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BRAGEL INTERNATIONAL, INC.
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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
10

11 BRAGEL INTERNATIONAL, INC.,
a California corporation,
12

13 Plaintiff,

14 vs.

15 STYLES FOR LESS, INC., a
California corporation,
16

17 Defendant.

Case No. 8:15-cv-01756

**COMPLAINT FOR PATENT
INFRINGEMENT**

DEMAND FOR JURY TRIAL

18 For its complaint against Defendant Styles for Less, Inc. ("Styles for
19 Less"), Plaintiff Bragel International, Inc. ("Plaintiff") alleges as follows:

20 **JURISDICTION**

21 1. This is an action for patent infringement pursuant to 35 U.S.C.
22 Section 271. This Court has jurisdiction pursuant to 28 U.S.C. Section 1338(a).

23 2. Venue is proper under 28 U.S.C. Sections 1391(b)(2) and/or (b)(3).

24 **PARTIES**

25 3. Plaintiff is a corporation organized and existing under the laws of the
26 State of California, having a principal place of business at 3833 Pomona Blvd,
27 Pomona, California.
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1 4. Plaintiff is informed and believes, and thereon alleges that Defendant
2 is a corporation organized and existing under the laws of the State of California,
3 having a principal place of business at 1205 North Miller Street, #120, Anaheim,
4 California.

5 5. This court has personal jurisdiction over Defendant because
6 Defendant has conducted systematic and continuous business within California
7 and within this district and has directed its unlawful business activities towards
8 California and this district.

9 **FACTUAL BACKGROUND**

10 6. Plaintiff has been engaged and is presently engaged in the design and
11 distribution of strapless bras and attachable breast forms. Plaintiff's products are
12 sold throughout the United States and in many foreign countries including the
13 People's Republic of China, Hong Kong, Europe, and Canada.

14 7. On February 7, 2005, Plaintiff filed a U.S. patent application directed
15 to its attachable breast form enhancement system. It issued as U.S. Patent
16 7,144,296 B2 (the "'296 Patent") on December 5, 2006 and is titled "Attachable
17 Breast Form Enhancement System." A copy of the '296 Patent is attached as
18 Exhibit A.

19 8. Defendant has sold and offered for sale in this District and
20 elsewhere, and continues to sell and offer for sale in this District and elsewhere,
21 without the consent or authorization of Plaintiff, the "Secret Style Silicone Self-
22 Adhesive Bra" product that is covered by one or more claims of the '296 Patent
23 (the "Infringing Product").
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FIRST CLAIM FOR RELIEF

(Patent Infringement)

9. Plaintiff realleges paragraphs 1 through 8 as though fully set forth herein.

10. Defendant, by itself or in concert with others, has made, used, sold or offered to sell, and continue to make, use, sell or offer to sell, in this District and elsewhere in the United States, the Infringing Products which infringe the '296 Patent. In addition, Defendants actively induce their customers to directly infringe one or more claims of the '296 Patent. Defendant also contributes to the direct infringement of one or more claims of the '296 Patent by Defendant's customers and/or end users of the Infringing Products. The Infringing Products have no substantial, noninfringing use.

11. The alleged infringing acts of Defendant are without right, license, or authorization from Plaintiff.

12. By their aforesaid acts, Defendants have infringed the '296 Patent entitling Plaintiff to relief pursuant to 35 U.S.C. Section 271.

13. Upon information and belief, Defendant has had actual or constructive notice of the existence of the '296 Patent and despite such notice has continued to engage in acts of infringement.

14. As a direct result of Defendant's acts complained of herein, Plaintiff has been actually damaged and irreparably harmed and Defendant has been unjustly enriched, to an extent not presently ascertained, which damage, harm and enrichment will continue until enjoined by order of this Court.

15. Defendant's infringement is and has been willful and Plaintiff is entitled to enhanced damages against Defendant.

16. This is an exceptional case and Plaintiff is entitled to an award of its attorneys' fees.

PRAYER

Plaintiff demands judgment against Defendant as follows:

1. Adjudging and decreeing that Defendant has committed acts of patent infringement by its manufacture, use, sale, and offer for sale of the infringing products and for contributory patent infringement and inducing patent infringement;

2. For a temporary and permanent injunction prohibiting Defendant and its officers, agents, servants, employees and attorneys, and other persons in active concert or participation with them, from further infringing the '296 Patent and requiring Defendant to deliver up to Plaintiff for destruction any and all Infringing Products in any Defendant's possession, custody or control, along with any items of manufacture, the sole purpose of which is to manufacture such Infringing Products, as well as any promotional literature and packaging which displays or promotes such Infringing Products.

3. For patent infringement damages in an amount not less than a reasonable royalty, and for those damages to be trebled, pursuant to 35 U.S.C. Section 284 and/or lost profits;

4. For prejudgment interest;

5. For all of Plaintiff's costs of this Action, including attorneys' fees; and

6. For such other or further relief as the Court may deem just and proper.

DATED: October 28, 2015

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By /s/ Thomas J. Daly
Thomas J. Daly

Attorneys for Plaintiff,
BRAGEL INTERNATIONAL, INC.
Panties Plus, Inc. v. Bragel International, Inc.

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Patent Owner Exhibit 2009

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DEMAND FOR JURY TRIAL

Plaintiff Bragel International, Inc., pursuant to Federal Rule of Civil Procedure 38, hereby demands a trial by jury of all issues so triable.

DATED: October 28, 2015

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By /s/ Thomas J. Daly
Thomas J. Daly

Attorneys for Plaintiff,
BRAGEL INTERNATIONAL, INC.

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