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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY:

EC

DEPUTY

1 LEONARD TACHNER, A PROFESSIONAL LAW CORPORATION
 Leonard Tachner, Esq. (State Bar No. 058436)
 2 17961 Sky Park Circle
 Suite 38-E
 3 Irvine, California 92614
 4 (949) 752-8525 Telephone
 (949) 955-2415 Telefax
 5 Attorney for Plaintiff



6 **IN THE UNITED STATES DISTRICT COURT**
 7 **SOUTHERN DISTRICT OF CALIFORNIA**

9 THE GRIP MASTER COMPANY PTY. LTD.,
 10 an Australian corporation

11 Plaintiff,

12 vs.

13 LAMKIN LEATHER AND RUBBER
 14 COMPANY CORPORATION,
 a Delaware corporation

15 Defendant.

08 CV 1320 LAB LSP

)
)
) COMPLAINT FOR PATENT
) INFRINGEMENT With
) Exhibit No. A

)
) DEMAND FOR JURY TRIAL

17 PLAINTIFF, THE GRIP MASTER COMPANY PTY. LTD. (hereinafter referred to as
 18 "GRIPMASTER") alleges the following in support of its Complaint For Patent Infringement and
 19 Demand For Jury Trial (hereinafter referred to as "Complaint") against Defendant Lamkin
 20 Leather and Rubber Company Corporation (hereinafter referred to as "LAMKIN"):

21 **PARTIES**

- 22
- 24 1. Plaintiff **GRIPMASTER** is an Australian corporation having a principal place of
 25 business in the city of Preston in the country of Australia.
 - 26
 - 27 2. On information and belief, Defendant **LAMKIN** is a Delaware corporation having
 28 a principal place of business at 6530 Gateway Park Drive, San Diego, California 92173 which is

CR

1 in this judicial district.
2

3 JURISDICTION
4



5 3. This Court has subject matter jurisdiction over this Action pursuant to 28 U.S.C. §
6 1331, 1338(a) because this Action arises under patent laws of the United States including 35
7 U.S.C. § 101, et seq. and 271 et seq.
8

9 4. This Court has personal jurisdiction over Defendant **LAMKIN** because
10 **GRIPMASTER** is informed and believes that **LAMKIN** maintains its corporate headquarters in
11 San Diego, California, which is located in this District.
12

13 VENUE
14

15 5. Venue is proper in this judicial district under 28 U.S.C. § 1391(b) and 1400(b)
16 because **GRIPMASTER** is informed and believes that a substantial part of the events giving rise
17 to this claim occurred in this District, and **LAMKIN** has a regular and established place of
18 business in this District.
19

20 COUNT
21

22 6. Paragraphs 1 through 5 of the Complaint set forth above are incorporated herein
23 by reference.
24

25 7. On September 17, 2002, United States Patent no. 6,449,803 (hereinafter referred
26 to as "**the '803 Patent'**") entitled "Grip For A Handle Or Shaft" was duly and legally issued to
27 Ian Ross McConchie. The Grip Master Company Pty. Ltd. is the owner of all rights and interest
28 in and to **the '803 Patent** by assignment. A true and correct copy of **the '803 Patent** is attached

1 hereto as Exhibit A.
2

3 8. Upon information and belief, **LAMKIN** has infringed and continues to infringe
4 **the '803 Patent** under 35 U.S.C. § 271. The infringing acts include, but are not limited to,
5 importing, selling and offering for sale in the United States golf club grips that are covered by
6 one or more claims of **the '803 Patent**, and inducing and contributing to the infringement of such
7 claims. **LAMKIN** has been offering and continues to offer for sale such grips without
8 authorization of **GRIPMASTER**.
9

10 9. Upon information and belief, **LAMKIN's** acts of infringement of **the '803 Patent**
11 have been done with **LAMKIN's** actual or constructive knowledge of **the '803 Patent**.
12

13 10. **LAMKIN's** acts of infringement have caused damage to **GRIPMASTER** in an
14 amount subject to proof at trial. Under 35 U.S.C. § 284 **GRIPMASTER** is entitled to recover
15 from **LAMKIN** the damages sustained by **GRIPMASTER** as a result of **LAMKIN's**
16 infringement of **the '803 Patent**. **LAMKIN's** infringement of **GRIPMASTER's** exclusive
17 rights under **the '803 Patent** will continue to damage **GRIPMASTER's** business, causing it
18 irreparable harm, for which there is no adequate remedy at law, unless enjoined by this Court
19 under 35 U.S.C. § 283.
20

21 11. Upon information and belief, **LAMKIN's** infringement of **the '803 Patent** has
22 been willful and deliberate, and entitles **GRIPMASTER** to increased damages under 35 U.S.C. §
23 284 and attorneys' fees and costs under 35 U.S.C. § 285.
24

25
26 **PRAYER FOR RELIEF**
27

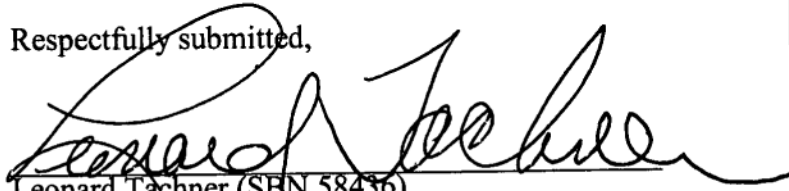
28 WHEREFORE, Plaintiff **GRIPMASTER** respectfully requests that this Court enters

1 judgment against LAMKIN as follows:
2

- 3 a) For judgment that LAMKIN has infringed and continues to infringe the '803
4 **Patent**;
- 5
- 6 b) For preliminary and permanent injunctions under 35 U.S.C. § 283 against
7 LAMKIN and its directors, officers, employees, agents, servants, subsidiaries, parents,
8 successors, assigns, attorneys and all persons acting in concert, on behalf of, in joint venture
9 with, or in partnership with LAMKIN from further infringing acts;
- 10
- 11 c) For damages to be paid by LAMKIN adequate to compensate GRIPMASTER
12 for LAMKIN's infringement, including interest, costs and disbursements as the Court may deem
13 appropriate under 35 U.S.C. § 284;
- 14
- 15 d) For judgment finding LAMKIN's infringement was willful and deliberate,
16 entitling GRIPMASTER to increased damages under 35 U.S.C. § 284;
- 17
- 18 e) For judgment finding this to be an exceptional case, and awarding
19 GRIPMASTER attorneys' fees and costs under 35 U.S.C. § 285; and
- 20
- 21 f) For such other relief at law and in equity as the Court may deem just and proper.
22

23 Respectfully submitted,

24
25 Dated: 7/14/08


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Attorney for Plaintiff
THE GRIPMASTER COMPANY PTY. LTD.

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DEMAND FOR JURY TRIAL



GRIPMASTER hereby demands a trial by jury on all issues set forth in its Complaint

For Patent Infringement pursuant to Fed.R.Civ.P. 38.

Respectfully submitted,

Dated: _____

7/14/08

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Attorney for Plaintiff
THE GRIPMASTER COMPANY PTY. LTD.

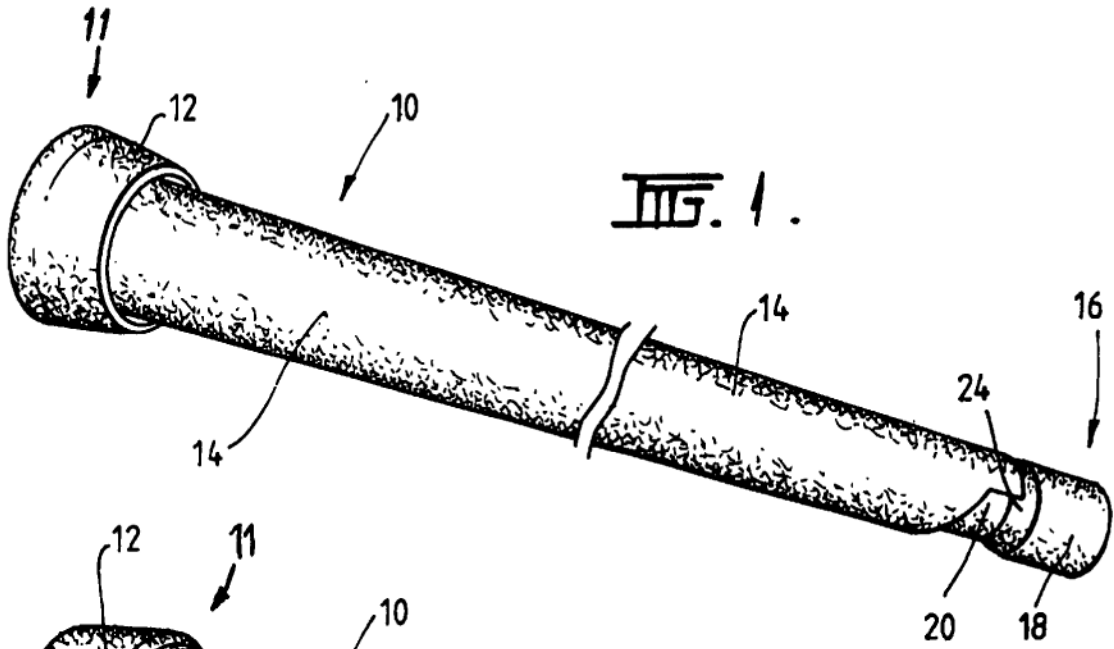


FIG. 1.

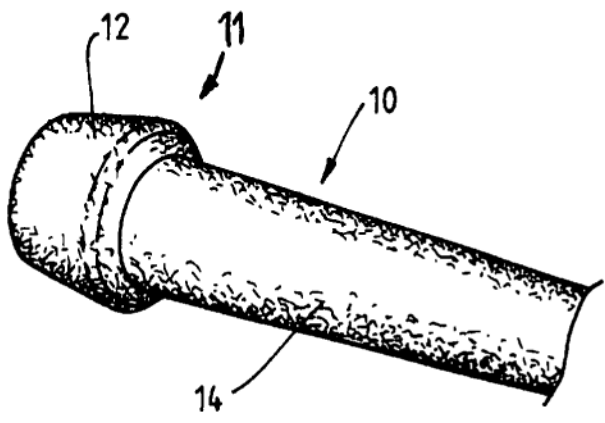


FIG. 2.

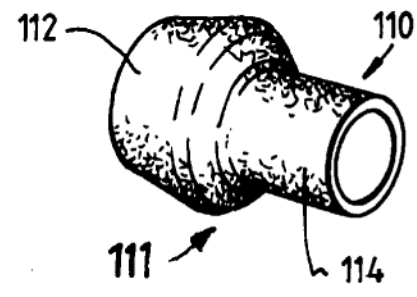


FIG. 4.

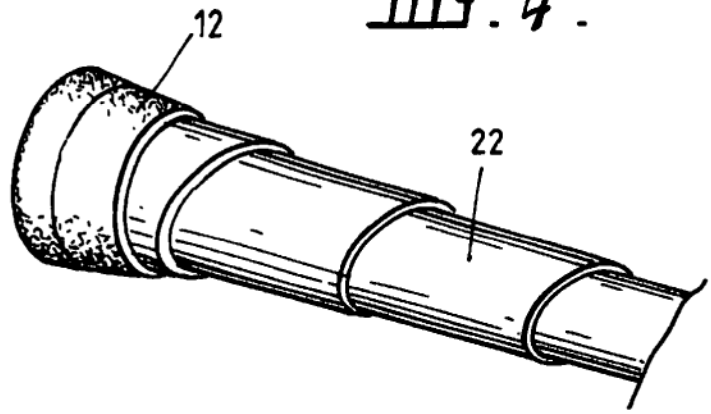


FIG. 3.

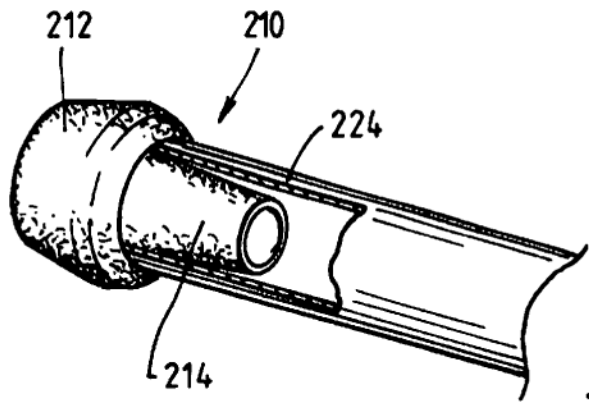


FIG. 5.

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GRIP FOR A HANDLE OR SHAFT**BACKGROUND OF THE INVENTION**

This invention relates to a grip to be applied to a handle or shaft and relates in one aspect, though not exclusively, to a grip for an article of sporting equipment.

The invention particularly relates to a grip which employs a strip of material to be wound around the handle or shaft in an overlapping manner, as the outer component of the grip. Such grips will hereinafter be referred to as "wound grips".

Wound grips have been known and used on handles and shafts, especially on sporting equipment, for many years and as will be appreciated by those skilled in the art it is necessary to secure at least one, and preferably both ends of a wound grip to prevent the grip from peeling from one or both ends and eventually unwrapping.

SUMMARY OF THE INVENTION

It is an object of the invention to provide a construction of wound grip which may be readily applied to a handle or shaft, which includes means for securing one end, or alternatively both ends, of the strip material used as the outer component of the wound grip.

According to the invention there is provided a grip for a handle or shaft, said grip including a core means adapted to be fitted to said handle or shaft and a strip of material to form the outer surface of said grip, to be wound around said handle or shaft and/or said core to provide, in use, a wound grip; said core means having a first end, a second end and a body therebetween, and having a peripheral flange at said second end in the form of a skirt, said strip to be wound on said handle or shaft and/or said core means; said peripheral flange adapted, in use, to be flexed over said wound strip to prevent unwinding of said strip from said handle or shaft and/or said core means.

In a preferred embodiment of the invention the core means is positioned over said handle or shaft in the area where the grip is to be applied.

In another preferred embodiment of the invention the core means, other than the end carrying said peripheral flange, is positioned within the handle or shaft.

In a further preferred embodiment of the invention the core means positioned over the handle or shaft is provided at its first end with an enlarged collar, against which said strip of material is abutted while commencing winding, thereof on said core means.

In a still further preferred embodiment of the invention the core means is formed of resilient material so as to be readily applied over a handle or shaft and also to provide a "soft" component to the feel of the finished grip.

The invention also provides a method of forming a grip on a handle or shaft which includes the steps of:

- (i) positioning a core means on or partly in a handle or shaft in the area where a grip is required; said core means having a first end, a second end and a body therebetween, and having a peripheral flange at said second end in the form of a skirt;
- (ii) winding a strip of material in an overlapping manner over said handle or shaft and/or said core means, towards said second end;
- (iii) flexing said skirt so that it is positioned over said wound strip of material, to hold said strip of material against said handle or shaft and/or said core means and prevent unwinding thereof.

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Those skilled in the art will appreciate that an adhesive material may be provided on the underside of the strip material so that the strip material is to some extent adhered to the core or the handle or shaft as it is wound thereupon.

For a full understanding of the present invention, reference should now be made to the following detailed description of the preferred embodiments of the invention as illustrated in the accompanying drawings.

BRIEF DESCRIPTION OF THE DRAWINGS

FIG. 1 shows a core means in accordance with a first embodiment of the invention designed to be used to produce a grip on the shaft of a golf club;

FIG. 2 shows one end of the core means of FIG. 1 showing the skirt in its flexed away position;

FIG. 3 shows the end of a finished grip utilising the core means shown in FIG. 2, with a wound strip material thereon and the skirt flexed back;

FIG. 4 shows a core means in accordance with second embodiment of the invention; and

FIG. 5 shows a core means in accordance with a third embodiment of the invention intended for use with a golf club shaft having a hollow portion at the grip end thereof.

DESCRIPTION OF THE PREFERRED EMBODIMENT

The preferred embodiments of the present invention will now be described with reference to FIGS. 1-5 of the drawings. Identical elements in the various figures are designated with the same reference numerals.

Referring now to FIGS. 1 and 2 of the drawings, there is shown a core means 10 having a body 14, a first end 16 and a second end 11, and having a flange formed as a skirt 12 at end 11 which overlies part of body 14.

Core 10 is hollow (not seen in the drawings) and, in use, is fitted over one end of the shaft of a golf club, in order to provide a grip to the shaft. Core 10 is made from a resilient material and is applied to the shaft using known techniques, which may involve use of a lubricant/adhesive composition.

First end 16 is provided with an enlarged collar 18.

Referring now to FIG. 1, it will be seen that adjacent collar 18, body 14 is recessed at 20 to accommodate the starting end of a strip material 22 which is to be used to provide the wound grip of the invention. Recess 20 allows the starting end of strip material 22 to be accommodated underneath the initial overlap as strip material 22 is wound onto core 10, without creating a lump or bulge in the finished grip at that position. Collar 18 is slightly tapered and shoulder 24 of collar 18 is of the same dimension as the thickness of strip material 22 so that in the finished grip the outer surface of strip material 22 is flush with collar 18 where they abut.

FIG. 2 shows skirt 12 flexed back and away from second end 11 and core 10, in order to allow strip material 22 to be wound to the end of body 14. Strip 22 is then trimmed to finish where it abuts skirt 12, or, is of a length which only extends as far as skirt 12. While strip material 22 is held against body 14 skirt 12 is flexed back over body 14 to the position shown in FIG. 3, over the end of strip material 22, to hold strip material 22 in place against body portion 14 and prevent strip material 22 from unwinding.

Referring now to FIG. 4 there is shown a second embodiment of the invention, (where like parts are referred to by like numbers with a prefix of 1) in which, in use, body 114

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of core 110 again is fitted over the end of a shaft of a golf club but only extends down to form the grip is applied directly to the shaft for the substantial majority of the grip.

Core 110 is positioned at the end of the golf club shaft and winding of the strip material commences further down the handle or shaft towards core 110 and finishes when body 114 is covered by the wound strip material, in like manner to that described in FIGS. 1 to 3. Skirt 112 which has been flexed away from second end 111 and body 114 is then flexed back over the wound strip material to hold the strip material (not shown in FIG. 4) in place against body 114. While a slight enlarging of the finished grip may occur at the end where core 110 is positioned, this is considered acceptable in situations where core 110 is employed.

FIG. 5 shows a third embodiment of the invention, (again like parts are referred to by like number with a prefix of 2). There is seen a core 210 having a body 214 which is positioned inside shaft 224 (shown in cut-away section) such that core 210 is at the end of shaft 224, so that shaft 224 is ready to receive the strip material (not shown) which forms the outside surface of the grip. As in the second embodiment of the invention referred to above, the strip material is applied directly to shaft 224.

When the strip material is wound on shaft 224 to reach core 210 it is trimmed to the end of shaft 224 (if necessary). Skirt 212 is flexed back in a similar manner described above, to hold the wound strip material in place against shaft 224.

A further advantage of this preferred embodiment of the invention, and particularly in relation to golf clubs, is that by commencing winding of the strip material down the shaft of the golf club and winding back toward the end of the shaft, the overlapping of the strip lies in such a way that, in use, the grip of the golf club is formed so that water running down the grip from the end of the shaft, such as when using the golf club in the rain, runs over the overlap in the grip without being directed under the strip material. As will be appreciated by those skilled in this art, in previously wound grips, which commence winding and overlapping from the end of the shaft core overlap configuration tends to direct water running down the grip underneath the wound material which forms the grip.

To assist in holding the strip material 22 on core 10 adhesive may be applied to the underside of strip 22, or to the outer surface of body 14, in a known manner.

Also, the invention provides for a further embodiment of the invention in which a core member as described in FIGS. 1 to 3 may be provided at both ends with a peripheral skirt which, in both cases, can be flexed away from the body portion of the core to allow wrapping of the strip material onto the core, and then be flexed back to hold the ends of the strip material against the core, and prevent the strip material from peeling away and eventually unwinding.

While the above described preferred embodiments have been described in relation to the grip for a golf club, it will be appreciated that all sporting articles which have a handle or a shaft portion which requires a grip, such as tennis racquets, squash racquets, badminton racquets, hockey sticks, baseball and softball bats, and the like may be provided with a grip in accordance with the present invention.

Also, items such as the handlebars of bicycles, the handle portion of hand tools, the throwing grip portion of a Javelin, and, in fact, any article or device having a handle or shaft

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portion on which a grip is desirable, may employ the grip of the present invention, and employ the method of forming a grip as provided for by the present invention.

There has thus been shown and described a novel grip for a handle or shaft which fulfills all the objects and advantages sought therefor. Many changes, modifications, variations and other uses and applications of the subject invention will, however, become apparent to those skilled in the art after considering this specification and the accompanying drawings which disclose the preferred embodiments thereof. All such changes, modifications, variations and other uses and applications which do not depart from the spirit and scope of the invention are deemed to be covered by the invention, which is to be limited only by the claims which follow.

What is claimed is:

1. A grip for a handle or shaft, said grip including core means adapted to be fitted to said handle or shaft and a strip of material wound around at least one of said handle, said shaft and said core means to provide, in use, a wound grip; said core means having a first end and a second end and a body therebetween, and having a peripheral flange at said second end in the form of a skirt; said strip being wound toward said second end of said core means on at least one of said handle, said shaft and said core means; and said peripheral flange being adapted, in use, to be flexed from a position where the skirt is directed away from said first end while said strip is applied to said at least one of said handle, said shaft and said core means, to a position where the skirt is directed toward said first end, and over said wound strip to prevent unwinding of said strip from said at least one of said handle, said shaft and said core means.

2. A grip as claimed in claim 1 wherein said core means is fitted over said handle or shaft.

3. A grip as claimed in claim 1 wherein said core means, other than said second end thereof and said skirt, is positioned within the end of said handle or shaft.

4. A grip as claimed in claim 1 wherein said core means is formed from resilient material.

5. A method of forming a grip on a handle or shaft which includes the steps of:

(i) positioning core means on or partly in a handle or shaft in the area where a grip is required; said core means having a first end, a second end and a body therebetween, and having a peripheral flange at said second end in the form of a skirt, which skirt, in use, partly overlies at least one of a part of said body of said core means and a part of said handle and said shaft;

(ii) winding a strip of material in an overlapping manner over at least one of said handle, said shaft and said core means, towards said second end; and

(iii) flexing said skirt so that it is positioned over said wound strip of material, to hold said strip of material against said at least one of said handle, said shaft and said core means and prevent unwinding thereof.

6. A method as claimed in claim 5 wherein said core means is fitted over said handle or shaft.

7. A method as claimed in claim 5 wherein said core means, other than said second end thereof and said skirt, is positioned within the end of said handle or shaft.

8. A method as claimed in claim 5 wherein said core means is formed from resilient material.

9. A grip produced by the method as claimed in claim 5.

* * * * *

EXHIBIT A

(Page 4 of 4)

TO: Commissioner of Patents and Trademarks Washington, D.C. 20231	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
--	--

In Compliance with 35 § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Central District of California on the following Patents or Trademarks:

DOCKET NO. P-000	DATE FILED	U.S. DISTRICT COURT Central District of California	
PLAINTIFF THE GRIP MASTER COMPANY PTD. LTD.		DEFENDANT LAMKIN LEATHER AND RUBBER COMPANY CORPORATION	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK	
1 6,449,803	09/17/2002	The Grip Master Company Pty. Ltd.	
2			
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In the above-entitled case, the following patent(s) have been included:

DATE INCLUDED	INCLUDED BY		
	<input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading		
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK	
1 6,449,803	09/17/2002	The Grip Master Company Ptd. Ltd.	
2			
3			
4			
5			

In the above-entitled case, the following decision has been rendered or judgment issued:

DECISION/JUDGMENT

CLERK	(BY) DEPUTY CLERK	DATE
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Copy 1—Upon initiation of action, mail this copy to Commissioner Copy 3—Upon termination of action, mail this copy to Commissioner
 Copy 2—Upon filing document adding patent(s), mail this copy to Commissioner Copy 4—Case file copy

**UNITED STATES
DISTRICT COURT**
SOUTHERN DISTRICT OF CALIFORNIA
SAN DIEGO DIVISION

153246 - TC

**July 22, 2008
16:33:34**

Civ Fil Non-Pris

USAO #.: 08CV1320

Amount.: \$350.00 CK

Check#.: BC9630

Total-> \$350.00

**FROM: THE GRIP MASTERS
VS.
COMPANY CORPORATION**

CIVIL COVER SHEET

The 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, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

FILED

I. (a) PLAINTIFFS

THE GRIP MASTERS COMPANY PTY. LTD.,
an Australian corporation

(b) County of Residence of First Listed Plaintiff out of country
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

Leonard Tachner, a professional law corporation
17961 Sky Park Circle, Suite 38-E, Irvine, CA 92614 (949)

DEFENDANTS

LAMKIN LEATHER AND RUBBER
COMPANY CORPORATION
a Delaware Corporation
County of Residence of Plaintiff California
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED. DEPUTY:

Attorneys (If Known)

08 CV 1320 LAB LSP

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff
- 3 Federal Question (U.S. Government Not a Party)
- 2 U.S. Government Defendant
- 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | | | | | |
|---|----------------------------|----------------------------|---|----------------------------|---------------------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input checked="" type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 362 Personal Injury - Med. Malpractice	<input type="checkbox"/> 610 Agriculture	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 365 Personal Injury - Product Liability	<input type="checkbox"/> 620 Other Food & Drug	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 424 Copyrights	<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 330 Federal Employers' Liability	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 630 Liquor Laws	<input checked="" type="checkbox"/> 830 Patent	<input type="checkbox"/> 450 Commerce
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 640 R.R. & Truck	<input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 460 Deportation
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 650 Airline Regs.	<input type="checkbox"/> 861 HIA (1395M)	<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans)	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 660 Occupational Safety/Health	<input type="checkbox"/> 862 Black Lung (923)	<input type="checkbox"/> 480 Consumer Credit
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 355 Motor Vehicle Product Liability		<input type="checkbox"/> 690 Other	<input type="checkbox"/> 863 DIWC/DIWW (405(g))	<input type="checkbox"/> 490 Cable/Sat TV
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 360 Other Personal Injury		<input type="checkbox"/> 710 Fair Labor Standards Act	<input type="checkbox"/> 864 SSID Title XVI	<input type="checkbox"/> 810 Selective Service
<input type="checkbox"/> 190 Other Contract			<input type="checkbox"/> 720 Labor/Mgmt. Relations & Disclosure Act	<input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 850 Securities/Commodities/Exchange
<input type="checkbox"/> 195 Contract Product Liability			<input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)	<input type="checkbox"/> 875 Customer Challenge 12 USC 3410
<input type="checkbox"/> 196 Franchise			<input type="checkbox"/> 740 Railway Labor Act	<input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 890 Other Statutory Actions
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 790 Other Labor Litigation		<input type="checkbox"/> 891 Agricultural Acts
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 442 Employment	Habeas Corpus:	<input type="checkbox"/> 791 Empl. Ret. Inc. Security Act		<input type="checkbox"/> 892 Economic Stabilization Act
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 443 Housing/ Accommodations	<input type="checkbox"/> 530 General			<input type="checkbox"/> 893 Environmental Matters
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 444 Welfare	<input type="checkbox"/> 535 Death Penalty			<input type="checkbox"/> 894 Energy Allocation Act
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 445 Amer. w/Disabilities - Employment	<input type="checkbox"/> 540 Mandamus & Other	<input type="checkbox"/> 462 Naturalization Application		<input type="checkbox"/> 895 Freedom of Information Act
<input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 446 Amer. w/Disabilities - Other	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 463 Habeas Corpus - Alien Detainee		<input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice
	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 465 Other Immigration Actions		<input type="checkbox"/> 950 Constitutionality of State Statutes

V. 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 Multidistrict Litigation
 - 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
28 U.S.C. Section 1331, 1338(a)

Brief description of cause:
patent infringement

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 DEMAND \$ _____
CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE _____ DOCKET NUMBER _____

DATE

7/14/08

SIGNATURE OF ATTORNEY OF RECORD

Leonard Tachner

FOR OFFICE USE ONLY

RECEIPT #

153246

AMOUNT

\$350

APPLYING IFP

JUDGE

MAG. JUDGE

SAC 7/22/08