with Defendants, and with their goods.

14  
15 53. Defendants have profited, and will continue to profit, from their unlawful  
16 and intentional misappropriation and use of Charles Philip's name, identity, likeness  
17 and persona.  
18

19 **COUNT I**

20 **False Designation Of Origin And**  
21 **Unfair Competition Under The United States**  
22 **Trademark Act (15 U.S.C. 1125(a))**

23 54. Jumbo Bright repeats the allegations set forth in paragraphs 1 through 53.

24 55. Defendants' use of the famous Jumbo Bright Trademarks, without Jumbo  
25 Bright's consent, in commerce to promote, market, or sell their products or services in  
26 direct competition with Jumbo Bright's products and services constitutes False  
27  
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1 Designation of Origin and Unfair Competition pursuant to 15 U.S.C. §1125(a).  
2 Defendants' use of the Jumbo Bright Trademarks is a false designation of origin, a  
3 false or misleading description of fact, and/or a false or misleading representation of  
4 fact, which is likely to cause confusion, or to cause mistake, or to deceive as to the  
5 affiliation, connection, or association of such Defendants with Jumbo Bright and/or as  
6 to the origin, sponsorship, or approval of Defendants' productions and commercial  
7 activities with Jumbo Bright.  
8  
9

10 56. The complained of acts constitute willful, deliberate and intentional false  
11 designations of origin as to products made available by Defendants and unfair  
12 competition in violation of §43(a) of the Lanham Act (15 U.S.C. §1125(a).  
13

14 57. Defendants' wrongful activities have caused - and unless enjoined by this  
15 Court - will continue to cause irreparable injury and other damages to Jumbo Bright's  
16 business and reputation, and will continue to cause damage to the goodwill it has  
17 developed in its Jumbo Bright Trademarks. Jumbo Bright has no adequate remedy at  
18 law.  
19  
20

21 **COUNT II**

22 **False Descriptions Of Fact And Representations**  
23 **And False Advertising Under The United States**  
24 **Trademark Act (15 U.S.C. 1125(a)**

25 58. Jumbo Bright repeats the allegations set forth in paragraphs 1 through 57.  
26  
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1 63. Defendants' unauthorized use of the Jumbo Bright Trademarks is likely to  
2 dilute and blur the distinctive quality of the mark and to tarnish the Jumbo Bright  
3 Trademarks.  
4

5 64. The complained of acts have diluted and damaged the distinctive quality  
6 of Jumbo Bright's famous Jumbo Bright Trademarks and constitute trademark dilution  
7 of the famous marks in violation of §43(c) of the Lanham Act (15 U.S.C. §1125(c)).  
8

9 65. Upon information and belief, Defendants willfully intended to trade on  
10 Jumbo Bright's reputation and/or cause dilution and tarnishment of Jumbo Bright's  
11 famous and fanciful Jumbo Bright Trademarks.  
12

13 **COUNT IV**

14 **Trade Dress Infringement Under Federal Law**

15  
16 66. Jumbo Bright repeats the allegations set forth in paragraphs 1 through 65.  
17

18 67. Jumbo Bright has used in interstate commerce the distinctive product  
19 design in connection with the sale and marketing of its Charles Philip loafers. The  
20 Charles Philip loafers contain distinctive, nonfunctional features, which are protected  
21 under the Lanham Act §43(a) (15 U.S.C. 1125(a)).  
22

23 68. Defendants' use of infringing trade dress has confused and is likely to  
24 continue to cause confusion or to cause mistake or to deceive the consuming public  
25 into believing that the Defendants' Unauthorized Products are authorized, sponsored or  
26 approved by Plaintiffs.  
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**COUNT V**

**Trademark Dilution Under  
California Business and Professions Code (Section 14330)**

69. Jumbo Bright repeats the allegations set forth in Paragraphs 1 through 68.

70. Based on its continuous use of the marks in the United States and in California, Jumbo Bright has valid common law rights in the Jumbo Bright Trademarks.

71. The complained of acts are likely to cause injury to the business reputation of or otherwise dilute the distinctive quality of the Jumbo Bright Trademarks in violation of §14330 of the California Business and Professions Code.

72. Defendants' wrongful activities have caused - and unless enjoined by this Court will continue to cause irreparable injury and other damages to Jumbo Bright's business and reputation, and will continue to cause damage to the goodwill it has developed in its Jumbo Bright Trademarks. Jumbo Bright has no adequate remedy at law.

**COUNT VI**

**Common Law Trademark  
Infringement And Unfair Competition**

73. Jumbo Bright repeats the allegations set forth in Paragraphs 1 through 72.

74. The complained of acts constitute trademark infringement, palming off, and unfair competition in violation of the common law of the State of California.

1 COUNT VII

2 **Unfair Competition Under**  
3 **California Business and Professions Code (Section 17200)**

4 75. Jumbo Bright repeats the allegations set forth in Paragraphs 1 through 74.

5  
6 76. The complained of acts constitute unlawful acts of unfair competition and  
7 unlawful, unfair and fraudulent business practices in violation of §17200, *et seq.* of the  
8 California Business and Professions Code.

9  
10 COUNT VIII

11 **California Trademark Infringement, Dilution and Deceptive Acts and Practices**  
12 **California Business & Professions Code §§ 14245, *et seq.***

13 77. Jumbo Bright repeats the allegations set forth in Paragraphs 1 through 76.

14  
15 78. The foregoing acts of Defendants constitutes trademark infringement in  
16 violation of California Business & Professions Code section 14245 *et. seq.*, for which  
17 Plaintiffs are entitled to injunctive relief, profits, and damages.

18  
19 79. The foregoing acts of Defendants create a likelihood of injury to the  
20 public image and business reputation of Jumbo Bright and will likely associate  
21 Defendants' infringing goods with the Jumbo Bright Trademarks and Jumbo Bright's  
22 goods, and cause the dilution of the distinctive quality of the Jumbo Bright Trademarks  
23 all in violation of California Business & Professions Code section 14245 *et. seq.*, for  
24 which Plaintiffs are entitled to injunctive relief.  
25  
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1 **COUNT IX**

2 **Patent Infringement Under Federal Law**

3  
4 80. Jumbo Bright repeats the allegations set forth in Paragraphs 1 through 79.

5 81. Defendants have made, used, offered to sell, sold, and/or imported into  
6 the United States, and still are making, using, offering to sell, selling, and/or importing  
7 into the United States, shoes having designs that infringe the Jumbo Bright Design  
8 Patents without Jumbo Bright's authorization.  
9

10 82. On information and belief, Defendants' infringement has been intentional  
11 and willful, making this an exceptional case.  
12

13 83. Jumbo Bright has been and will continue to be irreparably harmed by  
14 Defendants' infringement of the Jumbo Bright Design Patents.  
15

16 **COUNT X**

17 **Violation of California Statutory Right of Publicity; Civil Code § 3344**

18  
19 84. Jumbo Bright repeats the allegations set forth in Paragraphs 1 through 83.

20 85. In doing the acts alleged herein, Defendants have knowingly, willfully,  
21 and unlawfully used and misappropriated Charles Philip's name and likeness in  
22 connection with the Defendants' Unauthorized Products for their own commercial  
23 purposes.  
24

25 86. Defendants' misappropriation of Charles Philip's name and likeness for  
26 their own commercial purposes is a violation of California Civil Code § 3344.  
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87. As a result of Defendants' actions, Charles Philip has suffered, and will continue to suffer, irreparable injury.

**COUNT XI**

**Violation of California Common Law Right of Publicity**

88. Jumbo Bright repeats the allegations set forth in Paragraphs 1 through 87.

89. In doing the acts alleged herein, Defendants have knowingly, willfully, and unlawfully used and misappropriated Charles Philip's name and likeness in connection with the Defendants' Unauthorized Products for their own commercial purposes.

90. Defendants' misappropriation of Charles Philip's name and likeness for their own commercial purposes is a violation of California common law right of privacy, which includes the right of publicity.

91. As a proximate result of Defendants' actions, Charles Philip has suffered, and will continue to suffer, irreparable injury.

**COUNT XII**

**Accounting  
Common Law**

92. Jumbo Bright repeats the allegations set forth in Paragraphs 1 through 91.

93. Defendants' activities, as alleged above, have violated Plaintiffs' rights in the Jumbo Bright Trademarks under common law.



1           4.     That Defendants' conduct violates the provisions of California Business  
2 & Professions Code sections 14240, 14245, 14247 and 17200-17210 and constitutes  
3 trademark infringement and unfair competition under the common law of the State of  
4 California.

5  
6           5.     That Defendants, their officers, directors, principals, agents, servants,  
7 affiliates, employees, attorneys, representatives, successors and assigns, and all those  
8 in privy or acting in concert or participation with Defendants, and each and all of them,  
9 be preliminarily and permanently enjoined and restricted from directly or indirectly:  
10

11                   (a)    Claiming or representing that any products and/or services sold by  
12 Defendants are made directly by Jumbo Bright pursuant to Jumbo Bright's strict  
13 quality control standards or Jumbo Bright has authorized or licensed the use by  
14 Defendants of the Jumbo Bright Trademarks for those products;  
15

16                   (b)    Using, in any manner, or holding itself out as having rights to use,  
17 the Design Patents, CHARLES PHILIP trademark, CP CHARLES PHILIP trademark  
18 or the distinctive Striped Design on the Inside of a Shoe Trademark or any other name,  
19 mark or design confusingly similar to the Jumbo Bright Trademarks to designate,  
20 describe or refer to themselves or in conjunction with any product or service, including  
21 any use in conjunction with any Internet activities conducted by it or on its behalf such  
22 as any use as a domain name or in the text, graphics and hypertext metatags of any  
23 Internet website;  
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1 (c) Requesting or inducing Internet search engines to display links to  
2 the Defendants' website or other websites displaying or promoting Defendants'  
3 products or services when potential customers using those search engines search for  
4 terms containing variations of the CHARLES PHILIP trademark, CP CHARLES  
5 PHILIP trademark or the distinctive Striped Design on the Inside of a Shoe trademark;  
6

7 (d) Selling, offering for sale, promoting, advertising, distributing or  
8 providing or offering to provide any goods or services in conjunction with the Design  
9 Patents, Jumbo Bright Trademarks or any other name, mark or design confusingly  
10 similar to the Jumbo Bright Trademarks or Design Patents in conjunction with any  
11 product or service; and  
12

13 (e) Engaging in any course of conduct likely to cause confusion,  
14 deception or mistake or injure Plaintiff's business reputation or dilute the Jumbo  
15 Bright Trademarks or appropriate the good will and reputation of the Jumbo Bright  
16 Trademarks or lead to the passing off of Defendants' products and services as Jumbo  
17 Bright products and services.  
18

19 6. That the Court issue an Order directing Defendants to file with the Court  
20 and serve on Plaintiff, within thirty (30) days after the service on Defendants of such  
21 injunctions, a report in writing and under oath, setting forth in detail the manner and  
22 form in which Defendants have complied with the injunction.  
23  
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1           7.     That the Court award judgment in favor of the Plaintiff in the amount of  
2 treble damages.

3  
4           8.     That the Court award to Plaintiff punitive damages sufficient to deter  
5 Defendants from committing such willful acts of infringement in the future.

6           9.     That the Court require a full and complete accounting of all monies  
7 received by Defendants as a result of the infringement.

8  
9           10.    That Defendants be required to deliver to Plaintiffs all merchandise,  
10 packaging, labels, boxes, cartons, advertising, brochures, documents, advertising and  
11 promotional materials and other things, possessed, used or distributed by Defendant, or  
12 on their behalf, which use the Design Patents, Jumbo Bright Trademarks or any other  
13 name, mark or design confusingly similar to the Jumbo Bright Trademarks or Design  
14 Patents.  
15

16  
17           11.    That Plaintiffs be awarded the costs of this action and its disbursements,  
18 and reasonable attorney's and investigatory fees incurred and as otherwise appropriate  
19 herein pursuant to 15 U.S.C. §1117 or other appropriate statute or law.  
20

21           12.    For interest on all amounts found to be due to Plaintiffs from Defendants,  
22 at the prevailing rate, from the date of said amounts or any part thereof became or  
23 becomes due.  
24

25           13.    That the Court require Defendants to notify their commercial associates,  
26 dealers, master distributors, suppliers and customers of this Order.  
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14. That Plaintiffs be granted such other monetary, equitable and further relief, as this Court may deem appropriate under federal, state and common law.

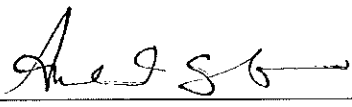
15. That the Court retain jurisdiction of this action for the purpose of enabling Plaintiffs to apply to the Court, at any time, for such further orders and directions as may be necessary or appropriate for the interpretation or execution of any order entered in this action, for the modification of any such order, for the enforcement or compliance therewith and for the punishment of any violation thereof.

**DEMAND FOR JURY TRIAL**

Plaintiffs hereby demand a jury trial on all issues.

Respectfully submitted this 17<sup>th</sup> day of October 2012.

BATES & BATES, LLC



ANDREA E. BATES  
Attorneys for PLAINTIFFS  
Jumbo Bright Trading Limited and  
Charles Anthony Philip Pozzi

PTO Form 1478 (Rev 9/2006)  
 CMB No. 0851-0009 (Exp 12/31/2011)

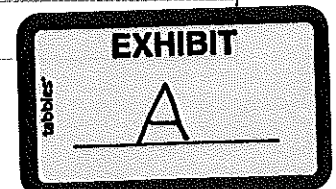
## Trademark/Service Mark Application, Principal Register

Serial Number: 85476692

Filing Date: 11/18/2011

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	85476692
<b>MARK INFORMATION</b>	
<b>*MARK</b>	<u>CP CHARLES PHILIP</u>
<b>STANDARD CHARACTERS</b>	YES
<b>USPTO-GENERATED IMAGE</b>	YES
<b>LITERAL ELEMENT</b>	CP CHARLES PHILIP
<b>MARK STATEMENT</b>	The mark consists of standard characters, without claim to any particular font, style, size, or color.
<b>REGISTER</b>	Principal
<b>APPLICANT INFORMATION</b>	
<b>*OWNER OF MARK</b>	Charles Anthony Pozzi
<b>*STREET</b>	205 East 59th Street, Apt. 15B
<b>*CITY</b>	New York
<b>*STATE (Required for U.S. applicants)</b>	New York
<b>*COUNTRY</b>	United States
<b>*ZIP/POSTAL CODE (Required for U.S. applicants only)</b>	10022
<b>LEGAL ENTITY INFORMATION</b>	
<b>TYPE</b>	individual



<b>COUNTRY OF CITIZENSHIP</b>	United States
<b>GOODS AND/OR SERVICES AND BASIS INFORMATION</b>	
<b>INTERNATIONAL CLASS</b>	025
<b>* IDENTIFICATION</b>	Clothing, namely, T-shirts, shorts, jackets; headgear, namely caps, hats; footwear, namely, boots, slippers, sandals and shoes
<b>FILING BASIS</b>	SECTION 1(a)
<b>FIRST USE ANYWHERE DATE</b>	At least as early as 08/01/2010
<b>FIRST USE IN COMMERCE DATE</b>	At least as early as 08/01/2010
<b>SPECIMEN FILE NAME(S)</b>	<u>\\TICRS\EXPORT11\IMAGEOUT 11\854\766\85476692\xml1\APP0003.JPG</u>
<b>SPECIMEN DESCRIPTION</b>	shoes
<b>ATTORNEY INFORMATION</b>	
<b>NAME</b>	(Kenneth) Cang Li, Esq.
<b>FIRM NAME</b>	Law Offices of (Kenneth) Cang Li
<b>STREET</b>	65 Broadway #814
<b>CITY</b>	New York
<b>STATE</b>	New York
<b>COUNTRY</b>	United States
<b>ZIP/POSTAL CODE</b>	10006
<b>PHONE</b>	212-430-6810
<b>FAX</b>	347-426-0473
<b>EMAIL ADDRESS</b>	kennethcli@gmail.com
<b>AUTHORIZED TO COMMUNICATE VIA EMAIL</b>	Yes
<b>CORRESPONDENCE INFORMATION</b>	
<b>NAME</b>	(Kenneth) Cang Li, Esq.
<b>FIRM NAME</b>	Law Offices of (Kenneth) Cang Li

<b>STREET</b>	65 Broadway #814
<b>CITY</b>	New York
<b>STATE</b>	New York
<b>COUNTRY</b>	United States
<b>ZIP/POSTAL CODE</b>	10006
<b>PHONE</b>	212-430-6810
<b>FAX</b>	347-426-0473
<b>EMAIL ADDRESS</b>	kennethcli@gmail.com
<b>AUTHORIZED TO COMMUNICATE VIA EMAIL</b>	Yes
<b>FEE INFORMATION</b>	
<b>NUMBER OF CLASSES</b>	1
<b>FEE PER CLASS</b>	325
<b>*TOTAL FEE DUE</b>	325
<b>*TOTAL FEE PAID</b>	325
<b>SIGNATURE INFORMATION</b>	
<b>ORIGINAL PDF FILE</b>	<u>hw_16821510344-154552207 . cpcharlesphilip220.pdf</u>
<b>CONVERTED PDF FILE(S) (1 page)</b>	<u>\\TICRS\EXPORT1\IMAGEOUT1\854\766\85476692\xml1\APP0004.JPG</u>
<b>SIGNATORY'S NAME</b>	/cap/
<b>SIGNATORY'S POSITION</b>	owner

PTO Form 1478 (Rev 9/2006)  
OMB No. 0651-0009 (Exp 12/31/2011)

## Trademark/Service Mark Application, Principal Register

Serial Number: 85476692

Filing Date: 11/18/2011

### To the Commissioner for Trademarks:

**MARK:** CP CHARLES PHILIP (Standard Characters, see mark)

The literal element of the mark consists of CP CHARLES PHILIP.

The mark consists of standard characters, without claim to any particular font, style, size, or color.

The applicant, Charles Anthony Pozzi, a citizen of United States, having an address of  
205 East 59th Street, Apt. 15B  
New York, New York 10022  
United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

International Class 025: Clothing, namely, T-shirts, shorts, jackets; headgear, namely caps, hats; footwear, namely, boots, slippers, sandals and shoes

In International Class 025, the mark was first used at least as early as 08/01/2010, and first used in commerce at least as early as 08/01/2010, and is now in use in such commerce. The applicant is submitting one specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) shoes.

[Specimen File1](#)

The applicant's current Attorney Information:

(Kenneth) Cang Li, Esq. of Law Offices of (Kenneth) Cang Li  
65 Broadway #814  
New York, New York 10006  
United States

The applicant's current Correspondence Information:

(Kenneth) Cang Li, Esq.  
Law Offices of (Kenneth) Cang Li  
65 Broadway #814  
New York, New York 10006  
212-430-6810(phone)  
347-426-0473(fax)  
kennetheli@gmail.com (authorized)

A fee payment in the amount of \$325 has been submitted with the application, representing payment for 1 class(es).

**Declaration**

**Original PDF file:**

hw\_16821510344-154552207\_cpcharlesphilip220.pdf

**Converted PDF file(s)** (1 page)

Signature File 1

Signatory's Name: /cap/

Signatory's Position: owner

RAM Sale Number: 2770

RAM Accounting Date: 11/21/2011

Serial Number: 85476692

Internet Transmission Date: Fri Nov 18 15:58:17 EST 2011

TEAS Stamp: USPTO/BAS-168.215.103.44-201111181558179

81210-85476692-48080ef9d7198b2309c2cba57

c58864d363-CC-2770-20111118154552207393

CP  
CHARLES PHILIP





DECLARATION

The undersigned, CHARLES ANTHONY POZZI declares that s/he is the Applicant and is authorized to execute this application and to make this declaration on behalf of Applicant; that he/she believes Applicant to be the owner of the mark sought to be registered, or he/she believes Applicant to be entitled to use the mark in commerce; that to the best of his/her knowledge and belief, no other person, firm, corporation or association has the right to use the mark in commerce, either in the identical form or in such near resemblance thereto as may be likely, when applied to the goods or services or such other person, to cause confusion, or to cause mistake, or to deceive; that all statements made herein of his/her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code; and that such willful false statements may jeopardize the validity of the application or document or any registration resulting therefrom.

By: \_\_\_\_\_



Name: CHARLES ANTHONY POZZI

PTO Form 1478 (Rev 9/2006)  
OMB No. 0651-0009 (Exp 12/31/2011)

## Trademark/Service Mark Application, Principal Register

### TEAS Plus Application

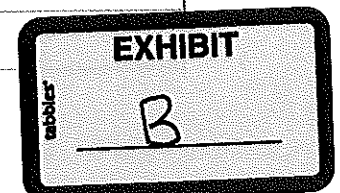
Serial Number: 85602476

Filing Date: 04/19/2012

*NOTE: Data fields with the \* are mandatory under TEAS Plus. The wording "(if applicable)" appears where the field is only mandatory under the facts of the particular application.*

The table below presents the data as entered.

Input Field	Entered
TEAS Plus	YES
<b>MARK INFORMATION</b>	
*MARK	<u>\\TICRS\EXPORT1\IMAGEOUT 1\856\024\85602476\xml\1\FTK0002.JPG</u>
*SPECIAL FORM	YES
USPTO-GENERATED IMAGE	NO
*COLOR MARK	NO
*COLOR(S) CLAIMED (If applicable)	
*DESCRIPTION OF THE MARK (and Color Location, if applicable)	The mark consists of thin striped design inside of a shoe.
PIXEL COUNT ACCEPTABLE	YES
PIXEL COUNT	944 x 944
REGISTER	Principal
<b>APPLICANT INFORMATION</b>	
*OWNER OF MARK	Jumbo Bright Trading Limited
INTERNAL ADDRESS	Hong Kong Trade Center, 7/F
*STREET	161-167 Des Voeux Road
*CITY	Central
*COUNTRY	Hong Kong



PHONE	404-228-7439
FAX	404-963-6231
EMAIL ADDRESS	abates@bates-bates.com
<b>LEGAL ENTITY INFORMATION</b>	
*TYPE	CORPORATION
* STATE/COUNTRY OF INCORPORATION	Hong Kong
<b>GOODS AND/OR SERVICES AND BASIS INFORMATION</b>	
*INTERNATIONAL CLASS	025
IDENTIFICATION	Shoes
*FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 07/08/2010
FIRST USE IN COMMERCE DATE	At least as early as 07/08/2010
SPECIMEN FILE NAME(S)	<u>\\TICRS\EXPORT1\IMAGEOUT</u> <u>11\856\024\85602476\xml1\FTK0003.JPG</u>
SPECIMEN DESCRIPTION	Snapshot of mark design as used in commerce
<b>ADDITIONAL STATEMENTS SECTION</b>	
*TRANSLATION (if applicable)	
*TRANSLITERATION (if applicable)	
*CLAIMED PRIOR REGISTRATION (if applicable)	
*CONSENT (NAME/LIKENESS) (if applicable)	
*CONCURRENT USE CLAIM (if applicable)	
<b>ATTORNEY INFORMATION</b>	
NAME	Andrea E. Bates
FIRM NAME	Bates & Bates, LLC
INTERNAL ADDRESS	Unit 101
STREET	964 Dekalb Avenue
CITY	Atlanta
STATE	Georgia

<b>COUNTRY</b>	United States
<b>ZIP/POSTAL CODE</b>	30307
<b>PHONE</b>	404-228-7439
<b>FAX</b>	404-963-6231
<b>EMAIL ADDRESS</b>	abates@bates-bates.com
<b>AUTHORIZED TO COMMUNICATE VIA EMAIL</b>	Yes
<b>OTHER APPOINTED ATTORNEY</b>	Kathryn E. Cox Jason Cox
<b>CORRESPONDENCE INFORMATION</b>	
<b>*NAME</b>	Andrea E. Bates
<b>FIRM NAME</b>	Bates & Bates, LLC
<b>INTERNAL ADDRESS</b>	Unit 101
<b>*STREET</b>	964 Dekalb Avenue
<b>*CITY</b>	Atlanta
<b>*STATE</b> (Required for U.S. applicants)	Georgia
<b>*COUNTRY</b>	United States
<b>*ZIP/POSTAL CODE</b>	30307
<b>PHONE</b>	404-228-7439
<b>FAX</b>	404-963-6231
<b>*EMAIL ADDRESS</b>	abates@bates-bates.com
<b>*AUTHORIZED TO COMMUNICATE VIA EMAIL</b>	Yes
<b>FEE INFORMATION</b>	
<b>NUMBER OF CLASSES</b>	1
<b>FEE PER CLASS</b>	275
<b>*TOTAL FEE PAID</b>	275
<b>SIGNATURE INFORMATION</b>	
<b>* SIGNATURE</b>	/Andrea E. Bates/
<b>* SIGNATORY'S NAME</b>	Andrea E. Bates
<b>* SIGNATORY'S POSITION</b>	Attorney of Record/GA
<b>SIGNATORY'S PHONE NUMBER</b>	404-228-7439
<b>* DATE SIGNED</b>	04/19/2012

PTO Form 1476 (Rev 9/2006)  
OMB No. 0851-0003 (Exp 12/31/2011)

## Trademark/Service Mark Application, Principal Register

### TEAS Plus Application

Serial Number: 85602476

Filing Date: 04/19/2012

#### To the Commissioner for Trademarks:

**MARK:** (Stylized and/or Design, see mark)

The mark consists of thin striped design inside of a shoe.

The applicant, Jumbo Bright Trading Limited, a corporation of Hong Kong, having an address of  
Hong Kong Trade Center, 7/F,  
161-167 Des Voeux Road  
Central  
Hong Kong

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

**For specific filing basis information for each item, you must view the display within the Input Table.**

International Class 025: Shoes

In International Class 025, the mark was first used by the applicant or the applicant's related company or licensee at least as early as 07/08/2010, and first used in commerce at least as early as 07/08/2010, and is now in use in such commerce. The applicant is submitting one specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) Snapshot of mark design as used in commerce.

Specimen File1

The applicant's current Attorney Information:

Andrea E. Bates and Kathryn E. Cox Jason Cox of Bates & Bates, LLC  
Unit 101  
964 Dekalb Avenue  
Atlanta, Georgia 30307  
United States

The applicant's current Correspondence Information:

Andrea E. Bates  
Bates & Bates, LLC  
Unit 101  
964 Dekalb Avenue  
Atlanta, Georgia 30307  
404-228-7439(phone)  
404-963-6231(fax)  
abates@bates-bates.com (authorized)

A fee payment in the amount of \$275 has been submitted with the application, representing payment for 1 class(es).

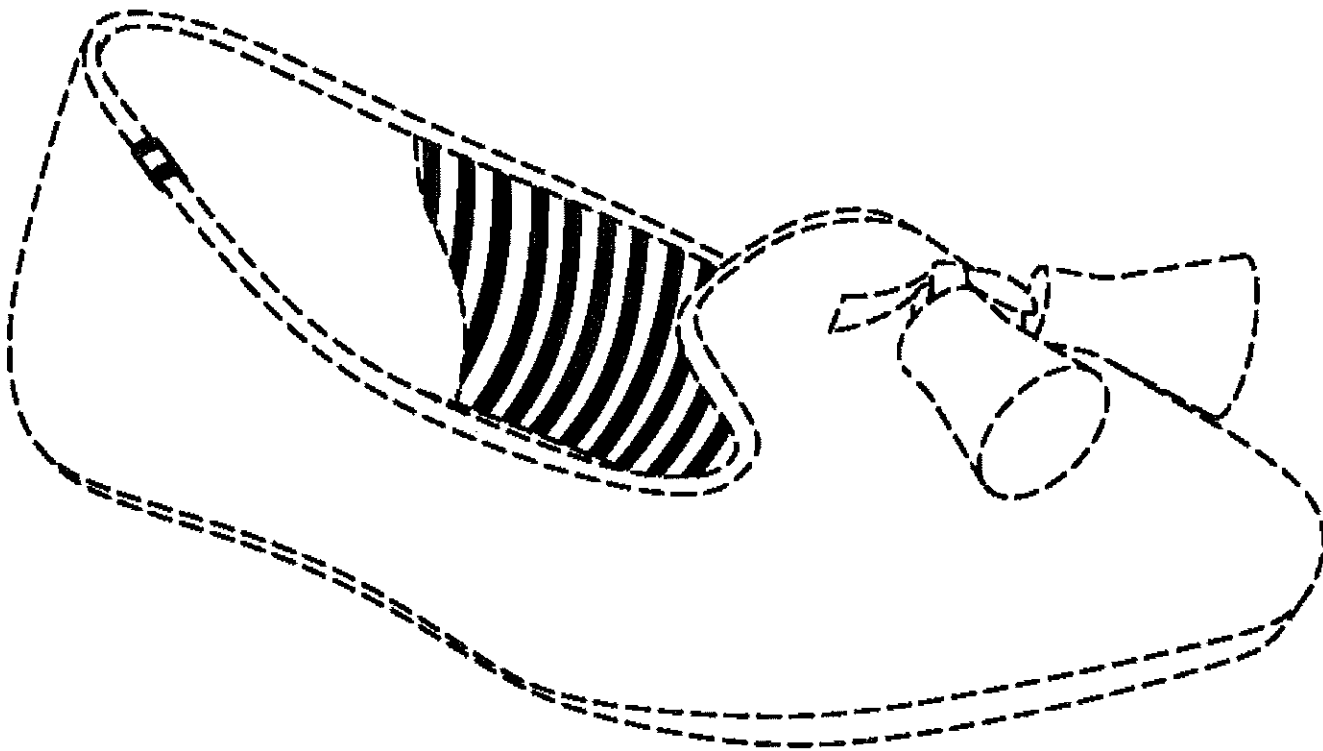
**Declaration**

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /Andrea E. Bates/ Date Signed: 04/19/2012  
Signatory's Name: Andrea E. Bates  
Signatory's Position: Attorney of Record/GA

RAM Sale Number: 13840  
RAM Accounting Date: 04/19/2012

Serial Number: 85602476  
Internet Transmission Date: Thu Apr 19 13:42:13 EDT 2012  
TEAS Stamp: USPTO/FTK-173.102.193.213-20120419134213  
696390-85602476-490aa6efa6197a05db935787  
52bd9d8480-CC-13840-20120419133259671396







PTO Form 1478 (Rev 9/2006)  
OMB No. 0651-0009 (Exp 12/31/2011)

## Trademark/Service Mark Application, Principal Register

### TEAS Plus Application

Serial Number: 85602452

Filing Date: 04/19/2012

*NOTE: Data fields with the \* are mandatory under TEAS Plus. The wording "(if applicable)" appears where the field is only mandatory under the facts of the particular application.*

The table below presents the data as entered.

Input Field	Entered
TEAS Plus	YES
<b>MARK INFORMATION</b>	
*MARK	<u>\\TICRS\EXPORT1\IMAGEOUT</u> <u>1\856024\85602452\xml\FTK0002.JPG</u>
*SPECIAL FORM	YES
USPTO-GENERATED IMAGE	NO
*COLOR MARK	NO
*COLOR(S) CLAIMED (If applicable)	
*DESCRIPTION OF THE MARK (and Color Location, if applicable)	The mark consists of thin striped design inside of a shoe.
PIXEL COUNT ACCEPTABLE	YES
PIXEL COUNT	944 x 944
REGISTER	Principal
<b>APPLICANT INFORMATION</b>	
*OWNER OF MARK	Jumbo Bright Trading Limited
INTERNAL ADDRESS	161-167 Des Voeux Road
*STREET	Hong Kong Trade Center, 7/f
*CITY	Central
*COUNTRY	Hong Kong

PHONE	404-228-7439
FAX	404-963-6231
<b>LEGAL ENTITY INFORMATION</b>	
*TYPE	CORPORATION
* STATE/COUNTRY OF INCORPORATION	Hong Kong
<b>GOODS AND/OR SERVICES AND BASIS INFORMATION</b>	
*INTERNATIONAL CLASS	025
IDENTIFICATION	Shoes
*FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 07/08/2010
FIRST USE IN COMMERCE DATE	At least as early as 07/08/2010
SPECIMEN FILE NAME(S)	<u>\\TICRS\EXPORT1\IMAGEOUT</u> <u>1\856\024\85602452\xml\ FTK0003.JPG</u>
	<u>\\TICRS\EXPORT1\IMAGEOUT</u> <u>1\856\024\85602452\xml\ FTK0004.JPG</u>
SPECIMEN DESCRIPTION	Snapshots of mark design as used in commerce
<b>ADDITIONAL STATEMENTS SECTION</b>	
*TRANSLATION (if applicable)	
*TRANSLITERATION (if applicable)	
*CLAIMED PRIOR REGISTRATION (if applicable)	
*CONSENT (NAME/LIKENESS) (if applicable)	
*CONCURRENT USE CLAIM (if applicable)	
<b>ATTORNEY INFORMATION</b>	
NAME	Andrea E. Bates
FIRM NAME	Bates & Bates, LLC
INTERNAL ADDRESS	Unit 101
STREET	964 Dekalb Avenue
CITY	Atlanta

STATE	Georgia
COUNTRY	United States
ZIP/POSTAL CODE	30307
PHONE	404-228-7439
FAX	404-963-6231
EMAIL ADDRESS	abates@bates-bates.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
OTHER APPOINTED ATTORNEY	Kathryn E. Cox Jason Cox
<b>CORRESPONDENCE INFORMATION</b>	
*NAME	Andrea E. Bates
FIRM NAME	Bates & Bates, LLC
INTERNAL ADDRESS	Unit 101
*STREET	964 Dekalb Avenue
*CITY	Atlanta
*STATE (Required for U.S. applicants)	Georgia
*COUNTRY	United States
*ZIP/POSTAL CODE	30307
PHONE	404-228-7439
FAX	404-963-6231
*EMAIL ADDRESS	abates@bates-bates.com
*AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
<b>FEE INFORMATION</b>	
NUMBER OF CLASSES	1
FEE PER CLASS	275
*TOTAL FEE PAID	275
<b>SIGNATURE INFORMATION</b>	
* SIGNATURE	/Andrea E. Bates/
* SIGNATORY'S NAME	Andrea E. Bates
* SIGNATORY'S POSITION	Attorney of Record/GA
SIGNATORY'S PHONE NUMBER	404-228-7439

<b>* DATE SIGNED</b>	04/19/2012
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PTO Form 1478 (Rev 9/2006)  
OMB No. 0651-0009 (Exp 12/31/2011)

## Trademark/Service Mark Application, Principal Register

### TEAS Plus Application

Serial Number: 85602452

Filing Date: 04/19/2012

#### To the Commissioner for Trademarks:

**MARK:** (Stylized and/or Design, see mark)

The mark consists of thin striped design inside of a shoe.

The applicant, Jumbo Bright Trading Limited, a corporation of Hong Kong, having an address of  
161-167 Des Voeux Road,  
Hong Kong Trade Center, 7/f  
Central  
Hong Kong

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

**For specific filing basis information for each item, you must view the display within the Input Table.**  
International Class 025: Shoes

In International Class 025, the mark was first used by the applicant or the applicant's related company or licensee at least as early as 07/08/2010, and first used in commerce at least as early as 07/08/2010, and is now in use in such commerce. The applicant is submitting one specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) Snapshots of mark design as used in commerce.

[Specimen File1](#)

[Specimen File2](#)

The applicant's current Attorney Information:

Andrea E. Bates and Kathryn E. Cox Jason Cox of Bates & Bates, LLC  
Unit 101  
964 Dekalb Avenue  
Atlanta, Georgia 30307  
United States

The applicant's current Correspondence Information:

Andrea E. Bates  
Bates & Bates, LLC  
Unit 101  
964 Dekalb Avenue  
Atlanta, Georgia 30307  
404-228-7439(phone)  
404-963-6231(fax)  
abates@bates-bates.com (authorized)

A fee payment in the amount of \$275 has been submitted with the application, representing payment for 1 class(es).

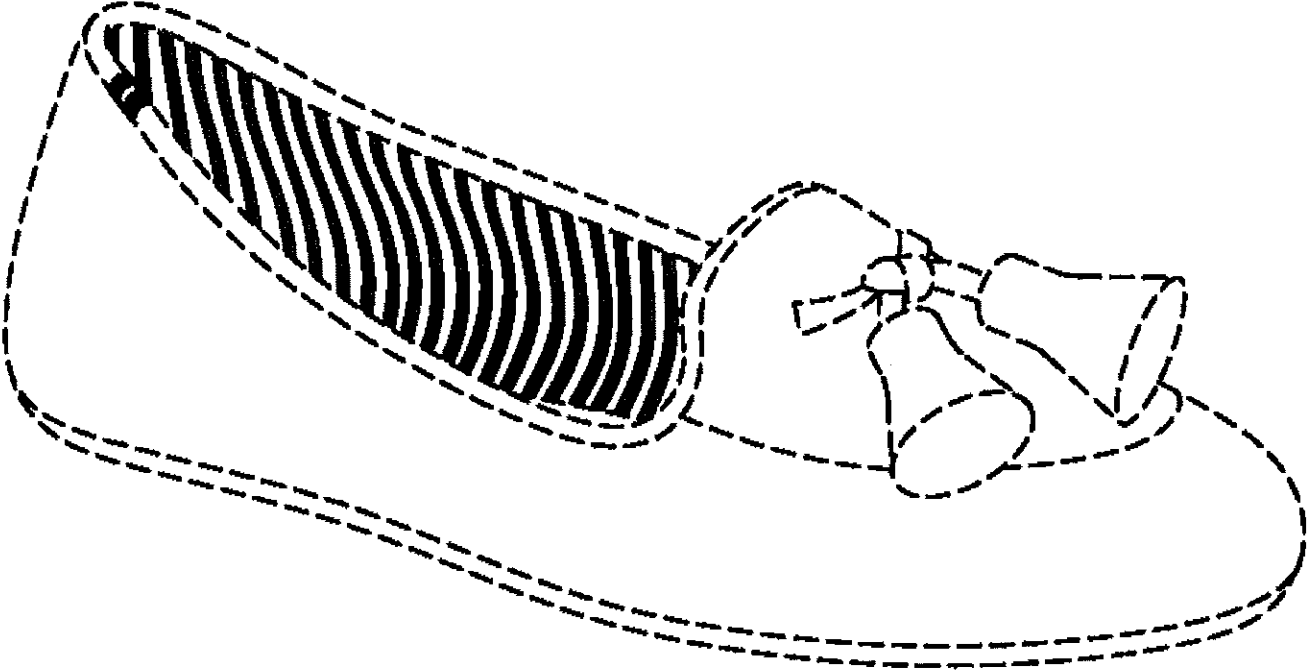
**Declaration**

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /Andrea E. Bates/ Date Signed: 04/19/2012  
Signatory's Name: Andrea E. Bates  
Signatory's Position: Attorney of Record/GA

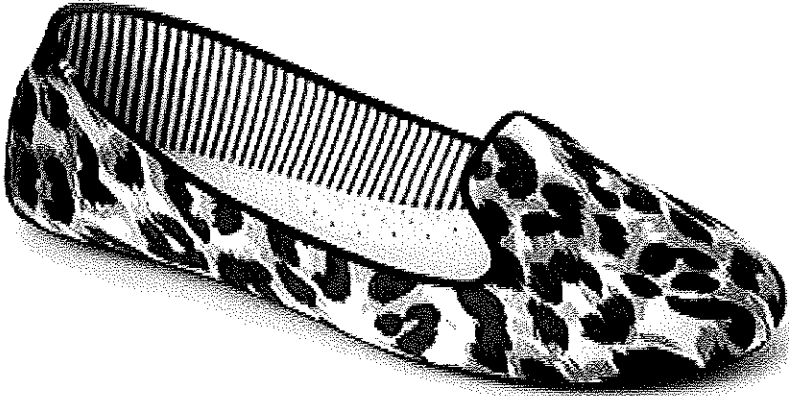
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US00D668849S

(12) **United States Design Patent**  
**Pozzi**

(10) **Patent No.:** US D668,849 S  
(45) **Date of Patent:** \*\* Oct. 16, 2012

(54) **LADIES SHOES**

(76) **Inventor:** Charles Anthony Pozzi, New York City, NY (US)

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

(21) **Appl. No.:** 29/402,590

(22) **Filed:** Sep. 23, 2011

(51) **LOC (9) Cl.** ..... 02-04

(52) **U.S. Cl.** ..... D2/939; D2/925; D2/941

(58) **Field of Classification Search** ..... D2/896,  
D2/900, 919-921, 925-942, 946, 952, 969,  
D2/971; 36/1, 83, 8.1-8.3, 9 R, 45-58, 104,  
36/108, 76 R

See application file for complete search history.

(56) **References Cited**

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D99,696 S *	5/1936	Berman .....	D2/930
D116,728 S *	9/1939	Wood .....	D2/932
D128,945 S *	8/1941	Sutcliffe .....	D2/942
D131,546 S *	3/1942	Vivier .....	D2/932
D131,551 S *	3/1942	Julianelli et al. ....	D2/935
D133,819 S *	9/1942	Harris .....	D2/939
D149,685 S *	5/1948	Sandler .....	D2/935
D166,090 S *	3/1952	Maling .....	D2/939

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D200,897 S *	4/1965	Mitchell .....	D2/919
D247,396 S *	3/1978	Schlerth .....	D2/939
D339,669 S *	9/1993	Miller .....	D2/919
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D489,880 S *	5/2004	McClaskie .....	D2/952
D500,191 S *	12/2004	Belley et al. ....	D2/969
D527,513 S *	9/2006	Della Valle .....	D2/919
D534,341 S *	1/2007	Choi .....	D2/971
D593,295 S *	6/2009	Belley et al. ....	D2/969
D593,297 S *	6/2009	Belley et al. ....	D2/969
D593,307 S *	6/2009	Belley et al. ....	D2/969
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\* cited by examiner

*Primary Examiner* — Dominic Simone

(74) *Attorney, Agent, or Firm* — Houtteman Law LLC

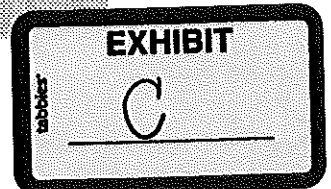
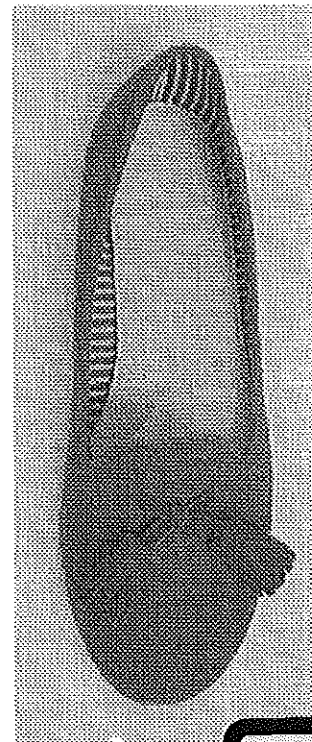
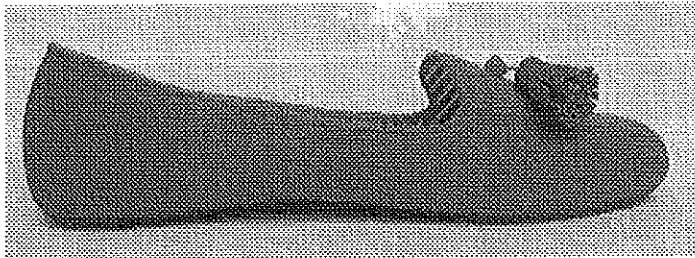
(57) **CLAIM**

The ornamental design for a ladies shoes, as shown and described.

**DESCRIPTION**

FIG. 1 is a front view of a ladies shoes showing my new design;  
FIG. 2 is a rear side view of the ladies shoes shown in FIG. 1;  
FIG. 3 is a left side view of the ladies shoes shown in FIG. 1;  
FIG. 4 is a right side view of the ladies shoes shown in FIG. 1;  
FIG. 5 is a top view of the ladies shoes shown in FIG. 1; and  
FIG. 6 is a bottom view of the ladies shoes shown in FIG. 1.

1 Claim, 4 Drawing Sheets



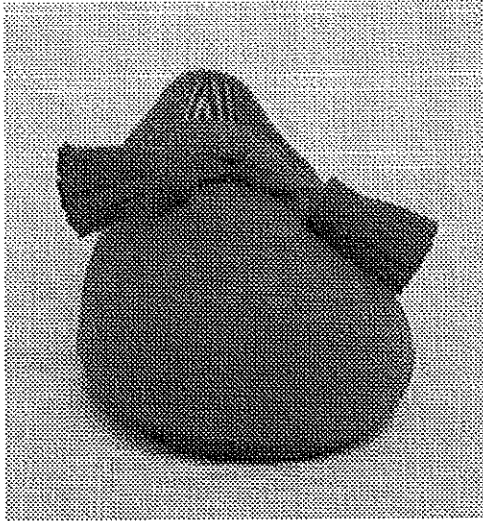


FIG. 1

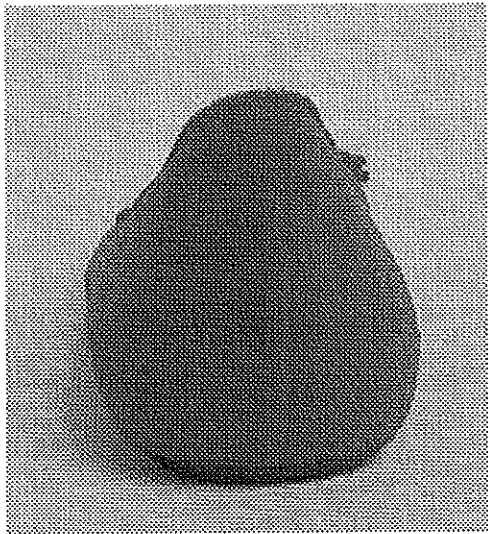


FIG. 2

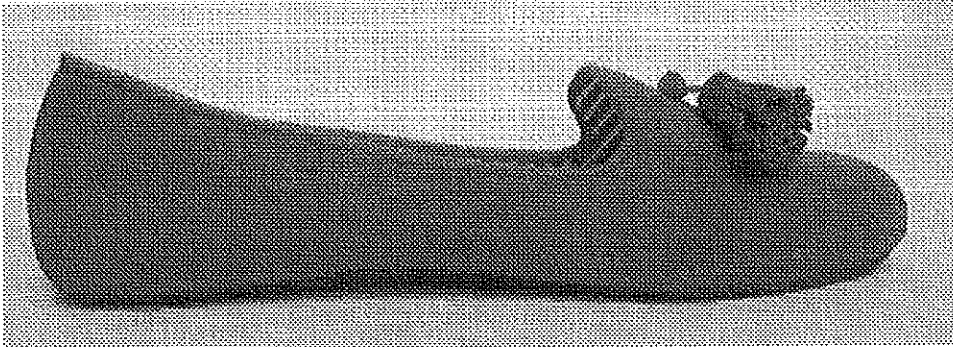


FIG. 3

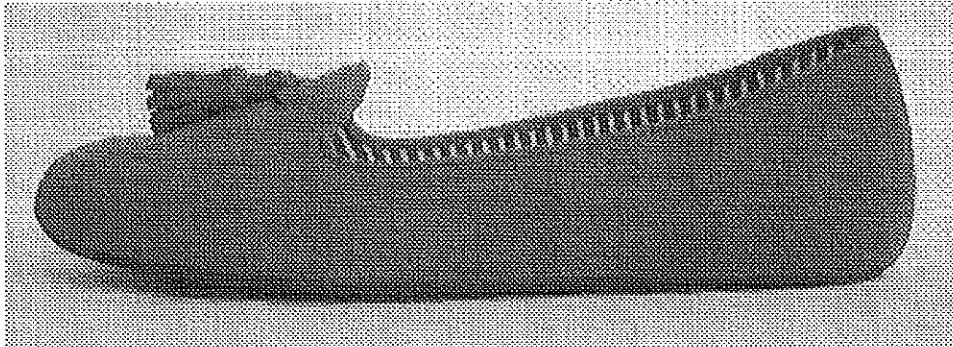


FIG. 4

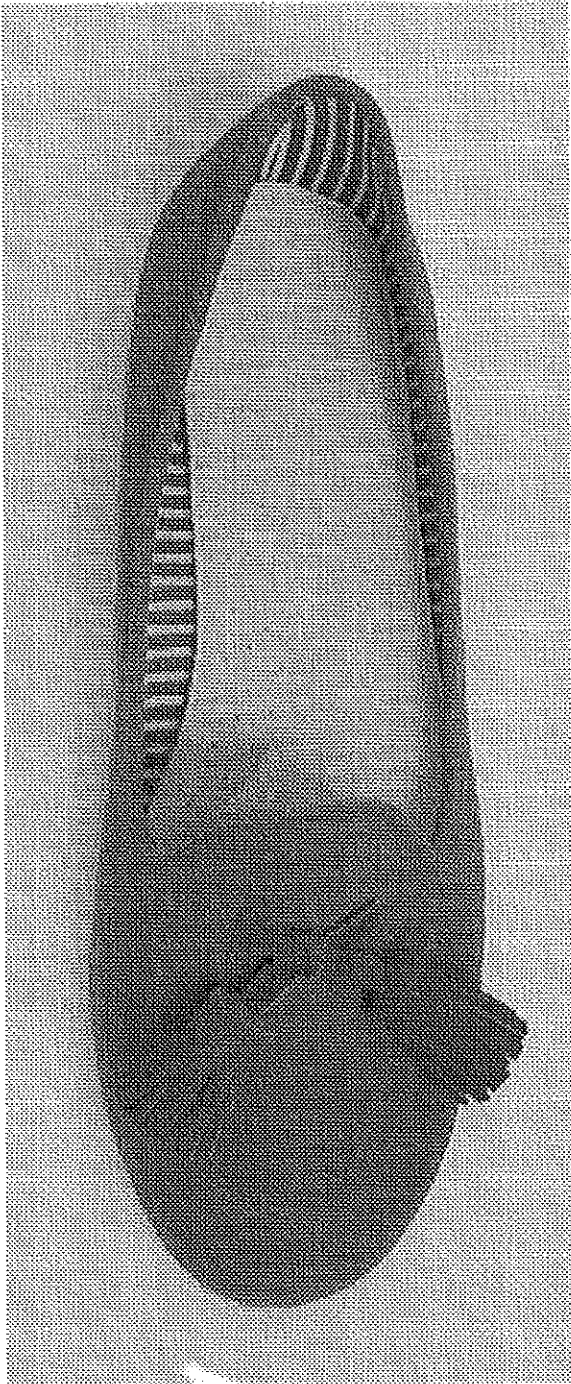


FIG. 5

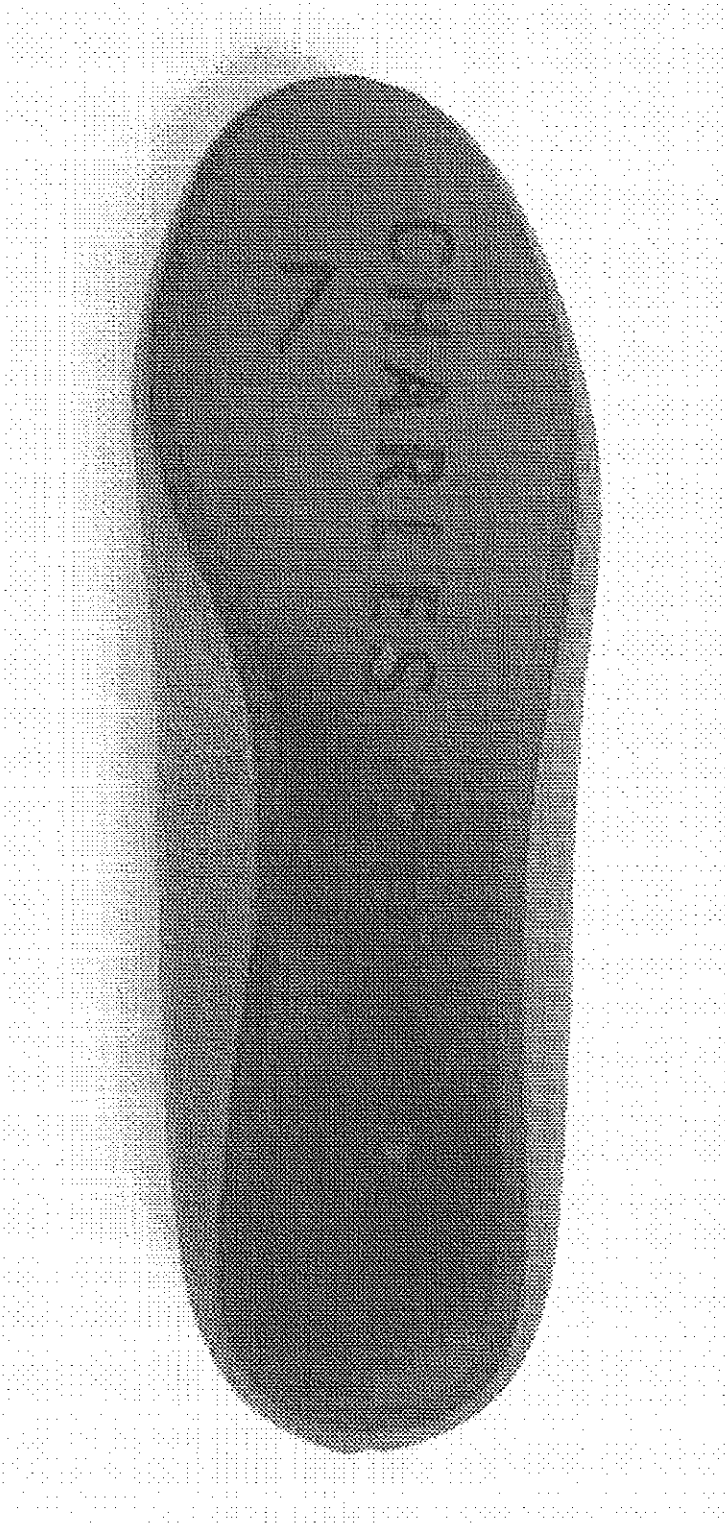


FIG. 6



US00D668850S

(12) **United States Design Patent** (10) Patent No.: **US D668,850 S**  
**Pozzi** (45) Date of Patent: **\*\* Oct. 16, 2012**

(54) **LADIES SHOES**  
 (76) Inventor: **Charles Anthony Pozzi, New York, NY (US)**  
 (\*\*) Term: **14 Years**  
 (21) Appl. No.: **29/402,592**  
 (22) Filed: **Sep. 23, 2011**  
 (51) LOC (9) Cl. .... **02-04**  
 (52) U.S. Cl. .... **D2/939; D2/925**  
 (58) Field of Classification Search ..... **D2/896, D2/900, 919-921, 925-942, 946, 952, 969, D2/971; 36/1, 83, 8.1-8.3, 9 R, 45-58, 104, 36/108, 76 R**  
 See application file for complete search history.

D166,090 S \* 3/1952 Maling ..... D2/939  
 D200,897 S \* 4/1965 Mitchell ..... D2/919  
 D247,396 S \* 3/1978 Schlerth ..... D2/939  
 D339,669 S \* 9/1993 Miller ..... D2/919  
 D447,853 S \* 9/2001 Merceron ..... D2/952  
 D489,880 S \* 5/2004 McClaskie ..... D2/952  
 D500,191 S \* 12/2004 Belley et al. .... D2/969  
 D527,513 S \* 9/2006 Della Valle ..... D2/919  
 D534,341 S \* 1/2007 Choi ..... D2/971  
 D593,295 S \* 6/2009 Belley et al. .... D2/969  
 D593,297 S \* 6/2009 Belley et al. .... D2/969  
 D593,307 S \* 6/2009 Belley et al. .... D2/969  
 D599,093 S \* 9/2009 Issler ..... D2/971  
 \* cited by examiner

Primary Examiner — Dominic Simone  
 (74) Attorney, Agent, or Firm — Houtteman Law LLC

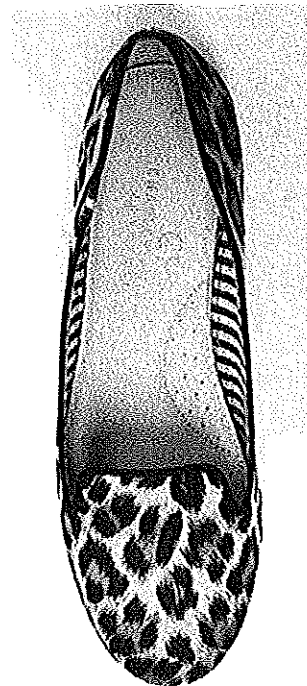
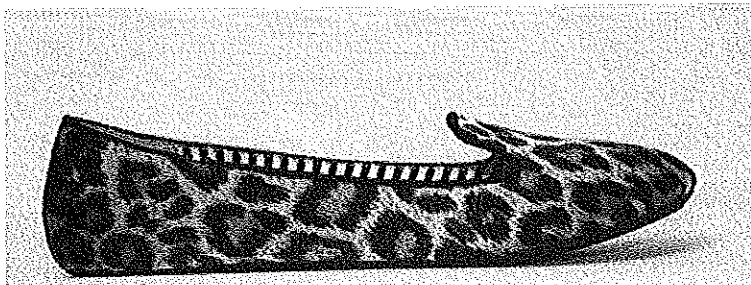
(57) **CLAIM**  
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(56) **References Cited**  
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 D99,695 S \* 5/1936 Berman ..... D2/939  
 D99,696 S \* 5/1936 Berman ..... D2/930  
 D116,728 S \* 9/1939 Wood ..... D2/932  
 D131,546 S \* 3/1942 Vivier ..... D2/932  
 D131,551 S \* 3/1942 Julianelli et al. .... D2/935  
 D133,819 S \* 9/1942 Harris ..... D2/939  
 D149,685 S \* 5/1948 Sandler ..... D2/935

**DESCRIPTION**

FIG. 1 is a front view of a ladies shoes showing my new design;  
 FIG. 2 is a rear side view of the ladies shoes shown in FIG. 1;  
 FIG. 3 is a left side view of the ladies shoes shown in FIG. 1;  
 FIG. 4 is a right side view of the ladies shoes shown in FIG. 1;  
 FIG. 5 is a top view of the ladies shoes shown in FIG. 1; and,  
 FIG. 6 is a bottom view of the ladies shoes shown in FIG. 1.

**1 Claim, 4 Drawing Sheets**



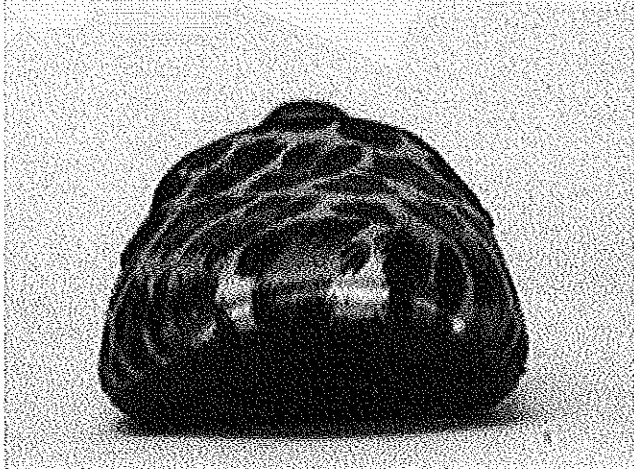


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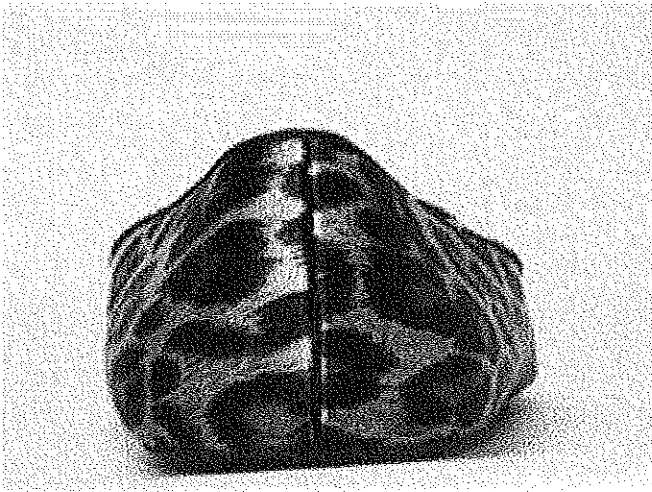


FIG. 2



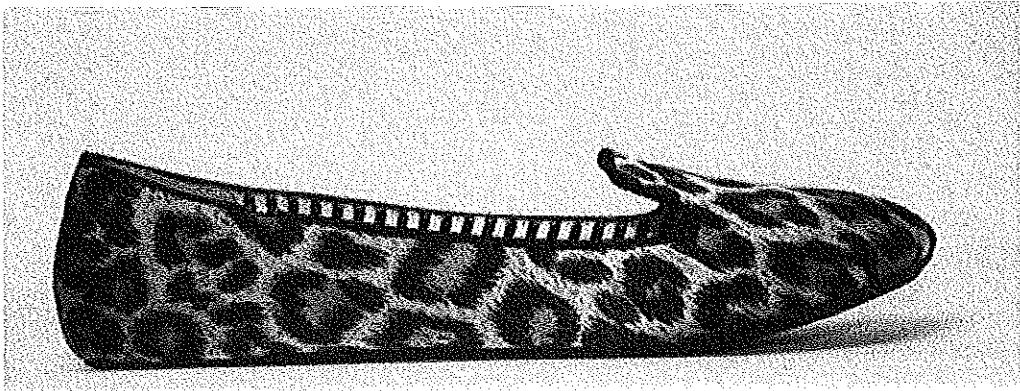


FIG. 3

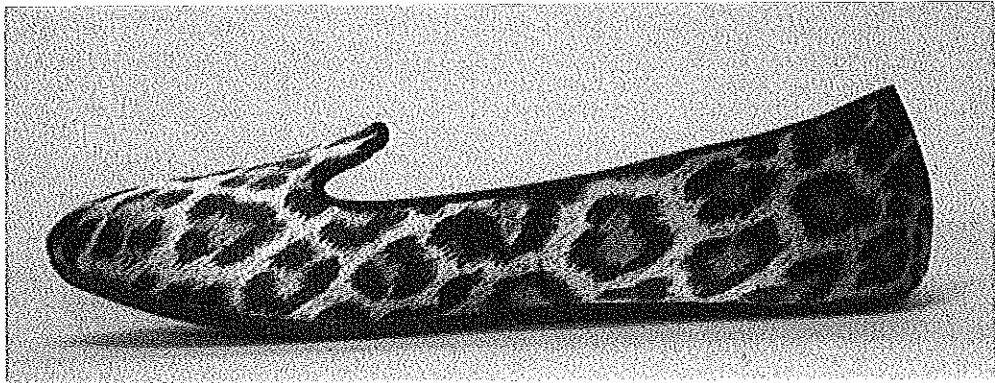


FIG. 4



FIG. 5

**U.S. Patent**

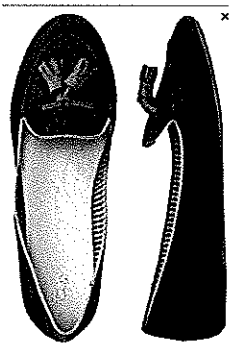
Oct. 16, 2012

Sheet 4 of 4

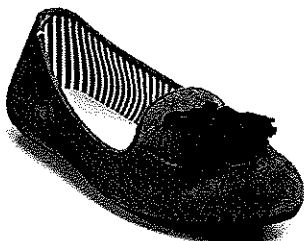
**US D668,850 S**



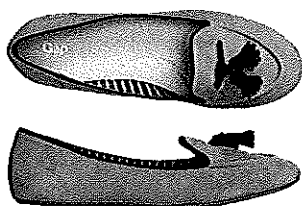
**FIG. 6**



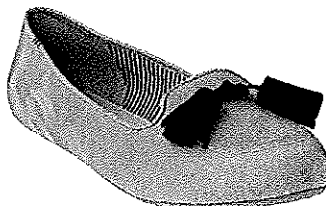
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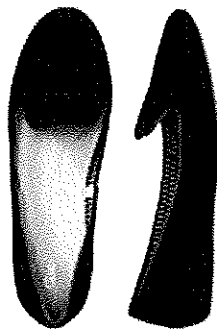
CHARLES PHILIP



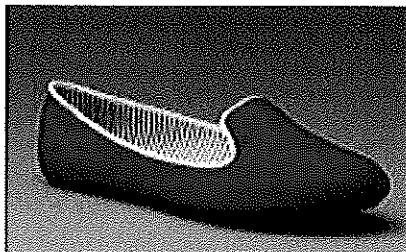
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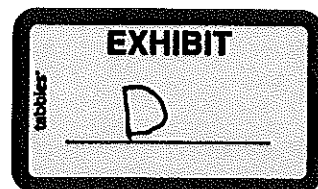
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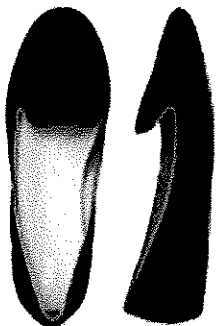


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CHARLES PHILIP

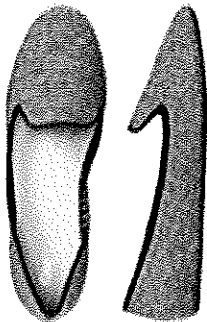




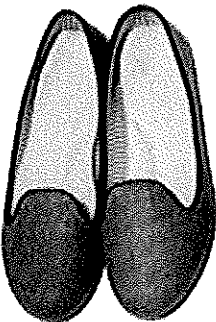
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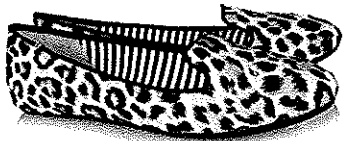
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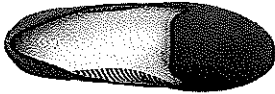
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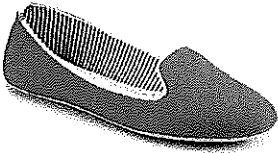
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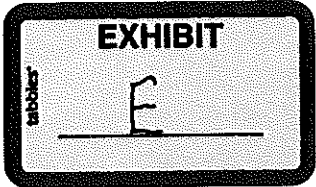
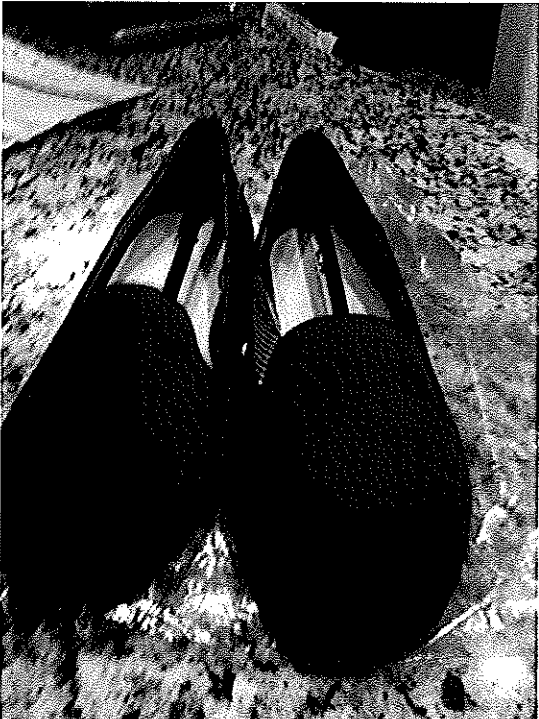
CHARLES PHILIP



GAP



CHARLES PHILIP



UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEET

<b>I (a) PLAINTIFFS</b> (Check box if you are representing yourself <input type="checkbox"/> )  JUMBO BRIGHT TRADING LIMITED, a Hong Kong Corporation, and CHARLES ANTHONY PHILIP POZZI, an individual	<b>DEFENDANTS</b>  THE GAP, INC., and DOES 1 through 10
<b>(b) Attorneys</b> (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.)  Andrea E. Bates, Esq. Bates & Bates 964 DeKalb Avenue, Suite 101, Atlanta, GA 30307 404-228-7439	Attorneys (If Known)

<b>II. BASIS OF JURISDICTION</b> (Place an X in one box only.)  <input type="checkbox"/> 1 U.S. Government Plaintiff <input type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)  <input type="checkbox"/> 2 U.S. Government Defendant <input checked="" type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	<b>III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only</b> (Place an X in one box for plaintiff and one for defendant.) <table style="width:100%; border: none;"> <tr> <td style="border: none;">Citizen of This State</td> <td style="border: none; text-align: center;">PTF DEF</td> <td style="border: none;"> <input type="checkbox"/> 1   <input type="checkbox"/> 1                 </td> <td style="border: none;">                 Incorporated or Principal Place of Business in this State             </td> <td style="border: none; text-align: center;">PTF DEF</td> <td style="border: none;"> <input type="checkbox"/> 4   <input checked="" type="checkbox"/> 4             </td> </tr> <tr> <td style="border: none;">Citizen of Another State</td> <td style="border: none; text-align: center;">PTF DEF</td> <td style="border: none;"> <input checked="" type="checkbox"/> 2   <input type="checkbox"/> 2                 </td> <td style="border: none;">                 Incorporated and Principal Place of Business in Another State             </td> <td style="border: none; text-align: center;">PTF DEF</td> <td style="border: none;"> <input type="checkbox"/> 5   <input type="checkbox"/> 5             </td> </tr> <tr> <td style="border: none;">Citizen or Subject of a Foreign Country</td> <td style="border: none; text-align: center;">PTF DEF</td> <td style="border: none;"> <input type="checkbox"/> 3   <input type="checkbox"/> 3                 </td> <td style="border: none;">                 Foreign Nation             </td> <td style="border: none; text-align: center;">PTF DEF</td> <td style="border: none;"> <input type="checkbox"/> 6   <input type="checkbox"/> 6             </td> </tr> </table>	Citizen of This State	PTF DEF	<input type="checkbox"/> 1 <input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	PTF DEF	<input type="checkbox"/> 4 <input checked="" type="checkbox"/> 4	Citizen of Another State	PTF DEF	<input checked="" type="checkbox"/> 2 <input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	PTF DEF	<input type="checkbox"/> 5 <input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	PTF DEF	<input type="checkbox"/> 3 <input type="checkbox"/> 3	Foreign Nation	PTF DEF	<input type="checkbox"/> 6 <input type="checkbox"/> 6
Citizen of This State	PTF DEF	<input type="checkbox"/> 1 <input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	PTF DEF	<input type="checkbox"/> 4 <input checked="" type="checkbox"/> 4														
Citizen of Another State	PTF DEF	<input checked="" type="checkbox"/> 2 <input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	PTF DEF	<input type="checkbox"/> 5 <input type="checkbox"/> 5														
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**IV. 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 Multi-District Litigation   
  7 Appeal to District Judge from Magistrate Judge

**V. REQUESTED IN COMPLAINT:** JURY DEMAND:  Yes    No (Check 'Yes' only if demanded in complaint.)

CLASS ACTION under F.R.C.P. 23:  Yes    No       MONEY DEMANDED IN COMPLAINT: \$ + 75,000

**VI. CAUSE OF ACTION** (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

28 U.S.C. §1332(a)(1) trademark and patent infringement, as well as, breach of rights of publicity.

**VII. NATURE OF SUIT** (Place an X in one box only.)

<b>OTHER STATUTES</b> <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <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 Act <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 Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	<b>CONTRACT</b> <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 Loan (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 <b>REAL PROPERTY</b> <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	<b>TORTS</b> <b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. 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 <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 <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	<b>TORTS</b> <b>PERSONAL PROPERTY</b> <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 <b>BANKRUPTCY</b> <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>CIVIL RIGHTS</b> <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 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 Habeas Corpus 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 <b>FORFEITURE/PENALTY</b> <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	<b>LABOR</b> <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 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <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)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
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CV12-8932

FOR OFFICE USE ONLY: Case Number: \_\_\_\_\_

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEET**

VIII(a). **IDENTICAL CASES:** Has this action been previously filed in this court and dismissed, remanded or closed?  No  Yes  
If yes, list case number(s): \_\_\_\_\_

VIII(b). **RELATED CASES:** Have any cases been previously filed in this court that are related to the present case?  No  Yes  
If yes, list case number(s): \_\_\_\_\_

**Civil cases are deemed related if a previously filed case and the present case:**

- (Check all boxes that apply)  A. Arise from the same or closely related transactions, happenings, or events; or  
 B. Call for determination of the same or substantially related or similar questions of law and fact; or  
 C. For other reasons would entail substantial duplication of labor if heard by different judges; or  
 D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

**IX. VENUE:** (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named plaintiff resides.  
 Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
N/A	Charles Philip Pozzi; New York, NY and Milan, Italy Jumbo Bright Trading, Ltd; Hong Kong

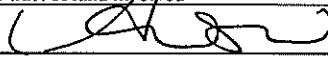
(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named defendant resides.  
 Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
	The Gap: San Francisco County and Los Angeles County, California

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH claim arose.  
**Note: In land condemnation cases, use the location of the tract of land involved.**

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties	See attached list.

\* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties  
**Note:** In land condemnation cases, use the location of the tract of land involved

X. SIGNATURE OF ATTORNEY (OR PRO PER):  Date 10/17/2012

**Notice to Counsel/Parties:** The CV-71 (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. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

**Key to Statistical codes relating to Social Security Cases:**

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))



California counties outside of this District in which EACH claim arose:

1. Del Norte
2. Siskiyou
3. Modoc
4. Humboldt
5. Trinity
6. Shasta
7. Lassen
8. Tehama
9. Plumas
10. Mendocino
11. Glenn
12. Butte
13. Plumas
14. Sierra
15. Lake
16. Colusa
17. Sutler
18. Yuba
19. Nevada
20. Placer
21. Sonoma
22. Napa
23. Yolo
24. Sacto
25. El Dorado
26. Amador
27. Alpine
28. Marin
29. Solano
30. Sacto
31. Contra Costa
32. San Joaquin
33. Calaveras
34. Tuolumne
35. Mono
36. San Francisco
37. Alameda
38. Stanislaus

39. Mariposa
40. San Mateo
41. Santa Cruz
42. Santa Clara
43. Merced
44. Madera
45. San Benito
46. Monterey
47. Fresno
48. Kings
49. Tulare
50. Inyo
51. Kern
52. San Diego
53. Imperial

States outside California in which EACH claim arose:

1. Alabama
2. Alaska
3. Arizona
4. Arkansas
5. Colorado
6. Connecticut
7. Delaware
8. Florida
9. Georgia
10. Hawaii
11. Idaho
12. Illinois
13. Indiana
14. Iowa
15. Kansas
16. Kentucky
17. Louisiana
18. Maine
19. Maryland
20. Massachusetts
21. Michigan
22. Minnesota
23. Mississippi
24. Missouri

25. Montana
26. Nebraska
27. Nevada
28. New Hampshire
29. New Jersey
30. New Mexico
31. New York
32. North Carolina
33. North Dakota
34. Ohio
35. Oklahoma
36. Oregon
37. Pennsylvania
38. Rhode Island
39. South Carolina
40. South Dakota
41. Tennessee
42. Texas
43. Utah
44. Vermont
45. Virginia
46. Washington
47. West Virginia
48. Wisconsin
49. Wyoming

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY**

This case has been assigned to District Judge Dean D. Pregerson and the assigned discovery Magistrate Judge is Margaret A. Nagle.

The case number on all documents filed with the Court should read as follows:

**CV12- 8932 DDP (MANx)**

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

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**NOTICE TO COUNSEL**

*A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).*

Subsequent documents must be filed at the following location:

**Western Division**  
312 N. Spring St., Rm. G-8  
Los Angeles, CA 90012

**Southern Division**  
411 West Fourth St., Rm. 1-053  
Santa Ana, CA 92701-4516

**Eastern Division**  
3470 Twelfth St., Rm. 134  
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

Name & Address:  
Registered Agent for The Gap  
CT Corporation System  
818 W. Seventh Street  
Los Angeles, CA 90017

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

JUMBO BRIGHT TRADING LIMITED, a Hong  
Kong corporation, and CHARLES ANTHONY  
PHILIP POZZI, an individual,

PLAINTIFF(S)

v.

THE GAP, INC. and DOES 1 through 10

DEFENDANT(S).

CASE NUMBER

CV12-8932

-DDP(MAN)

SUMMONS

TO: DEFENDANT(S):

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached  complaint  \_\_\_\_\_ amended complaint  counterclaim  cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Andrea E. Bates, whose address is 964 DeKalb Avenue, Suite 101, Atlanta, Georgia 30307. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Clerk, U.S. District Court

OCT 17 2012

Dated: \_\_\_\_\_

By: [Signature]  
Deputy Clerk

(Seal of the Court)

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].