

**TO: Mail Stop 8**  
**Director of the U.S. Patent & Trademark Office**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

**REPORT ON THE**  
**FILING OR DETERMINATION OF AN**  
**ACTION REGARDING A PATENT OR**  
**TRADEMARK**

In Compliance with 35 § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Northern District of California on the following  Patents or  Trademarks:

DOCKET NO. CV 08-04212 IIRL	DATE FILED 9/5/2008	U.S. DISTRICT COURT 280 South First Street, Rm 2112, San Jose, CA 95113	
PLAINTIFF WANGSON BIOTECHNOLOGY GROUP, INC		DEFENDANT TAN TAN TRADING CO., INC, ET AL.	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK	
1 2,537,561		SEE ATTACHED COMPLAINT	
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In the above—entitled case, the following patent(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading		
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK	
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT
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CLERK Richard W. Wicking	(BY) DEPUTY CLERK Betty Walton	DATE September 8, 2008
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WANGSON BIOTECHNOLOGY GROUP, INC.

8  
9  
10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA

12 WANGSON BIOTECHNOLOGY GROUP, INC.,  
a California Corporation,

13 Plaintiff,

14 v.

15 TAN TAN TRADING CO., INC., a California  
16 Corporation, CATHAY CHINESE HERBS, form  
17 unknown, and DOES 1-100

18 Defendants.

ORIGINAL  
FILED  
08 SEP -5 PM 3:37  
RICHARD W. WIEKING  
CLERK  
U.S. DISTRICT COURT  
NO. DIST. OF CA S.J.

Case No.: 08 04212 HRL

19 COMPLAINT FOR DAMAGES AND  
20 INJUNCTIVE RELIEF FOR:

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- 1) Federal Trademark Infringement under 15 U.S.C § 1114(1);
  - 2) False Designation of Origin and False Advertising under 15 U.S.C. § 1125(a); and
  - 3) Unfair Competition Under California Business and Professions Code § 17200 et seq.
  - 4) Common Law Trademark Infringement
  - 5) Common Law Unfair Competition

JURY TRIAL DEMANDED

For its complaint against Defendants, Tan Tan Trading Co., Inc. ("Tan Tan"), Cathay Chinese Herbs ("Cathay"), and Does 1-100 ("DOES") (hereinafter, a reference to "Defendant" or "Defendants" shall mean "each of the defendants" including DOES 1-100, unless the context specifies otherwise), Plaintiff Wangson Biotechnology Group, Inc., ("Plaintiff") alleges as follows:

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**NATURE OF ACTION**

1. This is a civil suit at law and in equity to remedy acts of federal trademark infringement under 15 U.S.C. § 1114; false designation of origin arising under 15 U.S.C. § 1125(a); trademark infringement and unfair competition arising under the laws of the State of California, Cal. Bus. & Prof. Code § 17200 *et seq.*; common law trademark infringement; and common law unfair competition caused by Defendants' unauthorized and misleading use of Plaintiff's distinctive and exclusive dietary pill box design, ideas, content, and trademarks thereto in commerce and in direct competition with Plaintiff.

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**PARTIES TO THE ACTION**

2. Plaintiff is a corporation duly organized and existing under the laws of the State of California, having its principle place of business and mailing address at 20762 East Carrey Road, Walnut, California 91789.

3. On information and belief, Tan Tan is a corporation organized and existing under the laws of the State of California, having its principal place of business and mailing address at 469 Thornton Avenue, San Francisco, California 94124. Tan Tan also operates a retail store located at 1222 Stockton Street, San Francisco, California 94133.

4. Cathay is a retail store, a business form unknown, located at 388 8<sup>th</sup> Street, Oakland, California 94607.

5. The true names and capacities of the defendants named and sued herein as DOES 1 through 100, inclusive, are unknown to Plaintiff, who therefore sues said defendants by such fictitious names. Plaintiff will seek leave to amend this Complaint when said defendants' true names and capacities have been ascertained. Plaintiff is informed and believes that each of the fictitiously named defendants is in some way are responsible for the acts and omissions hereafter set forth. Plaintiff is further informed and believes and thereon alleges that each of the fictitiously named defendants was the agent of one or more of the other defendants named herein, and in doing or omitting to do the acts hereinafter alleged, was acting within the course and scope of that agency and with the knowledge and consent, whether express or implied, of each of said other defendants.

//



1 October 1997 to identify its dietary supplements and to distinguish them from those made and sold  
2 by others by, among other things, prominently displaying the Wangson Design on the goods, their  
3 containers, and the displays associated therewith.

Mark	Reference
	Hereinafter referred to as "Wangson Design")

11 14. Plaintiff is the owner of a U.S. Trademark Registration 2537561 for the Wangson  
12 Design in International Class 005 for dietary herb powders and dietary herb capsules. *See Exhibit 1.*  
13 Wangson Health Products Group Inc. validly assigned the Wangson Design to Plaintiff by means of  
14 a written assignment dated January 28, 2002. Said assignment was recorded in the United States  
15 Patent and Trademark Office ("the USPTO") and Plaintiff continues to be the owner of the Wangson  
16 Design.

17 15. Plaintiff has filed with the USPTO an affidavit of use of the Wangson Design as  
18 required by 15 U.S.C.A. § 1058(a), and said registration is presently valid. The validity of the  
19 Wangson Design, Plaintiff's ownership of the Wangson Design, and Plaintiff's exclusive right to use  
20 said registered mark in commerce for the subject products are incontestable under 15 U.S.C. §§ 1065  
21 and 1115(b), as Plaintiff has filed, and the USPTO accepted, the affidavit of incontestability.

22 16. Plaintiff, directly and/or through its predecessors, has continuously used the  
23 LIVEREN G mark and its transliteration in Chinese letters (hereinafter "PeiDeYuan") as depicted  
24 below in interstate commerce since at least as early as December 7, 1998 to identify its dietary  
25 supplements and to distinguish them from those made and sold by others by, among other things,  
26 prominently displaying the LIVEREN G and PeiDeYuan Mark on the goods, their containers, and  
27 the displays associated therewith.  
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Mark	Reference
沛德源	Hereinafter referred to as "PeiDeYuan"

17. Plaintiff, directly and/or through its predecessors, has continuously used the PENTAGYN mark and its transliteration in Chinese letters (hereinafter "PanDaKang") as depicted below in interstate commerce since at least as early as February 3, 1999 to identify its dietary supplements and to distinguish them from those made and sold by others by, among other things, prominently displaying the PENTAGYN and PanDaKang marks on the goods, their containers, and the displays associated therewith.

Mark	Reference
攀達康	Hereinafter referred to as "PanDaKang"

18. Plaintiff applied to register the PENTAGYN, LIVEREN G, PeiDeYuan and PanDaKang marks at the Principle Register with the USPTO in class 005 for dietary supplements, food supplements, herbal supplement, vitamin and mineral supplements. The PENTAGYN mark application was assigned the Serial No. 77532008, the LIVEREN G mark application was assigned

1 the Serial No. 77532021, PeiDeYuan was assigned the Serial No. 77536564, and PanDaKang mark  
2 application was assigned the Serial No. 77536541. *See Exhibits 2-5.*

3 19. Plaintiff has prominently displayed its marks, 1) Wangson Design, 2) LIVEREN G,  
4 3) PeiDeYuan, 4) PENTAGYN, and 5) PanDaKang (collectively “the Wangson Marks”) on  
5 letterheads, bills, and advertising materials distributed in interstate commerce.

6 20. Plaintiff, and its predecessors, have been continuously using, advertising, marketing  
7 and distributing in interstate commerce its LIVEREN G brand dietary supplements in a box, that has  
8 a distinctive and original visual design since at least as early as December 7, 1998 (the “Liveren G  
9 Box”). *See Exhibit 6.* Plaintiff’s Liveren G Box contains original visual elements including, but not  
10 limited to:

- 11 a. Plaintiff’s distinctive trademarks and locations of the LIVEREN G, Wangson  
12 Design, and PeiDeYuan marks;
- 13 b. The picture of the pills and a herbal leaf on the front face of the box and the  
14 picture of the American flag on the background covering the entire front face of  
15 the box;
- 16 c. The green background color of the entire box;
- 17 d. The yellow line on three sides of the box with a fading visual effect on each end,  
18 where the Chinese characters are displayed in red color; and
- 19 e. The wording and location of the supplemental facts, ingredients, directions, and  
20 warning at the back face of the box.

21 21. In 2004, Plaintiff did a minor revision to the Liveren G Box by adding a rainbow  
22 design in red, yellow, and blue colors on the front face of the box. *See Exhibit 7.* In 2006, Plaintiff  
23 did another minor revision to the Liveren G Box by adding the same rainbow design on the side of  
24 the box. *See Exhibit 8.* Plaintiff has been continuously using, marketing, advertising, and  
25 distributing the 2006 variation of the Liveren G Box in connection with its LIVEREN G brand  
26 dietary supplements in interstate commerce since then.

27 22. Plaintiff, and its predecessors, have been continuously using, advertising, marketing,  
28 and distributing in interstate commerce its PENTAGYN brand dietary supplements in a box that has

1 a distinctive and original visual design since at least as early as February 7, 1999 (the “Pentagyn  
2 Box”). *See Exhibit 9*. Plaintiff’s Pentagyn Box contains original visual elements including, but not  
3 limited to:

- 4 a. Plaintiff’s distinctive trademarks and locations of the PENTAGYN, the Wangson  
5 Design, and the PanDaKang marks;
- 6 b. The picture of the pills and a herbal leaf on the front face of the box and the  
7 picture of the American flag on the background covering the entire front face of  
8 the box;
- 9 c. The blue background color of the entire box;
- 10 d. The yellow line on three sides of the box with a fading visual effect at the right  
11 end of the lines, where the wording “Dietary Supplement” is displayed in black in  
12 English and in red in Chinese characters; and
- 13 e. The wording and location of the supplemental facts, ingredients, directions, and  
14 warning at the back face of the box.

15 23. In 2004, Plaintiff did minor revision to the Pentagyn Box by adding a rainbow design  
16 in red, yellow, and green colors on the front face of the Pentagyn Box. *See Exhibit 10*. In 2006,  
17 Plaintiff did another minor revisions to the Pentagyn Box by adding the same rainbow design on the  
18 side of the box. *See Exhibit 11*. Plaintiff has been continuously using, marketing, advertising and  
19 distributing the 2006 variation of the Pentagyn Box in connection with its PENTAGYN brand  
20 dietary supplements in interstate commerce since then.

21 24. Plaintiff displays its company name and address on the Liveren G Box and Pentagyn  
22 Box as the origin of dietary supplements offered, sold, marketed, and distributed in the Liveren G  
23 Box, the Pentagyn Box, and their 2004 and 2006 variations (“Pentagyn Box” will refer to the  
24 original Pentagyn Box and its 2004 and 2006 variations, and “Liveren G Box” will refer to the  
25 original Liveren G Box and its 2004 and 2006 variations).

26 25. Plaintiff has marketed, sold, and distributed dietary supplements in interstate  
27 commerce in the Liveren G Box and the Pentagyn Box since at least as early as December 1998 and  
28 February 1999, respectively. Thus, since then, Plaintiff has continuously used the Pentagyn Box, the

1 Liveren Box, and the Wangson Marks thereon to identify its dietary supplements and to distinguish  
2 them from those made and sold by others.

3 26. Plaintiff has invested and continues to invest a substantial amount of money and  
4 effort in advertising and promoting the Wangson Marks, and Liveren G Box and Pentagyn Box in  
5 interstate commerce. By virtue of Plaintiff's extensive use, advertising and promotion, the Liveren  
6 G Box, the Pentagyn Box, and the Wangson Marks operate as an exclusive designation of origin of  
7 goods, and as symbols of the goodwill and excellent reputation of Plaintiff's business. By reason of  
8 Plaintiff's continuous use of the Liveren G Box, the Pentagyn Box, and the Wangson Marks in  
9 connection with its dietary supplements and extensive advertising thereof, the Liveren G Box, the  
10 Pentagyn Box, and the Wangson Marks have acquired distinctiveness and a secondary meaning to its  
11 purchasers. The Liveren G Box, the Pentagyn Box, and the Wangson Marks have come to indicate  
12 to its purchasers one embodiment of dietary supplements for consumers, originating only with  
13 Plaintiff.

14 27. Plaintiff has prominently displayed the Liveren G Box, the Pentagyn Box, and the  
15 Wangson Marks in catalogues, brochures, newspaper advertising, and other promotional materials in  
16 interstate commerce. Plaintiff also advertised its Wangson Marks through radio and television  
17 advertisements.

18 28. Due to Plaintiff's and its predecessor's continuous use, advertising, and distribution  
19 of the distinctive Liveren G Box and Pentagyn Box in connection with its dietary supplements, the  
20 Liveren G Box and Pentagyn Box themselves have become an exclusive designation of origin of  
21 goods, and as symbols of the goodwill and excellent reputation of Plaintiff. Based on sales,  
22 marketing, promotion, and advertising of Plaintiff's dietary supplements packaged in the Liveren G  
23 and Pentagyn Box, Plaintiff has established goodwill in the Liveren G Box and the Pentagyn Box as  
24 trade dress. Thus, not only the Wangson Marks thereto, but also the overall shape, appearance, and  
25 design of the Liveren G Box and Pentagyn Box have acquired a secondary meaning as the trade  
26 dress of Plaintiff's dietary supplements and designation of one origin - the Plaintiff. The overall  
27 shape and appearance of the Liveren G Box and Pentagyn Box are artistic, nonfunctional, and  
28 readily recognized among customers, dealers, and members of trade as originating from Plaintiff.

1 Given the foregoing, Plaintiff has acquired common law trade dress rights in the Liveren G Box and  
2 Pentagyn Box.

3 29. In addition to its federal trademark rights, Plaintiff has common law trademark rights  
4 with respect to the Wangson Marks, including other marks on the packaging of Liveren G and  
5 Pentagyn products, and trade dress for the Liveren G and Pentagyn Boxes. Plaintiff has acquired its  
6 common law trademark rights by virtue of: a) its, and its predecessor's, extensive use of the  
7 Wangson Marks, including other marks on the packaging of Liveren G and Pentagyn products, and  
8 the trade dress for the Liveren G and Pentagyn Boxes; b) its, and its predecessor's, investment on  
9 publicizing and advertising its goods under the Wangson Marks, including other marks on the  
10 packaging of Liveren G and Pentagyn products, and in the trade dress for the Liveren G and  
11 Pentagyn Boxes; c) its, and its predecessor's, efforts to protect their rights in Wangson Marks,  
12 including other marks on the packaging of Liveren G and Pentagyn products, and trade dress of  
13 Liveren G and Pentagyn Boxes; and d) the public's use and association of the Wangson marks,  
14 including other marks on the packaging of Liveren G and Pentagyn products, and the trade dress for  
15 the Liveren G and Pentagyn Boxes to refer to Plaintiff's products.

16 30. On or about August 2008, Plaintiff became aware that Defendants have infringed the  
17 Wangson Marks and the trade dress of Plaintiff's Liveren G Box and Pentagyn Box by various acts,  
18 including advertising, marketing, offering, selling, and distributing dietary supplements in boxes  
19 identical to Plaintiff's Liveren G Box and Pentagyn Box and under the Plaintiff's Wangson Marks in  
20 interstate commerce. *See Exhibit 12.* Defendants' use of the Wangson Marks and the trade dress for  
21 the Liveren G Box and the Pentagyn Box are long after Plaintiff's adoption of the Liveren G Box,  
22 the Pentagyn Box, and the Wangson Marks. Defendants' use of the Wangson Marks and the trade  
23 dress for the Liveren G Box and the Pentagyn Box is without the express or implicit permission or  
24 authorization of Plaintiff.

25 31. The Defendants' use of the Wangson Marks and the trade dress for the Liveren G  
26 Box and the Pentagyn Box in commerce is likely to cause confusion, mistake, and deception among  
27 the consumers who will believe that the dietary supplements offered by Defendants are actually  
28

1 Plaintiff's dietary supplements, or are in some way associated with or approved by Plaintiff, or such  
2 dietary supplements otherwise originate from the same source as do Plaintiff's dietary supplements.

3 32. Defendants have inserted false statements on the counterfeit Liveren G Box and  
4 Pentagyn Box that the pills inside the counterfeit Liveren G and Pentagyn Box are manufactured  
5 and/or distributed by Plaintiff. Defendants fraudulently asserted such statements and affixed  
6 Plaintiff's name and address on Defendants' packaging for the counterfeit Liveren G and Pentagyn  
7 to deceive the public to believe that the dietary supplements sold in the counterfeit Liveren G Box  
8 and Pentagyn Box are originating from Plaintiff and they are Plaintiff's dietary supplements.

9 33. Defendants have falsely advertised in interstate commerce that Defendants' dietary  
10 supplements originate from Plaintiff.

11 34. Defendants market, sell, advertise, and distribute infringing dietary supplements for  
12 consumers in interstate commerce in direct competition with Plaintiff in the same market and in  
13 Plaintiff's trade. Plaintiff's dietary supplements and Defendants' dietary supplements travel through  
14 the same or similar distributors and related trade channels.

15 35. Defendants' alleged acts of trademark infringement, false advertising, and unfair  
16 competition have been committed willfully with the intent to cause confusion, mistake, and to  
17 deceive consumers. Defendants' acts as alleged herein were committed with the intent to pass off  
18 and palm off Defendants' goods as the goods of Plaintiff, and with the intent to deceive and defraud  
19 the public.

20 36. Defendants, as being the direct competitors of Plaintiff, aim to commercially exploit  
21 the Wangson Marks, Plaintiff's trade dress in the Liveren G Box and the Pentagyn Box, and  
22 Plaintiff's company name in connection with their dietary supplements in order to obtain economic  
23 benefit and advantage at the expense of and causing substantial detriment to Plaintiff.

24 37. Due to Defendants' foregoing actions and infringement, Plaintiff has and continues to  
25 suffer substantial economic damages.

26 38. Plaintiff has been irreparably injured and monetarily damaged by Defendants' acts.  
27 Unless restrained, Defendants will continue to damage Plaintiff, including causing irreparable injury  
28 to its reputation and goodwill.

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3 **FIRST CAUSE OF ACTION**

4 **Federal Trademark Infringement – 15 U.S.C § 1114(1)**

5 39. Plaintiff re-alleges and incorporates by this reference all the allegations in Paragraphs  
6 1 to 38 as if fully set forth in this paragraph.

7 40. Defendants have knowingly adopted and prominently used the federally registered  
8 Wangson Design to sell dietary supplements to the public with full and actual knowledge of  
9 Plaintiff's distinctive Wangson Design and prior use.

10 41. Defendants adopted the Wangson Design with the intent to capitalize on the goodwill  
11 generated by Plaintiff's extensive and widespread use and reputation.

12 42. Defendants' unauthorized use, distribution, offer to sale, advertising, and sale of  
13 dietary supplements, bearing a reproduction, counterfeit, copy, and colorable imitation of the  
14 Wangson Design is likely to cause confusion, mistake, or deception as to origin, sponsorship, or  
15 approval and, therefore, constitutes trademark infringement in violation of 15 U.S.C. § 1114(1).

16 43. Defendants' complained acts are willful and have damaged Plaintiff. Unless  
17 restrained, Defendants will continue to damage Plaintiff, including causing irreparable injury to its  
18 reputation and goodwill.

19 **SECOND CAUSE OF ACTION**

20 **False Designation of Origin, False Advertising and**

21 **Federal Unfair Competition – 15 U.S.C. § 1125(a)**

22 44. Plaintiff re-alleges and incorporates by this reference all the allegations in Paragraphs  
23 1 to 43 as if fully set forth in this paragraph.

24 45. Defendants have caused dietary supplements to enter into interstate commerce with  
25 the designation and representation of Plaintiff's Wangson Marks and the trade dress and trademarks  
26 for the Liveren G Box and the Pentagyn Box. Furthermore, Defendants have displayed Plaintiff's  
27 company name on the packaging of their dietary products and falsely advertised their dietary  
28 products as if the products originated from, are associated with, or approved by Plaintiff.

1 Defendants' actions constitute a false designation of origin and false advertising which is likely to  
2 cause confusion, to cause mistake, and to deceive as to affiliation, connection, or association of  
3 Defendants with Plaintiff. These acts are in violation of 15 U.S.C. § 1125(a) in that Defendants have  
4 used false designation of origin, false or misleading description, and deception as to affiliation,  
5 connection, or association of Defendants goods and commercial activities with Plaintiff's goods and  
6 commercial activities.

7 46. Defendants have infringed Plaintiff's rights to commercially exploit the Liveren G  
8 Box, the Pentagyn Box, and the Wangson Marks all with the intent to deceive the public into  
9 believing that the dietary supplements sold by Defendants originated from, or were endorsed or  
10 sponsored by Plaintiff.

11 47. Defendants' actions were committed with the intent to capitalize on the recognition of  
12 Plaintiff's Wangson Marks, the Liveren G Box, and the Pentagyn Box with the intent to pass off and  
13 palm off Defendants' dietary supplements as the dietary supplements of Plaintiff.

14 48. Plaintiff has been irreparably injured and monetarily damaged by Defendants' acts.  
15 Unless restrained, Defendants will continue to damage Plaintiff, including causing irreparable injury  
16 to its reputation and goodwill.

17  
18 **THIRTH CAUSE OF ACTION**

19 **Unfair Competition Under Cal. Bus. & Prof. Code § 17200, *et seq.***

20 49. Plaintiff re-alleges and incorporates by this reference all the allegations in Paragraphs  
21 1 to 48 as if fully set forth in this paragraph.

22 50. Defendants' activities, as set forth above, constitute unfair competition in violation of  
23 Cal. Bus. & Prof. Code § 17200 *et seq.* These wrongful acts have proximately caused and will  
24 continue to cause Plaintiff substantial injury, including but not limited to loss of profits, confusion of  
25 potential customers, injury to its goodwill and reputation, and diminution in value of its protected  
26 works and marks, all in violation of federal and state law as identified in this complaint.

27 51. Defendants' acts, as set forth above, constitute unfair competition and have caused  
28 Plaintiff to sustain monetary damage, loss, and injury in an amount to be determined according to

1 proof at trial. Plaintiff seeks restitution of all economic gains realized by Defendants as a result of  
2 Defendants' unfair competition.

3 52. Plaintiff has been irreparably injured and monetarily damaged by Defendants' acts of  
4 unfair competition. Unless restrained, Defendants will continue to damage Plaintiff, including  
5 causing irreparable injury to its reputation and goodwill.

6  
7 **FOURTH CAUSE OF ACTION**

8 **Common Law Trademark Infringement**

9 53. Plaintiff re-alleges and incorporates by this reference all the allegations in Paragraphs  
10 1 to 52 as if fully set forth in this paragraph.

11 54. The above acts, practices, and conducts by Defendants are likely to cause confusion  
12 or mistake in the minds of purchasing public and others, and constitute common law trademark  
13 infringement of Plaintiff's Wangson Marks, including other marks on the packaging of Liveryn G  
14 and Pentagyn products, and the trade dress for the Liveryn G Box and Pentagyn Box.

15 55. Defendants' complained acts are willful and intentional and have damaged Plaintiff.  
16 Unless restrained, Defendants will continue to damage Plaintiff, including causing irreparable injury  
17 to its reputation and goodwill.

18  
19 **FIFTH CAUSE OF ACTION**

20 **Common Law Unfair Competition**

21 56. Plaintiff re-alleges and incorporates by this reference all the allegations in Paragraphs  
22 1 to 55 as if fully set forth in this paragraph.

23 57. The above acts, practices, and conducts by Defendants are likely to cause confusion  
24 or mistake in the minds of purchasing public and others, and constitute common law unfair  
25 competition and unfair trade practices against Plaintiff.

26 Defendants' complained acts are willful and intentional and have damaged Plaintiff. Unless  
27 restrained, Defendants will continue to damage Plaintiff, including causing irreparable injury to its  
28 reputation and goodwill.

**PRAAYER FOR RELIEF**

WHEREFORE, Plaintiff respectfully requests that this Court:

1. Enter judgment against Defendants on all of Plaintiff's causes of action;

2. Order an injunction permanently restraining and prohibiting Defendants' unlawful conduct, specifically enjoining Defendants, their officers, directors, agents, servants, employees, attorneys, parents and subsidiaries, and all those persons, firms or corporations acting in concert and participation with them, from:

a. Further infringing Plaintiff's Wangson Marks and the trade dress for the Liveren G Box and the Pentagyn Box;

b. Advertising, distributing, transferring, manufacturing, promoting, selling, or offering for sale, or moving goods bearing Plaintiff's Wangson Marks or the trade dress for the Liveren G Box and the Pentagyn Box and any combinations or variations thereof individually or collectively in commerce;

3. Enter an impoundment order directing the United States Marshall to inspect any business premises, warehouses, or other business or storage facilities used by the Defendants or its agents in Defendants' manufacture, sale, or distribution of infringing products and seize, impound, and deliver into the custody of Plaintiff's counsel the following items:

a. All original copies, photographs, facsimiles or duplicates of the counterfeit Liveren G and Pentagyn supplements;

b. All business records showing the procurement of the products under the Wangson Marks, the Liveren G Box, and the Pentagyn Box from the suppliers and manufacturers, and sale, distribution, and advertising of the products under the Wangson Marks, the Liveren G Box, and the Pentagyn Box by Defendants;

c. All advertising materials, catalogs, price lists, correspondence, or other documents or records relating to advertising, marketing, and sale of Liveren G, Pentagyn, and products associated with the Liveren G Box, the Pentagyn Box, and the Wangson Marks.

1 4. Order seizure and delivery of all infringing and unlawfully marked products,  
2 materials, packaging, stationary, advertising material and the like under the Defendants' possession,  
3 custody or control pursuant to 15 U.S.C. §1118;

4 5. Order Defendants to disclose to Plaintiff the names and addresses of third parties who  
5 sold, or offered to sell, the infringing products to Defendants;

6 6. Award compensatory damages to Plaintiff in an amount to be determined according  
7 to proof at trial;

8 7. Award statutory damages to Plaintiff in an amount to be determined according to  
9 proof at trial;

10 8. Order Defendant to pay punitive damages in an amount to be determined at trial by  
11 reason of Defendants' fraud and willful activity;

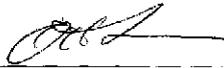
12 9. Order Defendants to account for and return to Plaintiff all profits derived from the  
13 sale or distribution of any products packaged in the Livren G and the Pentagyn Box and bearing the  
14 WANGSON Marks;

15 10. Award Plaintiff its reasonable attorney fees and costs of this action;

16 11. Award such other relief that the Court may deem just, equitable and proper.

17 Dated: September 5, 2008

18 INTELLECTUAL PROPERTY LAW  
19 GROUP LLP

20 By: 

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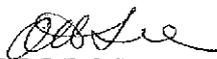
Attorneys for Plaintiff  
WANGSON BIOTECHNOLOGY  
GROUP, INC.

**DEMAND FOR JURY TRIAL**

Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Plaintiff hereby demands a jury trial as to all issues in this lawsuit.

Dated: September 5, 2008

INTELLECTUAL PROPERTY LAW  
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