

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS Omega SA
DEFENDANTS Xie Zhenmin, et al.

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER) Jeffrey A. Lindenbaum
Collen IP
80 South Highland Avenue, Ossining, NY 10562 (914) 941-5668
ATTORNEYS (IF KNOWN)

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)
15 U.S.C. 1114, 1116 and 1125, Trademark Counterfeiting and Infringement

Has this or a similar case been previously filed in SDNY at any time? No Yes Judge Previously Assigned

If yes, was this case Vol. Invol. Dismissed. No Yes If yes, give date _____ & Case No. _____

Is THIS AN INTERNATIONAL ARBITRATION CASE? No Yes

(PLACE AN [x] IN ONE BOX ONLY) **NATURE OF SUIT**

TORTS		PERSONAL INJURY		PERSONAL INJURY		FORFEITURE/PENALTY		ACTIONS UNDER STATUTES	
CONTRACT		PERSONAL INJURY	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES		
[] 110 INSURANCE	[] 310 AIRPLANE	[] 362 PERSONAL INJURY -	[] 610 AGRICULTURE	[] 422 APPEAL	[] 400 STATE				
[] 120 MARINE	[] 315 AIRPLANE PRODUCT LIABILITY	[] 365 PERSONAL INJURY PRODUCT LIABILITY	[] 620 OTHER FOOD & DRUG	28 USC 158	REAPPORTIONMENT				
[] 130 MILLER ACT	[] 320 ASSAULT, LIBEL & SLANDER	[] 368 ASBESTOS PERSONAL INJURY PRODUCT LIABILITY	[] 625 DRUG RELATED SEIZURE OF PROPERTY	28 USC 157	[] 410 ANTITRUST				
[] 140 NEGOTIABLE INSTRUMENT	[] 330 FEDERAL EMPLOYERS' LIABILITY		[] 630 LIQUOR LAWS		[] 430 BANKS & BANKING				
[] 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT	[] 340 MARINE	PERSONAL PROPERTY	[] 640 RR & TRUCK		[] 450 COMMERCE				
[] 151 MEDICARE ACT	[] 345 MARINE PRODUCT LIABILITY	[] 370 OTHER FRAUD	[] 650 AIRLINE REGS		[] 460 DEPORTATION				
[] 152 RECOVERY OF DEFAULTED STUDENT LOANS (EXCL VETERANS)	[] 350 MOTOR VEHICLE	[] 371 TRUTH IN LENDING	[] 660 OCCUPATIONAL SAFETY/HEALTH OTHER		[] 470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO)				
[] 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS	[] 355 MOTOR VEHICLE PRODUCT LIABILITY	[] 380 OTHER PERSONAL PROPERTY DAMAGE	[] 690 LABOR		[] 480 CONSUMER CREDIT				
[] 160 STOCKHOLDERS SUITS	[] 360 OTHER PERSONAL INJURY	[] 385 OTHER PERSONAL PROPERTY DAMAGE PRODUCT LIABILITY	[] 710 FAIR LABOR STANDARDS ACT		[] 480 CABLE/SATELLITE TV				
[] 190 OTHER CONTRACT		PRISONER PETITIONS	[] 720 LABOR/MGMT RELATIONS		[] 810 SELECTIVE SERVICE				
[] 195 CONTRACT PRODUCT LIABILITY	ACTIONS UNDER STATUTES	[] 510 MOTIONS TO VACATE SENTENCE 20 USC 2255	[] 730 LABOR/MGMT REPORTING & DISCLOSURE ACT		[] 850 SECURITIES/COMMODITIES/ EXCHANGE				
[] 196 FRANCHISE	CIVIL RIGHTS	[] 530 HABEAS CORPUS	[] 740 RAILWAY LABOR ACT		[] 875 CUSTOMER CHALLENGE				
	[] 441 VOTING	[] 535 DEATH PENALTY	[] 790 OTHER LABOR LITIGATION		12 USC 3410				
	[] 442 EMPLOYMENT	[] 540 MANDAMUS & OTHER	[] 791 EMP RET INC SECURITY ACT		[] 890 OTHER STATUTORY ACTIONS				
	[] 443 HOUSING/ ACCOMMODATIONS		IMMIGRATION		[] 891 AGRICULTURAL ACTS				
	[] 444 WELFARE	PRISONER CML RIGHTS	[] 462 NATURALIZATION APPLICATION		[] 892 ECONOMIC STABILIZATION ACT				
[] 210 LAND CONDEMNATION	[] 445 AMERICANS WITH DISABILITIES - EMPLOYMENT	[] 550 CIVIL RIGHTS	[] 463 HABEAS CORPUS- ALIEN DETAINEE		[] 893 ENVIRONMENTAL MATTERS				
[] 220 FORECLOSURE	[] 446 AMERICANS WITH DISABILITIES -OTHER	[] 555 PRISON CONDITION	[] 465 OTHER IMMIGRATION ACTIONS		[] 894 ENERGY ALLOCATION ACT				
[] 230 RENT LEASE & EJECTMENT	[] 440 OTHER CIVIL RIGHTS (Non-Prisoner)				[] 895 FREEDOM OF INFORMATION ACT				
[] 240 TORTS TO LAND					[] 900 APPEAL OF FEE DETERMINATION UNDER EQUAL ACCESS TO JUSTICE				
[] 245 TORT PRODUCT LIABILITY					[] 950 CONSTITUTIONALITY OF STATE STATUTES				
[] 290 ALL OTHER REAL PROPERTY									

Check if demanded in complaint:

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.? IF SO, STATE: _____

DEMAND \$ _____ OTHER _____ JUDGE _____ DOCKET NUMBER _____

Check YES only if demanded in complaint
JURY DEMAND: YES NO

NOTE: Please submit at the time of filing an explanation of why cases are deemed related.

(PLACE AN X IN ONE BOX ONLY)

ORIGIN

- 1 Original Proceeding
- 2 Removed from State Court
- 3 Remanded from Appellate Court
- 4 Reinstated or Reopened
- 5 Transferred from (Specify District)
- 6 Multidistrict Litigation
- 7 Appeal to District Judge from Magistrate Judge Judgment
- a. all parties represented
- b. At least one party is pro se.

(PLACE AN X IN ONE BOX ONLY)

BASIS OF JURISDICTION

- 1 U.S. PLAINTIFF
- 2 U.S. DEFENDANT
- 3 FEDERAL QUESTION (U.S. NOT A PARTY)
- 4 DIVERSITY

IF DIVERSITY, INDICATE CITIZENSHIP BELOW. (28 USC 1332, 1441)

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF DEF [] []	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF [] []	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF DEF [] []
CITIZEN OF ANOTHER STATE	[] []	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[] []	FOREIGN NATION	[] []

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

Omega SA, 96 Rue Jakob Stampfli, CH-25009 Bienne, Switzerland

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

All Defendants: Xie Zhenmin and Zhenmin Xie (Watches-vogue.com), Shenzhen Lai Wode Technology Co., Ltd (Watchdear.com), John Doe 1 (Queenofwatches.com), is Shaped Design Co., Ltd. and Wang Junxi (Replicaup.com), Shanghai Jing Hao Machinery Co., Ltd. and Jinglei Wang (Watchmimic.com), Guangren Wang (Watchkind.com), John Doe 2 (Myfavomega.com), John Doe 3

Check one: THIS ACTION SHOULD BE ASSIGNED TO: WHITE PLAINS MANHATTAN (DO NOT check either box if this a PRISONER PETITION/PRISONER CIVIL RIGHTS COMPLAINT.)

DATE 12/21/2012 SIGNATURE OF ATTORNEY OF RECORD

ADMITTED TO PRACTICE IN THIS DISTRICT

[] NO YES (DATE ADMITTED Mo. 09 Yr. 2003) Attorney Bar Code # JL-1971

RECEIPT #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)