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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE

SKULL SHAVER, LLC,	:	CIVIL ACTION NO. 18-
	:	
Plaintiff,	:	
v.	:	COMPLAINT
	:	
IDEAVILLAGE PRODUCTS CORP.,	:	
	:	JURY TRIAL DEMANDED
Defendant.	:	

Plaintiff, Skull Shaver, LLC, by its attorney and for its complaint against Defendant, Ideavillage Products Corp., alleges and avers as follows:

THE PARTIES

1. Plaintiff, Skull Shaver, LLC, (hereinafter “Skull Shaver”) is a limited liability company of New Jersey, having its principal place of business at 1503 Glen Avenue, Suite 160, Moorestown, New Jersey 08057, USA.

2. Defendant, Ideavillage Products Corp., (hereinafter “Ideavillage”) is a corporation of the State of New Jersey, having its principal place of business at 155 Route 46 West, Wayne, New Jersey 07470.

JURISDICTION AND VENUE

3. This Court has jurisdiction over this complaint under 28 U.S.C. §1338(a) in that the cause of action arises under the Patent Laws of the United States and, particularly, 35 U.S.C. §§271 and 289.

4. Personal jurisdiction over Defendant is proper in this judicial district in that Defendant is incorporated in this district and resides in this district.

5. Venue is proper pursuant to 28 U.S.C. §1400(b) in that Defendant resides in this judicial district.

DESIGN PATENT INFRINGEMENT

6. Skull Shaver is in the business of designing and selling electric shavers in the United States and throughout the world.

5. Skull Shaver is the owner of U.S. Design Patent No. D 693,060 entitled “Contoured Electric Head Shaver” which duly and legally issued on November 5, 2013 (hereinafter the “Patent”). The Patent is in full force and effect and a copy is attached hereto as Exhibit A.

6. In contravention to 35 U.S.C. §§271 and 289, Ideavillage has willfully and deliberately infringed the Patent by making, using, selling, and/or offering to sell, or causing others to make, use, sell, and/or offer to sell an electric shaver which it refers to as Flawless Legs (hereinafter “Flawless”) and which embodies the invention claimed in the Patent. Photographs of the Flawless shaver are attached hereto as Exhibit B.

7. Ideavillage’s Flawless shavers are relatively inexpensive costing only about \$60.00.

8. On information and belief, Ideavillage's Flawless shavers are sold only through television infomercials and online, and are not available in stores.

9. As a result of the manner in which the Flawless shavers are sold, a prospective consumer does not have an opportunity to closely examine the same. He or she can see only what is shown on television or online.

10. Although there are some differences in the designs, the overall appearance of the Flawless shaver is substantially the same as the design in the Patent or is at least a colorable imitation thereof.

11. By way of example, both designs have an essentially egg shaped handle, both designs have elongated recesses along the sides of the handle and both designs have four rotating blades at the bottom.

12. The ordinary observer, seeing the Flawless shaver on television or online, would be deceived into believing that the Flawless shaver is the same as the patented design.

WHEREFORE, Skull Shaver prays for judgment against Ideavillage as follows:

A. That, pursuant to 35 U.S.C. §283, preliminary and final injunctions be issued enjoining Ideavillage, its officers, agents, servants, employees and all those persons in active concert or participation with any of them from further infringement of the Patent;

B. That, pursuant to 35 U.S.C. §284, Ideavillage account to Skull Shaver for damages for all past infringement, including treble damages because of the willful nature of such infringement;

C. That, pursuant to 35 U.S.C. §285, Skull Shaver be awarded costs and attorney's fees incurred in connection with this action;

D. That, pursuant to 35 U.S.C. §289, Ideavillage account to Skull Shaver for the total extent of Ideavillage's profits resulting from Ideavillage's past infringement and

E. Such other and further relief as this court deems just and proper.

NORMAN E. LEHRER, P.C.

By: /s/ Norman E. Lehrer
Norman E. Lehrer
Attorneys for Plaintiff

Dated: March 20, 2018

DEMAND FOR JURY TRIAL

Plaintiff, by its attorney, hereby demands a trial by jury of all issues triable by jury.

DECLARATION UNDER LOCAL RULE 11.2

I, Norman E. Lehrer, hereby declare that, to the best of my knowledge, this matter is not the subject of any other pending action in any court, or of any pending arbitration or administrative proceeding.

NORMAN E. LEHRER, P.C.

By: /s/ Norman E. Lehrer
Norman E. Lehrer
Attorneys for Plaintiff