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Attorneys for Plaintiff,
SANSEGAL SPORTSWEAR, INC.

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

SANSEGAL SPORTSWEAR, INC.)	
)	
Plaintiff,)	
)	
vs.)	COMPLAINT
)	(Jury Trial Demanded)
)	
GEORGE B. LIPSON, JOHN DOES 1-5,)	Civil No. 2:08-cv-102
and JANE DOES 1-5,)	Magistrate Judge Paul M. Warner
)	
Defendants.)	

Plaintiff SANSEGAL SPORTSWEAR, INC. (hereinafter "Sansegal"), by and through counsel,
complains against Defendant George B. Lipson (hereinafter "Lipson"), John Does 1-5, and Jane
Does 1-5 (hereinafter "Defendants") and alleges as follows:

IDENTITY OF PARTIES

1. Sansepal Sportswear, Inc. is a Utah Corporation having its principal place of business at 611 West 9560 South, Sandy, Utah 84070.
2. Upon information and belief, George B. Lipson is an individual having an address of 870 Spangler Mill Road NE, Floyd, Virginia 24091.
3. Upon information and belief, Defendants John Does 1-5 and Jane Does 1-5, are believed to be agents or representatives of George Lipson, or individuals associated with George Lipson or corporations or other entities related to or formed by George Lipson.

JURISDICTION AND VENUE

4. This is an action arising, in part, under the laws of the United States, including 15 U.S.C. § 1125 (Lanham Act § 43), and related Utah state law. Thus, original subject matter jurisdiction is conferred upon this Court by 28 U.S.C. §§ 1331 and 1338.
5. The state law claims asserted herein arise out of facts common to the federal claims, all of which are so related that they form part of the same case or controversy, and would be expected to be tried in a common action. This Court also therefore has supplemental jurisdiction over the state law claims pursuant to 28 U.S.C. § 1367.
6. This Court has personal jurisdiction over Defendants by virtue of their transacting and doing business in this state, their conducting infringing activity in this state, and their causing other tortious injury in this state.
7. Venue is proper in this judicial district pursuant to 28 U.S.C. § 1391.

GENERAL ALLEGATIONS

8. Sansepal is a leader in the clothing industry. Sansepal is a national sportswear company that sells primarily directly to corporate retail clients. Sansepal provides screenprinting, embroidery, garment design, manufacturing, and importing services for, *inter alia*, the resort, retail and catalog markets. Sansepal distributes its clothing products through various retail outlets, stores and establishments, and Sansepal's products are sold all over the United States and throughout the world.

9. Sansepal is the owner of U.S. Trademark Registration no. 2089226 filed on August 21, 1996, for the mark GREEN BRAND used in connection with, *inter alia*, clothing, namely, shorts, jackets, shirts, pants, tee shirts, sweat shirts, and tank tops. The registration date is August 19, 1997. The Certificate of Registration is attached hereto as Exhibit A.

10. Sansepal has a date of first use of the GREEN BRAND mark at least as early as 1996. As a result of Sansepal's widespread and continuous use of the mark GREEN BRAND, Sansepal owns valuable rights in the GREEN BRAND mark.

11. Upon information and belief, Defendants are engaged in the clothing business.

12. Upon information and belief, Defendants are using the mark GREEN LABEL in connection with clothing, as depicted on Defendants' web site at the domain name greenlabel.com, a print from which is attached hereto as Exhibit B.

13. Upon information and belief, Defendant Lipson is the owner of U.S. Trademark Application Serial No. 78/727,821 for the mark including a design, used in connection with clothing, namely, t-shirts; pants; shorts; knit tops; sweaters; fleece wear, namely, sweat pants;

sweat shorts; sweatshirts and jackets; sweatshirts; sweat suits; under garments; sleepwear pajamas; loungewear; socks; gloves; outerwear, namely, coats; jackets and sweaters. The record of Lipson's U.S. Trademark Application Serial No. 78/727,821 is attached hereto as Exhibit C.

14. Lipson filed U.S. Trademark Application Serial No. 78/727,821 on October 2, 2007, after the filing date of Sansepal's U.S. Trademark Registration No. 2089226.

15. Upon information and belief, as indicated on Lipson's U.S. Trademark Application Serial No. 78/727,821, Lipson's date of first use of his mark is May 14, 2005, well after Sansepal's date of first use of its mark.

16. Defendants' use of the GREEN LABEL mark constitutes unlawful infringement of Sansepal's GREEN BRAND mark.

17. As a result of Defendants' wrongful conduct, Sansepal has suffered damages in an amount to be proven at trial.

18. The damage and harm to Sansepal arising from Defendants' acts of infringement of the GREEN BRAND mark is not fully compensable by money damages, but rather results in irreparable harm to Sansepal.

FIRST CAUSE OF ACTION
(Trademark Infringement - 15 U.S.C. § 1125(a))

19. Plaintiff Sansepal hereby realleges and incorporates by this reference paragraphs 1 to 18 above as if fully set forth herein.

20. A significant segment of the consuming public recognizes Sansegal's GREEN BRAND mark as being distinctive of and identifying a high quality product associated with a single source.

21. Defendants' infringing use of the GREEN LABEL mark is substantially likely to cause confusion among the consuming public as to the origin of Defendants' products.

22. Upon information and belief, Defendants' infringement of Sansegal's trademark is willful and wanton, with intent to injure Sansegal.

23. Sansegal has been damaged and continues to be damaged by Defendants in an amount to be established at trial, including Defendants' profits and Sansegal's lost profits, plus punitive damages.

24. Sansegal has no adequate remedy at law for the damage to its reputation and goodwill and will continue to be irreparably damaged unless Defendants are enjoined from their infringing and illegal conduct.

SECOND CAUSE OF ACTION
(Unfair Competition - 15 U.S.C. § 1125(a))

25. Plaintiff Sansegal hereby realleges and incorporates by this reference paragraphs 1 to 24 above as if fully set forth herein.

26. Sansegal's GREEN BRAND mark is distinctive and has acquired recognition value as a trademark symbol in the mind of purchasers in Sansegal's and Defendants' trade area, as a result of Sansegal's promotion and sales of its goods.

27. Sansepal's GREEN BRAND mark is distinctive and has acquired recognition value as a trademark, and has come to designate to the relevant purchasers an indication of source.

28. Defendants have engaged in unfair competition prohibited by the Lanham Act § 43(a) [Title 15 of the United States Code §1125(a)] in that Defendant has used Sansepal's GREEN BRAND mark in connection with Defendant's goods as a false designation of origin, a false or misleading description and representation of fact, which is likely to cause confusion, and to cause mistake, and to deceive as to the affiliation, connection or association of Defendants with Sansepal and a false suggestion of origin, sponsorship, and/or approval of Defendants' goods and commercial activities by Sansepal.

29. Sansepal has suffered damage and irreparable harm to the goodwill and recognition value in its GREEN BRAND mark by the false designation of origin caused by the public presentation of Defendants' goods using the GREEN BRAND mark.

30. Pursuant to Lanham Act § 34 [15 U.S.C. § 1116], Sansepal is entitled to injunctive relief to prohibit any further use by Defendants of Sansepal's GREEN BRAND mark. Additionally, Sansepal is entitled to an order directing Defendants to file with the court and serve on Sansepal a report in writing under oath setting forth in detail the manner and form in which Defendants have complied with the injunction.

31. On information and belief, such infringement by Defendants was preconceived and with actual knowledge of the confusing similarity between their infringing mark and Sansepal's GREEN BRAND mark, and such infringement is therefore unlawful, deliberate, and

willful, making this an exceptional case. Thus, Sansegal is entitled to recover its attorney fees, and up to three (3) times the amount of actual damages, pursuant to 15 U.S.C. § 1117 (a).

THIRD CAUSE OF ACTION
(Common Law Trademark Infringement)

32. Plaintiff Sansegal hereby realleges and incorporates by this reference paragraphs 1 to 31 above as if fully set forth herein.

33. A significant segment of the consuming public recognizes Sansegal's GREEN BRAND mark as being distinctive of and identifying a high quality product associated with a single source.

34. Defendants' infringing use of the mark is substantially likely to cause confusion among the consuming public as to the origin of Defendants' products.

35. Upon information and belief, Defendants' infringement of Sansegal's trademark is willful and wanton, with intent to injure Sansegal.

36. Sansegal has been damaged and continues to be damaged by Defendants in an amount to be established at trial, including Defendants' profits and Sansegal's lost profits, plus punitive damages.

37. Sansegal has no adequate remedy at law for the damage to its reputation and goodwill and will continue to be irreparably damaged unless Defendants are enjoined from their infringing and illegal conduct.

FOURTH CAUSE OF ACTION
(Common Law Unfair Competition)

38. Plaintiff Sansepal hereby realleges and incorporates by this reference paragraphs 1 to 37 above as if fully set forth herein.

39. Defendants' actions constitute unfair competition and unfair business practices. The actions as alleged herein constitute unfair competition with Sansepal by creating a likelihood of confusion and actual confusion as to the source or sponsorship of the products sold by Defendants; by misappropriating the unique reputation and goodwill of Sansepal represented by the GREEN BRAND mark, thereby injuring that reputation and goodwill; and by diverting from Sansepal the benefits arising therefrom.

40. The actions of Defendants have damaged and will continue to damage the business, market, reputation and goodwill of Sansepal, and may discourage current and potential customers from dealing with Sansepal.

41. Defendants' actions are unlawful and have caused and continue to cause irreparable injury to the value and goodwill of Sansepal's mark, as well as irreparable injury to Sansepal's business, goodwill and reputation. Sansepal has no adequate remedy at law.

42. Upon information and belief, Defendants' continued use of the GREEN LABEL mark is deliberate, willful and constitutes a knowing infringement of Sansepal's GREEN BRAND mark.

43. Sansepal has been damaged and continues to be damaged by Defendants in an amount to be established at trial, including Defendants' profits and Sansepal's lost profits, plus punitive damages.

FIFTH CAUSE OF ACTION

(Violation of State Unfair Competition Act, Utah Code Ann. §§ 13-5a-101 et seq.)

44. Plaintiff Sansepal hereby realleges and incorporates by this reference paragraphs 1 to 43 above as if fully set forth herein.

45. Upon information and belief, Defendants' actions constitute an intentional business act or practice that is unlawful, or unfair and leads to a material diminution in value of Sansepal's intellectual property, and is an infringement of Sansepal's GREEN BRAND trademark.

46. Pursuant to Utah Code Ann. §§ 13-5a-103, Sansepal is entitled to recover actual damages, costs and attorney fees, and punitive damages.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff Sansepal prays for judgment against Defendant as follows:

- A. That Defendants be held to have infringed Sansepal's GREEN BRAND mark;
- B. That Defendants be held to have committed unfair or deceptive acts, practices or misrepresentations in violation of Lanham Act § 43(a) and common law.
- C. That Defendants be held to have violated the Utah State Unfair Competition Act.

D. That judgment be entered for Plaintiff Sansegal and against Defendants for Plaintiff Sansegal's actual damages according to proof, and for any additional profits attributable to infringements of Plaintiff Sansegal's trademark, in accordance with proof.

E. That Defendants, their agents, officers, directors, employees, and all other persons in active concert or privity or in participation with them be temporarily and permanently enjoined from directly or indirectly infringing Plaintiff Sansegal's trademark or continuing to use, market, offer, sell, dispose of, license, lease, transfer, display, advertise, reproduce, develop or manufacture any goods in connection with a mark infringing Plaintiff Sansegal's trademark or to participate or assist in any such activity.

F. That Defendants and all persons in active concert or privity or in participation with them be enjoined to recall from all distributors, retailers and all others known to Defendants, any goods in connection with a mark shown by the evidence to infringe Plaintiff Sansegal's trademark.

G. That Defendants be enjoined to deliver upon oath, to be impounded during the pendency of this action and destroyed pursuant to judgment herein, all items shown by the evidence to infringe Plaintiff Sansegal's trademark.

H. That Defendants be ordered to file with this Court and serve on Plaintiff Sansegal within thirty (30) days after service on Defendants of the injunction granted herein, or such extended period as the Court may direct, a report in writing, under oath, setting forth in detail the manner and form in which Defendants have complied with the injunction and order of the Court.

I. That judgment be entered for Plaintiff Sansegal and against Defendants for the actual damages according to proof, that such damages be trebled, together with the costs of the suit and reasonable attorney's fees, attributable to Defendants's acts of unfair or deceptive acts, practices or misrepresentations in violation of Lanham Act § 43(a).

J. That Defendants be required to account for all gains, profits, and advantages derived from their acts of infringement and other violations of law.

K. That Plaintiff Sansegal have judgment against Defendants for Plaintiff Sansegal's costs and attorneys fees.

L. That Plaintiff Sansegal be awarded punitive damages against Defendants.

M. That Defendants be required to pay prejudgment and post-judgment interest until such awards are paid.

N. That Plaintiff Sansegal shall have other and further relief as shall seem just and proper to the Court.

JURY DEMAND

Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Plaintiff hereby demands a trial by jury of all issues so triable.

DATED this 6th day of February, 2008.

CLAYTON, HOWARTH & CANNON, P.C.

/s/ Wesley M. Lang

Grant R. Clayton
Wesley M. Lang
Attorneys for Plaintiff Sansegal Sportswear, Inc.
P.O. Box 1909
Sandy, Utah 84091
Telephone: (801) 255-5335
Facsimile: (801) 255-5338

EXHIBIT A

Exhibit A

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

Reg. No. 2,089,226

United States Patent and Trademark Office

Registered Aug. 19, 1997

New Cert.

OG Date Nov. 4, 2003

**TRADEMARK
PRINCIPAL REGISTER
REGISTRATION ASSIGNED**

GREEN BRAND

SANSEGAL SPORTSWEAR, INC. (UTAH
CORPORATION)
611 WEST 9560 SOUTH
SANDY, UT 84070, BY ASSIGNMENT
DOZIER-DRAHOZAL, RICK (UNITED
STATES INDIVIDUAL) SALT LAKE
CITY, UT
NO CLAIM IS MADE TO THE EXCLU-
SIVE RIGHT TO USE "BRAND", APART
FROM THE MARK AS SHOWN.

FOR: CLOTHING, NAMELY, SHORTS,
JACKETS, SHIRTS, PANTS, TEE SHIRTS,
SWEAT SHIRTS, TANK TOPS, IN CLASS
25 (U.S. CLS. 22 AND 39).

FIRST USE 8-14-1996; IN COMMERCE
8-14-1996.

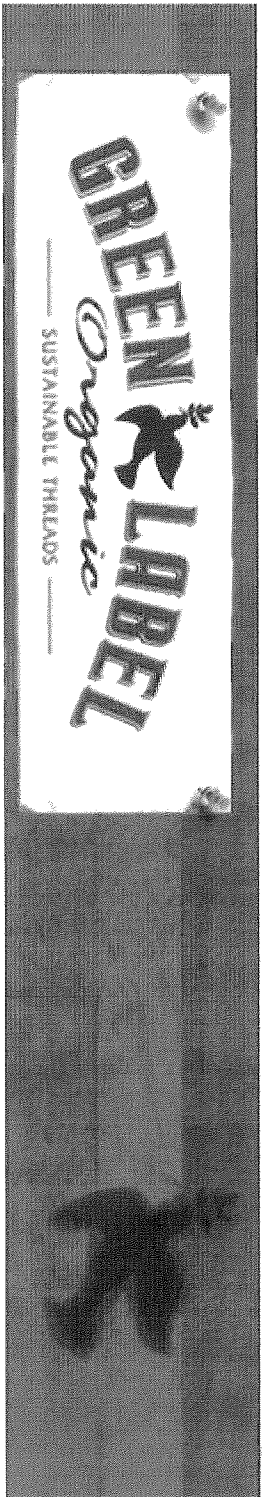
SER. NO. 75-153,594, FILED 8-21-1996.

*In testimony whereof I have hereunto set my hand
and caused the seal of The Patent and Trademark
Office to be affixed on Nov. 4, 2003.*

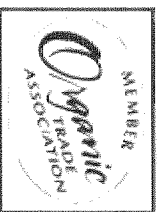
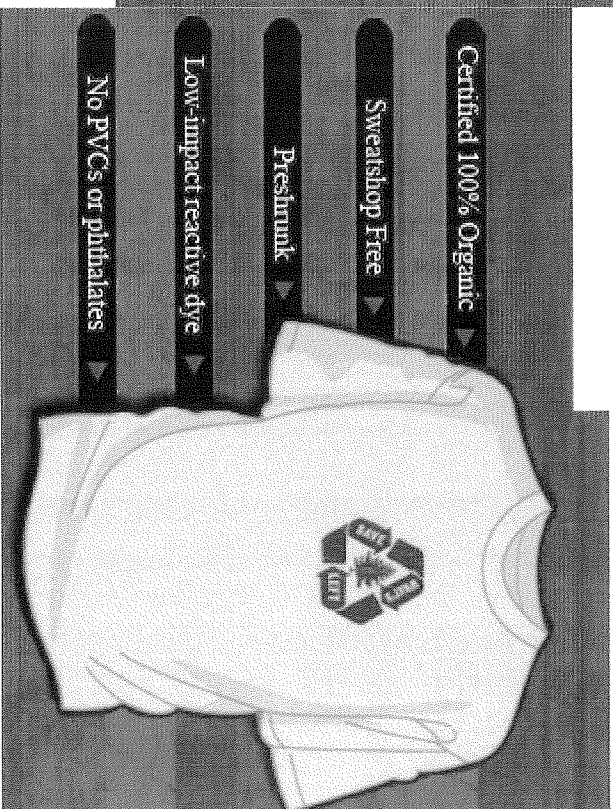
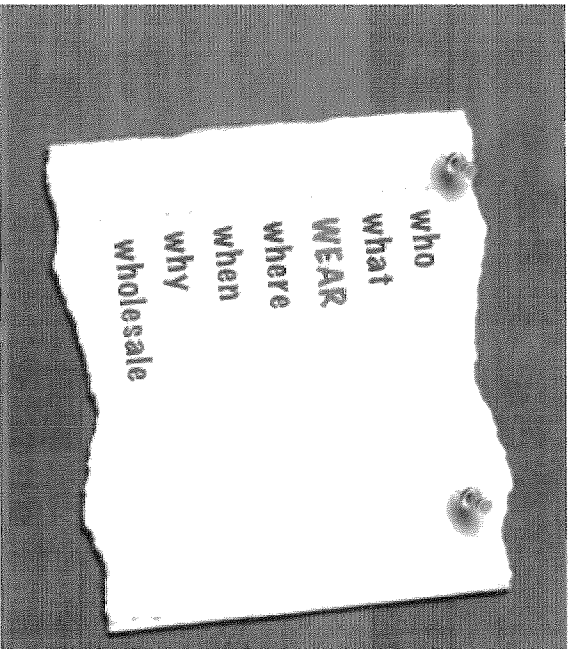
DIRECTOR OF THE U.S. PATENT AND TRADEMARK OFFICE

EXHIBIT B

Exhibit B



Shop



The highest quality, most sustainable apparel brand on the planet.
Our shirts are domestically made in the United States
with 100% certified organic ring spun cotton,
dyed with low-impact reactive dyes,
and printed without the use of plastics.



[Men's Organic Shirts](#) | [Women's Organic Shirts](#)

[Who-Contact Us](#) | [What-Benefits](#) | [Where-Store Locator](#) | [Why-Organic](#) | [When-See Us](#)

EXHIBIT C

Exhibit C

PTO Form 1479 (Rev. 6/2005)
 GMB No. 0651-0009 (Esp. 33/3033)

Trademark/Service Mark Application, Principal Register

Serial Number: 78727821

Filing Date: 10/06/2005

The table below presents the data as entered.

MARK SECTION	
MARK FILE NAME	\\TICRS\EXPORT8\IMAGEOUT8\787278\78727821.xml\AP P0002.JPG
STANDARD CHARACTERS	NO
USPTO-GENERATED IMAGE	NO
LITERAL ELEMENT	GREEN LABEL ORGANIC-SUSTAINABLE THREADS
COLOR MARK	YES
COLOR(S) CLAIMED	The color(s) Green and Dark Red are claimed as color features of the mark. is/are claimed as a feature of the mark.
DESCRIPTION OF THE MARK (and Color Location, if applicable)	The mark consists of The colors Green and Dark Red are claimed as a feature of the mark. The color Green is indicated for the words "Green Label" and for the words "Sustainable Threads". The color Dark Red is indicated for the accent color, for the Dove with Olive branch, and for the word "Organic"..
PIXEL COUNT ACCEPTABLE	YES
PIXEL COUNT	660 x 264
OWNER SECTION	
NAME	Lipson, George, B.
STREET	870 Spangler Mill Rd. NE
CITY	Floyd
STATE	Virginia
ZIP/POSTAL CODE	24091
COUNTRY	United States
PHONE	540-745-2901
FAX	540-745-2901
EMAIL	gratefulg@yahoo.com
AUTHORIZED EMAIL COMMUNICATION	Yes
LEGAL ENTITY SECTION	
TYPE	INDIVIDUAL
COUNTRY OF CITIZENSHIP	United States
GOODS AND/OR SERVICES SECTION	

DESCRIPTION	Clothing for men women and children. Namely T-shirts, pants, shorts, knit tops, sweaters, fleecewear, sweatshirts, sweatsuits, under garments, sleepwear, pajamas, loungewear, socks, gloves, outerwear, backpack, belts, totes, duffels, hats and caps.
FILING BASIS	Section 1(a)
FIRST USE ANY WHERE DATE	At least as early as 07/08/2005
FIRST USE IN COMMERCE DATE	At least as early as 08/19/2005
SPECIMEN FILE NAME(S)	\\TICRS\EXPORT8\IMAGEOUT8\787\278\78727821.xml\AP P0003.JPG
SPECIMEN DESCRIPTION	Digitally scanned neck label that is printed inside of all apparel products. Mark as presented in colors is for hang tags, letter head, advertising and internet commerce.
SIGNATURE SECTION	
SIGNATURE	/George B. Lipson/
SIGNATORY NAME	George B. Lipson
SIGNATORY DATE	10/06/2005
SIGNATORY POSITION	Owner
PAYMENT SECTION	
NUMBER OF CLASSES	1
NUMBER OF CLASSES PAID	1
SUBTOTAL AMOUNT	325
TOTAL AMOUNT	325
CORRESPONDENCE SECTION	
NAME	Lipson, George, B.
STREET	870 Spangler Mill Rd. NE
CITY	Floyd
STATE	Virginia
ZIP/POSTAL CODE	24091
COUNTRY	United States
EMAIL	gratefulg@yahoo.com
AUTHORIZED EMAIL COMMUNICATION	Yes
FILING INFORMATION	
SUBMIT DATE	Thu Oct 06 12:59:45 EDT 2005
TEAS STAMP	USPTO/BAS-663787192-20051 006125945749204-78727821- 2007e9a877d6487ccc9c53377 891c89b82-CC-1552-2005100 6125148246205

Trademark/Service Mark Application, Principal Register

Serial Number: 78727821

Filing Date: 10/06/2005

To the Commissioner for Trademarks:

MARK: GREEN LABEL ORGANIC-SUSTAINABLE THREADS (stylized and/or with design, see mark)

The literal element of the mark consists of GREEN LABEL ORGANIC-SUSTAINABLE THREADS.

The color(s) Green and Dark Red are claimed as color features of the mark. is/are claimed as a feature of the mark.

The mark consists of The colors Green and Dark Red are claimed as a feature of the mark. The color Green is indicated for the words "Green Label" and for the words "Sustainable Threads". The color Dark Red is indicated for the accent color, for the Dove with Olive branch, and for the word "Organic"..

The applicant, George, B. Lipson, a citizen of United States, residing at 870 Spangler Mill Rd. NE, Floyd, Virginia, United States, 24091, requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended.

The applicant, or the applicant's related company or licensee, is using the mark in commerce, and lists below the dates of use by the applicant, or the applicant's related company, licensee, or predecessor in interest, of the mark on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended.

International Class _____. Clothing for men women and children. Namely T-shirts, pants, shorts, knit tops, sweaters, fleecewear, sweatshirts, sweatsuits, under garments, sleepwear, pajamas, loungewear, socks, gloves, outerwear, backpack, belts, totes, duffels, hats and caps.

In International Class _____, the mark was first used at least as early as 07/08/2005, and first used in commerce at least as early as 08/19/2005, and is now in use in such commerce. The applicant is submitting or will submit one specimen for *each class* showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) Digitally scanned neck label that is printed inside of all apparel products. Mark as presented in colors is for hang tags, letter head, advertising and internet commerce..

Specimen - 1

The USPTO is authorized to communicate with the applicant or its representative at the following email address: gratefulg@yahoo.com.

A fee payment in the amount of \$325 will be submitted with the application, representing payment for 1 class(es).

Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /George B. Lipson/ Date: 10/06/2005

Signatory's Name: George B. Lipson

Signatory's Position: Owner

Mailing Address:

Lipson, George, B.

870 Spangler Mill Rd. NE

Floyd, Virginia 24091

RAM Sale Number: 1552

RAM Accounting Date: 10/06/2005

Serial Number: 78727821

Internet Transmission Date: Thu Oct 06 12:59:45 EDT 2005

TEAS Stamp: USPTO/BAS-663787192-20051006125945749204

-78727821-2007e9a877d6487ccc9c53377891c8

9b82-CC-1552-20051006125148246205





SUSTAINABLE THREADS

100% ORGANIC COTTON

MADE IN USA

XS



Pre-Shrunk
Wash with like colors



Please use non-toxic
biodegradable detergents



Save Energy-Line Dry
(use a dryer if you must)



Okay to Iron, Printed with
REHANCE® technology.
There is no plastic on this shirt!
(do people really iron t-shirts?)



SUSTAINABLE THREADS

100% ORGANIC COTTON

MADE IN USA

S



Pre-Shrunk
Wash with like colors



Please use non-toxic
biodegradable detergents



Save Energy-Line Dry
(use a dryer if you must)



Okay to Iron, Printed with
REHANCE® technology.
There is no plastic on this shirt!
(do people really iron t-shirts?)



SUSTAINABLE THREADS

100% ORGANIC COTTON

MADE IN USA

M



Pre-Shrunk
Wash with like colors



Please use non-toxic
biodegradable detergents



Save Energy-Line Dry
(use a dryer if you must)



Okay to Iron, Printed with
REHANCE® technology.
There is no plastic on this shirt!
(do people really iron t-shirts?)



SUSTAINABLE THREADS

100% ORGANIC COTTON

MADE IN USA

L



Pre-Shrunk
Wash with like colors



Please use non-toxic
biodegradable detergents



Save Energy-Line Dry
(use a dryer if you must)



Okay to Iron, Printed with
REHANCE® technology.
There is no plastic on this shirt!
(do people really iron t-shirts?)



SUSTAINABLE THREADS

100% ORGANIC COTTON

XL



Pre-Shrunk
Wash with like colors



Please use non-toxic
biodegradable detergents



Save Energy-Line Dry
(use a dryer if you must)



Okay to Iron, Printed with
REHANCE® technology.
There is no plastic on this shirt!
(do people really iron t-shirts?)



SUSTAINABLE THREADS

100% ORGANIC COTTON

XXL



Pre-Shrunk
Wash with like colors



Please use non-toxic
biodegradable detergents



Save Energy-Line Dry
(use a dryer if you must)



Okay to Iron, Printed with
REHANCE® technology.
There is no plastic on this shirt!
(do people really iron t-shirts?)

CIVIL COVER SHEET

The 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, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

(b) County of Residence of First Listed Plaintiff _____
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

DEFENDANTS

County of Residence of First Listed Defendant _____
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|--|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated <i>or</i> 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 <i>and</i> 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. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER 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 Loans (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	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 Federal 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 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 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	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 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 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	<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 IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input 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	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <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 Acts <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 Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes

V. 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 Multidistrict Litigation
☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

Brief description of cause:

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____