

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

07-80295 CIV-MARRA MAGISTRATE JUDGE
JOHNSON

REEWES, INC.,

Plaintiff,

v.

GRAND SLAM WEAR, LLC
A Delaware Limited Liability Company
LITTLE LEAGUE BASEBALL, INC.
A Pennsylvania Corporation
RIPKEN BASEBALL CAMPS & CLINICS LLC
A Maryland Limited Liability Company

Defendants.

FILED BY MB
2007 APR -2 PM 3:03
CLERK OF DISTRICT
COURT
S.D. OF FLA.-FT. L.

COMPLAINT

Plaintiff, REEWES, INC., sues the Defendants, GRAND SLAM WEAR, LLC, LITTLE LEAGUE BASEBALL, INC., and RIPKEN BASEBALL CAMPS & CLINICS LLC for federal patent infringement and inducement to patent infringement, and complains as follows:

JURISDICTION AND VENUE

1. This is an action for patent infringement and inducement to patent infringement pursuant to the patent laws of the United States, 35 USC § 271 et seq.
2. This Court has original subject matter jurisdiction of this cause pursuant to 28 USC §1338(a) and 28 USC §1338(b).
3. This Court has original jurisdiction pursuant to 28 U.S.C. § 1331
4. This Court also has diversity jurisdiction in that Plaintiff is a Florida corporation organized under the laws of the State of Florida and Defendants are organized under the

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Complaint

Case No.: _____

laws of Delaware, Pennsylvania and Maryland and having their principal places of business in a State other than the State of Florida. The matter in controversy exceeds, exclusive of interest and costs, the sum specified by 28 U.S.C. § 1332.

5. This Court has personal jurisdiction over the Defendant LITTLE LEAGUE BASEBALL, INC. in that, the Defendant is registered to conduct business in the State of Florida, pursuant to FS 48.193(1)(a). Furthermore, upon information and belief, Defendants have committed tortious acts in this State by selling or offering for sale Baseball Bracelets through the Internet to citizens in this State which conduct infringes the Plaintiff's patent, pursuant to FS 48.193 (1)(b). Thus, the Defendants are also engaged in substantial and not isolated activity within this state and so are subject to the jurisdiction of this Court, pursuant to FS 48.193(2).
6. Venue is proper in this district pursuant to 28 USC § 1391(b) & (c).

THE PARTIES

7. The Plaintiff, Reewes, Inc., is a Florida corporation organized under the laws of the State of Florida. The Plaintiff, as Assignee, owns U.S. Patent No. D509,765, which discloses hand stitched double threaded raised seam leather jewelry.
8. The Defendants GRAND SLAM WEAR, LLC is a Delaware Limited Liability Company with its principal place of business located at 262 Deer, South Salem, NY 10590; LITTLE LEAGUE BASEBALL, INC. is a Federal Membership Corporation, pursuant to 36 USCS §§ 130501 et seq., with its principal place of business located at 348 William

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St, Williamsport, Pennsylvania 17701; and RIPKEN BASEBALL CAMPS & CLINICS LLC is a Maryland Limited Liability Company with its principal place of business located at Suite 100, 1427 Clarkview Road, Baltimore, Maryland, 21209.

COUNT I
PATENT INFRINGEMENT

9. This Count alleges patent infringement under 35 USC § 271(a). Plaintiff reavers and realleges paragraphs 1 through 8 as if fully set forth herein.
10. On September 20, 2005 United States Design Patent No. D509,765 ('765 Patent) was duly and legally issued to Terry Lishen (Lishen) for hand stitched double threaded raised seam leather jewelry. A copy of the patent is attached hereto as Exhibit "A". Lishen assigned said patent to Plaintiff.
11. Defendants, individually and/or collectively, sell baseball bracelets under the product name Little League Baseball Bracelet, Ripken Baseball Bracelet, Fielder's Choice Baseball Bracelet, and City Slugger Baseball Bracelet.
12. Upon information and belief, the Defendants have and continue to infringe the '765 Patent by making, having made, selling, importing and using the design disclosed in the '765 Patent.
13. The Defendant's infringing conduct is intentional and unlawful.

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COUNT II
INDUCEMENT TO PATENT INFRINGEMENT

14. This Count alleges inducement to patent infringement under USC 35 § 271(b). Plaintiff reavers and realleges paragraphs 1 through 8 as if fully set forth herein.
15. On September 20, 2005 United States Design Patent No. D509,765 ('765 Patent) was duly and legally issued to Lishen, and subsequently assigned to Plaintiff, for hand stitched double threaded raised seam leather jewelry.
16. Defendants, individually and/or collectively, sell baseball bracelets under the product name Little League Baseball Bracelet, Ripken Baseball Bracelet, Fielder's Choice Baseball Bracelet, and City Slugger Baseball Bracelet.
17. Upon information and belief, the Defendants have and continue to induce others in the United States to infringe the design disclosed in the '765 Patent.
18. The Defendant's conduct is intentional and unlawful.

WHEREFORE, the Plaintiff demands a permanent injunction against continued infringement, an accounting for damages, and an assessment of interest, costs and attorney's fees against Defendants.

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Complaint
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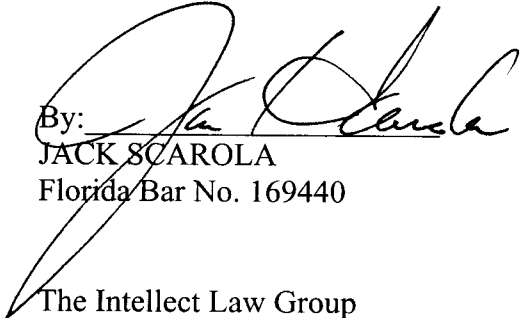
DEMAND FOR JURY TRIAL

The Plaintiff respectfully requests trial by jury in this cause.

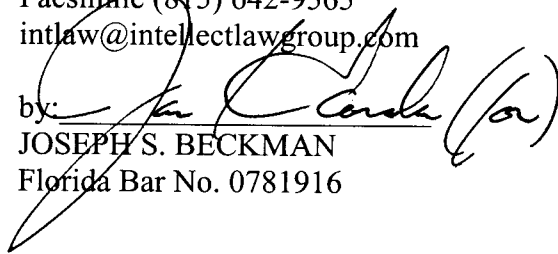
DATED this 30th day of March 2007.

Respectfully submitted,

Searcy Denney Scarola Barnhart & Shipley
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US00D509765S

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

(10) Patent No.: **US D509,765 S**
(45) Date of Patent: **** Sep. 20, 2005**

(54) **HAND STITCHED DOUBLE THREADED
RAISED SEAM LEATHER JEWELRY**
(76) Inventor: **Terry Lishen, 100 Lexington Pl., Royal
Palm Beach, FL (US) 33411**

D454,808 S 3/2002 Hill
D462,632 S 9/2002 Iovacchini
D475,194 S 6/2003 Sikaras
D482,633 S 11/2003 Highfill
D487,708 S 3/2004 Strie

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

* cited by examiner

(21) Appl. No.: **29/205,845**

Primary Examiner—Cathy Anne MacCormac
Assistant Examiner—Melanie Levy

(22) Filed: **May 22, 2004**

(74) *Attorney, Agent, or Firm*—McHale & Slavin, P.A.

(51) **LOC (8) Cl.** **11-01**
(52) **U.S. Cl.** **D11/3; D11/6**
(58) **Field of Search** **D11/1-29, 37-39,
D11/93-94; 63/1, 3, 3.1, 3.2, 4, 15, 15.1,
15.2, 15.3; 2/910, 917-920; 24/306, 906,
908, 910; D10/32; 59/78, 80-83; D30/152**

(57) **CLAIM**

The ornamental design design for hand stitched double threaded raised seam leather jewelry, as shown and described.

DESCRIPTION

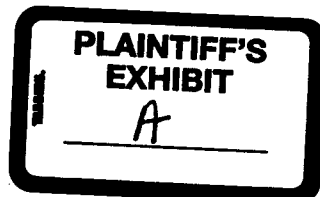
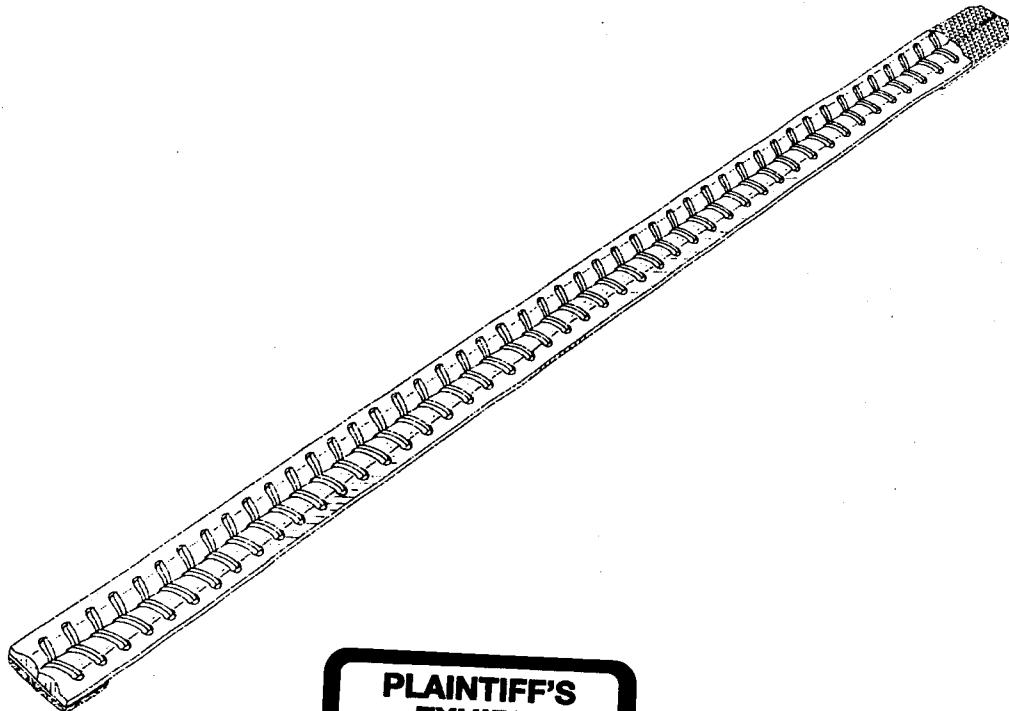
(56) **References Cited**

FIG. 1 is a perspective view of a hand stitched double threaded raised seam leather jewelry showing my new design;
FIG. 2 is a top plan view thereof;
FIG. 3 is a bottom view thereof;
FIG. 4 is a right side elevational view thereof;
FIG. 5 is a left side elevational view thereof;
FIG. 6 is an end elevational view thereof;
FIG. 7 is an opposite end elevational view thereof;
FIG. 8 is a perspective view thereof; and,
FIG. 9 is another perspective view thereof shown in an alternative environment.
The broken lines in FIGS. 8 and 9 are for illustrative purposes only and form no part of the claimed design.

U.S. PATENT DOCUMENTS

44,899 A	11/1864	Towne	
D70,628 S	* 7/1926	Schaeffer	D11/3
1,668,359 A	5/1928	Doty	
2,508,147 A	5/1950	Dutch	
4,133,296 A	1/1979	Smith	
4,238,935 A	12/1980	Oudet et al.	
D300,125 S	3/1989	Matwijcow	
4,825,475 A	* 5/1989	Smart	2/920
D324,437 S	* 3/1992	Davis	D30/152
D335,196 S	4/1993	Lamb et al.	
D405,380 S	* 2/1999	Maurizio	D11/3
D420,931 S	2/2000	Philipson et al.	
6,081,925 A	* 7/2000	Reiber	2/920

1 Claim, 5 Drawing Sheets



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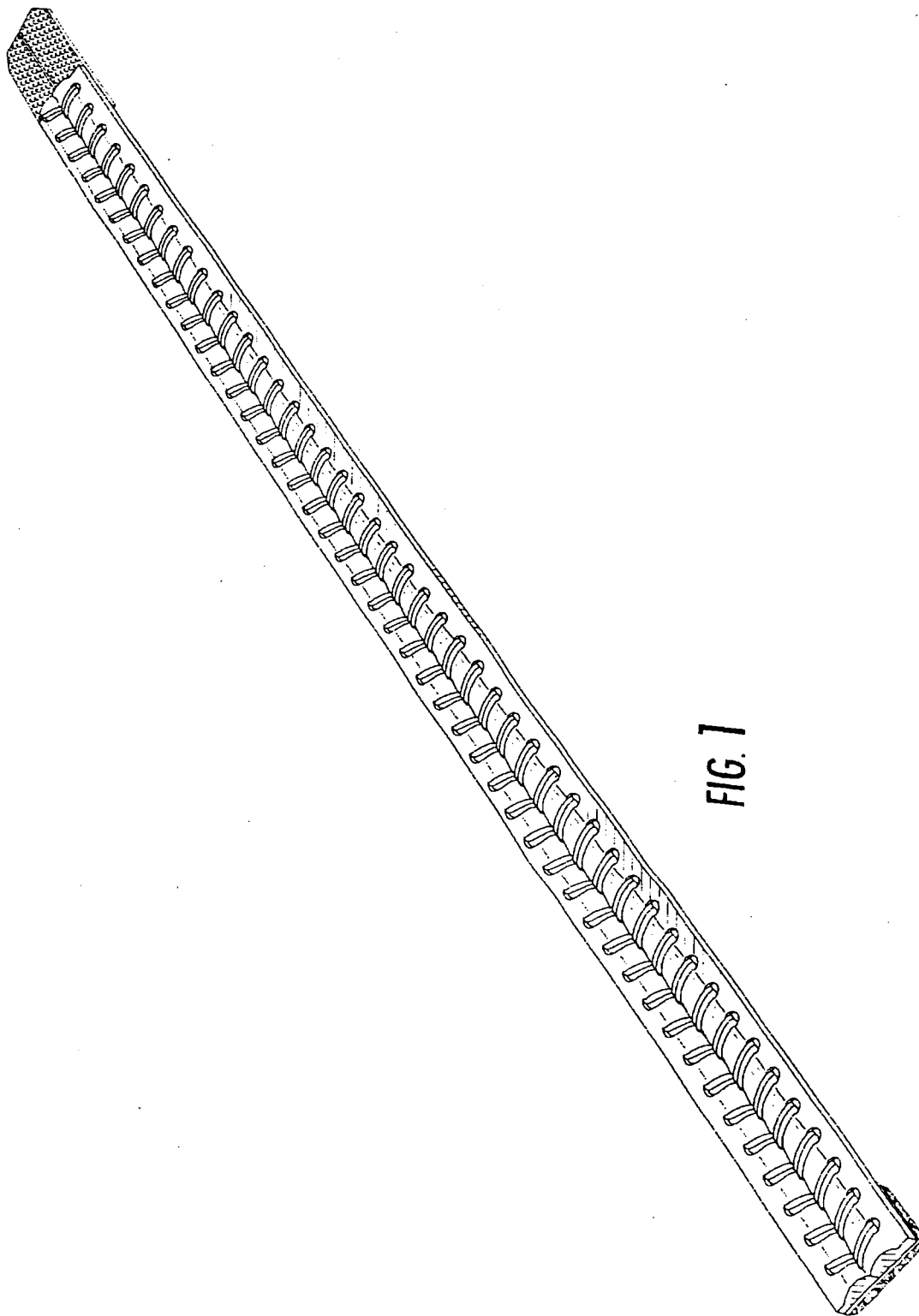


FIG. 1

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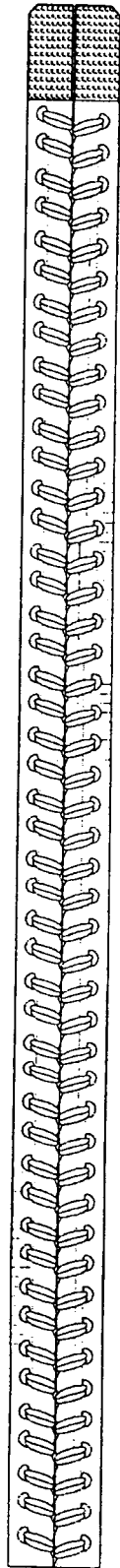


FIG. 2

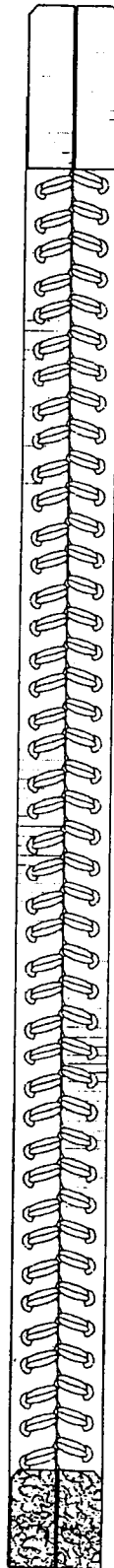


FIG. 3

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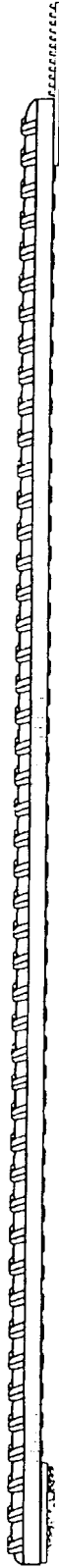


FIG. 4

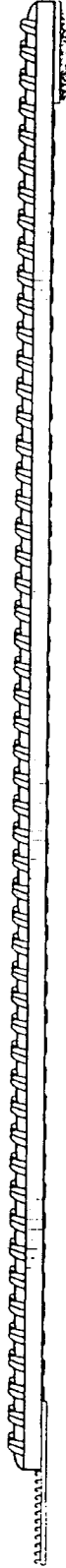


FIG. 5



FIG. 6



FIG. 7

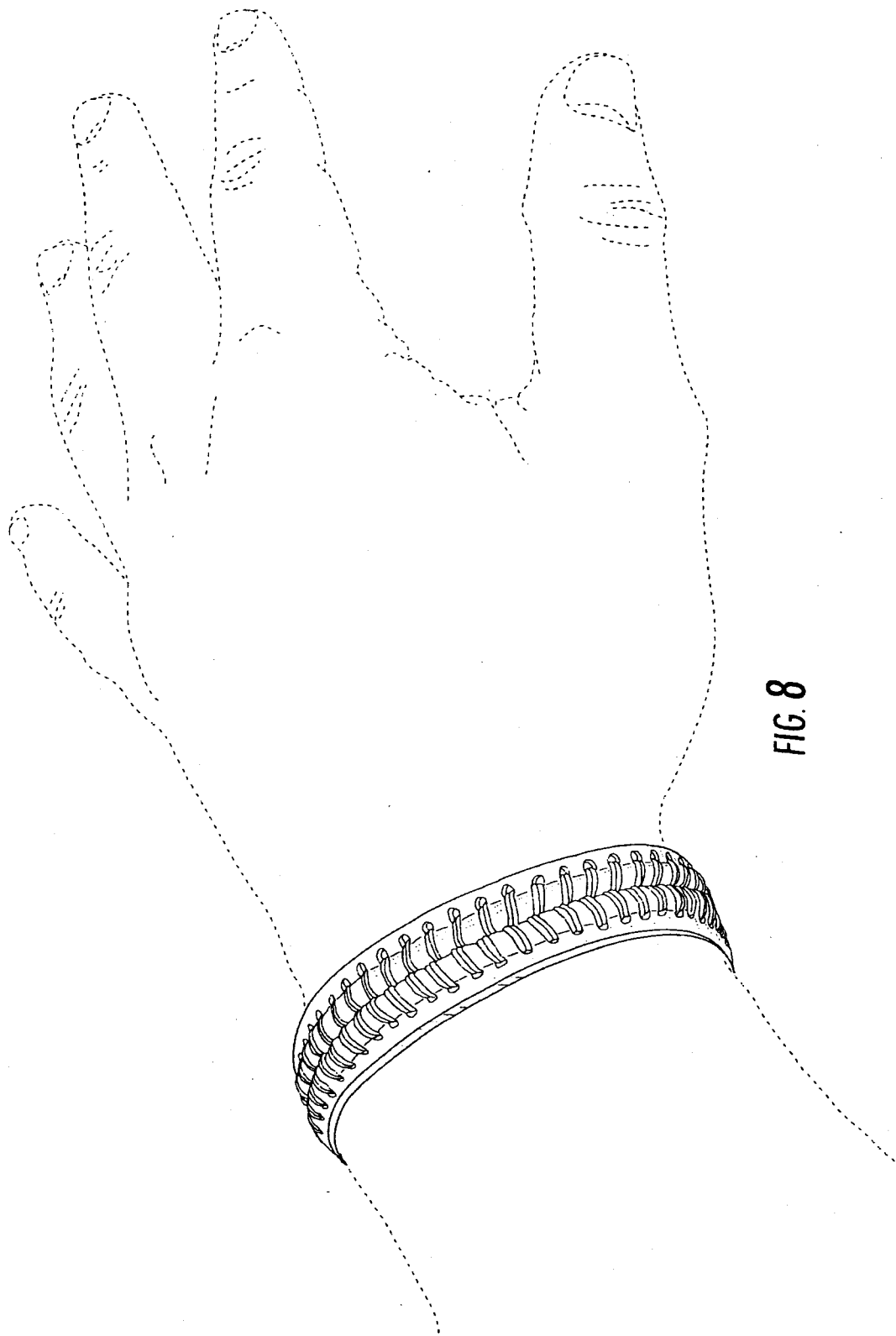


FIG. 8

U.S. Patent

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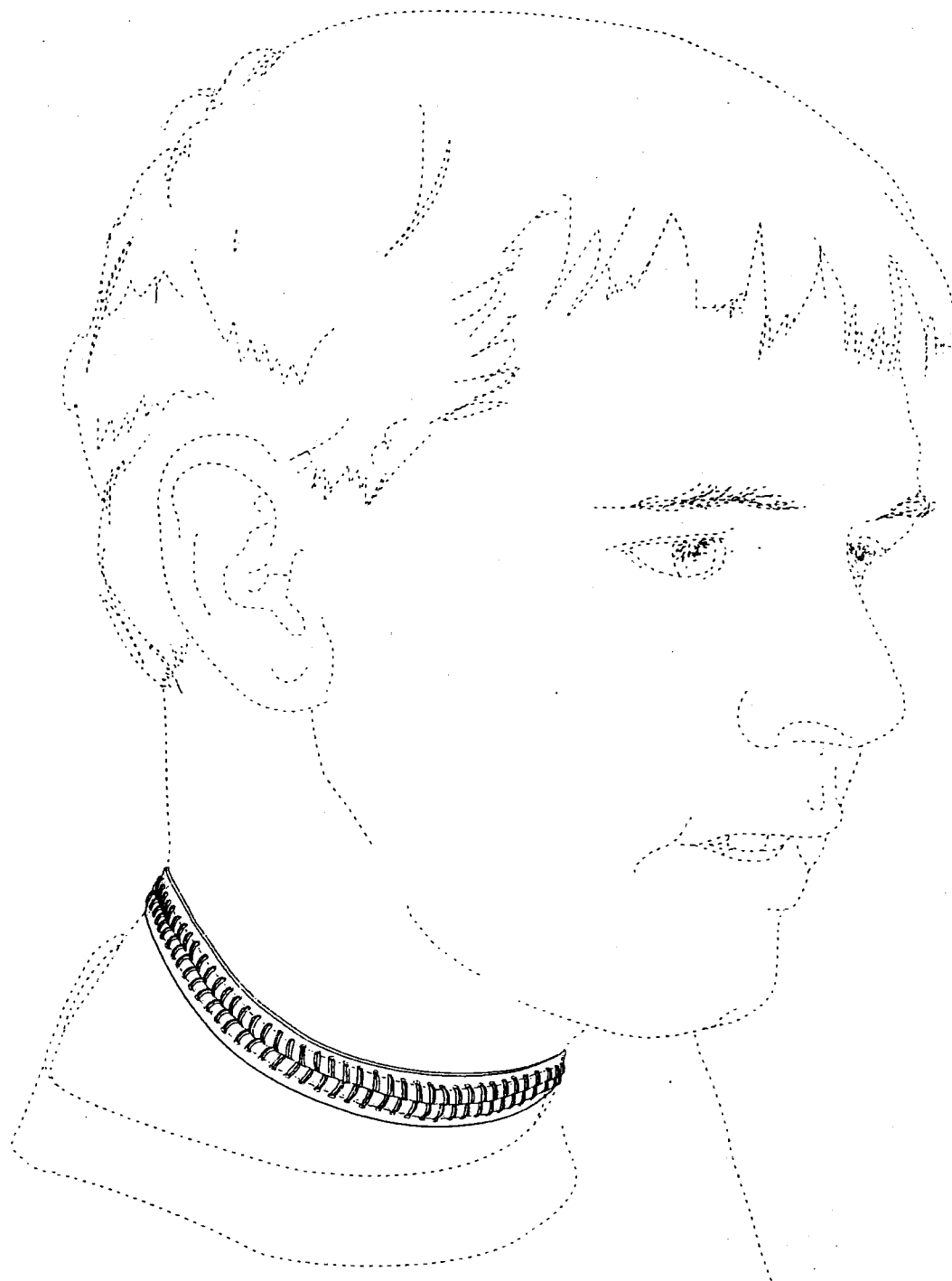


FIG. 9

JS 44 (Rev. 11/05)

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.) **NOTICE: Attorneys MUST Indicate All Re-filed Cases Below.**

I. (a) PLAINTIFFS
REEWES, INC.

(b) County of Residence of Plaintiff (Palmetto Beach, FL)
07-80295 CIV-MARRA

(c) Attorney's (Firm Name, Address, and Telephone Number)
 John Scarola, Esquire (561-686-6300)
 Searcy Denney Scarola Barnhart & Shipley, PA
 2139 Palm Beach Lakes Blvd. WPB, FL 33409

DEFENDANTS: GRAND SLAM WEAR, LLC, A Delaware Limited Liability Company, LITTLE LEAGUE BASEBALL, INC., A Pennsylvania Corp., RIPKEN BASEBALL CAMPS & SULLY, INC., A Florida Limited Liability Company

NOTE: IN LAND CONVICTION CASES, USE THE LOCATION OF THE TRACT LAND INVOLVED.

Attorneys (If Known) **JOHNSON**

07cv80295-KAM/LRJ

(d) Check County Where Action Arose: MIAMI-DADE MONROE BROWARD PALM BEACH MARTIN ST. LUCIE INDIAN RIVER OKEECHOBEE HIGHLANDS

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 checked="" 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 National	<input type="checkbox"/> 6	<input type="checkbox"/> 6

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

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<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 Loans (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	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal 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	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 PERSONAL PROPERTY <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	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input checked="" type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <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)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 890 State Reapportionment <input type="checkbox"/> 890 Antitrust <input type="checkbox"/> 890 Banks and Banking <input type="checkbox"/> 450 Commerce <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 Acts <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 Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS		
<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	<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 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 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		

V. ORIGIN (Place an "X" in One Box Only)

1 Original Proceeding 2 Removed from State Court 3 Re-filed- (see VI below) 4 Reinstated or Reopened 5 Transferred from another district (specify) 6 Multidistrict Litigation 7 Appeal to District Judge from Magistrate Judgment

VI. RELATED/RE-FILED CASE(S). (See instructions second page):

a) Re-filed Case YES NO b) Related Cases YES NO

JUDGE _____ DOCKET NUMBER _____

VII. 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):

35 U.S.C. §271, et seq. Patent Infringement

LENGTH OF TRIAL via _____ days estimated (for both sides to try entire case)

VIII. 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

ABOVE INFORMATION IS TRUE & CORRECT TO THE BEST OF MY KNOWLEDGE

SIGNATURE OF ATTORNEY OF RECORD: *[Signature]* DATE: 3/30/07

FOR OFFICE USE ONLY

AMOUNT: *[Handwritten]* RECEIPT # 539728