

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

JAMIE LEGLER,

Plaintiff,

v.

Case No.: 2:13-cv-00668

Judge: Rudolph T. Randa

EXXEL OUTDOORS, INC.

Defendant.

AMENDED COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff, JAMIE LEGLER, for her Amended Complaint against Exxel Outdoors, Inc. alleges as follows:

THE PARTIES

1. Plaintiff, Jamie Legler, (“Legler”) is an individual residing at W246N6717 Champeny Ct., Sussex, Wisconsin.
2. Defendant, Exxel Outdoors, Inc. (“Exxel”) is a corporation with offices located in: Haleyville, Alabama; Laredo, Texas; and Los Angeles, California.

JURISIDCTION AND VENUE

3. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §1331 (federal question), §1332(a) (diversity of citizenship), and §1338(a) (question related to patents).
4. This Court has specific personal jurisdiction over Exxel because, upon information and belief, it has sold and offered to sell the accused infringing product in this District. Moreover,

this Court has general personal jurisdiction over Exxel because it conducts regular and systematic business in this District.

5. Venue is proper in this judicial district pursuant to 28 U.S.C. §1391 and §1400.

FACTS GIVING RISE TO PATENT INFRINGEMENT

6. Legler worked at day care center in Menomonee Falls, Wisconsin. During that time Legler invented a transportable combination inflatable sleep mattress, pillow and cover.

7. The United States Patent Office issued United States Patent No. D440,806 that covers Legler's transportable sleep mat and pillow ("Legler Patent").

8. Legler is the sole owner of the Legler Patent.

9. In this District, Exxel manufactures and sells transportable and compactable sleep mats under the trade name "Inflatabed" which infringes Legler's Patent under 35 U.S.C. §271(a).

See Figures 1-14 of Legler's Patent and Photos of Exxel's Inflatabed, attached hereto as Exhibit

A. There may be additional infringing beds which Exxel sells under different trade names, and this investigation is ongoing.

WHEREFORE, Legler prays that a judgment be entered in her favor and against Exxel Outdoors, Inc. as follows:

- (a) Exxel Outdoors, Inc. infringes U.S. Patent D440,806 under 35 U.S.C. §271;
- (b) Exxel Outdoors, Inc.'s infringement has been willful;
- (c) Legler be awarded damages pursuant to 35 U.S.C. §284;
- (d) Legler be awarded prejudgment interest;
- (e) Legler be awarded increased damages pursuant to 35 U.S.C. §284;

- (f) Legler be awarded her attorney fees pursuant to 35 U.S.C. §285; and
- (g) any further and just relief the Court deems equitable and appropriate.

JURY DEMAND

Plaintiff demands a trial by jury on all issues so triable.

Date: September 16, 2013

Respectfully submitted,

JAMIE LEGLER

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