

FILED \_\_\_\_\_ ENTERED \_\_\_\_\_  
LODGED \_\_\_\_\_ RECEIVED \_\_\_\_\_  
NOV 9 2012 DJ  
AT SEATTLE  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT WASHINGTON

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON

MUFFIN FAYE ANDERSON,

Plaintiff,

vs.

KIMBERLY-CLARK CORPORATION, et al.,

Defendants.

Civil Action No. )

**CV121979** RAJ

) **COMPLAINT**



12-CV-01979-CMP

IFP NYS

TO: The Honorable Court:

The plaintiff complains of defendant and alleges:

1. That the plaintiff, Muffin Faye Anderson is an individual residing in the state of Washington.

COMPLAINT - 1

In Pro Per  
Muffin Faye Anderson  
3503 So Hudson St.  
Seattle, WA. 98118

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23

- 1           2. That on information and belief, the defendant Kimberly – Clark Company, is a Texas  
2           corporation doing business throughout the United States and in the State of Washington  
3           and is committing, and will continue to commit, acts of patent infringement as  
4           complained of herein.
- 5
- 6           3. That jurisdiction is based upon the patent laws of the United States of America as set  
7           forth in U.S. Code, Title 28, Section 1338, paragraph (a) as more fully hereinafter  
8           appears.
- 9
- 10          4. That on November 17, 1998, United States Letters Patent No Des. 401,328 were duly  
11          and legally issued to the plaintiff as assignee of the inventor, Muffin Faye Anderson, of  
12          Seattle, Washington, for Design ABSORBENT DISPOSABLE UNDERGARMENT;  
13          and since that date, plaintiff has been and still is the owner of such patent.
- 14
- 15          5. That the defendant since the issuance of said Letters Patent No. Des.401, 328 and within  
16          six (6) years prior to the filing of this complaint, and within the District of Wisconsin  
17          and elsewhere within the United States, for a long time past and still is infringing said  
18          Patent by making, using and/or selling or causing to be made, used and/or sold by  
19          others, the apparatus embodying the invention or improvements described and claimed  
20          in said patent, all unlawfully and willfully and without the license or consent of plaintiff,  
21          an infringement of said Letter Patent and the plaintiff's rights thereunder.
- 22
- 23

1 6. That plaintiff has caused defendant to be notified both orally and in writing of its  
2 infringement of said Letters Patent No. Des 401, 328 and that defendant,  
3 notwithstanding such notice, and since the date of such notice, has continued and  
4 threatens to continue said patent infringement to the damage of plaintiff and has made or  
5 is making or threatening to make profits from said patent infringement which rightfully  
6 belong to plaintiff herein.

7  
8 7. That Defendant manufactured ...; Depend-certainty yr. 2008;  
9 Depend For Women Moderate Absorbency yr 2008; Silhouelle For Women, bar code#  
10 003600030816h; Assurance Underwear For Women, bar code 7874201431; Assurance  
11 Underwear For Men, bar code 7874201435; Depend Underwear For Men Maximum  
12 Absorbency, bar code 3600019842; Depend Real Fit For Men Briefs Maximum  
13 Absorbency/Absorption bar code 3600030815; Assurance Casual Style 'Boxers' For  
14 Men Maximum Absorbency bar code 8113102709 products under said Letters Patent is  
15 and has been extensively sold and introduced into public use.

16  
17 8. That plaintiff has been deprived of great gains and profits and has suffered great damage  
18 by defendant's infringement, and by the threat to continue said patent infringement  
19 complained of herein; that plaintiff will be irreparably damaged by the continued  
20 infringement of said patent and by the threat of continued infringement of said patent  
21 unless enjoined by this court; and that plaintiff has no means of ascertaining the extent  
22 of defendant's infringement of said patent and the amount of plaintiff's damages  
23

1 resulting from said patent infringement except through the production of evidence  
2 thereof in defendant's sole possession and control.

3  
4 WHEREFORE, plaintiff demands a preliminary and perpetual injunction against  
5 further patent infringement and threats of further patent infringement by defendant, against  
6 contributing to further patent infringement by others, and those controlled by defendant; an  
7 award to plaintiff of general damages as due compensation for making, using or selling the  
8 inventions not less than a reasonable royalty therefore, together with such costs and interest  
9 as may be fixed by the court, an increase of the assessed damages to a sum not exceeding  
10 three times the amount thereof as provided by law, and an award of reasonable attorney's  
11 fees to plaintiff. And for such other relief, as the equities in the case may require and which  
12 to the court may seem meet and just.

13  
14 Plaintiff demands a jury.

15  
16  
17 Respectfully submitted,

18  
19 

20 In Pro Per  
21 Muffin Faye Anderson  
22 3503 So Hudson St.  
23 Seattle, WA. 98118