

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

PELLE PELLE, INC.
a Michigan corporation,

Plaintiff,

Case: 5:07-cv-14281
Hon: John Corbett O'Meara

v.

FACTORY TEXTILVERTRIEB GmbH,
a German corporation,

Defendant.

BRIAN D. O'KEEFE (P39603)
JOSEPH P SAULSKI (P60223)
Attorneys for Plaintiff
HYMAN LIPPITT, P.C.
322 N. Old Woodward Ave.
(313) 567-1650
Birmingham, Michigan 48009
(248) 646-8292
bokeefe@hymanlippitt.com
jsaulski@hymanlippitt.com

PAUL M. HUGHES (P36421)
LAW OFFICES OF PAUL M. HUGHES
Attorney for Defendant
1391 Woodbridge St.
Detroit, Michigan 48207-3109
paul@attorneyhughes.com

Jeffrey P. Thennisch (P51499)
Abby C. Moskovitz (P65899)
Dobrusin & Thennisch, PC
Attorneys for Plaintiff
29 W. Lawrence Street, Suite 210
Pontiac, Michigan 48342
Tel: (248) 292-2920
Fax: (248) 292-2910
jeff@patentco.com
amoskovitz@patentco.com

ANSWER TO COMPLAINT

NOW COMES the Defendant, **FACTORY TEXTILVERTRIEB GmbH**, (hereinafter known as "Defendant Textil") by and through it's attorney **PAUL M. HUGHES**, and in answer to the complaint brought forth by Plaintiff Pelle, Pelle, Inc., respectfully states as follows:

Parties

1. Admit.
2. Admit.
3. Admitted to the extent that Textil entered into an agreement with Pelle, Pelle, Inc., however denied as to the remainder of the allegations set forth in this paragraph.

Jurisdiction and Venue

4. Defendant Textil leaves Plaintiff Pelle, Pelle, Inc., to it's proofs.
5. Defendant Textil leaves Plaintiff Pelle, Pelle, Inc., to it's proofs.
6. Defendant Textil leaves Plaintiff Pelle, Pelle, Inc., to it's proofs.

Background

7. Defendant Textil asserts the complaint speaks for itself.
8. Admit.
9. Defendant Textil neither admits nor denies this allegation for

lack of information necessary to answer more fully at this time.

10. Defendant Textil neither admits nor denies this allegation for lack of information necessary to answer more fully at this time.

11. Defendant Textil leaves Plaintiff Pelle, Pelle, Inc., to it's proofs.

12. Defendant Textil leaves Plaintiff Pelle, Pelle, Inc., to it's proofs.

13. Defendant Textil leaves Plaintiff Pelle, Pelle, Inc., to it's proofs.

14. Defendant Textil leaves Plaintiff Pelle, Pelle, Inc., to it's proofs.

Facts Alleged by Plaintiff

15. Admit.

16. Admit.

17. Defendant Textil asserts the agreement speaks for itself.

18. Defendant Textil asserts the agreement speaks for itself.

19. Defendant Textil asserts the agreement speaks for itself.

20. Defendant Textil asserts the agreement speaks for itself.

21. Defendant Textil asserts the agreement speaks for itself.

22. Defendant Textil asserts the agreement speaks for itself.

23. Defendant Textil leaves Plaintiff Pelle, Pelle, Inc., to it's proofs.

24. Defendant Textil leaves Plaintiff Pelle, Pelle, Inc., to it's

proofs.

25. Defendant Textil leaves Plaintiff Pelle, Pelle, Inc., to it's proofs.

26. Defendant Textil leaves Plaintiff Pelle, Pelle, Inc., to it's proofs.

27. Defendant Textil leaves Plaintiff Pelle, Pelle, Inc., to it's proofs.

Count 1 - Breach of Contract

28. No response required.

29. Defendant Textil leaves Plaintiff Pelle, Pelle, Inc., to it's proofs.

30. Denied for the reason that some or all of the allegations contained in this paragraph are untrue.

31. Defendant Textil leaves Plaintiff Pelle, Pelle, Inc., to it's proofs.

32. Defendant Textil leaves Plaintiff Pelle, Pelle, Inc., to it's proofs.

33. Defendant Textil leaves Plaintiff Pelle, Pelle, Inc., to it's proofs.

Count II - Accounting

34. No response required.

35. Defendant Textil leaves Plaintiff Pelle, Pelle, Inc., to it's

proofs.

36. Said document speaks for itself.

37. Defendant Textil leaves Plaintiff Pelle, Pelle, Inc., to it's proofs.

38. No response required.

Count III- Injunctive Relief

39. No response required.

40. Defendant Textil leaves Plaintiff Pelle, Pelle, Inc., to it's proofs.

41. Defendant Textil leaves Plaintiff Pelle, Pelle, Inc., to it's proofs.

Count IV - Trademark Infringement

42. No response required.

43. Defendant Textil leaves Plaintiff Pelle, Pelle, Inc., to it's proofs.

44. Defendant Textil leaves Plaintiff Pelle, Pelle, Inc., to it's proofs.

45. Defendant Textil leaves Plaintiff Pelle, Pelle, Inc., to it's proofs.

46. Defendant Textil leaves Plaintiff Pelle, Pelle, Inc., to it's proofs.

47. Defendant Textil denies this allegation for the reason that it is untrue.

48. Defendant Textil leaves Plaintiff Pelle, Pelle, Inc., to it's proofs.

Count V - Unfair Competition

49. No response required.

50. Defendant Textil leaves Plaintiff Pelle, Pelle, Inc., to it's proofs.

51. Defendant Textil leaves Plaintiff Pelle, Pelle, Inc., to it's proofs.

52. Defendant Textil denies this allegation for the reason that it is untrue.

53. Defendant Textil leaves Plaintiff Pelle, Pelle, Inc., to it's proofs.

Count VI - Unjust Enrichment

54. No response required.

55. Defendant Textil leaves Plaintiff Pelle, Pelle, Inc., to it's proofs.

56. Defendant Textil leaves Plaintiff Pelle, Pelle, Inc., to it's proofs.

57. Defendant Textil denies this allegation for the reason that it is untrue.

Count VII - Cyberpiracy

58. No response required.

59. Defendant Textil leaves Plaintiff Pelle, Pelle, Inc., to it's

proofs.

60. Defendant Textil leaves Plaintiff Pelle, Pelle, Inc., to it's proofs.

61. Defendant Textil leaves Plaintiff Pelle, Pelle, Inc., to it's proofs.

62. Defendant Textil denies this allegation for the reason that it is untrue.

63. Defendant Textil denies this allegation for the reason that it is untrue.

Relief Requested

WHEREFORE, Defendant Textil requests unto this Honorable Court:

a) that it deny Plaintiff's request for a preliminary and permanent injunction as prayed for;

b) that it deny Plaintiff's request for all other orders as prayed for;

c) that it deny Plaintiff's request for a judgment as prayed for;

d) that it award the Defendant attorneys fees and costs that

have been unjustly incurred by the bringing of this action.

Respectfully Submitted,

LAW OFFICES OF PAUL M. HUGHES

Paul M. Hughes, Esq. P-36421
Attorney for Defendant
1391 Woodbridge Street
Detroit, MI 48207-3109
ph: (313) 567-1650
fx: (313) 447-2889
paul@attorneyhughes.com

Dated: October 19, 2007

RELIANCE ON JURY DEMAND

Defendant Textil hereby relies on the jury demand previously filed
by Plaintiff Pelle, Pelle, Inc.

Respectfully Submitted,

LAW OFFICES OF PAUL M. HUGHES

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Dated: October 19, 2007