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2010 JUL -2 PM 4:03
CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

FILED

5 Attorneys for Plaintiff PREMIUM DENIM, LLC
6
7

8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
10 WESTERN DIVISION

PSG
CV10 4929 (RCX)

11 PREMIUM DENIM, LLC, a California
12 limited liability company,

13 Plaintiff,

14 v.

15 PAIGE HAMILTON, an individual;
16 PAIGE HAMILTON DESIGN, INC., a
17 California corporation; and DOES 1
through 10, inclusive,

18 Defendants.

CASE NO.

COMPLAINT FOR:

1. FEDERAL TRADEMARK INFRINGEMENT, 15 U.S.C. § 1114;
2. FEDERAL FALSE DESIGNATION OF ORIGIN, 15 U.S.C. § 1125(a);
3. UNFAIR BUSINESS PRACTICES, CAL. BUS. & PROF. CODE § 17200; and
4. COMMON LAW TRADEMARK INFRINGEMENT AND UNFAIR COMPETITION.

21 DEMAND FOR JURY TRIAL
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1 Plaintiff Premium Denim, LLC, for its Complaint, alleges as follows:
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3 **Jurisdiction**

4 1. This action arises under the Federal Trademark Act (the "Lanham Act"),
5 as amended, 15 U.S.C. §§ 1051 *et seq.*, and related California statutory and common
6 law. The Court has jurisdiction over the subject matter of this action pursuant to
7 28U.S.C. §§ 1331 and 1338, as well as 15 U.S.C. §§ 1119 and 1121. The Court has
8 supplemental jurisdiction over the California statutory and common law claims
9 pursuant to 28 U.S.C. § 1367(a).
10

11 **The Parties**

12 2. Plaintiff Premium Denim, LLC ("Plaintiff" or "Premium Denim") is a
13 California limited liability corporation with a business address of 10119 Jefferson
14 Boulevard, Culver City, California 90232.

15 3. Plaintiff is informed and believes, and on that basis alleges, that
16 defendant Paige Hamilton ("Ms. Hamilton") is an individual residing in Los Angeles
17 County and having a business address of 1732 South Holt Avenue, Los Angeles,
18 California 90035.

19 4. Plaintiff is informed and believes, and on that basis alleges, that
20 defendant Paige Hamilton Design, Inc. ("PHD") is a California corporation having its
21 principal place of business at 1732 South Holt Avenue, Los Angeles, California
22 90035.

23 5. Plaintiff is unaware of the true names and capacities, whether individual,
24 corporate, associate, or otherwise, of defendants Does 1 through 10, inclusive, or any
25 of them, and therefore sues these defendants, and each of them, by such fictitious
26 name. Plaintiff will seek leave of Court to amend this Complaint when the identities
27 of these defendants are ascertained. Ms. Hamilton, PHD, and Does 1-10 are referred
28 to hereinafter collectively as "Defendants."

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1 articles and television features, and conspicuously worn by numerous celebrities. For
2 example, Plaintiff and its products have received favorable mentions in widely-
3 circulated magazines such as *Vanity Fair*, *Lucky*, *InStyle*, *Self*, *Glamour*, *Life&Style*,
4 *Vogue*, *Cosmopolitan*, *Us*, *Seventeen*, and *People*, among others. Plaintiff's products
5 have also been featured on television shows such as "The Tyra Banks Show" and
6 "The Big Idea with Donny Deutsch," as well as in news reporting on programs such
7 as "Fox News" (both national cable channel and local Los Angeles network
8 broadcast), "Inside Edition," and "The Daily 10," among others. Plaintiff's efforts to
9 raise its profile have resulted in an increase in the market for its entire apparel line,
10 including without limitation jeans bearing the Las Palmas Design. Today, Plaintiff's
11 jeans have attained a preeminent position in the marketplace. Similarly, because
12 Plaintiff's jeans are fitted for a broad range of body shapes, they are well known and
13 popular products across a broad section of the women's denim jeans marketplace.

14 11. In addition, Plaintiff and its PAIGE brand have established a general
15 reputation for quality and excellence among the public and the trade. Notably, Ms.
16 Adams-Geller and Plaintiff are so well-known in the fashion and apparel industries
17 that Plaintiff did not even pay for its PAIGE branded products to be featured in the
18 above-referenced publications and television programs; the publications and
19 programs chose to cover Plaintiff's PAIGE branded products based on the products'
20 own merit and Ms. Adams-Geller's substantial reputation and famous name as a
21 designer.

22 12. Plaintiff has expended considerable time, effort and financial resources
23 to popularize the products sold under the PAIGE Marks. The high-quality of
24 Plaintiff's PAIGE brand products coupled with the trend-setting nature of Plaintiff's
25 designs, have helped make the PAIGE brand one of the fastest growing brands on the
26 market. Through control of its product design and the use of high-quality materials
27 and exacting manufacturing standards, Plaintiff has created products that the market
28 trusts to be of the highest quality and standards. As a result, and because of the

1 renown of Ms. Adams-Geller and the enormous success of Plaintiff, Plaintiff's
2 PAIGE Marks are well-known and associated with Plaintiff.

3 13. Because of its use of the PAIGE brand and each of the PAIGE Marks,
4 Plaintiff owns exclusive common law rights to the PAIGE Marks in the denim,
5 apparel, and accessories industries.

6 14. In addition, Plaintiff owns federal registrations for the PAIGE Marks, as
7 follows:

8 a. U.S. Reg. No. 3,566,793 for PAIGE for use in connection with
9 jeans, shorts, skirts, and shirts in International Class 25 issued on January 27, 2009;

10 b. U.S. Reg. No. 3,495,555 for PAIGE PREMIUM DENIM (&
11 Design) for use in connection with jeans in International Class 25 issued on
12 September 2, 2008;

13 c. U.S. Reg. No. 3,308,211 for PAIGE for use in connection with
14 satchels in International Class 18 issued on October 9, 2007;

15 d. U.S. Reg. No. 3,301,653 for PAIGE PREMIUM DENIM for use
16 in connection with denim clothing in International Class 25 issued on October 2,
17 2007;

18 e. U.S. Reg. No. 3,191,044 for PAIGE PREMIUM for use in
19 connection with clothing in International Class 25 issued on January 2, 2007.

20 f. Plaintiff's PAIGE marks are also the subject of several pending
21 federal trademark applications.

22 15. In disregard of Plaintiff's exclusive rights in the PAIGE Marks,
23 Defendants are unlawfully exploiting Plaintiff's efforts by manufacturing, marketing,
24 advertising, selling, offering to sell products bearing the confusingly similar mark
25 "Paige Hamilton Design." The products currently include handbags, purses, totes,
26 and similar items, and various small accessories. On information and belief
27 Defendants intend to expand their existing product line to include apparel, including
28 denim products, and additional accessories.

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1 16. Plaintiff is informed and believes, and on that basis alleges, that
2 Defendants, by such conduct, are willfully and intentionally misappropriating
3 Plaintiff's rights with the intent to profit therefrom.

4 17. The association of Plaintiff with the products sold under Defendants'
5 "Paige Hamilton Design" mark poses an immediate and serious threat to Plaintiff's
6 business reputation and the goodwill built up in the PAIGE Marks.

7 18. Accordingly, Plaintiff brings this action to enforce its rights and to stop
8 the manufacture, distribution and sale of these infringing goods.

9 **FIRST CLAIM FOR RELIEF**

10 **(Federal Trademark Infringement, 15 U.S.C. § 1114)**

11 19. Plaintiff re-alleges and incorporates herein by reference paragraphs 1-18
12 of this Complaint.

13 20. Plaintiff's PAIGE Marks are inherently distinctive and/or have acquired
14 secondary meaning as to the source of all goods advertised, marketed, sold, or used in
15 connection with the PAIGE Marks.

16 21. Plaintiff has not authorized, licensed or given permission to Defendants
17 to use the PAIGE Marks in any manner whatsoever including, without limitation, on
18 the infringing products being marketed, advertised, sold, imported or distributed by
19 Defendants using the mark "Paige Hamilton Design."

20 22. Defendants' use of an infringing version of the PAIGE Marks in
21 connection with Defendants' products sold and intended to be sold under the "Paige
22 Hamilton Design" mark is likely to cause confusion, mistake or to deceive as to
23 source, origin, affiliation, or sponsorship.

24 23. Plaintiff lacks an adequate remedy at law.

25 24. Unless an injunction is issued enjoining any continuing or future
26 infringing use of the PAIGE Marks by Defendants including the "Paige Hamilton
27 Design" mark, such use is likely to continue to cause confusion, mistake, or to
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1 deceive as to source, origin, affiliation, or sponsorship, thereby irreparably damaging
2 Plaintiff.

3 25. As a direct and proximate result of Defendants' infringing conduct,
4 Plaintiff has been damaged and will continue to be damaged. Pursuant to 15 U.S.C. §
5 1116(a), Plaintiff is entitled to an order enjoining Defendants from using the PAIGE
6 Marks, or any mark confusingly similar thereto, including, without limitation, the
7 mark "Paige Hamilton Design" in connection with jeans, apparel, and accessories,
8 including handbags, purses, totes, and similar items. Pursuant to 15 U.S.C. §
9 1117(a), Plaintiff is entitled to an order requiring Defendants to account to Plaintiff
10 for any and all profits derived by Defendants from their actions, and to an order
11 awarding all damages sustained by Plaintiff by reason of the infringement caused by
12 Defendants.

13 26. Plaintiff is informed and believes, and on that basis alleges, that
14 Defendants' conduct alleged herein was intentional and in conscious disregard of
15 Plaintiff's rights. Pursuant to 15 U.S.C. § 1117(a), Plaintiff is entitled to an award of
16 treble damages and/or enhanced profits against Defendants.

17 27. Defendants' acts make this an exceptional case under 15 U.S.C.
18 §1117(a), and Plaintiff is entitled to an award of attorneys' fees and costs.

19
20 **SECOND CLAIM FOR RELIEF**

21 **(Federal False Designation Of Origin, 15 U.S.C. § 1125(a))**

22 28. Plaintiff re-alleges and incorporate herein by reference paragraphs 1-27
23 of this Complaint.

24 29. By virtue of the widespread and longstanding distribution of goods
25 under the PAIGE Marks, the PAIGE Marks have come to identify the source of such
26 goods and to distinguish those goods from those of others. By virtue of the quality of
27 the products distributed under the PAIGE Marks, the marks have come to identify the
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1 source of such goods as a supplier of high quality jeans, apparel, and accessories and
2 Plaintiff has established enormous goodwill in the mark.

3 30. Defendants' promotion, marketing and advertising of their products
4 under the mark "Paige Hamilton Design," is a false designation of origin and false or
5 misleading representation of fact that is likely to cause confusion, or to cause
6 mistake, or to deceive as to an affiliation, connection, or association between Plaintiff
7 and Defendants, and is likely to cause confusion, mistake or deception as to the
8 origin, sponsorship or approval of Defendants' products by Plaintiff or, conversely,
9 Plaintiff's products by Defendants.

10 31. Plaintiff is informed and believes, and on that basis alleges, that
11 Defendants intended to, and did, confuse and mislead the public, and did represent
12 and create the false impression that Plaintiff authorized, originated, sponsored,
13 approved, licensed or participated in Defendants' use of a mark confusingly similar to
14 the PAIGE Marks in connection with Defendants' products.

15 32. In fact, there is no connection or association or licensing relationship
16 between Plaintiff, on the one hand, and Defendants, on the other hand. Plaintiff has
17 not authorized, licensed or given permission to Defendants to use the PAIGE Marks,
18 or any mark similar thereto, in any manner whatsoever, including, without limitation,
19 Defendants' use of the mark "Paige Hamilton Design."

20 33. Thus, Defendants have created and will continue to create a false
21 impression concerning an association between Plaintiff and Defendants, a false
22 designation of the origin of Defendants' goods, and confusion as to a connection
23 between the respective parties.

24 34. As a direct and proximate result of Defendants' creation of a false
25 impression of association between Plaintiff and Defendants, and Defendants' use of a
26 false designation of origin and false or misleading representation of fact in connection
27 with Defendants' goods, Plaintiff has been damaged and will continue to be damaged.
28 Pursuant to 15 U.S.C. § 1116(a), Plaintiff is entitled to an order enjoining Defendants

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1 from using the PAIGE Marks, or any mark confusingly similar thereto, including,
2 without limitation, the mark "Paige Hamilton Design," in connection with marketing,
3 advertising, selling or distributing any jeans, apparel, or accessories, including
4 handbags, purses, totes, and similar items. Pursuant to 15 U.S.C. § 1117(a), Plaintiff
5 is entitled to an order requiring Defendants to account to Plaintiff for any and all
6 profits derived by Defendants from their actions, and to an order awarding all
7 damages sustained by Plaintiff and caused by Defendants' conduct.

8 35. Plaintiff is informed and believes, and on that basis alleges, that
9 Defendants' conduct alleged herein was intentional and in conscious disregard of
10 Plaintiff's rights. Pursuant to 15 U.S.C. § 1117(a), Plaintiff is entitled to an award of
11 treble damages and/or enhanced profits against Defendants.

12 36. Defendants' acts make this an exceptional case under 15 U.S.C.
13 § 1117(a), and Plaintiffs are entitled to an award of attorneys' fees and costs.

14
15 **THIRD CLAIM FOR RELIEF**

16 **(Unfair Business Practices, Violation**

17 **of Cal. Bus. & Prof. Code § 17200 et seq.)**

18 37. Plaintiff re-alleges and incorporates herein by reference paragraphs 1-36
19 of this Complaint.

20 38. Defendants' acts constitute unlawful, unfair and/or fraudulent business
21 practices and misleading advertising pursuant to California Business and Professions
22 Code § 17200.

23 39. Plaintiff has been damaged and will continue to be damaged by
24 Defendants' unlawful, unfair and/or fraudulent business practices and misleading
25 advertising as alleged herein.

26 40. Plaintiff is entitled to an injunction prohibiting Defendants from
27 continuing the practices alleged herein, and Plaintiff is entitled to restitution of all
28 amounts acquired by Defendants by means of such wrongful acts.

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FOURTH CLAIM FOR RELIEF

(Common Law Trademark Infringement and Unfair Competition)

41. Plaintiff re-alleges and incorporates herein by reference paragraphs 1-40 of this Complaint.

42. Defendants' acts constitute common law trademark infringement and unfair competition under state law.

43. Plaintiff has been damaged and will continue to be damaged by Defendants' infringing activities.

44. Plaintiff is entitled to an injunction prohibiting Defendants from continuing the wrongful practices described herein.

45. Plaintiff is also entitled to profits and damages arising from Defendants' wrongful use of a mark confusingly similar to the PAIGE Marks.

46. Plaintiff is informed and believes, on that basis alleges, that Defendants' conduct was willful, wanton, malicious and in conscious disregard of Plaintiff's rights, thereby justifying an award of punitive and/or exemplary damages in an amount according to proof at trial.

Prayer For Relief

WHEREFORE, Plaintiff Premium Denim, LLC prays for relief against Defendants as follows:

A. For a preliminary and permanent injunction enjoining and restraining Defendants, and all their officers, directors, stockholders, owners, agents, representatives, servants and employees, and all those acting in concert or privity therewith, from directly or indirectly:

1. infringing Plaintiff's trademark rights in any way including, without limitation, Plaintiff's rights, common law or otherwise, in the PAIGE Marks;
2. using any false or misleading designation of origin, or false or misleading description or statement, that can, or is likely to, lead the consuming

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1 public or individual members thereof, to believe that any product provided by
2 Defendants is in any manner associated or connected with Plaintiff, or is sponsored,
3 approved or authorized by Plaintiff;

4 3. engaging in any unfair business practices or any acts of unfair
5 competition in any manner with respect to Plaintiff's product line or the PAIGE
6 Marks; and

7 4. using the mark "Paige Hamilton Design" in connection with jeans,
8 apparel, and accessories, including, without limitation, handbags, purses, totes, and
9 similar items.

10 B. Ordering Defendants to file with the Court and to serve on counsel for
11 Plaintiff, within thirty (30) days from entry of an injunction, a report setting forth the
12 manner and form in which Defendants have complied with the injunction.

13 C. For an order that, by the acts complained of herein, Defendants have
14 infringed Plaintiff's trademark rights, in violation of 15 U.S.C. § 1114.

15 D. For an order that, by the acts complained of herein, Defendants have
16 infringed Plaintiff's rights, and engaged in acts of false designation of origin, in
17 violation of 15 U.S.C. § 1125(a).

18 E. For an order that, by the acts complained of herein, Defendants have
19 engaged in unfair business practices against Plaintiff, in violation of Cal. Bus. and
20 Prof. Code § 17200.

21 F. For an order that, by the acts complained of herein, Defendants have
22 infringed Plaintiff's common law trademark rights and/or engaged in acts of common
23 law unfair competition against Plaintiff.

24 G. For an order awarding Plaintiff general and/or specific damages in
25 accordance with proof, including enhanced and/or exemplary damages, as
26 appropriate, as well as all of Defendants' profits or gains of any kind from
27 Defendants' acts of trademark infringement, false designation of origin, and unfair
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1 business practices; and further for an order that such acts were willful and wanton,
2 thereby justifying an award, where appropriate, of treble or enhanced damages.

3 H. For an order awarding Plaintiff restitution of all amounts obtained by
4 Defendants by means of their wrongful acts described herein;

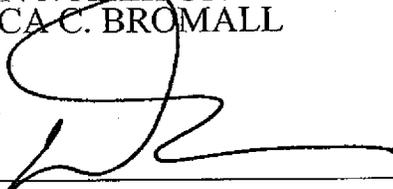
5 I. For an order awarding Plaintiff his costs and attorneys' fees incurred in
6 prosecuting this action.

7 J. For an order awarding Plaintiff pre-judgment interest.

8 K. For an order awarding such other relief as the Court deems just and
9 proper.

10
11 DATED: July 2, 2010

JEFFER, MANGELS, BUTLER & MARMARO LLP
ROD S. BERMAN
SUSAN J. ALLISON
JESSICA C. BROMALL

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15 By: 
16 ROD S. BERMAN
17 Attorneys for Plaintiff PREMIUM DENIM,
18 LLC
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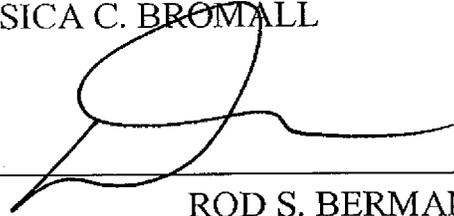
DEMAND FOR JURY TRIAL

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Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, Plaintiff hereby demands trial by jury.

DATED: July 2, 2010

JEFFER, MANGELS, BUTLER & MARMARO LLP
ROD S. BERMAN
SUSAN J. ALLISON
JESSICA C. BROMALL

By: 

ROD S. BERMAN
Attorneys for Plaintiff PREMIUM DENIM,
LLC

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Jeffer Mangels
Butler & Marmaro LLP

**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 Philip S. Gutierrez and the assigned discovery Magistrate Judge is Rosalyn M. Chapman.

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

CV10- 4929 PSG (RCx)

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.

COPY

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Tel: (310) 203-8080; Fax: (310) 203-0567

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

PREMIUM DENIM, LLC, a California limited liability company,

PLAINTIFF(S)

v.

PAIGE HAMILTON, an individual; PAIGE HAMILTON DESIGN, INC., a California corporation; and DOES 1 through 10, inclusive,

DEFENDANT(S).

CASE NUMBER

CV10 4929

SUMMONS

TO: DEFENDANT(S): PAIGE HAMILTON and PAIGE HAMILTON DESIGN, INC.

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, Rod S. Berman, Esq., whose address is Jeffer, Mangels, Butler & Marmaro LLP, 1900 Avenue of the Stars, Seventh Floor, Los Angeles, California 90067-4308. 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

JUL - 2 2010

Dated: _____

By: CHRISTOPHER POWERS

Deputy Clerk

SEAL

(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)].

I (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/>) PREMIUM DENIM, LLC, a California limited liability company	DEFENDANTS PAIGE HAMILTON, an individual; PAIGE HAMILTON DESIGN, INC., a California corporation; and DOES 1 through 10, inclusive
(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) JEFFER, MANGELS, BUTLER & MARMARO LLP ROD S. BERMAN (Bar # 105444), rxb@jmbm.com SUSAN J. ALLISON (Bar # 133448), sja@jmbm.com JESSICA C. BROMALL (Bar #235017), jzb@jmbm.com 1900 Ave. of the Stars, 7th Floor, Los Angeles, CA 90067 Tel: (310) 203-8080; Fax: (310) 203-0567	Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an X in one box only.) <input type="checkbox"/> 1 U.S. Government Plaintiff <input type="checkbox"/> 2 U.S. Government Defendant <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) <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
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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.)

<input checked="" type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from another district (specify):	<input type="checkbox"/> 6 Multi-District Litigation	<input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge
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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: \$ According to Proof

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.)
 Federal Trademark Infringement, 15 U.S.C. § 1114; Federal False Designation Of Origin, 15 U.S.C. § 1125(a); and Unfair Business Practices, Cal. Bus. & Prof. Code § 17200

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

OTHER STATUTES	CONTRACT	TORTS PERSONAL INJURY	TORTS PERSONAL PROPERTY	PRISONER PETITIONS	LABOR								
<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	<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 <th style="text-align: center;">REAL PROPERTY</th> <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	REAL PROPERTY	<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 <th style="text-align: center;">IMMIGRATION</th> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	IMMIGRATION	<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 <th style="text-align: center;">BANKRUPTCY</th> <input type="checkbox"/> 22 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <th style="text-align: center;">CIVIL RIGHTS</th> <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	BANKRUPTCY	CIVIL RIGHTS	<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 <th style="text-align: center;">FORFEITURE-PENALTY</th> <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	FORFEITURE-PENALTY	<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 <th style="text-align: center;">PROPERTY RIGHTS</th> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input checked="" type="checkbox"/> 840 Trademark <th style="text-align: center;">SOCIAL SECURITY</th> <input type="checkbox"/> 61 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)) <th style="text-align: center;">FEDERAL TAX SUITS</th> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609	PROPERTY RIGHTS	SOCIAL SECURITY	FEDERAL TAX SUITS

FOR OFFICE USE ONLY: Case Number: _____

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

CV10 4929

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
Los Angeles County, California - Premium Denim, LLC	

(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
Los Angeles County, California - Paige Hamilton and Paige Hamilton Design, Inc.	

(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
Los Angeles County, California	

* 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): ROD S. BERMAN ESQ. of Jeffer, Mangels, Butler & Marmaro LLP Date July 2, 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	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))