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CLEARING HOUSE COURT
CENTRAL DISTRICT OF CALIF.
LOS ANGELES

BY: _____

6 *Attorneys for Plaintiffs*
7 *Coach Inc., and Coach Services, Inc.*

8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA

11 COACH, INC., a Maryland Corporation;
12 COACH SERVICES, INC., a Maryland
Corporation,

13 Plaintiffs,

14 v.

15 LAFIDALE, INC., a California
16 Corporation dba ELLE LAFIDALE;
JOHN LEE, an individual; AMILCAR
17 GONAN; and DOES 1-10, inclusive,

18 Defendants.

CASE NO. CV 10 5160-GHK

COMPLAINT FOR DAMAGES:

- 1. TRADEMARK COUNTERFEITING;
- 2. FEDERAL TRADEMARK INFRINGEMENT;
- 3. FALSE DESIGNATIONS OF ORIGIN AND FALSE ADVERTISING;
- 4. FEDERAL TRADEMARK DILUTION;
- 5. TRADEMARK DILUTION UNDER CALIFORNIA LAW;
- 6. COMMON LAW UNFAIR COMPETITION;

JURY TRIAL DEMANDED

24 Plaintiffs Coach, Inc., and Coach Services, Inc. ("Plaintiffs") for their claims
25 against Defendants Lafidale, Inc. dba Elle Lafidale, John Lee, and Amilcar Gonan
26 (collectively "Defendants") respectfully allege as follows:

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1 **JURISDICTION AND VENUE**

2 1. Plaintiffs file this action against Defendants for trademark infringement
3 and trademark dilution under the Lanham Trademark Act of 1946, 15 U.S.C. §1051 et
4 seq. (the “Lanham Act”), and related claims of unfair competition and trademark
5 dilution under the statutory and common law of the State of California. This Court has
6 subject matter jurisdiction over the Federal trademark counterfeiting and infringement
7 and trademark dilution claims pursuant to 28 U.S.C.A §§1121(a), 1331, 1338(a).

8 2. This Court has subject matter jurisdiction over the remaining claims
9 pursuant to 28 U.S.C.A § 1367, since those claims are related to and arise from the
10 same set of facts as Plaintiffs’ trademark infringement claims.

11 3. This Court has personal jurisdiction over Defendants because Defendants
12 do business within this judicial district, and the acts complained of occurred in this
13 judicial district.

14 4. This action arises out of wrongful acts by Defendants within this judicial
15 district. Venue is proper in this district pursuant to 28 U.S.C. § 1391 because the
16 claims asserted arise in this district.

17 **THE PARTIES**

18 5. Plaintiff Coach, Inc. is a corporation duly organized and existing under
19 the laws of the State of Maryland, with its principal place of business in New York,
20 New York. Plaintiff Coach Services, Inc., a wholly owned subsidiary of Coach, Inc.,
21 is a corporation duly organized and existing under the laws of the State of Maryland
22 with its principal place of business in Jacksonville, Florida. Plaintiffs Coach, Inc. and
23 Coach Services, Inc. will hereinafter be collectively referred to as “Coach.”

24 6. Upon information and belief, Defendant Lafidale, Inc. dba “Elle Lafidale”
25 (hereinafter “Lafidale”) is a corporation duly organized and existing under the laws of
26 the state of California with an office and principal place of business at 117 East
27 Eleventh Street, Los Angeles, California 90015.

1 7. Upon information and belief, Defendant John Lee is an individual
2 domiciled in this judicial district and/or doing business at Lafidale.

3 8. Upon information and belief, Defendant Amilcar Gonan is an individual
4 domiciled in this judicial district and/or doing business at Lafidale.

5 9. Plaintiffs are unaware of the names and true capacities of Defendants,
6 whether individual, corporate and/or partnership entities, named herein as DOES 1
7 through 10, inclusive, and therefore sue them by their fictitious names. Plaintiffs will
8 seek leave to amend this complaint when their true names and capacities are
9 ascertained. Plaintiffs are informed and believe, and based thereon allege, that said
10 Defendants and DOES 1 through 10, inclusive, are in some manner responsible for the
11 wrongs alleged herein, and that at all times referenced each was the agent and servant
12 of the other Defendants and was acting within the course and scope of said agency and
13 employment.







14 10. Plaintiffs are informed and believe, and based thereon allege, that at all
15 relevant times herein, Defendants and DOES 1 through 10, inclusive, knew or
16 reasonably should have known of the acts and behavior alleged herein and the damages
17 caused thereby, and by their inaction ratified and encouraged such acts and behavior.
18 Plaintiffs further allege that Defendants and DOES 1 through 10, inclusive, had a non-
19 delegable duty to prevent or cause such acts and the behavior described herein, which
20 duty Defendants and DOES 1 though 10, inclusive, failed and/or refused to perform.

21 **ALLEGATIONS COMMON TO ALL CAUSES OF ACTION**


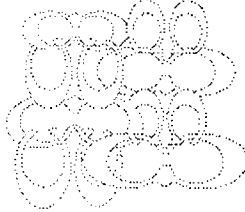


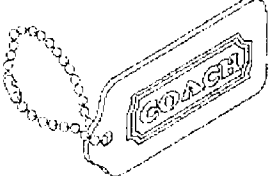
22 **A. The Coach Brand and its Family of Marks**

23 11. Coach was founded more than sixty years ago as a family-run workshop
24 in Manhattan. Since then Coach has been engaged in the manufacture, marketing and
25 sale of fine leather and mixed material products including handbags, wallets,
26 accessories, eyewear, footwear, jewelry and watches. Coach sells its goods through its
27 own specialty retail stores, department stores, catalogs and via an Internet website
28 www.coach.com throughout the United States.

1 12. Coach is the worldwide owner of the trademark "COACH" and various
 2 composite trademarks and assorted design components (collectively "Coach Marks").
 3 Coach Marks include but are not limited to the following marks:

Mark	U.S. Registration No(s).	Registration Date
"COACH"	751, 493 1,071,000 2,088,706 3,157,972	06/25/1963 08/09/1977 08/19/1997 10/17/2006
	3,413,536	04/15/2008
	3,251,315	06/12/2007
	3,441,671	06/03/2008
	2,252,847 2,534,429	06/15/1999 01/29/2002
	1,309,779 2,045,676 2,169,808	12/18/1984 03/18/1997 06/30/1998
 Signature "C" Mark	2,592,963 2,626,565 2,822,318 2,832,589 2,822,629 3,695,290	07/09/2002 09/24/2002 03/16/2004 04/13/2004 03/16/2004 10/13/2009

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 "Op Art" Mark	3,696,470	10/13/2009
	3,012,585	11/08/2005
	3,338,048	11/11/2007
	2,162,303	06/02/1998
	2,088,707	08/19/1997

13. Coach has long been manufacturing and selling in interstate commerce high quality leather and mixed material products under the Coach Marks. These registrations are valid and subsisting and are incontestable. Through longstanding use, advertising, and registration, the Coach Marks have achieved a high degree of consumer recognition and constitute famous marks.

1 14. Coach and its predecessors have continuously used the Coach Marks in
2 interstate commerce in connection with the sale, distribution, promotion, and
3 advertising of its goods for four decades.

4 15. Plaintiff's Coach Marks are highly recognized by the public and serve to
5 identify the source of the goods as Coach.

6 16. Coach has achieved sales volumes of over three billion dollars annually
7 and has spent over a hundred million dollars in advertising, promoting, and marketing
8 goods bearing the Coach Marks. As such, the Coach Marks and the goodwill
9 associated therewith are valuable assets of Coach.

10 17. Due to Coach and its predecessors' long use, extensive sales, and
11 significant advertising and promotional activities, the Coach Marks have achieved
12 widespread acceptance and recognition among the consuming public and trade
13 throughout the United States. The arbitrary and distinctive Coach Marks identify
14 Coach as the source/origin of the goods on which it appears.

15 **B. Defendants' Infringing Conduct**

16 18. On or around March 2010, Plaintiff discovered that Defendant Lafidale,
17 Inc. dba Elle Lafidale, located at 117 East Eleventh Street in the city of Los Angeles,
18 California, had been offering for sale, and/or selling goods bearing counterfeit
19 reproductions of the Coach Marks, specifically infringements of Coach's Signature
20 "C" Mark and Op Art Mark (see above).

21 19. Coach representatives have inspected samples of the merchandise
22 obtained from Lafidale and have determined said merchandise to be counterfeit.

23 20. Upon information and belief, the individual Defendants named herein
24 were the active, moving, and conscious forces behind the alleged infringing activities
25 of Lafidale.

26 21. None of the above-named Defendants are authorized by Coach to
27 manufacture, distribute, advertise, offer for sale, and/or sell merchandise bearing any
28 of the Coach Marks.

FIRST CLAIM FOR RELIEF

(Trademark Counterfeiting – 15 U.S.C. § 1114)

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3 22. Plaintiffs incorporate herein by reference the averments of the preceding
4 paragraphs as though fully set forth herein.

5 23. Defendants, without authorization from Coach, have used and are
6 continuing to use spurious designations that are identical to, or substantially
7 indistinguishable from, the Coach Marks in interstate commerce.

8 24. The foregoing acts of Defendants are intended to cause, have caused,
9 and are likely to continue to cause confusion or mistake, or to deceive consumers, the
10 public, and the trade into believing that Defendants’ counterfeit products are genuine
11 or authorized products of Coach.

12 25. Upon information and belief, Defendants have acted with knowledge of
13 Coach’s ownership of the Coach Marks and with deliberate intention or willful
14 blindness to unfairly benefit from the incalculable goodwill inherent in the Coach
15 Marks.

16 26. Defendants’ acts constitute trademark counterfeiting in violation of
17 Section 32 of the Lanham Act (15 U.S.C. § 1114).

18 27. Upon information and belief, Defendants have made and will continue
19 to make substantial profits and gains to which they are not in law or equity entitled.

20 28. Upon information and belief, Defendants intend to continue their
21 infringing acts, unless restrained by this Court.

22 29. Defendants’ acts have damaged and will continue to damage Plaintiffs,
23 and Plaintiffs have no adequate remedy at law.

24 30. In light of the foregoing, Plaintiffs are entitled to injunctive relief
25 prohibiting Defendants from using the Coach Marks or any marks identical and/or
26 confusingly similar thereto for any purpose, and to recover from Defendants all
27 damages, including attorneys’ fees, that Plaintiffs have sustained and will sustain as a
28 result of such infringing acts, and all gains, profits and advantages obtained by

1 Defendants as a result thereof, in an amount not yet known, as well as the costs of this
2 action pursuant to 15 U.S.C. § 1117(a), attorneys' fees and treble damages pursuant to
3 15 U.S.C. § 1117(b), and/or statutory damages pursuant to 15 U.S.C § 1117(c).

4 **SECOND CLAIM FOR RELIEF**

5 **(Federal Trademark Infringement – 15 U.S.C. 1114)**

6 31. Plaintiffs incorporate herein by reference the averments of the preceding
7 paragraphs as though fully set forth herein.

8 32. The Coach Marks are nationally recognized, including within the
9 Southern District of California, as being affixed to goods and merchandise of the
10 highest quality and coming from Plaintiffs.

11 33. The registrations embodying the Coach Marks are in full force and
12 effect and Plaintiffs have authorized responsible manufacturers and vendors to sell
13 merchandise with these marks.

14 34. Defendants' unauthorized use of the Coach Marks on inferior quality
15 merchandise in interstate commerce and advertising relating to same constitutes false
16 designation of origin and a false representation that the goods and services are
17 manufactured, offered, sponsored, authorized, licensed by or otherwise connected with
18 Plaintiffs or come from the same source as Plaintiffs' goods and are of the same
19 quality as that assured by the Coach Marks.

20 35. Defendants' use of The Coach Marks is without Plaintiffs' permission or
21 authority and is in total disregard of Plaintiffs' rights to control their trademarks.

22 36. Defendants' activities are likely to lead to and result in confusion,
23 mistake or deception and are likely to cause the public to believe that Plaintiffs have
24 produced, sponsored, authorized, licensed or are otherwise connected or affiliated with
25 Defendants' commercial and business activities, all to the detriment of Plaintiffs.

26 37. Upon information and belief, Defendants' acts are deliberate and
27 intended to confuse the public as to the source of Defendants' goods or services and to
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1 injure Plaintiffs and reap the benefit of Plaintiffs' goodwill associated with Plaintiffs'
2 trademarks.

3 38. As a direct and proximate result of Defendants' willful and unlawful
4 conduct, Plaintiffs have been injured and will continue to suffer injury to their
5 businesses and reputations unless Defendants are restrained by this Court from
6 infringing Plaintiffs' trademarks.

7 39. Defendants' acts have damaged and will continue to damage Plaintiffs,
8 and Plaintiffs have no adequate remedy at law.

9 40. In light of the foregoing, Plaintiffs are entitled to injunctive relief
10 prohibiting Defendants from using The Coach Marks or any marks identical and/or
11 confusingly similar thereto for any purpose, and to recover from Defendants all
12 damages, including attorneys' fees, that Plaintiffs have sustained and will sustain as a
13 result of such infringing acts, and all gains, profits and advantages obtained by
14 Defendants as a result thereof, in an amount not yet known, as well as the costs of this
15 action pursuant to 15 U.S.C. § 1117(a), attorneys' fees and treble damages pursuant to
16 15 U.S.C. § 1117(b), and/or statutory damages pursuant to 15 U.S.C § 1117(c).

17 **THIRD CLAIM FOR RELIEF**

18 **(False Designation of Origin and False Advertising - 15 U.S.C. § 1125(a))**

19 41. Plaintiffs incorporate herein by reference the averments of the preceding
20 paragraphs as though fully set forth herein.

21 42. The Coach Marks are nonfunctional and their inherently distinctive
22 quality has achieved a high degree of consumer recognition and serves to identify
23 Plaintiffs as the source of high-quality goods.

24 43. Defendants' promotion, advertising, distribution, sale, and/or offering
25 for sale of counterfeit Coach products, together with Defendants' use of other indicia
26 associated with Coach is intended, and is likely to confuse, mislead, or deceive
27 consumers, the public, and the trade as to the origin, source, sponsorship, or affiliation
28 of said products, and is intended, and is likely to cause such parties to believe in error

1 that the Defendants' counterfeit products have been authorized, sponsored, approved,
2 endorsed or licensed by Coach, or that Defendants are in some way affiliated with
3 Coach

4 44. Defendants' use of the Coach Marks is without Plaintiffs' permission or
5 authority and is in total disregard of Plaintiffs' rights to control their trademarks.

6 45. Defendants' acts have damaged and will continue to damage Plaintiffs,
7 and Plaintiffs have no adequate remedy at law.

8 46. In light of the foregoing, Plaintiffs are entitled to injunctive relief
9 prohibiting Defendants from using The Coach Marks, or any marks confusingly
10 similar thereto, and to recover all damages, including attorneys' fees, that Plaintiffs
11 have sustained and will sustain, and all gains, profits and advantages obtained by
12 Defendants as a result of their infringing acts alleged above in an amount not yet
13 known, as well as the costs of this action.

14 **FOURTH CLAIM FOR RELIEF**

15 **(Federal Trademark Dilution – 15 U.S.C. § 1125(c))**

16 47. Plaintiffs incorporate herein by reference the averments of the preceding
17 paragraphs as though fully set forth herein.

18 48. The Coach Marks are strong and distinctive marks that have been in use
19 for many years and have achieved enormous and widespread public recognition, and
20 are thus "famous" within the meaning of the Lanham Act.

21 49. Defendants have used in commerce in connection with the sale of their
22 products counterfeit reproductions of the Coach Marks, which is likely to cause, and
23 most likely has caused, confusion or mistake as to the affiliation, connection, or
24 association between Defendants and Plaintiffs, or as to the origin, sponsorship, or
25 approval of said counterfeit goods by Plaintiffs.

26 50. Defendants' acts described above have diluted and continue to dilute the
27 unique and distinctive Coach Marks. These acts violate the Lanham Act, have injured
28 and, unless immediately restrained, will continue to injure Plaintiffs, causing damage

1 to Plaintiffs in an amount to be determined at trial, as well as irreparable injury to the
2 goodwill and reputation associated with the Coach Marks.

3 51. Upon information and belief, Defendants' unlawful actions began long
4 after the Coach Marks became famous.

5 52. Upon information and belief, Defendants acted knowingly, deliberately
6 and willfully with the intent to trade on the reputation of the Coach® brand, and to
7 dilute the Coach Marks. Defendants' conduct is willful, wanton, and egregious.

8 53. Upon information and belief, the individual Defendants herein named
9 were active, moving, conscious forces behind the alleged infringing activities.

10 54. Plaintiffs have no adequate remedy at law to compensate them fully for
11 the damages that have been caused and which will continue to be caused by
12 Defendants' unlawful acts unless they are enjoined by this Court.

13 55. In light of the foregoing, Plaintiffs are entitled to injunctive relief
14 prohibiting Defendants from using the Coach Marks, and to recover all damages,
15 including attorneys' fees, that Plaintiffs have sustained and will sustain, and all gains,
16 profits and advantages obtained by Defendants as a result of their infringing acts
17 alleged above in an amount not yet known, as well as the costs of this action.

18 **FIFTH CLAIM FOR RELIEF**

19 **(Trademark Dilution in Violation of Cal. & Bus. Prof. Code)**

20 56. Plaintiffs incorporate herein by reference the averments of the preceding
21 paragraphs as though fully set forth herein.

22 57. The Coach Marks are distinctive in the State of California by virtue of
23 their substantial inherent and acquired distinctiveness, extensive use in the State of
24 California, and the extensive advertising and wide spread publicity of the marks in the
25 State of California.

26 58. As a result of the substantial inherent and acquired distinctiveness of the
27 Coach Marks, their extensive use in the State of California, and the extensive
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1 advertising and publicity of said marks in the State of California, the Coach Marks
2 have become strong and are widely renowned.

3 59. The actions of Defendants complained of herein are likely to injure the
4 business reputations and dilute the distinctive quality of the Coach Marks, which are
5 famous.

6 60. The foregoing acts of Defendants constitute dilution and injury to
7 business reputations in violation of the California Business and Professions Code.

8 61. The conduct herein complained of was extreme, outrageous, fraudulent,
9 and was inflicted on Plaintiffs in reckless disregard of Plaintiffs' rights. Said conduct
10 was despicable and harmful to Plaintiffs and as such supports an award of exemplary
11 and punitive damages in an amount sufficient to punish and make an example of the
12 Defendants and to deter them from similar such conduct in the future.

13 62. Upon information and belief, the individual Defendants herein named
14 were active, moving, conscious forces behind the alleged infringing activities.

15 63. By reason of the foregoing, Plaintiffs are being damaged by Defendants'
16 unauthorized and illegal use of the Coach Marks in the manner set forth above, and
17 will continue to be damaged unless Defendants are immediately enjoined under
18 Section 14247 of the California Business and Professions Code from using any of the
19 Coach Marks.

20 64. Plaintiffs will be irreparably injured by the continued acts of
21 Defendants, unless such acts are enjoined.

22 65. Defendants' acts have damaged and will continue to damage Plaintiffs,
23 and Plaintiffs have no adequate remedy at law.

24 66. In light of the foregoing, Plaintiffs are entitled to injunctive relief
25 prohibiting Defendants from using the Coach Marks for any purpose, destruction of the
26 counterfeit merchandise, and recovery of up to three times their profits from, and up to
27 three times all damages suffered by reason of, Defendants' wrongful manufacture, use,
28 display, or sale of infringing products.

SIXTH CLAIM FOR RELIEF

(Common Law Unfair Competition)

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3 67. Plaintiffs incorporate herein by reference the averments of the preceding
4 paragraphs as though fully set forth herein.

5 68. Plaintiffs own and enjoy common law trademark rights to the Coach
6 Marks in California and throughout the United States.

7 69. Defendants' unlawful acts in appropriating rights in the Coach Marks
8 were intended to capitalize on Plaintiffs' goodwill associated therewith for
9 Defendants' own pecuniary gain. Plaintiffs have expended substantial time, resources
10 and effort to obtain an excellent reputation for their respective brands. As a result of
11 Plaintiffs' efforts, Defendants are now unjustly enriched and are benefiting from
12 property rights that rightfully belong to Plaintiffs.

13 70. Defendants' unauthorized use of the Coach Marks has caused and is
14 likely to cause confusion as to the source of Defendants' products, all to the detriment
15 of Plaintiffs.

16 71. Defendants' acts are willful, deliberate, and intended to confuse the
17 public and to injure Plaintiffs.

18 72. Defendants' acts constitute unfair competition under California common
19 law.

20 73. Plaintiffs have been irreparably harmed and will continue to be
21 irreparably harmed as a result of Defendants' unlawful acts unless Defendants are
22 permanently enjoined from their unlawful conduct.

23 74. The conduct herein complained of was extreme, outrageous, fraudulent,
24 and was inflicted on Plaintiffs in reckless disregard of Plaintiffs' rights. Said conduct
25 was despicable and harmful to Plaintiffs, and as such supports an award of exemplary
26 and punitive damages in an amount sufficient to punish and make an example of the
27 Defendants and to deter them from similar such conduct in the future.

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1 75. Defendants' acts have damaged and will continue to damage Plaintiffs,
2 and Plaintiffs have no adequate remedy at law.

3 76. In light of the foregoing, Plaintiffs are entitled to injunctive relief
4 prohibiting Defendants from using the Coach Marks, and to recover all damages,
5 including attorneys' fees, that Plaintiffs have sustained and will sustain and all gains,
6 profits and advantages obtained by Defendants as a result of their infringing acts
7 alleged above in an amount not yet known, as well as the costs of this action.

8 **PRAYER FOR RELIEF**

9 WHEREFORE, Plaintiffs respectfully pray for judgment against Defendants, as
10 follows:

11 1. Granting temporary, preliminary and permanent injunctive relief
12 restraining and enjoining Defendants, their officers, agents, employees, and attorneys,
13 and all those persons or entities in active concert or participation with them from:

14 (a) manufacturing, importing, advertising, marketing, promoting,
15 supplying, distributing, offering for sale, or selling any products which bear the Coach
16 Marks, or any other mark confusingly similar thereto;

17 (b) engaging in any other activity constituting unfair competition with
18 Coach, or acts and practices that deceive consumers, the public, and/or trade, including
19 without limitation, the use of designations and design elements associated with Coach;

20 (c) engaging in any other activity that will dilute the distinctiveness of
21 the Coach Marks;

22 (d) committing any other act which falsely represents or which has the
23 effect of falsely representing that the goods and services of Defendants are licensed by,
24 authorized by, offered by, produced by, sponsored by, or in any other way associated
25 with Plaintiffs;

26 2. Ordering Defendants to recall from any distributors and retailers and to
27 deliver to Coach for destruction or other disposition all remaining inventory of all
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1 infringing products, including all advertisements, promotional and marketing materials
2 therefore, as well as means of making same;

3 3. Ordering Defendants to file with this Court and serve on Coach within
4 thirty (30) days after entry of the injunction a report in writing, under oath setting forth
5 in detail the manner and form in which Defendants have complied with the injunction;

6 4. Ordering an accounting by Defendants of all gains, profits and advantages
7 derived from their wrongful acts;

8 5. Awarding Plaintiffs all of Defendants' profits and all damages sustained
9 by Plaintiff as a result of Defendants' wrongful acts, and such other compensatory
10 damages as the Court determines to be fair and appropriate pursuant to 15 U.S.C.
11 § 1117(a);

12 6. Awarding treble damages in the amount of Defendants' profits or
13 Plaintiffs' damages, whichever is greater, for willful infringement pursuant to 15
14 U.S.C. § 1117(b);

15 7. Awarding applicable interest, costs, disbursements and attorneys' fees,
16 pursuant to 15 U.S.C. § 1117(b);

17 8. Awarding Plaintiffs' statutory damages pursuant to 15 U.S.C. §1117(c);

18 9. Such other relief as may be just and proper.
19

20 Dated: July 13, 2010

BLAKELY LAW GROUP

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22 By: 

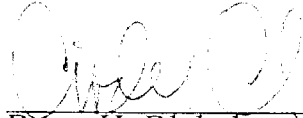
23 Brent H. Blakely
24 Cindy Chan
25 *Attorneys for Plaintiffs*
26 *Coach, Inc. and Coach Services, Inc.*
27
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DEMAND FOR JURY TRIAL

Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, Plaintiffs hereby demand a trial by jury as to all claims in this litigation.

Dated: July 13, 2010

BLAKELY LAW GROUP

By: 

Brent H. Blakely
Cindy Chan
Attorneys for Plaintiffs
Coach, Inc. and Coach Services, Inc.

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**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 Carla Woehrle.

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

CV10- 5160 GHK (CWx)

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.

Brent H. Blakely (SBN 157292)
Cindy Chan (SBN 247495)
BLAKELY LAW GROUP
915 North Citrus Avenue
Hollywood, California 90038
Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

COACH, INC., a Maryland Corporation; COACH
SERVICES, INC., a Maryland Corporation,

PLAINTIFF(S)

v.

LAFIDALE, INC., a California Corporation dba
ELLE LAFIDALE; JOHN LEE, an individual;
AMILCAR GONAN, *et al.*
DOES 1-10, inclusive,

DEFENDANT(S).

CASE NUMBER

CV 10 5160-GHK (CW)

SUMMONS

TO: DEFENDANT(S): LAFIDALE, INC. dba ELLE LAFIDALE; JOHN LEE; AMILCAR GONAN

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint amended complaint counterclaim cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Brent H. Blakely and/or Cindy Chan, whose address is 915 North Citrus Avenue, Hollywood, California 90038. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Clerk, U.S. District Court

Dated: 14 JUL 2010

By: MARILYN CAWIS
Deputy Clerk

(Seal of the Court)

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

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

I (a) PLAINTIFFS (Check box if you are representing yourself) <input type="checkbox"/> Coach, Inc. and Coach Services, Inc.	DEFENDANTS Lafidale, Inc. dba Elle Lafidale; John Lee; Amilecar Gonan
---	---

(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) BLAKELY LAW GROUP Telephone (323) 464-7400 915 North Citrus Avenue Hollywood, California 90038	Attorneys (If Known)
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II. BASIS OF JURISDICTION (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)	III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.) <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:30%;"></td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> <td style="width:40%;"></td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> </tr> <tr> <td>Citizen of This State</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business in this State</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>		PTF	DEF		PTF	DEF	Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<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
	PTF	DEF		PTF	DEF																				
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<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: \$ 100,000 +

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.)

15 U.S.C. 1114 and 15 U.S.C. 1125 - Trademark Infringement under Lanham Act

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

OTHER STATUTES <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	CONTRACT <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 REAL PROPERTY <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	TORTS PERSONAL INJURY <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 IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	TORTS PERSONAL PROPERTY <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 BANKRUPTCY <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 CIVIL RIGHTS <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	PRISONER PETITIONS <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 FORFEITURE / PENALTY <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	LABOR <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 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input checked="" type="checkbox"/> 840 Trademark SOCIAL SECURITY <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)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
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FOR OFFICE USE ONLY: Case Number: CV 10 5160

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

VIII(a). **IDENTICAL CASES:** Has this action been previously filed in this court and dismissed, remanded or closed? No Yes
 If yes, list case number(s): _____

VIII(b). **RELATED CASES:** Have any cases been previously filed in this court 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: (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named plaintiff resides.
 Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
	Coach, Inc. - New York Coach Services, Inc. - Florida

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named defendant resides.
 Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

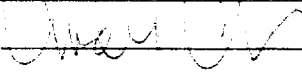
County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
All Defendants - Los Angeles	

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** claim arose.
Note: In land condemnation cases, use the location of the tract of land involved.

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
All claims - Los Angeles	

* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

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

X. SIGNATURE OF ATTORNEY (OR PRO PER):  Date July 14, 2010

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	HHA	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	SSHD	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))