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2013 JUL 11 PM 3:54
 CLERK U.S. DISTRICT COURT
 CENTRAL DIST. OF CALIF.
 SANTA ANA

BY _____

9
 10
 11 IN THE UNITED STATES DISTRICT COURT
 12 FOR THE CENTRAL DISTRICT OF CALIFORNIA
 13 SOUTHERN DIVISION

14 OAKLEY, INC., a Washington
 15 corporation,
 16 Plaintiff,
 17 v.
 18 ONE CLICK INTERNET VENTURES,
 19 LLC, d/b/a SUNGLASS WAREHOUSE
 and SUNGLASS WAREHOUSE.COM, an
 20 Indiana limited liability company,
 21 Defendant.

SACV13-1033 DOC (JPRx)
 Civil Action No.
 COMPLAINT FOR
 PATENT INFRINGEMENT
 DEMAND FOR JURY TRIAL

1 Plaintiff Oakley, Inc. (“Oakley”) hereby complains of Defendant One
2 Click Internet Ventures, LLC d/b/a Sunglass Warehouse and
3 Sunglasswarehouse.com (“Defendant”) and alleges as follows:

4 **I. JURISDICTION AND VENUE**

5 1. This Court has subject matter jurisdiction over this action pursuant
6 to 28 U.S.C. § 1331 and 1338, as it arises under the patent laws of the United
7 States.

8 2. This Court has personal jurisdiction over Defendant because
9 Defendant has a continuous, systematic, and substantial presence within this
10 judicial district including by selling and offering for sale infringing products in
11 this judicial district, and by committing acts of patent infringement in this
12 judicial district, including but not limited to selling infringing eyewear directly
13 to consumers and/or retailers in this district and selling into the stream of
14 commerce knowing such products would be sold in California and this district,
15 which acts form a substantial part of the events or omissions giving rise to
16 Oakley’s claim.

17 3. Venue is proper in this judicial district under 28 U.S.C. §1391 (b)
18 and (c), and 28 U.S.C. § 1400(b).

19 **II. THE PARTIES**

20 4. Oakley is a corporation organized and existing under the laws of
21 the State of Washington, having its principal place of business at One Icon,
22 Foothill Ranch, California 92610.

23 5. Oakley is informed and believes, and thereon alleges, that
24 Defendant is a limited liability company organized and existing under the laws
25 of the State of Indiana, having its principal place of business at 1064 S.
26 Greenwood Springs Blvd., Suite F, Greenwood, Indiana 46143.

27 6. Oakley is informed and believes, and thereon alleges, that
28 Defendant has committed the acts alleged herein within this judicial district.

1 **III. GENERAL ALLEGATIONS**

2 7. Oakley has been actively engaged in the manufacture and sale of
3 high quality eyewear since at least 1985. Oakley is the manufacturer and
4 retailer of several lines of eyewear that have enjoyed substantial success and are
5 protected by various intellectual property rights owned by Oakley.

6 8. On May 20, 2008, the United States Patent and Trademark Office
7 duly and lawfully issued United States Design Patent No. D569,412 (“the D412
8 patent”), entitled “Eyeglass and Eyeglass Components.” Oakley is the owner by
9 assignment of all right, title, and interest in the D412 patent. A true and correct
10 copy of the D412 patent is attached hereto as Exhibit A.

11 9. On November 25, 2008, the United States Patent and Trademark
12 Office duly and lawfully issued United States Design Patent No. D581,443 (“the
13 D443 patent”), entitled “Eyeglasses Components.” Oakley is the owner by
14 assignment of all right, title, and interest in the D443 patent. A true and correct
15 copy of the D443 patent is attached hereto as Exhibit B.

16 10. On November 25, 2008 the United States Patent and Trademark
17 Office duly and lawfully issued United States Design Patent No. D581,444 (“the
18 D444 patent”), entitled “Eyeglass Components.” Oakley is the owner by
19 assignment of all right, title, and interest in the D444 patent. A true and correct
20 copy of the D444 patent is attached hereto as Exhibit C.

21 11. On March 18, 2008, the United States Patent and Trademark Office
22 duly and lawfully issued United States Design Patent No. D564,571 (“the D571
23 patent”), entitled “Eyeglass and Eyeglass Components.” Oakley is the owner by
24 assignment of all right, title, and interest in the D571 patent. A true and correct
25 copy of the D571 patent is attached hereto as Exhibit D.

26 12. On July 31, 2007, the United States Patent and Trademark Office
27 duly and lawfully issued United States Design Patent No. D547,793 (“the D793
28 patent”), entitled “Eyeglasses.” Oakley is the owner by assignment of all right,

1 title, and interest in the D793 patent. A true and correct copy of the D793 patent
2 is attached hereto as Exhibit E.

3 13. On January 28, 2003, the United States Patent and Trademark
4 Office duly and lawfully issued United States Design Patent No. D469,458 (“the
5 D458 patent”), entitled “Eyeglass Front.” Oakley is the owner by assignment of
6 all right, title, and interest in the D458 patent. A true and correct copy of the
7 D458 patent is attached hereto as Exhibit F.

8 14. On March 25, 2008, the United States Patent and Trademark Office
9 duly and lawfully issued United States Design Patent No. D565,088 (“the D088
10 patent”), entitled “Eyeglass and Eyeglass Components.” Oakley is the owner by
11 assignment of all right, title, and interest in the D088 patent. A true and correct
12 copy of the D088 patent is attached hereto as Exhibit G.

13 15. On June 28, 2011, the United States Patent and Trademark Office
14 duly and lawfully issued United States Design Patent No. D640,725 (“the D725
15 patent”), entitled “Eyeglass and Eyeglass Component.” Oakley is the owner by
16 assignment of all right, title, and interest in the D725 patent. A true and correct
17 copy of the D725 patent is attached hereto as Exhibit H.

18 16. Defendant manufactures, uses, sells, offers for sale and/or imports
19 into the United States eyewear that infringes Oakley’s intellectual property
20 rights.

21 17. Oakley has provided the public with constructive notice of its
22 patent rights pursuant to 35 U.S.C. § 287.

23 **IV. CLAIM FOR RELIEF**

24 (Patent Infringement)

25 (35 U.S.C. § 271)

26 18. Oakley repeats and re-alleges the allegations of paragraphs 1-17 of
27 this Complaint as if set forth fully herein.

28 19. This is a claim for patent infringement under 35 U.S.C. § 271.

1 20. Defendant, through its agents, employees and servants, has, and
2 continues to, knowingly, intentionally and willfully directly infringe, engage in
3 acts of contributory infringement, and/or induce the infringement of the D412
4 patent by directly and/or indirectly making, using, selling, offering for sale
5 and/or importing eyewear which are covered by the D412 patent, including
6 Defendant's Sunglass Warehouse sunglass model Polarized Sport Style #107.

7 21. Defendant's acts of infringement of the D412 patent were
8 undertaken without permission or license from Oakley. Defendant had actual
9 and/or constructive knowledge of the D412 patent, and its actions constitute
10 willful and intentional infringement of the D412 patent. Defendant infringed
11 the D412 patent with reckless disregard of Oakley's patent rights. Defendant
12 knew, or it was so obvious that Defendant should have known, that its actions
13 constituted infringement of the D412 patent. Defendant's acts of infringement
14 of the D412 patent were not consistent with the standards of commerce for its
15 industry.

16 22. Defendant, through its agents, employees and servants, has, and
17 continues to, knowingly, intentionally and willfully directly infringe, engage in
18 acts of contributory infringement, and/or induce the infringement of the D443
19 patent by directly and/or indirectly making, using, selling, offering for sale
20 and/or importing eyewear which are covered by the D443 patent, including
21 Defendant's Sunglass Warehouse sunglass model Polarized Sport Style #107.

22 23. Defendant's acts of infringement of the D443 patent were
23 undertaken without permission or license from Oakley. Defendant had actual
24 and/or constructive knowledge of the D443 patent, and its actions constitute
25 willful and intentional infringement of the D443 patent. Defendant infringed
26 the D443 patent with reckless disregard of Oakley's patent rights. Defendant
27 knew, or it was so obvious that Defendant should have known, that its actions
28 constituted infringement of the D443 patent. Defendant's acts of infringement

1 of the D443 patent were not consistent with the standards of commerce for its
2 industry.

3 24. Defendant, through its agents, employees and servants, has, and
4 continues to, knowingly, intentionally and willfully directly infringe, engage in
5 acts of contributory infringement, and/or induce the infringement of the D444
6 patent by directly and/or indirectly making, using, selling, offering for sale
7 and/or importing eyewear which are covered by the D444 patent, including
8 Defendant's Sunglass Warehouse sunglass model Polarized Sport Style #107.

9 25. Defendant's acts of infringement of the D444 patent were
10 undertaken without permission or license from Oakley. Defendant had actual
11 and/or constructive knowledge of the D444 patent, and its actions constitute
12 willful and intentional infringement of the D444 patent. Defendant infringed
13 the D444 patent with reckless disregard of Oakley's patent rights. Defendant
14 knew, or it was so obvious that Defendant should have known, that its actions
15 constituted infringement of the D444 patent. Defendant's acts of infringement
16 of the D444 patent were not consistent with the standards of commerce for its
17 industry.

18 26. Defendant, through its agents, employees and servants, has, and
19 continues to, knowingly, intentionally and willfully directly infringe, engage in
20 acts of contributory infringement, and/or induce the infringement of the D571
21 patent by directly and/or indirectly making, using, selling, offering for sale
22 and/or importing eyewear which are covered by the D571 patent, including
23 Defendant's Sunglass Warehouse sunglass model Polarized Sport Style #9314.

24 27. Defendant's acts of infringement of the D571 patent were
25 undertaken without permission or license from Oakley. Defendant had actual
26 and/or constructive knowledge of the D571 patent, and its actions constitute
27 willful and intentional infringement of the D571 patent. Defendant infringed
28 the D571 patent with reckless disregard of Oakley's patent rights. Defendant

1 knew, or it was so obvious that Defendant should have known, that its actions
2 constituted infringement of the D571 patent. Defendant's acts of infringement
3 of the D571 patent were not consistent with the standards of commerce for its
4 industry.

5 28. Defendant, through its agents, employees and servants, has, and
6 continues to, knowingly, intentionally and willfully directly infringe, engage in
7 acts of contributory infringement, and/or induce the infringement of the D793
8 patent by directly and/or indirectly making, using, selling, offering for sale
9 and/or importing eyewear which are covered by the D793 patent, including
10 Defendant's Sunglass Warehouse sunglass model Polarized Sport Style #1913.

11 29. Defendant's acts of infringement of the D793 patent were
12 undertaken without permission or license from Oakley. Defendant had actual
13 and/or constructive knowledge of the D793 patent, and its actions constitute
14 willful and intentional infringement of the D793 patent. Defendant infringed
15 the D793 patent with reckless disregard of Oakley's patent rights. Defendant
16 knew, or it was so obvious that Defendant should have known, that its actions
17 constituted infringement of the D793 patent. Defendant's acts of infringement
18 of the D793 patent were not consistent with the standards of commerce for its
19 industry.

20 30. Defendant, through its agents, employees and servants, has, and
21 continues to, knowingly, intentionally and willfully directly infringe, engage in
22 acts of contributory infringement, and/or induce the infringement of the D458
23 patent by directly and/or indirectly making, using, selling, offering for sale
24 and/or importing eyewear which are covered by the D458 patent, including
25 Defendant's Sunglass Warehouse sunglass model Polarized Sport Style #18500
26 and Polarized Sport Style #20568.

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1 31. Defendant's acts of infringement of the D458 patent were
2 undertaken without permission or license from Oakley. Defendant had actual
3 and/or constructive knowledge of the D458 patent, and its actions constitute
4 willful and intentional infringement of the D458 patent. Defendant infringed
5 the D458 patent with reckless disregard of Oakley's patent rights. Defendant
6 knew, or it was so obvious that Defendant should have known, that its actions
7 constituted infringement of the D458 patent. Defendant's acts of infringement
8 of the D458 patent were not consistent with the standards of commerce for its
9 industry.

10 32. Defendant, through its agents, employees and servants, has, and
11 continues to, knowingly, intentionally and willfully directly infringe, engage in
12 acts of contributory infringement, and/or induce the infringement of the D088
13 patent by directly and/or indirectly making, using, selling, offering for sale
14 and/or importing eyewear which are covered by the D088 patent, including
15 Defendant's Sunglass Warehouse sunglass model Polarized Sport Style #4090.

16 33. Defendant's acts of infringement of the D088 patent were
17 undertaken without permission or license from Oakley. Defendant had actual
18 and/or constructive knowledge of the D088 patent, and its actions constitute
19 willful and intentional infringement of the D088 patent. Defendant infringed
20 the D088 patent with reckless disregard of Oakley's patent rights. Defendant
21 knew, or it was so obvious that Defendant should have known, that its actions
22 constituted infringement of the D088 patent. Defendant's acts of infringement
23 of the D088 patent were not consistent with the standards of commerce for its
24 industry.

25 34. Defendant, through its agents, employees and servants, has, and
26 continues to, knowingly, intentionally and willfully directly infringe, engage in
27 acts of contributory infringement, and/or induce the infringement of the D725
28 patent by directly and/or indirectly making, using, selling, offering for sale

1 and/or importing eyewear which are covered by the D725 patent, including
2 Defendant's Sunglass Warehouse sunglass model Style #7350.

3 35. Defendant's acts of infringement of the D725 patent were
4 undertaken without permission or license from Oakley. Defendant had actual
5 and/or constructive knowledge of the D725 patent, and its actions constitute
6 willful and intentional infringement of the D725 patent. Defendant infringed
7 the D725 patent with reckless disregard of Oakley's patent rights. Defendant
8 knew, or it was so obvious that Defendant should have known, that its actions
9 constituted infringement of the D725 patent. Defendant's acts of infringement
10 of the D725 patent were not consistent with the standards of commerce for its
11 industry.

12 36. As a direct and proximate result of Defendant's patent
13 infringement, Defendant has derived and received gains, profits, and advantages
14 in an amount not presently known to Oakley.

15 37. Pursuant to 35 U.S.C. § 284, Oakley is entitled to damages for
16 Defendant's infringing acts and treble damages together with interests and costs
17 as fixed by this Court.

18 38. Pursuant to 35 U.S.C. § 289, Oakley is entitled to Defendant's total
19 profits from the sale of eyewear that infringe any one of Oakley's design
20 patents.

21 39. Pursuant to 35 U.S.C. § 285, Oakley is entitled to reasonable
22 attorneys' fees for the necessity of bringing this claim.

23 40. Due to the aforesaid infringing acts, Oakley has suffered great and
24 irreparable injury, for which Oakley has no adequate remedy at law.

25 41. Defendant will continue to directly and/or indirectly infringe
26 Oakley's patents to the great and irreparable injury of Oakley, unless enjoined
27 by this Court.

28 ///

1 **WHEREFORE**, Oakley prays for judgment in its favor against
2 Defendant for the following relief:

3 A. An Order adjudging Defendant to have willfully infringed the
4 D412 patent, the D443 patent, the D444 patent, the D571 patent, the D793
5 patent, the D458 patent, the D088 patent, and the D725 patent under 35 U.S.C. §
6 271;

7 B. A preliminary and permanent injunction enjoining Defendant, its
8 respective officers, directors, agents, servants, employees and attorneys, and
9 those persons in active concert or participation with Defendant, from directly or
10 indirectly infringing any of the D412 patent, the D443 patent, the D444 patent,
11 the D571 patent, the D793 patent, the D458 patent, the D088 patent, and the
12 D725 patent in violation of 35 U.S.C. § 271;

13 C. That judgment be entered against Defendant awarding Oakley all
14 damages proved at trial pursuant to 35 U.S.C. § 284, and that Defendant pay to
15 Oakley all damages suffered by Oakley as a result of Defendant's infringement;

16 D. That pursuant to 35 U.S.C. § 289, Defendant account for its total
17 profits from Defendant's infringement of Oakley's asserted design patents, and
18 that such profits be awarded to Oakley;

19 E. An Order for a trebling of damages and/or exemplary damages
20 because of Defendant's willful conduct pursuant to 35 U.S.C. § 284;

21 F. An Order adjudging that this is an exceptional case;

22 G. An award to Oakley of the attorney fees, expenses, and costs
23 incurred by Oakley in connection with this action pursuant to 35 U.S.C. § 285;

24 H. An award of pre-judgment and post-judgment interest and costs of
25 this action against Defendant;

26 I. That Oakley have and recover the costs of this civil action,
27 including reasonable attorneys' fees;


28

1 J. An award of pre-judgment and post-judgment interest and costs of
2 this action against Defendant; and,

3 K. Such other and further relief as this Court may deem just and
4 proper.

5 Respectfully submitted,
6 KNOBBE, MARTENS, OLSON & BEAR, LLP

7
8 Dated: July 11, 2013

9 By: 
10 Michael K. Friedland
11 Lauren K. Katzenellenbogen
12 Ali S. Razai
13 Joy Lynn Nemirow
14 Attorneys for Plaintiff Oakley, Inc.

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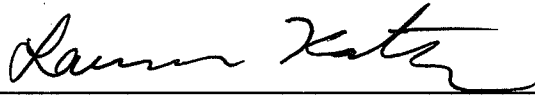
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DEMAND FOR JURY TRIAL

Plaintiff Oakley, Inc. hereby demands a trial by jury on all issues so triable.

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: July 11, 2013

By: 

Michael K. Friedland
Lauren K. Katzenellenbogen
Ali S. Razai
Joy Lynn Nemirow
Attorneys for Plaintiff Oakley, Inc

EXHIBIT A



US00D569412S

(12) **United States Design Patent** (10) **Patent No.:** **US D569,412 S**
Jannard et al. (45) **Date of Patent:** **** May 20, 2008**

(54) **EYEGLASS AND EYEGLASS COMPONENTS** 5,610,668 A 3/1997 Mage
 D384,364 S 9/1997 Yee
 (75) Inventors: **James H. Jannard**, Spieden Island, WA (US); **Lek Thixton**, Orcas, WA (US); **Colin Baden**, Irvine, CA (US); **Peter Yee**, Irvine, CA (US) 5,760,868 A 6/1998 Jannard et al.
 D399,519 S 10/1998 Yee
 D399,866 S 10/1998 Yee
 D401,607 S 11/1998 Miniutti
 D410,484 S 6/1999 Jannard et al.
 6,233,342 B1 5/2001 Fernandez
 (73) Assignee: **Oakley, Inc.**, Foothill Ranch, CA (US) D447,162 S * 8/2001 Jannard et al. D16/326
 D458,624 S 6/2002 Soper
 (**) Term: **14 Years** D473,892 S 4/2003 Thixton et al.
 D508,515 S * 8/2005 Yee et al. D16/335
 (21) Appl. No.: **29/266,547** D513,761 S * 1/2006 Yee et al. D16/321
 D533,889 S * 12/2006 Saderholm et al. D16/314
 (22) Filed: **Sep. 22, 2006** D545,868 S * 7/2007 Chuang D16/314

(51) **LOC (8) Cl.** **16-06**
 (52) **U.S. Cl.** **D16/314; D16/321**
 (58) **Field of Classification Search** D16/101,
 D16/300-342; D29/109-110; D24/110.2;
 351/41, 44, 51-52, 62, 158, 92, 103-123,
 351/140, 153; 2/426-432, 447-449, 441,
 2/434-437; D21/483, 659-661
 See application file for complete search history.

* cited by examiner
Primary Examiner—Raphael Barkai
 (74) *Attorney, Agent, or Firm*—Gregory K. Nelson

(57) **CLAIM**

The ornamental design for eyeglass and eyeglass components, as shown and described.

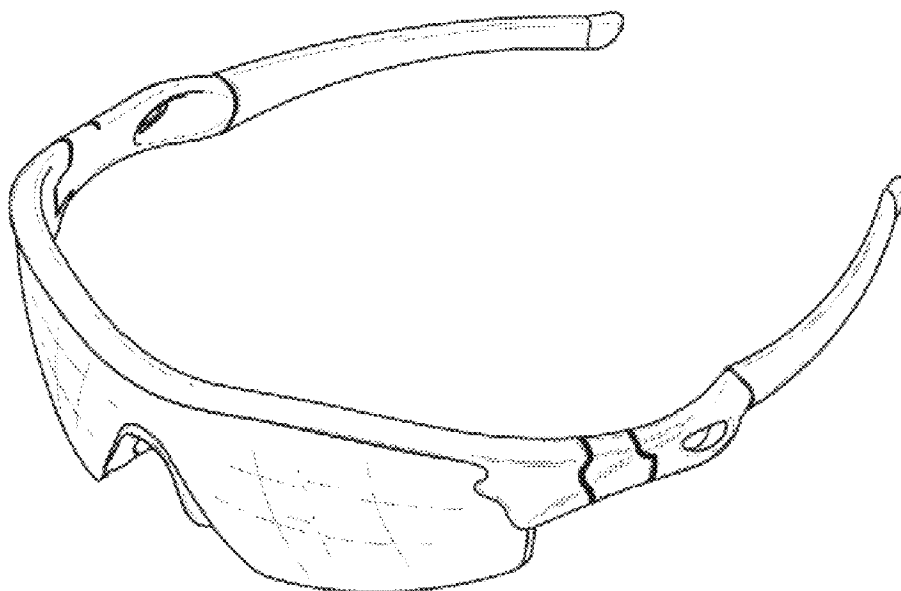
(56) **References Cited**
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D150,924 S	9/1948	Blight
D176,316 S	12/1955	Fleming
D178,178 S	7/1956	Fleming
D293,450 S	12/1987	Jannard
D323,333 S	1/1992	Jannard et al.
D324,394 S	3/1992	Jannard
D329,442 S	9/1992	Jannard
D330,035 S	10/1992	Jannard
D331,587 S	12/1992	Jannard et al.
5,249,001 A	9/1993	Jannard
D344,742 S	3/1994	Jannard
D354,501 S	1/1995	Jannard

DESCRIPTION

FIG. 1 is a front perspective view of the eyeglass and the eyeglass components of the present invention;
 FIG. 2 is a front elevational view thereof;
 FIG. 3 is a rear elevational view thereof;
 FIG. 4 is a left-side elevational view thereof, the right-side elevational view being a mirror image thereof;
 FIG. 5 is a top plan view thereof; and,
 FIG. 6 is a bottom plan view thereof.

1 Claim, 4 Drawing Sheets



U.S. Patent

May 20, 2008

Sheet 1 of 4

US D569,412 S

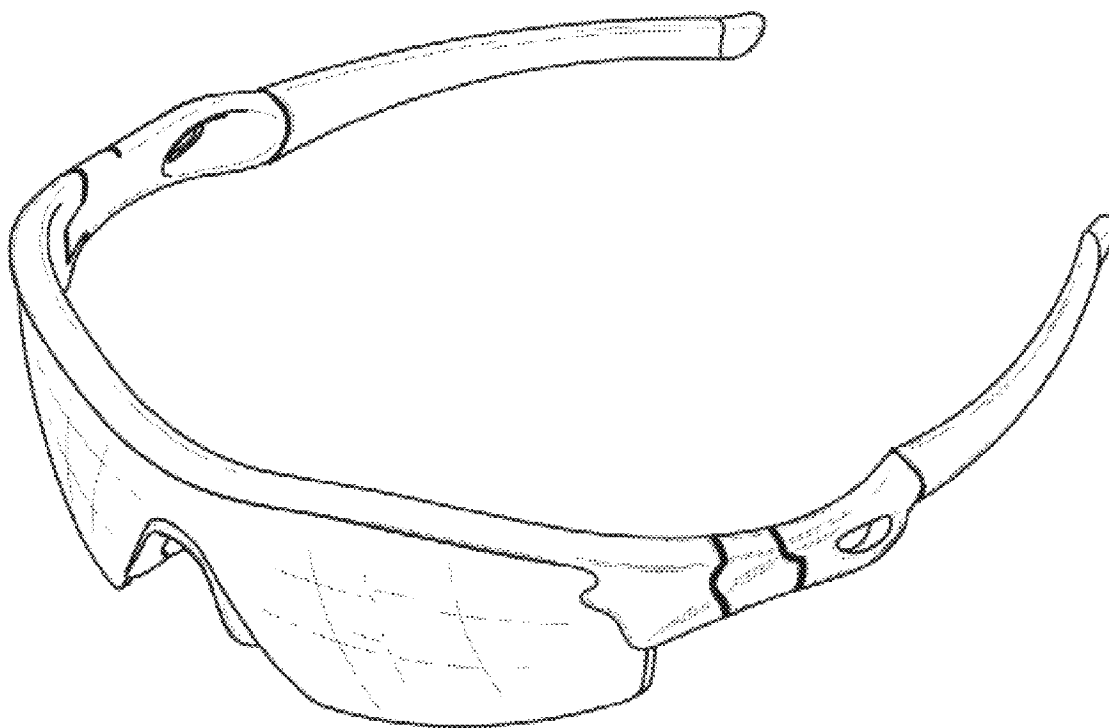


FIG. 1

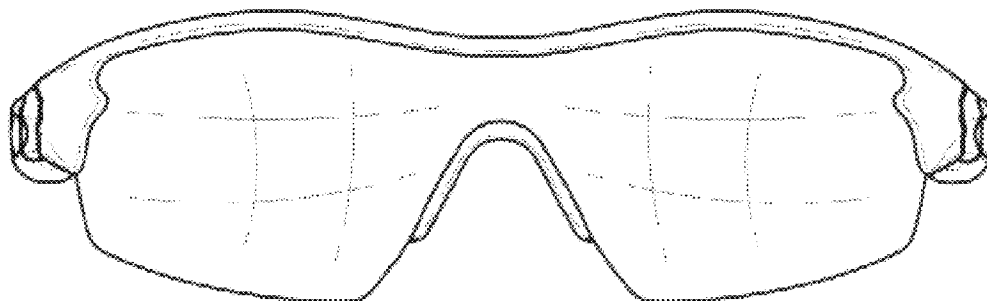


FIG. 2

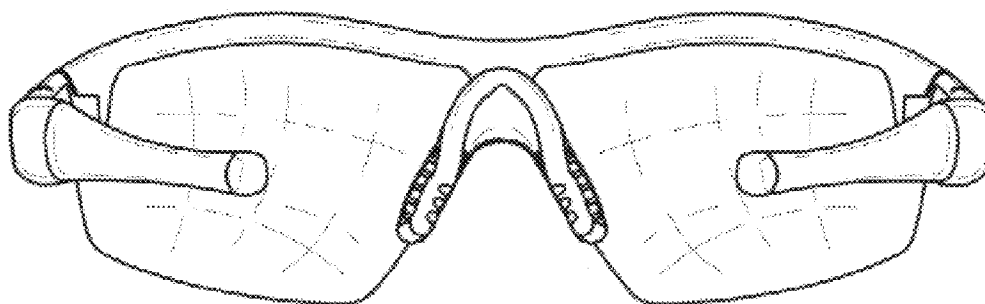


FIG. 3

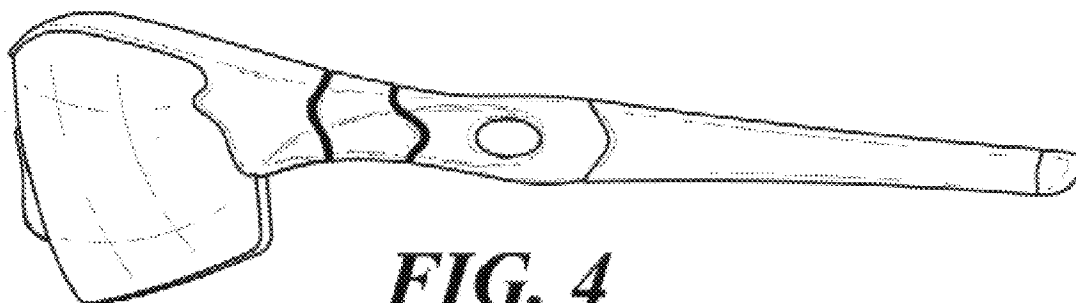


FIG. 4

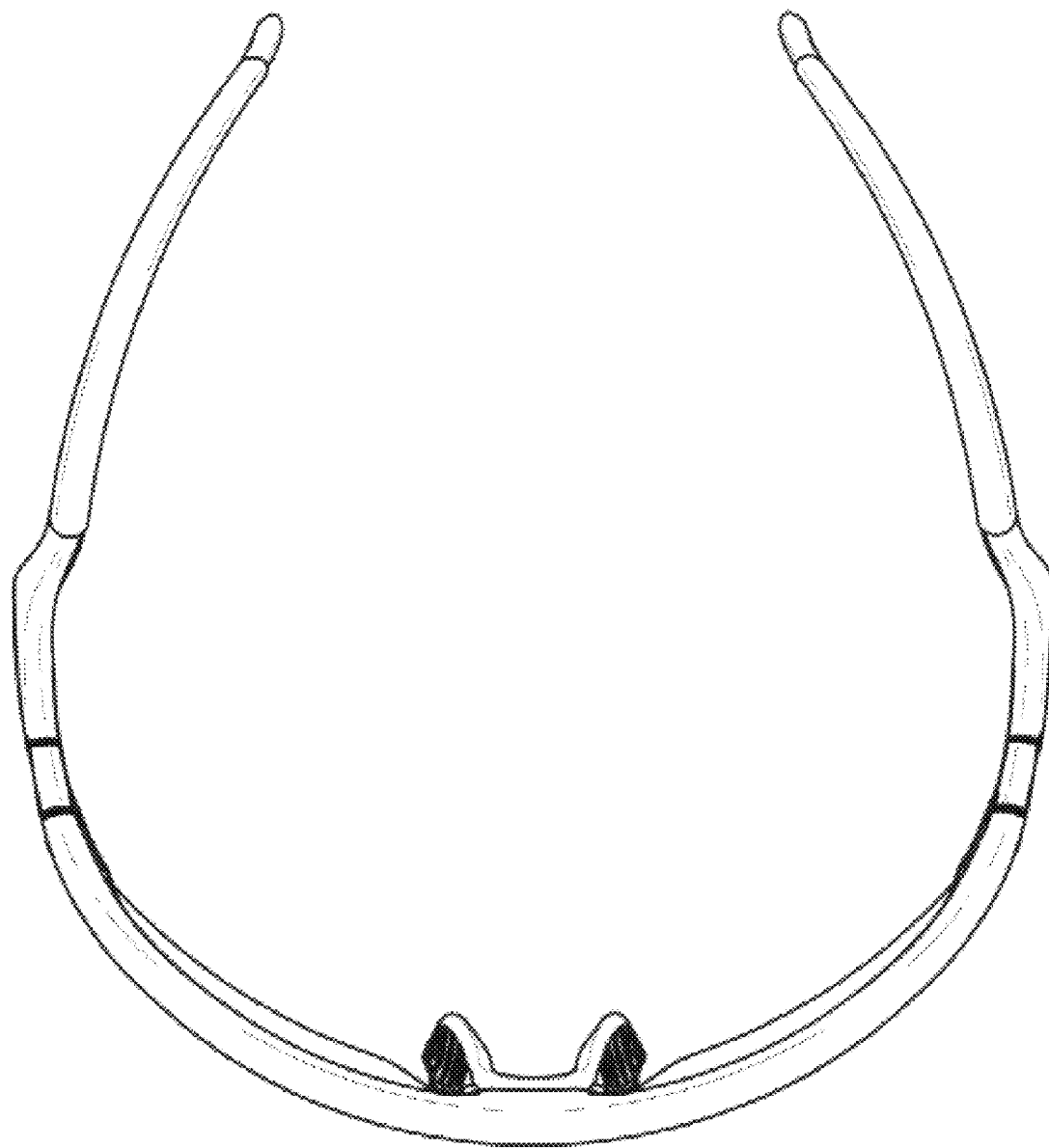


FIG. 5

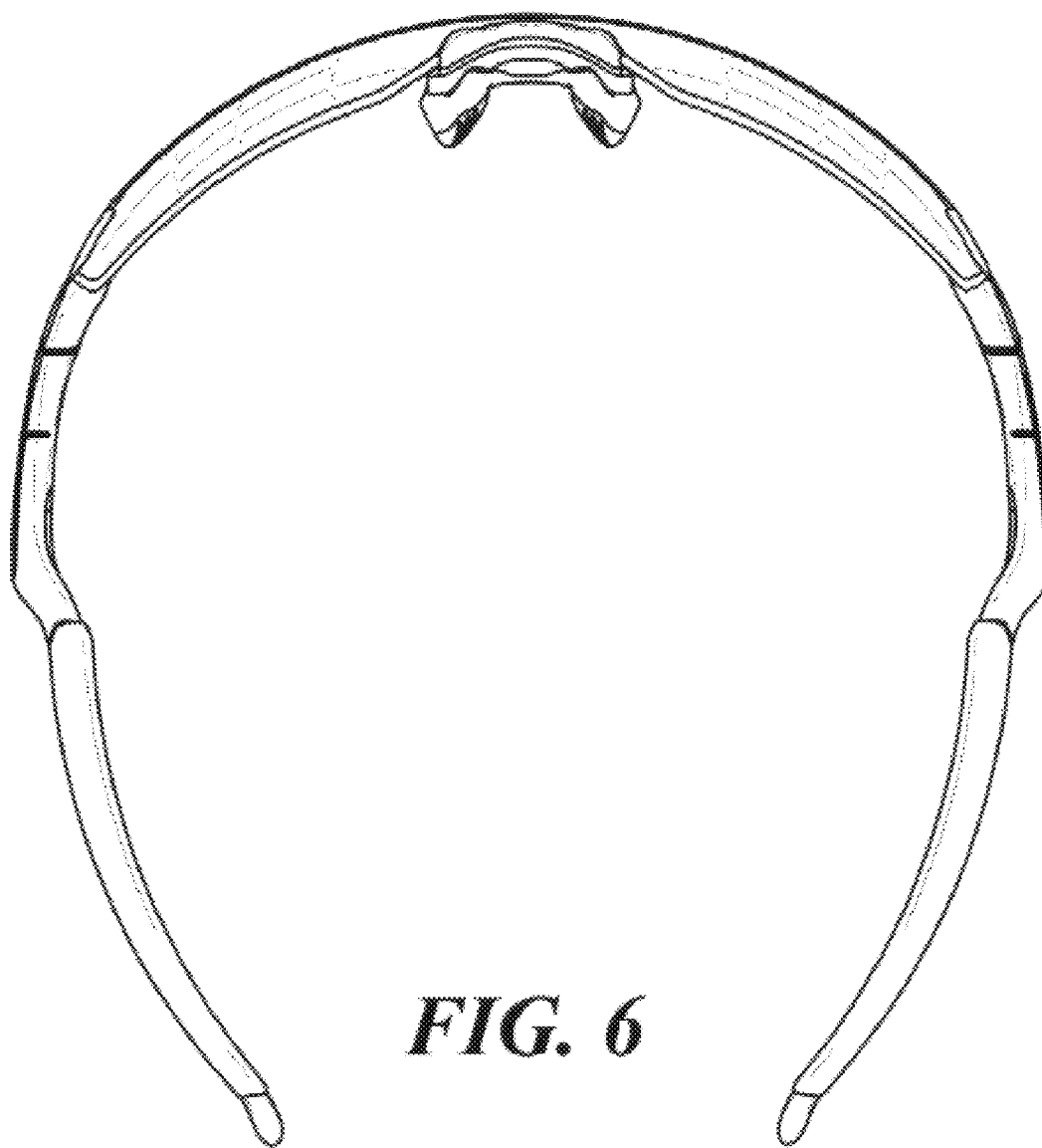


EXHIBIT B



US00D581443S

(12) **United States Design Patent** (10) **Patent No.:** **US D581,443 S**
Jannard et al. (45) **Date of Patent:** **** Nov. 25, 2008**

(54) **EYEGASSES COMPONENTS** 5,610,668 A 3/1997 Mage
 D384,364 S 9/1997 Yee
 (75) Inventors: **James H. Jannard**, Spieden Island, WA 5,760,868 A 6/1998 Jannard et al.
 (US); **Lek Thixton**, Orcas, WA (US); D399,519 S 10/1998 Yee
Colin Baden, Irvine, CA (US); **Peter** D399,866 S 10/1998 Yee
Yee, Irvine, CA (US) D401,607 S 11/1998 Miniutti
 D410,484 S 6/1999 Jannard et al.
 (73) Assignee: **Oakley, Inc.**, Foothill Ranch, CA (US) 6,233,342 B1 5/2001 Fernandez
 D452,522 S * 12/2001 Chiou D16/330
 (**) Term: **14 Years** D458,624 S 6/2002 Soper
 D473,892 S 4/2003 Thixton et al.
 D529,066 S * 9/2006 Matera D16/315

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U.S. Appl. No. 29/266,547, filed Sep. 22, 2006.
 U.S. Appl. No. 29/288,604, filed Jun. 15, 2007.
 U.S. Appl. No. 29/288,605, filed Jun. 15, 2007.
 U.S. Appl. No. 29/288,606, filed Jun. 15, 2007.

* cited by examiner

Primary Examiner—Raphael Barkai
(74) Attorney, Agent, or Firm—Gregory K. Nelson

(22) Filed: **Mar. 21, 2008**

Related U.S. Application Data

(62) Division of application No. 29/266,547, filed on Sep. 22, 2006, now Pat. No. Des. 569,412.

(51) **LOC (8) Cl.** **16-06**

(52) **U.S. Cl.** **D16/314**

(58) **Field of Classification Search** D16/101,
 D16/300-342; D29/109-110; D24/110.2;
 351/41, 44, 51-52, 62, 158, 92, 103-123,
 351/140, 153; 2/426-432, 447-449, 441,
 2/434-437

See application file for complete search history.

(57) **CLAIM**

The ornamental design for eyeglass components, as shown and described.

DESCRIPTION

FIG. 1 is a front perspective view of the eyeglass components of the present invention;
 FIG. 2 is a front elevational view thereof;
 FIG. 3 is a rear elevational view thereof;
 FIG. 4 is a left-side elevational view thereof, the right-side elevational view being a mirror image thereof;
 FIG. 5 is a top elevational view thereof; and,
 FIG. 6 is a bottom plan view thereof.

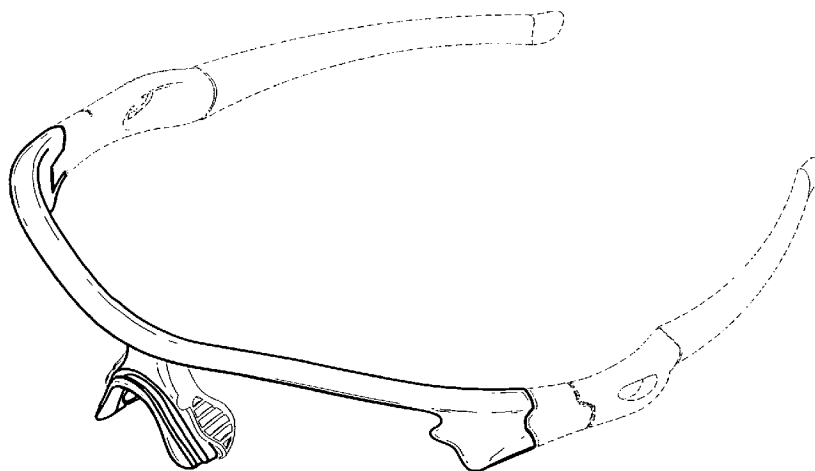
Phantom lining, where utilized, is for illustrative purposes only and is not intended to limit the claimed design to the features shown in phantom.

1 Claim, 3 Drawing Sheets

(56) **References Cited**

U.S. PATENT DOCUMENTS

D150,924 S 9/1948 Blight
 D176,316 S 12/1955 Fleming
 D178,178 S 7/1956 Fleming
 D293,450 S 12/1987 Jannard
 D323,333 S 1/1992 Jannard et al.
 D324,394 S 3/1992 Jannard
 D329,442 S 9/1992 Jannard
 D330,035 S 10/1992 Jannard
 D331,587 S 12/1992 Jannard et al.
 5,249,001 A 9/1993 Jannard
 D344,742 S 3/1994 Jannard
 D346,814 S * 5/1994 Iida D16/314
 D354,501 S 1/1995 Jannard



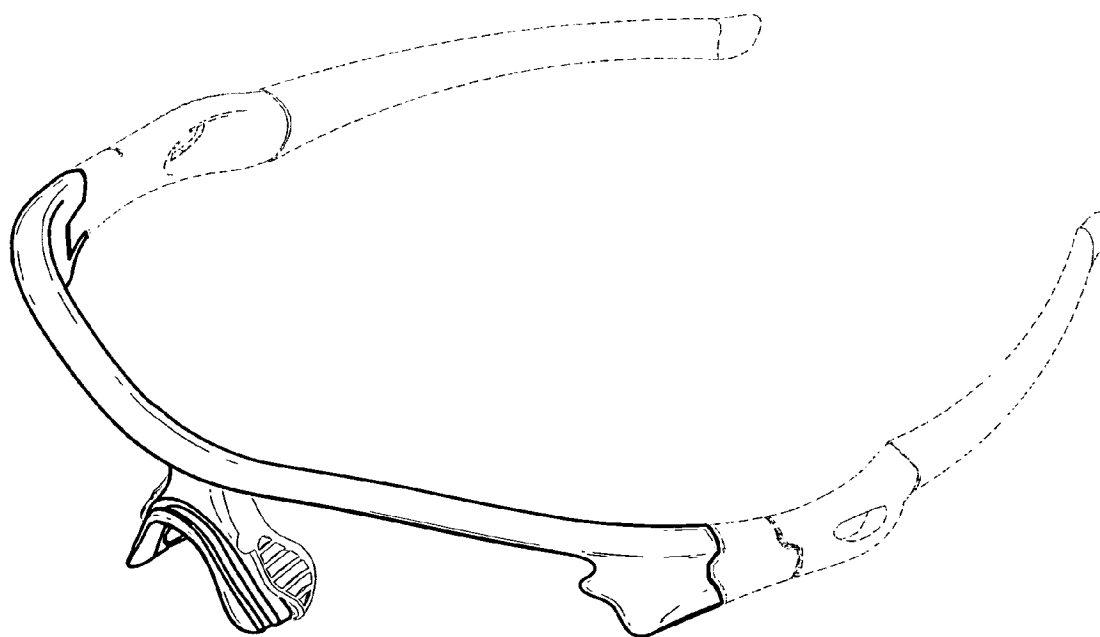


FIG. 1

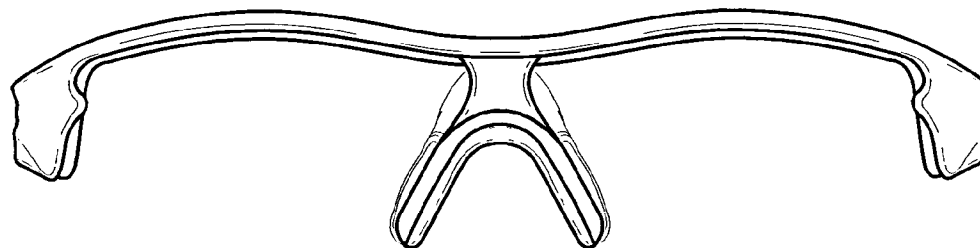


FIG. 2

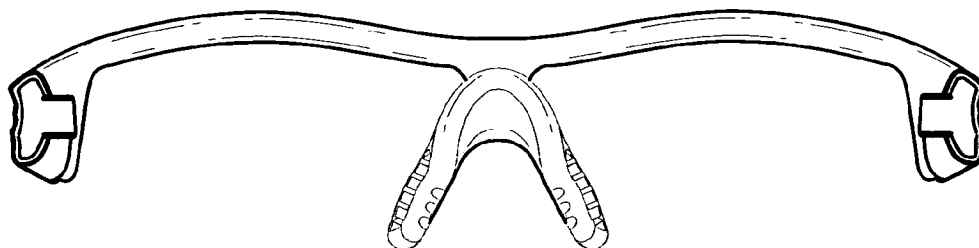


FIG. 3

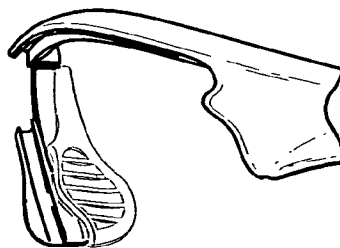


FIG. 4

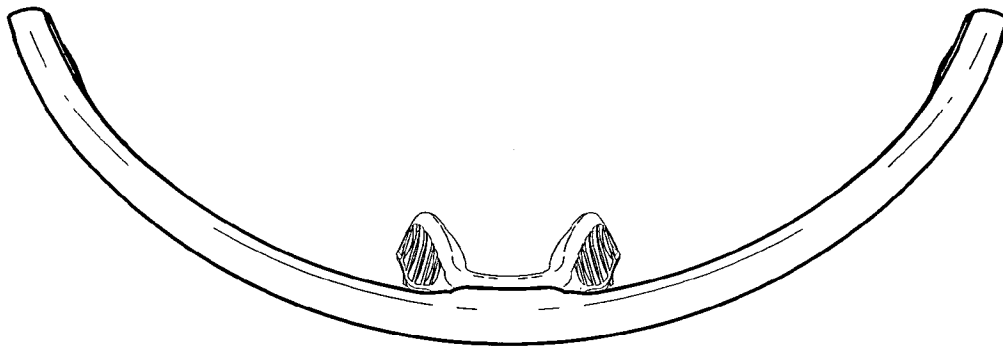


FIG. 5

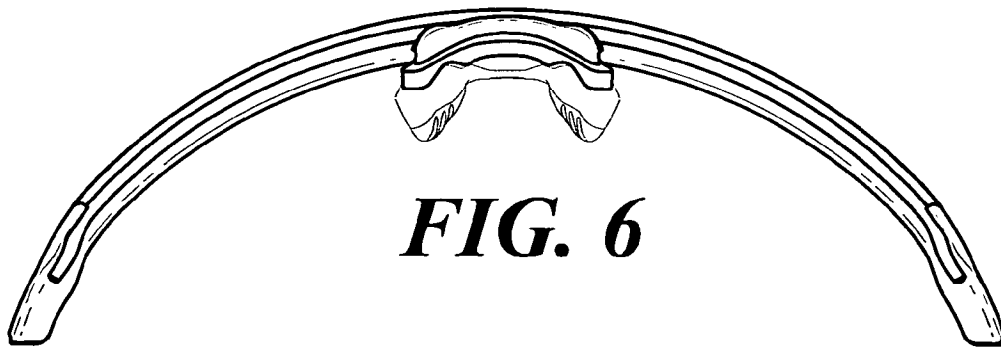


FIG. 6

EXHIBIT C



US00D581444S

(12) **United States Design Patent** (10) **Patent No.:** **US D581,444 S**
Jannard et al. (45) **Date of Patent:** **** Nov. 25, 2008**

(54) **EYEGLOSS COMPONENTS**
 (75) Inventors: **James H. Jannard**, Spieden Island, WA (US); **Lek Thixton**, Orcas, WA (US); **Colin Baden**, Irvine, CA (US); **Peter Yee**, Irvine, CA (US)
 (73) Assignee: **Oakley, Inc.**, Foothill Ranch, CA (US)
 (**) Term: **14 Years**
 (21) Appl. No.: **29/301,914**
 (22) Filed: **Mar. 21, 2008**

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D529,066 S *	9/2006	Matera	D16/315

Related U.S. Application Data

(62) Division of application No. 29/266,547, filed on Sep. 22, 2006, now Pat. No. Des. 569,412.
 (51) **LOC (8) Cl.** **16-06**
 (52) **U.S. Cl.** **D16/314; D16/321; D16/335**
 (58) **Field of Classification Search** D16/101, D16/300-342; D29/109-110; D24/110.2; 351/41, 44, 51-52, 62, 158, 92, 103-123, 351/140, 153; 2/426-432, 447-449, 441, 2/434-437
 See application file for complete search history.

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Primary Examiner—Raphael Barkai
 (74) *Attorney, Agent, or Firm*—Gregory K. Nelson

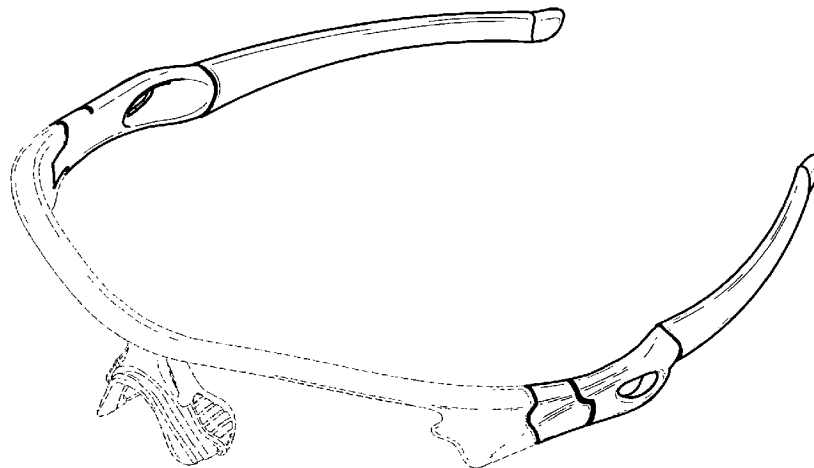
(57) **CLAIM**

The ornamental design for eyeglass components, as shown and described.

DESCRIPTION

FIG. 1 is a front perspective view of the eyeglass components of the present invention;
 FIG. 2 is a front elevational view thereof;
 FIG. 3 is a lateral left-side elevational view thereof, the lateral right-side elevational view being a mirror image thereof;
 FIG. 4 is a rear elevational view thereof;
 FIG. 5 is a top elevational view thereof; and,
 FIG. 6 is a bottom plan view thereof.
 Phantom lining, where utilized, is for illustrative purposes only and is not intended to limit the claimed design to the features shown in phantom.

1 Claim, 4 Drawing Sheets



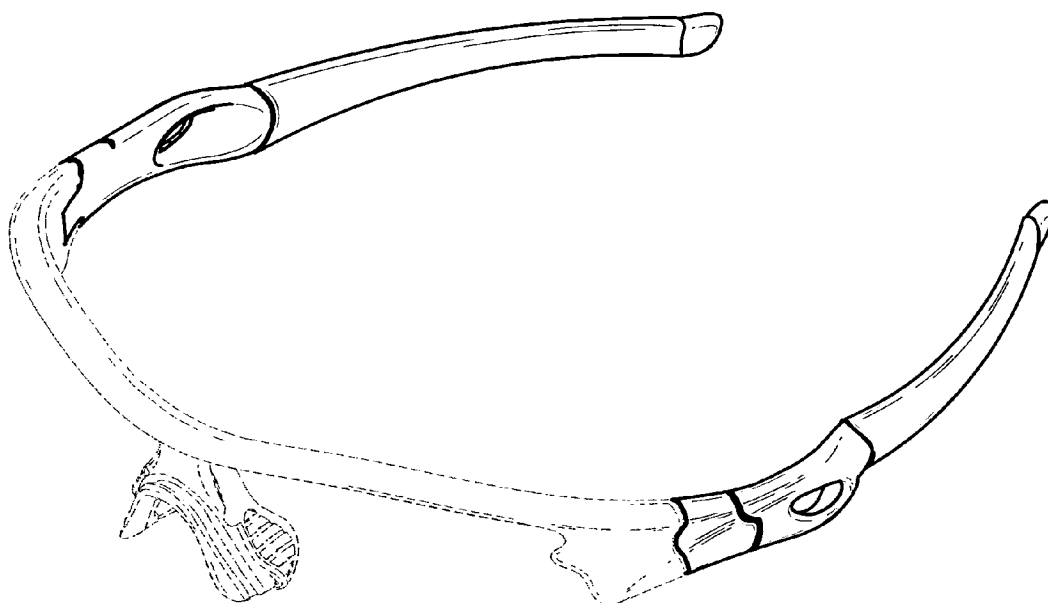


FIG. 1

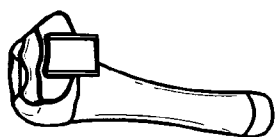


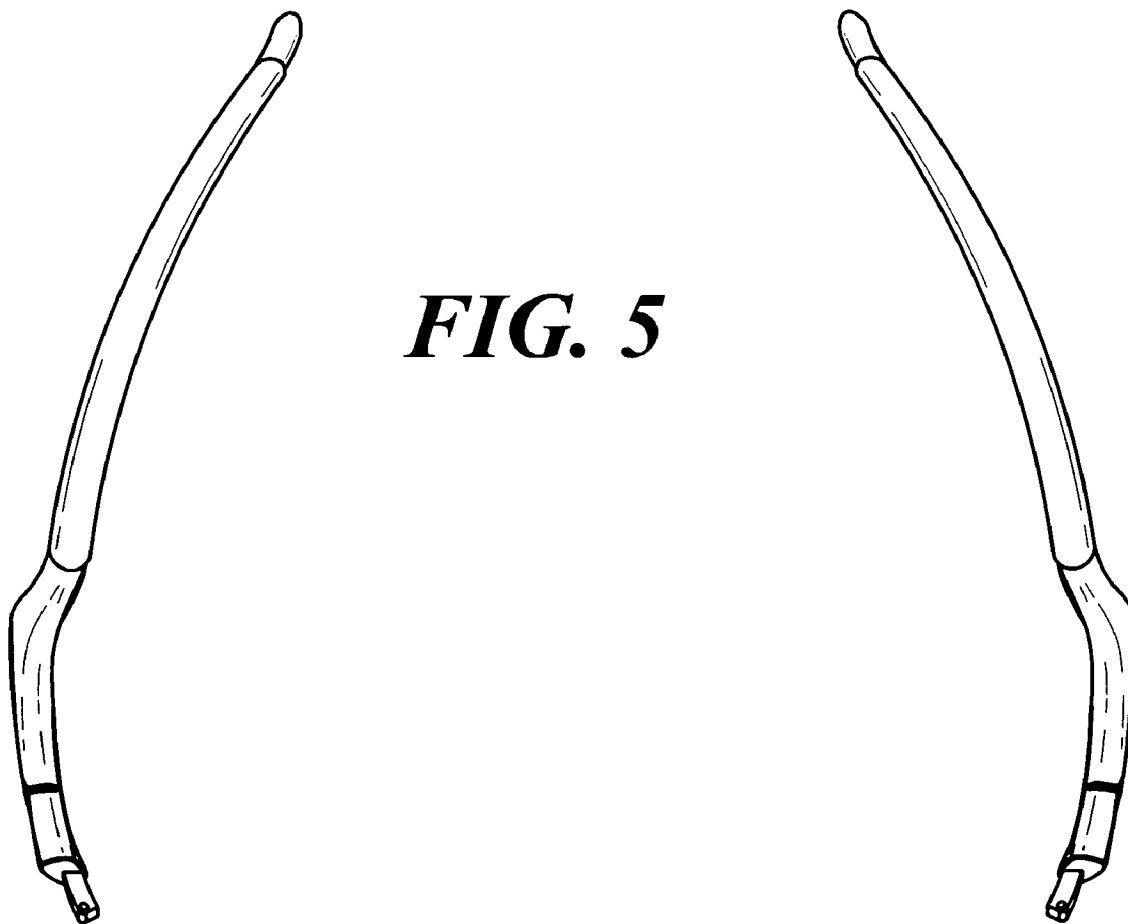
FIG. 2



FIG. 3



FIG. 4



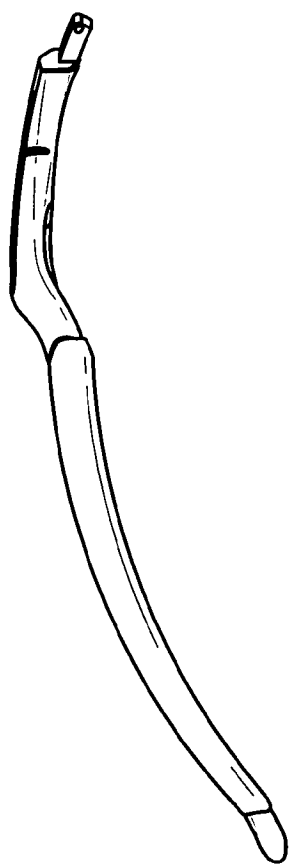


FIG. 6

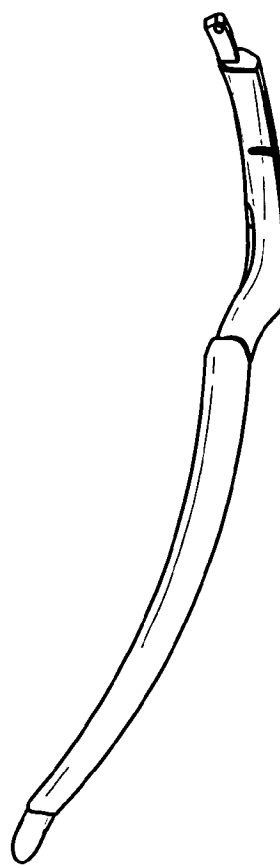


EXHIBIT D

(12) **United States Design Patent** (10) **Patent No.:** **US D564,571 S**
Jannard et al. (45) **Date of Patent:** **** Mar. 18, 2008**

(54) **EYEGLASS AND EYEGLASS COMPONENTS**

(75) Inventors: **James H. Jannard**, Spieden Island, WA (US); **Lek Thixton**, Orcas, WA (US); **Colin Baden**, Irvine, CA (US); **Peter Yee**, Irvine, CA (US)

(73) Assignee: **Oakley, Inc.**, Foothill Ranch, CA (US)

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

(21) Appl. No.: **29/266,786**

(22) Filed: **Sep. 27, 2006**

(51) **LOC (8) Cl.** **16-06**

(52) **U.S. Cl.** **D16/326; D16/335**

(58) **Field of Classification Search** D16/300-330, D16/101, 332-338; D29/109-110; D24/110.2; 351/41, 44, 51-52, 62, 158, 92, 103-111, 351/156, 61, 114-119, 121-123; 2/426-432, 2/447-449, 441, 434-437

See application file for complete search history.

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 "Bolle Mongel" sunglass, printed from www.sunglassshut.com on Mar. 25, 2005, unknown publication date.

* cited by examiner

Primary Examiner—Raphael Barkai

(74) *Attorney, Agent, or Firm*—Gregory K. Nelson

(57) **CLAIM**

The ornamental design for eyeglass and eyeglass components, as shown and described.

DESCRIPTION

FIG. 1 is a front perspective view of the eyeglass and the eyeglass components of the present invention;

FIG. 2 is a front elevational view thereof;

FIG. 3 is a rear elevational view thereof;

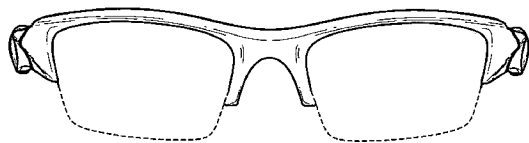
FIG. 4 is a left-side elevational view thereof, the right-side elevational view being a mirror image thereof;

FIG. 5 is a top plan view thereof; and,

FIG. 6 is a bottom plan view thereof.

Phantom lining, where utilized, is for illustrative purposes only and is not intended to limit the claimed design to the features shown in phantom.

1 Claim, 4 Drawing Sheets



U.S. Patent

Mar. 18, 2008

Sheet 1 of 4

US D564,571 S

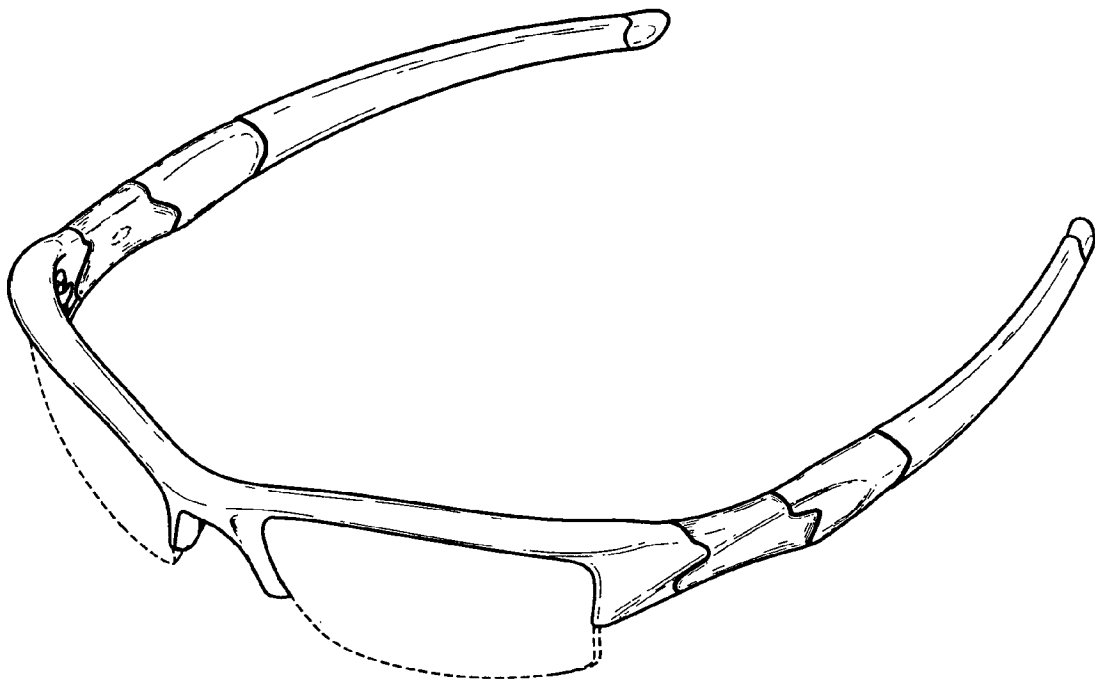


FIG. 1

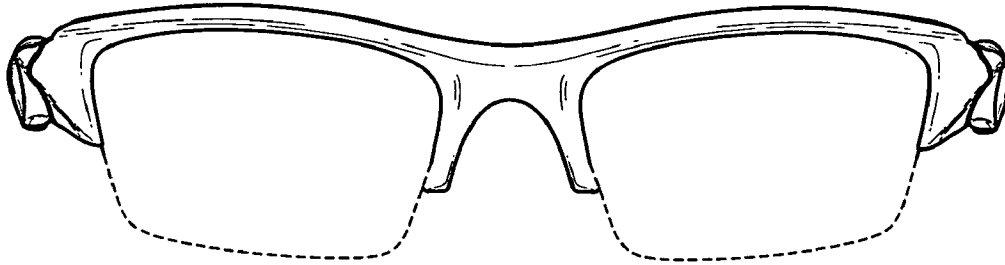


FIG. 2

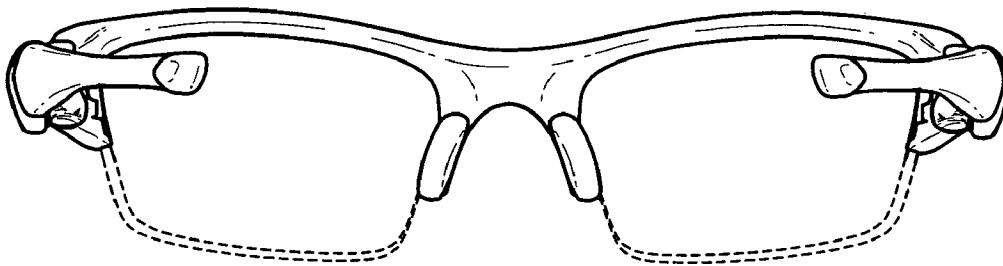


FIG. 3



FIG. 4

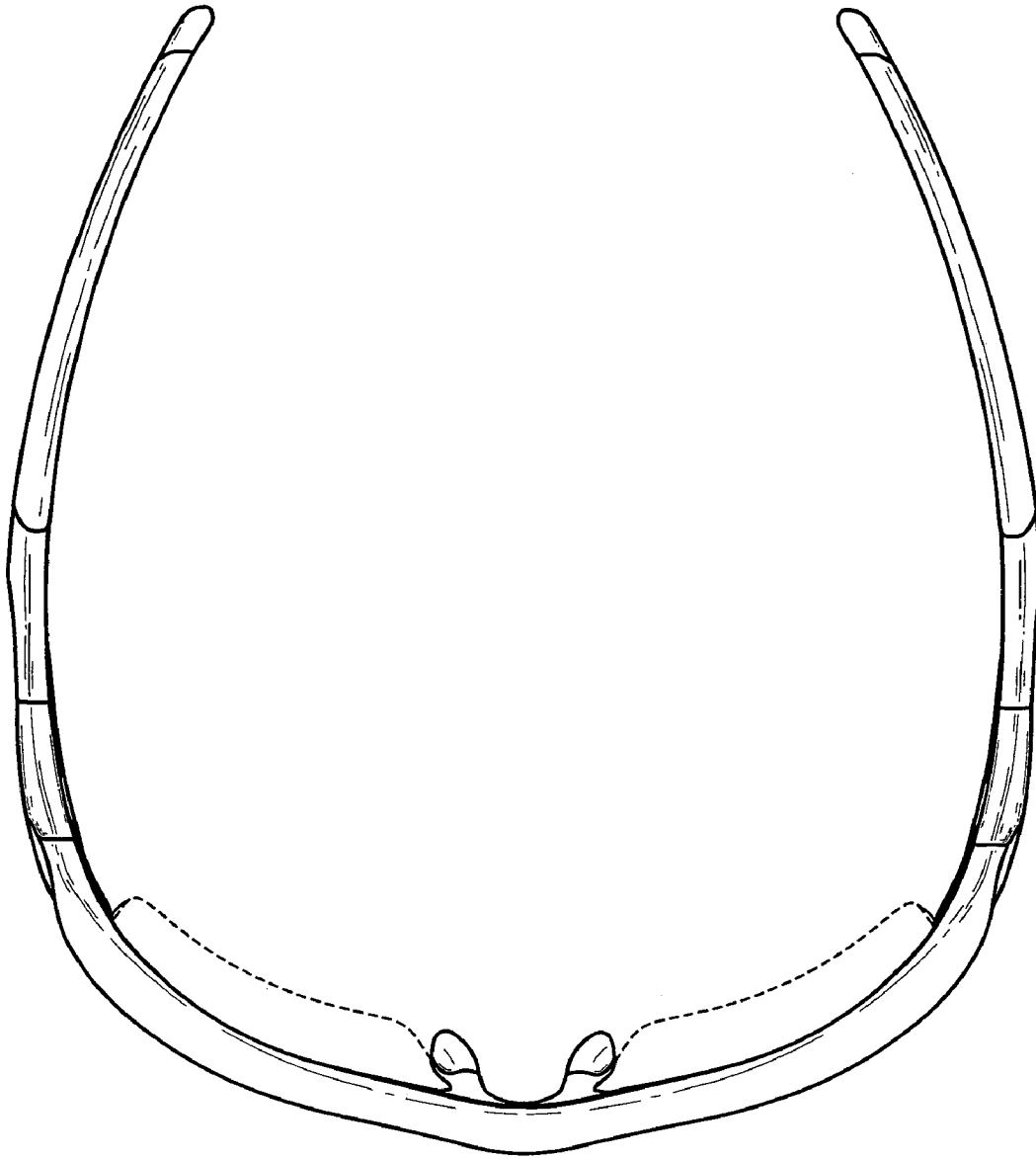


FIG. 5

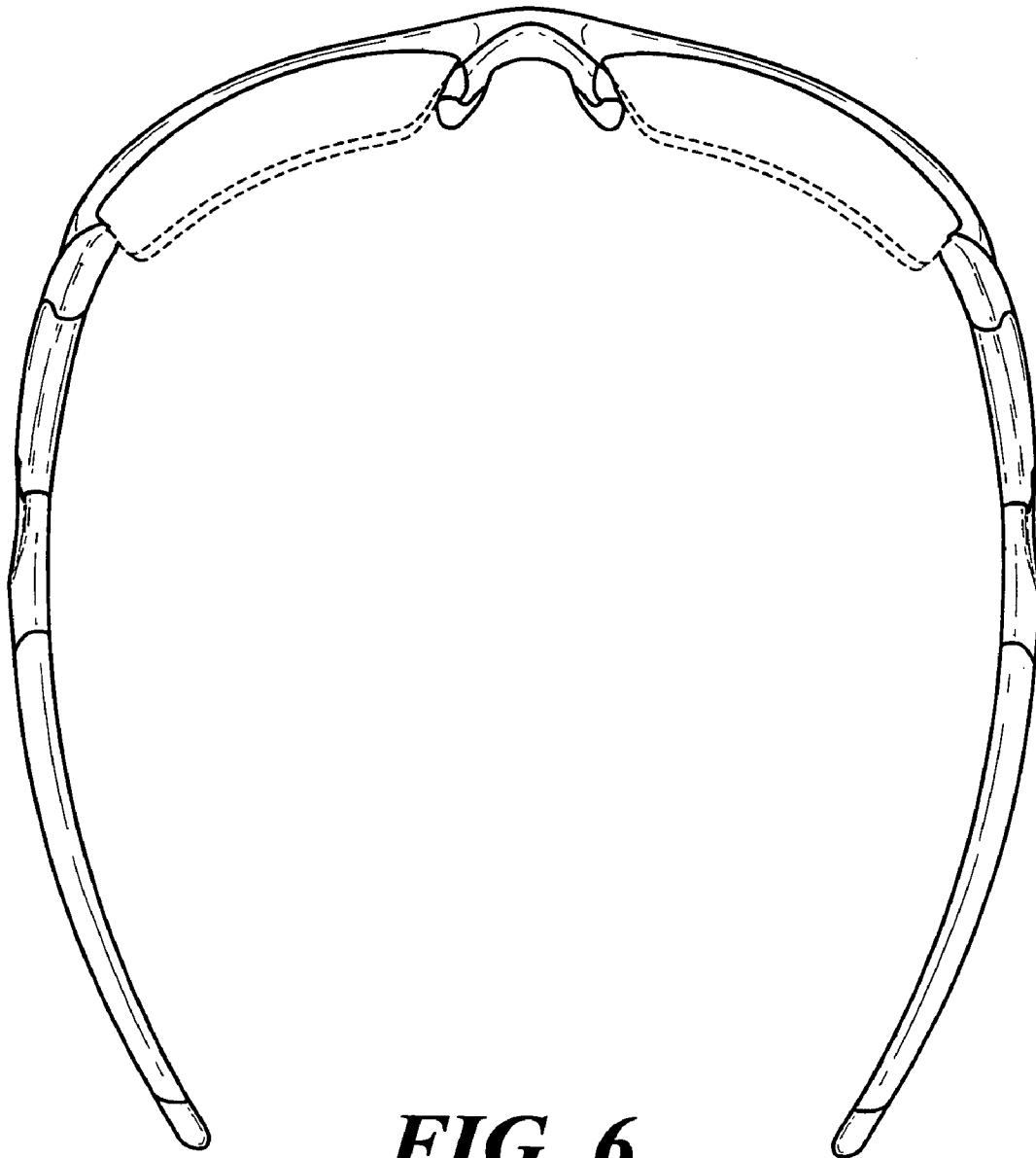


FIG. 6

EXHIBIT E

(12) **United States Design Patent** (10) **Patent No.:** **US D547,793 S**
Baden et al. (45) **Date of Patent:** **** Jul. 31, 2007**

(54) **EYEGLASSES**

(75) Inventors: **Colin Baden**, Irvine, CA (US); **Hans Karsten Moritz**, Foothill Ranch, CA (US); **Peter Yee**, Irvine, CA (US)

(73) Assignee: **Oakley, Inc.**, Foothill Ranch, CA (US)

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

(21) Appl. No.: **29/225,018**

(22) Filed: **Mar. 10, 2005**

(51) **LOC (8) Cl.** **16-06**

(52) **U.S. Cl.** **D16/326**

(58) **Field of Classification Search** D16/300-330, D16/101, 332-338; D29/109-110; D24/110.2; 351/41, 44, 51-52, 62, 158, 92, 103-111, 351/156, 61, 114-119, 121-123; 2/426-432, 2/447-449, 441, 434-437
 See application file for complete search history.

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D500,781 S *	1/2005	Mage	D16/326
D518,847 S *	4/2006	Teng	D16/326
D532,033 S *	11/2006	Mangum	D16/326
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D534,573 S *	1/2007	Mage	D16/326
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Primary Examiner—Raphael Barkai
 (74) *Attorney, Agent, or Firm*—Gregory K. Nelson

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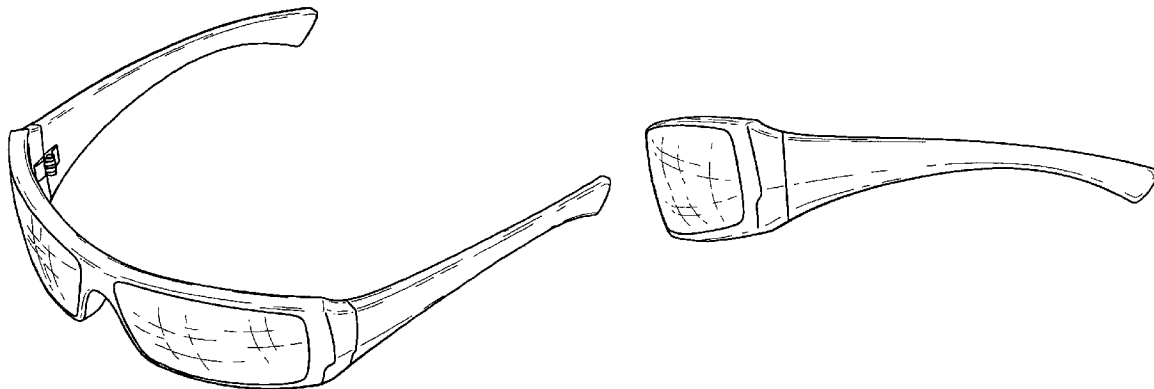
(57) **CLAIM**

The ornamental design for an eyeglasses, as shown and described.

DESCRIPTION

FIG. 1 is a front perspective view of the eyeglasses of the present invention;
 FIG. 2 is a front elevational view thereof;
 FIG. 3 is a rear elevational view thereof;
 FIG. 4 is a left-side elevational view of the eyeglasses, the right side elevational view being a mirror image thereof;
 FIG. 5 is a top plan view thereof; and,
 FIG. 6 is a bottom plan view thereof.

1 Claim, 4 Drawing Sheets



U.S. Patent

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US D547,793 S

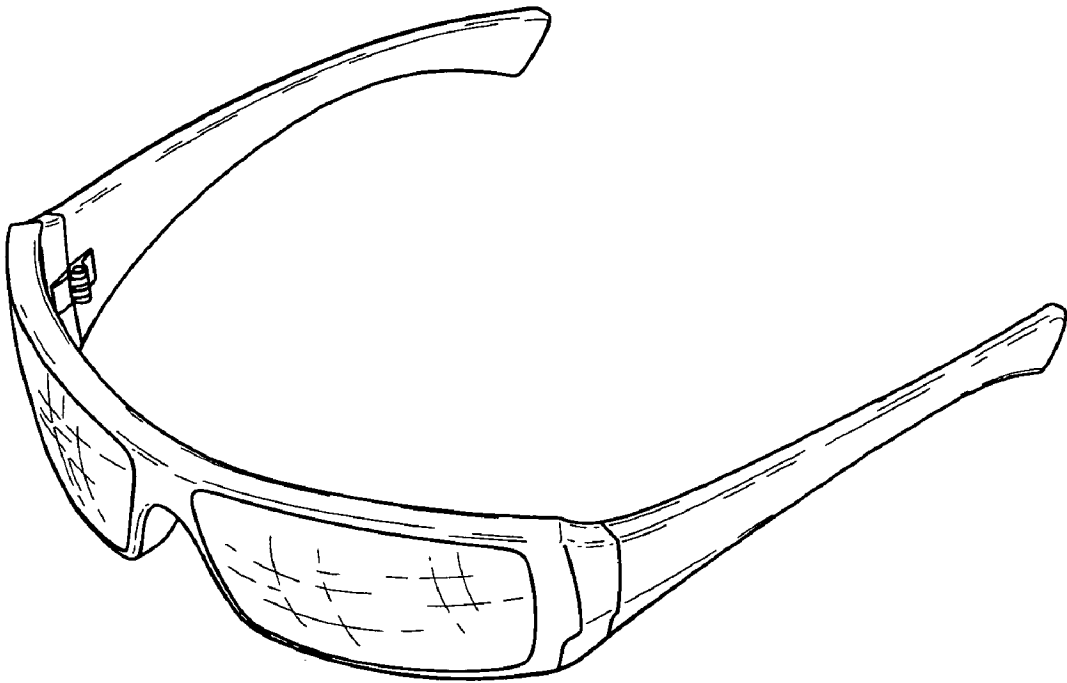


FIG. 1

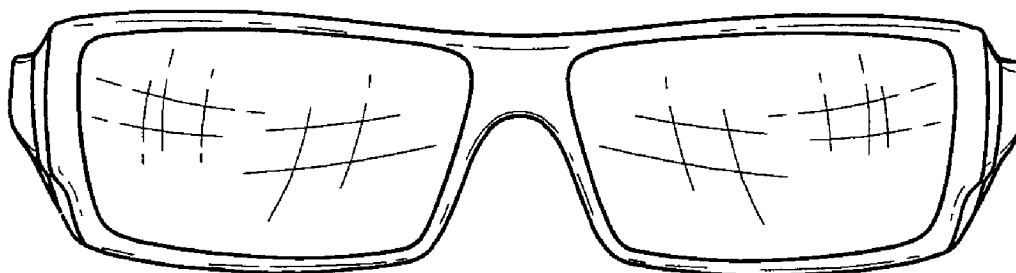


FIG. 2

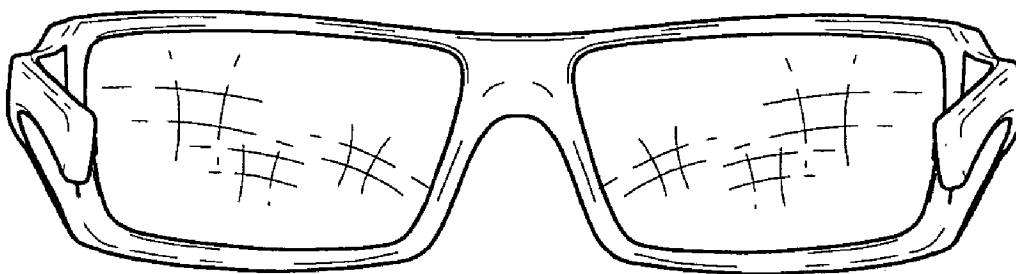


FIG. 3



FIG. 4

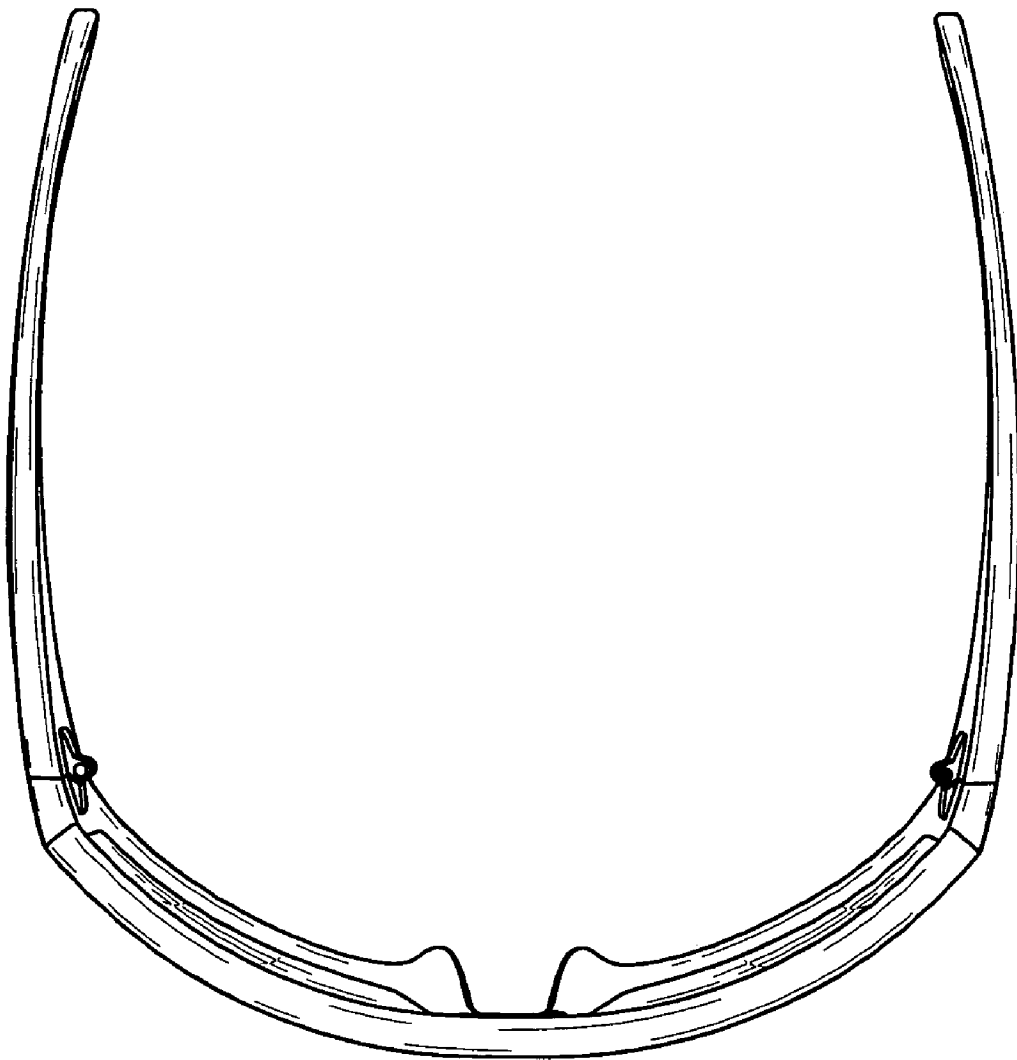


FIG. 5

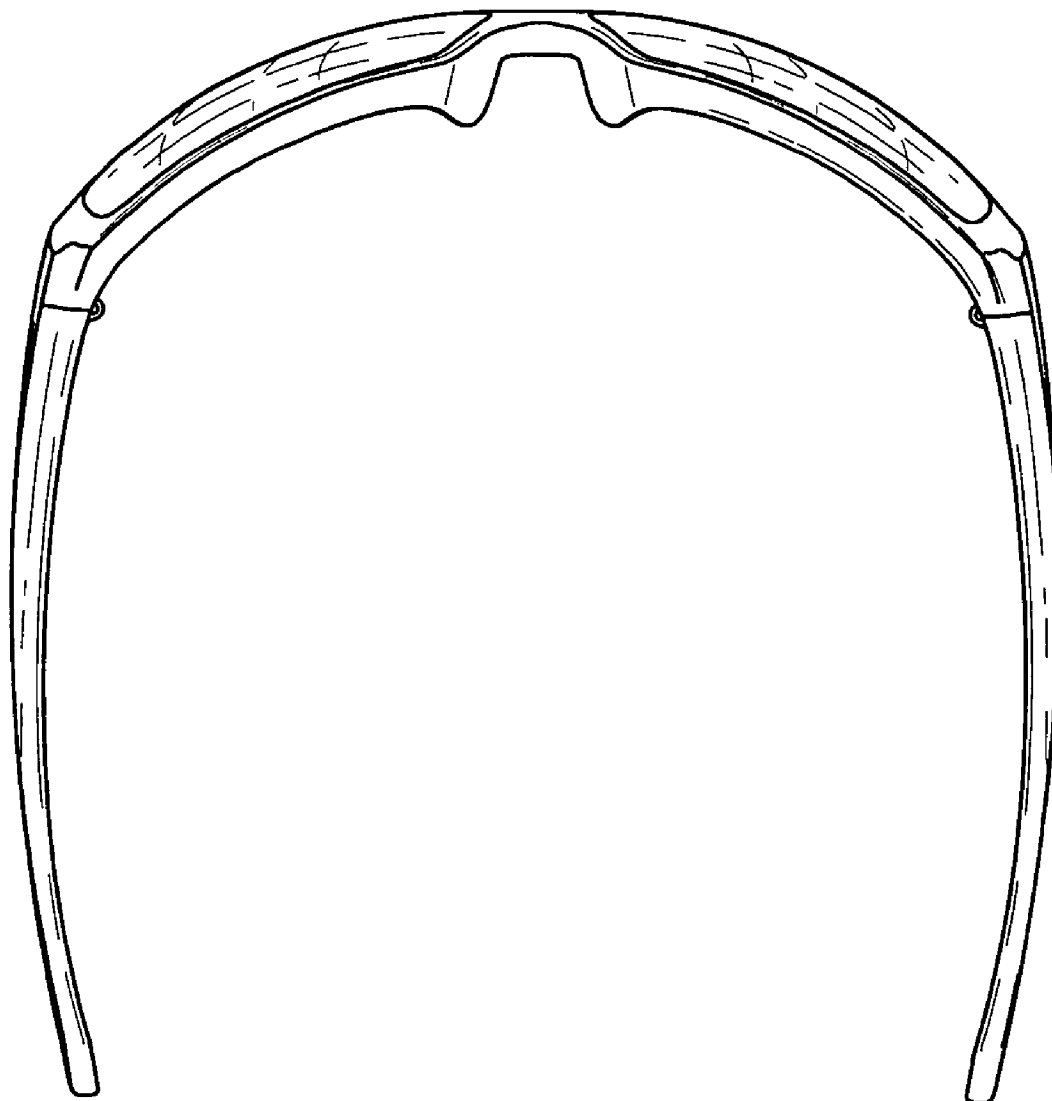


FIG. 6

EXHIBIT F



US00D469458S

(12) **United States Design Patent** (10) **Patent No.:** **US D469,458 S**
Baden et al. (45) **Date of Patent:** **** Jan. 28, 2003**

- (54) **EYEGLASS FRONT**
- (75) Inventors: **Colin Baden**, Irvine, CA (US); **Peter Yee**, Irvine, CA (US)
- (73) Assignee: **Oakley, Inc.**, Foothill Ranch, CA (US)
- (**) Term: **14 Years**

- D366,890 S 2/1996 Arnette
- D366,891 S 2/1996 Arnette
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- (21) Appl. No.: **29/162,825**
- (22) Filed: **Jun. 17, 2002**

Related U.S. Application Data

- (62) Division of application No. 29/134,388, filed on Dec. 20, 2000.
- (51) **LOC (7) Cl.** **16-06**
- (52) **U.S. Cl.** **D16/326**
- (58) **Field of Search** D16/101, 300-330;
 D29/109, 110; 351/41, 44, 51, 52, 158;
 2/447, 448

Asia Pacific Trading Company, Inc., "Asia Pacific 1999-2000", pp. 1 (models M0302SD/PM, M16SD and M1685SD), 2 (models M1824LPM, M2066SD, M2128SD), 3 (model M3991SD), 5 (model M4771SD), 6 (model M663-1PM, M7107SD), 8 Model M8162SD/PM), 10 (models M942150SD/PM, M942240SD/PM, M942242sd/pm), 21 (models M942150CP, P4988SD), 24 (model M2282SD), 25 (models M5505PM, M60680SD), 35 (models M5409MSG, M7349MSG), and 42 (models M9820IR, M9821IR, M9822IR) unknown publisher and publishing date.

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Primary Examiner—Raphael Barkai
 (74) *Attorney, Agent, or Firm*—Gregory Nelson

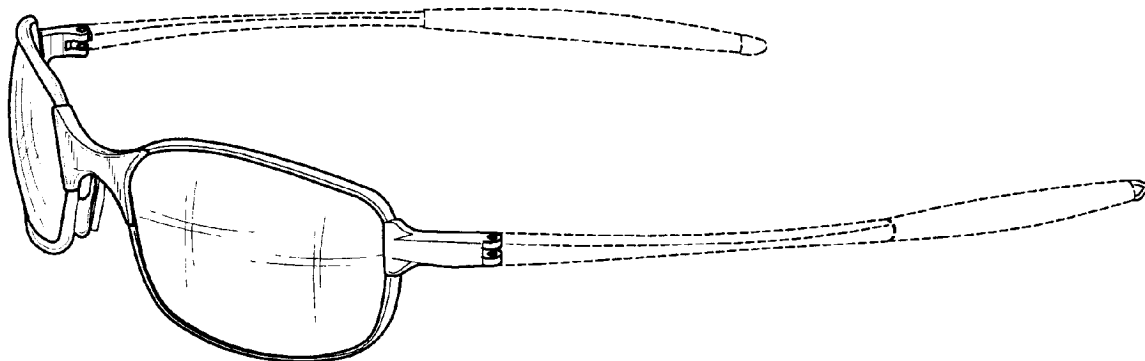
(57) **CLAIM**

The ornamental design for an eyeglass front, as shown and described.

DESCRIPTION

FIG. 1 is a front perspective view of the eyeglass of the present invention;
 FIG. 2 is a front elevational view;
 FIG. 3 is a rear elevational view thereof;
 FIG. 4 is a left-side elevational view thereof, the right-side elevational view being a mirror image thereof;
 FIG. 5 is a top plan view thereof; and,
 FIG. 6 is a bottom plan view thereof.
 Phantom lining, where utilized, is for illustrative purposes only and is not intended to limit the claimed design to the features shown in phantom.

1 Claim, 3 Drawing Sheets



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M7920SD), 4 (models M88155SD/PM, M88205SD/PM, M95005PM, M95007SD/PM), 9 (models M98001MSG, M971MSG), unknown publisher and publishing date. Sunglass Hut International, page stamped G00298, Model B, unknown publisher and publishing date. Alpina, "Serious, Perfect Eye Protection", Tatoo model—top right corner of third page, unknown publisher and publishing date. Frames, "Winter 1997", p. 1151, bottom right corner (Revolt model), unknown publisher and publishing date. Frames, "Summer 1996", p. 1225, second to bottom in right column (model GU 5003 Sun), unknown publisher and publishing date. Unknown source, p. 90 (model Z5469), 93 (model Z554), 97 (models Z586, Z590, Z585, Z591), 100 (model Z604, Z605, Z606, Z607, Z608) unnumbered page (models B632, B630), 133 (models Z847, Z848), 136 (Model Z873), and 328 (both models).

U.S. patent application Ser. No. 29/134388, Baden et al., filed Dec. 20, 2000.

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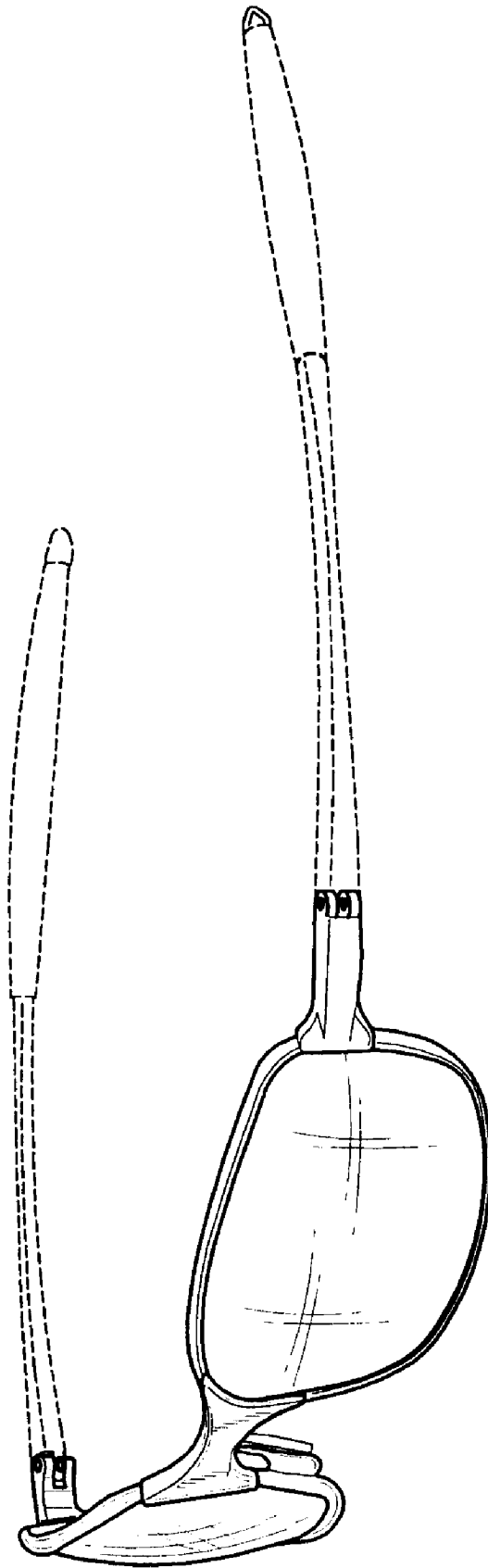


FIG. 1

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Jan. 28, 2003

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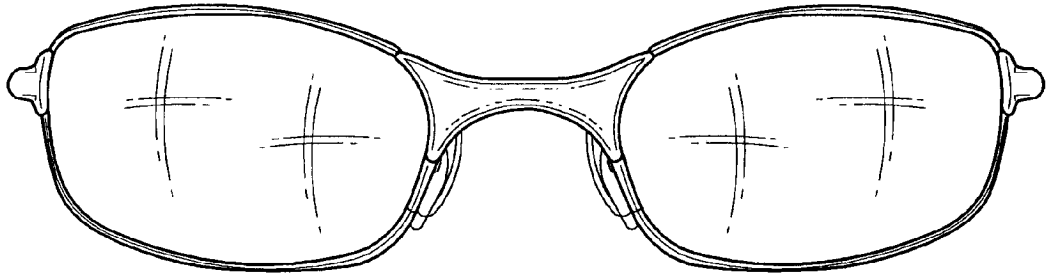


FIG. 2

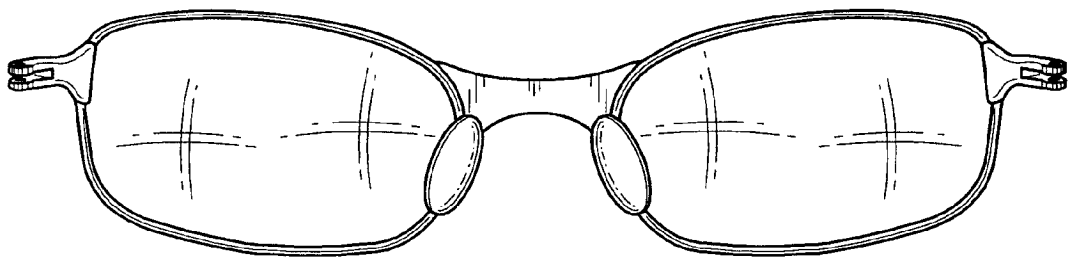


FIG. 3

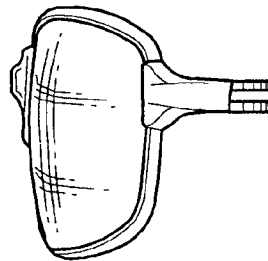


FIG. 4

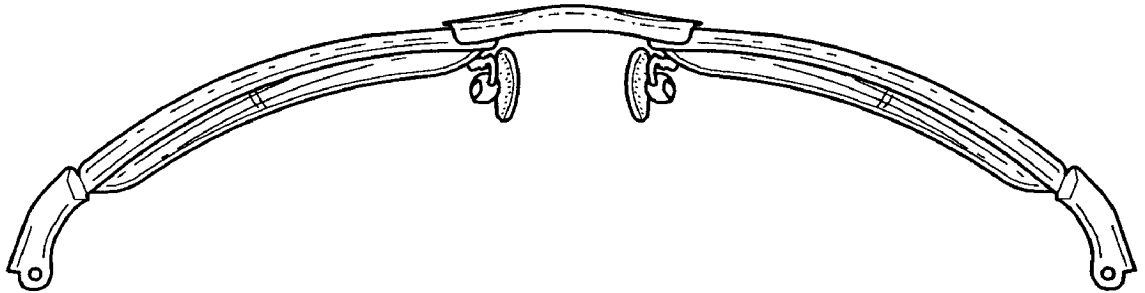


FIG. 5

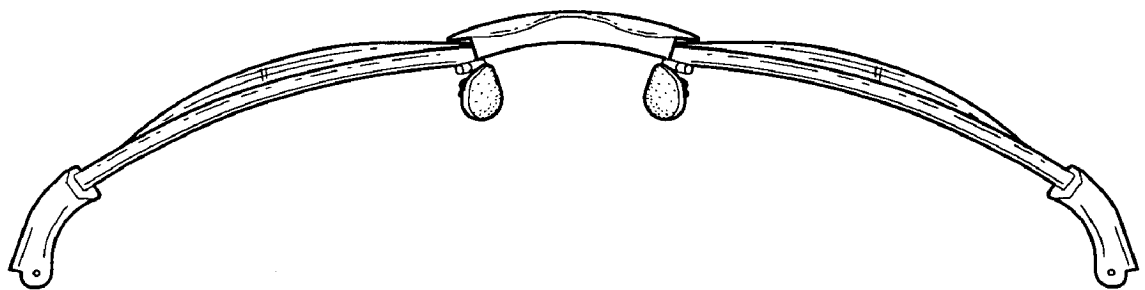


FIG. 6

EXHIBIT G



US00D565088S

(12) **United States Design Patent** (10) **Patent No.:** **US D565,088 S**
Baden et al. (45) **Date of Patent:** **** Mar. 25, 2008**

(54) **EYEGLASS AND EYEGLASS COMPONENTS**

(75) Inventors: **Colin Baden**, Irvine, CA (US); **Hans Karsten Moritz**, Foothill Ranch, CA (US); **Peter Yee**, Irvine, CA (US); **Lek Thixton**, Orcas, WA (US)

(73) Assignee: **Oakley, Inc.**, Foothill Ranch, CA (US)

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

(21) Appl. No.: **29/258,507**

(22) Filed: **Apr. 20, 2006**

(51) **LOC (8) Cl.** **16-06**

(52) **U.S. Cl.** **D16/326; D16/335**

(58) **Field of Classification Search** D16/300-330,
 D16/101, 332-338; D29/109-110; D24/110.2;
 351/41, 44, 51-52, 62, 158, 92, 103-111,
 351/156, 61, 114-119, 121-123; 2/426-432,
 2/447-449, 441, 434-437

See application file for complete search history.

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U.S. Appl. No. 29/225,027, filed Mar. 9, 2005, Baden, et al., Pending application.

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U.S. Appl. No. 29/254,423, filed Dec. 22, 2005, Fox, et al., Pending application.

Berthet-Bondet. *B.B. sol 1968*, Sunglass Catalogue, p. 2, 10.

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Primary Examiner—Raphael Barkai

(74) *Attorney, Agent, or Firm*—Gregory K. Nelson

(57) **CLAIM**

The ornamental design for an eyeglass and eyeglass components, as shown and described.

DESCRIPTION

FIG. 1 is a front perspective view of the eyeglass and the eyeglass components of the present invention;

FIG. 2 is a front elevational view thereof;

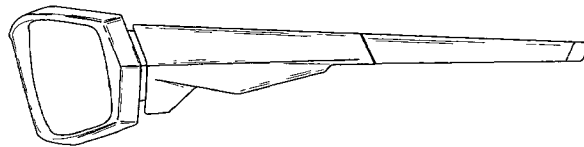
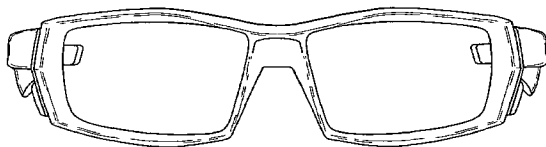
FIG. 3 is a left-side elevational view thereof, the right-side elevational view being a mirror image thereof;

FIG. 4 is a rear elevational view thereof;

FIG. 5 is a bottom plan view thereof; and,

FIG. 6 is a top plan view thereof.

1 Claim, 4 Drawing Sheets



U.S. Patent

Mar. 25, 2008

Sheet 1 of 4

US D565,088 S

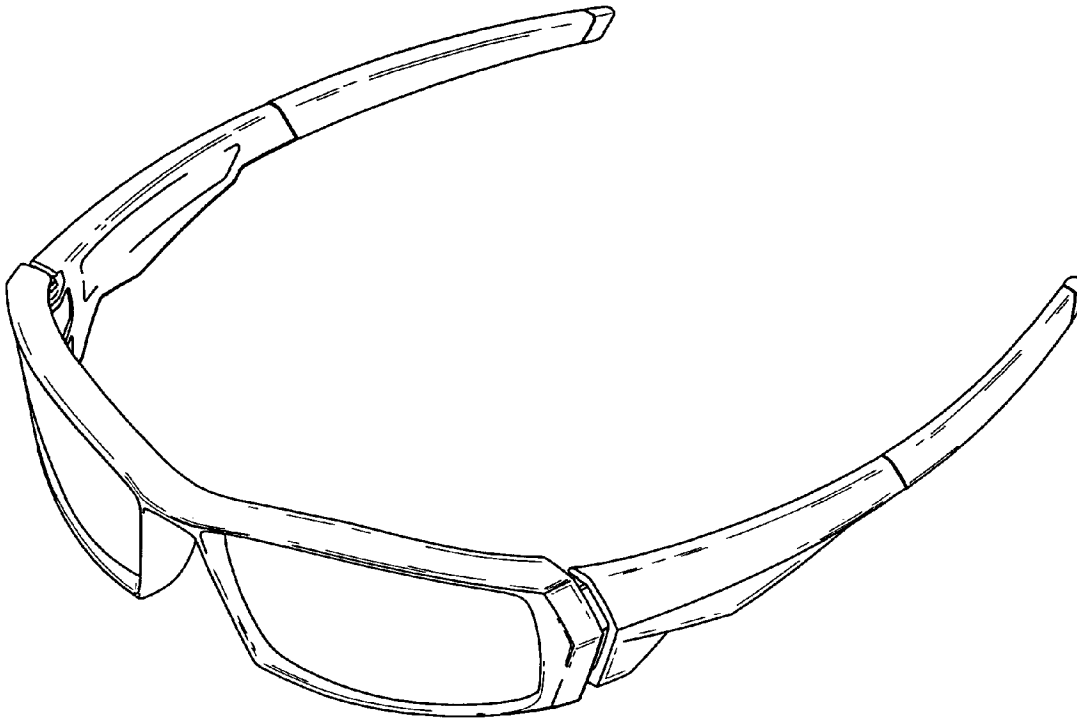


FIG. 1

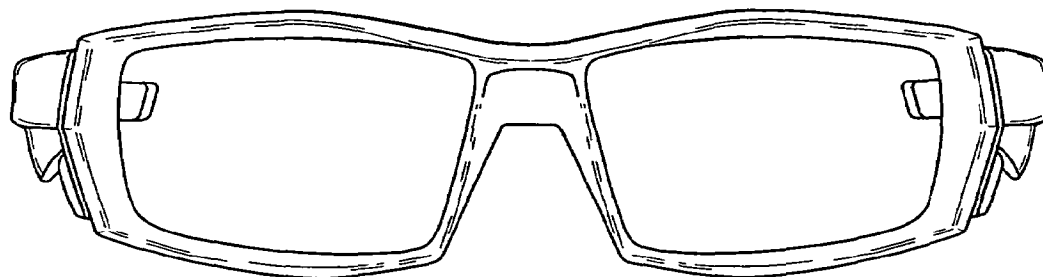


FIG. 2

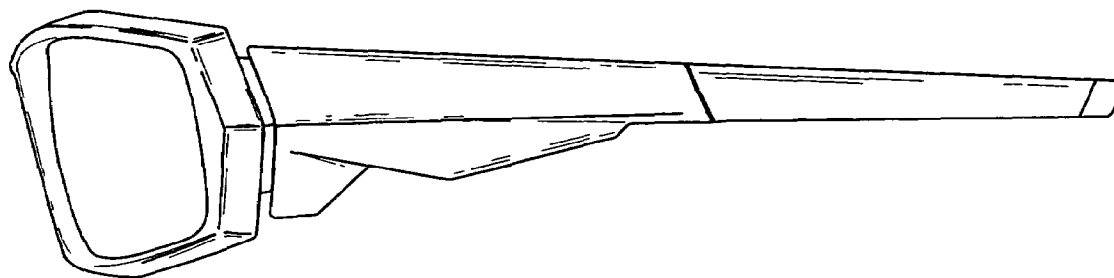


FIG. 3

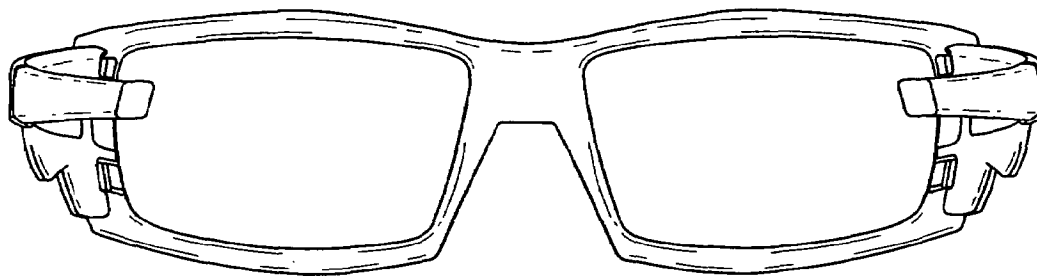


FIG. 4

U.S. Patent

Mar. 25, 2008

Sheet 3 of 4

US D565,088 S

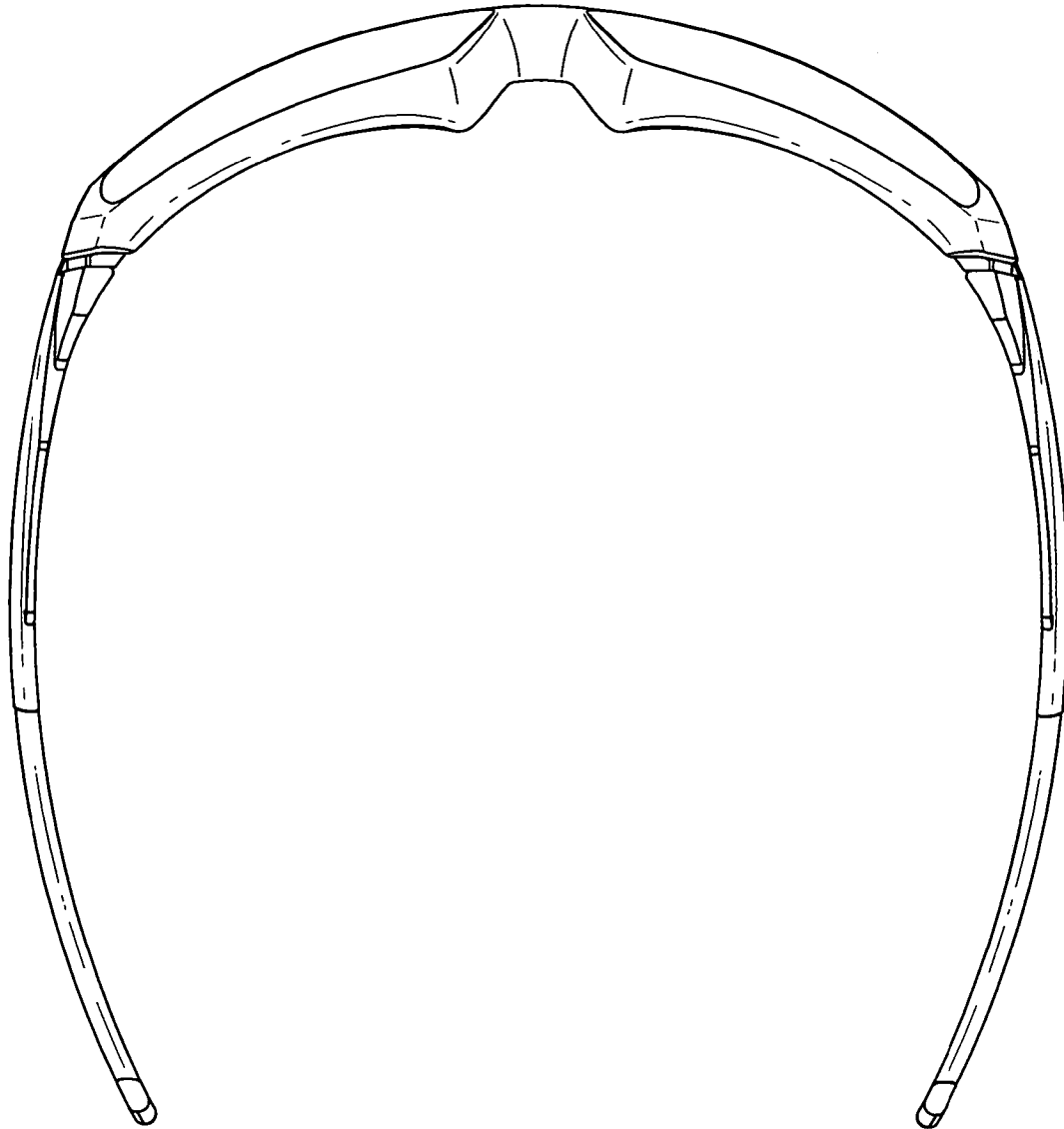


FIG. 5

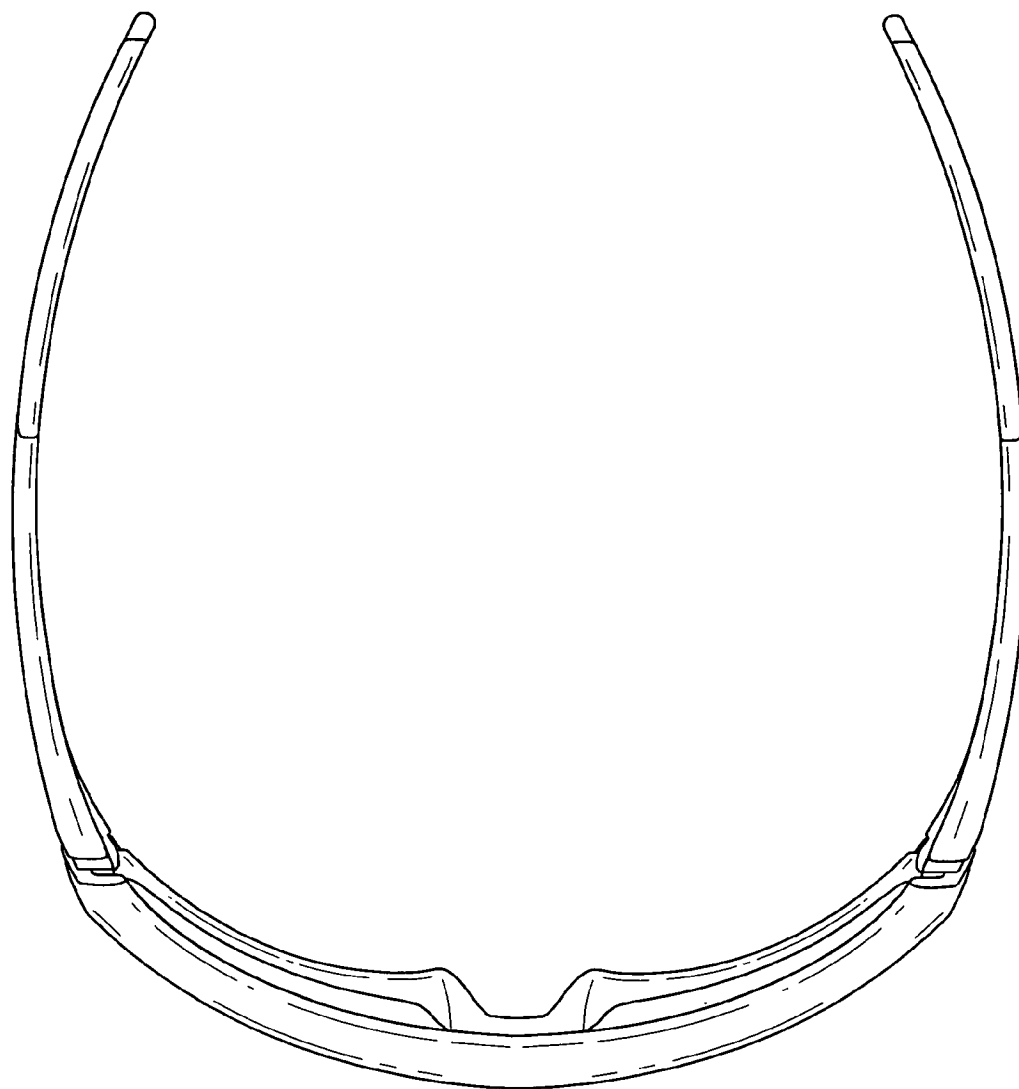


FIG. 6

EXHIBIT H



US00D640725S

(12) **United States Design Patent** (10) **Patent No.:** **US D640,725 S**
Moritz et al. (45) **Date of Patent:** **** *Jun. 28, 2011**

(54) **EYEGLASS AND EYEGLASS COMPONENT**

(75) Inventors: **Hans Karsten Moritz**, Foothill Ranch, CA (US); **Anthony Gerald Kern**, Mission Viejo, CA (US)

(73) Assignee: **Oakley, Inc.**, Foothill Ranch, CA (US)

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

(21) Appl. No.: **29/370,712**

(22) Filed: **Aug. 25, 2010**

(51) **LOC (9) Cl.** **16-06**

(52) **U.S. Cl.** **D16/315; D16/335**

(58) **Field of Classification Search** D16/101, D16/300-342; D29/109-110; D24/110.2; 351/41, 44, 51-52, 62, 158, 92, 103-123, 351/140, 153, 45-46; 2/426-432, 447-449, 2/441, 434-437, 13, 15; D21/483, 659-661
 See application file for complete search history.

(56) **References Cited**

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D545,868 S	7/2007	Chuang	
D564,568 S *	3/2008	Moritz	D16/315
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 2006/0238700 A1 10/2006 Del Vecchio
 * cited by examiner

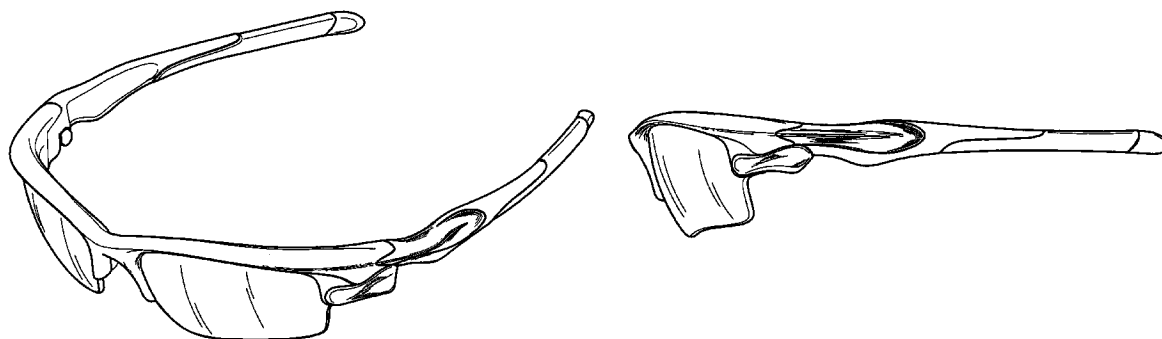
Primary Examiner — Raphael Barkai
 (74) *Attorney, Agent, or Firm* — Knobbe Martens Olson & Bear, LLP

(57) **CLAIM**
 The ornamental design for an eyeglass and eyeglass component, as shown and described.

DESCRIPTION

FIG. 1 is a front perspective view of the eyeglass and eyeglass component of the present invention;
 FIG. 2 is a front elevational view thereof;
 FIG. 3 is a rear elevational view thereof;
 FIG. 4 is a left-side elevational view thereof, the right-side elevational view being a mirror image thereof;
 FIG. 5 is a top plan view thereof;
 FIG. 6 is a bottom plan view thereof;
 FIG. 7 is a front perspective view of an alternative embodiment of the eyeglass and eyeglass component of the present invention;
 FIG. 8 is a front elevational view of the eyeglass and eyeglass component of FIG. 7;
 FIG. 9 is a rear elevational view of the eyeglass and eyeglass component of FIG. 7;
 FIG. 10 is a left-side elevational view of the eyeglass and eyeglass component of FIG. 7, the right-side elevational view being a mirror image thereof;
 FIG. 11 is a top plan view of the eyeglass and eyeglass component of FIG. 7; and,
 FIG. 12 is a bottom plan view of the eyeglass and eyeglass component of FIG. 7.
 Phantom lining, where utilized, is for illustrative purposes only and is not intended to limit the claimed design to the features shown in phantom.

1 Claim, 8 Drawing Sheets



U.S. Patent

Jun. 28, 2011

Sheet 1 of 8

US D640,725 S

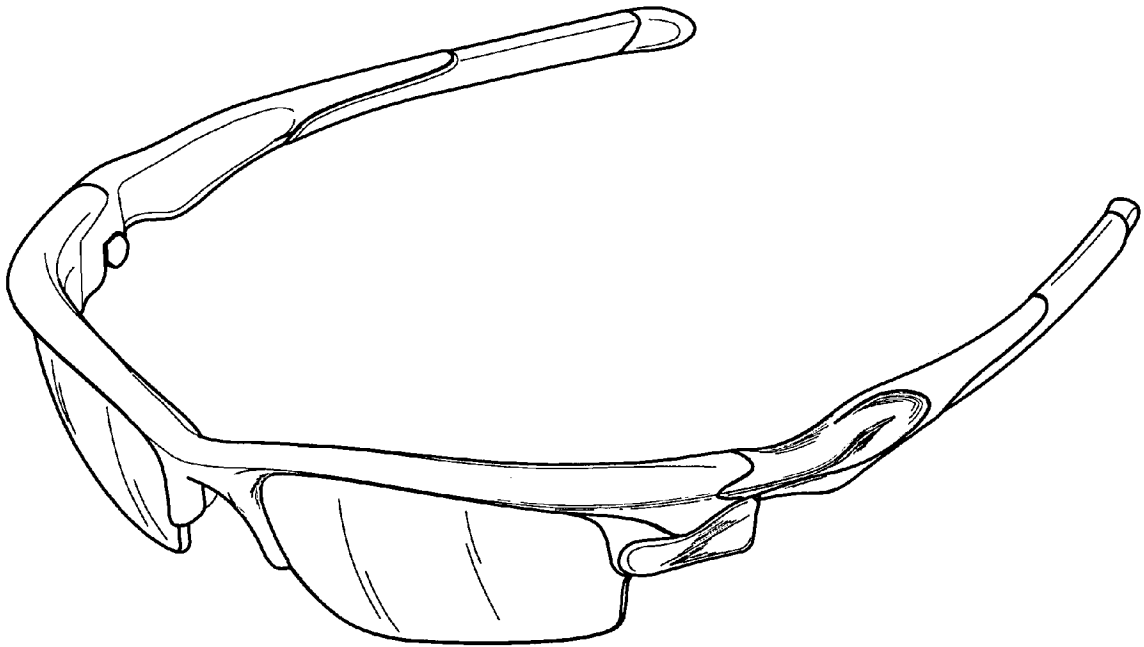


FIG. 1

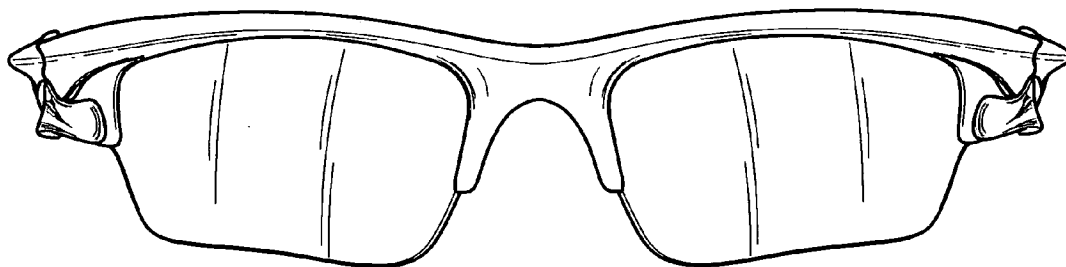


FIG. 2

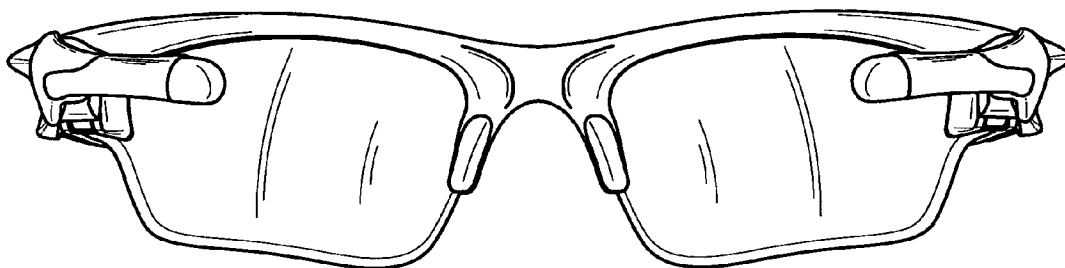


FIG. 3

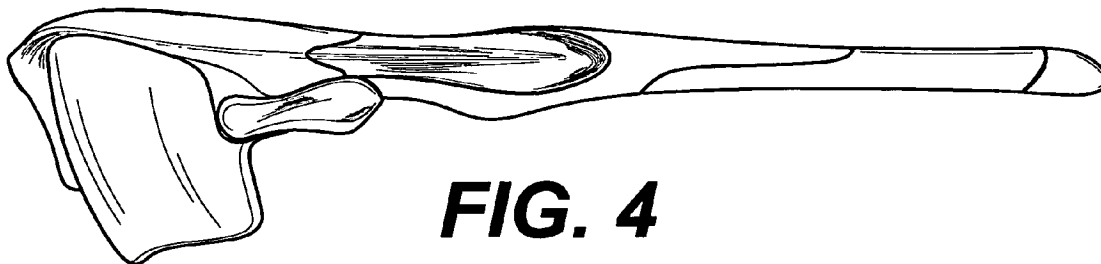


FIG. 4

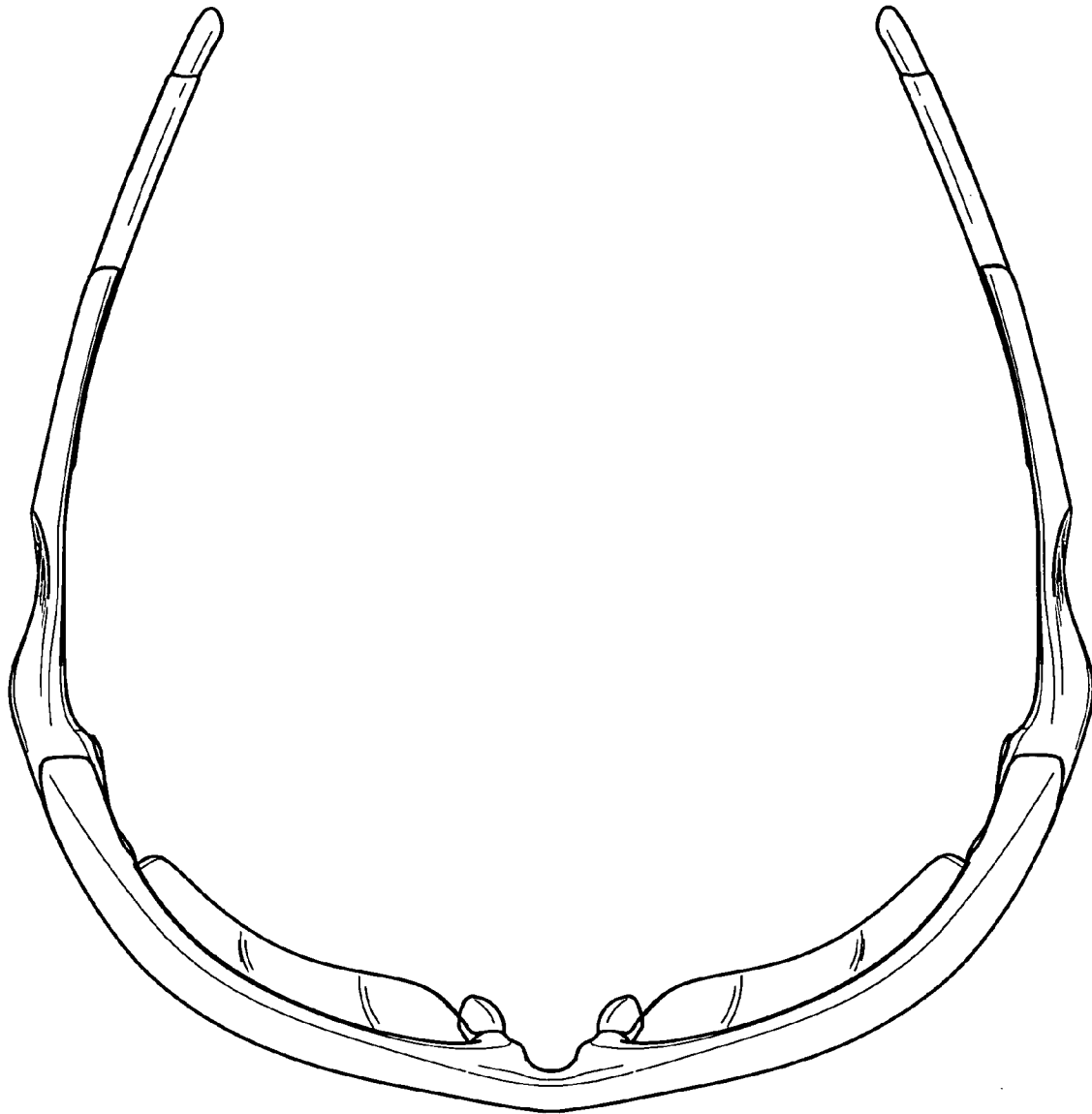
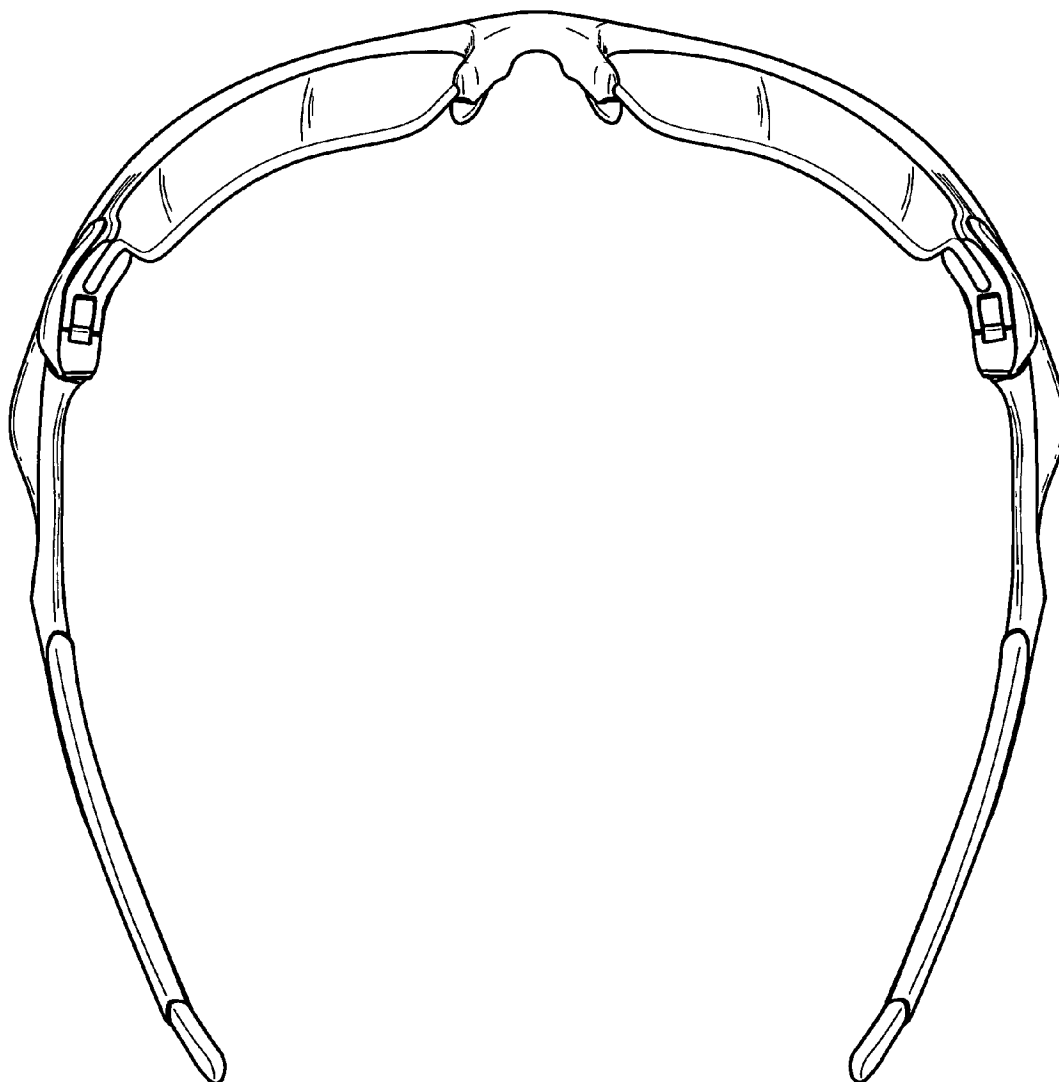


FIG. 5

FIG. 6



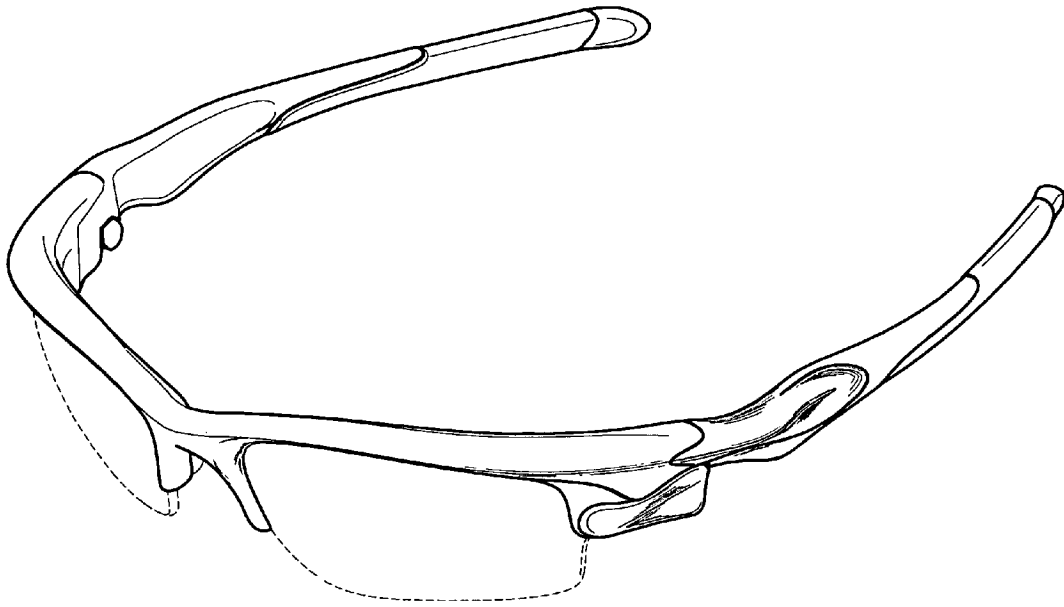


FIG. 7

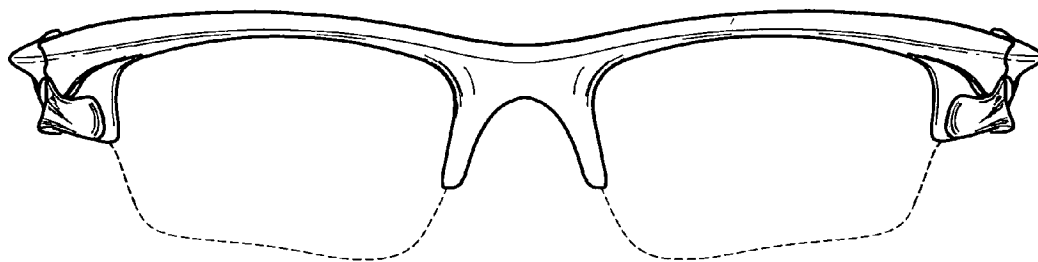


FIG. 8

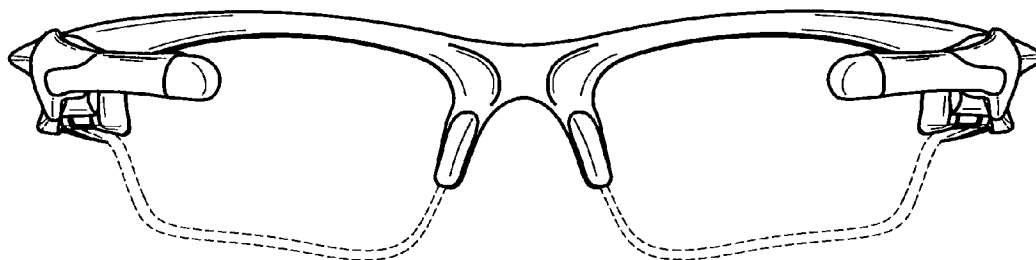


FIG. 9

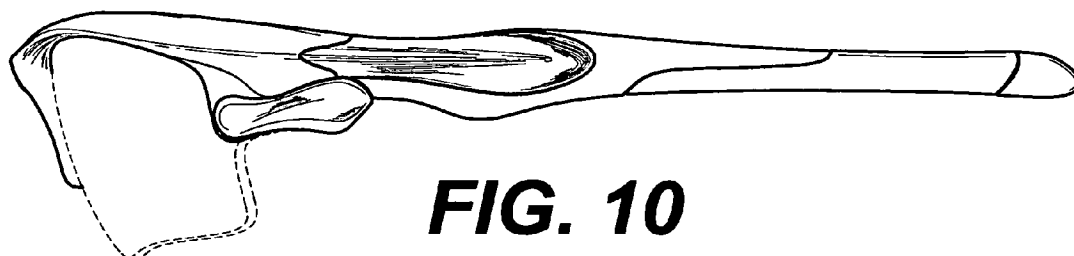


FIG. 10

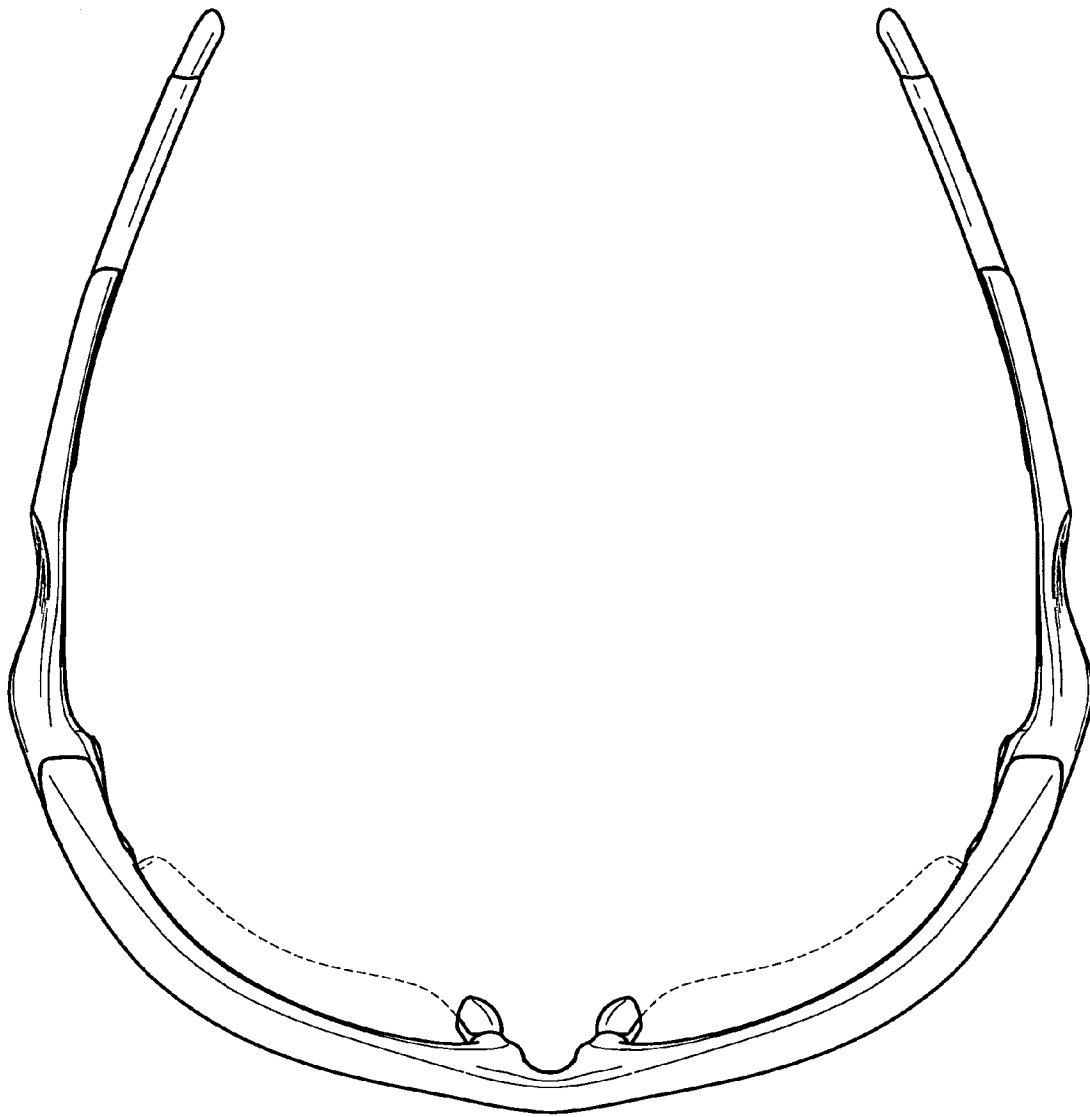
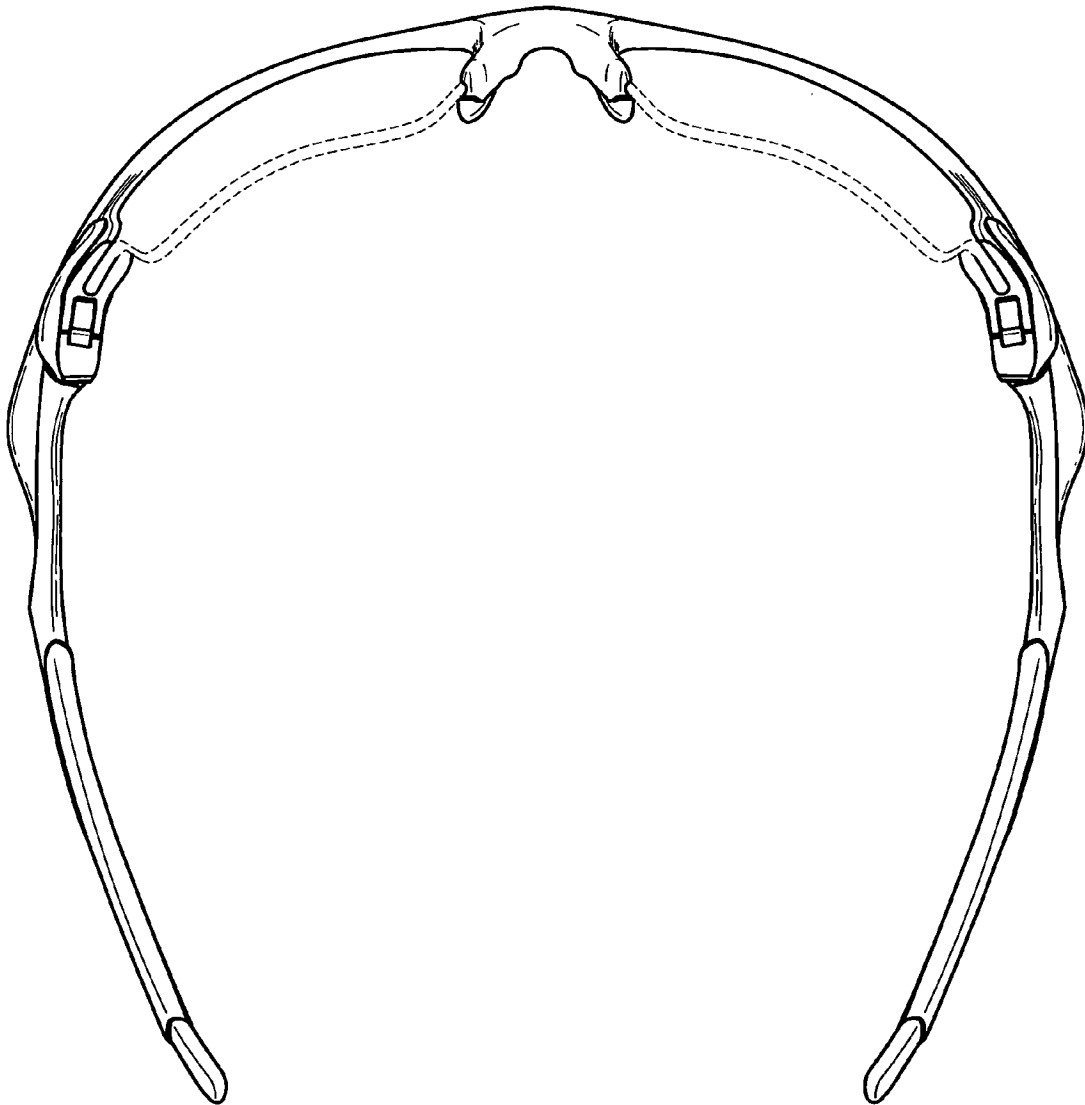


FIG. 11

FIG. 12



Michael K. Friedland (SBN 157,217)
Lauren K. Katzenellenbogen (SBN 223,370)
Ali S. Razai (SBN 246,922)
KNOBBE, MARTENS, OLSON & BEAR, LLP
2040 Main Street, Fourteenth Floor
Irvine, CA 92614

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

OAKLEY, INC., a Washington corporation,

PLAINTIFF(S)

v.

ONE CLICK INTERNET VENTURES, LLC d/b/a SUNGLASS
WAREHOUSE and SUNGLASSWAREHOUSE.COM, an
Indiana limited liability company,

DEFENDANT(S).

CASE NUMBER

SACV13-1033 DOC (JPRx)

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, Michael K. Friedland, whose address is Knobbe, Martens; 2040 Main St., 14th Fl., Irvine, CA 92614. 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

NANCY K BOEHME

By: _____

Deputy Clerk

(Seal of the Court) 1191

Dated: JUL 11 2013



[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)].

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

COPY

I. (a) PLAINTIFFS (Check box if you are representing yourself)

OAKLEY, INC., a Washington corporation,

DEFENDANTS (Check box if you are representing yourself)

ONE CLICK INTERNET VENTURES, LLC, d/b/a SUNGLASS WAREHOUSE and SUNGLASSWAREHOUSE.COM, an Indiana limited liability company,

(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.)

Michael K. Friedland, Lauren K. Katzenellenbogen, Ali S. Razai
KNOBBE, MARTENS, OLSON & BEAR, LLP
2040 Main Street, Fourteenth Floor; Fourteenth Floor
Irvine, CA 92614, phone: 949-760-0404

(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.)

II. BASIS OF JURISDICTION (Place an X in one box only.)

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

III. CITIZENSHIP OF PRINCIPAL PARTIES-For Diversity Cases Only
(Place an X in one box for plaintiff and one for defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| 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 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. 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

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

CLASS ACTION under F.R.Cv.P. 23: Yes No **MONEY DEMANDED IN COMPLAINT:** \$ To be determined

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.)

Patent Infringement arising under 35 U.S.C. Section 271

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

OTHER STATUTES	CONTRACT	REAL PROPERTY CONT.	IMMIGRATION	PRISONER PETITIONS	PROPERTY RIGHTS
<input type="checkbox"/> 375 False Claims Act	<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 462 Naturalization Application	Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee	<input type="checkbox"/> 820 Copyrights
<input type="checkbox"/> 400 State Reapportionment	<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input checked="" type="checkbox"/> 830 Patent
<input type="checkbox"/> 410 Antitrust	<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 290 All Other Real Property		<input type="checkbox"/> 530 General	<input type="checkbox"/> 840 Trademark
<input type="checkbox"/> 430 Banks and Banking	<input type="checkbox"/> 140 Negotiable Instrument		TORTS	<input type="checkbox"/> 535 Death Penalty	SOCIAL SECURITY
<input type="checkbox"/> 450 Commerce/ICC Rates/Etc.	<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	PERSONAL INJURY	<input type="checkbox"/> 370 Other Fraud	Other: <input type="checkbox"/> 540 Mandamus/Other	<input type="checkbox"/> 861 HIA (1395ff)
<input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 862 Black Lung (923)
<input type="checkbox"/> 470 Racketeer Influenced & Corrupt Org.	<input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Vet.)	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 863 DIWC/DIWW (405 (g))
<input type="checkbox"/> 480 Consumer Credit	<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 560 Civil Detainee Conditions of Confinement	<input type="checkbox"/> 864 SSID Title XVI
<input type="checkbox"/> 490 Cable/Sat TV	<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 330 Fed. Employers' Liability	BANKRUPTCY	FORFEITURE/PENALTY	<input type="checkbox"/> 865 RSI (405 (g))
<input type="checkbox"/> 850 Securities/Commodities/Exchange	<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	FEDERAL TAX SUITS
<input type="checkbox"/> 890 Other Statutory Actions	<input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 690 Other	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)
<input type="checkbox"/> 891 Agricultural Acts	REAL PROPERTY	<input type="checkbox"/> 350 Motor Vehicle	CIVIL RIGHTS	LABOR	<input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
<input type="checkbox"/> 893 Environmental Matters	<input type="checkbox"/> 210 Land	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 710 Fair Labor Standards Act	
<input type="checkbox"/> 895 Freedom of Info. Act	<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 720 Labor/Mgmt. Relations	
<input type="checkbox"/> 896 Arbitration	<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 362 Personal Injury-Med Malpractice	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 740 Railway Labor Act	
<input type="checkbox"/> 899 Admin. Procedures Act/Review of Appeal of Agency Decision		<input type="checkbox"/> 365 Personal Injury-Product Liability	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 751 Family and Medical Leave Act	
<input type="checkbox"/> 950 Constitutionality of State Statutes		<input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability	<input type="checkbox"/> 445 American with Disabilities-Employment	<input type="checkbox"/> 790 Other Labor Litigation	
		<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 446 American with Disabilities-Other	<input type="checkbox"/> 791 Employee Ret. Inc. Security Act	
		<input type="checkbox"/> 448 Education			

FOR OFFICE USE ONLY: Case Number: **SACV13-1033 DOC (JPRx)**

AFTER COMPLETING PAGE 1 OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED ON PAGE 2.

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): SACV13-00572 JVS(ANx)

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
Orange County	

(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
Orange County (for purposes of venue pursuant to 28 U.S.C. section 1391(c))	

(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
Orange County	United States

*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 SELF-REPRESENTED LITIGANT): *San Her* DATE: 7/11/13

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. 405 (g))

**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 David O. Carter and the assigned discovery Magistrate Judge is Jean P. Rosenbluth.

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

SACV13- 1033 DOC (JPRx)

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

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.