

1 Stephen M. Doniger, Esq. (SBN 179314)  
2 Scott A. Burroughs, Esq. (SBN 235718)  
3 Email: scott@donigerlawfirm.com  
4 **DONIGER LAW FIRM**  
5 300 Corporate Pointe, Suite 355  
6 Culver City, California 90230  
7 Telephone: (310) 590-1820  
8 Facsimile: (310) 417-3538

FILED  
2008 JAN 14 PM 1:21  
CLERK OF DISTRICT COURT  
CENTRAL DISTRICT OF CALIF.  
LOS ANGELES

9 Attorneys for Plaintiff

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

12 L.A. PRINTEX INDUSTRIES, INC., a  
13 California Corporation

Case No.: CV08-00220

GHK

14 Plaintiff,

PLAINTIFF'S COMPLAINT FOR:

1. COPYRIGHT INFRINGEMENT;

15 vs.

AND

16 ROSS STORES, INC., a Delaware  
17 Corporation; MM&R INC., a New York  
18 Corporation, individually and doing  
19 business as "NEW VISION APPAREL"  
20 and "I.C.E.," and DOES 1 through 10,

2. VICARIOUS AND/OR  
CONTRIBUTORY COPYRIGHT  
INFRINGEMENT.

Jury Trial Demanded

21 Defendants.

22  
23 L.A. Printex Industries, Inc. ("Plaintiff"), by and through its undersigned  
24 attorneys, hereby prays to this honorable Court for relief based on the following:

25  
26 **INTRODUCTION**

27 Plaintiff creates unique designs and silk-screens, prints and manufactures  
28 rotary printed textiles, primarily for use in the garment industry. This action is

1 brought to recover damages for direct, vicarious and contributory copyright  
2 infringement arising out of the misappropriation of Plaintiff's intellectual property by  
3 the Defendants, and each of them.

4  
5 **JURISDICTION AND VENUE**

6 1. This action arises under the Copyright Act of 1976, Title 17 U.S.C., § 101  
7 *et seq.*

8 2. This Court has federal question jurisdiction under 28 U.S.C. § 1331m 1338  
9 (a) and (b).

10 3. Venue in this judicial district is proper under 28 U.S.C. § 1391(c) and  
11 1400(a) in that this is the judicial district in which a substantial part of the acts and  
12 omissions giving rise to the claims occurred.

13  
14 **PARTIES**

15 4. Plaintiff L.A. Printex Industries, Inc. is a corporation organized and existing  
16 under the laws of the State of California with its principal place of business located  
17 at 3270 East 26<sup>th</sup> Street, Vernon, California 90023.

18 5. Plaintiff is informed and believes and thereon alleges that Defendant Ross  
19 Stores, Inc. ("ROSS") is a corporation organized and existing under the laws of the  
20 State of Delaware and doing business in and with the State of California.

21 6. Plaintiff is informed and believes and thereon alleges that MM & R, INC.  
22 ("MMR") is a corporation organized and existing under the laws of the State of New  
23 York with its principal place of business at 512 7th Ave Fl 30, New York, New York  
24 10018-0839 and doing business in and with the State of California. Plaintiff is  
25 informed and believes and thereon alleges that MMR also does business under the  
26 names "New Vision Apparel" and "I.C.E.," all of which will be collectively referred  
27 to herein as MMR or collectively with ROSS as "Defendants."  
28

1 7. Plaintiff is informed and believes and thereon alleges that some of  
2 Defendants DOES 1 through 3, inclusive, are manufacturers and/or vendors of  
3 garments to Defendant, which DOE Defendants have manufactured and/or supplied  
4 and are manufacturing and/or supplying garments comprised of fabric printed with  
5 Plaintiff's copyrighted Design No. C30043 (as hereinafter defined) without  
6 Plaintiff's knowledge or consent or have contributed to said infringement. The true  
7 names, whether corporate, individual or otherwise of Defendants DOES 1-3,  
8 inclusive, are presently unknown to Plaintiff, which therefore sues said Defendants  
9 by such fictitious names and will seek leave to amend this complaint to show their  
10 true names and capacities when same have been ascertained.

11 8. Defendants DOES 4 through 10, inclusive, are other parties not yet  
12 identified who have infringed Plaintiff's copyrights, have contributed to the  
13 infringement of Plaintiff's copyrights, or have engaged in one or more of the  
14 wrongful practices alleged herein. The true names, whether corporate, individual or  
15 otherwise, of Defendants 4 through 10, inclusive, are presently unknown to Plaintiff,  
16 which therefore sues said Defendants by such fictitious names, and will seek leave to  
17 amend this Complaint to show their true names and capacities when same have been  
18 ascertained.

19 9. Plaintiff is informed and believes and thereon alleges that at all times  
20 relevant hereto each of the Defendants was the agent, affiliate, officer, director,  
21 manager, principal, alter-ego, and/or employee of the remaining Defendants and was  
22 at all times acting within the scope of such agency, affiliation, alter-ego relationship  
23 and/or employment; and actively participated in or subsequently ratified and  
24 adopted, or both, each and all of the acts or conduct alleged, with full knowledge of  
25 all the facts and circumstances, including, but not limited to, full knowledge of each  
26 and every violation of Plaintiff's rights and the damages to Plaintiff proximately  
27 caused thereby.  
28



1 15.Plaintiff repeats, realleges and incorporates herein by reference as though  
2 fully set forth the allegations contained in Paragraphs 1 through 14, inclusive, of this  
3 Complaint.

4 16.Plaintiff is informed and believes and thereon alleges that Defendants, and  
5 each of them, had access to the Subject Design, including, without limitation,  
6 through (a) access to Plaintiff's showroom and/or design library; (b) access to  
7 illegally distributed copies of the Subject Design by third-party vendors and/or DOE  
8 Defendants, including without limitation international and/or overseas converters  
9 and printing mills; and (c) access to Plaintiff's strike-offs and samples.

10 17.Plaintiff is informed and believes and thereon alleges that one or more of  
11 the Defendants manufactures garments and/or is a garment vendor. Plaintiff is  
12 further informed and believes and thereon alleges that said Defendant(s) has an  
13 ongoing business relationship with Defendant retailers, and each of them, and  
14 supplied garments to said retailers, which garments infringed the Subject Design in  
15 that said garments were composed of fabric which featured unauthorized print  
16 designs that were identical or substantially similar to the Subject Design.

17 18.Plaintiff is informed and believes and thereon alleges that Defendants, and  
18 each of them, infringed Plaintiff's copyright by creating, making and/or developing  
19 directly infringing and/or derivative works from the Subject Design and by  
20 producing, distributing and/or selling Infringing Garments through a nationwide  
21 network of retail stores and through on-line websites.

22 19.Due to Defendants' acts of infringement, Plaintiff has suffered substantial  
23 damages to its business in an amount to be established at trial.

24 20.Due to Defendants' acts of infringement, Plaintiff has suffered general and  
25 special damages in an amount to be established at trial.

26 21.Due to Defendants' acts of copyright infringement as alleged herein,  
27 Defendants, and each of them, have obtained direct and indirect profits they would  
28

1 not otherwise have realized but for their infringement of the Subject Design. As  
2 such, Plaintiff is entitled to disgorgement of Defendant's profits directly and  
3 indirectly attributable to Defendant's infringement of the Subject Design in an  
4 amount to be established at trial.

5 22. Plaintiff is informed and believes and thereon alleges that Defendants, and  
6 each of them, have continued to import, manufacture, cause to be manufactured  
7 and/or sell Infringing Garments after Plaintiff demanded that they cease and desist  
8 from engaging in same. Therefore, Defendants' acts of copyright infringement as  
9 alleged above were, and continue to be, willful, intentional and malicious, subjecting  
10 Defendants, and each of them, to liability for statutory damages under Section  
11 504(c)(2) of the Copyright Act in the sum of up to one hundred fifty thousand dollars  
12 (\$150,000) per infringement. Further, Defendants', and each of their, willful and  
13 intentional misappropriation and/or infringement of Plaintiff's copyrighted Subject  
14 Design renders Defendants, and each of them, liable for statutory damages as  
15 described herein. Within the time permitted by law, Plaintiff will make its election  
16 between actual damages and statutory damages.

17  
18 **SECOND CLAIM FOR RELIEF**

19 (For Vicarious and/or Contributory Copyright Infringement - Against All  
20 Defendants, and Each)

21 23. Plaintiff repeats, realleges and incorporates herein by reference as though  
22 fully set forth the allegations contained in Paragraphs 1 through 22, inclusive, of this  
23 Complaint.

24 24. Plaintiff is informed and believes and thereon alleges that Defendants  
25 knowingly induced, participated in, aided and abetted in and profited from the illegal  
26 reproduction and/or subsequent sales of garments featuring the Subject Design as  
27 alleged hereinabove.

1 25.Plaintiff is informed and believes and thereon alleges that Defendants, and  
2 each of them, are vicariously liable for the infringement alleged herein because they  
3 had the right and ability to supervise the infringing conduct and because they had a  
4 direct financial interest in the infringing conduct.

5 26.By reason of the Defendants', and each of their, acts of contributory  
6 infringement as alleged above, Plaintiff has suffered and will continue to suffer  
7 substantial damages to its business in an amount to be established at trial, as well as  
8 additional general and special damages in an amount to be established at trial.

9 27.Due to Defendants' acts of copyright infringement as alleged herein,  
10 Defendants, and each of them, have obtained direct and indirect profits they would  
11 not otherwise have realized but for their infringement of the Subject Design. As  
12 such, Plaintiff is entitled to disgorgement of Defendants' profits directly and  
13 indirectly attributable to Defendants' infringement of the Subject Design, in an  
14 amount to be established at trial.

15 28.Plaintiff is informed and believes and thereon alleges that Defendants, and  
16 each of them, have continued to manufacture and/or sell Infringing Garments after  
17 Plaintiff demanded that they cease and desist from engaging in same. Therefore,  
18 Defendants' acts of copyright infringement as alleged above were, and continue to  
19 be, willful, intentional and malicious, subjecting Defendants, and each of them, to  
20 liability therefore, including statutory damages under Section 504(c)(2) of the  
21 Copyright Act in the sum of one hundred fifty thousand dollars (\$150,000) per  
22 infringement. Further, Defendants', and each of their, willful and intentional  
23 misappropriation and/or infringement of Plaintiff's copyrighted Subject Design  
24 renders Defendants, and each of them, liable for statutory damages as described  
25 herein. Within the time permitted by law, Plaintiff will make its election between  
26 actual damages and statutory damages.

27 **PRAYER FOR RELIEF**

1 Wherefore, Plaintiff prays for judgment as follows:

2 **Against All Defendants**

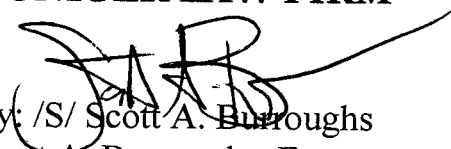
3 1. **With Respect to Each Claim for Relief**

- 4 a. That Defendants, their agents and servants be enjoined from selling  
5 product, or otherwise, infringing Plaintiff's copyright in the Subject  
6 Design;
- 7 b. That Plaintiff be awarded all profits of Defendants plus all losses of  
8 Plaintiff, the exact sum to be proven at the time of trial, or, if elected  
9 before final judgment, statutory damages as available under the  
10 Copyright Act, 17 U.S.C. § 101 et seq.;
- 11 c. That Plaintiff be awarded its attorneys' fees as available under the  
12 Copyright Act U.S.C. § 101 et seq.;
- 13 d. That Defendants, and each of them, account to Plaintiff for their profits  
14 and any damages sustained by Plaintiff arising from the foregoing acts  
15 of infringement;
- 16 e. That Plaintiff be awarded pre-judgment interest as allowed by law;
- 17 f. That Plaintiff be awarded the costs of this action; and
- 18 g. That Plaintiff be awarded such further legal and equitable relief as the  
19 Court deems proper.

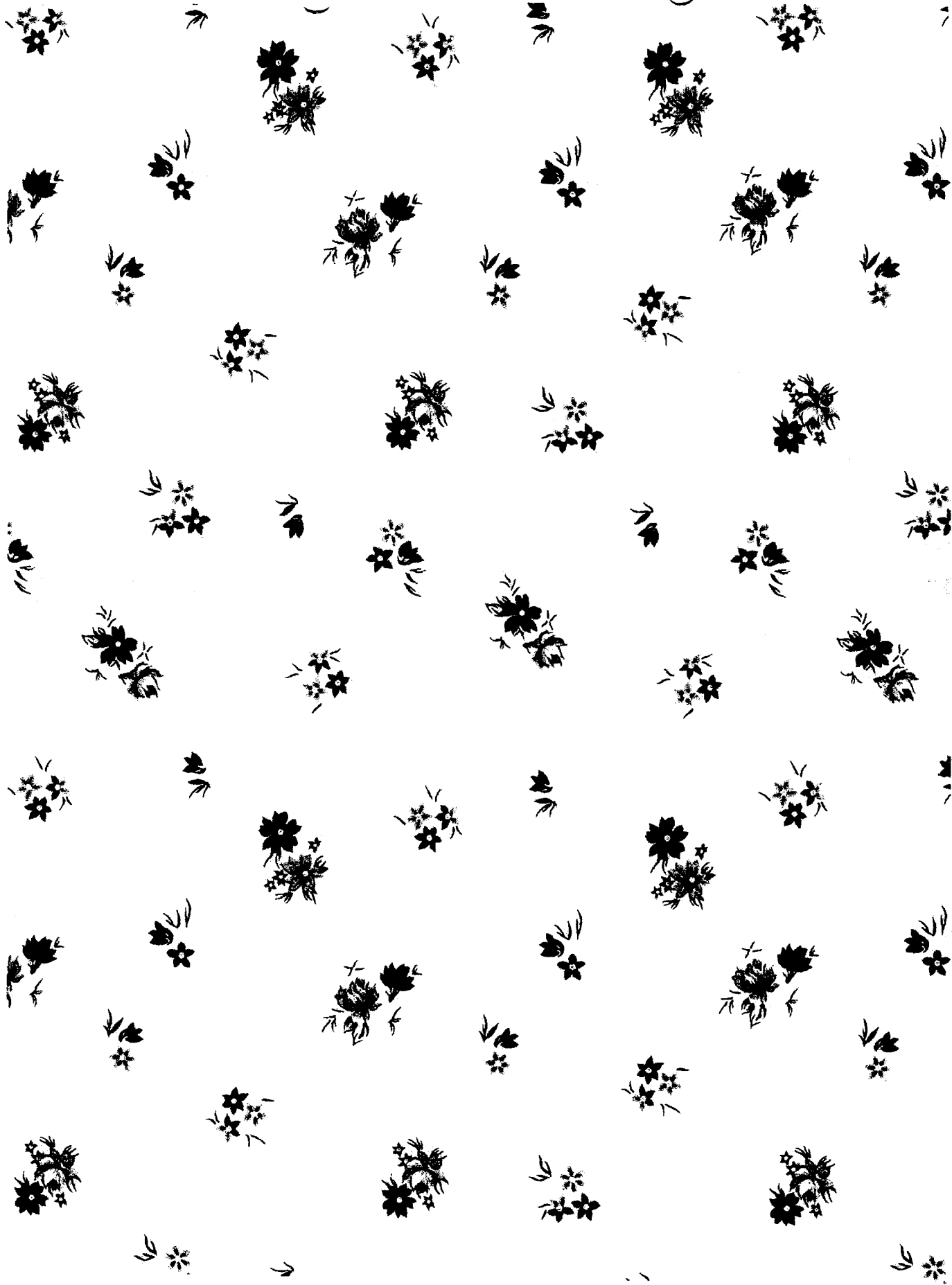
20 Plaintiff demands a jury trial pursuant to Fed. R. Civ. P. 38 and the 7<sup>th</sup>  
21 Amendment to the United States Constitution.

22 Dated: January 10, 2008

**DONIGER LAW FIRM**

23   
24 By: /s/ Scott A. Burroughs  
25 Scott A. Burroughs, Esq.  
26 Attorneys for Plaintiff  
27 L.A. PRINTEX INDUSTRIES, INC.  
28







OFFICIAL SEAL

This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

*Marybeth Peters*

REGISTER OF COPYRIGHTS  
United States of America

For a Work of the Visual Arts  
UNITED STATES COPYRIGHT OFFICE

REGIS

VAU 575-656



EFFECTIVE DATE OF REGISTRATION

*Jan 17 2003*  
Month Day Year

TITLE OF THIS WORK

*Wall paper group B*

NATURE OF THIS WORK See instructions

PREVIOUS OR ALTERNATIVE TITLES

Publication as a Contribution If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work

*D/A C 30028 C 30032 C 30033 C 30035 C 30043*

If published in a periodical or serial give: Volume Number Issue Date On Pages

NAME OF AUTHOR

*L.A. PRINTEX*

DATES OF BIRTH AND DEATH  
Year Born Year Died

Was this contribution to the work a "work made for hire"?  
 Yes  
 No

Author's Nationality or Domicile  
Name of Country

OR  
Citizen of  
Domiciled in

Was This Author's Contribution to the Work

Anonymous?  Yes  No  
Pseudonymous?  Yes  No

NATURE OF AUTHORSHIP Check appropriate box(es). See instructions

- 3-Dimensional sculpture
- 2-Dimensional artwork
- Reproduction of work of art
- Map
- Photograph
- Jewelry design
- Technical drawing
- Text
- Architectural work

NAME OF AUTHOR

DATES OF BIRTH AND DEATH  
Year Born Year Died

Was this contribution to the work a "work made for hire"?  
 Yes  
 No

Author's Nationality or Domicile  
Name of Country

OR  
Citizen of  
Domiciled in

Was This Author's Contribution to the Work

Anonymous?  Yes  No  
Pseudonymous?  Yes  No

NATURE OF AUTHORSHIP Check appropriate box(es). See instructions

- 3-Dimensional sculpture
- 2-Dimensional artwork
- Reproduction of work of art
- Map
- Photograph
- Jewelry design
- Technical drawing
- Text
- Architectural work

Year in Which Creation of This Work Was Completed

*2002*

This information must be given in all cases.

Date and Nation of First Publication of This Particular Work

Complete this information ONLY if this work has been published.

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2.

*L.A. PRINTEX  
3270 E. 26th St  
VERNON CA 90023*

Transfer If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright.

APPLICATION RECEIVED

*JAN 17 2003*

ONE DEPOSIT RECEIVED

*JAN 17 2003*

TWO DEPOSITS RECEIVED

FUNDS RECEIVED

MORE ON BACK

- Complete all applicable spaces (numbers 5-9) on the reverse side of this page.
- See detailed instructions.
- Sign the form at line 8.

DO NOT WRITE HERE

Page 1 of 2 pages

NOTE

Under the law, the "author" of a "work made for hire" is usually the employer, not the employee (see instructions). For any part of this work that was "made for hire" check "Yes" in the space provided, give the employer (or other person for whom the work was prepared) as "Author" of that part, and leave the space for dates of birth and death blank.

See instructions before completing this space.

DO NOT WRITE HERE OFFICE USE ONLY

EXAMINED BY JM

FORM VA

CHECKED BY MM

CORRESPONDENCE  
Yes

FOR  
COPYRIGHT  
OFFICE  
USE  
ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

**PREVIOUS REGISTRATION** Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

- Yes  No If your answer is "Yes," why is another registration being sought? (Check appropriate box.) ▼
  - a.  This is the first published edition of a work previously registered in unpublished form.
  - b.  This is the first application submitted by this author as copyright claimant.
  - c.  This is a changed version of the work, as shown by space 6 on this application.
- If your answer is "Yes," give: Previous Registration Number ▼ Year of Registration ▼

**DERIVATIVE WORK OR COMPILATION** Complete both space 6a and 6b for a derivative work; complete only 6b for a compilation.

a. **Preexisting Material** Identify any preexisting work or works that this work is based on or incorporates. ▼

See instructions  
before completing  
this space.

b. **Material Added to This Work** Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼

**DEPOSIT ACCOUNT** If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.  
Name ▼ Account Number ▼

**CORRESPONDENCE** Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/ZIP ▼

L.A. PRINTEX  
3270 E 26th St.  
VERNON CA 90023

ATTN: Esther

Area code and daytime telephone number ▶ (323) 267-0100

Fax number ▶ (323) 267-0700

Email ▶

**CERTIFICATION** I, the undersigned, hereby certify that I am the

check only one ▶

- author
- other copyright claimant
- owner of exclusive right(s)
- authorized agent of \_\_\_\_\_

Name of author or other copyright claimant, or owner of exclusive right(s) A

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Typed or printed name and date ▼ If this application gives a date of publication in space 3, do not sign and submit it before that date.

Esther Jung

Date ▶ 12/29/02

Handwritten signature (X) ▼

Esther

Certificate  
will be  
mailed in  
window  
envelope  
to this  
address:

Name ▼	L.A. PRINTEX
Number/Street/Apt ▼	3270 E 26th St
City/State/ZIP ▼	VERNON CA 90023

**YOU MUST**

Complete all necessary spaces  
Sign your application in space 8

SEND ALL ELEMENTS  
IN THE SAME PACKAGE

1. Application form
2. Nonrefundable filing fee in check or money order payable to Register of Copyrights
3. Deposit material

As of July 1, 1999,  
the filing fee for  
Form VA is \$30.

**MAIL TO**

Library of Congress  
Copyright Office  
101 Independence Avenue, S.E.  
Washington, D.C. 20558-6000

17 U.S.C. § 504(e): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 409, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.  
June 1999 - 100,000  
WEB REV: June 1999

Stephen M. Doniger, Esq. (SBN 179314)  
Scott A. Burroughs, Esq. (SBN 235718)  
DONIGER LAW FIRM  
300 Corporate Pointe, Suite 355  
Culver City, CA 90230  
Telephone: (310) 590-1820

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

L.A. PRINTEX INDUSTRIES, INC., a California Corporation,

PLAINTIFF(S)

v.

ROSS STORES, INC., a Delaware Corporation; et al., [See attached Schedule A]

DEFENDANT(S).

CASE NUMBER

CV08-00220 GHK PLA<sub>x</sub>

SUMMONS

TO: THE ABOVE-NAMED DEFENDANT(S):

YOU ARE HEREBY SUMMONED and required to file with this court and serve upon plaintiff's attorney SCOTT A. BURROUGHS, whose address is:

300 Corporate Pointe, Suite 355  
Culver City, CA 90230  
Telephone: (310) 590-1820  
Facsimile: (310) 417-3538  
Email: Scott@DonigerLawFirm.com

an answer to the  complaint  \_\_\_\_\_ amended complaint  counterclaim  cross-claim which is herewith served upon you within 20 days after service of this Summons upon you, exclusive of the day of service. If you fail to do so, judgement by default will be taken against you for the relief demanded in the complaint.

Clerk, U.S. District Court

Dated: JAN 14 2008

By: LA'REE HORN  
Deputy Clerk



**SCHEDULE A**

ROSS STORES, INC., a Delaware Corporation; MM&R INC., a New York Corporation, individually and doing business as “NEW VISION APPAREL” and “I.C.E.,” and DOES 1 through 10,  
Defendants.

Stephen M. Doniger, Esq. (SBN 179314)  
Scott A. Burroughs, Esq. (SBN 235718)  
DONIGER LAW FIRM  
300 Corporate Pointe, Suite 355  
Culver City, CA 90230  
Telephone: (310) 590-1820

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

L.A. PRINTEX INDUSTRIES, INC., a California Corporation,

PLAINTIFF(S)

v.

ROSS STORES, INC., a Delaware Corporation; et al., [See attached Schedule A]

DEFENDANT(S).

CASE NUMBER

**CV08-00220 GHK PLA<sub>x</sub>**

**SUMMONS**

TO: THE ABOVE-NAMED DEFENDANT(S):

YOU ARE HEREBY SUMMONED and required to file with this court and serve upon plaintiff's attorney SCOTT A. BURROUGHS, whose address is:

300 Corporate Pointe, Suite 355  
Culver City, CA 90230  
Telephone: (310) 590-1820  
Facsimile: (310) 417-3538  
Email: Scott@DonigerLawFirm.com

an answer to the  complaint  \_\_\_\_\_ amended complaint  counterclaim  cross-claim which is herewith served upon you within 20 days after service of this Summons upon you, exclusive of the day of service. If you fail to do so, judgement by default will be taken against you for the relief demanded in the complaint.

Dated: JAN 14 2008

Clerk, U.S. District Court

By: \_\_\_\_\_

Deputy Clerk

(Seal of the Court)

**SCHEDULE A**

ROSS STORES, INC., a Delaware Corporation; MM&R INC., a New York Corporation, individually and doing business as “NEW VISION APPAREL” and “I.C.E.” and DOES 1 through 10,  
Defendants.

**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 George King and the assigned discovery Magistrate Judge is Paul L. Abrams.

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

**CV08- 220 GHK (PLAx)**

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.



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

<b>I (a) PLAINTIFFS</b> (Check box if you are representing yourself <input type="checkbox"/> L.A. PRINTEX INDUSTRIES, INC.	<b>DEFENDANTS</b> ROSS STORES, INC., a Delaware Corporation; et al.
<b>(b) County of Residence of First Listed Plaintiff</b> (Except in U.S. Plaintiff Cases): Los Angeles County	<b>County of Residence of First Listed Defendant</b> (In U.S. Plaintiff Cases Only):
<b>(c) Attorneys</b> (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) Stephen M. Doniger, Esq. (SBN 179314) Scott A. Burroughs, Esq. (SBN 235718) 300 Corporate Pointe, Suite 355 Culver City, CA 90230 Telephone: (310) 590-1820	<b>Attorneys (If Known)</b>

<b>II. BASIS OF JURISDICTION</b> (Place an X in one box only.)  <input type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)  <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	<b>III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only</b> (Place an X in one box for plaintiff and one for defendant.) <table style="width:100%; border: none;"> <tr> <td style="width:30%;">Citizen of This State</td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> <td style="width:30%;">Incorporated or Principal Place of Business in this State</td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> </tr> <tr> <td></td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td></td> <td style="text-align: center;"><input type="checkbox"/> 4</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> </tr> </table>	Citizen of This State	PTF	DEF	Incorporated or Principal Place of Business in this State	PTF	DEF		<input type="checkbox"/> 1	<input type="checkbox"/> 1		<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
Citizen of This State	PTF	DEF	Incorporated or Principal Place of Business in this State	PTF	DEF																				
	<input type="checkbox"/> 1	<input type="checkbox"/> 1		<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    
  7 Appeal to District Judge from Magistrate Judge

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

**CLASS ACTION under F.R.C.P. 23:**  Yes    No     **MONEY DEMANDED IN COMPLAINT: \$** \_\_\_\_\_

**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.)  
 Copyright Act, 17 U.S.C. § 101 - Action for misappropriation of Plaintiff's two-dimensional artwork. The artwork is a design used for imprinting on textiles. The design was misappropriated and used on textiles without permission of Plaintiff.

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

<b>OTHER STATUTES</b> <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities /Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	<b>CONTRACT</b> <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise <b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>TORTS</b> <b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<b>TORTS</b> <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability <b>BANKRUPTCY</b> <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <b>FORFEITURE / PENALTY</b> <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety /Health <input type="checkbox"/> 690 Other	<b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act <b>PROPERTY RIGHTS</b> <input checked="" type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
--	--	--	---	--	--

**VIII(a). IDENTICAL CASES:** Has this action been previously filed and dismissed, remanded or closed?  No    Yes

If yes, list case number(s): \_\_\_\_\_

**FOR OFFICE USE ONLY:** Case Number: \_\_\_\_\_

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

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

VIII(b). RELATED CASES: Have any cases been previously filed that are related to the present case?  No  Yes

If yes, list case number(s): \_\_\_\_\_

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: List the California County, or State if other than California, in which EACH named plaintiff resides (Use an additional sheet if necessary)

Check here if the U.S. government, its agencies or employees is a named plaintiff.

L.A. PRINTEX INDUSTRIES, INC. - Los Angeles County

List the California County, or State if other than California, in which EACH named defendant resides. (Use an additional sheet if necessary).

Check here if the U.S. government, its agencies or employees is a named defendant.

ROSS STORES, INC. - Delaware; MMR, INC. - New York

List the California County, or State if other than California, in which EACH claim arose. (Use an additional sheet if necessary)

Note: In land condemnation cases, use the location of the tract of land involved.

Los Angeles County

X. SIGNATURE OF ATTORNEY (OR PRO PER):

Date 1/13/08

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. (g))