

# SOLICITOR

AO 120 (Rev. 2/99) [MD Rev. 02/2001]

<b>TO: Mail Stop 8</b> <b>Director of the U.S. Patent and Trademark Office</b> P.O. Box 1450 Alexandria, VA 22313-1450	OCT 19 2007 U.S. PATENT & TRADEMARK OFFICE	<b>REPORT ON THE                  FILING OR DETERMINATION OF AN                  ACTION REGARDING A PATENT OR                  TRADEMARK</b>
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In Compliance with 35 § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court for the District of Maryland on the following  Patents or  Trademarks:

DOCKET NO. L-07-2818	DATE FILED 10/16/07	U.S. DISTRICT COURT FOR THE DISTRICT OF MARYLAND 101W. Lombard St. Balto., MD 21201
PLAINTIFF  Raymond Geddes & Company, Inc.		DEFENDANT  J. Rousek Toy Co., Inc.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 D 550,772		
2		
3		
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In the above—entitled case, the following patent(s) have been included:

DATE INCLUDED	INCLUDED BY	<input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1		
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In the above—entitled case, the following decision has been rendered or judgement issued:

CLERK Felicia C. Cannon	(BY) DEPUTY CLERK 	DATE 10/17/07
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Copy 1—Upon initiation of action, mail this copy to Commissioner    Copy 3—Upon termination of action, mail this copy to Commissioner  
 Copy 2—Upon filing document adding patent(s), mail this copy to Commissioner    Copy 4—Case file copy

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND  
BALTIMORE DIVISION

FILED  
U.S. DISTRICT COURT  
DISTRICT OF MARYLAND

2007 OCT 16 P 2:53

CLERK'S OFFICE  
AT BALTIMORE  
BY \_\_\_\_\_ DEPUTY

RAYMOND GEDDES & COMPANY, INC., a  
Maryland corporation,

Plaintiff,

v.

J. ROUSEK TOY CO, INC., a California  
corporation,

Defendant.

Case No.

L07CV2818

**COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff, RAYMOND GEDDES & COMPANY, INC., by its undersigned counsel,  
alleges as follows:

**Statement of Jurisdiction and Venue**

1. This is an action seeking redress for patent infringement under the United States Patent Laws, 35 U.S.C. § 271, et seq., for infringement of United States Letters Patent No. Des. 550,772. Exclusive jurisdiction is conferred upon this Court pursuant to 28 U.S.C. § 1338(a).
2. Venue is proper in the District of Maryland pursuant to 28 U.S.C. §§ 1391(c) and 1400(b).

**Parties**

3. Plaintiff RAYMOND GEDDES & COMPANY, INC., ("RAYMOND GEDDES") is a corporation organized and existing under the laws of the State of Maryland, having its principal place of business at 8901 Yellow Brick Road, Baltimore, Maryland 21237.

4. Upon information and belief, Defendant J. ROUSEK TOY CO, INC., ("ROUSEK") is a corporation organized and existing under the laws of the State of California, having its principal place of business at 1325 Rowan Lane, Bishop, California 93514.

**Claim**

5. RAYMOND GEDDES is the owner by assignment of United States Letters Patent No. Des. 550,772 (the "'772 Patent"), issued by the United States Patent and Trademark Office on September 11, 2007. A copy of the '772 Patent is annexed hereto as Exhibit A. A copy of the assignment to RAYMOND GEDDES by the inventor of the '722 Patent, as recorded at the United States Patent and Trademark Office, is annexed hereto as Exhibit B.

6. Upon information and belief, ROUSEK has made, used, sold and/or offered for sale and continues to make, use, sell and/or offer to sell an eraser cap for a writing instrument, the eraser cap may be referred to as the "Extendo" eraser cap (hereinafter the "Extendo Eraser Cap"). A printout of ROUSEK's webpage, advertising the Extendo Eraser Cap is annexed hereto as Exhibit C.

7. The manufacture, use and/or offering for sale of the Extendo Eraser Cap for a writing instrument constitutes infringement of the '772 Patent.

8. ROUSEK, by making, using, selling and/or offering for sale the Extendo Eraser Cap for a writing instrument, has infringed the '772 Patent.

9. ROUSEK's infringement of the '772 Patent is willful.

10. ROUSEK's infringement of the '772 Patent has caused and will cause RAYMOND GEDDES irreparable harm for which there is no adequate remedy at law.

**Prayer for Relief**

WHEREFORE, RAYMOND GEDDES requests that this Court:

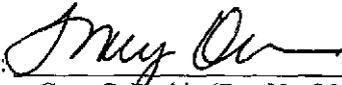
11. Enter judgment declaring that ROUSEK has infringed the '772 Patent.
12. Enter judgment declaring that ROUSEK has willfully infringed the '772 Patent.
13. Enter a permanent injunction enjoining ROUSEK and its affiliates, subsidiaries, officers, agents, employees, representatives, privies, successors, assigns and all those acting for it or on its behalf, or acting in concert with it directly or indirectly, from making, using, selling or offering for sale any goods, including the Extendo Eraser Cap for a writing instrument, which infringe the '772 Patent.
14. Award damages requiring ROUSEK to account for and pay to RAYMOND GEDDES all damages caused by reason of ROUSEK's infringement of the '772 Patent, including either ROUSEK's total profit pursuant to 35 U.S.C. § 289, or other compensation, including an increase in the damages up to three times the amount found or assessed, pursuant to 35 U.S.C. § 284, or both.
15. Enter judgment pursuant to 35 U.S.C. § 285 making this case exceptional and awarding RAYMOND GEDDES its attorneys' fees, costs and expenses.
16. Enter judgment requiring ROUSEK to file with the Court and serve upon RAYMOND GEDDES's counsel within 30 days after entry of judgment in this matter a report in writing, under oath, setting forth in detail the manner and form in which ROUSEK has complied with said judgment, and the manner and form ROUSEK will employ in the future to ensure that products made, used, sold or offered for sale by ROUSEK will not infringe the '772 Patent.

17. Award such other and further relief as may be just and proper under the circumstances.

Dated: October 16, 2007

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

By:   
Tracy-Gene G. Burkin (Bar. No. 9660)  
1100 New York Avenue, N.W.  
Washington, D.C. 20005  
Telephone: 202.371.3600  
Facsimile: 202.371.2540  
Email: tdurkin@skgf.com

Attorney for Plaintiff  
RAYMOND GEDDES & COMPANY, INC