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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
EVANSVILLE DIVISION

CORDA-ROY'S ORIGINALS, INC.	)	
	)	<b>JURY TRIAL DEMANDED</b>
Plaintiff,	)	
	)	
vs.	)	Cause No. 3:13-cv-126
	)	
THE LOVESAC CORPORATION	)	
	)	
Defendants.	)	

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**COMPLAINT**

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Plaintiff, Corda-Roy's Originals, Inc., for its Complaint against the Defendant, alleges:

**General Allegations**

1. The Plaintiff, Corda-Roy's Originals, Inc., is a corporation organized and existing under the laws of the state of Florida.
2. Defendant, The LoveSac Corporation, is a company organized and existing under the laws of the state of Connecticut with a principal place of business located at 700 Canal Street, Stamford, Connecticut.
3. Jurisdiction is proper pursuant to 28 U.S.C. §§ 1331, 1332 and 1338(a).
4. Venue is proper before this Court pursuant to at least 28 U.S.C Sections 1391 and 1400(b).
5. This Court has impersonum jurisdiction over Defendant arising out of its acts of infringement in this judicial district. The products manufactured and sold by

Defendant, as further identified herein below, have been and are being sold within the state of Indiana and in this judicial district.

6. Plaintiff, Corda-Roy's Originals, Inc. ("Corda-Roy's") is the owner of all right, title and interest in U.S. Pat. No. 7,131,157 (the "'157 Patent"), entitled "Bag Bed Assembly." A copy of the '157 Patent is attached to this Complaint as Exhibit "A".

7. Defendant is making, using, selling, offering for sale, and/or importing a bag/bed assembly (the "Knock-Off bag/bed") embodying the patent invention of the '157 Patent.

#### **PATENT INFRINGEMENT COUNT**

8. The proceeding allegations are incorporated by reference herein as fully as if repeated verbatim.

9. Defendant has been, and still is, infringing the '157 Patent by making, using, selling, offering for sale, and/or importing the Knock-Off bag/bed, which embodies the patented invention of the '157 Patent, and inducing others to do likewise, all to Plaintiff's great loss and injury.

10. Defendant will continue to infringe the '157 Patent unless enjoined by this Court, thereby further injuring and irreparably damaging Plaintiff.

11. On information and belief, Defendant's infringement has been, and continues to be intentional, willful and deliberate, and with conscious disregard for Plaintiff's rights.

12. As a direct and proximate result of Defendant's infringement, Plaintiff

has been, and will be, blatantly and irreparably damaged and has been, and will be, deprived and prevented from receiving all the gains and profits to which Plaintiff is lawfully entitled and which he would have derived and received, and would now be deriving and receiving, but for the aforesaid infringement by Defendant.

**PRAYER FOR RELIEF**

Wherefore, Plaintiff prays for judgment as follows:

1. That the Court enter judgment in favor of Plaintiff finding that United States Pat. No. 7,131,157 has been infringed by Defendant;
2. That Defendant be required to account for all of its gains, profits, and advantages realized from its infringement and unlawful use and practice of the '157 Patent;
3. That the Plaintiff be awarded loss profits and reasonable royalty against Defendant for its acts of patent infringement;
4. That Plaintiff be awarded an amount adequate to compensate it for Defendant's infringement;
5. That Plaintiff be awarded treble damages on account of the willful, intentional, and deliberate character of Defendant's patent infringing acts, pursuant to 35 U.S.C. Section 284;
6. That Defendant, and its officers, agents, servants and employees, be permanently enjoined from further actions of infringement of the '157 Patent;
7. That Defendants be ordered to pay treble damages and attorneys' fees pursuant to 35 U.S.C. Sections 284 and 285 and/or 15 U.S.C. Section 1117(a)(3);

8. That Plaintiff be awarded pre-judgment interest on any damages awarded to Plaintiff;

9. That Defendant be ordered to pay all costs associated with this action including reasonable attorney's fees; and

10. That Plaintiff be granted such other and additional relief as the Court deems just and proper.

**JURY DEMAND**

Under Fed. R. Civ. P. 38(b), Plaintiff hereby demands a trial by jury for all issues triable as of right by a jury.

Respectfully submitted,

TERRELL, BAUGH, SALMON & BORN, LLP

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