

June 14, 2012

In The United States District Court  
Western District of Michigan

**FILED - LN**  
June 14, 2012 12:12 PM  
TRACEY CORDES, CLERK  
U.S. DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
BY TC /        SCANNED BY JG / 6/14/12

Tiyah Isom-Morris  
Plaintiff,  
v.

**1:12-cv-615**  
**Robert J. Jonker**  
**United States District Judge**

Kimberly-Clark  
Corporation

Defendant.

**COMPLAINT FOR PATENT INFRINGEMENT**

This is an action for patent infringement in which Plaintiff Tiyah Isom-Morris makes the following allegations against Defendant Kimberly-Clark Corporation.

**PARTIES**

1. Tiyah Isom-Morris residing at 1616-1 N. Aurelius Rd. Holt, MI. 48842, USA
2. On information and belief, Kimberly –Clark Corp. is a Wisconsin corporation with its principal office at Dept. INT,P.O. Box 2020, Neenah, WI 54957-2020

**JURISDICTION AND VENUE**

3. This action arises under the patent laws of the United States, 35 U.S.C. § 1, et

*seq.*, including § 271. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

4. I believe the United States District Court Western District of Michigan has jurisdiction over this matter due to the complaint being an infringement on the United States patent of a residence of Holt Michigan, Ingham County.

**COUNT I  
(INFRINGEMENT OF U.S. PATENT NO. D655,556)**

5. Tiyah Isom-Morris is the owner by assignment of United States Patent No. D655,556, entitled "Mattress Liner". The application for the 'D655,556 patent was filed on March 24, 2011. The patent issued on March 23, 2012. A true and correct copy of the 'D655,556 patent is attached as Exhibit A.
6. Defendant has been and now is directly and/or jointly infringing on the claim of the 'D655,556 patent, in this judicial district and elsewhere in the United States, by, among other things, making, using, importing, offering for sale, and/or selling products. Which products constitute a material part of the claimed invention and are not staple articles or commodities of commerce suitable for substantial non-infringing use.  
  
On information and belief, Defendant should have known and was made known via "Notice of Patent Infringement" letter dated May 1, 2012, of the 'D655,556 patent prior to the filing of this action. A true and correct copy of the May 1, 2012 letter is attached as Exhibit B.

7. By engaging in the conduct described herein, Defendant has injured Mrs. Tiyah Isom-Morris and is thus liable for infringement of the 'D655,556 patent pursuant to 35 U.S.C. § 271.
8. Defendant has committed these acts of infringement without license or authorization.
9. As a result of Defendant's infringement of the 'D655,556 patent, The inventor (Tiyah Isom-Morris) has suffered monetary damages in an amount not yet determined, but in no event less than a reasonable royalty for the use made of the invention by Defendant, together with interest and costs as fixed by the Court.

**PRAYER FOR RELIEF**

The inventor (Tiyah Isom-Morris) respectfully requests that this Court enter:

- A. judgment in favor of Mrs. Tiyah Isom-Morris that Defendant has infringed, directly, jointly, and/or indirectly, the 'D655,556 patent, and that such infringement was willful;
- B. A judgment and order requiring Defendant to pay Mrs. Tiyah Isom-Morris its damages, costs, expenses, and prejudgment and post-judgment interest for Defendant's infringement of the 'D655,556 patent as provided under 35 U.S.C. § 284;
- C. A judgment and order finding that this is an exceptional case within the meaning of 35 U.S.C. § 285 and awarding to Mrs. Tiyah Isom-Morris (inventor), the reasonable attorneys' fees against Defendant; if attorney representation becomes necessary

- D. A judgment and order requiring Defendant to provide an accounting and to pay supplemental damages to Mrs. Tiyah Isom-Morris (inventor), including without limitation, prejudgment and post-judgment interest; and
- E. Any and all other relief to which Mrs. Tiyah Isom-Morris (inventor) may show to be entitled.

**DEMAND FOR JURY TRIAL**

Tiyah Isom-Morris, under Rule 38 of the Federal Rules of Civil Procedure, requests a trial by jury of any issues so triable by right.

Signed: Tiyah Isom-Morris Date: 6/14/12

Tiyah S. Isom-Morris

1616-1 N. Aurelius Rd, Holt MI 48842

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