

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

Halle Joy Collection, LLC;	§	
	§	
Plaintiff,	§	
	§	
v.	§	Civil Action No. _____
	§	
Lanceco Industries, Inc., d/b/a	§	
C.G. Creations, and Frank Fiasconaro,	§	
Defendants.	§	

ORIGINAL COMPLAINT

Introduction

This is an action for a declaratory judgment of non-infringement of a copyright and design patent and the invalidity of a design patent. Defendant Lanceco Industries, Inc., doing business as C.G. Creations (“Lanceco”), has accused plaintiff Halle Joy Collection, LLC (“Halle Joy”), of infringing its design patent and copyright through its sale of bracelets in Hallmark’s Crown Collection line. The bracelets, which were designed and manufactured by Halle Joy, do not infringe Lanceco’s copyright or design patent because they have a fundamentally different shape than that of the Lanceco design. Additionally, Lanceco’s patent is invalid because it is not new, not original, not ornamental, and obvious in light of the prior art. Therefore, Plaintiff asks the Court to set the record straight and enter a judgment declaring that the bracelets at issue do not infringe Lanceco’s copyright and design patent and that Lanceco’s patent is invalid.

The Parties

1. Halle Joy is a Texas limited liability company with its principal place of business in Fort Worth, Texas.

2. Lanceco is a former New York corporation, dissolved in January 2011, with its principal place of business presumably (or formerly) in Pearl River, New York. Upon and information and belief, Lanceco may be served through its last registered agent and presumptive owner, Frank Fiasconaro, at PO Box 1001, Pearl River, New York, 10965. Lanceco is the purported Assignee of the U.S. design patent D703,088 S (“the Lanceco Patent or the ‘088 patent”).

3. Frank Fiasconaro is the purported inventor of the design disclosed in the ‘088 patent and, upon information and belief, the author of the subject of the U.S. copyright registration VA 1-884-359. Frank Fiasconaro may be served at PO Box 1001, Pearl River, New York, 10965.

Jurisdiction and Venue

4. The Court has original subject-matter jurisdiction over this case under 28 U.S.C. §§ 1331 and 1338 because this case arises under the laws of the United States relating to patents and copyrights.

5. Halle Joy has standing to bring this action because there is a substantial controversy between itself and Lanceco of sufficient immediacy and reality to warrant the issuance of a declaratory judgment and because it manufactures and sells the article in dispute. Halle Joy is also potentially obligated by contract to indemnify Hallmark from infringement liability.

6. Lanceco has purposely directed its activities toward Texas and availed itself of the privileges of conducting business in Texas, namely, by attempting to enforce and defend its patent in Texas and by marketing, distributing, and selling in Texas bracelets that are the alleged subject of Lanceco’s patent in competition with the Halle Joy designed and manufactured bracelets. Mr. Fiasconaro is the owner of Lanceco and the purported inventor of its patented design and has, along with his company, also used the threat of litigation, in Texas, to unfairly damage competition in Texas. These activities have created a substantial connection between

Lanceco and Texas, and Plaintiff's claims arise out these activities. Consequently, this Court has personal jurisdiction over Lanceco in this case. Exercising personal jurisdiction over Lanceco and Fiasconaro under these circumstances is fair and reasonable.

7. Under 28 U.S.C. § 1391(b)(2), venue is proper in the Northern District of Texas, Dallas Division, because a substantial part of the events or omissions giving rise to Plaintiff's claims occurred here and a substantial part of property that is the subject of the action is situated within Dallas and the Northern District of Texas.

Factual Background

8. Halle Joy and Lanceco are competitors in the jewelry business. More specifically, they each sell expandable bangle charm bracelets. Halle Joy's bracelets are sold at various Hallmark stores and Lanceco's bracelets are sold in Texas retailers such as Micah's Jewelers, Layla's Jewelry, and Fred Meyer Jewelers (located within Kroger stores all around Dallas and Fort Worth).

9. Sometime before the end of October 2013, Halle Joy designed its current line of expandable bangle charm bracelets. These bracelets function on an age-old design of a split overlapping wire spring with connectors on each end through which the overlapping portion of the wire passes.

10. On October 1, 2014, Lanceco's patent attorney wrote a cease and desist letter to Hallmark complaining about the Halle Joy bracelets and threatening litigation. In this letter, Lanceco alleged that the Halle Joy Bracelets infringe on the '088 design patent and its copyright registration VA 1-884-359. A copy of this letter was forwarded to Halle Joy. Lanceco further demanded highly confidential and competitive sensitive information regarding Hallmark's sales and distribution channels. (Exhibit 1, Letter of October 1, 2014).

11. On November 10, 2014, another Lanceco attorney wrote to Hallmark reasserting Lanceco's demands and threatening litigation. (Exhibit 2, Letter of November 10, 2014). This letter was also sent by Lanceco to counsel for Halle Joy.
12. On November 21, 2014 Lanceco's "trial counsel" wrote to Halle Joy's counsel in Dallas, TX and threatened litigation against Halle Joy. (Exhibit 3, Letter of November 21, 2014).
13. The wire bracelet design of the '088 Patent is a simple expandable wire bracelet design that has existed for over one hundred years.
14. The connectors allow the bracelet to expand over the hand and adapt to different wrist sizes. These connectors have ranged from a simple wire wrap-around design, to soldered, crimped and screwed-on designs. The design of the Halle Joy bracelets was disclosed in a utility patent, issued in 1911. (Exhibit 4, James D. Kirby, U.S. Pat. No. 993,303 A ("the Kirby patent")).
15. The unadorned version of the Halle Joy wire bracelet connectors are nearly identical to the design disclosed in the Kirby patent.
16. Similar designs were popular in the eighteenth century as displayed in the exhibited page from the "Illustrated Jewelry Catalog 1892" from the New England Jeweler. (Exhibit 5).
17. The popularity of these expandable bracelets continued into the twentieth century as displayed in the exhibited pages from a collection of Victorian era jewelry catalogs republished in 1995 by BPC Hazell Books Ltd. (Exhibit 6).
18. The bracelets at issue also hold various charms which are not believed to be at issue in this dispute.
19. The Halle Joy bracelets were independently designed and fixed into a tangible form prior to the date of first publication noted in Lanceco's copyright registration.

20. Halle Joy did not have access to, or knowledge of, any pre-publication bracelet designs of Lanceco or Fiasconaro.

21. The Halle Joy bracelets are not copies of Lanceco's design nor copies of any of Lanceco's bracelets.

Lanceco's '088 Patent and Its Prior Art

22. The '088 patent (Exhibit 7) purportedly covers a particular design of an expandable bracelet illustrated as:

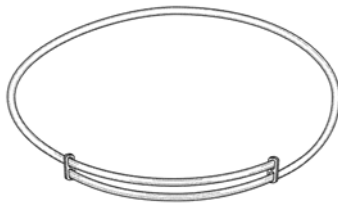


FIG. 1

23. Upon information and belief, it is only the design of the *connectors* that Lanceco has accused the Plaintiff of infringing.

24. The proportions of these connectors to the wire part of the bracelet is best illustrated in Figure 2 of the '088 patent:

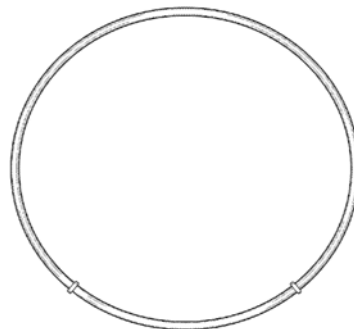


FIG. 2

25. It is easier to appreciate the minimalist design when the illustration is expanded:

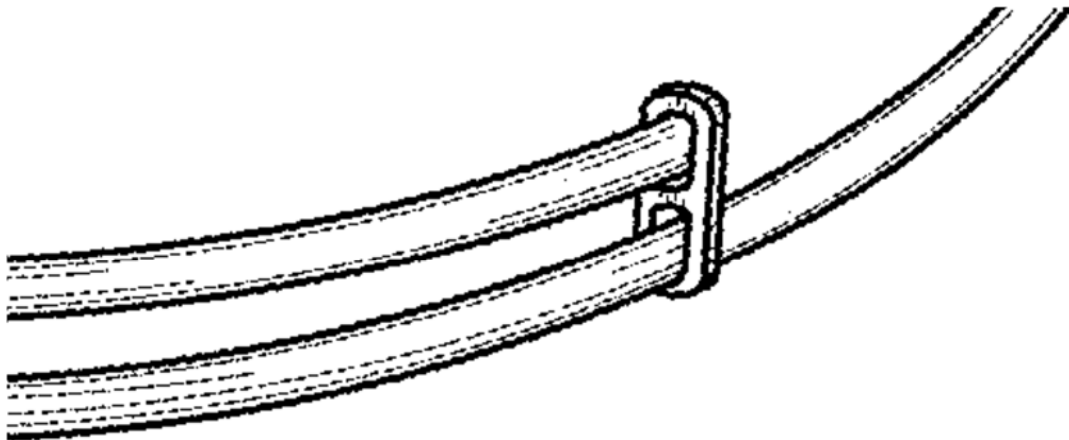


FIG. 2

26. In the illustration above the thinnest dimension (“x axis”) is approximately 25% of the size of the longer dimension which crosses the wire (“y axis”). The width of the connector in the x axis is substantially less than the wire thickness, and the y axis is barely wider than the wire.

27. Upon information and belief, the thickness of the connector is the minimum practical thickness for the materials commonly used in these bracelets that will withstand the physical requirements without distorting or breaking and therefore is a functional aspect of the design.

28. Another distinguishing feature of the ‘088 patent is the design of the hole through which the wire passes:

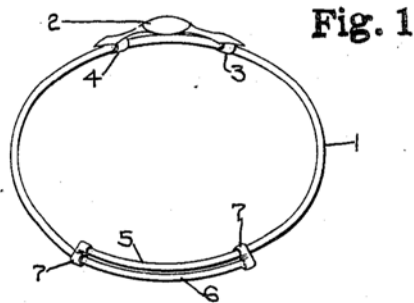


29. This passageway is oblong and mimics the overall shape of the connector—a feature not found on any of the Halle Joy bracelets.

30. The design may also be described in words as:

An expandable bracelet comprising a single piece of spring wire having overlapping ends and two guides and connectors each consisting of a single piece of metal having its walls at its middle portion contracted forming two separate compartments one of which receives and is secured to one end of the wire, the other compartment forming an elongated guide bearing, and said middle portion forming a connector between said first compartment and said bearing whereby each bracelet end is supported and connected to a portion of the wire adjacent said end.

31. The description above is from Claim 1 of the Kirby patent which was illustrated as:



32. This disclosure of a feature in the claims of a utility patent constitutes strong evidence of this features functionality.

33. There is no difference between the design disclosed in the Kirby patent and the design in the '088 patent that would endow the '088 design with novelty, originality or non-obviousness.¹

34. To the extent there is a legally appreciable difference between the Kirby patent and the '088 patent, such a difference limits the scope of the '088 patent and divorces it from any protectable similarity with the Halle Joy bracelets.

¹ The portion of Kirby patent labeled as nos. 2-4 in Figure 1, was noted in the patent's specification as optional and may be disregarded in this analysis. (Kirby at l. 50-51 "ornamentation 2 *may* be attached to this bracelet, *if desired*. . ." (emphasis added)).

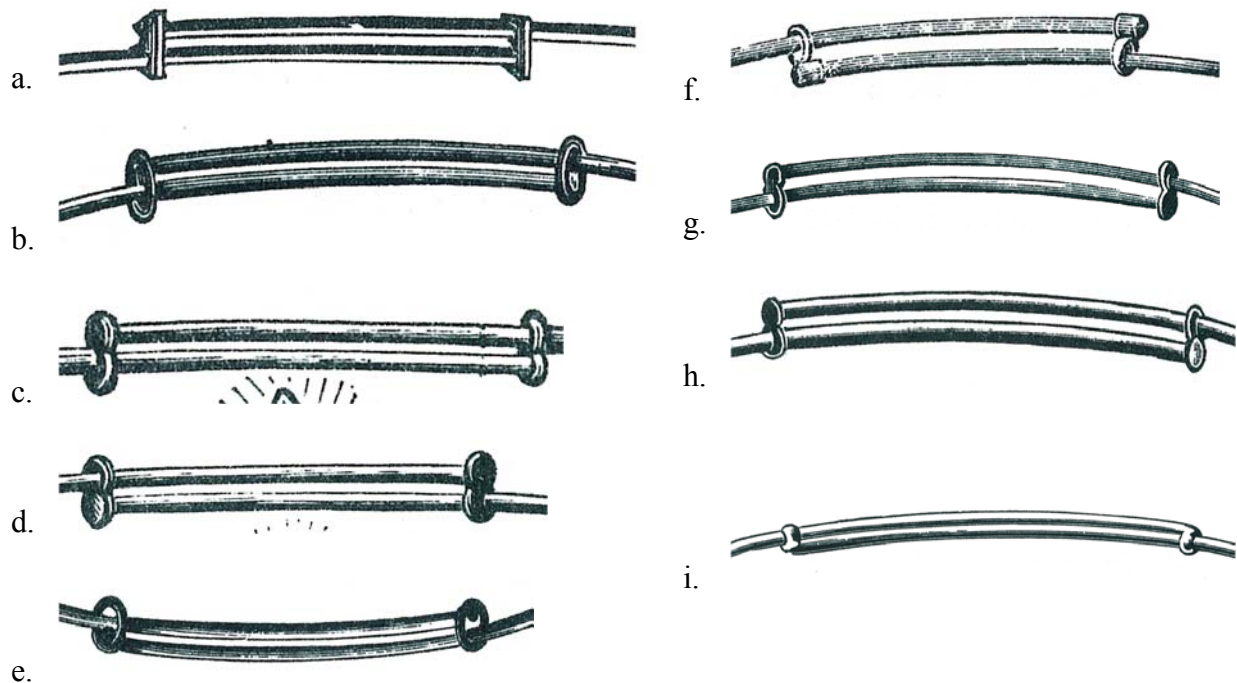
35. In addition to the prior art disclosed in the patent literature, there is a significant amount of non-patent literature that was never disclosed to the patent examiner during the prosecution of the '088 Patent.

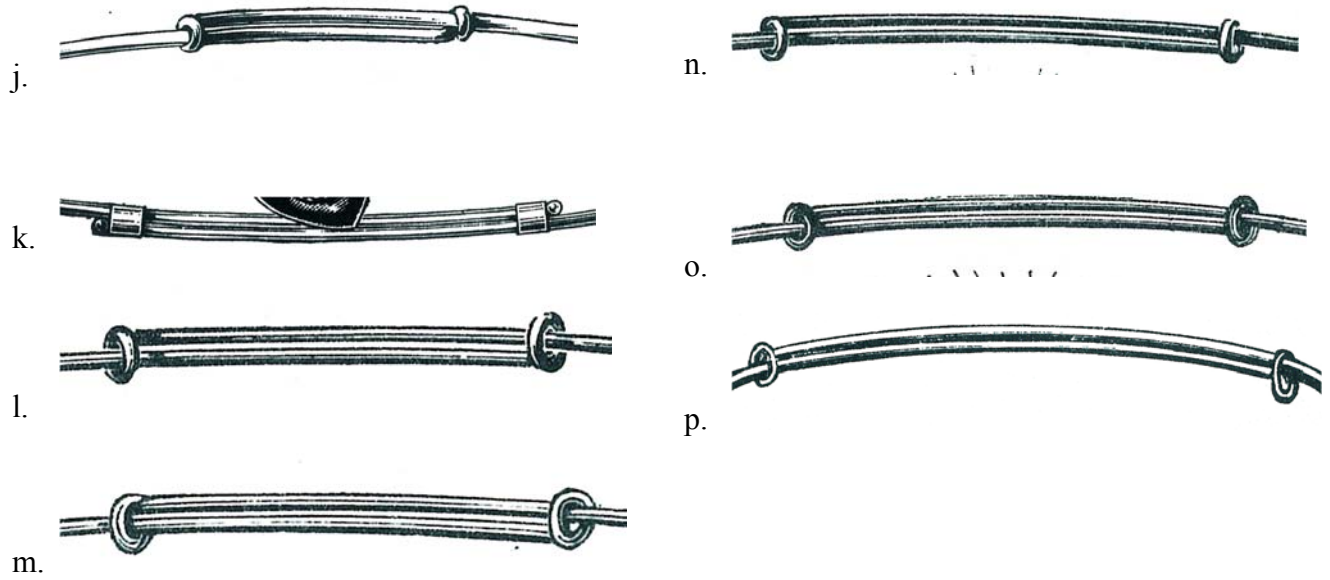
36. Upon information and belief, the purported inventor was familiar with the existence of prior art in the non-patent literature but intentionally failed to inform the examiner of this prior art during the prosecution of the '088 Patent.

37. Upon information and belief, the patent examiners who examined the application that became the '088 patent would not have allowed the patent to issue if they had been made aware of the extensive prior art.

38. The design elements that Lanceco purports to protect with its patent were very popular designs during the late nineteenth and early twentieth centuries.

39. Exhibit 6 is a true and correct copy of excerpts from a collection of Victorian era jewelry catalogs republished in 1995 by BPC Hazell Books Ltd. The following examples are the connectors from these prior art bracelet designs that are relevant to the '088 Patent:

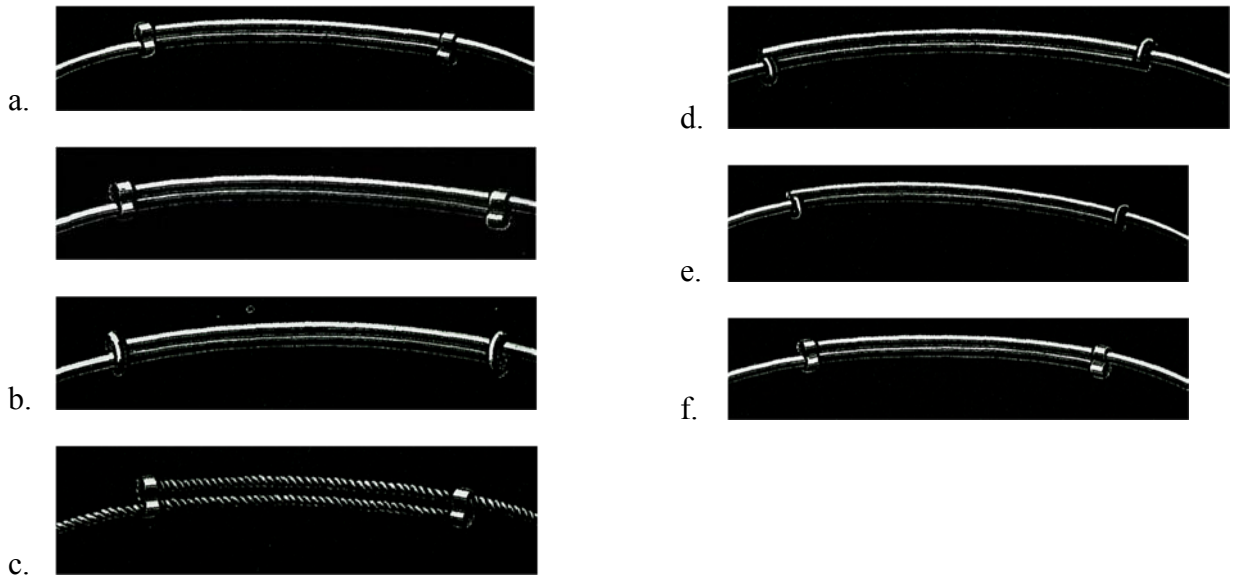




40. None of the bracelets in these exhibits were disclosed to the examiner by the purported inventor during the prosecution of the '088 Patent.

41. Additional non-disclosed prior art may be found in Exhibit 5, excerpts from a 1998 Dover reprint of an 1892 New England Jeweler jewelry catalog.

42. These exhibits from page 52 of Exhibit 5 demonstrate additional variation on the popular connector design:



43. There is also a more recent design patent that also serves as prior art to the '088 patent. Nadeau's U.S. Patent D700,860 describes a similar design:



FIG. 1

44. This prior art was never disclosed by the purported inventor to the examiner during the prosecution of the '088 patent. If Fiasconaro knew about this and other prior art, his failure to disclose them to the examiner may constitute fraud on the Patent Office. A copy of the Nadeau patent is attached as Exhibit 8.

45. Numerous similar designs have been sold in the marketplace and depicted in catalogs prior to the '088 patent's application—indeed for hundreds of years. Exhibits 5 and 6 are merely two collections among many that existed over one year prior to the filing of the application that became the '088 patent.

46. The non-novel aspects of the '088 patent include the wire and the connectors, leaving no novel features in which to claim patent protection.

47. The claimed design of the '088 patent is functional and therefore not entitled to design patent protection.

48. The functional aspects of the '088 patent's design are not protected by the design patent.

49. The claimed design of the '088 patent is not original and therefore not entitled to design patent protection.

50. The claimed design of the '088 patent is not ornamental and therefore not entitled to design patent protection.

51. Additionally, the design described in the '088 patent's drawings are substantially similar to those in the prior art.

52. As evident from the attached exhibits, any differences between the prior art and the '088 patent are merely obvious variations on a very old theme.

53. The prior art references describe each and every claim limitation and enables one of skill in the art to practice an embodiment of the claimed invention without undue experimentation.

54. As demonstrated by the prior art above, the differences between the claimed invention and the prior art are such that the claimed invention as a whole would have been obvious before the effective filing date of the claimed invention to a person having ordinary skill in the art to which the claimed invention pertains.

The Halle Joy Bracelets and Non-Infringement

55. There are two separate bracelets that Lanceco has alleged to infringe upon the '088 patent.

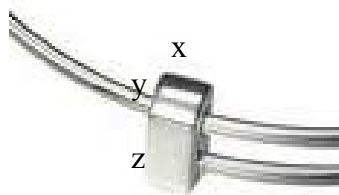
56. The first Halle Joy bracelet has a whimsical pattern or "scrollwork" ornamenting the connectors:



57. The second Halle Joy bracelet has the same connectors (similar to the Kirby patent) with no additional ornamentation:



58. As distinguished from the '088 patent, the Halle Joy connectors are approximately square (*i.e.* a 1:1 ratio) in the x and y axis where the axes are labeled as:



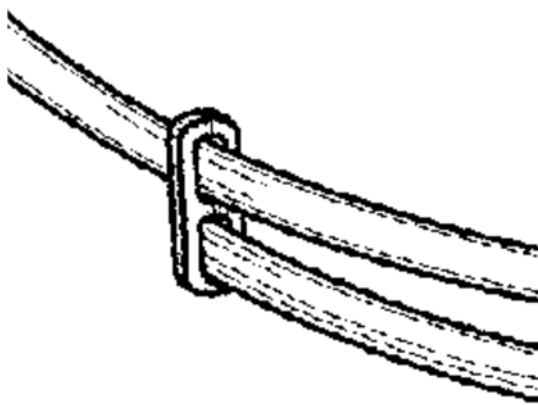
59. The ratio of the x and y axis of the '088 patent's connectors are approximately 4 to 1—in other words, the Lanceco connector is approximately four times as wide as it is thick.

60. Unlike the oblong design disclosed in the '088 patent, the holes through which the wire passes on the Halle Joy bracelets are perfectly round:

Halle Joy:



'088 patent:



61. The pictures above have been scaled to represent use of an equal size wire and illustrate the massive difference in the ratios of the connectors to the wires.

62. As further distinguished from the '088 design, the Halle Joy connectors are substantially thicker than the wire in both the x and y axis.

63. Additionally, the spacing between the wires is substantially greater in the Halle Joy bracelet than the design of the '088 patent—so that there is more than enough space for an additional wire. The design of the '088 patent is so tight that there is less than one wire width between each end of the wire.

64. The distinguishing characteristics between the two connectors are massive when observed in the context of the myriad of variations in the prior art.

65. The differences in the ratios is another way of stating the obvious—that is, the connectors have a different shape.

66. Moreover, the design disclosed in the '088 patent does not include any ornamentation or scrollwork like that found on the Halle Joy connectors.

67. The design disclosed in the '088 patent prohibits the application of this scrollwork because the minimalist design does not allow enough space to apply this additional surface ornamentation.

68. The ornamental scrollwork design on the Halle Joy bracelet would simply not fit on the connector of the '088 design because the connectors are shaped differently.

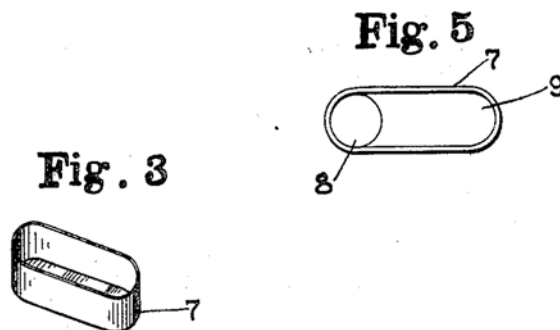
69. The connectors on the Halle joy bracelets—with and without the scrollwork—are the same size and of the same dimensions as each other and are therefore both distinct from the minimalist '088 design.

70. The design disclosed in the '088 patent functionally limits the amount of ornamentation that can be applied to the connectors.

71. It would simply be impossible to reproduce the Halle Joy ornamentation on the '088 patent's design because they are shaped so differently.

72. Because these designs have fundamentally different shapes, the Halle Joy bracelets do not infringe on the claims of the '088 patent.

73. In fact, the shape and dimensions of the Halle Joy bracelets are nearly identical to those disclosed in Figures 3 and 5 of the Kirby patent:



74. The width to height ratio of the connectors of the Kirby patent are nearly the same as that of the Halle Joy bracelets.

75. The external and overall appearance of the connectors of the Halle Joy bracelets is nearly identical to the drawings of the connectors in the Kirby patent.

76. The design disclosed by the Kirby patent is in the public domain and may be copied by anyone.

77. In light of the prior art cited above, an ordinary observer, familiar with the prior art, could not be deceived into thinking that the Halle Joy design was the same as the '088 patent design. This is especially true when the non-novel and functional aspects of the design are factored out of the analysis.

Lanceco's Copyright

78. The specimen claimed to support the copyright registration appears to be an advertisement for Lanceco's Bracelets. (Exhibit 9 (also made part of exhibits 1-3).

79. For the bracelet design to be covered by copyright as a useful article rather than as a picture of a bracelet, the subject matter of Lanceco's copyright must fall under 17 U.S.C. § 102(a)(5) as "pictorial, graphic, and sculptural works." Therefore, as a useful article under 17 U.S.C. §101, it must "incorporate pictorial, graphic, and sculptural features that can be identified separately from and are capable of existing independently of, the utilitarian aspects of the article."

80. The Lanceco copyright does not appear to incorporate any original pictorial, graphic, and sculptural features that can be identified separately from, and are capable of existing independently of, the utilitarian aspects of the article.

81. The Lanceco copyright specimen does not indicate any features in common with the Halle Joy bracelets that are separately identifiable from, and capable of existing independently of, the utilitarian aspects of each respective article.

82. Therefore, whatever it is (if there *is* anything) that is covered by Lanceco's copyright, it is not found in the Halle Joy bracelet.

83. The subject of Lanceco's copyright was first published after the Halle Joy bracelets were designed and were not otherwise known to Halle Joy of Hallmark before such publication.

84. The Halle Joy bracelets were independently created and are not copies of the Lanceco bracelets.

85. The Lanceco bracelets are in fact merely insignificant variations on an old theme and, as a useful article, not an original work of authorship and therefore not entitled to copyright protection.

Causes of Action

COUNT I

(Declaratory Judgment of Invalidity, Unenforceability,
and/or Non-Infringement of the Lanceco Patent)

86. Plaintiff re-alleges and incorporates by reference each Paragraph of the Complaint as if fully set forth herein.

87. Lanceco has stated that certain products made and sold by the Plaintiff infringes the Lanceco Patent and that the Plaintiff is required to cease and desist the manufacture, distribution, advertising, sale, and offering for sale of these products.

88. The Plaintiff contends it has not infringed and does not infringe, either directly or indirectly, any valid and enforceable claim of the Lanceco Patent.

89. The claims of the Lanceco Patent are invalid for failure to satisfy the requirements of Part II of Title 35 of the United States Code, including, without limitation, the requirements of one or more of 35 U.S.C. §§ 101, 102, 103, 112 and/or 171.

90. The allegations of patent infringement place a cloud over the Plaintiff's business and likely will cause uncertainty among others in the marketplace, leading the Plaintiff to lose revenues and/or business opportunities.

91. As a result of the acts described in the foregoing paragraphs, there exists a substantial controversy of sufficient immediacy and reality to warrant the issuance of a declaratory judgment.

92. An actual and justiciable controversy exists between the Plaintiff and Lanceco as to whether the Lanceco Patent is infringed by the Plaintiff. A judicial declaration is necessary and appropriate so that the Plaintiff may ascertain its rights regarding the Lanceco Patent.

93. An actual and justiciable controversy exists between the Plaintiff and Lanceco as to whether the Lanceco Patent is valid. A judicial declaration is necessary and appropriate so that the Plaintiff may ascertain its rights regarding the Lanceco Patent.

94. An actual and justiciable controversy exists between the Plaintiff and Lanceco as to whether the Lanceco Patent is enforceable. A judicial declaration is necessary and appropriate so that the Plaintiff may ascertain its rights regarding the Lanceco Patent.

COUNT II

(Declaratory Judgment of Non-Infringement and
Unenforceability of the Lanceco Copyright)

95. Plaintiff re-alleges and incorporates by reference each Paragraph of the Complaint as if fully set forth herein.

96. Lanceco has stated that certain products made and sold by the Plaintiff infringes the Lanceco copyright and that the Plaintiff is required to cease and desist the manufacture, distribution, advertising, sale, and offering for sale of these products.

97. The Plaintiff contends it has not infringed and does not infringe, either directly or indirectly, any valid and enforceable copyright owned by Lanceco.

98. The allegations of copyright infringement place a cloud over the Plaintiff's business and will likely cause uncertainty among others in the marketplace, leading the Plaintiff to lose revenues and/or business opportunities.

99. As a result of the acts described in the foregoing paragraphs, there exists a substantial controversy of sufficient immediacy and reality to warrant the issuance of a declaratory judgment.

100. An actual and justiciable controversy exists between the Plaintiff and Lanceco as to whether the Lanceco copyright is infringed by the Plaintiff. A judicial declaration is necessary and appropriate so that the Plaintiff may ascertain its rights regarding the Lanceco copyright.

101. An actual and justiciable controversy exists between the Plaintiff and Lanceco as to whether the Lanceco copyright is enforceable against a useful article. A judicial declaration is necessary and appropriate so that the Plaintiff may ascertain its rights regarding the Lanceco Patent.

Prayer for Relief

The Plaintiff respectfully requests that judgment be entered in its favor and that the Court grant the following relief pursuant to 28 U.S.C. §§ 2201 and 2202:

A. A declaration that the Plaintiff's bracelets have not infringed and do not infringe, either directly or indirectly, any valid and enforceable claim of the Lanceco Patent;

- B. A declaration that the claims of the Lanceco Patent are invalid;
- C. A declaration that the Lanceco Patent is unenforceable;
- D. A declaration that the Plaintiff has not infringed and does not infringe, either directly or indirectly, the Lanceco Copyright;
- E. A declaration that the Lanceco copyright does not cover, and is unenforceable against, useful articles.
- F. An order declaring that the Plaintiff is the prevailing party and that this is an exceptional case under 35 U.S.C. § 285 and awarding the Plaintiff its reasonable attorney fees, expenses, and costs in this action; and
- G. Such other and further relief as this Court may deem just and proper.

DEMAND FOR JURY TRIAL

Pursuant to Federal Rule of Civil Procedure 38(b), Plaintiff respectfully requests a jury trial on all issues triable thereby.

Respectfully submitted,
CANTEY HANGER, LLP

By: /s/ Brian Casper

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Attorneys for Halle Joy Collection, LLC

EXHIBIT 1



ONOFRIO LAW

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Clinton, CT 06413

October 1, 2014

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T: 212.871.6112
F: 212.871.6113

VIA EMAIL and FedEx

Donald J. Hall, Jr.
President and CEO
Hallmark Marketing Company, LLC
2501 McGee Trafficway
Kansas City, Missouri 64108

Attention: David N. Johnson, Esq.
Legal Department

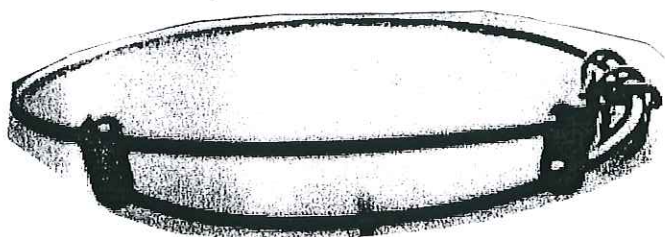
Re: Lanceco Industries, Inc. d/b/a C.G. Creations and Hallmark Marketing Company – Crown Collection bracelets U.S. Patent and Copyright Infringement

Dear Mr. Hall:

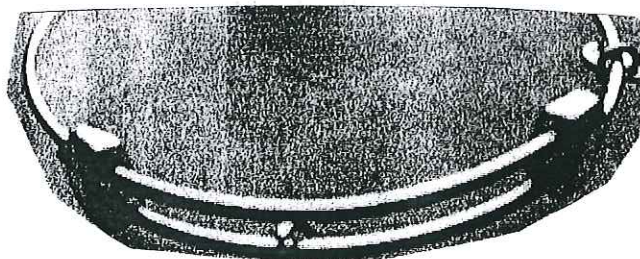
This letter concerns Hallmark Marketing Company, LLC ("Hallmark") manufacture and sale of product which infringe my client's intellectual property rights. In particular I refer to Hallmark's bracelets sold under the brand name Crown Collection ("Crown"). A copy of the referenced infringing product is attached (See Exhibit A). This letter explains the particulars of the matter and includes among other things, a demand that Hallmark immediately cease and desist from any further manufacture, sale, distribution and advertisement of the Hallmark bracelet that infringes my client's intellectual property rights.

Our firm represents C.G. Creations (referred to herein as "CGC") the owner of a proprietary line of bracelets and charms under the trademark WIND & FIRE ("Subject Bracelets"). For over thirty years, CGC has been in business engaged in the design, manufacturing and wholesale distribution of jewelry. CGC supplies major retailers, shopping networks, independent jewelers and internet sellers.

The Subject Bracelets are the subject of U.S. Patent No. D703,087 S (the "087 Patent") and U.S. Patent No. D703,088 S (the "088 Patent"). CGC has learned that Hallmark is marketing its Crown bracelets which infringe the "087 Patent". The Crown line contains design elements which are substantially the same as the "088 Patent, from the point of view of an ordinary observer. See below and Exhibit B.



CGC's U.S. Patent No. D703,088



Hallmark Crown Bracelet

CGC is prepared to take whatever steps are necessary to vigorously pursue its patent rights, and, as I am sure you know, among other remedies, the patent laws provide for CGC's recovery of Hallmark's profits, as well as equitable relief, enhanced damages and attorneys' fees. 28 U.S.C. §§ 283, 284, 285 and 289.

The Subject Bracelets are original designs created by CGC and are all subject of U.S. Copyright protection. See Registration No. VA 1-884-359 (copy annexed as Exhibit C, including a relevant excerpt from the material deposited with the U.S. Copyright Office). Hallmarks bracelets are, at the very least, substantially the same as CGC's design protected by the Copyright Registration.

Accordingly, based on CGC's intellectual property rights we demand that Hallmark, its affiliates, subsidiaries and anyone acting under its control or authority immediately cease and desist from any further manufacture, sale, distribution and advertisement of the Crown bracelet and any jewelry product that infringe on CGC's rights ("Infringing Products").

CGC is extremely vehement about the protection of its intellectual property. Accordingly, demand is made that you provide the following information, in its entirety, within seven (7) calendar days, from the date of this letter:

1. A written confirmation that the above activities have ceased and will not be resumed;
2. An accounting of the total number of bracelets:
 - a) That have been sold;
 - b) That are on hand or in inventory;
 - c) That are on order but not have been shipped; and
 - d) That have been shipped and are in transit;
3. The sales price for each unit sold;
4. The physical location of all units manufactured or in transit;
5. The name and address of your manufacturer;
6. The names and addresses of your wholesalers and retail customers distributing the Infringing Products;
7. Your gross sales revenue to date for the Infringing Products; and
8. An accounting for profits with respect to all sales for the Infringing Products.

Donald J. Hall, Jr.
October 1, 2014

Page 3

To move toward an amicable resolution of this matter, please sign and date in the space provided below to confirm and signal your understanding and acknowledgement of our demands by **October 10, 2014**. Please return the signed copy of this letter to my office via facsimile 212-871-6113 or scan and return via email to dara@onofriolaw.com. Feel free to contact me at anytime sooner if you wish to discuss this matter.

This letter shall not be deemed or construed as a waiver, relinquishment, or election of rights or remedies, all of which are expressly reserved.

Sincerely Yours,

Dara L. Onofrio

cc: C.G. Creations

EXHIBIT A



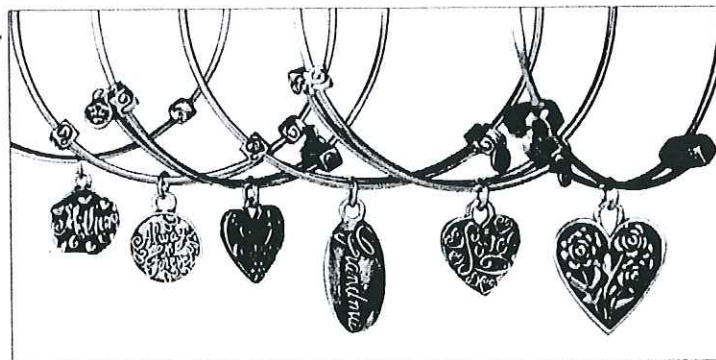
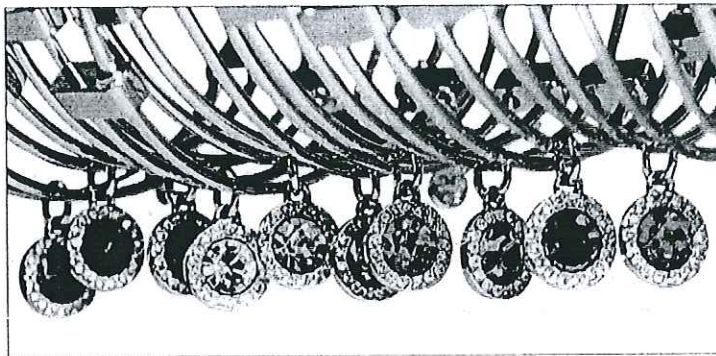
Hallmark
GOLD CROWN



DISPLAY year-round
ARRIVES 6 - 8 weeks after order is placed
For product and ordering information,
please contact:
2413 Gravel Drive, Fort Worth, TX 76118
Attention: Tammy Tomberlin
Office: (817) 616-3311
Fax: (817) 616-3314
Email: sales@hallejoy.com

Crown Collection jewelry design is inspired by artwork from the Hallmark archives. This signature jewelry collection is found only in Hallmark Gold Crown® stores. Crown Collection gives consumers options to layer and add pieces over time.

- 65% Initial Markup.
- 100% Hallmark Gold Crown exclusive.
- Crown Collection is nickel- and lead-free. The jewelry is made from the highest quality steel alloys.
- Great value with an APS of \$25.00.
- Initial set-up is 10': 3 nested tables and 1 floor spinner.
- \$4,200 initial inventory buy-in at cost.
- Estimated annual sales of \$15,000, or \$1,500 per linear foot.
- Birthstone designs are the best-sellers.
- Introducing 2 new programs for October 2014: Beaded Bracelet program and Sterling Silver carded necklaces.



Hallmark
344PD2248
September 2014
Marketing Communications
Hallmark Marketing Company, LLC
Kansas City, Missouri 64108
HALLMARK.COM
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Price references shown in this catalog
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Printed in the U.S.A.

September
2014

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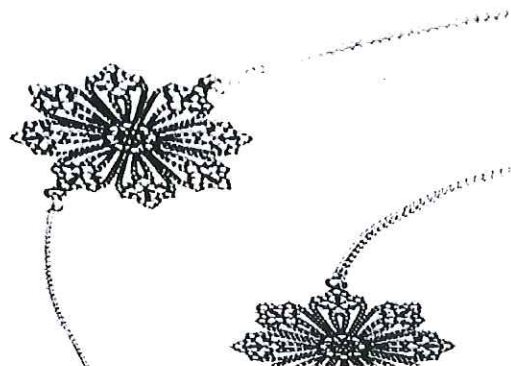


EXHIBIT B



US00D703088S

(12) **United States Design Patent**
Fiasconaro

(10) **Patent No.:** **US D703,088 S**
(45) **Date of Patent:** **** Apr. 22, 2014**

- (54) **ADJUSTABLE BRACELET**
- (71) Applicant: **Lanceco Industries Inc.**, Pearl River, NY (US)
- (72) Inventor: **Frank Fiasconaro**, Pearl River, NY (US)
- (73) Assignee: **Lanceco Industries, Inc.**, Pearl River, NY (US)
- (**) Term: **14 Years**
- (21) Appl. No.: **29/451,604**
- (22) Filed: **Apr. 4, 2013**
- (51) LOC (10) Cl. **11-01**
- (52) U.S. Cl. **D11/5**
- (58) **Field of Classification Search**
USPC **D11/1-25; 63/1.11, 3.1, 3.2, 15, 63/15.1-15.4, 15.45, 15.5, 15.6, 15.65, 63/10; D28/41; 24/70 J, 69 T, 69 J, 68 J, 24/115 H, 136 A, 115 K**
See application file for complete search history.

- D487,709 S * 3/2004 Fertise D11/5
- D498,167 S * 11/2004 Fertise D11/5
- D539,689 S * 4/2007 Mertens D11/3
- D592,950 S * 5/2009 Kopulos D9/434
- D658,086 S * 4/2012 Rafaelian D11/3
- D658,087 S * 4/2012 Rafaelian D11/8
- D658,088 S * 4/2012 Rafaelian D11/8
- D658,089 S * 4/2012 Rafaelian D11/8
- D658,528 S * 5/2012 Rafaelian D11/3

(Continued)

OTHER PUBLICATIONS

[Online] <http://www.shefinds.com/files/2011/08/Shashi-Double-Petit-Golden-Nugget-Adjustable-Bracelet-300x289.jpeg>. Accessed Jan. 9, 2014.*

(Continued)

Primary Examiner — Garth Rademaker
Assistant Examiner — Melanie Pellegrini
(74) *Attorney, Agent, or Firm* — Dara L. Onofrio, Esq.; Onofrio Law

(57) **CLAIM**
The ornamental design for an adjustable bracelet, as shown and described in the drawings.

(56) **References Cited**

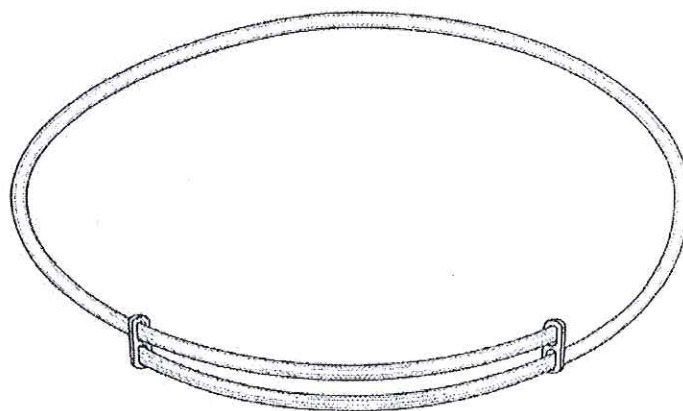
U.S. PATENT DOCUMENTS

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- 4,322,077 A * 3/1982 Van't Hof 473/551
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- 5,247,814 A * 9/1993 McDonald 63/3.2
- D358,017 S * 5/1995 Clark et al. D99/99
- D386,999 S * 12/1997 Kothari D11/4

DESCRIPTION

FIG. 1 is a perspective view of an adjustable bracelet showing my new design;
FIG. 2 is a top view thereof;
FIG. 3 is a bottom view thereof;
FIG. 4 is a left side view thereof;
FIG. 5 is a right side view thereof;
FIG. 6 is a front view thereof;
FIG. 7 is a rear view thereof; and
FIG. 8 is another perspective view thereof.
The broken lines shown in the drawings represent environmental matter and form no part of the claimed design.

1 Claim, 4 Drawing Sheets



(56)

References Cited

OTHER PUBLICATIONS

U.S. PATENT DOCUMENTS

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D664,466 S * 7/2012 Rafaelian D11/8
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D669,385 S * 10/2012 Rafaelian D11/8
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D686,520 S * 7/2013 Rafaelian D11/5
D692,340 S * 10/2013 Mejia D11/3

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2014.*

* cited by examiner

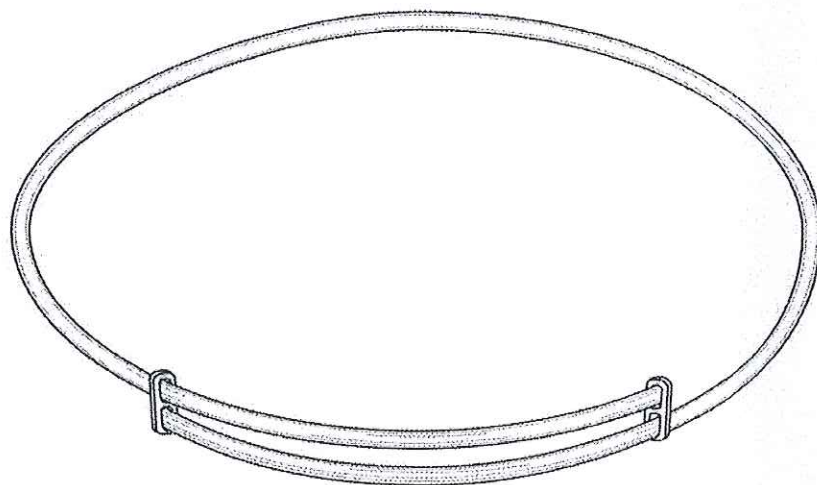


FIG. 1

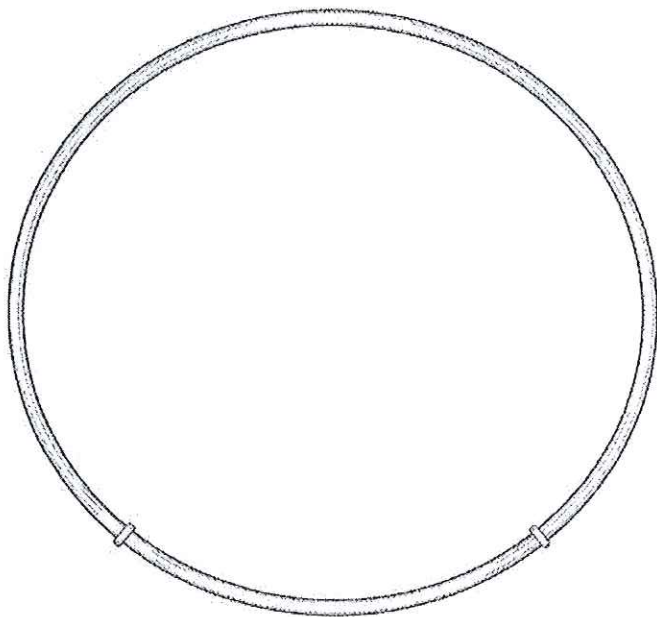


FIG. 2

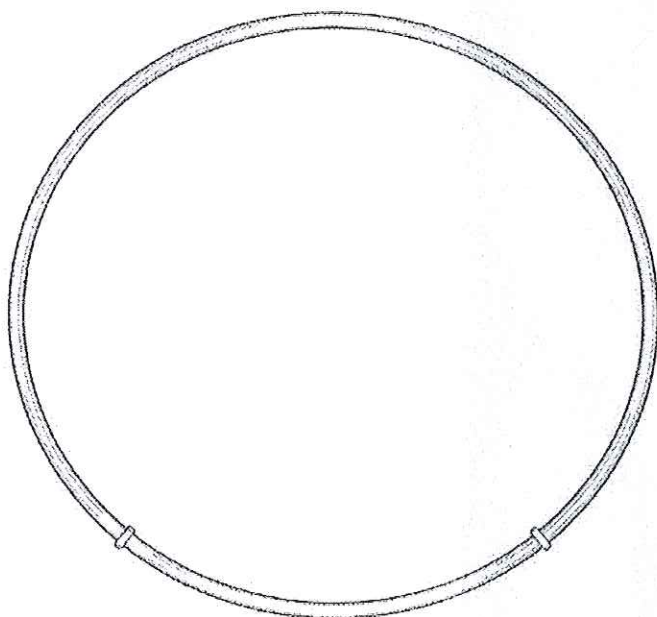


FIG. 3



FIG. 4



FIG. 5



FIG. 6



FIG. 7

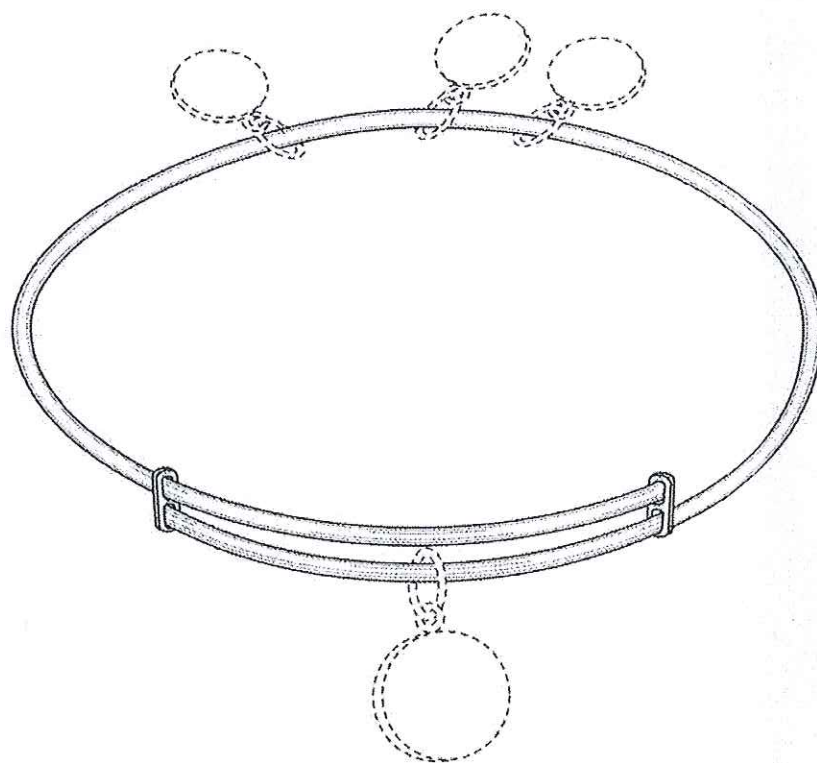


FIG. 8

EXHIBIT C

Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, *United States Code*, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Maria A. Pallante

Register of Copyrights, United States of America

Registration Number
VA 1-884-359

Effective date of
registration:
December 16, 2013

Title

Title of Work: WIND & FIRE COLLECTION

Completion/Publication

Year of Completion: 2013

Date of 1st Publication: December 6, 2013

Nation of 1st Publication: United States

Author

Author: CG Creations

Author Created: photograph(s), jewelry design

Work made for hire: Yes

Domiciled in: United States

Copyright claimant

Copyright Claimant: CG Creations

PO Box 1001, Pearl River, NY, 10960, United States

Rights and Permissions

Organization Name: Onofrio Law

Name: Dara L. Onofrio

Email: dara@onofriolaw.com

Telephone: 860-552-0770

Address: 24 West Main Street - Suite 329

Clinton, 06413 United States

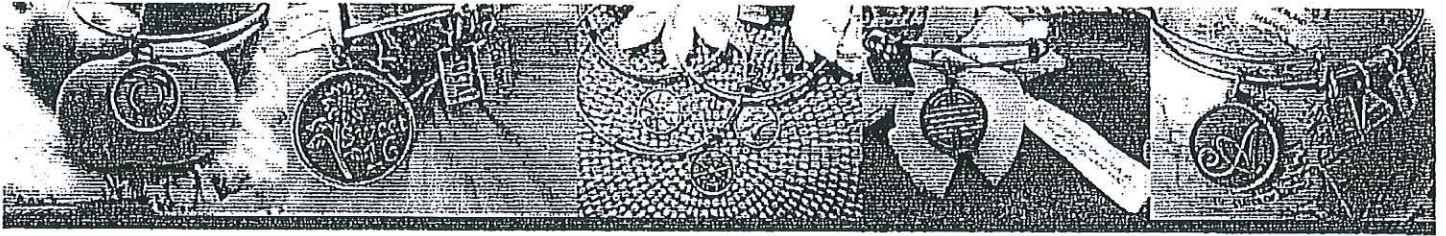
Certification

Name: Dara L. Onofrio

Date: December 16, 2013

Applicant's Tracking Number: FF 155

Correspondence: Yes



WIND & FIRE™

EXPANDABLE BANGLES

PRODUCT SELECTION

- GENERAL
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- BEACH/NAUTICAL
- FAMILY/TALKING
- LOCATION SPECIFIC
- FAITH/INSPIRATION
- INITIALS



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EXHIBIT 2

REAVIS PARENT LEHRER LLP

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mmoore@rpl-law.com

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41st Floor
New York, NY 10010

Telephone (212) 763-4100
Facsimile (212) 763-4141

www.rpl-law.com

*admitted in New York

November 10, 2014

Via Email and Federal Express

Phyllis G. Leach, Esq.
Assistant General Counsel
Hallmark Marketing Company LLC
P.O. Box 419126, Mail Drop 339
Kansas City, MO 64141

Re: Lanceco Industries, Inc. dba C.G. Creations and
Hallmark Marketing Company LLC
U.S. Patent and Copyright Infringement

Dear Ms. Leach:

We are trial counsel for Lanceco, Inc., doing business as C.G. Creations ("CGC"). On October 1, 2013, our colleague Dara Onofrio, Esq. sent Hallmark Marketing Company LLC ("Hallmark"), a cease and desist letter with respect to Hallmark's bracelets sold under the brand name Crown Collection. A copy of an advertisement for the accused brand is annexed as Exhibit A hereto. Also annexed as Exhibit B is a page from Hallmark's website (as of today's date) showing Crown bracelets offered for sale at both Hallmark stores and on its website, along with two enlargements of two representative items from the web page. We draw your attention to the "Grandma Bangle," the "Birthstone Bangle," the "Heart-Shaped Bangle," the "Sister Bangle" the "Mom Bangle" and the "Always and Forever Bangle." (We refer to these specified bracelets, as well as any other of similar design being sold by Hallmark, as the "Crown Bracelets.")

As Ms. Onofrio advised you, CGC is the owner of a proprietary line of bracelets and charms under the trademark WIND & FIRE ("Subject Bracelets"). For over thirty years, CGC has been in business engaged in the design, manufacturing and wholesale distribution of jewelry. CGC supplies major retailers, shopping networks, independent jewelers and Internet sellers.

As you know, CGC is the owner of design patents protecting the design of the Subject Bracelets, which were issued on April 22, 2014. A copy of United States Patent Number D703,088 S ("088 Patent") is enclosed herewith as Exhibit C.

As Ms. Onofrio advised you, Hallmark's Crown Bracelets directly infringe the '088 Patent. In particular, the Crown Bracelets contain design elements which appear, at minimum, substantially the same as the design which is the subject of the '088 Patent from the point of view of an ordinary observer.

In response, Hallmark has attempted to deflect responsibility for its infringement to its supplier, Halle Joy LLC ("Halle"), contending that Hallmark has a licensing agreement with Halle under which Halle has indemnified Hallmark for any infringement. Whatever the indemnification agreement might provide, it does not shield Hallmark from direct liability to CGC for the infringement of the '088 Patent. As clearly stated in 35 U.S.C. § 271(a), ~~"whoever without authority makes, uses, offers to sell, or sells any patented invention, within the United States or imports into the United States any patented invention during the term of the patent therefore, infringes the patent."~~

Following October 1, 2014, Ms. Onofrio entered into discussions with Brian Casper, an attorney with Cantey Hanger LLP, who represents Halle. Unfortunately, those discussions did not result in Hallmark's removal of the Crown Bracelets from its stores or from its website. Indeed, when Ms. Onofrio notified Hallmark that CGC had produced evidence of continuing sales as of November 4, 2014, neither Hallmark nor Mr. Casper denied that Hallmark continues to sell the Crown Bracelets.

CGC will take whatever steps are necessary to vigorously protect its patent rights and pursue its remedies, including CGC's recovery of Hallmark's profits, as well as equitable relief and enhanced damages. 35 U.S.C. §§ 283, 284, 285, and 289.

Separately, the Subject Bracelets are original designs created by CGC and are all the subject of U.S. Copyright Act protection. See Registration No. VA 1-884-359 (copy annexed as Exhibit D, including a relevant excerpt from the documentation concerning the Subject Bracelets deposited with the U.S. Copyright Office). Hallmark's Crown Bracelets are, at the very least, substantially the same as CGC's design protected by the Copyright Registrations.

Accordingly, we demand that Hallmark, its affiliates, subsidiaries and anyone acting under its control or authority, immediately cease and desist from any further manufacture, sale, distribution and advertisement of the Crown Bracelets and any other jewelry product that infringes on CGC's rights.

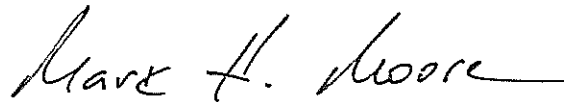
CGC is vehement about the protection of its intellectual property. Accordingly, demand is made that you provide the following information, in its entirety, within seven (7) calendar days from the date of this letter:

1. A written confirmation that the above activities have ceased and will not be resumed;
2. An accounting of the total number of the Crown Bracelets:
 - a) That have been sold;

- b) That are on hand or in inventory;
 - c) That are on order but not have been shipped; and
 - d) That have been shipped and are in transit;
3. The sales price for each unit sold;
 4. The physical location of all units manufactured or in transit;
 5. The name and address of your manufacturer(s);
 6. The names and addresses of your wholesalers and retail customers distributing the Crown Bracelets;
 7. Your gross sales revenue to date for the Crown Bracelets; and
 8. An accounting for profits with respect to all sales for the Crown Bracelets.

This shall not be, or deemed to be, a waiver of any right or remedy of CGC, whether at law or at equity, each of which is specifically reserved.

Sincerely,



Mark H. Moore

Enclosures

cc: Dara Onofrio, Esq. (w/ encl.)
Brian Casper, Esq. (w/ encl.)

EXHIBIT A



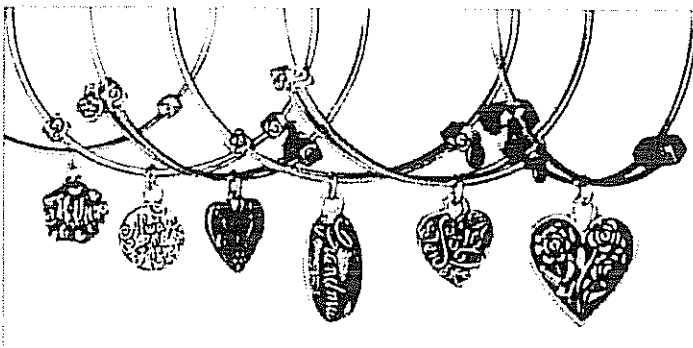
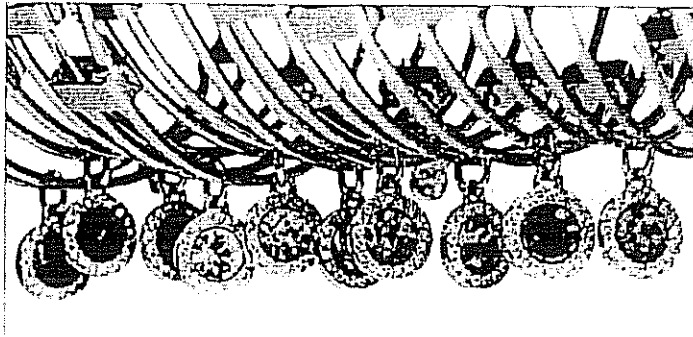
Hallmark
GOLD CROWN

Hallmark
CROWN
COLLECTION

DISPLAY year-round
ARRIVES 6 - 8 weeks after order is placed
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please contact:
2413 Gravel Drive, Fort Worth, TX 76118
Attention: Tammy Tomberlin
Office: (817) 616-3311
Fax: (817) 616-3314
Email: sales@halleljoy.com

Crown Collection jewelry design is inspired by artwork from the Hallmark archives. This signature jewelry collection is found only in Hallmark Gold Crown stores. Crown Collection gives consumers options to layer and add pieces over time.

- 65% Initial Markup.
- 100% Hallmark Gold Crown exclusive.
- Crown Collection is nickel- and lead-free. The jewelry is made from the highest quality steel alloys.
- Great value with an AP5 of \$25.00.
- Initial set-up is 10': 3 nested tables and 1 floor spinner.
- \$4,200 initial inventory buy-in at cost.
- Estimated annual sales of \$15,000, or \$1,500 per linear foot.
- Birthstone designs are the best-sellers.
- Introducing 2 new programs for October 2014: Banded Bracelet program and Sterling Silver corded necklaces.



Hallmark

344PD2248

September 2014

Marketing Communications
Hallmark Marketing Company, LLC
Kansas City, Missouri 64108
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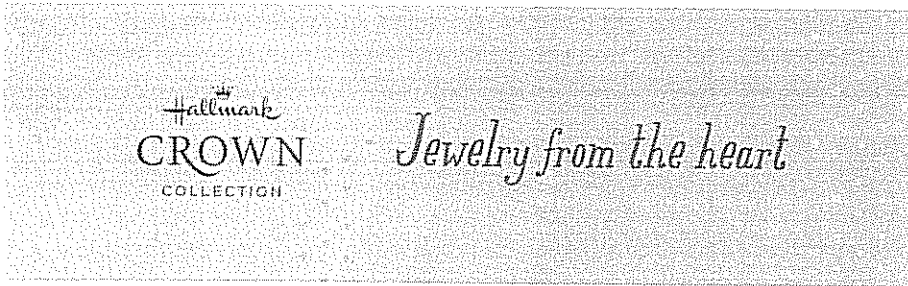
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FILTER			SORT		
+			+		
JEWELRY	STYLE	OCCASION	HOLIDAY	RECIPIENT	
▼	▼	▼	▼	▼	▼

Bracelets x

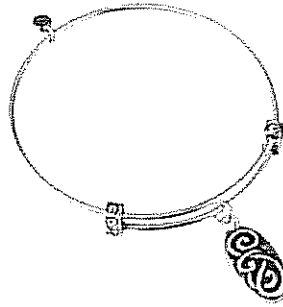
All Online In-store

SORT BY: BEST MATCHES ▼ 1-12 of 12



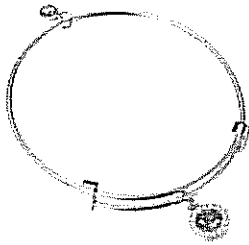
True North Bracelet

Jewelry
\$39.95



Grandma Bangle Bracelet

Jewelry
\$24.95



Birthstone Bangle Bracelet

Jewelry
\$29.95



First Love Bracelet

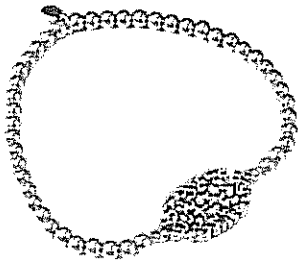
Jewelry
\$39.95

FREE shipping
 when you spend
\$50 on gifts
 at **Hallmark.com**



Heart-Shaped Bangle Bracelet

Jewelry
\$24.95



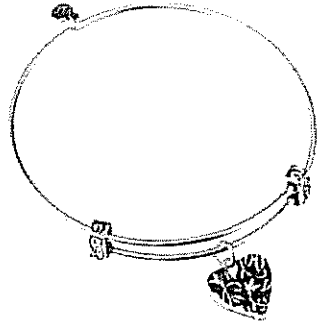
Heritage Scroll Bracelet

Jewelry
\$34.95



Peaceful Cross Bracelet

Jewelry
\$34.95



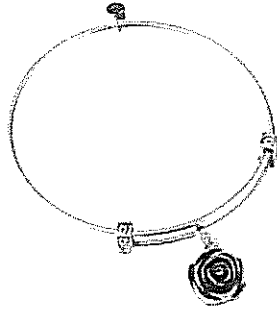
Sister Bangle Bracelet

Jewelry
\$24.95



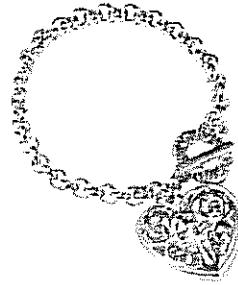
Sunflower Bracelet

Jewelry
\$39.95



Mom Bangle Bracelet

Jewelry
\$24.95



Beautiful Cross Bracelet

Jewelry
\$39.95



Always & Forever Bangle Bracelet

Jewelry
\$24.95

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EXHIBIT C



US00D703088S

(12) **United States Design Patent**
Fiasconaro

(10) **Patent No.:** **US D703,088 S**

(45) **Date of Patent:** **** Apr. 22, 2014**

- (54) **ADJUSTABLE BRACELET**
- (71) Applicant: **Lanecco Industries Inc., Pearl River, NY (US)**
- (72) Inventor: **Frank Fiasconaro, Pearl River, NY (US)**
- (73) Assignee: **Lanecco Industries, Inc., Pearl River, NY (US)**

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D658,089 S *	4/2012	Rafaelian	D11/8
D658,528 S *	5/2012	Rafaelian	D11/3

(Continued)

(**) Term: **14 Years**

(21) Appl. No.: **29/451,604**

(22) Filed: **Apr. 4, 2013**

(51) **LOC (10) Cl.** **11-01**

(52) **U.S. Cl.**
USPC **D11/5**

(58) **Field of Classification Search**
USPC D11/1-25; 63/1.11, 3.1, 3.2, 15,
63/15.1-15.4, 15.45, 15.5, 15.6, 15.65,
63/10; D28/41; 24/70 J, 69 T, 69 J, 68 J,
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See application file for complete search history.

(56) **References Cited**

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2,713,706 A *	7/1955	Biagi	24/66.2
3,187,396 A *	6/1965	Carroll	24/115 R
4,321,804 A *	3/1982	Borofsky et al.	63/3.2
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D268,013 S *	2/1983	Stimmler	D11/27
5,247,814 A *	9/1993	McDonald	63/3.2
D358,017 S *	5/1995	Clark et al.	D99/99
D386,999 S *	12/1997	Kothari	D11/4

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Primary Examiner — Garth Rademaker
Assistant Examiner — Melanie Pellegrini

(74) *Attorney, Agent, or Firm* — Dara L. Onofrio, Esq.; Onofrio Law

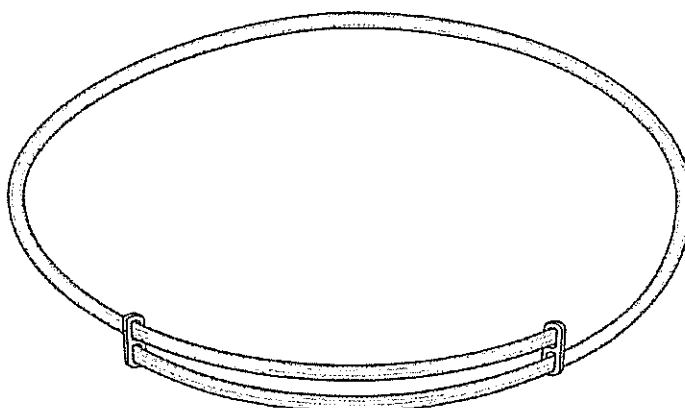
(57) **CLAIM**

The ornamental design for an adjustable bracelet, as shown and described in the drawings.

DESCRIPTION

FIG. 1 is a perspective view of an adjustable bracelet showing my new design;
FIG. 2 is a top view thereof;
FIG. 3 is a bottom view thereof;
FIG. 4 is a left side view thereof;
FIG. 5 is a right side view thereof;
FIG. 6 is a front view thereof;
FIG. 7 is a rear view thereof; and,
FIG. 8 is another perspective view thereof.
The broken lines shown in the drawings represent environmental matter and form no part of the claimed design.

1 Claim, 4 Drawing Sheets



(56)

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D663,233 S * 7/2012 Rafaelian D11/8
D664,466 S * 7/2012 Rafaelian D11/8
D669,115 S * 10/2012 Kalbach D16/339
D669,385 S * 10/2012 Rafaelian D11/8
D678,102 S * 3/2013 Rafaelian D11/8
D681,498 S * 5/2013 Kornenup D11/16
D686,520 S * 7/2013 Rafaelian D11/5
D692,340 S * 10/2013 Mejia D11/3

[Online] http://image1.fmgstatic.com/grafx/6a46_finished.jpg.

Accessed Jan. 9, 2014.*

[Online] http://2.bp.blogspot.com/-7bnQnTuhpkk/T_YnE6EiHul/

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2014.*

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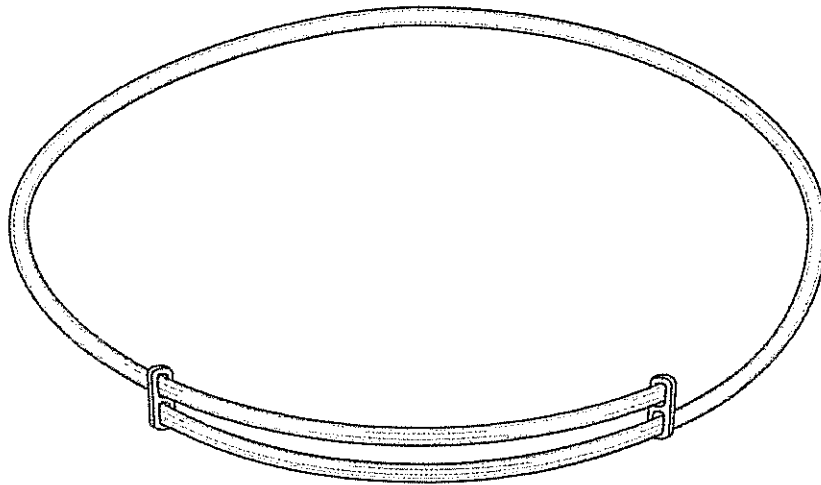


FIG. 1

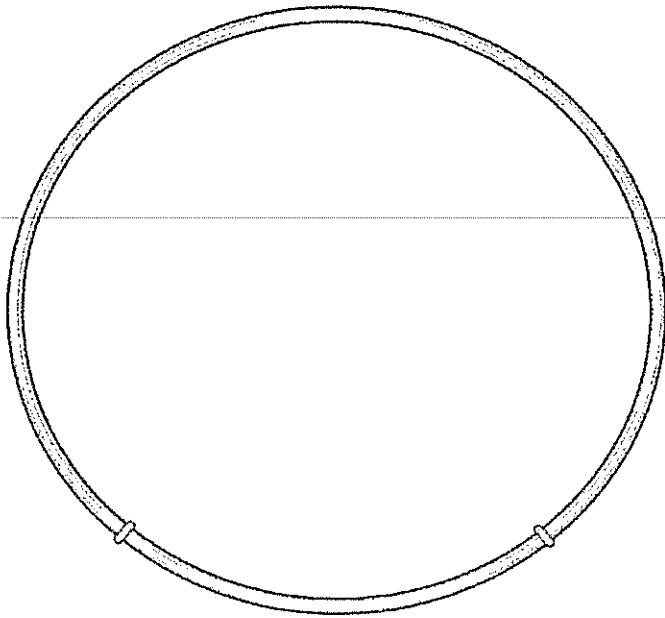


FIG. 2

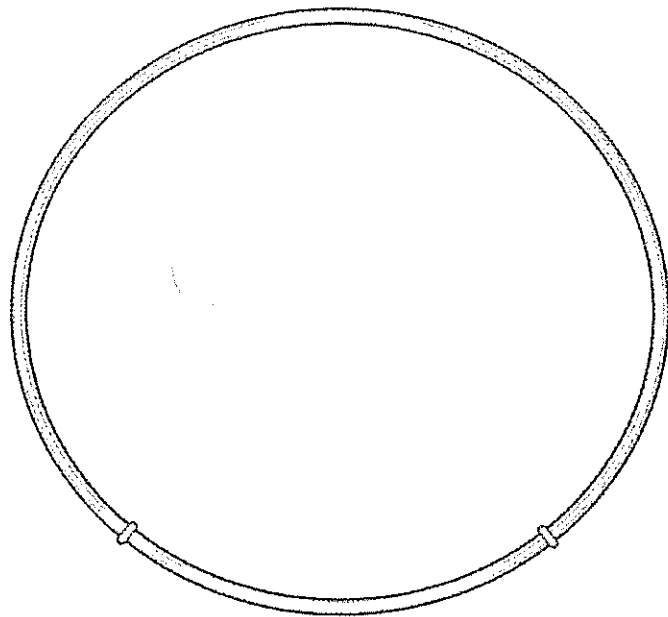


FIG. 3



FIG. 4



FIG. 5

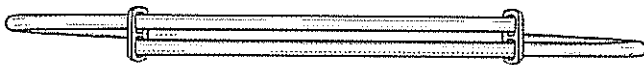


FIG. 6

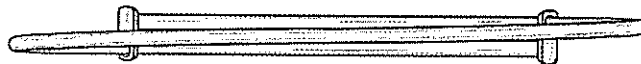


FIG. 7

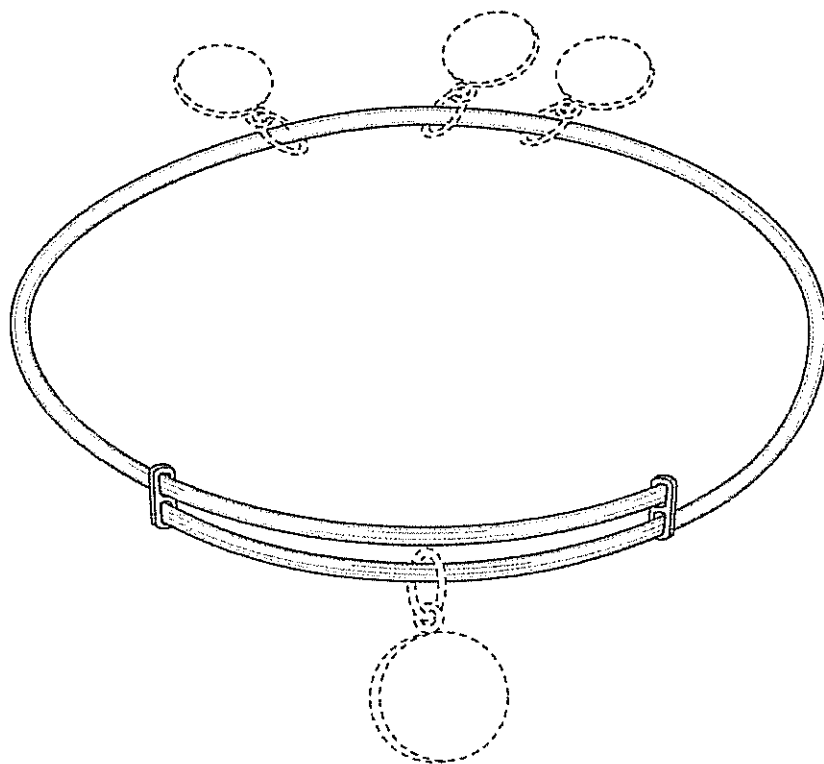
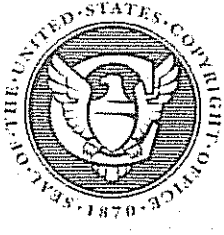


FIG. 8

EXHIBIT D

Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, *United States Code*, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Maui A. Pallante

Register of Copyrights, United States of America

Registration Number
VA 1-884-359

Effective date of
registration:
December 16, 2013

Title

Title of Work: WIND & FIRE COLLECTION

Completion/Publication

Year of Completion: 2013

Date of 1st Publication: December 6, 2013

Nation of 1st Publication: United States

Author

Author: CG Creations

Author Created: photograph(s), jewelry design

Work made for hire: Yes

Domiciled in: United States

Copyright claimant

Copyright Claimant: CG Creations

PO Box 1001, Pearl River, NY, 10960, United States

Rights and Permissions

Organization Name: Onofrio Law

Name: Dara L. Onofrio

Email: dara@onofriolaw.com

Telephone: 860-552-0770

Address: 24 West Main Street - Suite 329

Clinton, 06413 United States

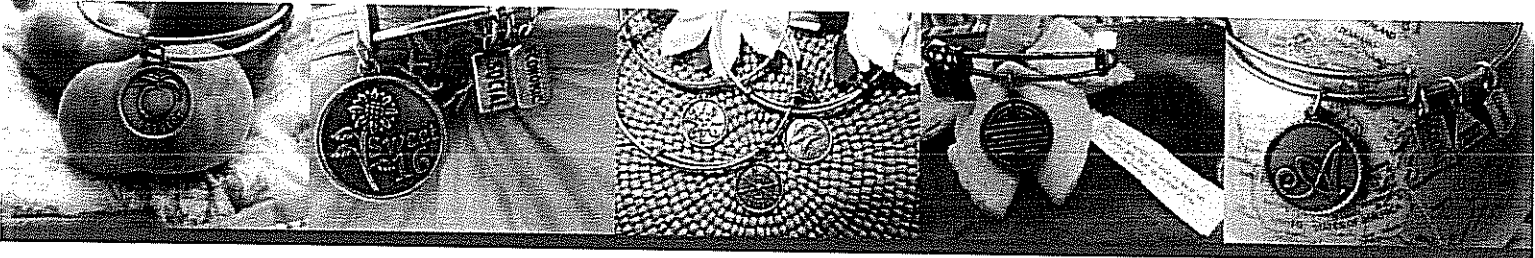
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Name: Dara L. Onofrio

Date: December 16, 2013

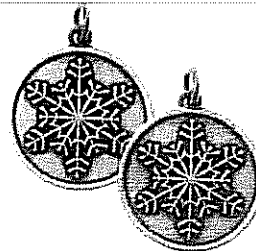
Applicant's Tracking Number: FF 155

Correspondence: Yes



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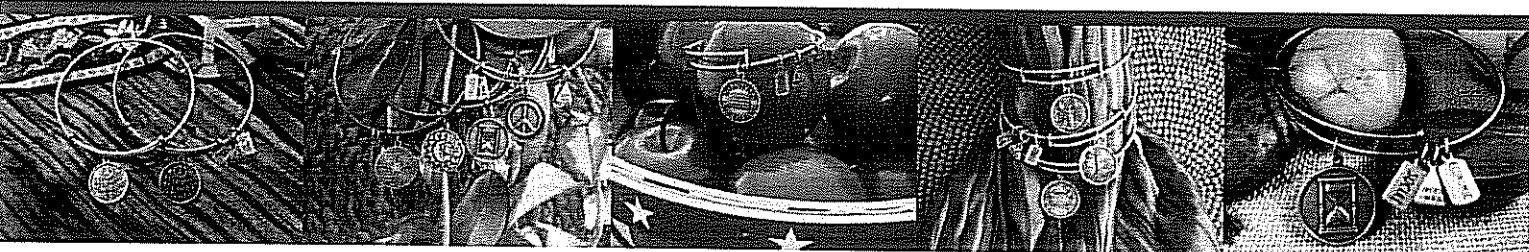


EXHIBIT 3

REAVIS PARENT LEHRER LLP

Mark H. Moore*
mmoore@rpl-law.com

*admitted in New York

41 Madison Avenue
41st Floor
New York, NY 10010

Telephone (212) 763-4100
Facsimile (212) 763-4141

www.rpl-law.com

November 21, 2014

Via Email and Federal Express

Brian Casper, Esq.
Cantey Hanger LLP
1999 Bryan Street
Suite 3300
Dallas, Texas 75201

Re: Lanceco Industries, Inc. dba C.G. Creations and Halle Joy, LLC
U.S. Patent and Copyright Infringement

Dear Mr. Casper:

We are trial counsel for Lanceco, Inc., doing business as C.G. Creations ("CGC"). As you know, on October 1, 2013, our colleague Dara Onofrio, Esq. sent Hallmark Marketing Company LLC ("Hallmark"), a cease and desist letter with respect to certain of Hallmark's bracelets sold under the brand name Crown Collection. A copy of an advertisement for the accused brand is annexed as Exhibit A hereto. Also annexed as Exhibit B is a page from Hallmark's website (as of last week) showing Crown bracelets offered for sale at both Hallmark stores and on its website, along with two enlargements of two representative items from the web page. We draw your attention to the "Grandma Bangle," the "Birthstone Bangle," the "Heart-Shaped Bangle," the "Sister Bangle" the "Mom Bangle" and the "Always and Forever Bangle." (We refer to these specified bracelets, as well as any other of similar design being sold by Hallmark, as the "Crown Bracelets.").

Following Ms. Onofrio's sending the initial demand letter, you contacted Ms. Onofrio, and identified yourself as the attorney for the supplier of the Crown Bracelets, Halle Joy, LLC ("Halle"). For this reason, we are directing this cease and desist letter to you rather than to Halle. (The Halle website refers to a "Halle Joy, LLC," but you have referred at times to a "Halle Joy, Inc." Please clarify which is the proper entity.)

As Ms. Onofrio advised you, CGC is the owner of a proprietary line of bracelets and charms under the trademark WIND & FIRE ("Subject Bracelets"). For over thirty years, CGC has been in business engaged in the design, manufacturing and wholesale distribution of jewelry. CGC supplies major retailers, shopping networks, independent jewelers and Internet

sellers.

As you know, CGC is the owner of design patents protecting the design of the Subject Bracelets, which were issued on April 22, 2014. A copy of United States Patent Number D703,088 S ("088 Patent") is enclosed herewith as Exhibit C.

The Crown Bracelets directly infringe the '088 Patent. In particular, the Crown Bracelets contain design elements which appear, at minimum, substantially the same as the design which is the subject of the '088 Patent from the point of view of an ordinary observer.

Following October 1, 2014, Ms. Onofrio entered into discussions with you, as representative of Halle. Unfortunately, those discussions did not result in Hallmark's removal of the Crown Bracelets from Hallmark's stores or from its website. Indeed, when Ms. Onofrio notified Hallmark that CGC had produced evidence of continuing sales as of November 4, 2014, neither Hallmark nor Mr. Casper denied that Hallmark continues to sell the Crown Bracelets.

Moreover, we have learned from Hallmark that Halle not only sells the accused products directly to Hallmark affiliates, but also sells the accused products to "independent" stores which are licensed to sell Crown Bracelets and other Hallmark products.

Accordingly, this is to advise you that CGC will take whatever steps are necessary to vigorously protect its patent rights and pursue its remedies, including CGC's recovery of Halle's profits, as well as equitable relief and enhanced damages. 35 U.S.C. §§ 283, 284, 285, and 289.

Separately, the Subject Bracelets are original designs created by CGC and are all the subject of U.S. Copyright Act protection. See Registration No. VA 1-884-359 (copy annexed as Exhibit D, including a relevant excerpt from the documentation concerning the Subject Bracelets deposited with the U.S. Copyright Office). The Crown Bracelets are, at the very least, substantially the same as CGC's design protected by the Copyright Registrations.

Accordingly, we demand that Halle, its affiliates, subsidiaries and anyone acting under its control or authority, immediately cease and desist from any further manufacture, sale, distribution and advertisement of the Crown Bracelets and any other jewelry product that infringes on CGC's rights.

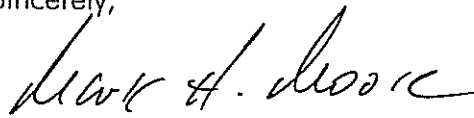
CGC is vehement about the protection of its intellectual property. Accordingly, demand is made that you provide the following information, in its entirety, within seven (7) calendar days from the date of this letter:

1. A written confirmation that the above activities have ceased and will not be resumed;
2. An accounting of the total number of the Crown Bracelets:
 - a) That have been sold;

- b) That are on hand or in inventory;
 - c) That are on order but not have been shipped; and
 - d) That have been shipped and are in transit;
3. The sales price for each unit sold, and a breakdown as to which sales were made to Hallmark or its affiliates, and which sales were made to Hallmark licensed stores;
 4. The physical location of all units manufactured or in transit;
 5. The name and address of your manufacturer(s);
 6. The names and addresses of your wholesalers and retail customers distributing the Crown Bracelets including but not limited to all Hallmark licensed stores;
 7. Your gross sales revenue to date for the Crown Bracelets; and
 8. An accounting for profits with respect to all sales for the Crown Bracelets.

This shall not be, or deemed to be, a waiver of any right or remedy of CGC, whether at law or at equity, each of which is specifically reserved.

Sincerely,

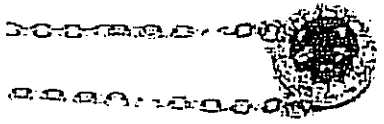
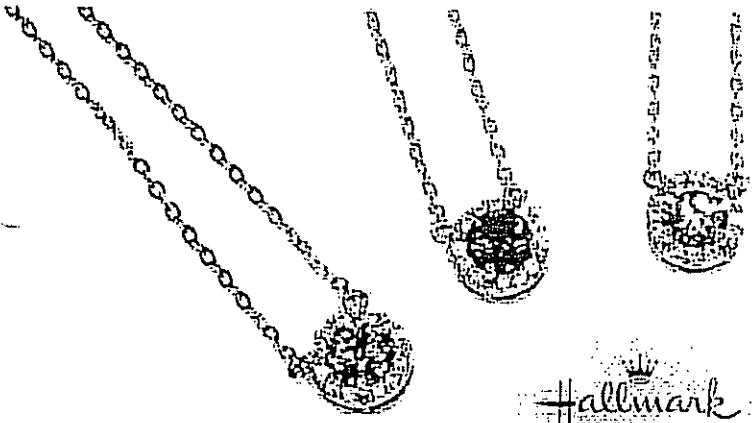


Mark H. Moore

Enclosures

cc: Dara Onofrio, Esq. (w/ encl.)

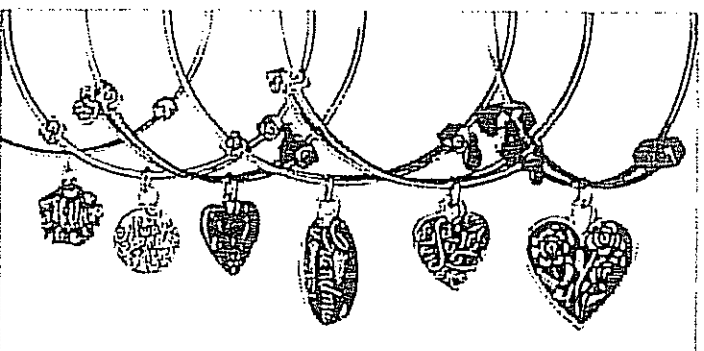
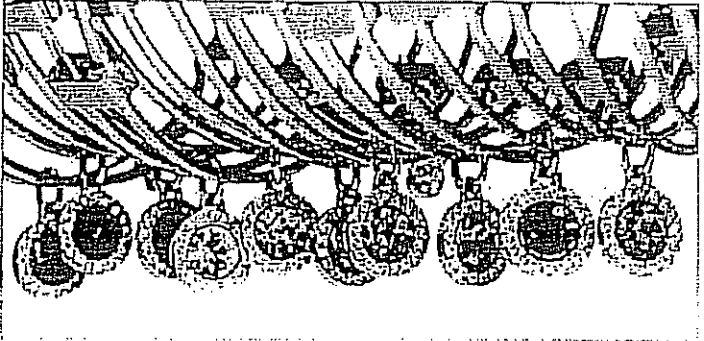
EXHIBIT A



DISPLAY year-round
 ARRIVES 6 - 8 weeks after order is placed
 For product and ordering information,
 please contact:
 2413 Gravel Drive, Fort Worth, TX 76118
 Attention: Tammy Tomberlin
 Office: (817) 616-3311
 Fax: (817) 616-3314
 Email: sales@hallenjoy.com

Crown Collection jewelry design is inspired by artwork from the Hallmark archives. This signature jewelry collection is found only in Hallmark Gold Crown stores. Crown Collection gives consumers options to layer and add pieces over time.

- 65% Initial Markup.
- 100% Hallmark Gold Crown exclusive.
- Crown Collection is nickel- and lead-free. The jewelry is made from the highest quality steel alloys.
- Great value with an APS of \$25.00.
- Initial set-up is 10'; 3 nested tables and 1 floor spinner.
- \$4,200 initial inventory buy-in at cost.
- Estimated annual sales of \$15,000, or \$1,500 per linear foot.
- Birthstone designs are the best-sellers.
- Introducing 2 new programs for October 2014: Beaded Bracelet program and Sterling Silver corded necklaces.



344PD2248
 September 2014
 Marketing Communications
 Hallmark Marketing Company, LLC
 Kansas City, Missouri 64109
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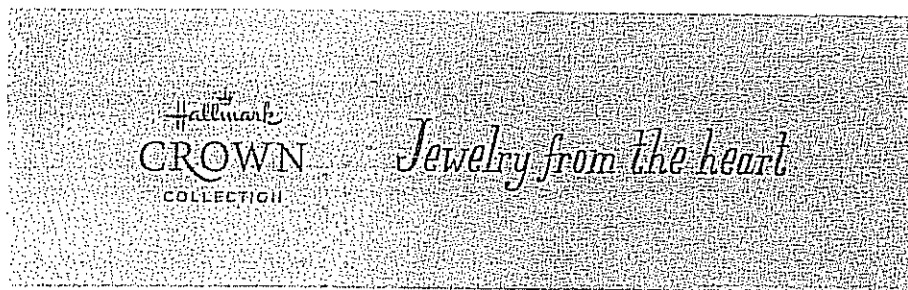
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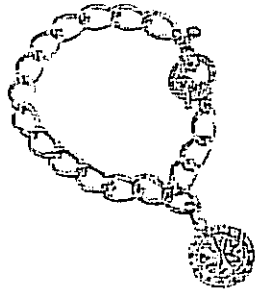
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Bracelets ✕

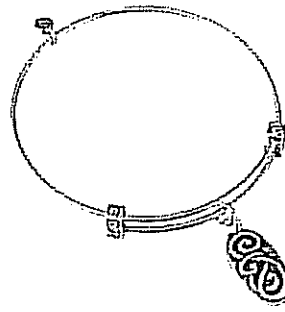
All Online In-store

SORT BY: BEST MATCHES ▾ 1-12 of 12



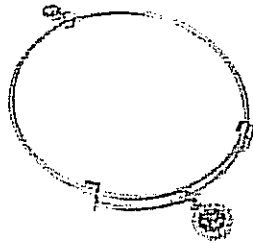
True North Bracelet

Jewelry
\$39.95



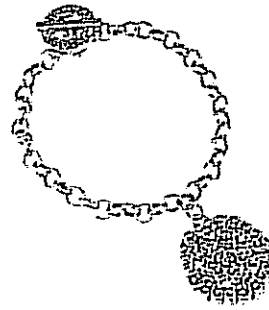
Grandma Bangle Bracelet

Jewelry
\$24.95



Birthstone Bangle Bracelet

Jewelry
\$29.95

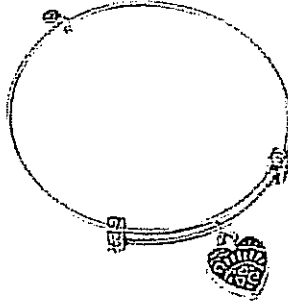


First Love Bracelet

Jewelry
\$39.95

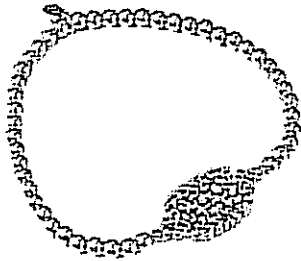


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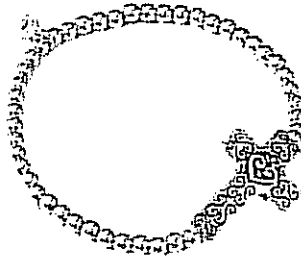
Heart-Shaped Bangle Bracelet

Jewelry
\$24.95



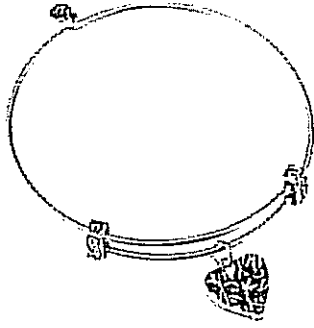
Heritage Scroll Bracelet

Jewelry
\$34.95



Peaceful Cross Bracelet

Jewelry
\$34.95



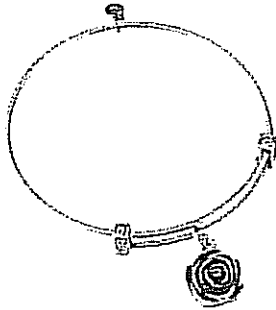
Sister Bangle Bracelet

Jewelry
\$24.95



Sunflower Bracelet

Jewelry
\$39.95



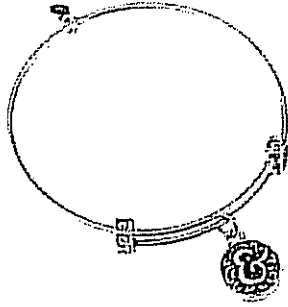
Mom Bangle Bracelet

Jewelry
\$24.95



Beautiful Cross Bracelet

Jewelry
\$39.95



Always & Forever Bangle Bracelet

Jewelry
\$24.95

All Online In-store

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EXHIBIT C

(12) United States Design Patent
Fiasconaro

(10) Patent No.: US D703,088 S
(45) Date of Patent: ** Apr. 22, 2014

- (54) **ADJUSTABLE BRACELET**
- (71) Applicant: **Lanceco Industries Inc., Pearl River, NY (US)**
- (72) Inventor: **Frank Fiasconaro, Pearl River, NY (US)**
- (73) Assignee: **Lanceco Industries, Inc, Pearl River, NY (US)**

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D658,089 S *	4/2012	Rafaelian	D11/8
D658,528 S *	5/2012	Rafaelian	D11/3

(Continued)

OTHER-PUBLICATIONS

(**) Term: 14 Years

(21) Appl. No.: 29/451,604

(22) Filed: Apr. 4, 2013

(51) LOC (10) Cl. 11-01

(52) U.S. Cl.
 USPC D11/5

(58) Field of Classification Search
 USPC D11/1-25; 63/1.11, 3.1, 3.2, 15,
 63/15.1-15.4, 15.45, 15.5, 15.6, 15.65,
 63/10; D28/41; 24/70 J, 69 T, 69 J, 68 J,
 24/115 H, 136 A, 115 K
 See application file for complete search history.

[Online] <http://www.shelinds.com/files/2011/08/Shashi-Double-Petit-Golden-Nugget-Adjustable-Bracelet-300x289.jpeg>. Accessed Jan. 9, 2014.*

(Continued)

Primary Examiner — Garth Rademaker
Assistant Examiner — Melanie Pellegrini
 (74) *Attorney, Agent, or Firm* — Dara L. Onofrio, Esq.;
 Onofrio Law

(57) **CLAIM**
 The ornamental design for an adjustable bracelet, as shown and described in the drawings.

(56) **References Cited**

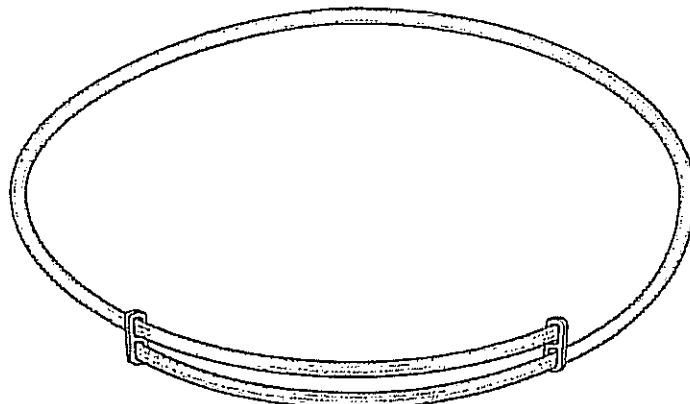
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D386,999 S *	12/1997	Kothari	D11/4

DESCRIPTION

FIG. 1 is a perspective view of an adjustable bracelet showing my new design;
 FIG. 2 is a top view thereof;
 FIG. 3 is a bottom view thereof;
 FIG. 4 is a left side view thereof;
 FIG. 5 is a right side view thereof;
 FIG. 6 is a front view thereof;
 FIG. 7 is a rear view thereof; and,
 FIG. 8 is another perspective view thereof.
 The broken lines shown in the drawings represent environmental matter and form no part of the claimed design.

1 Claim, 4 Drawing Sheets



(56)

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D686,520 S * 7/2013 Rafaelian D11/5
D692,340 S * 10/2013 Mejia D11/3

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Accessed Jan. 9, 2014.*

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AAAAAAAAACfs/FIC3Hl_wpy8/s1600/05.jpg. Accessed Jan. 9,

2014.*

* cited by examiner

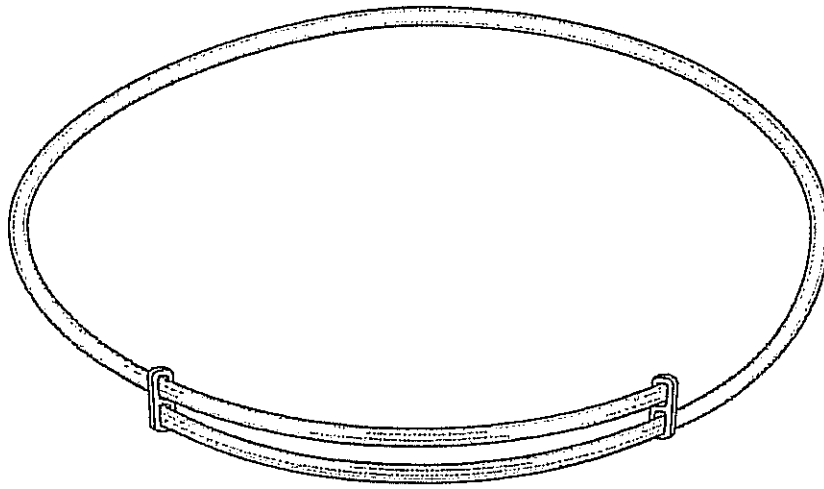


FIG. 1

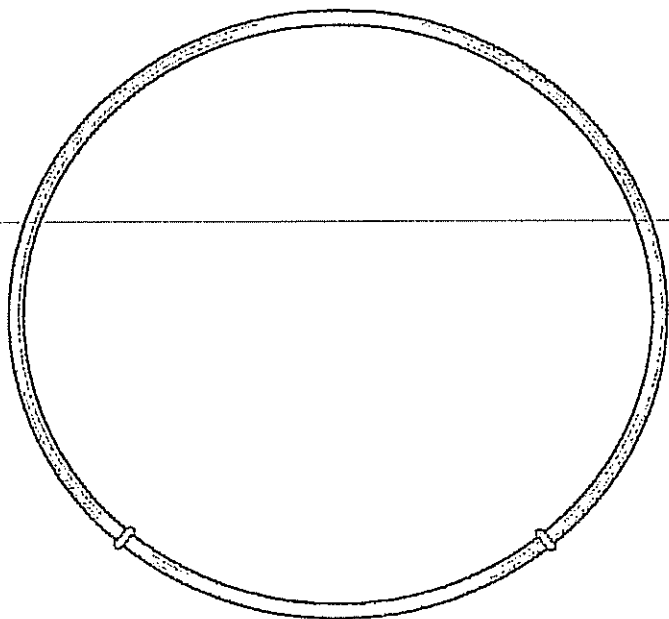


FIG. 2

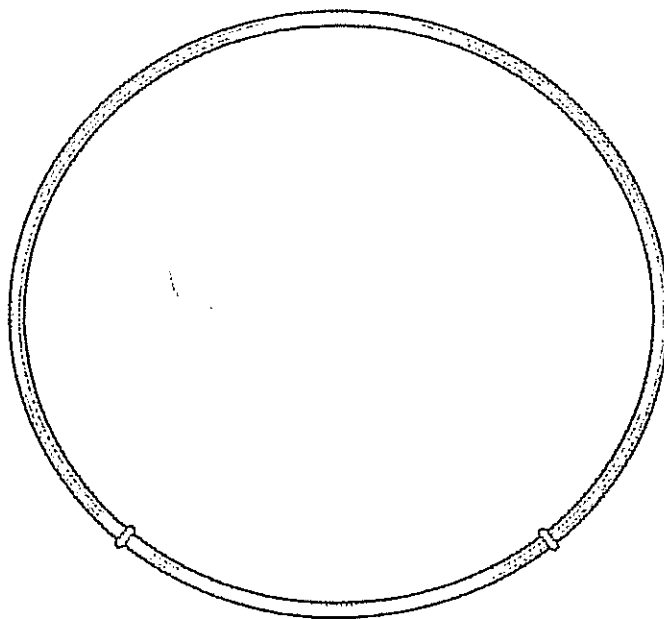


FIG. 3



FIG. 4



FIG. 5

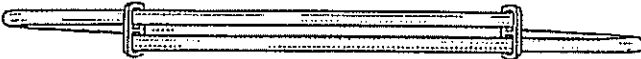


FIG. 6

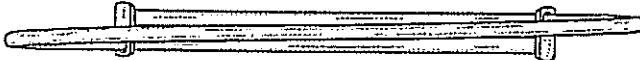


FIG. 7

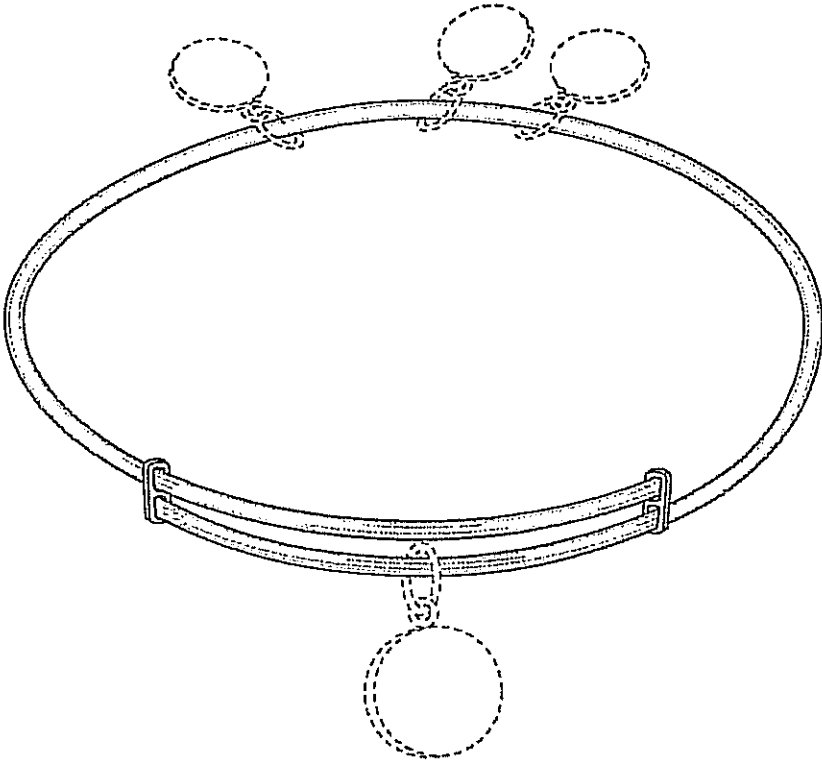


FIG. 8

EXHIBIT D

Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, *United States Code*, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Maria A. Pallante

Register of Copyrights, United States of America

Registration Number
VA 1-884-359

Effective date of
registration:

December 16, 2013

Title

Title of Work: WIND & FIRE COLLECTION

Completion/Publication

Year of Completion: 2013

Date of 1st Publication: December 6, 2013

Nation of 1st Publication: United States

Author

Author: CG Creations

Author Created: photograph(s), jewelry design

Work made for hire: Yes

Domiciled in: United States

Copyright claimant

Copyright Claimant: CG Creations

PO Box 1001, Pearl River, NY, 10960, United States

Rights and Permissions

Organization Name: Onofrio Law

Name: Dara L. Onofrio

Email: dara@onofriolaw.com

Telephone: 860-552-0770

Address: 24 West Main Street - Suite 329

Clinton, 06413 United States

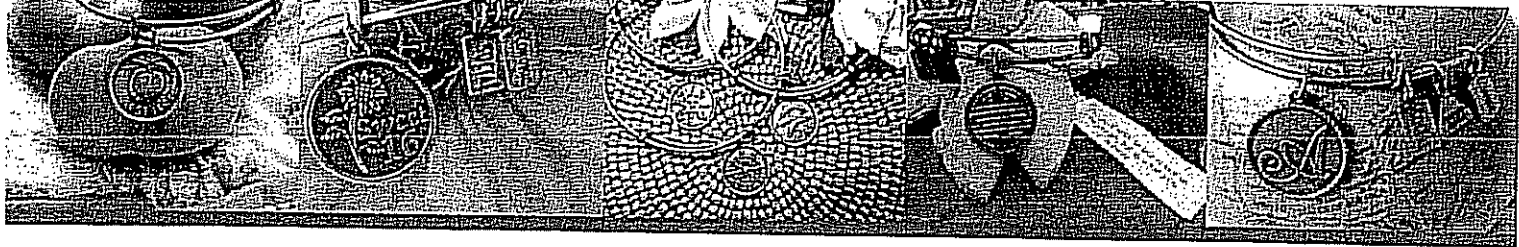
Certification

Name: Dara L. Onofrio

Date: December 16, 2013

Applicant's Tracking Number: FF 155

Correspondence: Yes



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PRODUCT SELECTION



- GENERAL
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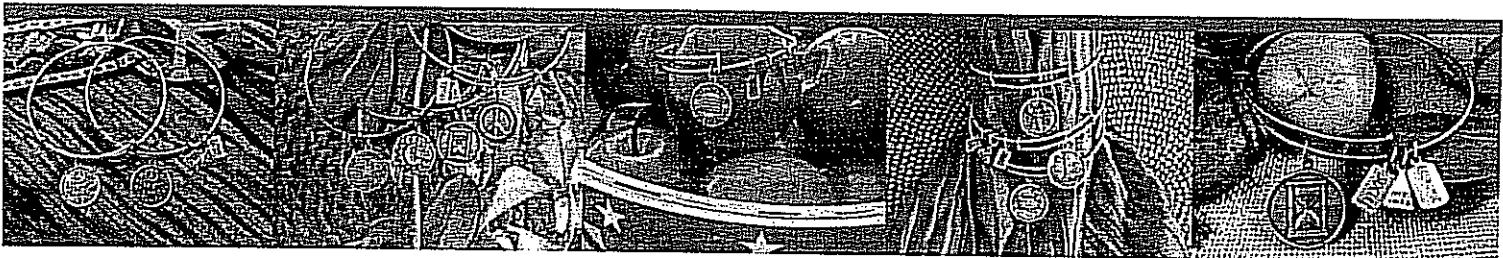


EXHIBIT 4

J. D. KIRBY.
 BRACELET.
 APPLICATION FILED JULY 18, 1910.

993,303.

Patented May 23, 1911.

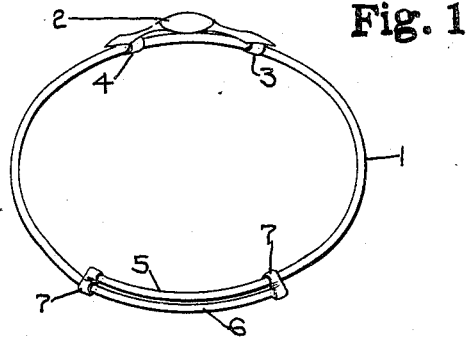


Fig. 1

Fig. 6

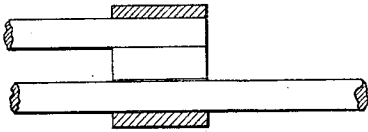


Fig. 2

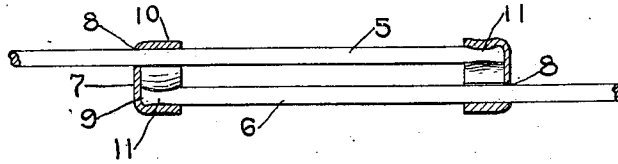


Fig. 5

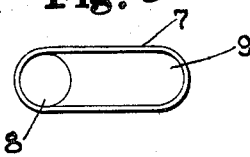


Fig. 4

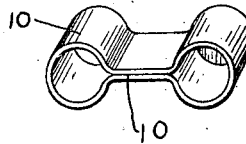
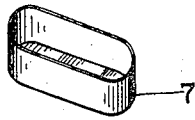


Fig. 3



WITNESSES:

Herbert L. Kelley
E. D. Upton

INVENTOR

James D. Kirby.
 BY
Howard E. Barlow.
 ATTORNEY

UNITED STATES PATENT OFFICE.

JAMES D. KIRBY, OF NORTH ATTLEBORO, MASSACHUSETTS, ASSIGNOR TO HANLON-THORNTON COMPANY, OF NORTH ATTLEBORO, MASSACHUSETTS, A CORPORATION OF MASSACHUSETTS.

BRACELET.

993,303.

Specification of Letters Patent. Patented May 23, 1911.

Application filed July 18, 1910. Serial No. 572,596.

To all whom it may concern:

Be it known that I, JAMES D. KIRBY, a citizen of the United States, residing at North Attleboro, in the county of Bristol and State of Massachusetts, have invented certain new and useful Improvements in Bracelets, of which the following is a specification, reference being had therein to the accompanying drawing.

This invention relates to expansible bracelets and has for its object to provide each of the overlapping ends of the resilient wire of which the bracelet is constructed with a thimble which serves the combined purpose of a cap and a guide by means of which the resilient wire ends are retained in position and guided to slide back and forth in expanding the bracelet to pass over the hand of the wearer.

With these and other objects in view, the invention consists of certain novel features of construction, as will be more fully described and particularly pointed out in the appended claims.

In the accompanying drawings: Figure 1— is a perspective view illustrating the complete bracelet with my improved cap and guide thimble connected to both of the overlapping ends. Fig. 2— is an enlarged view illustrating one of the thimbles in section, the same being applied to the resilient wire. Fig. 3— shows the oblong cup form into which this thimble is drawn from the blank. Fig. 4— is a perspective view illustrating the middle portion of the thimble as being pressed together forming two chambers one to receive the end of the wire and serve as a cap, the other chamber to permit the wire to pass therethrough and serve as a guide. Fig. 5— is an end view of the thimble. Fig. 6— illustrates a modified form of guide and connector.

Referring to the drawings, 1 designates the main or body portion of the bracelet which portion is constructed of wire or other suitable material, the same being preferably resilient or springy so as to permit the bracelet to expand while being passed over the hand of the wearer and then to return to its normal size. An ornamentation 2 may be attached to this bracelet, if desired, the same being preferably provided with loops 3 and 4 through which the wire may pass and be secured to one of these loops by any

suitable means, the other loop being preferably unattached allowing the wire to move freely therethrough so as not to interfere with the straightening of that section between the loops in the expansion of the bracelet. The opposite ends 5 and 6 of this bracelet preferably overlap or extend beyond each other a short distance, the object being to connect the free end of one to the adjacent portion of the other so as to hold each end in its proper position, and at the same time guide the ends while the bracelet is expanding. To accomplish this in a simple, inexpensive and very effective manner I have formed a somewhat elongated or oblong cup or thimble 7, see Figs. 3 and 5, and drilled or punched out one portion of the bottom of this cup, as at 8 see Fig. 5, to permit one of the wires to freely pass therethrough, said punched portion thereby forming a guide, while the other portion 9 of the bottom is left continuous to receive the end of the adjacent wire and form a cap for the same. These thimbles are preferably connected to the wire in the manner best illustrated in Figs. 2 and 4, which is by passing the opposite ends of the wire through the guide eyes 8—8 in each thimble and into the closed pockets of the opposite thimble, then swaging the walls of the middle portion of each thimble down in such manner that the continuous or unpunched portions of the thimbles will be bound firmly onto the tip ends of the wire so that they cannot be removed therefrom, at the same time forming a tubular bearing in each thimble through which a parallel wire portion may freely pass. In order to facilitate the fastening of these thimbles on the ends of the wire without the use of solder, said wire may be upset, scored, or recessed near its ends as shown at 11 in Fig. 2, into which recesses the stock of the thimble may be pressed thereby rendering the use of solder quite unnecessary in this fastening.

Other devices of this character are usually made in two parts and soldered together requiring considerable heat, which soldering operation, as is well known, in many instances destroys the plating and is otherwise objectionable. To punch out the bottom of both compartments of the thimble forming substantially a band embracing both the end of the wire and that portion

adjacent to it as shown in Fig. 6 would still fall within the spirit and scope of my invention.

My improved guide thimble is extremely neat in appearance, is inexpensive of construction, and effective in its operation. It lies flat upon the arm, and will not hurt, injure or irritate the wearer. By forming each cap or thimble complete in one piece and applying them by pressure to the wire the whole operation may be done without the use of solder, thereby permitting these thimbles, as well as the wire of the bracelet itself, to be made of a thinner plated stock than could be used if the plating were obliged to withstand the high temperature necessary for soldering.

I claim:

1. An expandible bracelet comprising a single piece of spring wire having overlapping ends and two guides and connectors each consisting of a single piece of metal having its walls at its middle portion contracted forming two separate compartments one of which receives and is secured to one end of the wire, the other compartment forming an elongated guide bearing, and said middle portion forming a connector

between said first compartment and said bearing whereby each bracelet end is supported and connected to a portion of the wire adjacent said end.

2. An expandible bracelet comprising a single piece of spring wire having overlapping ends, and two guides and connectors each consisting of a single piece of metal having a cup-form, the walls of which at their middle are contracted forming two separate compartments one of which receives and is secured to one end of the wire, the bottom of said compartment forming a cap which covers one end of the wire, the other compartment forming an elongated guide bearing for the wire near the other end thereof, and said middle portion forming a connector between the two compartments whereby each bracelet end is supported and connected to a portion of the wire adjacent said end.

In testimony whereof I affix my signature in presence of two witnesses.

JAMES D. KIRBY.

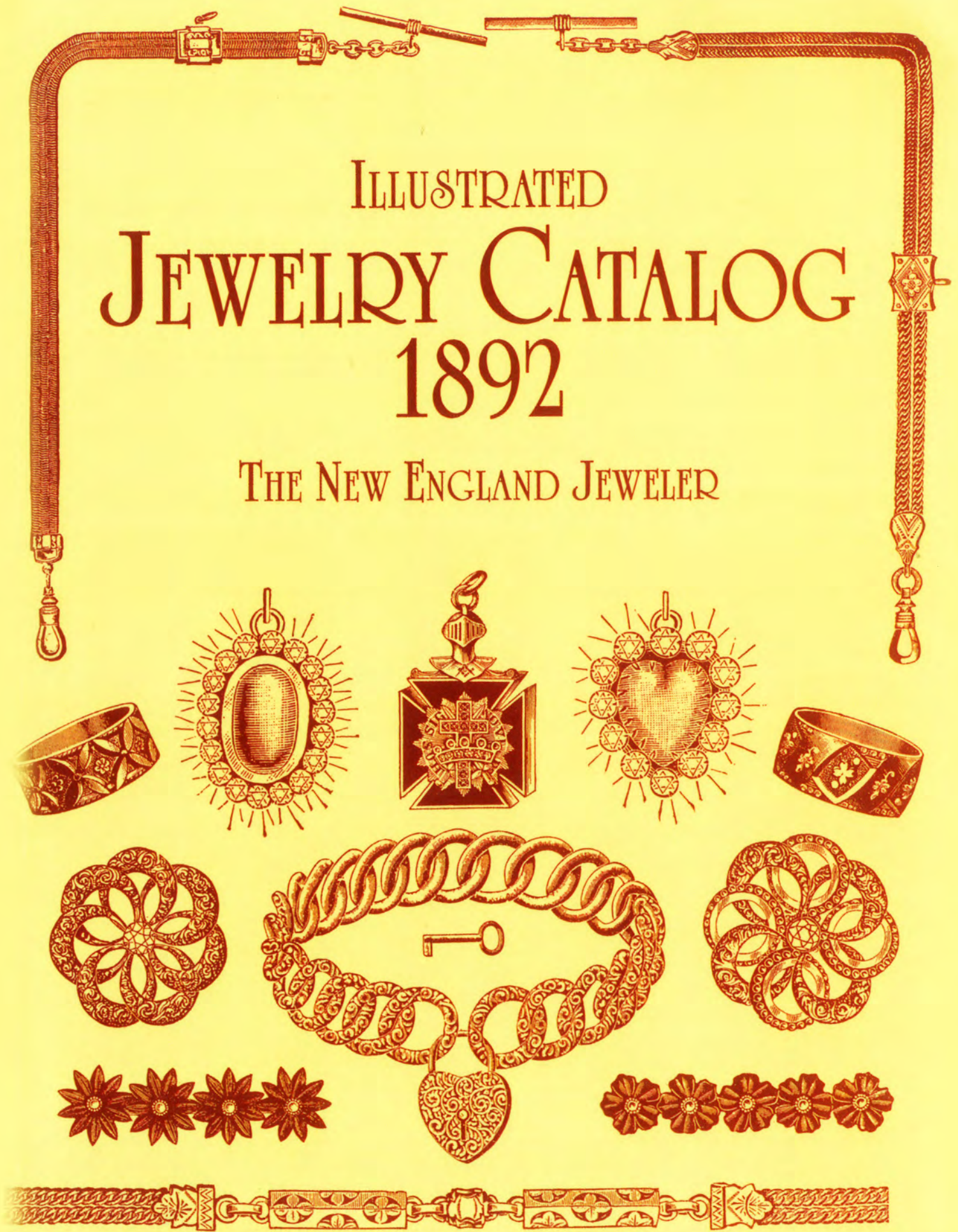
Witnesses:

HOWARD E. BARLOW,
G. CROSSLEY.

EXHIBIT 5

ILLUSTRATED
JEWELRY CATALOG
1892

THE NEW ENGLAND JEWELER



ILLUSTRATED
JEWELRY CATALOG
1892

THE NEW ENGLAND JEWELER

DOVER PUBLICATIONS, INC.
Mineola, New York

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Bibliographical Note

Illustrated Jewelry Catalog, 1892 is a new selection of pages from *The New England Jeweler, First Annual Illustrated Catalogue*, first published by the New England Jeweler, Boston, 1892. A Publisher's Note has been written specially for this edition.

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Includes index.

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NK7312.N48 1998

739.27'0973'09034—dc21

98-28059

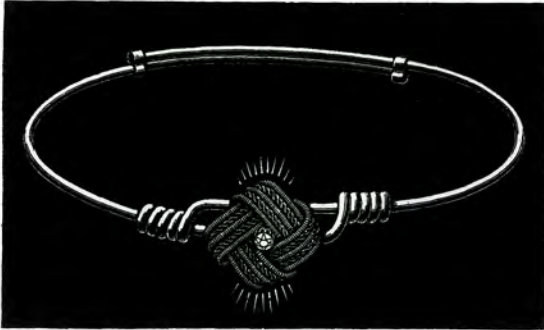
CIP

Manufactured in the United States by Courier Corporation
40296702

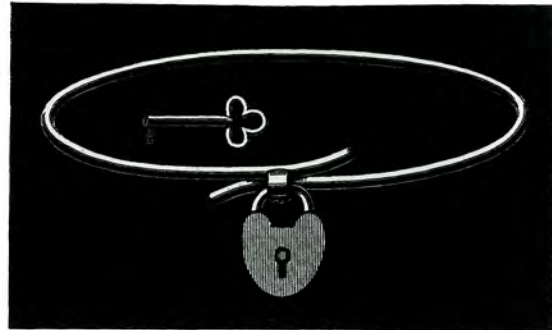
www.doverpublications.com

FINEST 14 K SOLID GOLD BRACELETS.

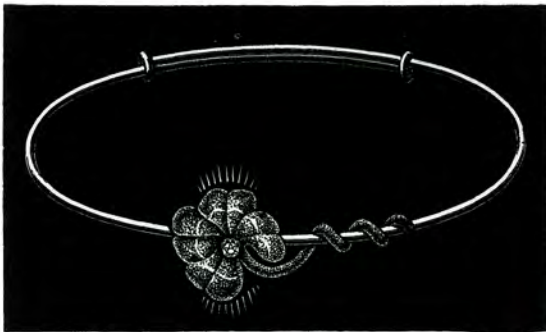
PRICE PER SINGLE BRACELET.



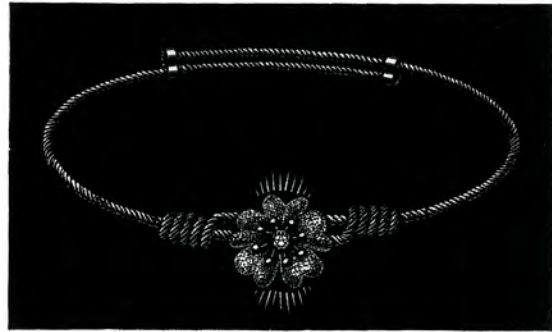
No. 521. \$22.50.
Polished Round Wire. Roman Ornament.
Fine White Diamond.



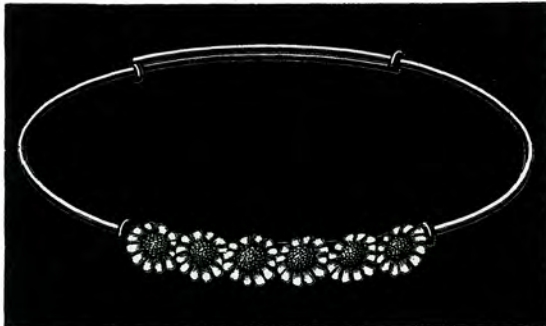
No. 522. \$11.00.
Polished.



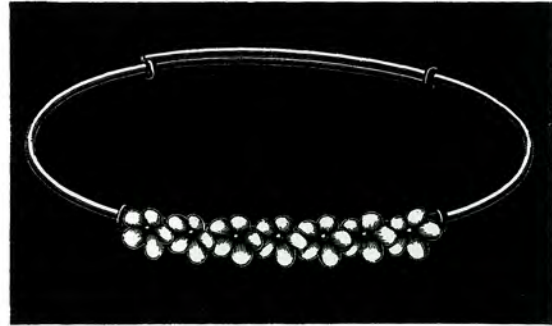
No. 523. \$16.50.
Polished Round Wire. Green Gold Ornament.
With Diamond.



No. 524. \$16.50.
Roman. Twisted Wire. Diamond Set.
Ornament.



No. 525. \$11.50.
Polished Round Wire. Enameled Ornaments.



No. 526. \$11.50.
Polished Round Wire. Enameled Ornaments.



No. 527. \$11.00.
Polished Round Wire. Roman Ornament.

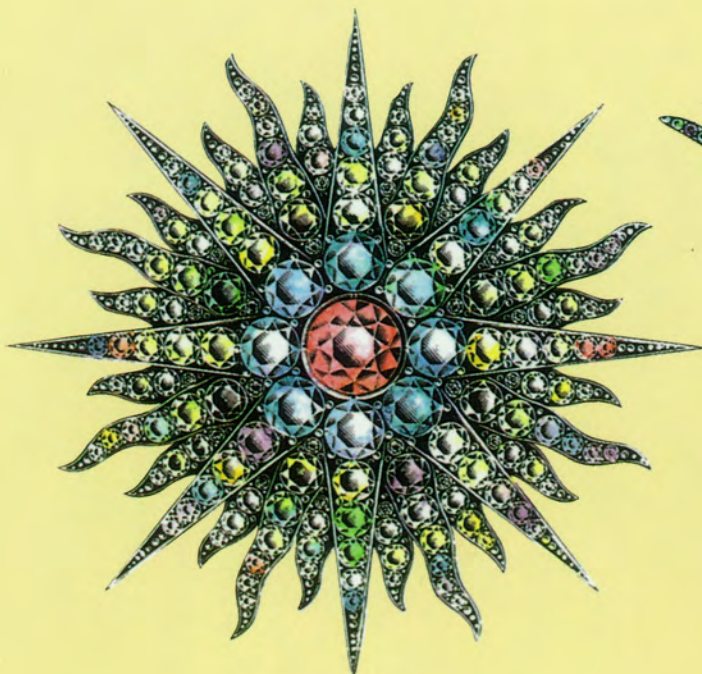


No. 528. \$10.00.
Polished Round Wire. Roman Ornament.
Pearl and Turquoise Sets.

EXHIBIT 6



VICTORIAN JEWELLERY



*A Complete Compendium of over
four thousand pieces of Jewellery*



INTRODUCTION BY
PETER HINKS



Davis•Kidd
Booksellers
\$24.98

Victorian Jewellery contains a selection from the following trade catalogues: The Goldsmiths and Silversmiths Co. Ltd, 1901, Mappin and Webb Ltd, 1900, Saunders and Shepherd Ltd, 1903-4, S. F. Myers and Co., 1894, Moore and Evans, 1898. Colour plates are taken from the Streeters and Co. Ltd catalogue.

Published 1991 by Studio Editions Ltd
Princess House, 50 Eastcastle Street
London W1N 7AP

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A member of
The British Printing Company Ltd

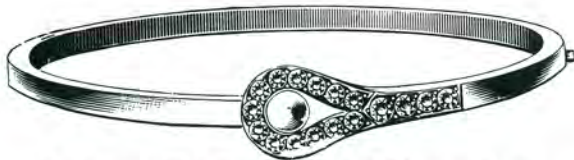
FINE DIAMOND BRACELETS.

In Best Russia
Leather Cases,
Lined Silk Velvet.



In Best Russia
Leather Cases,
Lined Silk Velvet.

No. 21,244.—Fine Diamond "Cooing Doves."
£10 0 0



No. 21,245.—Fine Pearl Centre and Diamond Loop.
£18 10 0



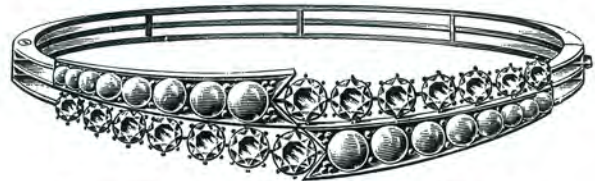
No. 21,246.—Fine Diamond Cluster.
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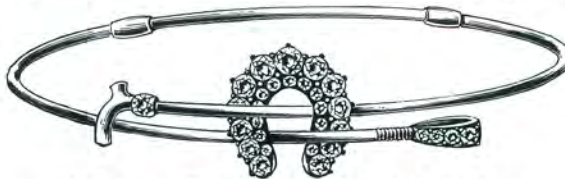
No. 21,247.—Fine Diamond Cluster.
£28 0 0



No. 21,248.—Fine Pearl and Diamond Cluster and
Diamond Collet.
£40 0 0



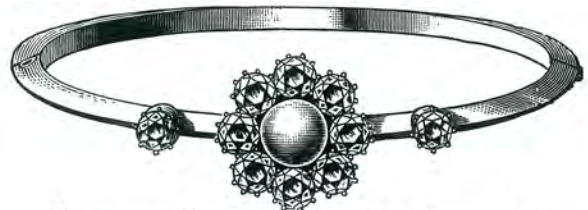
No. 21,249.—Fine Pearl and Diamond, Double Row.
£65 0 0



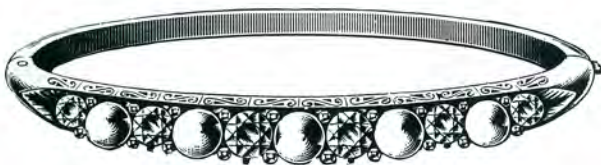
No. 21,250.—Fine Diamond Horseshoe and Drop.
£12 10 0



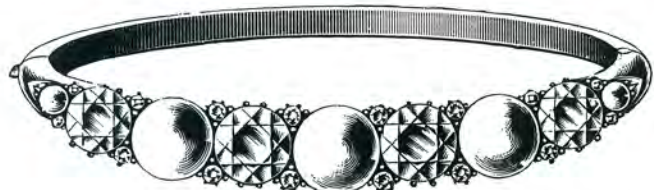
No. 21,251.—Fine Diamond and Pearl Cluster Bracelet.
£50 0 0
Ruby or Sapphire Clusters, same price.



No. 21,252.—Fine Pearl and Diamond Cluster, with
Diamond Shoulders.
£110 0 0



No. 21,253.—Fine Pearl and Diamond Half Hoop
£75 0 0



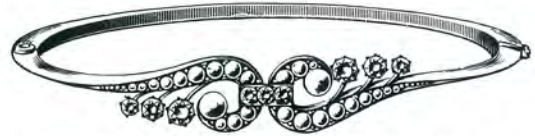
No. 21,254.—Fine Pearl and Diamond Half Hoop.
£685 0 0

NEW GEM-SET BRACELETS,

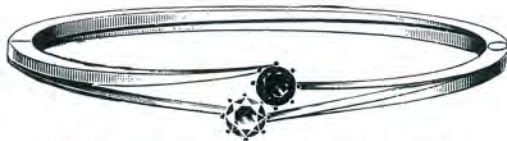
IN MOROCCO CASES, LINED SILK VELVET.



1235—Fine Gold and Pearls, £4 12 6



1204—Pearl and nine Fine Brilliants, £11 15 0
Same Design, all Pearls, ... 6 5 0



1245—Brilliant and Sapphire, £14 10 0



238—Fine Gold Interchangeable Bangle or Lace Pearls,
with Brilliant Centre, £2 6 6

GEMS MOUNTED
IN
18-CARAT GOLD



1234—Fine Gold Interchangeable Bangle or Lace Pin,
Turquoise Heart, Pearl Border and Tie, £3 5 0



1246—Three Fine Brilliants, £8 5 0



Registered Design.
1203—Three Fine Brilliants, £10 0 0



239—Finest Pearls Half-hoop Bracelet, Diamond Points,
£10 0 0

BRIDESMAIDS'
PRESENTS.



1201—Set all over Pearls, with Sapphire
or Ruby Centres, £3 8 6
Ditto, Brilliant Centres, 4 0 0



1202—Any Initials, in Pearls. Expands to size, £1 11 6



1231—Fine Gold, £2 15 0

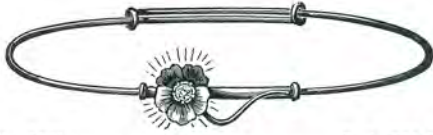


1230—Fine Gold, £1 18 6

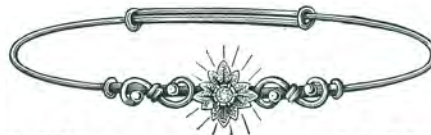
Diamond Jewelry.

LATEST DESIGNS. SOLID GOLD, HAND-MADE, FINE FINISHED POLISHED MOUNTINGS.

LIST PRICES EACH.



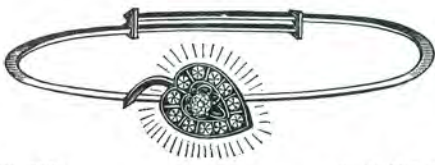
No. 2001..... Each, \$12 50
Enameled Ornament. One Diamond.



No. 2002..... Each, \$16 25
Colored Ornament. One Diamond.



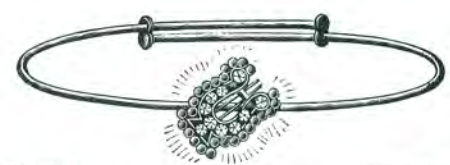
No. 2003..... Each, \$20 00
Colored Ornament. One Diamond



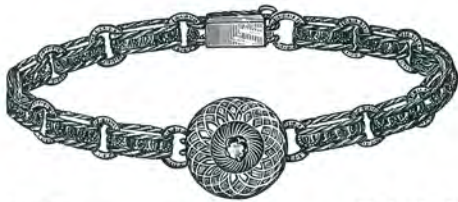
No. 2004..... Each, \$31 88
Twelve Rose Diamonds.



No. 2005..... Each, \$25 00
Eight Rose Diamonds, Two Pearls.



No. 2006..... Each, \$26 88
Ten Rose Diamonds. Enameled Border.



No. 2007..... Each, 40 00
Roman Filigree. One Diamond.



No. 2008..... Each, \$25 00
Colored Leaves. One Diamond.



No. 2009..... Each, \$51 25
Roman Filigree. Two Diamonds.



No. 2010..... Each, \$41 25
Roman Filigree. One Diamond,



No. 2011..... Each, \$50 00
Roman, Hand Chased. Three Diamonds.



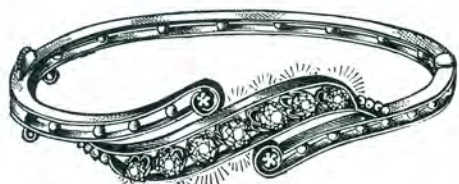
No. 2012..... Each, \$46 88
Roman Chased. One Diamond.



No. 2013 Each, \$181 25
No. 2014 " 200 00
No. 2015 " 218 75
Six Diamonds, 1/4 Carat.



No. 2016 Each, \$112 50
No. 2017 " 125 00
No. 2018 " 137 50
One Diamond, 1/2 Carat.



No. 2019..... Each, \$312 50
No. 2020 " 350 00
No. 2021..... " 387 50
Seven Diamonds, 1 1/4 Carat.

Solid Gold Bracelets.

LATEST STYLES, BEST FINISHED GOODS MADE. ANY OF THESE BRACELETS MAY BE HAD SINGLY. LIST PRICES PER PAIR.



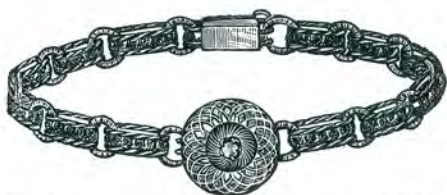
No. 1044 \$76 25
14 K., Roman Trace, Chased and Plain Links, Real Whole Pearl in Center.



No. 1045..... \$65 00
14 K., Roman Filigree Bow Knot, Whole Real Pearl in Center.



No. 1000 \$77 50
14 K., Roman Filigree, Whole Real Pearl in Center of Star.



No. 1006 \$62 50
14 K., Roman Filigree, Whole Real Pearl in Center.



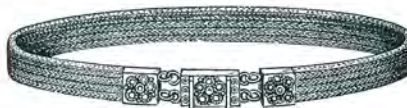
No. 1013..... \$39 35
14 K., Roman, Woven Wire, Fine Colored Ornaments.



No. 1008 \$67 50
14 K., Roman Filigree, 2 Real Whole Pearls in Center of Hearts.



No. 1005 \$35 00
14 K., Roman, Woven Wire, Pearl Inlaid Buckle.



No. 1009. 14 K., Roman, Woven Wire, 4 Rows. ...\$25 00
No. 1010. Same, Narrower, 3 Rows. 18 75
No. 1011. Same, Wider, 5 Rows 31 25



No. 1004 \$32 50
14 K., Roman, Woven Wire Bow Knot.



No. 1015 \$40 00
Roman, Chased and Plain Links, Garnet Set.



No. 1016..... \$35 00
Roman, Chased Link.



No. 1017 \$37 50
Roman, Chased, Pearl Inlaid.



No. 1021..... \$20 00
Ruby and Emerald Inlaid in Heads.



No. 1018..... \$15 00
Colored Leaves, 3 Rubies in Center.



No. 1019.... \$15 00
Colored Blossom, Ruby Center.

BOTTOM ROW ARE ADJUSTABLE.

Rolled Gold Plated Bracelets.

BEST AND MEDIUM QUALITY. LATEST DESIGNS, POLISHED. NOS. 27, 118, 110, 119 ARE ADJUSTABLE TO ANY WRIST. PRICES PER PAIR.



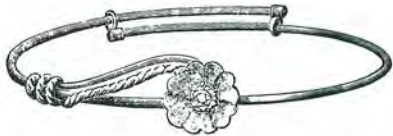
No. 39.....\$1 25
Polished Tips and Bangles.
Misses' Size.



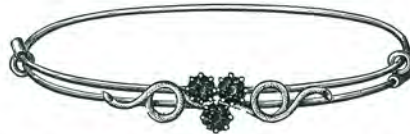
No. 18.....\$1 05
Roman Balls, Garnet Setting.
Misses' Size.



No. 36 Twist Wire \$0 68
No. 1035 Twist Wire, Solid Silver..... \$1 18



No. 27.....\$2 50
Polished Blossom, Imitation Diamond Center.



No. 118.....\$3 33
Assorted Colored Stone Center.



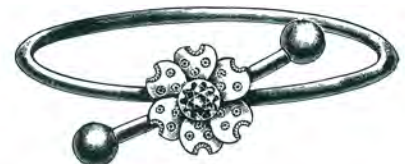
No. 110.....\$2 50
Imitation Diamonds.



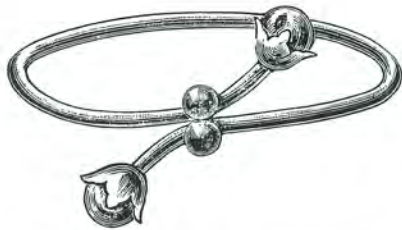
No. 383.....\$1 88
Engraved, Imitation Diamond, Garnet Set Top.



No. 44.....\$1 58
Chased Ornament, Imitation Diamond Center.



No. 42.....\$1 18
Roman Ornament, Garnet Center.



No. 45.....\$1 25
Polished Tips.



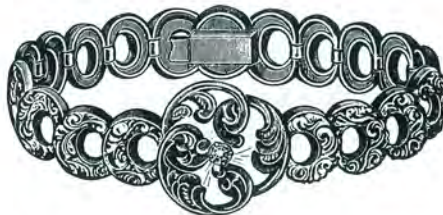
No. 71.....\$1 88
Roman Ornamental Balls, Turquoise Inlaid.



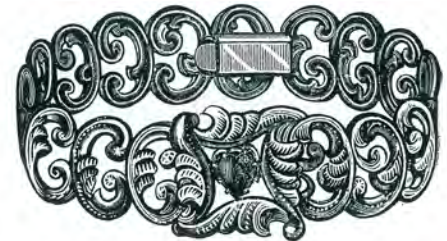
No. 119.....\$2 50
Enameled Apples, Raisins or Strawberries.



No. 58.....\$7 50
Roman, Loose Curb.



No. 54.....\$10 00
Roman, Chased, Imitation Diamond Center.



No. 53.....\$10 63
Roman, Chased, Sapphire Heart Center.

EXHIBIT 7



(12) **United States Design Patent**
Fiasconaro

(10) **Patent No.:** **US D703,088 S**
(45) **Date of Patent:** **** Apr. 22, 2014**

- (54) **ADJUSTABLE BRACELET**
- (71) Applicant: **Lanceco Industries Inc.**, Pearl River, NY (US)
- (72) Inventor: **Frank Fiasconaro**, Pearl River, NY (US)
- (73) Assignee: **Lanceco Industries, Inc.**, Pearl River, NY (US)
- (**) Term: **14 Years**
- (21) Appl. No.: **29/451,604**
- (22) Filed: **Apr. 4, 2013**
- (51) **LOC (10) Cl.** **11-01**
- (52) **U.S. Cl.**
USPC **D11/5**
- (58) **Field of Classification Search**
USPC D11/1-25; 63/1.11, 3.1, 3.2, 15, 63/15.1-15.4, 15.45, 15.5, 15.6, 15.65, 63/10; D28/41; 24/70 J, 69 T, 69 J, 68 J, 24/115 H, 136 A, 115 K
See application file for complete search history.

D487,709	S	*	3/2004	Ferlise	.....	D11/5
D498,167	S	*	11/2004	Ferlise	.....	D11/5
D539,689	S	*	4/2007	Mertens	.....	D11/3
D592,950	S	*	5/2009	Kopulos	.....	D9/434
D658,086	S	*	4/2012	Rafaelian	.....	D11/3
D658,087	S	*	4/2012	Rafaelian	.....	D11/8
D658,088	S	*	4/2012	Rafaelian	.....	D11/8
D658,089	S	*	4/2012	Rafaelian	D11/8
D658,528	S	*	5/2012	Rafaelian	D11/3

(Continued)

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[Online] <http://www.shefinds.com/files/2011/08/Shashi-Double-Petit-Golden-Nugget-Adjustable-Bracelet-300x289.jpeg>. Accessed Jan. 9, 2014.*

(Continued)

Primary Examiner — Garth Rademaker
Assistant Examiner — Melanie Pellegrini
(74) *Attorney, Agent, or Firm* — Dara L. Onofrio, Esq.; Onofrio Law

(57) **CLAIM**
The ornamental design for an adjustable bracelet, as shown and described in the drawings.

(56) **References Cited**

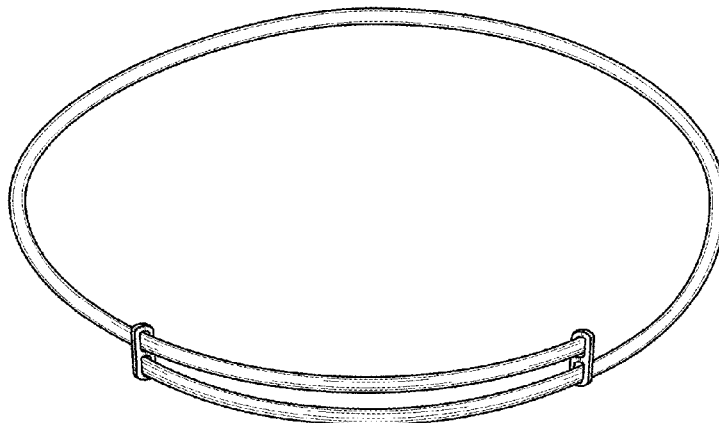
U.S. PATENT DOCUMENTS

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993,303	A	*	5/1911	Kirby	63/11
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2,462,425	A	*	2/1949	Pratt et al.	63/3
2,713,706	A	*	7/1955	Biagi	24/66.2
3,187,396	A	*	6/1965	Carroll	24/115 R
4,321,804	A	*	3/1982	Borofsky et al.	.....	63/3.2
4,322,077	A	*	3/1982	Van't Hof	.....	473/551
4,334,413	A	*	6/1982	Gaston et al.	.....	63/3.2
D267,159	S	*	12/1982	Borofsky et al.	.....	D11/5
D268,013	S	*	2/1983	Stimmler	.....	D11/27
5,247,814	A	*	9/1993	McDonald	.....	63/3.2
D358,017	S	*	5/1995	Clark et al.	.....	D99/99
D386,999	S	*	12/1997	Kothari	.....	D11/4

DESCRIPTION

FIG. 1 is a perspective view of an adjustable bracelet showing my new design;
FIG. 2 is a top view thereof;
FIG. 3 is a bottom view thereof;
FIG. 4 is a left side view thereof;
FIG. 5 is a right side view thereof;
FIG. 6 is a front view thereof;
FIG. 7 is a rear view thereof; and,
FIG. 8 is another perspective view thereof.
The broken lines shown in the drawings represent environmental matter and form no part of the claimed design.

1 Claim, 4 Drawing Sheets



(56)

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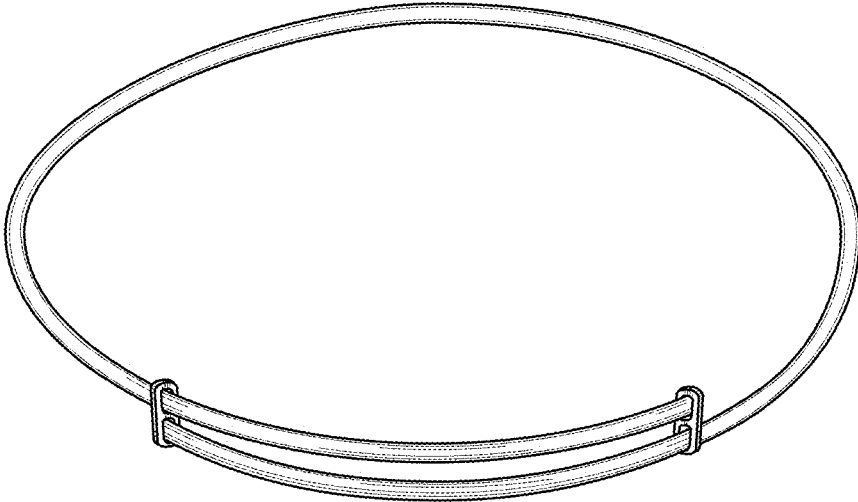


FIG. 1

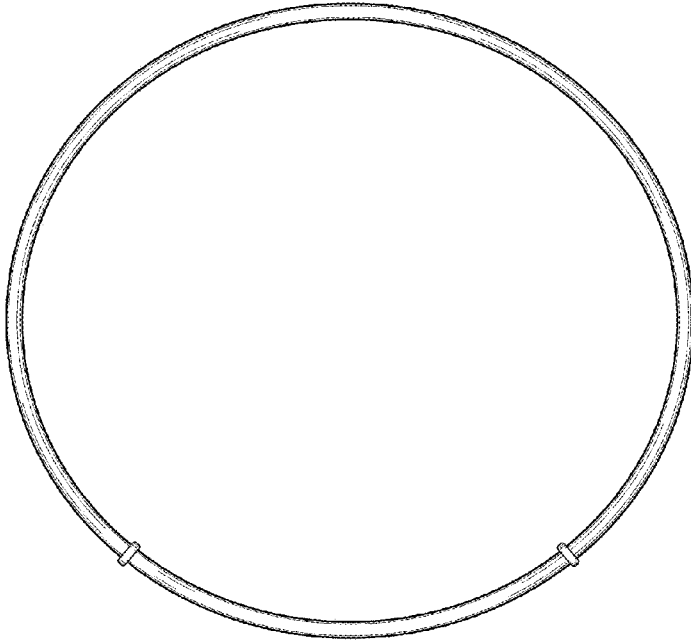


FIG. 2

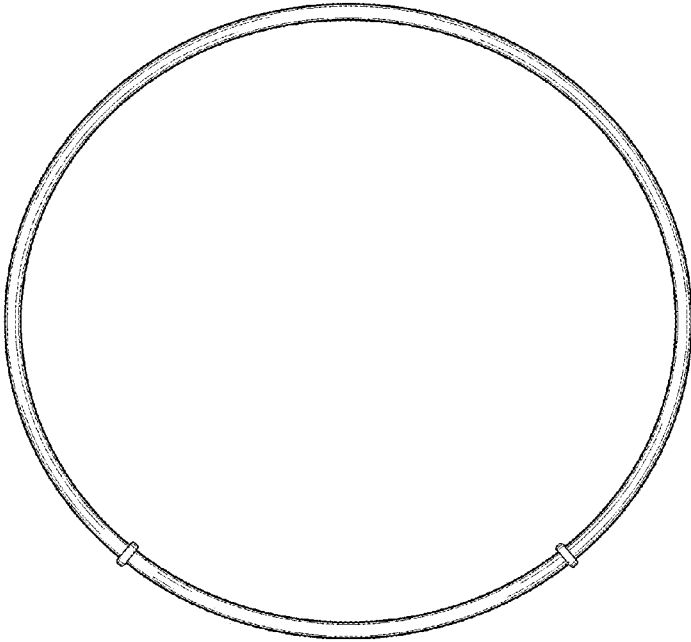


FIG. 3



FIG. 4



FIG. 5



FIG. 6



FIG. 7

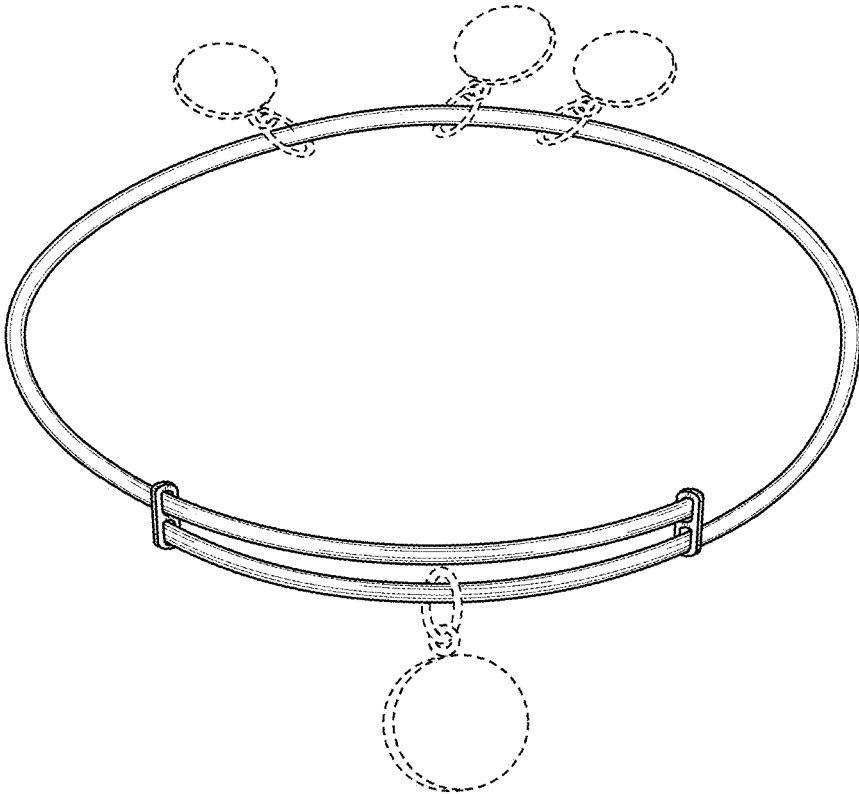


FIG. 8

EXHIBIT 8



US00D700860S

(12) **United States Design Patent**
Nadeau

(10) **Patent No.:** **US D700,860 S**

(45) **Date of Patent:** **** Mar. 11, 2014**

(54) **BRACELET**

(76) Inventor: **Michael Nadeau**, Providence, RI (US)

(**) Term: **14 Years**

(21) Appl. No.: **29/422,076**

(22) Filed: **May 16, 2012**

(51) **LOC (10) Cl.** **11-01**

(52) **U.S. Cl.**
USPC **D11/5**

(58) **Field of Classification Search**
USPC D11/1-39; 63/15, 15.1-15.4, 15.45,
63/15.5-15.7, 3, 3.1, 3.2, 4, 5.1
See application file for complete search history.

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Primary Examiner — Garth Rademaker

Assistant Examiner — Melanie Pellegrini

(74) *Attorney, Agent, or Firm* — Salter & Michaelson

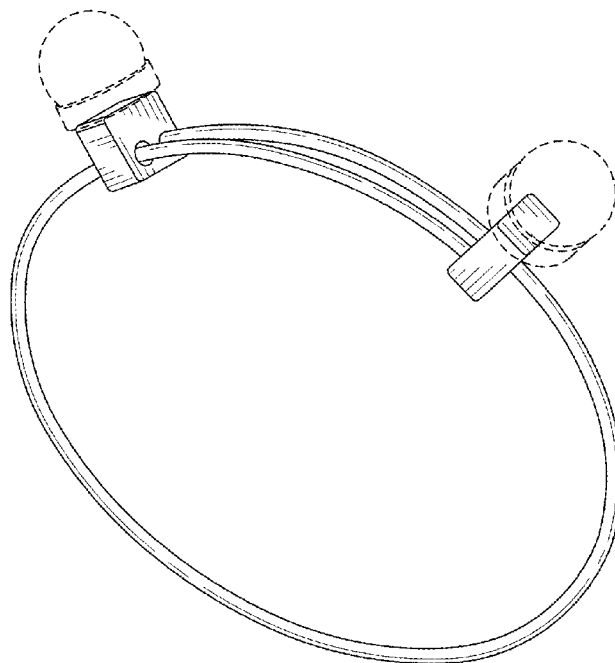
(57) **CLAIM**

The ornamental design for a bracelet, as shown and described.

DESCRIPTION

FIG. 1 is a perspective view of a bracelet;
FIG. 2 is a front elevational view thereof;
FIG. 3 is a rear elevational view thereof;
FIG. 4 is a top plan view thereof;
FIG. 5 is a bottom plan view thereof;
FIG. 6 is a left side elevational view thereof; and,
FIG. 7 is a right side elevational view thereof.
The broken lines shown in the drawings represent portions of the bracelet and form no part of the claimed design.

1 Claim, 4 Drawing Sheets



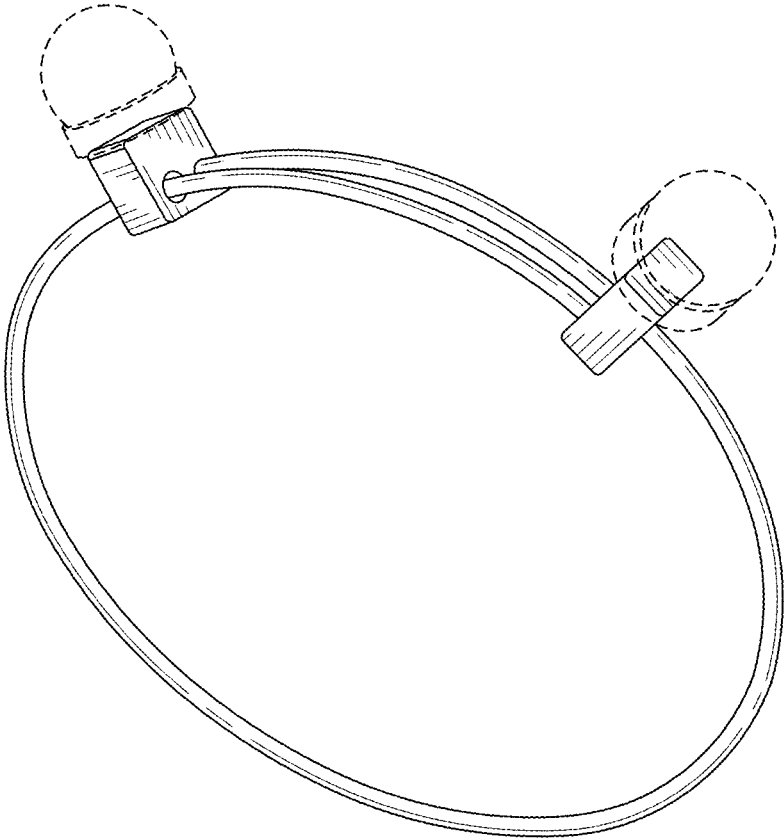


FIG. 1

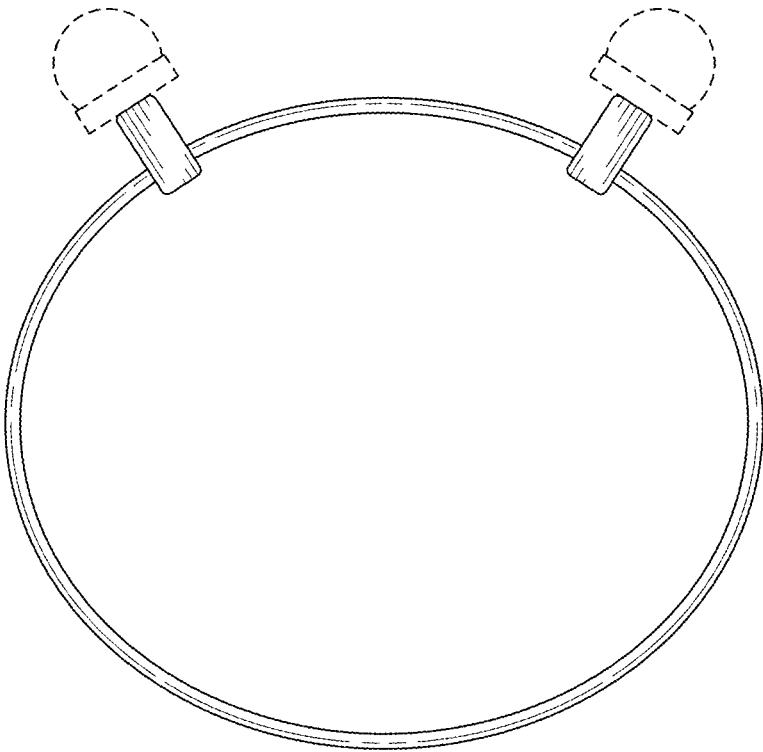


FIG. 2

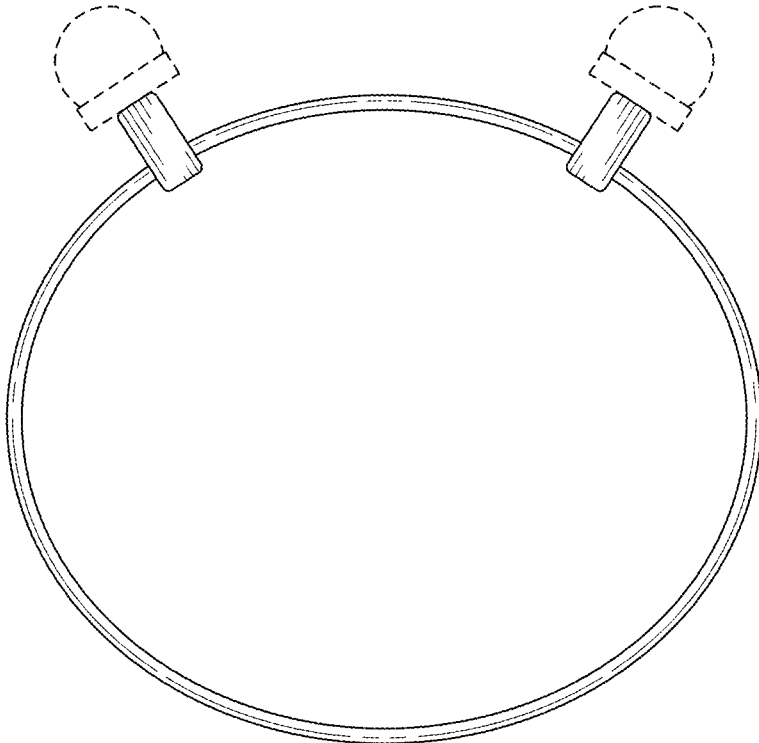


FIG. 3

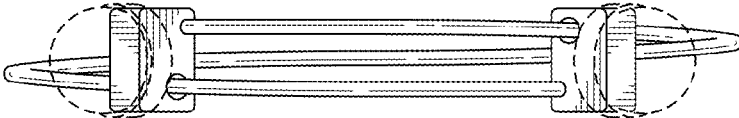


FIG. 4

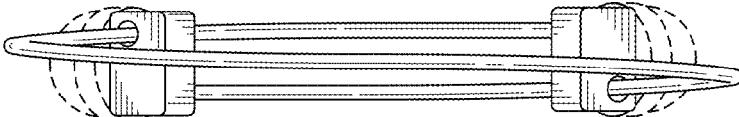


FIG. 5



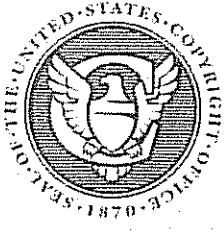
FIG. 6



FIG. 7

EXHIBIT 9

Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, *United States Code*, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Maia A. Pallante

Register of Copyrights, United States of America

Registration Number
VA 1-884-359

Effective date of
registration:
December 16, 2013

Title

Title of Work: WIND & FIRE COLLECTION

Completion/Publication

Year of Completion: 2013

Date of 1st Publication: December 6, 2013

Nation of 1st Publication: United States

Author

Author: CG Creations

Author Created: photograph(s), jewelry design

Work made for hire: Yes

Domiciled in: United States

Copyright claimant

Copyright Claimant: CG Creations

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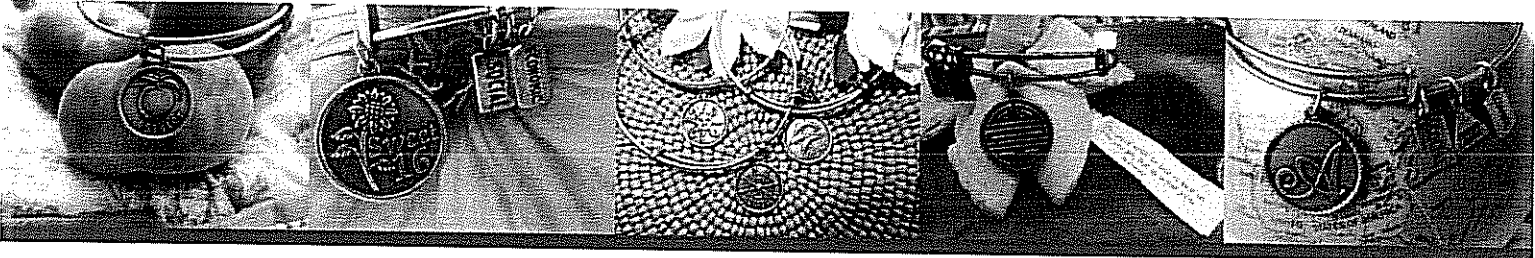
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Name: Dara L. Onofrio

Date: December 16, 2013

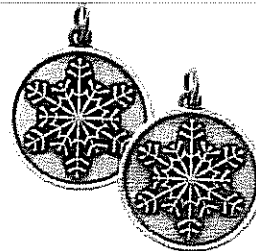
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