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Nathaniel L. Dilger (Bar No. 196203)  
 ndilger@onellp.com  
 Polaphat Veravanich, Esq. (Bar No. 203964)  
 pv@onellp.com  
**ONE LLP**  
 4000 MacArthur Blvd.  
 West Tower, Suite 1100  
 Newport Beach, CA 92660  
 Telephone: (949) 502-2870  
 Facsimile: (949) 258-5081

*Attorneys for Plaintiff E. Home Outdoors Inc.*

2013 FEB 21 PM 3:58  
 CLERK U.S. DISTRICT COURT  
 CENTRAL DIST. OF CALIF.  
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**FILED**

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

E. HOME OUTDOORS INC.

Case No. **SACV13-314 CJC(MLGx)**

Plaintiff,

**COMPLAINT FOR PATENT  
 INFRINGEMENT**

v.

**DEMAND FOR JURY TRIAL**

QBAS CO. LTD., QDS INJECTION  
 MOLDING, LLC, and JOHNSON  
 OUTDOORS INC.,

**By Fax**

Defendants.

Plaintiff E. Home Outdoors Inc. ("E. Home Outdoors"), by and through its attorneys of record, complains against Defendants QBAS Co. Ltd. ("QBAS"), QDS Injection Molding, LLC ("QDS"), and Johnson Outdoors Inc. ("Johnson") (collectively, "Defendants"), and alleges follows:

**PARTIES**

1. Plaintiff E. Home Outdoors is a Taiwanese corporation with its principal place of business at No. 102-8, Sheng-Ai Road, Su-Ao Township, Yilan County 270, Taiwan.

2. Upon information and belief, Defendant QBAS is a Taiwanese corporation with its principal place of business at 1F, No. 98-2, FuGuo Road, Shrlin, Taipei 111,

**COMPLAINT**

1 Taiwan.

2 3. Upon information and belief, Defendant QDS is a California corporation with  
3 its principal place of business at 640 W. Vermont Ave., Escondido, CA 92025.

4 4. Upon information and belief, Defendant Johnson Outdoors is a Wisconsin  
5 corporation having its principal place of business at 555 Main Street, Racine, WI 53403.

6 **JURISDICTION AND VENUE**

7 5. This is a civil action for patent infringement arising under the Patent Act of the  
8 United States, 35 U.S.C. §§ 1 et seq. This court has subject matter jurisdiction of such  
9 federal question claims pursuant to 28 U.S.C. §§ 1331 and 1338(a).

10 6. Venue is proper in this District under 28 U.S.C. §§ 1391(b), 1391(c), and  
11 1400(a) in that a substantial part of the events giving rise to the claim occurred in this  
12 Judicial District, the Defendants transact business in this Judicial District, and injuries  
13 suffered by E. Home Outdoors took place in this Judicial District. Defendants are subject  
14 to the general and specific personal jurisdiction of this Court because of their contacts with  
15 the State of California.

16 **COUNT I**

17 **Infringement of U.S. Patent No. 8,272,075 by QBAS**

18 7. E. Home Outdoors incorporates by reference the allegations in paragraphs 1  
19 through 6 above, as though fully set forth herein.

20 8. On September 25, 2012, the United States Patent and Trademark Office duly  
21 and legally issued United States Patent No. 8,272,075 (“the ’075 Patent”), entitled  
22 “Frameless Diving Mask.” E. Home Outdoors is the owner of all right, title, and interest in  
23 the ’075 Patent. A true and correct copy of the ’075 Patent is attached as Exhibit 1 and  
24 incorporated herein by reference.

25 9. QBAS has infringed and continues to infringe the ’075 Patent by offering for  
26 sale and/or selling in the United States diving masks that practice one or more claims of the  
27 ’075 Patent, and induces the infringement of those claims.

28 10. For example, upon information and belief, QBAS has offered for sale and sold

1 diving masks to QDS, a distributor in the United States for QBAS, that practice one or  
2 more claims of the '075 Patent. Upon information and belief, QDS subsequently offers for  
3 sale or sells those diving masks to companies in the United States such as Johnson  
4 Outdoors.

5 11. QBAS' infringement of the '075 Patent is without E. Home Outdoors'  
6 consent, authority, or license.

7 12. By offering for sale and/or selling diving masks in the United States that  
8 practice one or more claims of the '075 Patent, QBAS has infringed and continues to  
9 infringe the '075 Patent.

10 13. As a direct and proximate result of QBAS' infringement of the '075 Patent, E.  
11 Home Outdoors has suffered damages and continues to suffer damages in an amount to be  
12 determined at trial.

13 14. E. Home Outdoors is without an adequate remedy at law because QBAS'  
14 continued infringement of the '075 Patent will irreparably harm E. Home Outdoors unless  
15 the Court enjoins QBAS from the actions complained of herein.

## 16 **COUNT II**

### 17 **Infringement of U.S. Patent No. 8,272,075 by QDS**

18 15. E. Home Outdoors incorporates by reference the allegations in paragraphs 1  
19 through 14 above, as though fully set forth herein.

20 16. On September 25, 2012, the United States Patent and Trademark Office duly  
21 and legally issued United States Patent No. 8,272,075 ("the '075 Patent"), entitled  
22 "Frameless Diving Mask." E. Home Outdoors is the owner of all right, title, and interest in  
23 the '075 Patent. A true and correct copy of the '075 Patent is attached as Exhibit 1 and  
24 incorporated herein by reference.

25 17. QDS has infringed and continues to infringe the '075 Patent by importing,  
26 offering for sale, and/or selling in the United States diving masks that practice one or more  
27 claims of the '075 Patent, and induces the infringement of those claims.

28 18. For example, upon information and belief, QDS is a distributor of QBAS in

1 the United States, QDS offers for sale and sells diving masks obtained from QBAS to  
2 Johnson Outdoors, Johnson Outdoors offers for sale and sells those diving masks to  
3 retailers such as scuba and dive shops, and those diving masks practice one or more claims  
4 of the '075 Patent.

5 19. QDS' infringement of the '075 Patent is without E. Home Outdoors' consent,  
6 authority, or license.

7 20. By importing, offering for sale, and/or selling diving masks in the United  
8 States that practice one or more claims of the '075 Patent, QDS has infringed and continues  
9 to infringe the '075 Patent.

10 21. As a direct and proximate result of QDS' infringement of the '075 Patent, E.  
11 Home Outdoors has suffered damages and continues to suffer damages in an amount to be  
12 determined at trial.

13 22. E. Home Outdoors is without an adequate remedy at law because QDS'  
14 continued infringement of the '075 Patent will irreparably harm E. Home Outdoors unless  
15 the Court enjoins QDS from the actions complained of herein.

### 16 **COUNT III**

#### 17 **Infringement of U.S. Patent No. 8,272,075 by Johnson Outdoors**

18 23. E. Home Outdoors incorporates by reference the allegations in paragraphs 1  
19 through 22 above, as though fully set forth herein.

20 24. On September 25, 2012, the United States Patent and Trademark Office duly  
21 and legally issued United States Patent No. 8,272,075 ("the '075 Patent"), entitled  
22 "Frameless Diving Mask." E. Home Outdoors is the owner of all right, title, and interest in  
23 the '075 Patent. A true and correct copy of the '075 Patent is attached as Exhibit 1 and  
24 incorporated herein by reference.

25 25. Johnson Outdoors has infringed and continues to infringe the '075 Patent by  
26 importing, offering for sale, and/or selling in the United States diving masks that practice  
27 one or more claims of the '075 Patent, and induces the infringement of those claims.

28 26. As a non-limiting example, upon information and belief, Johnson Outdoors

1 obtains from QDS diving masks that practice one or more claims of the '075 Patent. In  
2 turn, using its SUBGEAR brand Johnson Outdoors offers for sale and sells the diving  
3 masks obtained from QDS to retailers such as scuba and dive stores. Those scuba and dive  
4 stores then sell those diving masks to consumers. Examples of such products that practice  
5 one or more claims of the '075 Patent include the SUBGEAR Action mask, the SUBGEAR  
6 Sprite mask, and the SUBGEAR Ghost mask (collectively "SUBGEAR Masks").

7 27. Johnson Outdoors' infringement of the '075 Patent is without E. Home  
8 Outdoors' consent, authority, or license.

9 28. By offering for sale and/or selling the SUBGEAR Masks in the United States,  
10 Johnson Outdoors has infringed and continues to infringe the '075 Patent.

11 29. As a direct and proximate result of Johnson Outdoors' infringement of the  
12 '075 Patent, E. Home Outdoors has suffered damages and continues to suffer damages in  
13 an amount to be determined at trial.

14 30. E. Home Outdoors is without an adequate remedy at law because Johnson  
15 Outdoors' continued infringement of the '075 Patent will irreparably harm E. Home  
16 Outdoors unless the Court enjoins Johnson Outdoors from the actions complained of  
17 herein.

18 **PRAYER FOR RELIEF**

19 WHEREFORE, E. Home Outdoors requests judgment against Defendants as follows:

20 A. A finding that QBAS has infringed the '075 Patent;

21 B. An order that QBAS, and its officers, agents, servants, employees, attorneys,  
22 and all other persons in active concert or participation with QBAS who have notice of the  
23 order, be preliminarily and permanently enjoined from further infringing the '075 Patent  
24 throughout its enforceable term;

25 C. An award of damages adequate to compensate E. Home Outdoors for QBAS'  
26 infringement of the '075 Patent, but in no event less than a reasonable royalty, together  
27 with prejudgment interest, costs, and disbursements as fixed by the Court;

28 D. A determination that this is an exceptional case and entry of judgment against

1 QBAS for E. Home Outdoors' costs and reasonable attorney fees;

2 E. A finding that QDS has infringed the '075 Patent;

3 F. An order that QDS, and its officers, agents, servants, employees, attorneys,  
4 and all other persons in active concert or participation with QDS who have notice of the  
5 order, be preliminarily and permanently enjoined from further infringing the '075 Patent  
6 throughout its enforceable term;

7 G. An award of damages adequate to compensate E. Home Outdoors for QDS'  
8 infringement of the '075 Patent, but in no event less than a reasonable royalty, together  
9 with prejudgment interest, costs, and disbursements as fixed by the Court;

10 H. A determination that this is an exceptional case and entry of judgment against  
11 QDS for E. Home Outdoors' costs and reasonable attorney fees;

12 I. A finding that Johnson Outdoors has infringed the '075 Patent;

13 J. An order that Johnson Outdoors, and its officers, agents, servants, employees,  
14 attorneys, and all other persons in active concert or participation with Johnson Outdoors  
15 who have notice of the order, be preliminarily and permanently enjoined from further  
16 infringing the '075 Patent throughout its enforceable term;

17 K. An award of damages adequate to compensate E. Home Outdoors for Johnson  
18 Outdoors' infringement of the '075 Patent, but in no event less than a reasonable royalty,  
19 together with prejudgment interest, costs, and disbursements as fixed by the Court;

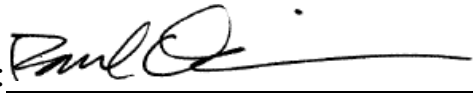
20 L. A determination that this is an exceptional case and entry of judgment against  
21 Johnson Outdoors for E. Home Outdoors' costs and reasonable attorney fees;

22 M. An award of pre-judgment and post-judgment interest; and

23 N. Such other and further relief as the Court deems equitable and just.  
24  
25  
26  
27  
28

1 Dated: February 21, 2013

**ONE LLP**

2  
3 By: 

4 Polaphat Veravanich, Esq.

5 Nathaniel L. Dilger, Esq.

6 *Attorneys for Plaintiff E. Home Outdoors Inc.*




**DEMAND FOR JURY TRIAL**

Plaintiff E. Home Outdoors Inc. hereby demands trial by jury of all issues so triable under the law.

Dated: February 21, 2013

**ONE LLP**

By:   
Polaphat Veravanich, Esq.  
Nathaniel L. Dilger, Esq.  
*Attorneys for Plaintiff E. Home Outdoors Inc.*



# **Exhibit 1**



US008272075B2

(12) **United States Patent**  
**Lee**

(10) **Patent No.:** **US 8,272,075 B2**  
(45) **Date of Patent:** **Sep. 25, 2012**

(54) **FRAMELESS DIVING MASK**

(75) Inventor: **Ting-Fu Lee**, Taipei (TW)

(73) Assignee: **E. Home Outdoors Inc.**, Yilan County (TW)

(\*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 839 days.

(21) Appl. No.: **11/939,481**

(22) Filed: **Nov. 13, 2007**

(65) **Prior Publication Data**

US 2009/0119823 A1 May 14, 2009

(30) **Foreign Application Priority Data**

Mar. 9, 2007 (TW) ..... 96203868 U

(51) **Int. Cl.**  
**A61F 9/02** (2006.01)

(52) **U.S. Cl.** ..... **2/427; 351/43**

(58) **Field of Classification Search** ..... **2/426-428, 2/445, 446; 351/43**

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

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6,405,384 B1 6/2002 Chiang  
6,473,909 B1 11/2002 Chou  
7,058,990 B1 \* 6/2006 Lan ..... 2/428  
7,143,454 B2 \* 12/2006 Kawashima et al. .... 2/440  
2005/0120468 A1 \* 6/2005 Kawashima et al. .... 2/444  
2006/0107446 A1 \* 5/2006 Shiue ..... 2/428

\* cited by examiner

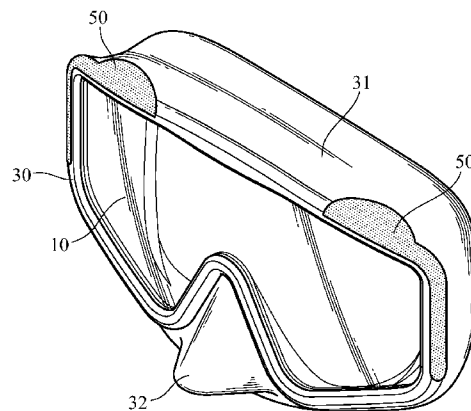
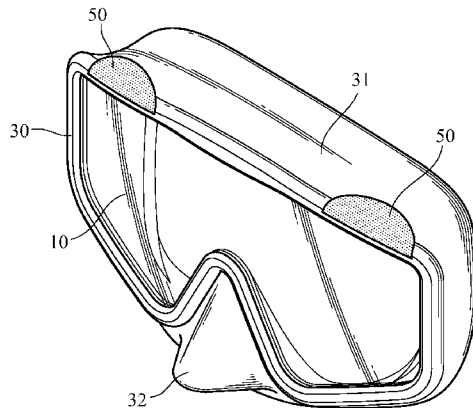
*Primary Examiner* — Katherine Moran

(74) *Attorney, Agent, or Firm* — Morris Manning & Martin LLP; Tim Tingkang Xia, Esq.

(57) **ABSTRACT**

A method for fabricating a frameless diving includes the following steps. First, providing a lens; next, coating an adhesive on an edge of the lens; then, forming a first flexible layer made of a silica gel on the edge of the lens; thereafter, forming a second flexible layer made of another silica gel on the first flexible layer. The first flexible layer has a plurality of protrusions and may enables the lens covered with the first flexible layer to be spaced apart from a high-temperature mold for a proper distance, so as to prevent the first flexible layer from falling off from the lens due to the high temperature when molding the silica gel. The protrusions are exposed out of the second flexible layer, so as to vary the design and shape of the frameless diving mask abundantly.

**5 Claims, 11 Drawing Sheets**

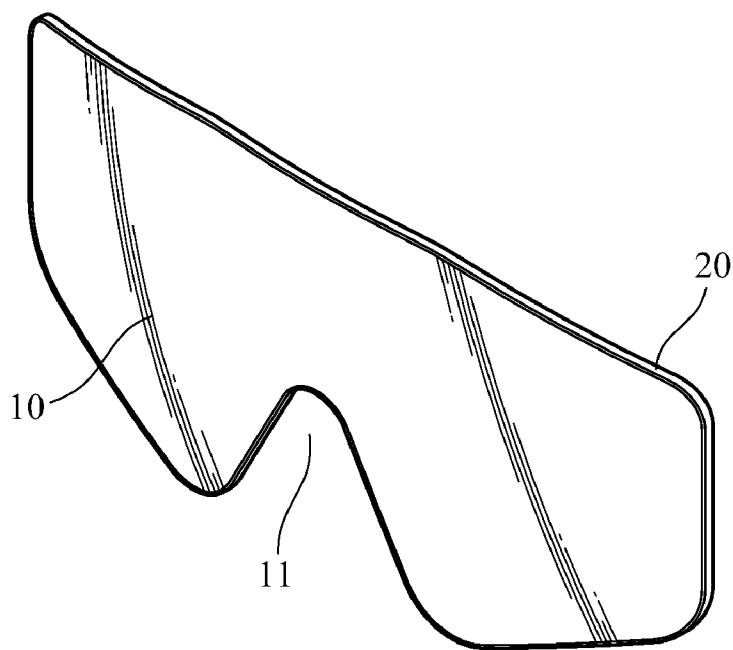


**U.S. Patent**

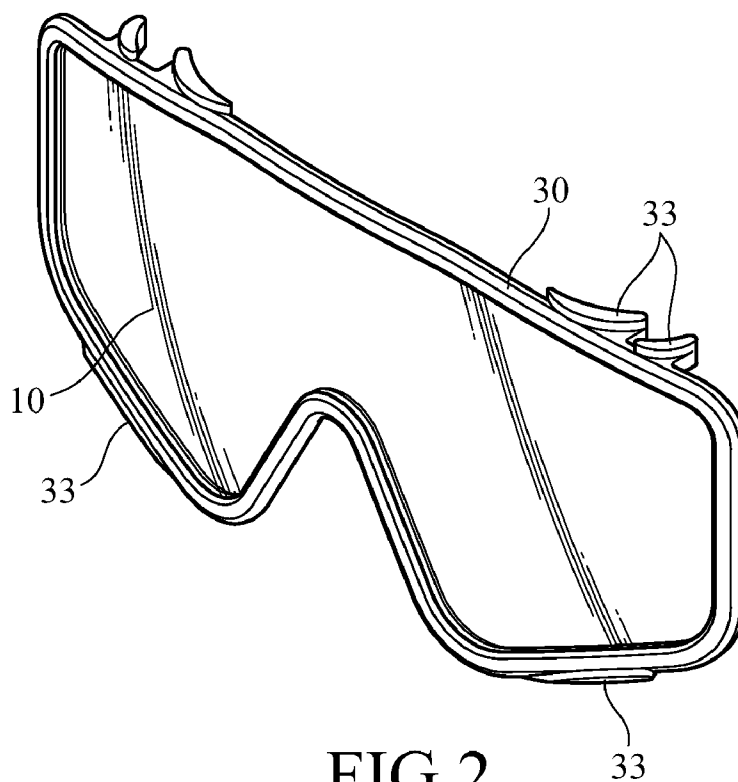
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**FIG.1**



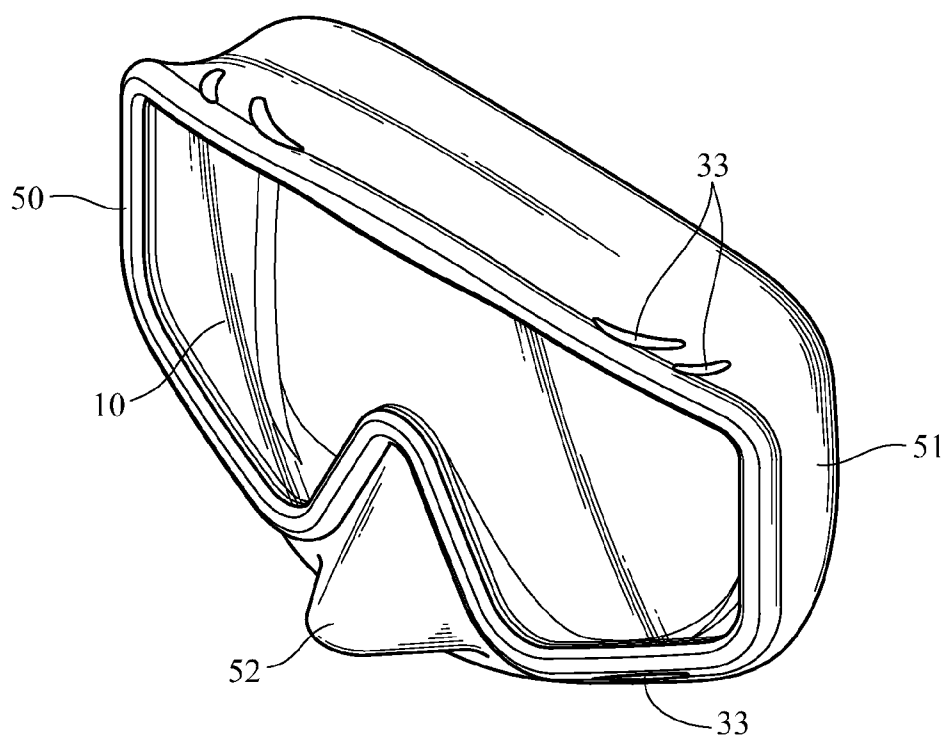
**FIG.2**

**U.S. Patent**

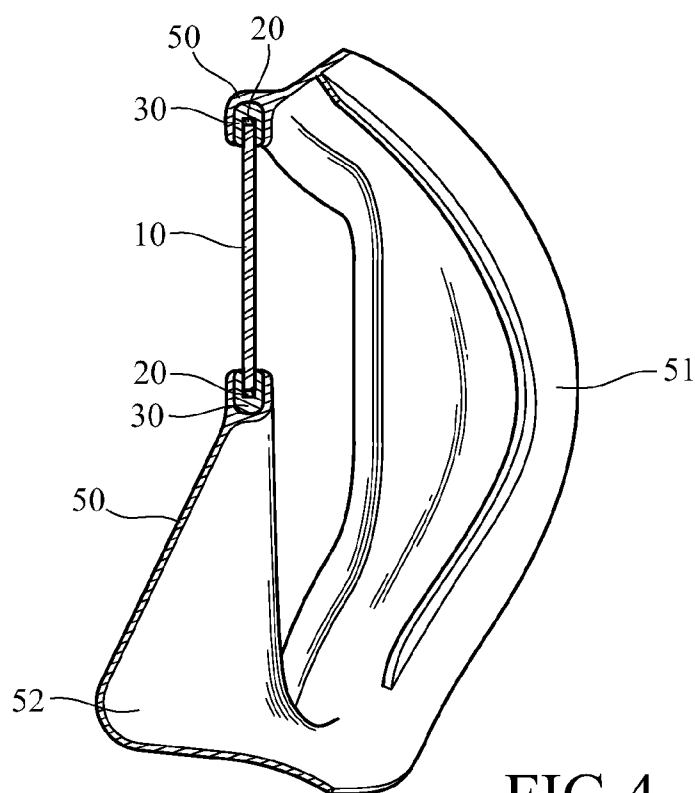
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**FIG.3**



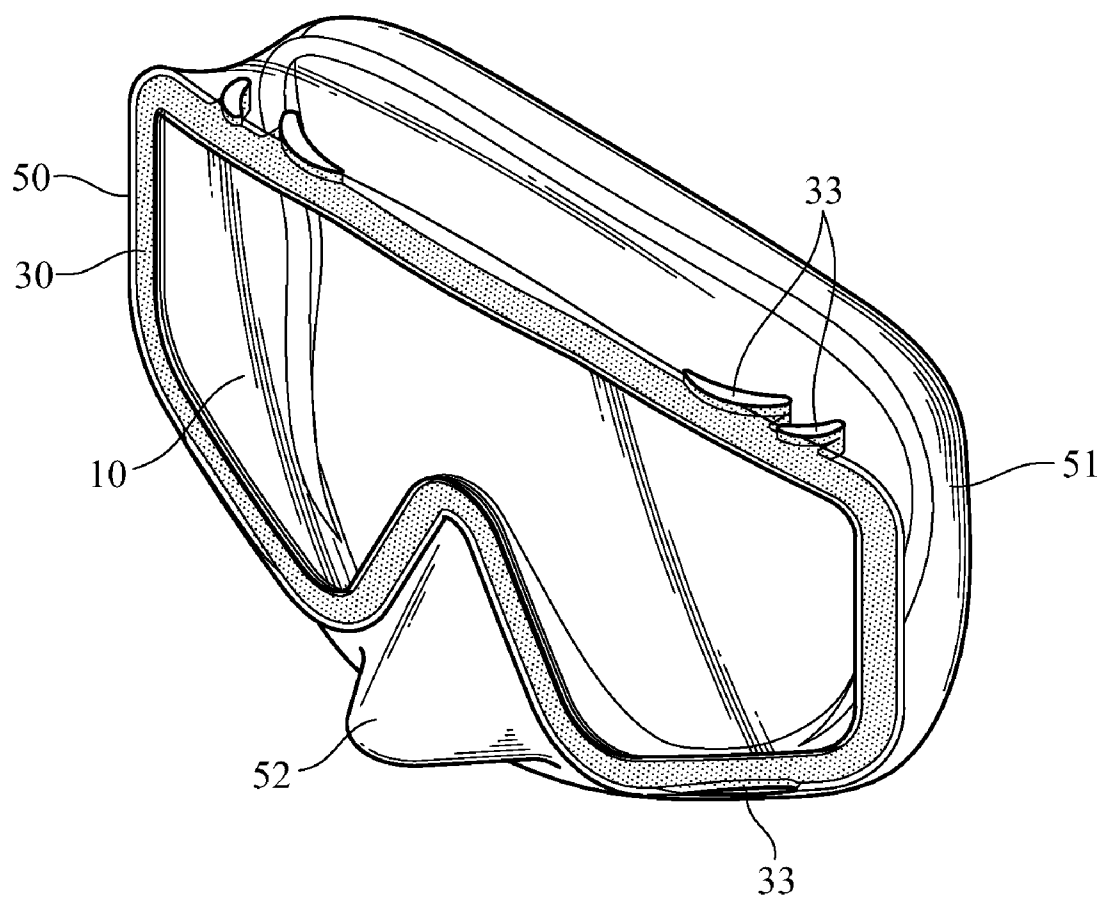
**FIG.4**

**U.S. Patent**

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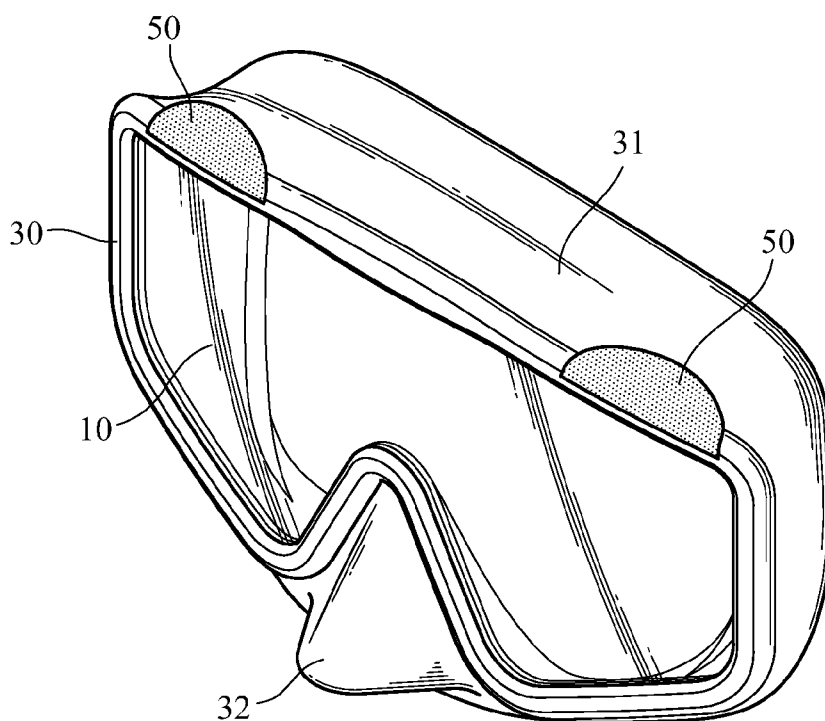
**FIG.5**

**U.S. Patent**

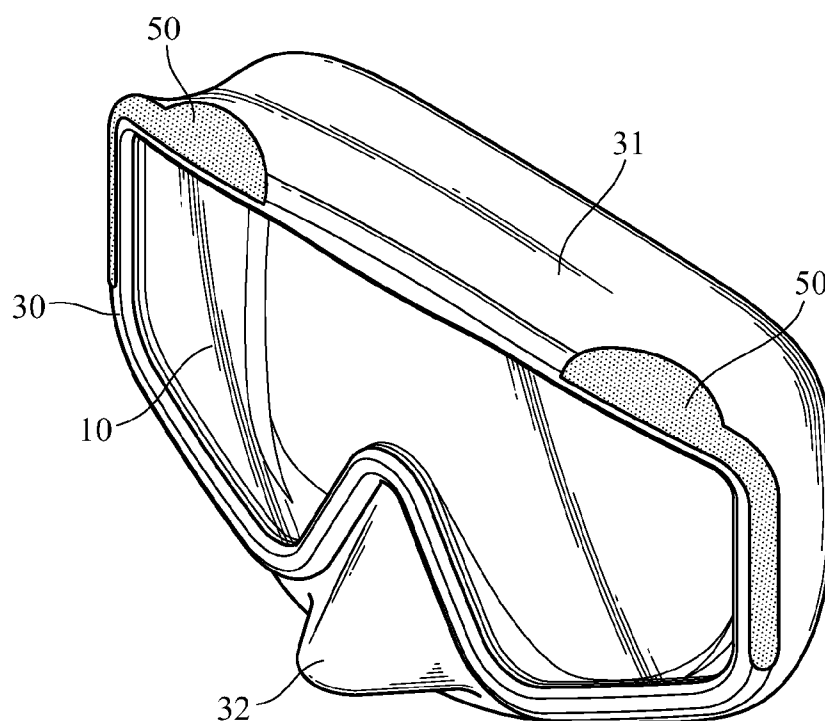
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**FIG.6A**



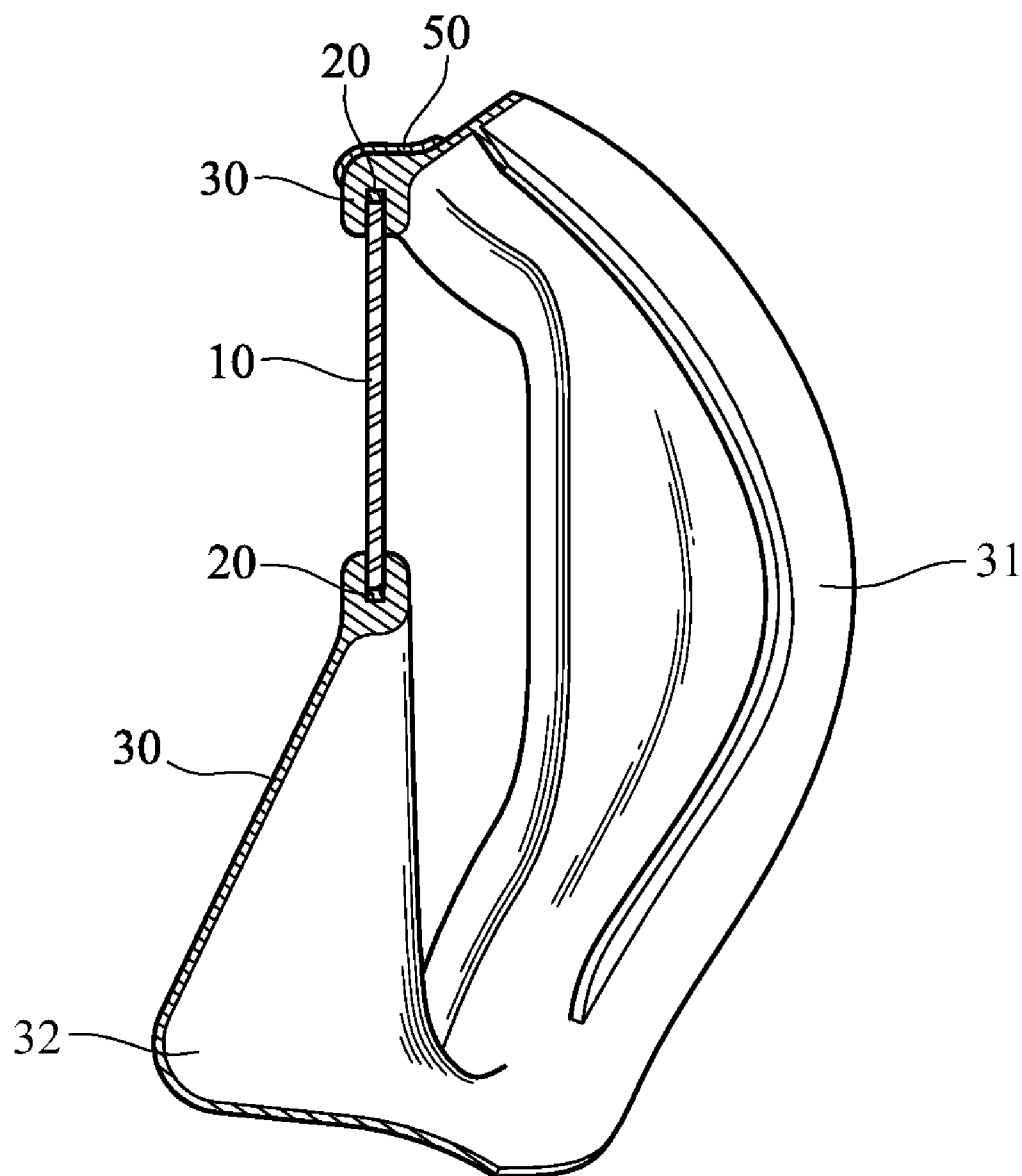
**FIG.6B**

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**FIG. 7**

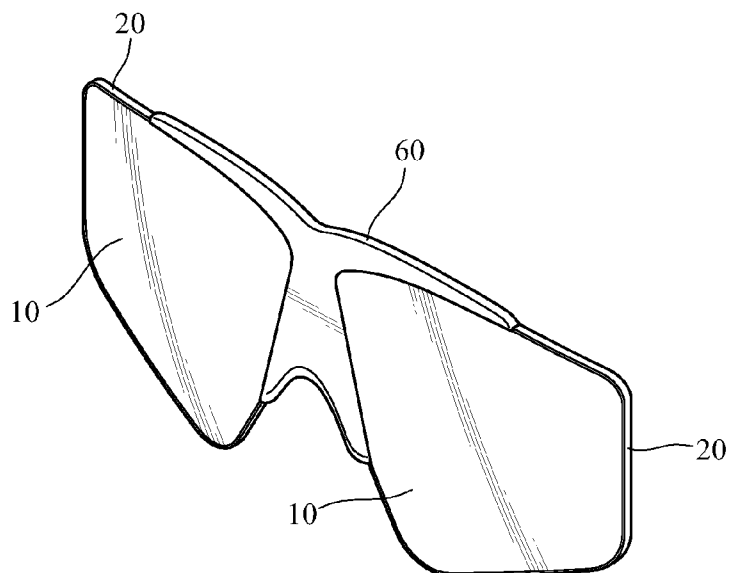


**U.S. Patent**

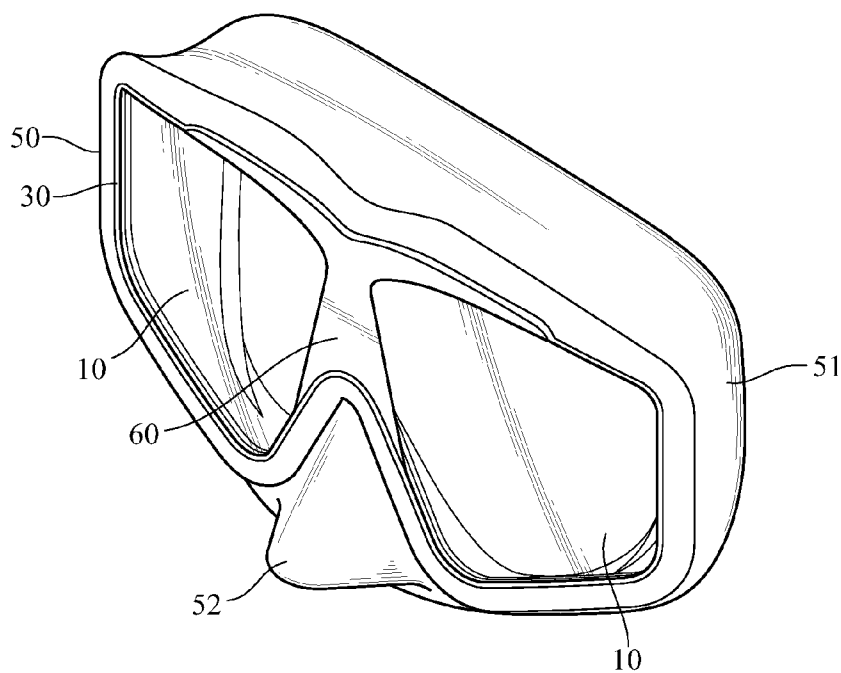
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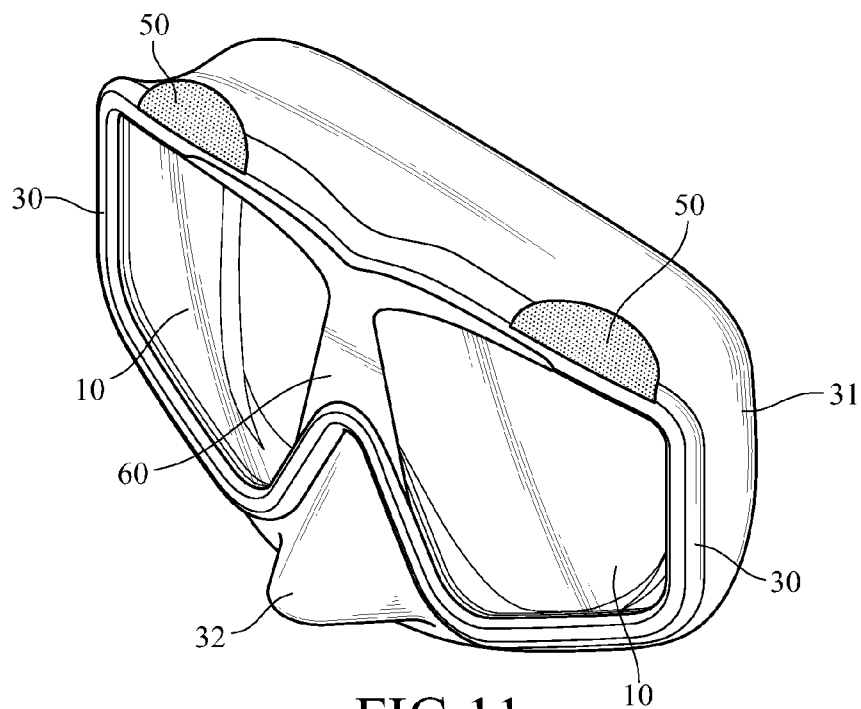
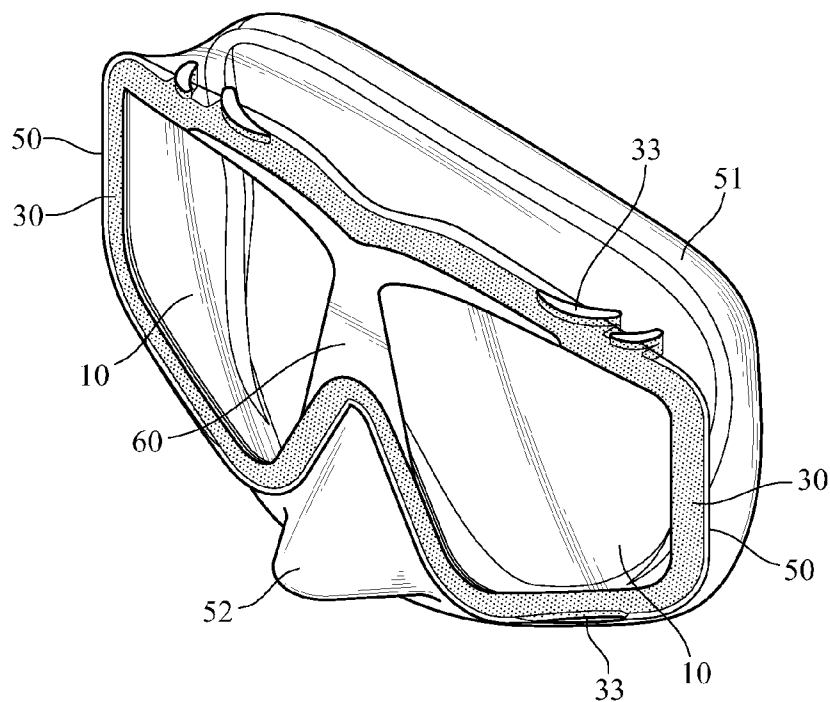
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**FIG. 8**



**FIG. 9**

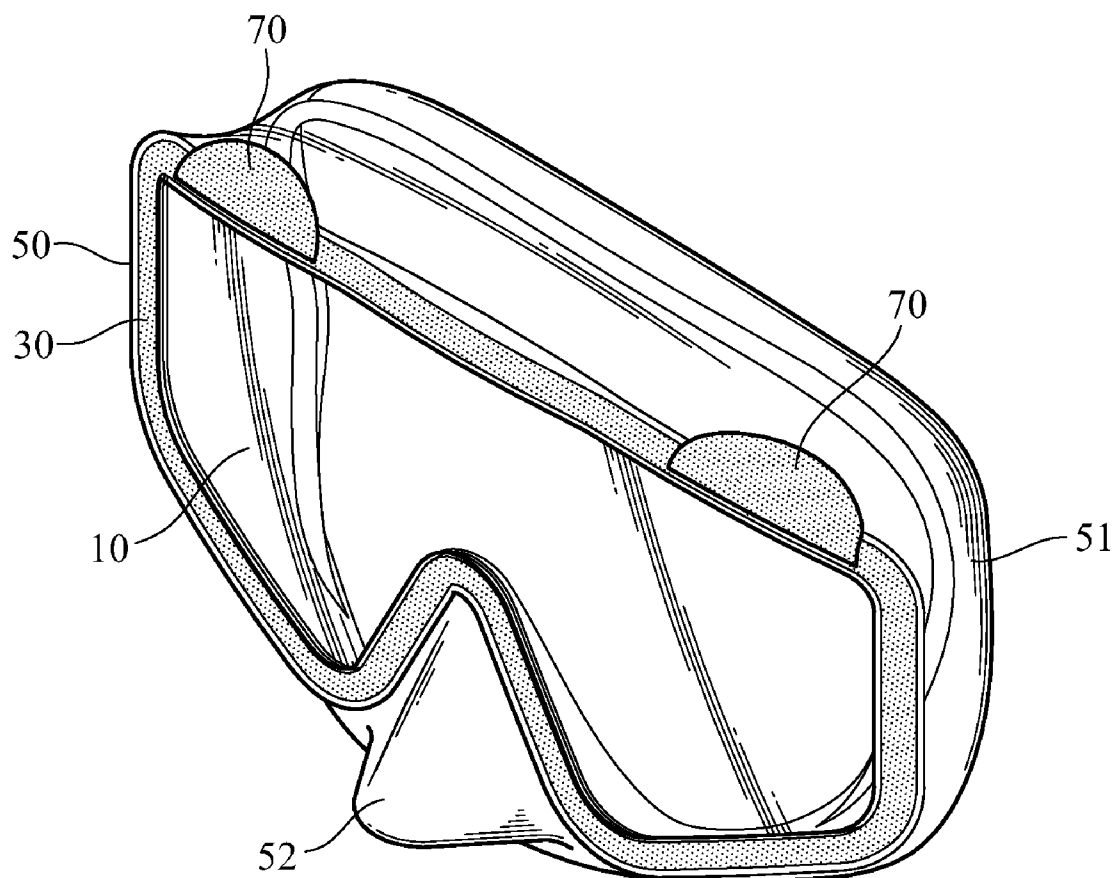


**U.S. Patent**

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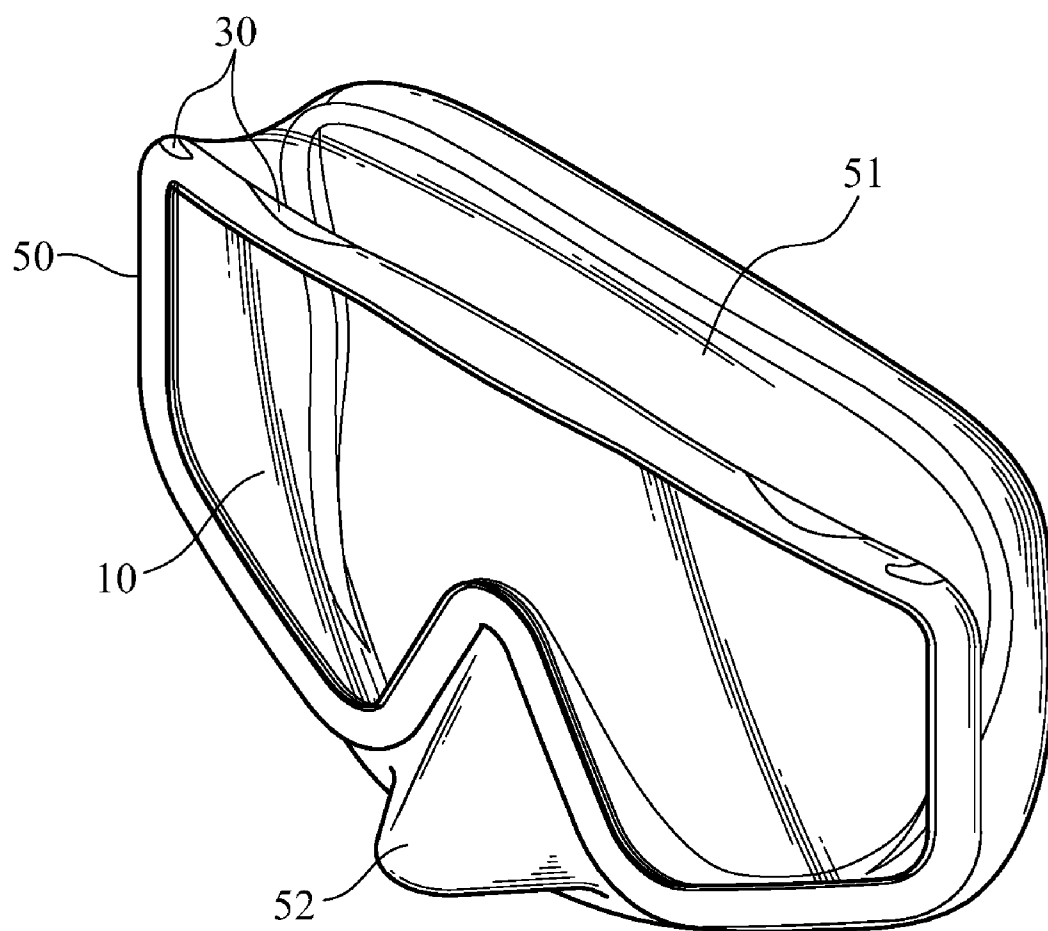
**FIG.12**

**U.S. Patent**

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**FIG.13**

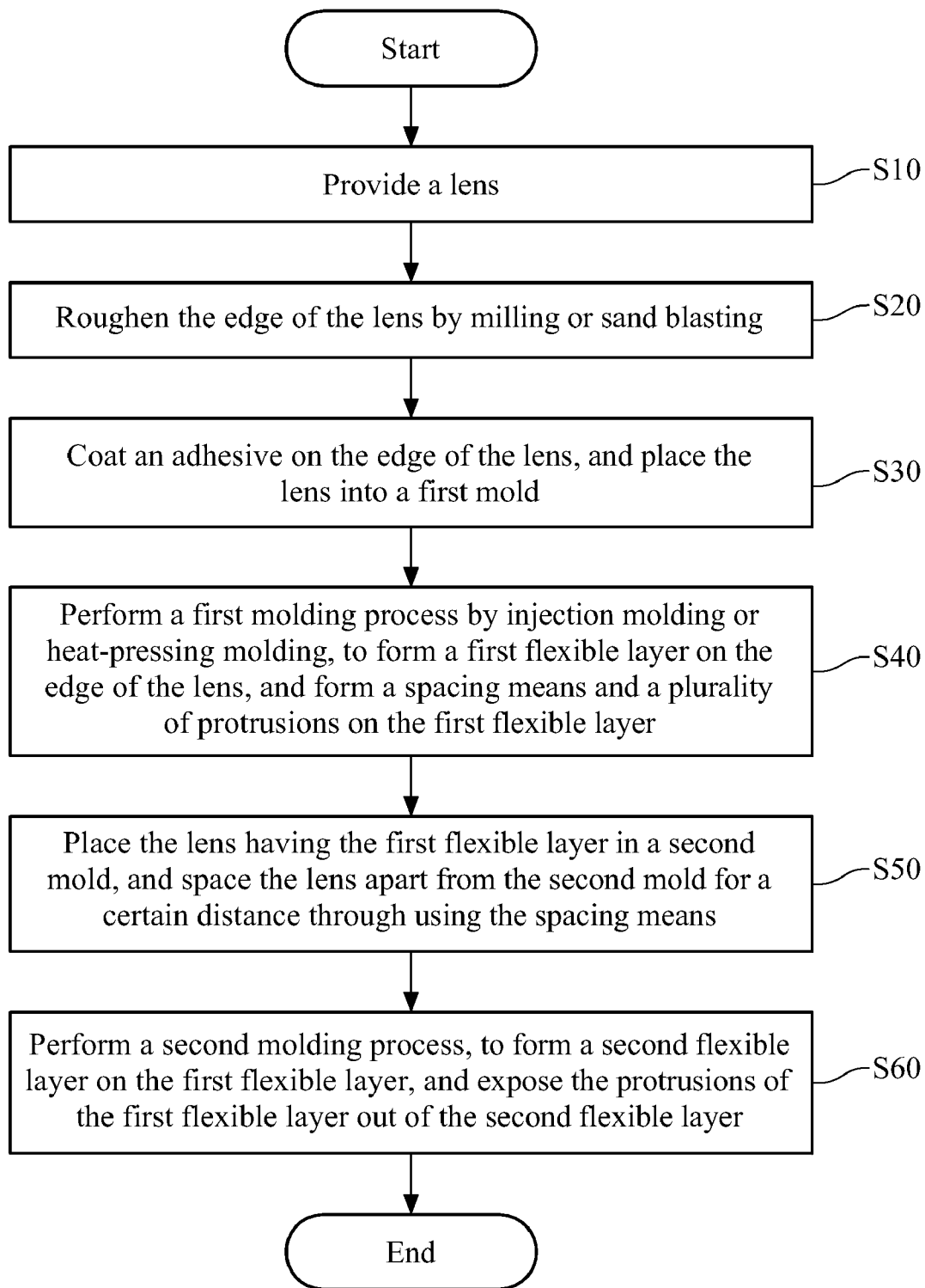


FIG.14

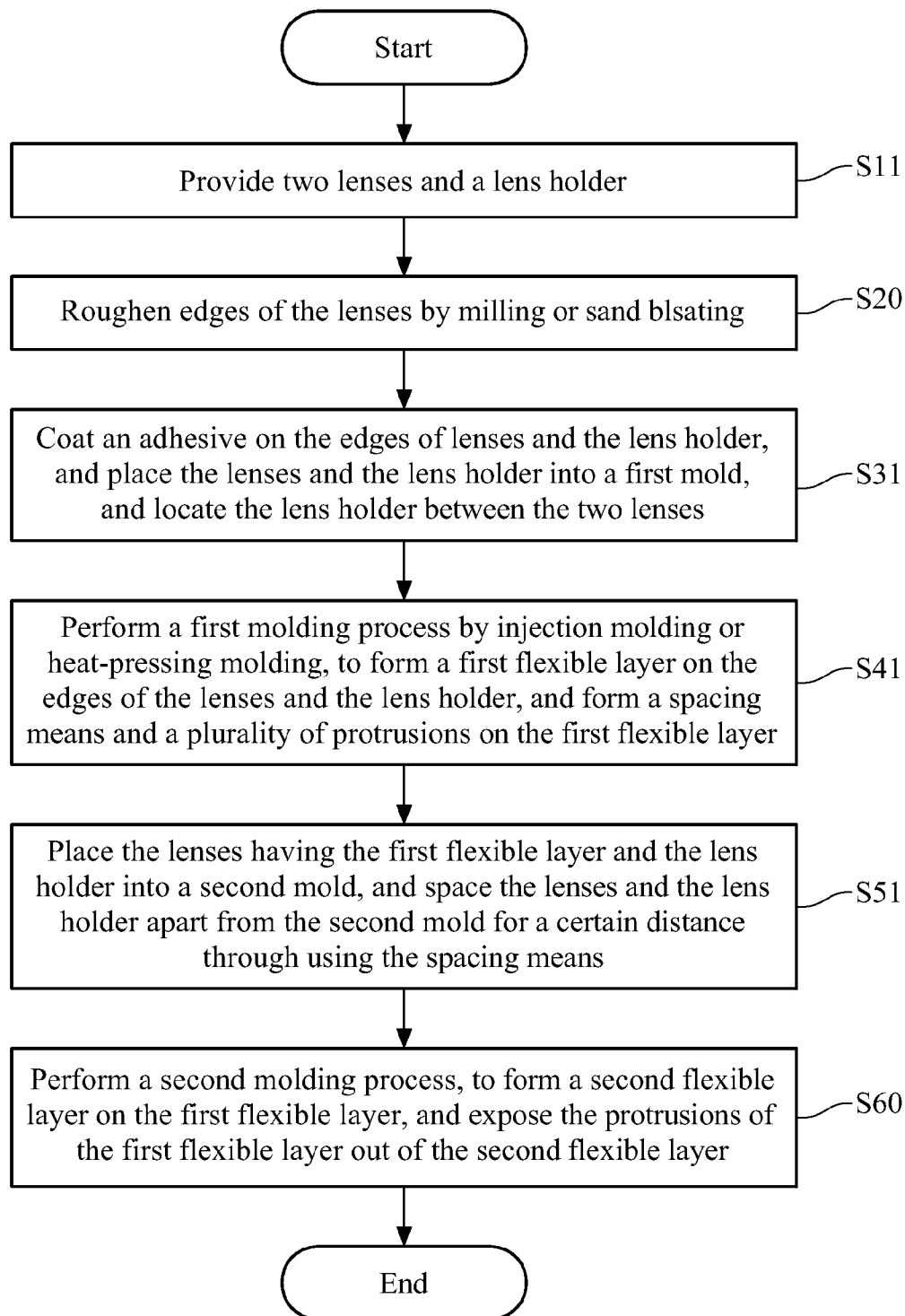


FIG.15

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**FRAMELESS DIVING MASK****BACKGROUND****1. Field of the Present Invention**

The present invention relates to a diving mask, and more particularly to a frameless diving mask which is covered by two layers made of flexible materials and a method for fabricating the same.

**2. Related Art**

When people perform underwater activities, they will feel uncomfortable because their eyes are directly in contact with the water. Thus, in order to protect eyes and to see the surrounding environment underwater more clearly, they usually wear diving mask for underwater activities. Categorized by functions, the diving mask can be divided into swimming goggles used in general swimming and diving mask used while scuba diving or skin diving.

Usually, a traditional diving mask is equipped with a large size transparent lens and a flexible facial mask made of silica gel, wherein the large size transparent lens provides user a broad view underwater and the flexible facial mask provides a nice facial coverage and water tightness. Categorized by the structure to assemble the lens to the mask, the diving masks are divided into frameless diving mask and traditional diving mask having a frame.

For example, the diving mask disclosed in U.S. Pat. Nos. 6,405,384 and 6,473,909 are traditional diving masks having a frame. Although a rigid frame provides support to protect the lens, it increases the distance between the lens and the eyes of the user and negatively affects the shape, so that the optical properties and the side view for the eyes may be negatively affected, which may lead to large parallax when use underwater.

In order to improve the optical properties and the field-of-view, a frameless diving mask which has no rigid frame is invented. The mask used to cover the face is directly formed to be combined with the lens of the frameless diving mask, so the distance between the lens and the eyes is shortened, therefore the optical properties is improved and the field-of-view will be better because the obstacle parts of the mask become less. However, because of the difficulty of combining the silica gel to other materials, the frameless diving mask is either opaque (black) or transparent, which is not like the frame diving mask that the trademarks, tags and other stylish designs can be easily printed or added thereon, and thus making the design or shape of the frameless diving mask dull. So, customer's inclination to the goggle may be affected. Later on, a method of enriching the appearance of the frameless diving mask has been proposed, in which two layers of silica gel with different colors are injection-molded twice on the lens to provide color variation. However, there are difficulties that cannot be overcome in the manufacturing process. When the semi-product of the diving mask with the first layer made of silica gel covered thereon is placed in a mold to perform the injection molding of the second layer made of silica gel, the mold is heated to a high temperature and directly contacts the lens and the first layer of silica gel. Therefore, the heat energy is transferred from the high-temperature mold to the lens and the first layer of silica gel. As the lens and the first layer of silica gel have different thermal expansion coefficients, the first layer of silica gel may fall off from the lens during the injection molding of the second layer of silica gel.

**SUMMARY**

The frameless diving mask in the prior art has improved the optical properties and the field-of-view, but the frameless

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diving mask in the prior art is difficult to be stylish. Furthermore, the frameless diving mask formed through molding the silica gel twice is likely to be affected by the high-temperature mold during the manufacturing process, and as a result, the first layer of silica gel may fall off. According to the foregoing problem, the object of the present invention is to provide a frameless diving mask and a method for fabricating the same, which can be stylish to add value to it and to arouse the consumer's desire to purchase, and can overcome the problem that the frameless diving mask is affected by the high-temperature mold during the manufacturing process.

In order to achieve the object of the present invention, a frameless diving mask and a method for fabricating the same are provided. The method for fabricating the frameless diving mask includes the following steps. First, at least one lens is provided, and an edge of the lens is roughened by milling or sand-blasting, so as to increase the surface area of the lens edge. Next, an adhesive is coated on the edge of the lens to assist the lens to be combined with other articles, and the lens is placed in a first mold. Next, a first molding process is performed through the first mold to form a first flexible layer on the edge of the lens, and then a plurality of protrusions and a spacing means are formed on the first flexible layer, in which the first molding process may be performed by injection molding or heat-pressing molding. Thereafter, the lens having the first flexible layer is placed in a second mold, and the lens is spaced apart from the second mold for a certain distance through using the spacing means. The spacing means makes the thickness of the first flexible layer greater than that of the lens, and accordingly, the lens is located higher than the second mold, such that the lens does not contact the second mold, so as to prevent the heat energy from being directly transferred from the high-temperature second mold to the lens. Finally, a second molding process is performed to form a second flexible layer on the first flexible layer, and the protrusions of the first flexible layer are exposed out of the second flexible layer, in which the protrusions may increase the contact area between the first flexible layer and the second flexible layer, so as to enhance the combination effect for the first and second flexible layers.

The frameless diving mask fabricated through the fabricating method of the present invention includes at least one lens, a first flexible layer and a second flexible layer. The first flexible layer is covered on an edge of the lens and has a plurality of protrusions, in which the thickness of the first flexible layer is greater than that of the lens. The second flexible layer is directly formed on the first flexible layer and the protrusions of the first flexible layer are exposed out of the second flexible layer. The second flexible layer is formed on part of the first flexible layer or formed on with a specific shape. For example, the second flexible layer forms a facial mask part for users to wear the frameless diving mask and has a different color from that of the first flexible layer. Or the first flexible layer forms a facial mask part for users to wear the frameless diving mask and the second flexible layer becomes a pattern on the first flexible layer to emboss the appearance of the frameless diving mask. In addition, this invention also provides a frameless diving mask having a lens holder for fixing the angle of two lenses to improve the stability of the lens.

The efficacy of the present invention is that the first flexible layer enables the lens not to contact the high-temperature second mold, so as to prevent the lens from being excessively expanded due to being heated, and thus effectively preventing the first flexible layer from falling off from the lens. The protrusions of the first flexible layer not only can enhance the combination effect for the first and second flexible layers, but



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also can be exposed out of the second flexible layer, and thus abundantly varying the appearance and the color of the frameless diving mask, and effectively adding value to the frameless diving mask and arousing the consumer's desire to purchase.

#### BRIEF DESCRIPTION OF THE DRAWINGS

The present invention will become more fully understood from the detailed description given below, which is for illustration only and thus is not limitative of the present invention, wherein:

FIG. 1 is a perspective view of the lens of a first embodiment of the present invention;

FIG. 2 is a perspective view of the lens with the first flexible layer covering the lens of the first embodiment of the present invention;

FIG. 3 is a perspective view of the frameless diving mask of the first embodiment according of the present invention;

FIG. 4 is a cross-sectional view of the frameless diving mask of the first embodiment of the present invention;

FIG. 5 is a perspective view of a second embodiment of the present invention;

FIG. 6A is a perspective view of a third embodiment of the present invention;

FIG. 6B is a perspective view of the third embodiment of the present invention;

FIG. 7 is a cross-sectional view of the third embodiment of the present invention;

FIG. 8 is a perspective view of two lenses and the lens holder of a fourth embodiment of the present invention;

FIG. 9 is a perspective view of the fourth embodiment of the present invention;

FIG. 10 is a perspective view of a fifth embodiment of the present invention;

FIG. 11 is a perspective view of a sixth embodiment of the present invention;

FIG. 12 is a perspective view of a seventh embodiment of the present invention;

FIG. 13 is a perspective view of an eighth embodiment of the present invention;

FIG. 14 is a flow chart of the method for fabricating the frameless diving mask according to the first embodiment of the present invention; and

FIG. 15 is a flow chart of the method for fabricating the frameless diving mask according to the fifth embodiment of the present invention.

#### DETAILED DESCRIPTION

Referring to FIGS. 1, 2, 3 and 4, a frameless diving mask of a first embodiment of the present invention is provided, which is used for divers to wear underwater. The frameless diving mask includes a lens 10, a first flexible layer 30, and a second flexible layer 50.

The material of the lens 10 can be but not limited to a thin tempered glass that has a good transparent property or an industrial plastic material (such as polycarbonate) that has the same transparent property. One side edge of the lens 10 is sunken to form a notch 11 to divide the lens 10 into two symmetrical view areas corresponding to user's eyes. An adhesive 20 is coated on an edge of the lens 10 to be an agent for combining the lens 10 to other components.

The material of the first flexible layer 30 can be but not limited to a silica gel, and preferably thermosetting silica gel or thermoplastic silica gel, and other materials, such as plastics. The first flexible 30 covers the edge of the lens 10. Since

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the material of the lens 10 is different from that of the first flexible layer 30, the first flexible layer 30 cannot be directly formed to be combined with the lens 10 by injection molding. Accordingly, the adhesive 20 is coated on the edge of the lens 10 to make the first flexible layer 30 be able to combine with the lens 10 after the injection molding, so the first flexible layer 30 is adhered to the edge of the lens 10 to cover the edge of the lens 10. The adhesive 20 also can be mixed with the silica gel which is the same as that of the first flexible layer 30 in advance, and then be directly injection molding formed on the lens 10 with the first flexible layer 30, to make the first flexible layer 30 be covered and adhered to the lens 10. The first flexible layer 30 has a plurality of protrusions 33 thereon, and each protrusion 33 extends from the edge of the lens 10 towards the same side. The thickness of the first flexible layer 30 is greater than that of the lens 10, and the first flexible layer 30 extends from the edge of the lens 10 towards inside. So that, when the lens 10 with the first flexible layer 30 covered thereon is placed on a plane, the lens 10 is located higher due to the existence of the first flexible layer 30 and spaced apart from the plane for a certain distance.

The material of the second flexible layer 50 can be but not limited to silica gel, and preferably thermoplastic silica gel, and other materials, such as plastics. However, the hardness of the second flexible layer 50 is softer than the first flexible layer 30. The second flexible layer 50 is directly injection molded on the first flexible layer 30 to cover and be fixed thereon and the first flexible layer 30 is located between the lens 10 and the second flexible layer 50. Because the material of the second flexible layer 50 is the same as that of the first flexible layer, the second flexible layer 50 can be directly combined with the first flexible layer 30 after the injection molding. A part of the second flexible layer 50 is formed to a nose cover part 52 which is outward projecting at the notch 11 of the lens 10. And the other part of the second flexible layer 50 is also formed surrounding the first flexible layer 30 and extends toward one side of the lens 10 to form a facial mask part 51 at one side of the lens 10, which fits the figure of the face of the user for the user to wear, thus and the facial mask part 51 covers the face tightly with the assistance of the strap to prevent the water entering the space between the lens 10 and the user's face.

Accordingly, the shape and color can be changed by the combination of the first flexible layer 30 and the second flexible layer 50, for example, the protrusions 33 of the first flexible layer 30 are partly exposed out of the second flexible layer 50, so to make it be able to be stylish.

Referring to FIG. 14, it shows a method for fabricating a frameless diving mask, which is used to fabricate the frameless mask in the first embodiment and includes the following steps. First, in Step S10, a lens 10 is performed and provided. Next, in Step S20, the edge of the lens 10 is roughened to increase the surface area of the edge of the lens 10. In the present invention, the edge of the lens 10 may be roughened by milling or blasting. Thereafter, in Step S30, the adhesive 20 is coated on the edge of the lens 10 to assist the combination between the lens 10 and the first flexible layer 30, and the lens 10 is placed in a first mold. Then, in Step S40, a first molding process is performed through the first mold to form a first flexible layer 30 on the edge of the lens 10, and protrusions 33 and a spacing means are formed on the first flexible layer 30. The first molding process may be performed by injection molding or heat-pressing molding, and the first flexible layer 30 may be selected to be a thermoplastic silica gel or a thermosetting silica gel. Furthermore, in Step S50, the lens 10 with the first flexible layer 30 covered thereon is placed in a second mold, and the lens 10 is spaced apart from

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the second mold for a certain distance through using the spacing means. The spacing means makes the thickness of the first flexible layer 30 greater than that of the lens 10, so the lens 10 is located higher than the second mold due to the first flexible layer 30 after the lens 10 is placed in the second mold, such that the lens 10 does not contact the second mold, thereby preventing the heat energy from being directly transferred from the high-temperature second mold to the lens 10. In addition, the spacing means or the protrusions 33 can be used for positioning the lens having the first flexible layer on the second mold. For example, a plurality of fillisters corresponding to the contour of the first flexible layer 30 or the protrusions 33 are opened on the second mold. So, the first flexible layer 30 or the protrusions 33 insert the fillister in order to position the lens having the first flexible layer on the second mold. Finally, in Step S60, a second molding process is performed to form a second flexible layer 50 on the first flexible layer 30, and the protrusions 33 of the first flexible layer 30 are exposed out of the second flexible layer 50. Furthermore, the protrusions 33 may increase the contact area between the first flexible layer 30 and the second flexible layer 50, so as to enhance the combination effect for the first flexible layer 30 and the second flexible layer 50.

Referring to FIG. 5, a frameless diving mask of a second embodiment of the present invention is provided, wherein the structure and the fabrication method of the second embodiment are the same as the first embodiment. In the second embodiment, the second flexible layer 50 is transparent or opaque, the first flexible layer 30 is made of a transparent silica gel or a silica gel with dyes, so that the color of the second flexible layer 50 is different from that of the first flexible layer 30. In addition, the color of the first flexible layer 30 can be switched with that of the second flexible layer 50. When the second flexible layer 50 is made of transparent silica gel, even if the protrusions 30 of the first flexible layer 30 are totally covered by the second flexible layer 50, they may still expose out of the second flexible layer 50 due to the light transmittance of the second flexible layer 50. Thus, the frameless diving mask has two colors to change the appearance, and the commercial value of frameless diving mask is increased.

Referring to FIG. 6A, FIG. 6B, and FIG. 7, a frameless diving mask of a third embodiment of the present invention is provided. A part of the first flexible layer 30 is formed to a nose cover part 32 which is outward projecting at the notch 11 of the lens 10. And the other part of the first flexible layer 30 is formed to cover the edge of the lens 10 and extends toward one side of the lens 10 to form a facial mask part 31, which fits the figure of the user's face for the user to wear, thus the facial mask part 31 covers the face tightly with the assistance of the strap. The second flexible layer 50 is formed directly by injection molding with specific shape or on part of the first flexible layer 30, wherein the color of the first flexible layer 30 is different from that of the second flexible layer 50, so as to give the frameless diving mask abundant color and shape changing ability for stylish. Therefore, the commercial value of the frameless diving mask is increased. Here, the design of shape of the present invention is not limited to the foregoing embodiments.

Referring to FIGS. 8 and 9, a frameless diving mask of a fourth embodiment of the present invention is provided. The frameless diving mask includes two lenses 10 and a lens holder 60 mounted between the two lenses 10. The adhesive 20 is coated on edges of the lenses 10 and the lens holder 60, so that the first flexible layer 30 formed by injection molding covers and is adhered to the edges of the lenses 10 and the lens holder 60. This embodiment can apply to a frameless diving

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mask which has two lenses 10 in order to fix the angle between the two lenses 10 and improve the stability of the lenses 10.

Referring to FIG. 10, a frameless diving mask of a fifth embodiment of the present invention is provided, wherein the structure of the fifth embodiment is the same as that of the fourth embodiment. The second flexible layer 50 is made of transparent or opaque silica gel, and the first flexible layer 30 is made by transparent silica gel or silica gel with dyes, so that the color of the first flexible layer 30 can be observed while the second flexible layer 50 is transparent. Thus, the frameless diving mask has two colors to change the appearance, and the commercial value of frameless diving mask is increased.

Referring to FIG. 15, it shows a method for fabricating a frameless diving mask of the present invention, which is used to fabricate the frameless diving mask in the fourth and fifth embodiments and includes the following steps. First, in Step S11, two lenses 10 and a lens holder 60 are performed and provided. Next, in Step S20, edges of the lenses 10 are roughened to increase the surface area for the edges of the lenses 10 and the lens holder 60. In the present invention, the edges of the lenses 10 and the lens holder 60 may be roughened by milling or sand-blasting. Thereafter, in Step S31, an adhesive 20 is coated on the edges of the lenses 10 and the lens holder 60 to assist combining the lenses 10 and the lens holder 60 with the first flexible layer 30. Then, the lenses 10 and the lens holder 60 are placed into a first mold, and the lens holder 60 is located between the two lenses 10. Then, in Step S41, a first molding process is performed through the first mold, so as to form the first flexible layer 30 on the edges of the lenses 10 and the lens holder 60, and protrusions 33 and a spacing means are formed on the first flexible layer 30. The first molding process may be performed by injection molding or heat-pressing molding, and correspondingly, the first flexible layer 30 is made of thermoplastic silica gel or thermosetting silica gel. Then, in Step S51, the lenses 10 having the first flexible layer 30 and the lens holder 60 are placed into a second mold, and the lenses 10 and the lens holder 60 are spaced from the second mold for a certain distance through using the above spacing means. The spacing means makes the thickness of the first flexible layer 30 greater than that of the lenses 10. Therefore, when the lenses 10 and the lens holder 60 are placed into the second mold, the lenses 10 and the lens holder 60 are located higher than the second mold due to the existence of the first flexible layer 30, and thus the lenses 10 and the lens holder 60 do not contact the second mold, thereby preventing the heat energy from being directly transferred from the high-temperature second mold to the lenses 10. In addition, the spacing means or the protrusions 33 can be used for positioning the lens having the first flexible layer on the second mold. For example, a plurality of fillisters corresponding to the contour of the first flexible layer 30 or the protrusions 33 are opened on the second mold. So, the first flexible layer 30 or the protrusions 33 insert the fillister in order to position the lens having the first flexible layer on the second mold. Finally, in Step S60, a second molding process is performed to form a second flexible layer 50 on the first flexible layer 30, and protrusions 33 of the first flexible layer 30 are exposed out of the second flexible layer 50.

Referring to FIG. 11, a frameless diving mask of a sixth embodiment of the present invention is provided, wherein the structure of the sixth embodiment is approximately the same as that of the fourth embodiment. A part of the first flexible layer 30 is formed to a nose cover part 32 which is outward projecting between two lenses 10. And the other part of the first flexible layer 30 is formed cover the edges of the lenses 10 and extends toward one side of the lenses 10 to form a

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facial mask part **31**, which fits the figure of the user's face for the user to wear, thus the facial mask part **31** covers the face tightly with the assistance of the strap. The second flexible layer **50** is formed directly by injection molding on part of the first flexible layer **30**, or with specific shape on the first flexible layer **30**. The color of the first flexible layer **30** is different from that of the second flexible layer **50**, so as to give the frameless diving mask abundant color and shape changing ability for stylish. Therefore, the commercial value of the diving mask is increased. Here, the design of shape of the present invention is not limited to the foregoing embodiments.

Referring to FIG. 12, a frameless diving mask of a seventh embodiment of the present invention is provided. The seventh embodiment further includes a third flexible layer **70**, which can be made by but not limited to a silica gel. The third flexible layer **70** is formed on part of the first flexible layer **30** or the second flexible layer **50** directly by injection molding, or formed with specific shape on the first flexible layer **30** or the second flexible layer **50**. Here, the third flexible layer **70** is formed on the second flexible layer **50** in this embodiment. The color of the third flexible layer **70** is different from that of the first flexible layer **30** and the second flexible layer **50**, so that the diving mask has more variability in colors for users to choose. For example, a diving mask according to the present invention can be specially designed according to the star signs or lucky colors in order to attract the consumer's attention so to increase its market competition ability. Although this embodiment uses three layers of flexible layers as an example, the number of the flexible layers is not limited as long as it is under the concept of the present invention. For example, the present invention also can apply to 4, 5, or 6 layers of flexible layers.

Referring to FIG. 13, a frameless diving mask of an eighth embodiment of the present invention is provided, wherein the structure of the eighth is approximately the same as that of the first embodiment. In this embodiment, the second flexible layer **50** is formed on the first flexible layer **30** but does not cover the whole first flexible layer **30**, so that part of the first flexible layer **30** exposes. In addition, different colors of dyes can be added into the silica gel for forming the two flexible layers to allow the two flexible layers exhibit different transparent/opaque and dark/light combination. Thus, the commercial value of the diving mask is increased because of its abundant variability in colors.

In the frameless diving mask and the method for fabricating the same according to the present invention, a second flexible layer **50** of silica gel and the first flexible layer **30** are used to cover the lens **10**. The first flexible layer **30** enables the lens **10** not to contact the high-temperature second mold, so as to prevent the lens **10** from being excessively expanded due to being heated, and thus effectively preventing the first flexible layer **30** from falling off from the lens **10**. The protrusions **33** of the first flexible layer **30** not only can enhance the combination effect between the first flexible layer **30** and the second flexible layer **50**, but also can be exposed out of the second

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flexible layer **50**, so as to provide a frameless diving mask with abundant variability in design and color, and to effectively add value to the frameless diving mask and to arouse the consumer's desire to purchase.

While the embodiments of the present invention have been set forth for the purpose of disclosure, modifications of the disclosed embodiments of the present invention as well as other embodiments thereof may occur to those skilled in the art. Accordingly, the appended claims are intended to cover all embodiments, which do not depart from the spirit and scope of the present invention.

What is claimed is:

1. A frameless diving mask, comprising:

at least one lens;

an adhesive, coated on an edge of the lens;

a first flexible layer, covering the edge of the lens and adhered to the edge of the lens by the adhesive, wherein the thickness of the first flexible layer is greater than that of the lens; and

a second flexible layer, molded on the first flexible layer, wherein the second flexible layer extends toward one side of the lens to form a facial mask part;

wherein the first flexible layer is located between the lens and the second flexible layer, the first flexible layer has a plurality of protrusions, the protrusions pass through the second flexible layer, and the protrusions are exposed out of the second flexible layer at least in a top portion of the second flexible layer.

2. The frameless diving mask of claim 1, wherein the color of the second flexible layer is different from that of the first flexible layer.

3. The frameless diving mask of claim 1, wherein the second flexible layer is transparent or opaque.

4. A frameless diving mask, comprising:

two lens;

an adhesive, coated on edges of the lenses;

a first flexible layer, covering the edges of the lenses and adhered to the edges of the lenses by the adhesive, wherein the thickness of the first flexible layer is greater than that of the lenses; and

a second flexible layer, molded on the first flexible layer, wherein the second flexible layer extends toward one side of the lenses to form a facial mask part; and

a lens holder mounted between the lenses;

wherein the first flexible layer is located between the lenses and the second flexible layer, the first flexible layer has a plurality of protrusions, the protrusions pass through the second flexible layer, and the protrusions are exposed out of the second flexible layer at least in a top portion of the second flexible layer.

5. The frameless diving mask of claim 4, wherein the adhesive is coated on the edges of the lenses and the lens holder, wherein the first flexible layer covers the edges of the lenses and the lens holder and is adhered to the edges of the lenses and the lens holder by the adhesive.

\* \* \* \* \*

**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 Cormac J. Carney and the assigned discovery Magistrate Judge is Marc Goldman.

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

**SACV13 - 314 CJC (MLGx)**

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.



Name & Address: Nathaniel L. Dilger (SBN 196203)  
 Polaphat Veravanich (SBN 203964)  
 ONE LLP  
 4000 MacArthur Blvd., West Tower, Suite 1100  
 Newport Beach, CA 92660  
 Tel: 949-502-2870 Fax: 949-258-5081

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

E. HOME OUTDOORS INC.

PLAINTIFF(S)

v.

QBAS CO. LTD., QDS INJECTION MOLDING,  
 LLC, and JOHNSON OUTDOORS INC.,

DEFENDANT(S).

CASE NUMBER

**SACV13-314 CJC(MLGx)**

**SUMMONS**

TO: DEFENDANT(S): QBAS CO. LTD., QDS INJECTION MOLDING, LLC, and JOHNSON  
 OUTDOORS 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, Nathaniel L. Dilger, whose address is ONE LLP, 4000 MacArthur Blvd., West Tower, Suite 1100, Newport Beach, CA 92660. 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: 2-21-13

By: NANCY INTERLANDO  
 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 ☐ )

E. HOME OUTDOORS INC.

**DEFENDANTS** ( Check box if you are representing yourself ☐ )

QBAS CO. LTD., QDS INJECTION MOLDING, LLC, and JOHNSON OUTDOORS INC.

**(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.)**

Nathaniel L. Dilger and Polaphat Veravanich  
ONE LLP, 4000 MacArthur Blvd.  
West Tower, Suite 1100 Newport Beach, CA 92660  
Telephone: (949) 502-2870

**(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.)****II. BASIS OF JURISDICTION** (Place an X in one box only.)

- ☐ 1. U.S. Government Plaintiff ☒ 3. Federal Question (U.S. Government Not a Party)
- ☐ 2. U.S. Government Defendant ☐ 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)

- |   |                                       |                                       |   |                            |                                       |
|---|---------------------------------------|---------------------------------------|---|----------------------------|---------------------------------------|
|   | <b>PTF</b>                            | <b>DEF</b>                            |   | <b>PTF</b>                 | <b>DEF</b>                            |
| 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 checked="" 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 checked="" type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input checked="" type="checkbox"/> 3 | <input checked="" 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

**V. REQUESTED IN COMPLAINT: JURY DEMAND:** ☒ Yes ☐ No (Check "Yes" only if demanded in complaint.)**CLASS ACTION under F.R.Cv.P. 23:** ☐ Yes ☒ No**MONEY DEMANDED IN COMPLAINT:** \$ \_\_\_\_\_**VI. CAUSE OF ACTION** (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)  
35 U.S.C. §§ 1 et. seq. (Patent Infringement)**VII. NATURE OF SUIT** (Place an X in one box only.)

OTHER STATUTES	CONTRACT	REAL PROPERTY CONT.	IMMIGRATION	PRISONER PETITIONS	PROPERTY RIGHTS
<input type="checkbox"/> 375 False Claims Act	<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 462 Naturalization Application	<input type="checkbox"/> 463 Alien Detainee	<input type="checkbox"/> 820 Copyrights
<input type="checkbox"/> 400 State Reapportionment	<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input checked="" type="checkbox"/> 830 Patent
<input type="checkbox"/> 410 Antitrust	<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 290 All Other Real Property		<input type="checkbox"/> 530 General	<input type="checkbox"/> 840 Trademark
<input type="checkbox"/> 430 Banks and Banking	<input type="checkbox"/> 140 Negotiable Instrument		<b>TORTS</b>	<input type="checkbox"/> 535 Death Penalty	<b>SOCIAL SECURITY</b>
<input type="checkbox"/> 450 Commerce/ICC Rates/Etc.	<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<b>PERSONAL INJURY</b>	<b>PERSONAL PROPERTY</b>	<input type="checkbox"/> 540 Mandamus/Other	<input type="checkbox"/> 861 HIA (1395ff)
<input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 862 Black Lung (923)
<input type="checkbox"/> 470 Racketeer Influenced & Corrupt Org.	<input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Vet.)	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 863 DIWC/DIWW (405 (g))
<input type="checkbox"/> 480 Consumer Credit	<input type="checkbox"/> 153 Recovery of Overpayment of Vet. Benefits	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 560 Civil Detainee Conditions of Confinement	<input type="checkbox"/> 864 SSID Title XVI
<input type="checkbox"/> 490 Cable/Sat TV	<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 330 Fed. Employers' Liability	<input type="checkbox"/> 385 Property Damage Product Liability		<input type="checkbox"/> 865 RSI (405 (g))
<input type="checkbox"/> 850 Securities/Commodities/Exchange	<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 340 Marine	<b>BANKRUPTCY</b>	<b>FORFEITURE/PENALTY</b>	<b>FEDERAL TAX SUITS</b>
<input type="checkbox"/> 890 Other Statutory Actions	<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)
<input type="checkbox"/> 891 Agricultural Acts	<input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 690 Other	<input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
<input type="checkbox"/> 893 Environmental Matters	<b>REAL PROPERTY</b>	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<b>CIVIL RIGHTS</b>	<b>LABOR</b>	
<input type="checkbox"/> 895 Freedom of Info. Act	<input type="checkbox"/> 210 Land	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 710 Fair Labor Standards Act	
<input type="checkbox"/> 896 Arbitration	<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 362 Personal Injury-Med Malpractice	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 720 Labor/Mgmt. Relations	
<input type="checkbox"/> 899 Admin. Procedures Act/Review of Appeal of Agency Decision	<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 365 Personal Injury-Product Liability	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 740 Railway Labor Act	
<input type="checkbox"/> 950 Constitutionality of State Statutes		<input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 751 Family and Medical Leave Act	
		<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 445 American with Disabilities-Employment	<input type="checkbox"/> 790 Other Labor Litigation	
			<input type="checkbox"/> 446 American with Disabilities-Other	<input type="checkbox"/> 791 Employee Ret. Inc. Security Act	
			<input type="checkbox"/> 448 Education		

FOR OFFICE USE ONLY: Case Number: **SACV13-314 CJC(MLGx)**

AFTER COMPLETING PAGE 1 OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED ON PAGE 2.

By Fax



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

**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).

<b>County in this District:*</b>	California County outside of this District; State, if other than California; or Foreign Country
	Taiwan

(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).

<b>County in this District:*</b>	California County outside of this District; State, if other than California; or Foreign Country
San Diego (as to Defendant QDS INJECTION MOLDING, LLC)	Taiwan (as to Defendant QBAS CO. LTD.) Wisconsin (as to Defendant JOHNSON OUTDOORS 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.**

<b>County in this District:*</b>	California County outside of this District; State, if other than California; or Foreign Country
Orange County	

\*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 SELF-REPRESENTED LITIGANT):**  DATE: 2/21/2013

**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. 405 (g))