

**FILED**

DEC 17 2019

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

CLERK U.S. DISTRICT COURT  
WEST. DIST. OF PENNSYLVANIA

DOGGIE DENTAL INC., and  
PETER DERTSAKYAN,

Plaintiffs,

Civil Action No. 19-1627

v.

**FILED UNDER SEAL**

AHUI, AILIVEHOME, ALL PRIME LLC,  
ALLMALL888, ANVS TECH, AOGIUS,  
ARTKER, ATTA BOY, AUGAMA,  
AUTER USA, AUTOZITY,  
AXIAOXIAO, AYA CHIC, AYEBEAU,  
BABAER, BETTERSOUNDS, BIBOLIN,  
BIG DESERT, BOAFIG,  
BOTANIQUEESSENTIALS, BRHHO,  
BRINGERPET, BROSHOOO,  
BUOCEANS-SKY, BUYBST  
BZONSMART DIRECT, CHAOMIKE,  
CHEERMAKER, CYPRAPID,  
CYPROPID DIRECT, DAWGINME,  
DIFFLIFE INC, DOUBLETRAIN,  
DR BUCKS, DREAMVASION,  
DUBYBLOOM, DXH2019,  
EARTHLY HAND, ELYVATE,  
EMGOODS, EMITEC, ENGERWALL,  
EVENTS, EVERYDAY JOY,  
FAIRWIN-DIRECT, FANSLONG  
FFHPET, FG [FAMILYGROUP],  
FLYINGSTORK, FULNEW, FUNCO,  
GARDENCOLO,  
GELUCK&MOHARY GLOBAL US  
ONLINE, GRASP IT, HANHENG,  
HAO MA LTD, HAPPY MARIE,  
HEACRA, HETOO, HINRYLIFE  
HOLDOOR, HONESTPTNER DIRECT  
HONGSOUND, HULUN  
I-PURE ITEMS  
ITEMSANDGOODS323, JALLAB,  
JERJEN BUSINESS SOLUTIONS,  
JIAJIALOVE, JIASBER,  
JINGSHENG TEC, JPETTIE, JUHANG,  
KA JUNE, KAMNIA, KELAD,

KEWANG, KIMCON, KJ-BUNNY-US,  
KNNSRE, KUTRER, LAVYU SHOP,  
LEOHOME DIRECT, LEVETT STORE,  
LINGWEIDA2018, LINKTOR, LISTOS',  
LIZFZFLI, LMP-PRO, LOMEVE,  
LOU YAN, LOVAC, MAGNOLORAN  
MANFORE, MANSGOODS, MARCEK  
MINI US, MIRYUM, MOFEI  
MOONIA NO.1 STORE,  
MOSBUG-STORE,  
MOZOOSON DIRECT, MS HONG,  
MULAN&PH FACTORY,  
NEWA TRADING, NICEKRUD,  
NIUWORLD, OKA DIRECT,  
OKISTORE,  
OLROM, OUTUNG, PAHOO LLC,  
PAULIATT, PG.KINWANG, PIHAPPY,  
PINAOL, POPIY,  
POSITIVE VIBES EXPRESS,  
POUNCE N PLAY SHOP,  
PRESTIGED, PRICE-POP  
PTREWOD, RIKOUNAN,  
ROCE TODAY, ROLKSTONE  
SHAKS GOODS,  
SHANDONGXIAOGOUCHEONGWUYO  
NGPINYOUXIANGONGSI, SHINCO,  
SIRAY US, SMILETOSELL,  
ST-TRANSFER, TAINNI, TELVO ZAN,  
TEVOLT, TIMALL,  
TIMELESS ECOMMERCE LLC,  
TURUISTORE, TYPSCOLTD, UKSIDE,  
USDEV, VNDAXAU, WISEDARE,  
WISDOM ,WITTYSTORE, XUANBON,  
YALON, YIRUICHEPIN,  
YIWU LANJIE TRADING CO., LTD,  
YOCOLOSTRAP, YOUZEUS, and  
3RDCHANCEINC,

Defendants.

**COMPLAINT FOR DAMAGES AND INJUNCTIVE RELIEF**

Doggie Dental, Inc. (“Doggie Dental”), a California corporation, and Peter Dertsakyan (“Dertsakyan”), an individual (collectively, Doggie Dental and Dertsakyan are hereinafter referred to as “Plaintiffs”), hereby sue Defendants, the Individuals, Partnerships, and Unincorporated Associations identified in the Caption and which are set forth in **Schedule “A”** hereto (collectively “Defendants”). Defendants have willfully infringed one or more of the claims of U.S. Patent No. 10,477,838 (“Plaintiffs’ Patent” or “the ‘838 patent”) by offering for sale, selling, and distributing knock-off versions of Plaintiffs’ BRISTLY<sup>®</sup> dog toothbrush (“Infringing Products”). In support of their claims, Plaintiffs allege as follows:

### **NATURE OF THE ACTION**

1. Dertsakyan is the inventor of the BRISTLY<sup>®</sup> dog toothbrush and the owner of intellectual property related thereto; Doggie Dental is the exclusive licensee of such intellectual property. In 2016 Dertsakyan developed the idea behind the BRISTLY<sup>®</sup> dog toothbrush. June 2017 saw the launch of the BRISTLY<sup>®</sup> dog toothbrush for beta testing. Over 50,000 dog owners experienced effortless daily tooth brushing of their dogs with BRISTLY. In early 2018, development and testing of a new version of the BRISTLY<sup>®</sup> dog toothbrush occurred. In June 2018 a crowdfunding campaign was launched on kickstarter.com. In less than two months, \$466,000 was raised with the assistance of nearly 11,000 backers and reached its funding goal in one day; the campaign was featured on the homepage of kickstarter.com as one of its successful campaigns. The crowdfunding campaign was continued on indiegogo.com where an additional \$534,000 was raised with the assistance of over 11,000 additional backers. The crowdfunding campaign for the BRISTLY<sup>®</sup> dog toothbrush is the campaign with the highest number of backers and the highest amount raised of any pet campaigns. The new version of the BRISTLY<sup>®</sup> dog toothbrush went on sale in October 2018 (“Plaintiffs’ Product”).

2. Defendants have offered for sale, sold, and distributed knock-off versions of the Plaintiffs' Product which closely mimic the appearance of Plaintiffs' product and infringe at least one claim of the '838 patent. Moreover, Defendants' sale, distribution, and advertising of the Infringing Product are highly likely to cause consumers to believe that Defendants are offering a genuine version of Plaintiffs' Product when they are not.

3. Shown below are the five types of Infringing Product offered for sale by the Defendants:

**Plaintiffs' Product**



**Type 1 Infringing Product**



**Plaintiffs' Product**



**Type 2 Infringing Product**



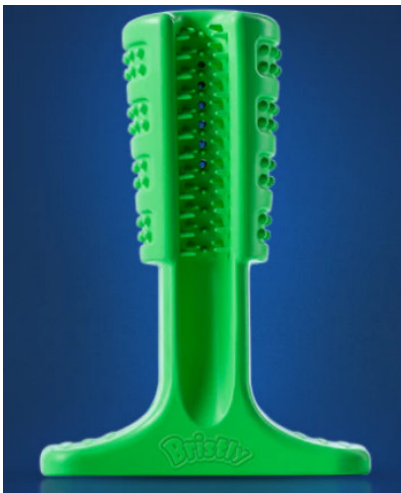
**Plaintiffs' Product**



**Type 3 Infringing Product**



**Plaintiffs' Product**



**Type 4 Infringing Product**



**Plaintiffs' Product**



**Type 5 Infringing Product**



4. Defendants' actions have resulted in actual confusion in the marketplace between Defendants' Infringing Product and the genuine version of Plaintiffs' Product. Numerous purchasers of Defendants' Infringing Product have contacted Plaintiffs to complain about the performance of the Infringing Product believing same to be a genuine version of Plaintiffs' Product. Examples of such complaints include "my dog destroyed your teeth cleaning thing in 10 seconds" and "I was so worried my dog may have eaten parts of it that I had to check him over at the vet." Such complaints and negative comments are not just made directly to Plaintiffs, but are also posted by members of the public on various websites and social media sites for all the world to see.

5. Defendants' Infringing Products are substantially inferior to the genuine product. Plaintiffs' Product is made of natural rubber. Defendants' Infringing Products are made with silicone or other materials. With poorly designed and manufactured products, Defendants' Infringing Products create serious public safety risks and threaten to destroy the reputation of high quality that Plaintiffs' Products have earned. A graphic illustration of the significant danger that the Infringing Products present to animals was brought to the Plaintiffs' attention by a pet

owner who believed that Plaintiffs sold a faulty and defective product when in actuality the pet owner purchased a knock-off off masquerading as an authentic version of Plaintiffs' Product. The dog had chewed apart the fake product, swallowed a portion, and underwent corrective surgery to remove the piece. The pet owner provided the photographs below.

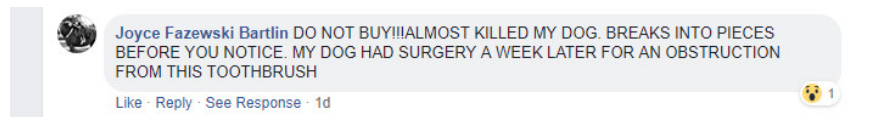
**Infringing Product Chewed by Dog**



**Injured Dog After Surgery**



The pet owner wanted Doggie Dental to pay for the damages caused by the fake product. Additionally, the pet owner has previously publicized this post on Doggie Dental's publicly available Facebook page:



This pet owner's experience and posting highlight both the actual confusion between the Infringing Products and the genuine version of Plaintiffs' Product and the immediate and irreparable injury being incurred by the Plaintiffs.

6. Plaintiffs have taken numerous steps to protect the BRISTLY<sup>®</sup> dog toothbrush. Dertsakyan is the owner of U.S. Trademark Registration No. 5,815,298 for BRISTLY directed to "Non-medicated dental preparations for pets, namely, toothpaste and preparations for removing

plaque; Home dental care products for dogs and cats, namely, toothpaste; Dental care and oral hygiene products for pets, namely, tooth cleaning preparations; Non-edible dental chews for pets; Non-medicated oral dental chews for dogs.” A copy of this registration attached hereto as

**Exhibit 1.**

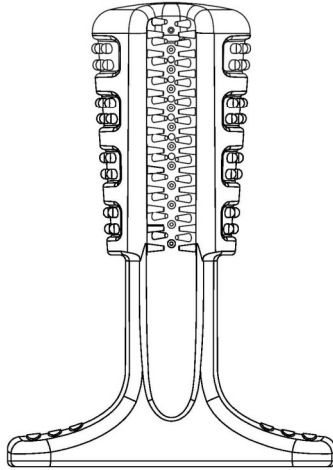
7. Dertsakyan is also the owner of U.S. Trademark Registration No. 5,844,832 for BRISTLY directed to “Toothbrushes for animals; Toothbrushes for pets; Home dental care products for dogs and cats, namely, toothbrush.” A copy of this registration attached as **Exhibit**

**2.**

8. Dertsakyan is the owner of U.S. copyright registration VA 2-122-455 directed to various photographs related to the BRISTLY™ dog toothbrush (the “Plaintiffs’ Works”). A copy of Dertsakyan’s copyright registration certificate, together with copies of the deposit materials, is attached hereto as **Exhibit 3**. Dertsakyan is also the owner of unregistered copyrights related to the BRISTLY® dog toothbrush.

9. Dertsakyan is also the owner of various design patent applications directed to the BRISTLY® dog toothbrush, including an issued European Registered Community Design (005818606-0001), a pending U.S. design patent application, and a pending Chinese design patent application. A copy of Dertsakyan’s Registered Community Design is attached hereto as **Exhibit 4**. All of the design patent applications have common figures, and one of the figures is set forth below:





10. Dertsakyan is also the owner of U.S. Patent No. 10,477,838 for “Pet chew toy for dental self-cleaning by domestic pets,” which issued on November 19, 2019. A copy of the ‘838 patent is attached hereto as **Exhibit 5**.

11. On information and belief, Defendants’ sale of Infringing Products gives rise to a plausible expectation that discovery will reveal that Defendants’ actions all arise from the same transaction, occurrence, or series of transactions. Specifically, on information and belief, Defendants are actively participating in a conspiracy to distribute and sell Infringing Products. For example, Defendants, on information and belief, are working together to manufacture, arrange the manufacture of and/or sell and otherwise distribute the Infringing Products. Moreover, the Infringing Products all infringe on at least one claim of the Plaintiffs’ Patent and share similar characteristics including, for example, colors, shapes, and sizes.

12. Plaintiffs therefore bring this action for Patent Infringement under 35 U.S.C. § 271, and The All Writs Act, 28 U.S.C. § 1651(a).

## JURISDICTION AND VENUE

13. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338.

14. This Court may exercise personal jurisdiction over a non-resident of the State in which the Court sits to the extent authorized by the state's laws. Fed. R. Civ. P. 4(e). Pennsylvania authorizes personal jurisdiction over each Defendant pursuant to 42 Pa. Cons. Stat. § 5322 (a) which provides in pertinent part: “A tribunal of this Commonwealth may exercise personal jurisdiction over a person ... as to a cause of action or other matter arising from such person: (1) Transacting any business in this Commonwealth. Without excluding other acts which may constitute transacting business for the purpose of this paragraph: (ii) The doing of a single act in this Commonwealth for the purpose of thereby realizing pecuniary benefit ... (3) Causing harm or tortious injury by an act or omission in this Commonwealth. (4) Causing harm or tortious injury by an act or omission outside this Commonwealth ... (10) Committing any violation within the jurisdiction of the Commonwealth of any statute, home rule charter, local ordinance or resolution, or rule or regulation promulgated thereunder by any government unit or of any order of court or other government unit.” In the alternative, Federal Rule of Civil Procedure 4(k) confers personal jurisdiction over the Defendants because, upon information and belief, Defendants regularly conduct, transact and/or solicit business in Pennsylvania and in this judicial district, and/or derive substantial revenue from their business transactions in Pennsylvania and in this judicial district and/or otherwise avail themselves of the privileges and protections of the laws of the Commonwealth of Pennsylvania such that this Court's assertion of jurisdiction over Defendants does not offend traditional notions of fair play and due process, and/or Defendants' illegal counterfeiting and infringing actions caused injury to Plaintiffs in

Pennsylvania and in this judicial district such that Defendants should reasonably expect such actions to have consequences in Pennsylvania and in this judicial district, for example:

a. Upon information and belief, at all times relevant hereto, Defendants were and/or are systematically directing and/or targeting their business activities at consumers in the United States, including Pennsylvania, through on-line platforms with Merchant Storefronts (as defined *infra*), via on-line marketplace websites, such as Amazon.com, under the Seller IDs, as well as any and all as yet undiscovered accounts with Merchant Storefronts held by or associated with Defendants, their respective officers, employees, agents, servants and all persons in active concert or participation with any of them (“User Accounts”), through which consumers in the United States, including Pennsylvania, can view the one or more of Defendants’ Merchant Storefronts that each Defendant operates, uses to communicate with Defendants regarding their listings for Infringing Products and to place orders for, receive invoices for and purchase Infringing Products for delivery in the U.S., including Pennsylvania, as a means for establishing regular business with the U.S., including Pennsylvania.

b. Upon information and belief, certain Defendants are sophisticated sellers, each operating one or more commercial businesses using their respective User Accounts through which Defendants, their respective officers, employees, agents, servants and all persons in active concert of participation with any of them, operate storefronts to manufacture, import, export, advertise, market, promote, distribute, offer for sale and/or otherwise deal in products, including the Infringing Products, which are held by or associated with Defendants, their respective officers, employees, agents, servants and all persons in active concert or participation with any of them (“Merchant Storefront(s)”) in

wholesale quantities at significantly below-market prices to consumers worldwide, including to those in the U.S., and specifically Pennsylvania.

c. Upon information and belief, Defendants' Merchant Storefronts reflect multiple sales to consumers all over the world, including repeat sales to consumers in the U.S. and into this judicial district.

d. Upon information and belief, all Defendants accept payment in U.S. Dollars and offer shipping to the U.S., including to Pennsylvania.

e. Upon information and belief, at all times relevant, Defendants have transacted business with consumers located in the U.S., including Pennsylvania, for the sale and shipment of Infringing Products.

f. Upon information and belief, Defendants are employing and benefiting from substantially similar, paid advertising and marketing and advertising strategies in order to make their Merchant Storefronts selling illegal goods appear more relevant and attractive to search result software across an array of search words, including but not limited to "BRISTLY", and "WORLD'S MOST EFFECTIVE DOG TOOTHBRUSH". By their actions, Defendants are causing concurrent and indivisible harm to Plaintiffs and the consuming public by (i) depriving Plaintiffs of their right to fairly compete for space within the various on-line marketplace search results and reducing the visibility of the Plaintiffs' Product on various on-line marketplaces and/or diluting and driving down the retail market price for the Plaintiffs' Product (ii) causing an overall degradation of the value of the goodwill associated with Plaintiffs' Marks and Plaintiffs' Product; and (iii) increasing Plaintiffs' overall cost to market its goods and educate consumers about its brand and products.

g. Upon information and belief, Defendants have cooperated, communicated their plans with one another, shared information, and coordinated their efforts, all in order to create an illegal marketplace operating in parallel to the legitimate marketplace of Plaintiffs' and the legally authorized resellers of Plaintiffs' genuine goods.

h. Upon information and belief, Defendants are concurrently targeting their infringing activities toward consumers and causing harm in Allegheny County, Pennsylvania.

i. Upon information and belief, Defendants likely reside and/or operate in foreign jurisdictions with lax trademark and patent enforcement systems and are cooperating by creating an illegal stream of infringing and counterfeit goods.

j. Upon information and belief, Defendants are aware of Plaintiffs, their genuine BRISTLY<sup>®</sup> dog toothbrush product, and are aware that their illegal infringing actions alleged herein are likely to cause injury to Plaintiffs in the United States, in Pennsylvania and in this judicial district specifically, as Plaintiffs conducts substantial business in Pennsylvania.

k. Plaintiffs are suffering irreparable and indivisible injury and suffered substantial damages as a result of Defendants' unauthorized and wrongful sale of counterfeit and infringing goods.

15. Venue is proper, *inter alia*, pursuant to 28 U.S.C. § 1391 because, for example:

a. Upon information and belief, Defendants conduct, transact, and/or solicit business in this judicial district.

b. Upon information and belief, Defendants or their agent(s) may be found in this district because personal jurisdiction is proper in this district.

c. Upon information and belief, this is a judicial district in which a substantial part of the events or omissions giving rise to the infringement claims occurred, or a substantial part of the property that is the subject of the action is situated.

d. Defendants not resident in the United States may be sued in this judicial district because personal jurisdiction is proper in this district.

### **THE PLAINTIFFS**

16. Plaintiff Doggie Dental, Inc., is a California corporation has a mailing address of 827 Hollywood Way #465, Burbank, California 91505. Doggie Dental is the exclusive licensee of the intellectual property relating to the BRISTLY<sup>®</sup> dog toothbrush.

17. Plaintiff Peter Dertsakyan a/k/a Petros Dertsakyan, is an individual who resides in California and has a mailing address of 827 Hollywood Way #465, Burbank, California 91505. Dertsakyan is the inventor of the BRISTLY<sup>®</sup> dog toothbrush and the owner of the intellectual property relating thereto.

18. Doggie Dental is, in part, engaged in the business of manufacturing and distributing throughout the world, including within this district, the BRISTLY<sup>®</sup> dog toothbrush, through its website, bristly.com, its authorized seller on amazon.com, and various retail establishments, including Petsense. Defendants, through the sale and offer to sell Infringing Products are directly, and unfairly, competing with Plaintiffs' economic interest in the Commonwealth of Pennsylvania and causing Plaintiffs harm within this jurisdiction.

19. Like many other brand owners, Plaintiffs suffer ongoing daily and sustained violations of their rights at the hands of infringers, such as Defendants herein, who wrongfully reproduce Plaintiffs' Products for the twin purposes of (i) duping and confusing the consuming public and (ii) earning substantial profits from the sale of their Infringing Products. The natural and intended byproduct of Defendants' actions is the erosion and destruction of the goodwill associated with Plaintiff's Products and the destruction of the legitimate market sector in which Plaintiffs operate.

20. The recent explosion of counterfeiting and infringement over the Internet, including through online marketplace platforms, has created an environment that requires brand owners, such as Plaintiffs, to expend significant time and money across a wide spectrum of efforts in order to protect both consumers and Plaintiffs from the ill effects of confusion and the erosion of the goodwill associated with Plaintiffs' brand and products.

### **THE DEFENDANTS**

21. The Defendants are individuals and/or business entities of unknown makeup, each of whom, upon information and belief, either reside or operate in foreign jurisdictions, or redistribute products from the same or similar sources in those locations. Defendants have the capacity to be sued pursuant to Federal Rule of Civil Procedure 17(b). Defendants target their business activities toward consumers throughout the United States, including within this district, and conduct pervasive business through the operation of, at least, one fully interactive commercial Internet based e-commerce store via, at least, the Internet based online marketplace Amazon.com under the Seller IDs.

22. Upon information and belief, the Defendants use aliases in conjunction with the operation of their businesses as set forth in **Schedule "A"** hereto.

23. Defendants are the past and present controlling forces behind the sale of products infringing at least one claim of the '838 patent described herein using at least the Seller IDs.

24. Upon information and belief, Defendants directly engage in unfair competition with Plaintiffs and their authorized resellers by willfully advertising, offering for sale and selling goods infringing upon at least one claim of the '838 patent to consumers within the United States and this district through several fully interactive, commercial Internet websites and Internet based e-commerce stores operating under, at least, the storefronts, the Seller IDs, and any additional domain names, websites and corresponding website URLs or seller identifications and store URL aliases not yet known to Plaintiffs. Defendants have purposefully directed some portion of their illegal activities towards consumers in the Commonwealth of Pennsylvania through the advertisement, offer to sell, sale, and/or shipment of Infringing Products into the Commonwealth.

25. Defendants have registered, established or purchased, and maintained the on-line marketplace website storefronts and Seller IDs. Upon information and belief, Defendants have engaged in fraudulent conduct with respect to the registration of the storefronts and Seller IDs by providing false and/or misleading information to the Internet based e-commerce platforms where they offer for sale and/or sell, during the registration or maintenance process related to their respective Seller ID. Upon information and belief, Defendants have anonymously registered and maintained some of the Seller IDs for the sole purpose of engaging in illegal infringing activities.

26. Upon information and belief, Defendants will continue to register or acquire new seller identification aliases for the purpose of selling and offering for sale goods infringing at least one claim of the '838 patent unless preliminarily and permanently enjoined.



27. Defendants' Internet-based businesses amount to nothing more than illegal operations established and operated in order to infringe the intellectual property rights of Plaintiffs.

28. Defendants' business names, i.e., the Seller IDs, associated payment accounts, and any other alias seller identification names used in connection with the sale of goods infringing on at least one claim of the '838 patent are essential components of Defendants' online activities and are the means by which Defendants further their infringement scheme and cause harm to Plaintiffs.

### **COMMON FACTUAL ALLEGATIONS**

#### **Plaintiffs and Their BRISTLY Dog Toothbrush**

29. Plaintiffs developed and sell a unique and revolutionary product under their registered trademark BRISTLY<sup>®</sup> ("Plaintiffs' Mark") that safely and easily permits dogs to brush their own teeth removing plaque and tarter ("Plaintiffs' Product"). Plaintiffs identified the need for this product and created the market for this product. Below is an image of one of Plaintiffs' Products, which retails for \$16.99:



The Plaintiffs' Mark is inherently distinctive, as recognized by the U.S. Patent and Trademark Office in issuing two trademark registrations on the Principal Register.

30. Plaintiffs' On November 19, 2019, the U.S. Patent and Trademark Office issued the '838 patent, the claims of which protect Plaintiffs' Product. The '838 patent has never been assigned or licensed to any of the Defendants in this matter. Plaintiffs have provided constructive notice of the '838 patent by placing the patent number of the '838 patent on the packaging of Plaintiffs' Product.

31. Plaintiffs' Bristly product has been featured in videos or articles by numerous media outlets, including MSN (<https://www.msn.com/en-sg/lifestyle/lifestylegeneral/a-new-chew-toy-will-help-your-dog-brush-its-own-teeth/ar-AAA8pvh>), Pet Lover Geek (<https://www.facebook.com/petlovergeek/videos/613996128985404>), Askmen ([https://www.askmen.com/entertainment/guy\\_gear/best-new-kickstarters-for-june-28-2018.html](https://www.askmen.com/entertainment/guy_gear/best-new-kickstarters-for-june-28-2018.html)), Interesting Engineering (<https://interestingengineering.com/this-chew-stick-for-dogs-helps-them-achieve-good-oral-health>), Awesome Stuff 365 (<https://awesomestuff365.com/bristly-toothbrush-for-dogs/>), star2.com (<https://www.star2.com/living/2018/07/28/toothbrushing-stick-dogs-clean-teeth/>), Dude (<http://www.dudeiwantthat.com/household/pets/bristly-toothbrush-for-dogs.asp>), Gaget flow (<https://thegadgetflow.com/blog/bristly-is-the-chew-toy-that-cleans-your-dogs-teeth/> and <https://thegadgetflow.com/portfolio/dog-tooth-brushing-stick/>), The Gadgeteer (<https://the-gadgeteer.com/2018/07/20/micro-veggie-growing-tray-tiny-edc-pen-a-toothbrush-for-dogs-and-more-notable-crowdfunding-campaigns/>), Steemit (<https://steemit.com/steemhunt/@adarshagni/bristly-chew-stick-for-dogs>), New Atlas (<https://newatlas.com/bristly-dog-toothbrush/55401/>), TheThings.com (<https://www.thethings.com/chew-toy-helps-dogs-brush-teeth>), slashpets (<https://www.slashpets.com/bristly-toothbrush/>), Cool Business Ideas

(<https://www.coolbusinessideas.com/archives/toothbrush-for-your-doggy/>), Cool Hunting (<https://coolhunting.com/design/bristly-dog-toothbrush/>), MNN (<https://www.mnn.com/family/pets/stories/answer-dog-toothbrushing-struggle>), Gismo Review (<https://www.gismoreview.com/bristly-the-toothbrush-for-dog/>), Product Watch (<https://productwatch.co/hate-brushing-your-dogs-teeth-meet-bristly-and-forget-your-tribbles/>), Mental Floss (<http://mentalfloss.com/article/551054/new-chew-toy-will-help-your-dog-brush-its-own-teeth>), and Trend Hunter (<https://www.trendhunter.com/trends/bristly>).

### **Defendants' Wrongful and Infringing Conduct**

32. Upon information and belief, Defendants are, through at least the Internet based e-commerce stores operating under the Seller IDs, promoting, selling, offering for sale and distributing goods that willfully infringe at least one claim of the '838 patent while marketing their knock-off products in a willful attempt to pass off their knock-off products as the genuine version of Plaintiffs' Products.

33. Upon information and belief, Defendants' Infringing Products are of a quality substantially and materially different than that of Plaintiffs' genuine goods. Defendants, upon information and belief, are actively using, promoting and otherwise advertising, distributing, selling, and/or offering for sale substantial quantities of their Infringing Products with the knowledge and intent that such goods will be mistaken for the genuine high quality goods offered for sale by Plaintiffs despite Defendants' knowledge that they are without authority to use the subject matter of the '838 patent.

34. Defendants advertise their Infringing Products for sale to the consuming public via Internet based e-commerce stores on, at least, one Internet marketplace using at least the Seller

IDs. In so advertising these goods, Defendants improperly and unlawfully infringe at least one claim of the '838 patent without Plaintiffs' permission.

35. As part of their overall infringement and counterfeiting scheme, Defendants are, upon information and belief, concurrently employing and benefitting from substantially similar, advertising and marketing strategies based, in large measure, upon an illegal use of infringements of the '838 patent in order to make their e-commerce stores selling illegal goods appear more relevant and attractive to consumers online. By their actions, Defendants are contributing to the creation and maintenance of an illegal marketplace operating in parallel to the legitimate marketplace for Plaintiffs' genuine goods. Defendants are causing, individual, concurrent and indivisible harm to Plaintiffs and the consuming public by (i) depriving Plaintiffs and other third parties of their right to fairly compete for space within search engine results and reducing the visibility of Plaintiffs' genuine goods on the World Wide Web, (ii) causing actual consumer confusion, (iii) harm to Plaintiffs' reputations, including tarnishing their status as the innovator in this market, (iv) an overall degradation of the value of the goodwill associated with the Plaintiffs' brand, and (v) increasing Plaintiffs' overall cost to market its goods and educate consumers about its brand via the Internet.

36. Plaintiffs confirmed that Defendants were and/or are still currently offering for sale and/or selling Infringing Products for sale to the consuming public via Internet based e-commerce stores on, at least, one Internet marketplace using at least the Seller IDs and that Defendants provide shipping and/or have actually shipped Infringing Products to customers located within this judicial district.

37. There is no question that the Infringing Product itself and the manner in which it is marketed is designed to confuse and mislead consumers into believing that they are purchasing

Plaintiffs' Product or that the Infringing Product is otherwise approved by or sourced from Plaintiffs, thereby trading on the goodwill and reputation of Plaintiffs.

38. Upon information and belief, at all times relevant hereto, Defendants in this action had full knowledge of Plaintiffs' ownership of the '838 patent. Defendants' use of the '838 patent is without Plaintiffs' consent or authorization.

39. Defendants are engaging in the above-described illegal infringing activities knowingly and intentionally or with reckless disregard or willful blindness to Plaintiffs' rights for the purpose of infringing the '838 patent and trading on Plaintiffs' goodwill and reputation. If Defendants' intentional infringing activities are not preliminarily and permanently enjoined by this Court, Plaintiffs and the consuming public will continue to be harmed.

40. Defendants' above identified infringing activities are likely to cause confusion, deception, and mistake in the minds of consumers before, during, and after the time of purchase. Moreover, Defendants' wrongful conduct is likely to create a false impression and deceive customers, the public, and the trade into believing there is a connection or association between Plaintiffs' Products and Defendants' Infringing Products, which there is not.

41. Upon information and belief, Defendants' payment and financial accounts are being used by Defendants to accept, receive, and deposit profits from Defendants' infringing and unfairly competitive activities connected to their Seller IDs and any other alias e-commerce stores, photo albums, seller identification names, domain names, or websites being used and/or controlled by them.

42. Further, upon information and belief, Defendants are likely to transfer or secret their assets to avoid payment of any monetary judgment awarded to Plaintiffs.

43. Plaintiffs have no adequate remedy at law.

44. Plaintiffs are suffering irreparable injury and have suffered substantial damages as a result of Defendants' unauthorized and wrongful infringement of at least one claim of the '838 patent. If Defendants' infringing activities are not preliminarily and permanently enjoined by this Court, Plaintiffs and the consuming public will continue to be harmed.

45. The harm and damages sustained by Plaintiffs have been directly and proximately caused by Defendants' wrongful reproduction, use, advertisement, promotion, offers to sell, and sale of their Infringing Products.

#### **COUNT I – PATENT INFRINGEMENT (35 U.S.C. § 271 (a))**

46. Plaintiffs hereby adopt and re-allege the allegations set forth in the preceding paragraphs as if set forth herein.

47. Plaintiffs are the owner of U.S. Patent No. 10,477,838 B2 (“the ‘838 Patent”), issued November 19, 2019, for “PET CHEW TOY FOR DENTAL SELF-CLEANING BY DOMESTIC PETS” and which covers Plaintiffs' Product. A true and correct copy of which is attached as **Exhibit 5**.

48. The Accused Type 1-5 Products infringe at least Claim 1 of the '838 patent, as more fully detailed in **Exhibits 6-10**, respectfully.

49. Defendants have infringed and continue to infringe the '838 patent either directly or indirectly through acts of contributory infringement or inducement in violation of 35 U.S.C. § 271, by making, using, selling, importing and/or offering to sell Infringing Products, namely the pet toothbrushes that are nearly identical to Plaintiffs' Product.

50. Defendants' infringement, contributory infringement and/or inducement to infringe has injured Plaintiffs and they, therefore, is entitled to recover damages adequate to compensate it for such infringement, but in no event less than a reasonable royalty.

51. Defendants' infringement, contributory infringement and/or inducement to infringe has been willful and deliberate because Defendants have notice of or knew of the '838 patent and have nonetheless injured and will continue to injure Plaintiff, unless and until this Court enters an injunction, which prohibits further infringement and specifically enjoins further manufacture, use, sale, importation and/or offer for sale of products or services that come within the scope of the '838 patent.

52. Based on Defendants' wrongful conduct, Plaintiff is entitled to injunctive relief as well as monetary damages and other remedies as provided by the Patent Act, including damages that Plaintiff has sustained and will sustain as a result of Defendants' illegal and infringing actions as alleged herein, enhanced discretionary damages and reasonable attorneys' fees and costs.

### **PRAYER FOR RELIEF**

WHEREFORE, Plaintiffs demands judgment on all Counts of this Complaint and an award of equitable relief and monetary relief against Defendants as follows:

a. Entry of temporary, preliminary and permanent injunctions pursuant to 35 U.S.C. § 283, and Federal Rule of Civil Procedure 65 enjoining Defendants, their agents, representatives, servants, employees, and all those acting in concert or participation therewith, from manufacturing or causing to be manufactured, importing, advertising or promoting, distributing, selling or offering to sell their Infringing Products;

c. Entry of an Order that, upon Plaintiffs' request, any Internet marketplace website operators and/or administrators that are provided with notice of the injunction, including but not limited to the online marketplaces hosted by Amazon.com, identify any e-mail address known to be associated with Defendants' respective Seller ID, and cease facilitating access to any or all e-commerce stores through which Defendants engage in the promotion, offering for sale, and/or sale of Infringing Products.

d. Entry of an Order that, upon Plaintiffs' request, any Internet marketplace website operators and/or administrators who are provided with notice of the injunction, including but not limited to online marketplaces hosted by Amazon.com, permanently remove any and all listings offering for sale Infringing Products via the e-commerce stores operating under the Seller IDs, including any and all listings linked to the same seller or linked to any other alias seller identification name being used and/or controlled by Defendants to promote, offer for sale and/or sell Infringing Products.

e. Entry of an Order that, upon Plaintiffs' request, any Internet marketplace website operators and/or administrators who are provided with notice of the injunction, including but not limited to online marketplaces hosted Amazon.com, immediately cease fulfillment of and sequester all goods of each Defendant or other Seller under a Seller ID offering for sale the Infringing Product in its inventory, possession, custody, or control, and surrender those goods to Plaintiffs.

f. Entry an order awarding Plaintiffs damages adequate to compensate for the infringement of its patent, but in no event less than a reasonable royalty for the use made of the invention by the Defendants, together with interest and costs as fixed by the Court pursuant to 35 U.S.C. § 284 and that the award be trebled as provided for under 35 U.S.C. §284.



g. Entry of an Order finding that this case is exceptional and an award to Plaintiffs of its attorney fees and costs as provided by for under 35 U.S.C. § 285.

h. Entry of an Order that, upon Plaintiffs' request, any financial institutions, payment processors, banks, escrow services, money transmitters, or marketplace platforms, including but not limited to, Amazon Services LLC d/b/a Amazon.com ("Amazon") and Amazon Payments, Inc . d/b/a Amazon.com ("Amazon Pay"), and their related companies and affiliates, identify and restrain all funds, up to and including the total amount of judgment, in all financial accounts and/or sub-accounts used in connection with the Seller IDs or other domain names, alias seller identification names, or e-commerce store names or store URLs used by Defendants presently or in the future, as well as any other related accounts of the same customer(s) and any other accounts which transfer funds into the same financial institution account(s), to be surrendered to Plaintiffs in partial satisfaction of the monetary judgment entered herein.

i. Entry of an award of pre- and post-judgment interest on the judgment amount.

j. Entry of an order for any further relief as the Court may deem just and proper.

**DEMAND FOR JURY TRIAL**

Plaintiffs respectfully demand a trial by jury on all claims.

Respectfully submitted,

December 17, 2019

/s/ Stanley D. Ference III

Stanley D. Ference III

Pa. ID No. 59899

courts@ferencelaw.com

Brian Samuel Malkin

Pa. ID No. 70448

bmalkin@ferencelaw.com

FERENCE & ASSOCIATES LLC

409 Broad Street

Pittsburgh, Pennsylvania 15143

(412) 741-8400 - Telephone

(412) 741-9292 - Facsimile

Attorneys for Plaintiffs

Doggie Dental, Inc. and

Peter Dertsakyan

## Schedule “A”

### Defendants With Store Name and Seller ID

<b>Def. No.</b>	<b>Defendant/ Amazon Store Name</b>	<b>Amazon Seller ID</b>	<b>Amazon ASIN</b>
1	Ahui	A3U2CPCPJ050N8	B07TX92ZLNQ
2	Ailivehome	A2Q37ZZMRPWEUV	B07JH3TYV8
3	All Prime LLC	A1NRBK5OKTLIFR	B07XLP62VR
4	Allmall888	A25OCV4VBOQUKF	B07RJWXCLF
5	ANVS Tech	A8LT6FXIOGDFT	B07ML5G2WQ
6	AogeUS	A3MWRF119YSYCT	B07VVWJZZT
7	Artker	A1LTFO55JILCQ2	B07XMLYNKX
8	Atta Boy	A2WOOIJCDNZIVD	B07QKQ6P6T
9	Augama	A2A5F1J2BTE5O5	B07S4D657W
10	Auter USA	A16DKW394FVK2S	B07X7RHPMJ
11	Autozity	ATVDEQ3O2D7PY	B07ZHDXT5K
12	Axiaoxiao	A3SRZL3PDSSGPU	B07V4273FX
13	Aya Chic	AV58HO4Y4YG5	B07LCJJG9
14	Ayebeau	A2GOBGX3PC0YNJ	B07TS4GTND
15	Babaer	A2X8047YTWB3QG	B07XX9KQ86
16	Bettersounds	ARCWMCB8R9G28	B07RNP5Q64
17	Bibolin	A1596LJ1S5W3TG	B07LH5JDX4
18	Big Desert	A2CQ3M4XU1WT8J	B07PDL8267
19	Boafig	A33GCS1BVSIGL2	B07PXR9TH4

<b>Def. No.</b>	<b>Defendant/ Amazon Store Name</b>	<b>Amazon Seller ID</b>	<b>Amazon ASIN</b>
20	Botaniqueessentials	A1HG09WM1GIS7A	B07QK33ZZN
21	BRHHO	A1PBBFMFMOEZ72	B07S4FY7HM
22	BringerPet	A2R8LQFQXAS02Q	B07WK75VB8
23	Broshooo	A3DZSMYMI1CGXN	B07PVKB6SQ
24	BUOCEANS-SKY	A1ON3DR30UNJHY	B07XNYDDC1
25	BUYBST	A1ZLNBDINT4IZU	B07Q5G1WZ2
26	Bzonsmart Direct	AHONMT16XCO00	B07PLQK56B
27	Chaomike	A1MUD9GV35XJN5	B07QYGMGZ5
28	CheerMaker	A1FJAUSPRZ91OI	B07QGS8GZQ
29	Cyrapid	A2H9A2I79SE359	B07QPLPMV6
30	Cypropid Direct	A2L3N86K9OOJ00	B07Q2S72S1
31	Dawginme	A6MFQINS9TKP3	B07TNF9D8N
32	DIFFLIFE Inc	A14AEQBL1VFTWB	B07P4199GW
33	Doubletrain	A2BZJ01X7OFC	B07QY73XV3
34	DR Bucks	A331COZNMVERF	B07V5PYY7R
35	Dreamvasion	A28KT5WWRGE7GR	B07QLQS6GF
36	Dubybloom	A2ZULWH0LC4SA6	B07TP56PM9
37	DXH2019	A3M8MU0XHHRI3U	B07YXS75QK
38	Earthly Hand	A3HKUNZ7QQ4AD8	B07PN324L3
39	Elyvate	A1IPX60SQL9IEQ	B07M76PXTD
40	Emgoods	A2LPDVL9EG7Y8D	B07SKG3D13
41	EMITEC	A285W476ZH7S3L	B07MKGZCDS
42	Engerwall	A13Z6ZJ65GO471	B07QLRYY61
43	EVENTS	A3NPMCN3ASH8M4	B07V7B7LGR

<b>Def. No.</b>	<b>Defendant/ Amazon Store Name</b>	<b>Amazon Seller ID</b>	<b>Amazon ASIN</b>
44	Everyday Joy	A32042ABW1EBA8	B07NWNFYFVM
45	Fairwin-Direct	A1GBD5L13AYNED	B081JFX4C6
46	Fanslong	A34N1Y0D6522AJ	B07P66FHST
47	FFHPET	A2L3DPHTO3K7G0	B07M633DGX
48	FG [FamilyGroup]	AH6POBJ04HF6W	B07L2GNRNT
49	FlyingStork	A2EJVGYMF7UK0J	B07V4GHY2P
50	FULNEW	A2VVK3XIPF7PLU	B07MRJ2RCR
51	FunCo	AECMRGNZ74088	B07MF1TNSW
52	Gardencolo	A24TIWOB6Y52IL	B07QBLRLSC
53	Geluck&Mohary Global US Online	A12SEMS6M015RN	B07L8X9F6T
54	Grasp It	A2IO9PWGSATNPH	B07YYZ8JYD B07RN4QCR9
55	Hanheng	A2UPRT91JV93PY	B07R5LLFH2
56	HAO MA LTD	A3EF4QA3MVKSFL	B07PJGZMGM
57	HAPPY MARIE	A20ZIABWRFKMA9	B07QRGJXGW
58	Heacra	AGVE3N6Y5CYPB	B07NBDLMM2
59	HETOO	A3SCDVBQWCDYIU	B07QYDVFXL B07TCGJSSP
60	Hinrylife	A1KLHJR9WIMQXT	B07PPD7D7P
61	Holdoor	A1BQ1S3TWD05A7	B07TVSNSNG
62	Honestptner Direct	A3740H0TCLDQY9	B07SJZ2YDT
63	Hongsound	A3PTAN2I58BT4Z	B07QYKJ8VZ
64	HULUN	A2XBW8WTZGI7TK	B07M78ZKTV
65	I-pure items	A2IKTKEPMEW9NQ	B07S9YBB4S
66	Itemsandgoods323	A113GJ49XJ0SIC	B07X2D5RHB

<b>Def. No.</b>	<b>Defendant/ Amazon Store Name</b>	<b>Amazon Seller ID</b>	<b>Amazon ASIN</b>
67	JALLAB	A3FQ5H4F6HMW2Y	B07MJQ2T34
68	JerJen Business Solutions	A2PQ2V6AX51B8D	B07MQJHPPL
69	JiaJiaLove	AGDDEEE9Q9FWQ	B07HHYVJZJ
70	Jiasber	A15C2T7YZ8QIDS	B07ZYHJ3M9
71	JINGSHENG TEC	AB11VYRIO8TE	B07TXNKXTL
72	Jpettie	A2YGY78UR8AVK6	B07MF2TKR2
73	Juhang	A2TY3CN5B4MKGE	B07M8PMY4V
74	Ka June	A6FLM7VSPKANY	B07RC71CRL
75	KAMNIA	A34XEIJ0FYM5OX	B07ZG2G5WV
76	KELAD	A2MZV8VHYSK1OY	B07XWP28FF
77	KEWANG	A74N1N376UNJB	B07QL71MGN
78	Kimcon	AO9O9WLJQ0VVO	B07SPKJZP4
79	KJ-bunny-US	ALB5NY1WH6KJV	B07QNZNC4N
80	KNNSRE	AAA6O4A42RACT	B07W3BK77P
81	Kutrer	A2FT22UGQSDG3	B07QB3SSBT
82	LAVYU SHOP	A1HKBCWJ4EX7YI	B07YTS1BVR
83	LEOHOME Direct	ASM1G21RKWQVG	B07TDPTLD8
84	LEVETT STORE	A1YQCLYW752GQI	B07JM387ZJ
85	Lingweida2018	A1BED976EGRA99	B07Y5ZXTRF
86	Linktor	A1ZVD45MDQVSMM	B07RHSZJSV
87	LISTOS'	A6HG3VO4UEWN9	B07TZM7B34
88	LIZFZLI	A236T2XB36SL7	B07TQSWJ31
89	LMP-PRO	A1IO52YR61IZR9	B07QKFXQ7T
90	LOMEVE	A352GYI24QCF3Z	B07STV2VTS

<b>Def. No.</b>	<b>Defendant/ Amazon Store Name</b>	<b>Amazon Seller ID</b>	<b>Amazon ASIN</b>
91	Lou Yan	A2YRJYJTFTGKUM	B07X41WNT9
92	Lovac	A3KWOYXC59CG8P	B07MH4N7WG
93	Magnoloran	A2TJM3J6VRTRAR	B07PN2MQKD
94	Manfore	A3U8N0MA47KIZ7	B07QWR6VDM
95	Mansgoods	A3LGEKSF23N94S	B07VJ5JDMY
96	Marcek	AWDL348ZQ8N4Q	B07RB6R8Y5
97	Mini US	A274PS7EH4STWC	B07R8BSLXH
98	MIRYUM	A2D0P7B0LUIPOK	B07M66D9D9
99	Mofei	A2PQ8GKZWMX6XO	B07M888BGT
100	Moonia No.1 Store	A1NT1LLAH3SCVB	B07QR1V93V
101	Mosbug-Store	AFVD5UBZ7I22I	B07HH3N3L6
102	MOZOOSON DIRECT	A24C9RK7XFZ5LV	B07PQRWYPG
103	MS hong	A1MQ17GQ2699WZ	B07QQBSKZJ
104	Mulan&PH Factory	A2SU0GAVJ9OA9J	B07Y8GN6FZ
105	NEWA TRADING	A10I7J9V9M8UOX	B07R1JDQ7Q
106	NiceKrud	A14NSFVD7ZKOLB	B07SZH3KL3
107	Niuworld	A3DOF2HOZYWW1W	B07QYGC471
108	OKA Direct	A1ZRM0A1AY8AC2	B07XC7QZSL
109	Okistore	A2FKVCM8E90CN7	B07S8QV59T
110	Olrom	AYYYCQXUD1A4U	B07QPCHLJB
111	OUTUNG	AS7QBW9ESCL9F	B07P14HWQR
112	PAHOO LLC	A1PBK72SX0L8IP	B07QXQHMLF
113	PauliaTT	A3K8K2UU71WIT9	B07QX1XL8R
114	PG.Kinwang	A2AJ6IHT4WO3W7	B07MMBHGW1

<b>Def. No.</b>	<b>Defendant/ Amazon Store Name</b>	<b>Amazon Seller ID</b>	<b>Amazon ASIN</b>
115	Pihappy	A1PV795YHMBJGI	B07Q25CLY9
116	PINAOL	A1JK4GXUMS499Q	B07RWM1SD8
117	Popiy	A1Q9OSIFTKPHWR	B07WMNVQHQ
118	Positive Vibes Express	AGEUY7G2B7SJ8	B07MW7HLNB
119	Pounce n Play Shop	A2ZULWH0LC4SA6	B07SD1T9C5
120	PrestigeWD	A1IWUYFQ8VPBJA	B07QMC1D5Z
121	Price-Pop	A2W7S7E1K9VJ4Q	B07QCJS7B
122	PTREWOD	ABNG47SIUQFAZ	B07QLJX436
123	Rikounan	A2VDQPJKSUWURR	B07T2468K2
124	Roce Today	A2HDQ4UQ1J0OF5	B07N76GPHQ
125	Rolkstone	A3QQ5K8GTSXFUD	B07QD5BPW7
126	Shaks goods	A27ZPTUC3E5HSF	B07QZX6C1T
127	Shandongxiaogouchongwuyongpinyouxiangongsi	A1G9JETKBXHNNN	B07TLTB8C5
128	SHINCO	A7BAKTUTEHM2O	B07R1HSP9F
129	SIRAY US	A3FKKDXF1C4S2J	B07ZWVZPWH
130	SmileToSell	AZ132CXWZM3HD	B07X2D5RHB
131	ST-Transfer	A2N3YB5UINFLFN	B07QDXK6PJ
132	Tainni	A2E59C3851JHM0	B07P6M37JT
133	Telvo Zan	A2RC7Q07GD3RH	B07V9L79TM
134	TEVOLT	A299ZWGKWWZRGV	B07Q8FK62L
135	Timall	A3KI1U01FJ1NRZ	B07PM1W9YR
136	Timeless Ecommerce LLC	A3DJS3V27B8IVH	B07MNB9WXV
137	Turuistore	A27R4FX0T9XSJO	B07TG2BMR1
138	Typscoldt	A1MCEOOSW27MAR	B07X3ZRDHC



<b>Def. No.</b>	<b>Defendant/ Amazon Store Name</b>	<b>Amazon Seller ID</b>	<b>Amazon ASIN</b>
139	UKSIDE	A10KV9KRQ12CA7	B07R24KYG7
140	USDev	AUXBS4D5MP7HI	B07Q4C52MB
141	Vndaxau	A29LGGMEB2YKCZ	B07PHFM5XK
142	WiseDare	A333C8NL57A6TA	B07PPHP8GK
143	Wisedom	A2PWVG57ETOCZH	B07JKSV17D B07JKLFMZ X
144	Wittystore	A26GPK5EBKIN24	B07TMB297H
145	Xuanbon	A35P6T4SL4VZQE	B07QSBWMF1
146	Yaloon	AHSAI3V6SYIB3	B07VWS6VBJ
147	Yiruichepin	A2A5VAZIS1BIUO	B07P9TFV4X
148	Yiwu Lanjie Trading Co., Ltd	A6LZWYNZ7QGCD	B07RJTXGJ3
149	Yocolostrap	A2GL7JZEGNR5TQ	B07WSMJTG9
150	YouZeus	A1CMENCU6TZLEC	B07R28DTJD
151	3rdchanceinc	A388QZ7SQ71TRM	B074MR6GX5

## **LISTING OF EXHIBITS**

- Exhibit 1.....U.S. Trademark Reg. No. 5,815,298 for BRISTLY
- Exhibit 2.....U.S. Trademark Reg. No. 5,844,832 for BRISTLY
- Exhibit 3.....U.S. Copyright Reg. No. VA 2-122-455 for “Photos of In Use  
Pet/Dog Toy for Oral Hygiene”
- Exhibit 4.....European Registered Community Design No. 005818606-0001
- Exhibit 5.....U.S. Patent No. 10,477,838
- Exhibit 6.....Comparison of Type 1 Infringing Product to claim 1 of U.S. Patent  
No. 10,477,838
- Exhibit 7.....Comparison of Type 2 Infringing Product to claim 1 of U.S. Patent  
No. 10,477,838
- Exhibit 8.....Comparison of Type 3 Infringing Product to claim 1 of U.S. Patent  
No. 10,477,838
- Exhibit 9.....Comparison of Type 4 Infringing Product to claim 1 of U.S. Patent  
No. 10,477,838
- Exhibit 10.....Comparison of Type 5 Infringing Product to claim 1 of U.S. Patent  
No. 10,477,838

# **EXHIBIT 1**

# United States of America

United States Patent and Trademark Office

## BRISTLY

**Reg. No. 5,815,298**

**Registered Jul. 23, 2019**

**Int. Cl.: 3**

**Trademark**

**Principal Register**

Dertsakyan, Peter (UNITED STATES INDIVIDUAL)  
7700 Babcock Ave  
North Hollywood, CALIFORNIA 91605

CLASS 3: Non-medicated dental preparations for pets, namely, toothpaste and preparations for removing plaque; Home dental care products for dogs and cats, namely, toothpaste; Dental care and oral hygiene products for pets, namely, tooth cleaning preparations; Non-edible dental chews for pets; Non-medicated oral dental chews for dogs

FIRST USE 6-00-2018; IN COMMERCE 6-00-2018

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

SER. NO. 88-177,120, FILED 10-31-2018



*Andrei Iancu*

Director of the United States  
Patent and Trademark Office

# **EXHIBIT 2**

# United States of America

United States Patent and Trademark Office

## BRISTLY

**Reg. No. 5,844,832**

**Registered Aug. 27, 2019**

**Int. Cl.: 21**

**Trademark**

**Principal Register**

Dertsakyan, Peter (UNITED STATES INDIVIDUAL)  
7700 Babcock Ave  
North Hollywood, CALIFORNIA 91605

CLASS 21: Toothbrushes for animals; Toothbrushes for pets; Home dental care products for dogs and cats, namely, toothbrush

FIRST USE 2-1-2017; IN COMMERCE 2-1-2017

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

SER. NO. 88-310,557, FILED 02-21-2019



*Andrei Iancu*

Director of the United States  
Patent and Trademark Office

# **EXHIBIT 3**

# 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.

*Kay A. Leahy*

Acting United States Register of Copyrights and Director

Registration Number

VA 2-122-455

Effective Date of Registration:

September 27, 2018

## Title

Title of Work: Photos of In Use Pet/Dog Toy For Oral Hygiene

## Completion/Publication

Year of Completion: 2018  
Date of 1st Publication: June 20, 2018  
Nation of 1st Publication: United States

## Author

Author: Petros Dertsakyan  
Author Created: photograph, 2-D artwork  
Citizen of: United States  
Domiciled in: United States  
Year Born: 1987

## Copyright Claimant

Copyright Claimant: Petros Dertsakyan  
7700 Babcock Ave., North Hollywood, CA, 91605, United States  
Transfer statement: author is claimant

## Limitation of copyright claim

Material excluded from this claim: sculpture  
New material included in claim: photograph, 2-D artwork

## Rights and Permissions

Organization Name: David R. Preston, Ph.D., J.D., APC  
Name: David Preston  
Email: preston@drpna.com  
Telephone: (858)724-0375  
Alt. Telephone: (858)735-7132



Address: 10765 Wallingford Road  
San Diego, CA 92126 United States

**Certification**

---

Name: David R. Preston  
Date: September 27, 2018  
Applicant's Tracking Number: DOGD-106.C.3

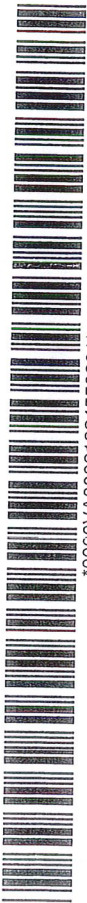
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Correspondence: Yes  
Copyright Office notes: Basis for Registration: Unit of publication



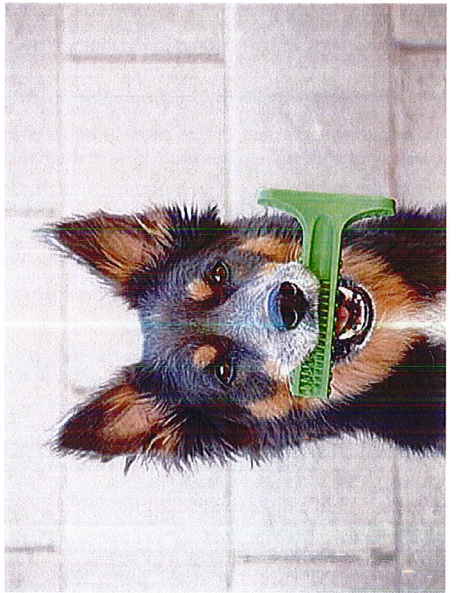
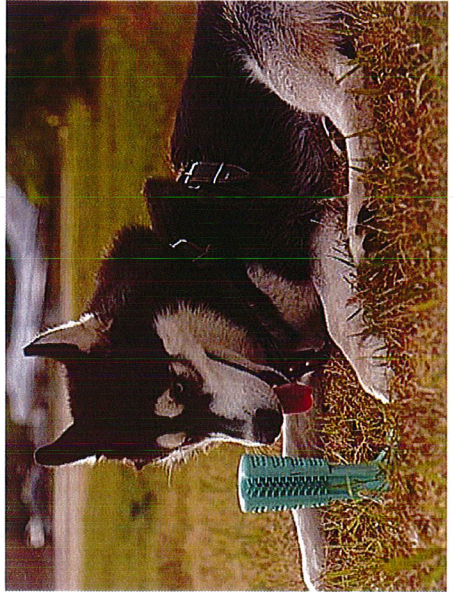
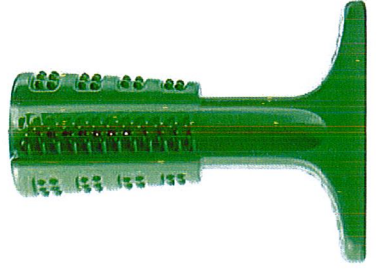
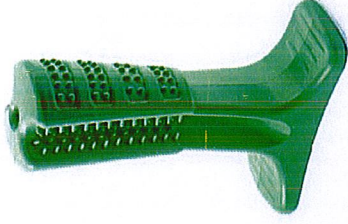
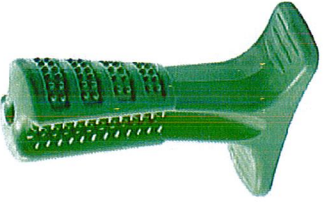
**Registration #:** VA0002122455  
**Service Request #:** 1-6990498131

David R. Preston, Ph.D., J.D., APC  
David Preston  
10765 Wallingford Road  
San Diego, CA 92126 United States

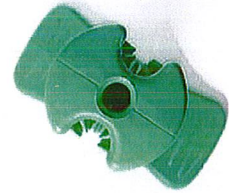
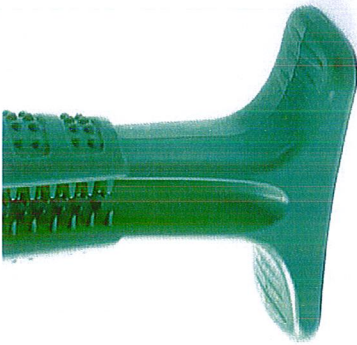
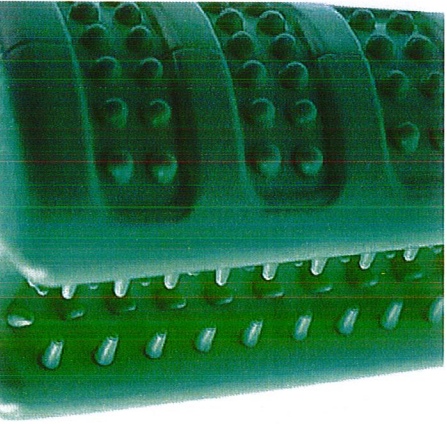
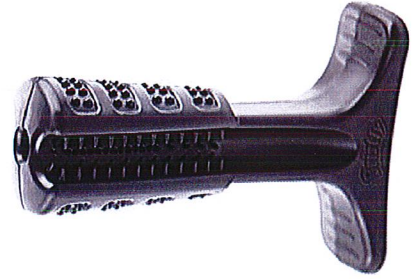
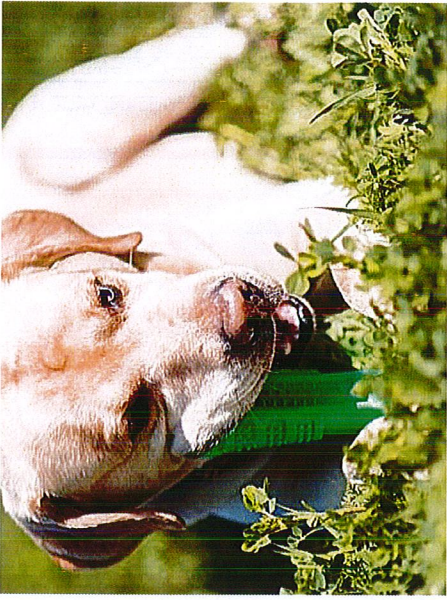


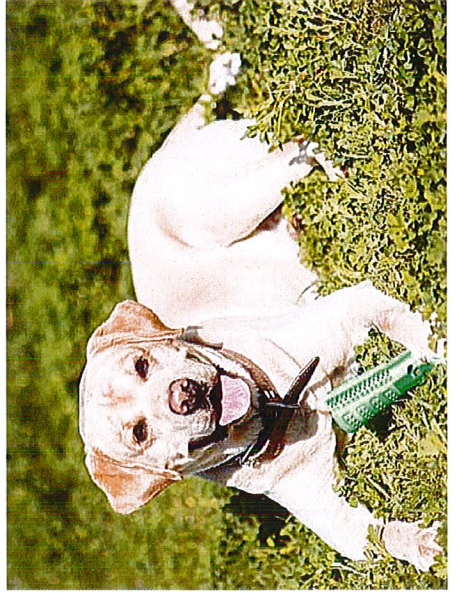
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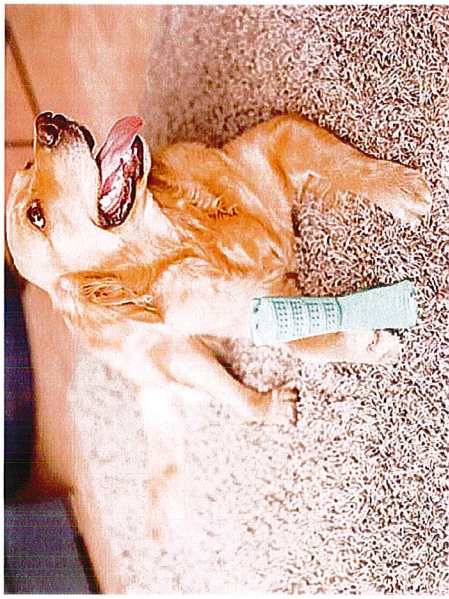
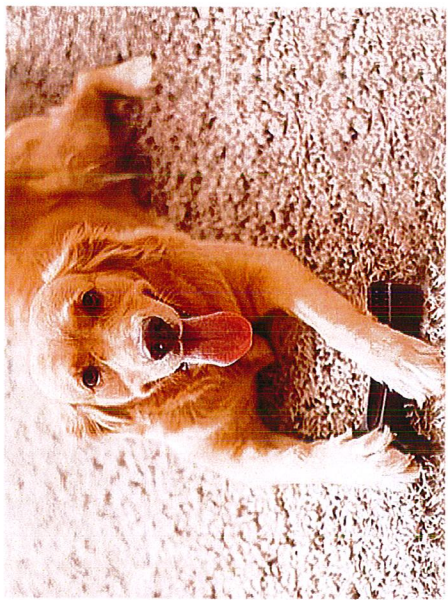
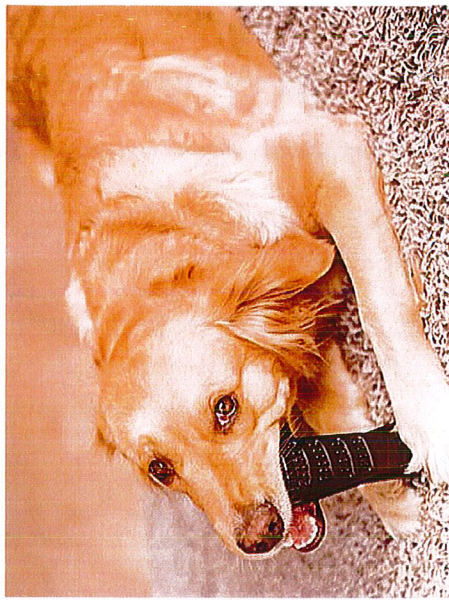
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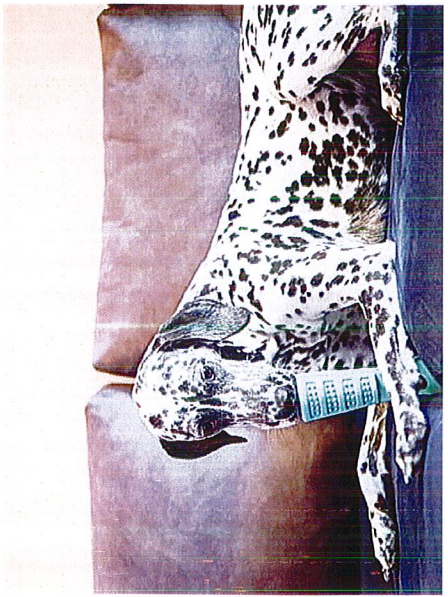
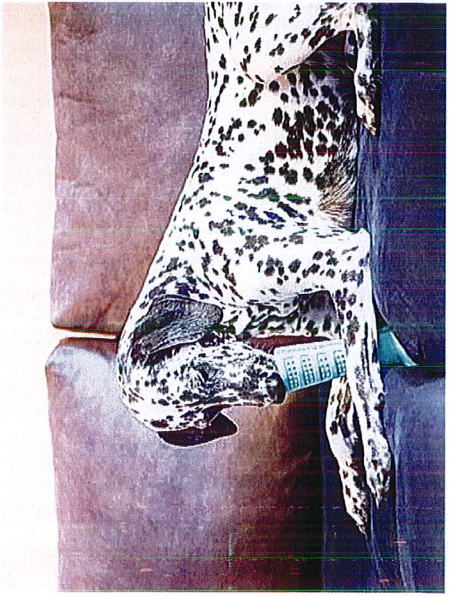
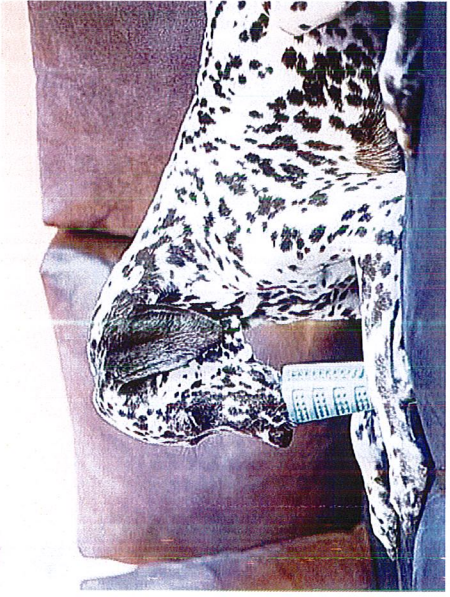
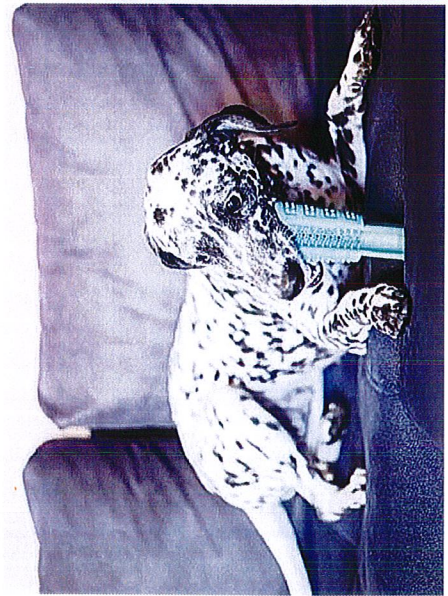
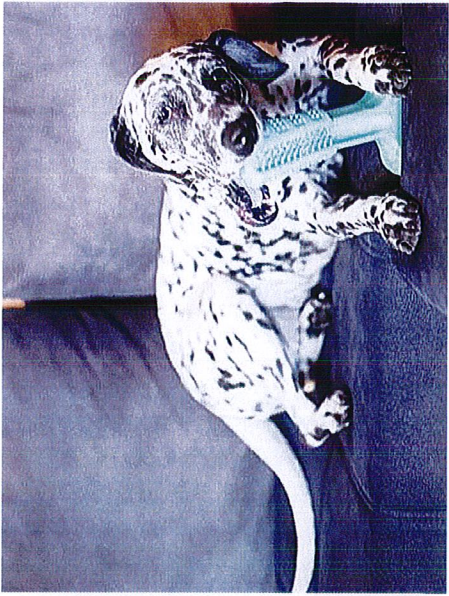
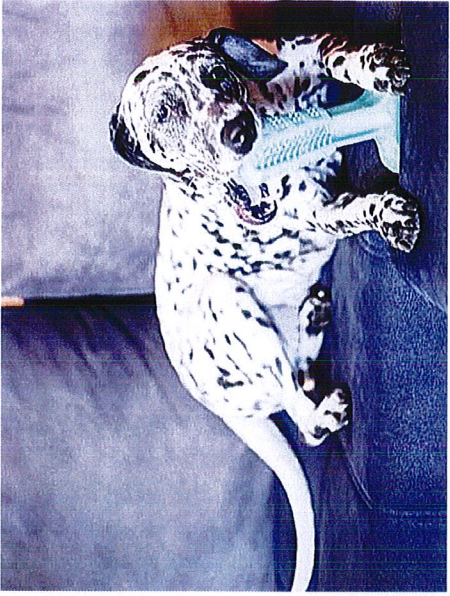
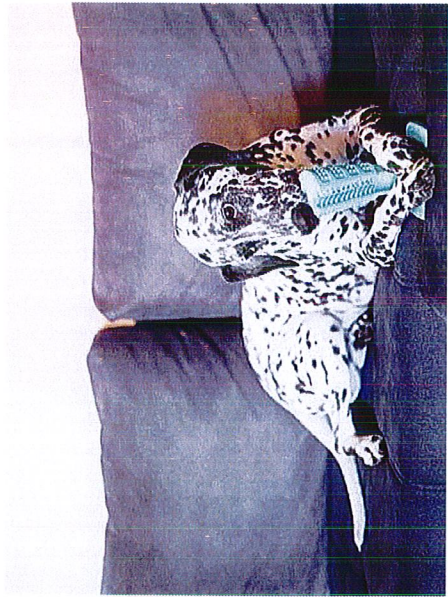


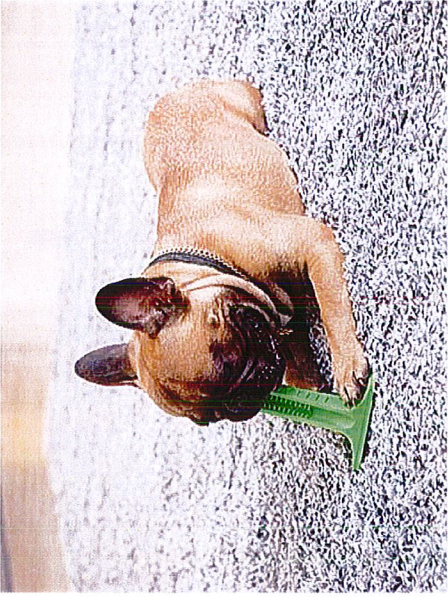


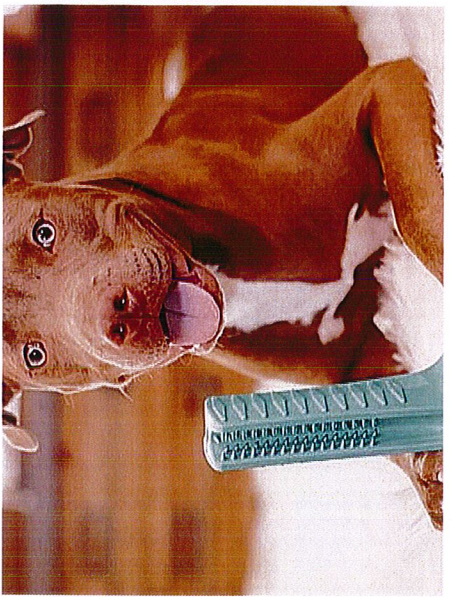
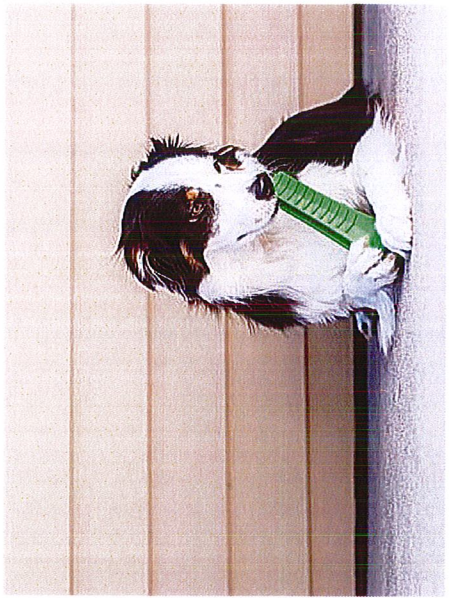














# **EXHIBIT 4**

Registered / Eingetragen 07/11/2018

No 005818606-0001



EUROPEAN UNION INTELLECTUAL  
PROPERTY OFFICE  
CERTIFICATE OF REGISTRATION

This Certificate of Registration is hereby issued for the Registered Community Design identified below. The corresponding entries have been recorded in the Register of Community Designs.

AMT DER EUROPÄISCHEN UNION FÜR  
GEISTIGES EIGENTUM  
EINTRAGUNGSRUKUNDE

Diese Eintragungsurkunde wird für das unten genannte eingetragene Gemeinschaftsgeschmacksmuster ausgestellt. Die entsprechenden Einträge sind in das Register für Gemeinschaftsgeschmacksmuster aufgenommen worden.

The Executive Director / Der  
Exekutivdirektor

Christian Archambeau

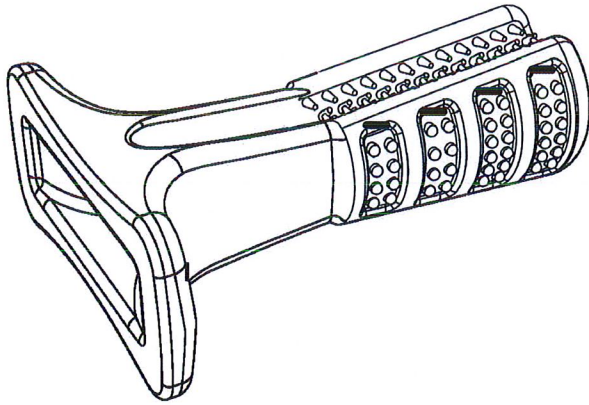


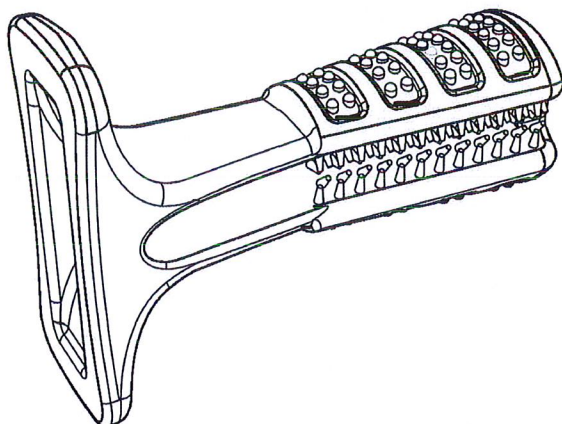
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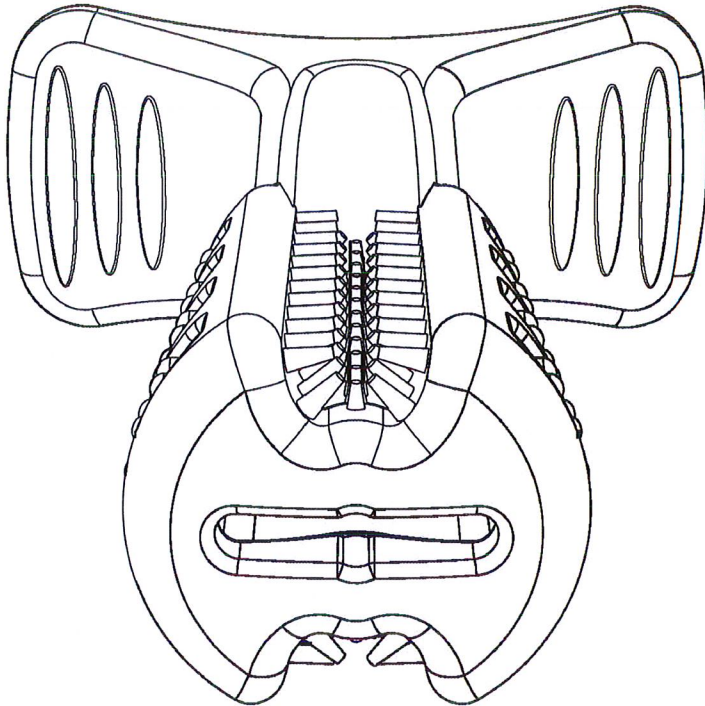


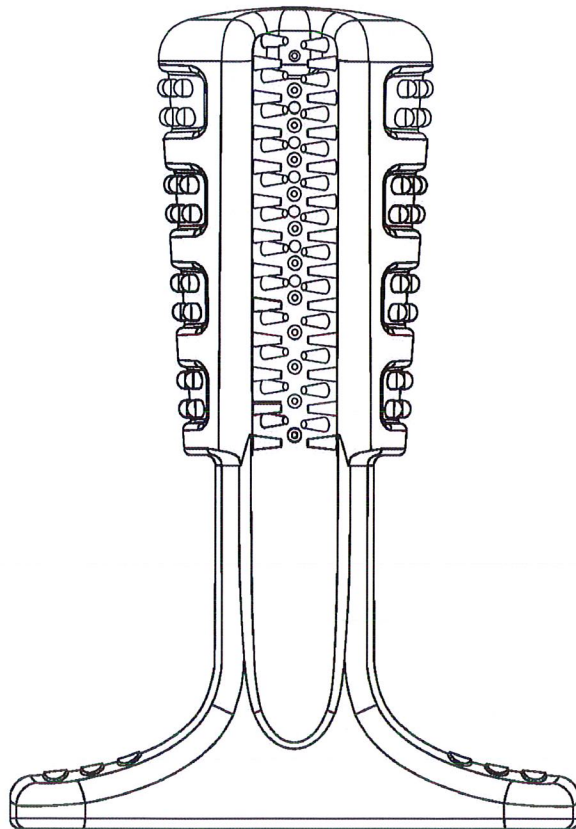
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73 Peter Dertsakyan  
7700 Babcock Avenue  
North Hollywood California 91605  
ESTADOS UNIDOS (DE AMÉRICA)  
74 SCHAUMBURG UND PARTNER PATENTANWÄLTE MBB  
Mauerkircherstr. 31  
D-81679 München  
ALEMANIA  
51 30 - 99  
54 **BG** - Играчки за животни  
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**CS** - Hračky pro zvířata  
**DA** - Legetøj til dyr  
**DE** - Spielzeug für Tiere  
**ET** - Loomamänguasjad  
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**LV** - Dzīvnieku rotaļlietas  
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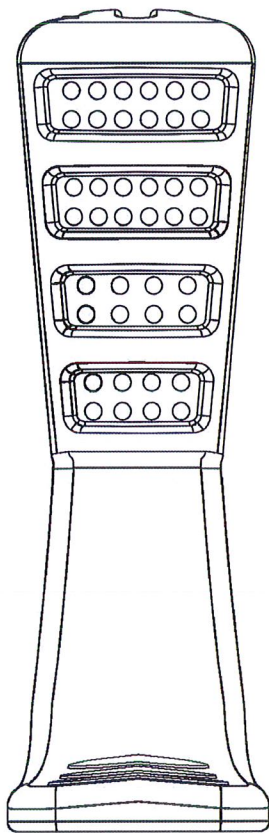


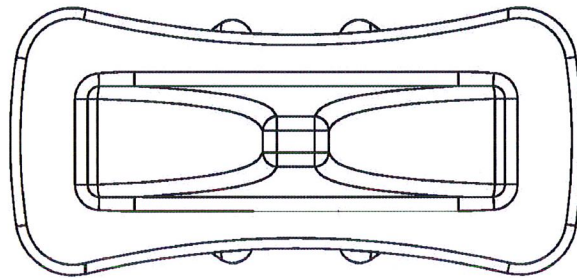


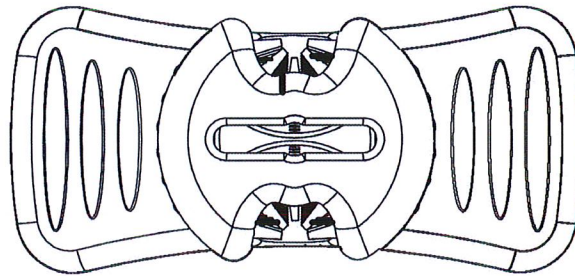












# **Exhibit 5**





US010477838B2

(12) **United States Patent**  
**Dertsakyan**

(10) **Patent No.:** **US 10,477,838 B2**  
(45) **Date of Patent:** **Nov. 19, 2019**

(54) **PET CHEW TOY FOR DENTAL  
SELF-CLEANING BY DOMESTIC PETS**

- (71) Applicant: **Peter Dertsakyan**, North Hollywood, CA (US)
- (72) Inventor: **Peter Dertsakyan**, North Hollywood, CA (US)
- (\* ) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days.

- (21) Appl. No.: **15/472,206**
- (22) Filed: **Mar. 28, 2017**

(65) **Prior Publication Data**  
US 2018/0295811 A1 Oct. 18, 2018

**Related U.S. Application Data**

- (60) Provisional application No. 62/314,353, filed on Mar. 28, 2016.

- (51) **Int. Cl.**  
*A01K 15/02* (2006.01)  
*A46B 9/02* (2006.01)  
*A46B 1/00* (2006.01)

- (52) **U.S. Cl.**  
CPC ..... *A01K 15/026* (2013.01); *A46B 1/00* (2013.01); *A46B 9/026* (2013.01); *A46B 2200/1086* (2013.01)

- (58) **Field of Classification Search**  
USPC ..... 119/702, 709–711; D30/160; 426/805, 426/144, 143, 104; 433/1; 424/442, 49  
See application file for complete search history.

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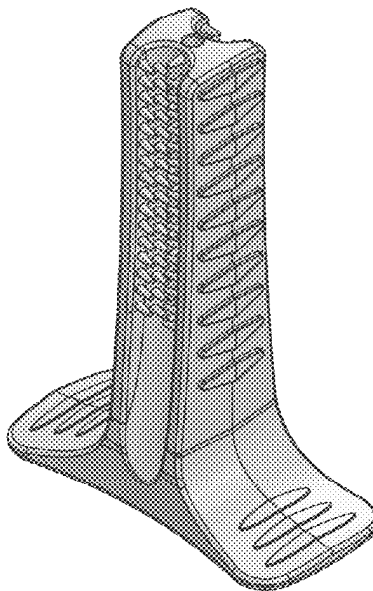
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*Primary Examiner* — Andrea M Valenti  
(74) *Attorney, Agent, or Firm* — David R. Preston

(57) **ABSTRACT**

A pet chew toy allowing for the self-cleaning of teeth by domestic pets. The pet toy includes one or more cavities into which a pet's teeth may engage, and the inner and outer surfaces of the cavities may have scrubbing elements designed to enhance removal of plaque and other unhygienic products from a pet's teeth and gums. The chew toy may further include projections to enhance stabilization of the chew toy by the pet, and a reservoir and dispensing system for pet toothpaste or similar additive.

**17 Claims, 6 Drawing Sheets**



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Figure 1

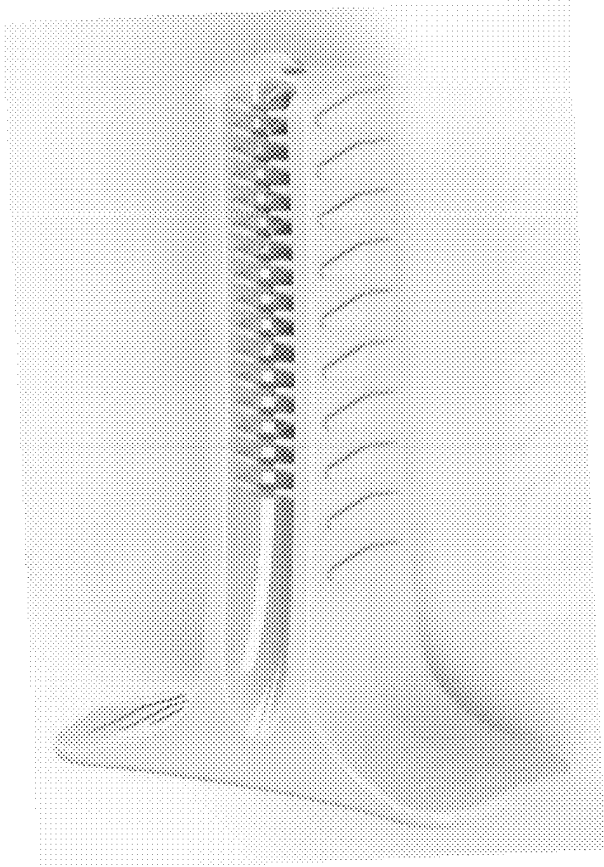


Figure 2

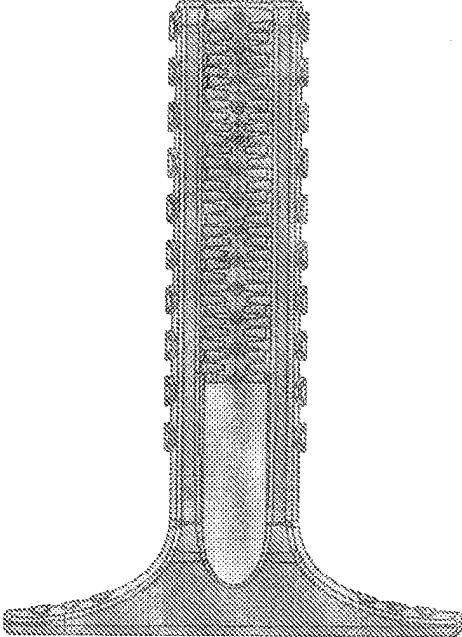


Figure 3

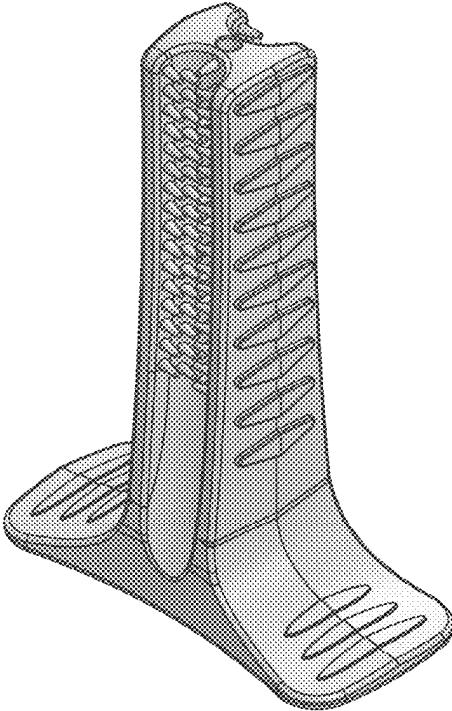


Figure 4

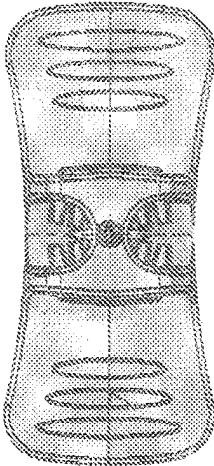
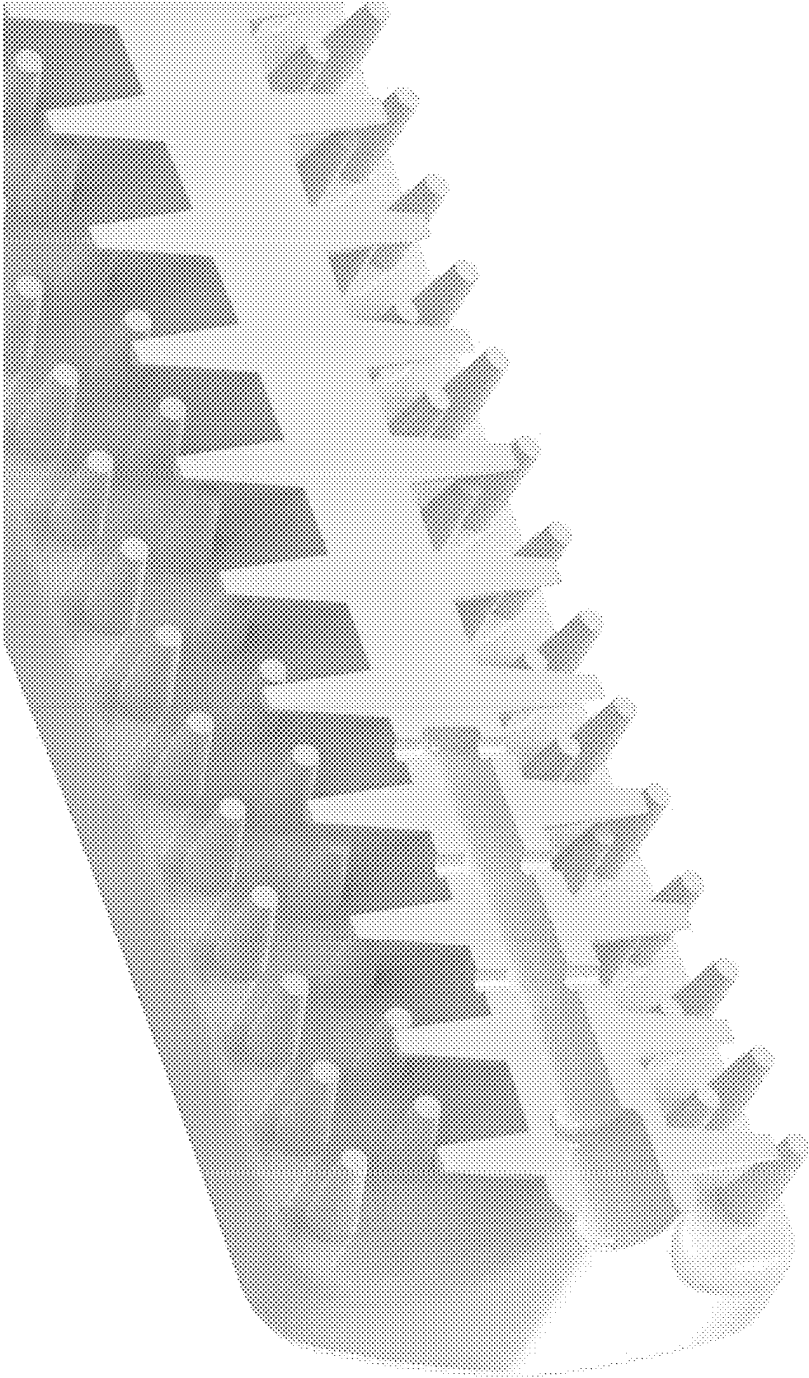


Figure 5



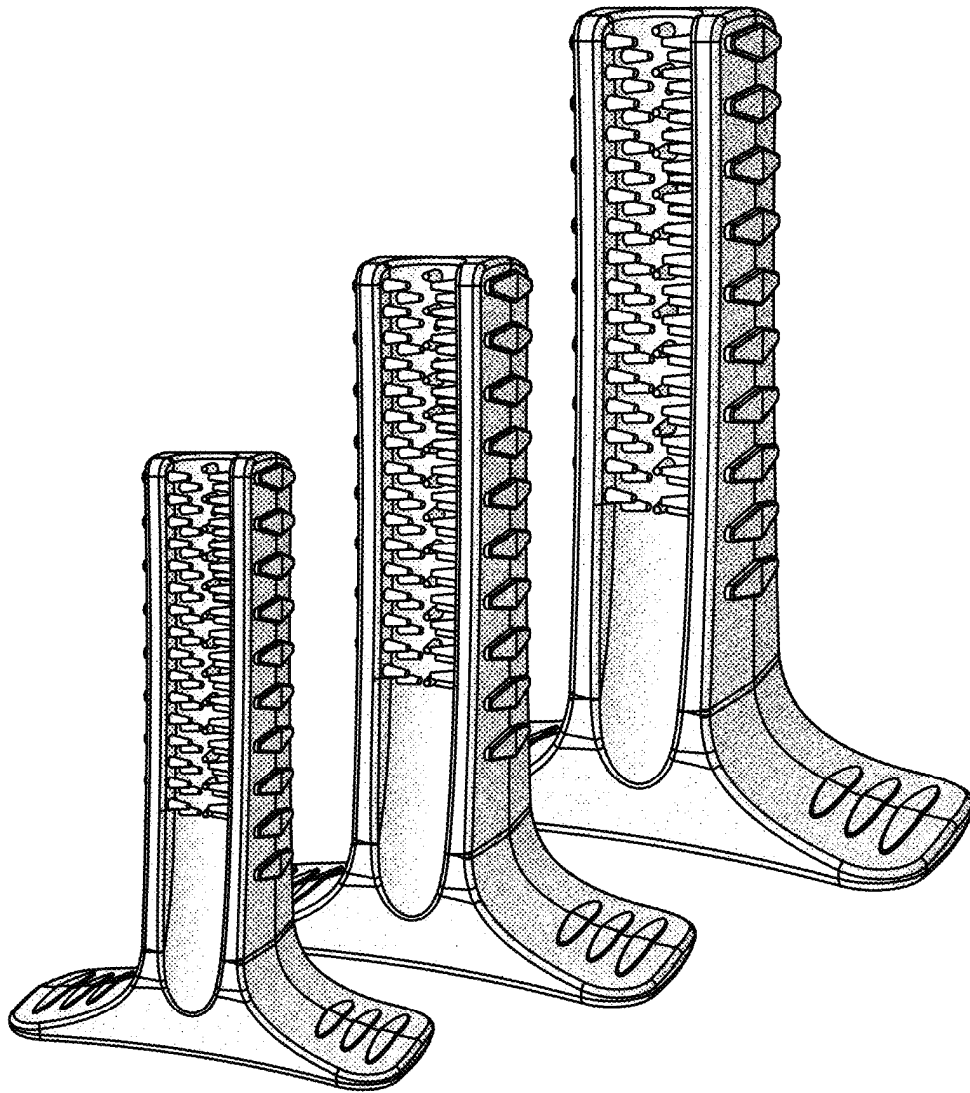


FIG. 6



1

**PET CHEW TOY FOR DENTAL  
SELF-CLEANING BY DOMESTIC PETS**

CROSS-REFERENCE TO RELATED  
APPLICATIONS

The present application claims priority to provisional application 62/314,353, filed Mar. 28, 2016, entitled "Toy for a Domestic Pet to Brush Its Own Teeth" which is incorporated by reference in its entirety herein.

STATEMENT REGARDING FEDERALLY  
SPONSORED RESEARCH

Not applicable.

JOINT RESEARCH AGREEMENT STATEMENT

Not applicable.

FIELD OF THE INVENTION

The present invention relates to a pet chew toy and dental hygiene system, and particularly to pet chew toy allowing for the dental self-cleaning by domestic pets.

BACKGROUND

Maintaining the dental hygiene of domestic pets is a well-known issue. Like humans, domestic pets such as dogs and cats develop bacterial infections, known generally as plaque, on the surface and in the spaces between the teeth of said pets. In addition to the malodorous breath and appearance of domestic pets suffering from an excess of plaque, it can also precipitate the gum disease gingivitis, damage to the pet's teeth, and other material detriment to the oral health of the pet. If left routinely uncleaned, it can harden and become almost impossible to remove without professional assistance.

Traditional methods of cleaning the teeth of pets has involved labor-intensive manual cleaning by the pet owner, a process which is both time-consuming and often results in unnecessary antagonism between the domestic pet and its owner.

Wild relatives of domestic pets, such as wild dogs and wolves, use the frictional effects of gnawing on bones and other hard objects to clean their teeth of plaque and residual pieces of food. The use of domestic pet chew toys as a method of mimicking these natural dental hygiene methods for domestic pets is known in the art. As a consequence, many domestic animal chews or chew toys have been produced of rawhide or other hard surface and configured in such a way as to mimic the shape and feel of natural bone. Other products have introduced additional artificial features to improve upon the natural cleaning action of a domestic pet's chewing action on bone, such as the use of additional projections on a surface of the chew toy.

Information relevant to attempts to address these problems can be found in US Patent Application No. 2004/0216693 to Handelsman; U.S. Pat. No. 6,116,119 to Suchowski; U.S. Pat. No. 6,739,287 to Sarantis; U.S. Pat. D501,961 to Jager; US Patent Application no. 2004/0137118 to Axelrod; and U.S. Pat. Nos. 8,807,088 and 7,490,579 to Axelrod. However, each one of these references suffers from one or more disadvantages. One consistent failing of existing products relates to a domestic pet's propensity to grip or hold an object between its front paws. Domestic pets will

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naturally seek to stabilize the subject of their chewing action, allowing for a stronger and more satisfying engagement by the pet's mouth, while increasing the friction applied to the pet's teeth and oral cavity by the bone or chew toy. Another failing of existing products is the inability to use pet toothpaste and other supplementary dental hygiene products in conjunction with the chewing action of the chew toys. This leaves the need for supplementary manual cleaning by the domestic pet owner. Yet another disadvantage of existing products is the lack of differentiated surfaces for inner and outer domestic pet teeth. Domestic pets, such as dogs and cats, have substantially different shape and spacing in their teeth between the front of their mouths, wherein are located canines and other long, large teeth, and the smaller, more closely spaced teeth in the back of the pets' mouths. The differences in size and spacing of these teeth suggest the need for different surfaces with different textures and projections adapted to the particular needs of that portion of the domestic pet's dental structures.

For the foregoing reasons, there is a need for an improved domestic pet chew toy that allows domestic pets to clean their own teeth.

SUMMARY

The present invention is directed to an apparatus that satisfies this need.

One possible embodiment of the invention takes the form of a chew toy for use by a domestic pet such as a dog, cat or other domesticated animal. This embodiment comprises a central member for engagement of a domestic pet's oral cavity, which includes at least one inner surface defining a cavity and an outer surface, each or both of which may have a variety of scrubbing elements affixed to them.

Another possible embodiment comprises a central member for engagement of a domestic pet's oral cavity, said member having a first end and a second end. The second end further comprises one or more projections, which may be circular or otherwise shaped, which are substantially flat and oriented perpendicular to the length of the central member. The projections allow the member to be stood upright and gripped by a domestic pet, using its front paws.

Yet another possible embodiment includes a reservoir running the length of the central member of a chew toy, in which, by way of non-limiting example, flavored toothpaste for domestic pets can be retained. Smaller dispensing holes are present in the central member perpendicular to the reservoir, allowing the toothpaste or other products to be dispensed into the oral cavity of a domestic pet when the central member is engaged by said pet's oral cavity.

BRIEF DESCRIPTION OF THE DRAWINGS

These and other features, aspects, and advantages of the present invention will become better understood with reference to the following description, appended claims, and drawings where:

FIG. 1 shows an embodiment of the invention having a central member with an inner surface defining a cavity, perpendicular stabilizing projections, and a plurality of scrubbing elements on the inner and outer surfaces of the central member.

FIG. 2 shows a side-view of an embodiment of the invention, showing the multiplicity of scrubbing elements projecting from the inner surfaces defining the cavity, and the outer surfaces of the member.

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FIG. 3 shows an embodiment of the invention wherein the central member has inner surfaces defining two separate cavities.

FIG. 4 shows a top-down view of the embodiment of FIG. 3, with the positioning for an optional additional reservoir to retain pet toothpaste shown at center.

FIG. 5 shows a lengthwise cut-away of the central member of the embodiment of FIG. 3, demonstrating the shape and positioning of the additional reservoir, and smaller perpendicular holes for dispensing toothpaste retained in said reservoir.

FIG. 6 shows a comparison between different possible sizes of an embodiment of the invention.

#### DETAILED DESCRIPTION

In the Summary above and in the Detailed Description, and the claims below, and in the accompanying drawings, reference is made to particular features of the invention. It is to be understood that the disclosure of the invention in this specification includes all possible combinations of such particular features. For example, where a particular feature is disclosed in the context of a particular aspect or embodiment of the invention, or a particular claim, that feature can also be used, to the extent possible, in combination with and/or in the context of other particular aspects and embodiments of the invention, and in the invention generally.

The term “comprises” and grammatical equivalents thereof are used herein to mean that other components, ingredients, steps, etc. are optionally present. For example, an article “comprising” (or “which comprises”) components A, B, and C can consist of (i.e., contain only) components A, B, and C, or can contain not only components A, B, and C but also one or more other components.

The term “at least” followed by a number is used herein to denote the start of a range beginning with that number (which may be a range having an upper limit or no upper limit, depending on the variable being defined). For example, “at least 1” means 1 or more than 1. The term “at most” followed by a number is used herein to denote the end of a range ending with that number (which may be a range having 1 or 0 as its lower limit, or a range having no lower limit, depending upon the variable being defined). For example, “at most 4” means 4 or less than 4, and “at most 40%” means 40% or less than 40%. When, in this specification, a range is given as “(a first number) to (a second number)” or “(a first number)-(a second number),” this means a range whose lower limit is the first number and whose upper limit is the second number. For example, 25 to 100 mm means a range whose lower limit is 25 mm, and whose upper limit is 100 mm.

In one possible embodiment of the invention, as shown in FIG. 1, takes the form of a chew toy having a central member. The chew toy may be made of any suitable material, including by way of non-limiting example any non-toxic plastic. The central member comprises at least one inner surface, defining a cavity having an open end running the length of the central member and an additional open side at the top end of the central member. Said cavity should be of sufficient depth to allow full penetration by the front or back teeth of a domestic pet. The size of the central member, and therefore relative depth of the cavity, may be varied to suit a variety of domestic pet breeds, as shown in FIG. 6. By providing inner and outer surfaces for contact with the teeth and gums of a domestic pet, faster and more complete cleaning action is achieved on the pet’s teeth and gums by maximizing the area of contact and friction between the

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central member and the pet’s teeth and gums. In addition, further cleaning action is achieved by the simultaneous contact of the surfaces of the member with the forward and inner teeth of the pet.

As shown in FIG. 2, the outer surface of the central body may have affixed to it a plurality of scrubbing elements. As also shown in FIG. 2, the inner surface defining the cavity may also have affixed to it an additional plurality of scrubbing elements.

The scrubbing elements affixed to the outer and inner surfaces may vary in size and shape. By way of example, they could take the form of bristles, pyramids, cones, rectangles, or any of a variety of other desirable configurations. The scrubbing elements affixed to the outer surface of the central member might, in one possible embodiment, be of a different shape or size than the scrubbing elements affixed to the inner surface, as shown in FIG. 2. Similarly, the size and shape of the scrubbing elements affixed to the inner surface might be the same as those affixed to the outer surface of the central member. This allows the scrubbing elements to be adapted to the differential spacing, tooth shape, and mouth size of a variety of domestic pets.

A further aspect of the present invention is shown in FIG. 1, comprising the substantially flat perpendicular projections. Although the embodiment shown in FIG. 1 has the projections take the form of two flanges or separate extensions, one of skill in the art will understand that the projection or projections can take a variety of shapes and sizes. Non-limiting examples might be a singular projection forming a circular base to the central member, or a multiplicity of flanges allowing a pet to grip the projections from a variety of angles. These projections allow a pet to fully stabilize the chew toy upright using their natural gripping action with the front paws.

In contrast to the rough or knobbed ends of natural bones or typical pet chew toys, here the domestic pet can fully pin down and stabilize the central member of the chew toy such that it is fully upright and immobile. This allows for a much stronger grip on the central body by the mouth of the domestic pet, increasing the friction between the surface of the chew toy and the pet’s teeth. This allows for superior cleaning and removal of plaque, leftover food, and other detrimental material from the mouth of the pet.

Yet a further aspect of the present invention is shown in FIG. 4, showing one possible embodiment of the central reservoir for toothpaste or other substances suitable for dispensing. Here, the opening allows for input of a pet toothpaste or other appropriate substance into the reservoir, which is dispensed through perpendicular holes to the main cavity or cavities of the chew toy. Although in this particular embodiment the reservoir takes a cylindrical form, other embodiments might include one or more reservoirs of different shapes or locations.

Another possible embodiment of the present invention is shown in FIG. 3. Here, the central member comprises two inner surfaces, each defining separate cavities similar to the single cavity shown in FIG. 1. By providing a second cavity, a domestic pet can simultaneously engage not just the forward and rear of the pet’s teeth and gums simultaneously, but on the top and bottom of the pet’s mouth as well.

What is claimed is:

1. A chew toy for pet dental hygiene, comprising:

a) a central chewing member,

comprising:

i) at least two U-shaped grooves that comprise, on at least a portion of all internal surfaces of said a)

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least two U-shaped grooves, a plurality of protruding scrubbing elements;

- a) wherein said at least two U-shaped grooves generally define said central chewing member with a first and second end;
  - b) further wherein said at least two U-shaped grooves are arranged parallel to each other and perpendicular, at said second end, to an at least one bottom stabilizing portion;
  - c) further wherein said at least two U-shaped grooves are each substantially the length of said central chewing member;
  - d) further wherein said at least two U-shaped grooves are positioned on opposing sides of said central chewing member;
  - e) further wherein each said at least two U-shaped grooves is generally U-shaped in cross section across said central chewing member;
  - ii) a plurality of nub shaped elements positioned on an outside surface of said central chewing member,
  - iii) at least one central aperture in said first end of said central chewing member and an at least one longitudinal cavity that begins at said aperture and runs at least a portion of the length of said central chewing member;
  - iv) at least one dispensing hole communicating between said at least one longitudinal cavity and said at least two U-shaped grooves, wherein said at least one dispensing hole is perpendicular to said at least one longitudinal cavity;
- b) said at least one bottom stabilizing portion, comprising:
- i) at least one substantially flat projection that stabilizes said chew toy when in use;
  - ii) wherein said at least one projection is perpendicular to said central chewing member;
  - iii) wherein said at least one bottom stabilizing portion is configured to stabilize said chew toy in an upright position; and
- wherein said chew toy is a unitary structure made of non-toxic material.
2. The chew toy of claim 1, wherein at least one of said at least two U-shaped grooves are sufficiently deep to clean teeth to the gum line.

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3. The chew toy of claim 1, wherein said protruding scrubbing elements comprise bristles.

4. The chew toy of claim 1, wherein said at least one longitudinal cavity is configured to hold at least one substance.

5. The chew toy of claim 4, wherein said substance comprises toothpaste.

6. The chew toy of claim 1, wherein said at least one dispensing hole is adapted to transfer at least one substance between said at least one longitudinal cavity and said at least two U-shaped grooves.

7. The chew toy of claim 6, wherein said substance comprises toothpaste.

8. The chew toy of claim 1, wherein said pet comprises a dog.

9. The chew toy of claim 1, further wherein said chew toy is operable as a toothbrush for use by pets to brush their own teeth.

10. The chew toy of claim 1, wherein when chew toy is in use, multiple teeth and multiple surfaces of teeth are cleaned.

11. The chew toy of claim 1, wherein said chew toy comprises a single, unitary structure.

12. The chew toy of claim 1, wherein said chew toy comprises natural rubber.

13. A method of promoting pet dental hygiene, comprising:

- a) providing a pet in need of promotion of dental hygiene;
- b) providing a chew toy of claim 1;
- c) allowing said pet to engage with said chew toy; wherein the dental hygiene of said pet is promoted.

14. The method of claim 13, wherein said chew toy comprises toothpaste.

15. The method of claim 13, wherein said pet comprises a dog.

16. The method of claim 13, wherein at least one of said at least two grooves are sufficiently deep to clean teeth to the gum line.

17. The method of claim 13, wherein when chew toy is in use, multiple teeth and multiple surfaces of teeth are cleaned.

\* \* \* \* \*

# **Exhibit 6**

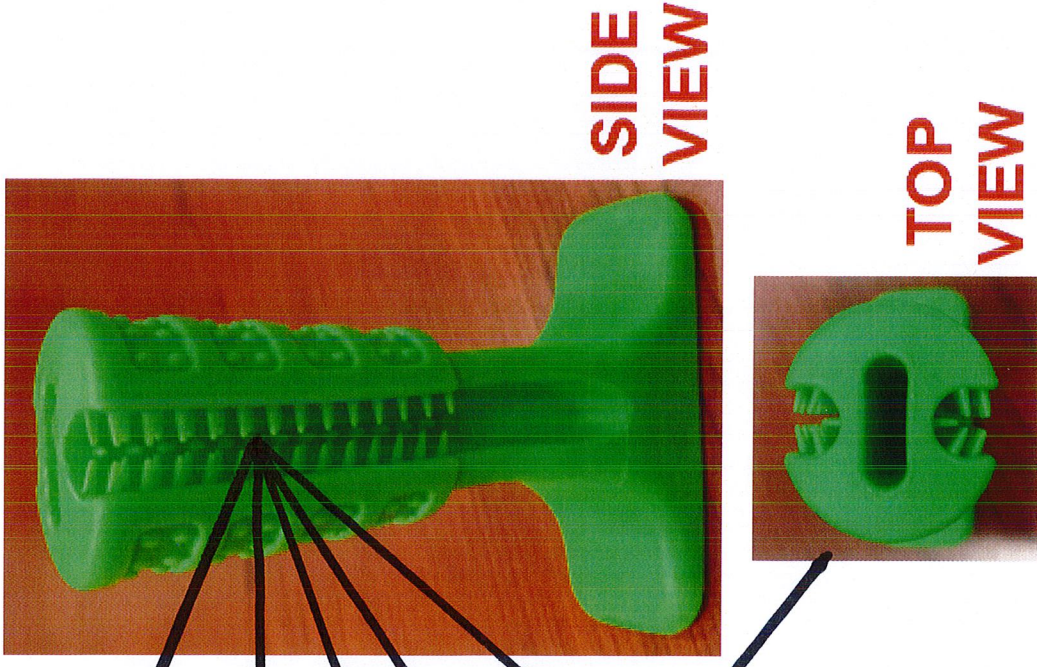
**Text of Claim 1**

A chew toy for pet dental hygiene, comprising:

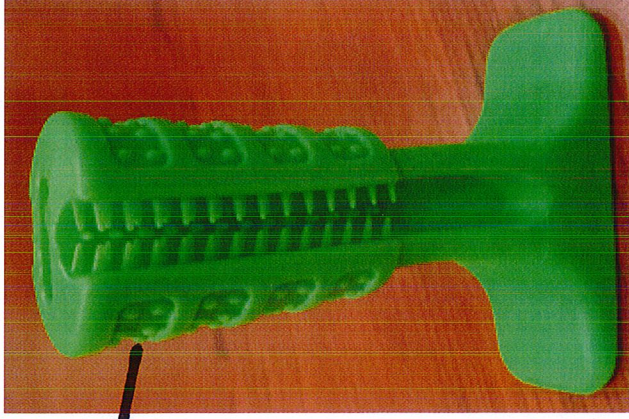
- a) a central chewing member, comprising:
  - i) at least two U-shaped grooves that comprise, on at least a portion of all internal surfaces of said at least two U-shaped grooves, a plurality of protruding scrubbing elements;
  - ii) wherein said at least two U-shaped grooves generally define said central chewing member with a first and second end;
  - iii) further wherein said at least two U-shaped grooves are arranged parallel to each other and perpendicular, at said second end, to an at least one bottom stabilizing portion;
  - iv) further wherein said at least two U-shaped grooves are each substantially the length of said central chewing member;
  - v) further wherein said at least two U-shaped grooves are positioned on opposing sides of said central chewing member;
  - vi) further wherein each said at least two U-shaped grooves is generally U-shaped in cross section across said central chewing member;

**Type 1 Infringing Product**

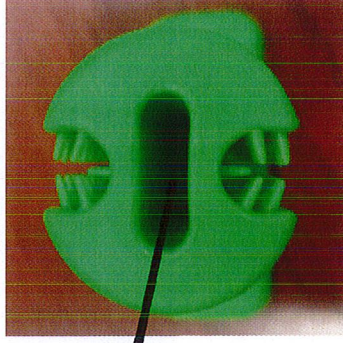
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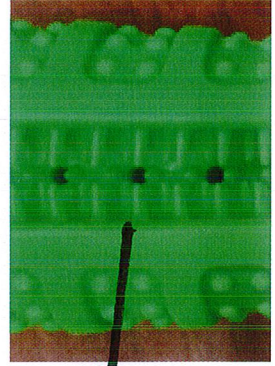
ii) a plurality of nub shaped elements positioned on an outside surface of said central chewing member,



iii) at least one central aperture in said first end of said central chewing member and an at least one longitudinal cavity that begins at said aperture and runs at least a portion of the length of said central chewing member;



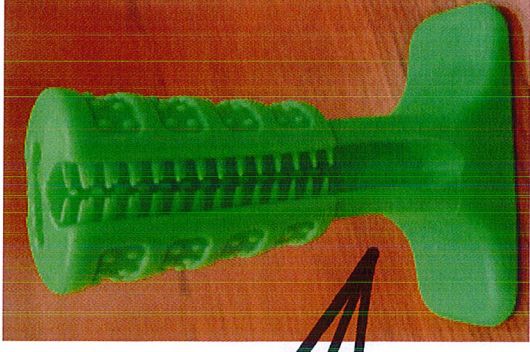
iv) at least one dispensing hole communicating between said at least one longitudinal cavity and said at least two U-shaped grooves, wherein said at least one dispensing hole is perpendicular to said at least one longitudinal cavity;



Type 1 Infringing Product against claim 1 of U.S Patent No. 10,477,838

b) said at least one bottom stabilizing portion, comprising:

- i) at least one substantially flat projection that stabilizes said chew toy when in use;
- ii) wherein said at least one projection is perpendicular to said central chewing member;
- iii) wherein said at least one bottom stabilizing portion is configured to stabilize said chew toy in an upright position; and



wherein said chew toy is a unitary structure made of non-toxic material.

Chew toy is a unitary structure made of non-toxic material.

# **Exhibit 7**



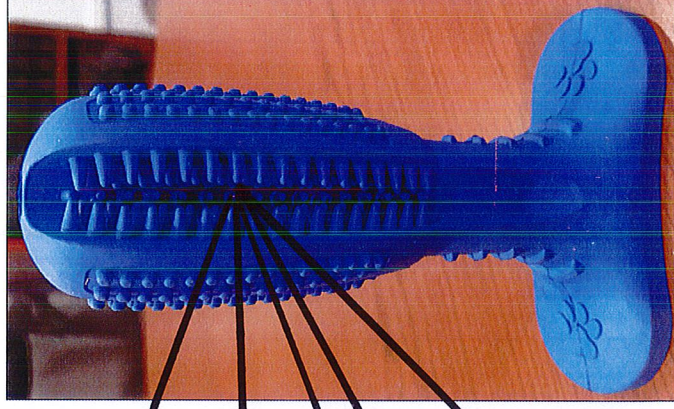
**Text of Claim 1**

A chew toy for pet dental hygiene, comprising:

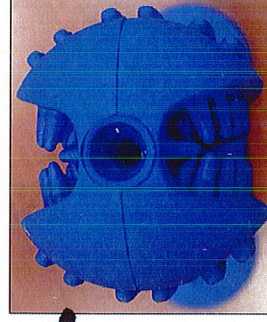
- a) a central chewing member, comprising:
  - i) at least two U-shaped grooves that comprise, on at least a portion of all internal surfaces of said at least two U-shaped grooves, a plurality of protruding scrubbing elements;
  - a) wherein said at least two U-shaped grooves generally define said central chewing member with a first and second end;
  - b) further wherein said at least two U-shaped grooves are arranged parallel to each other and perpendicular, at said second end, to an at least one bottom stabilizing portion;
  - c) further wherein said at least two U-shaped grooves are each substantially the length of said central chewing member;
  - d) further wherein said at least two U-shaped grooves are positioned on opposing sides of said central chewing member;
  - e) further wherein each said at least two U-shaped grooves is generally U-shaped in cross section across said central chewing member;

**Type 2 Infringing Product**

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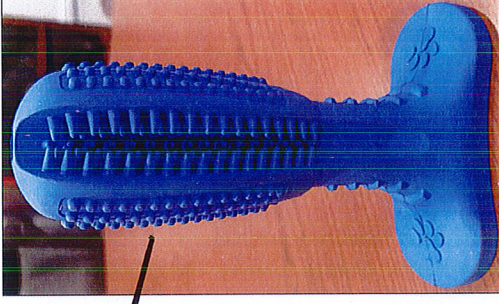


**SIDE VIEW**

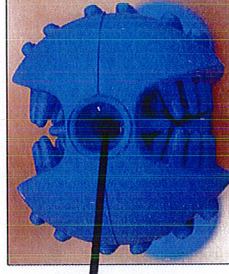


**TOP VIEW**

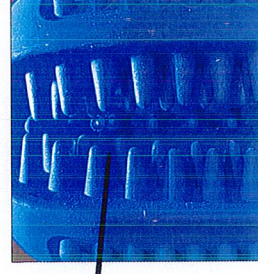
ii) a plurality of nub shaped elements positioned on an outside surface of said central chewing member,



iii) at least one central aperture in said first end of said central chewing member and an at least one longitudinal cavity that begins at said aperture and runs at least a portion of the length of said central chewing member;



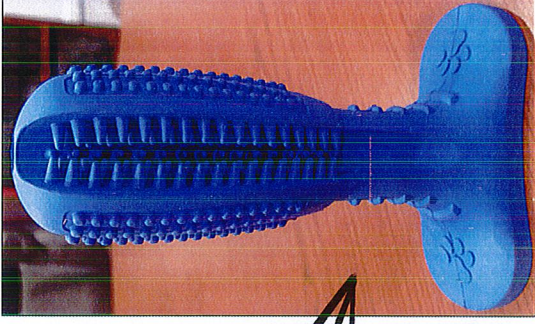
iv) at least one dispensing hole communicating between said at least one longitudinal cavity and said at least two U-shaped grooves, wherein said at least one dispensing hole is perpendicular to said at least one longitudinal cavity;



Type 2 Infringing Product against claim 1 of U.S Patent No. 10,477,838

b) said at least one bottom stabilizing portion, comprising:

- i) at least one substantially flat projection that stabilizes said chew toy when in use;
- ii) wherein said at least one projection is perpendicular to said central chewing member;
- iii) wherein said at least one bottom stabilizing portion is configured to stabilize said chew toy in an upright position; and



wherein said chew toy is a unitary structure made of non-toxic material.

Chew toy is a unitary structure made of non-toxic material.

# **Exhibit 8**

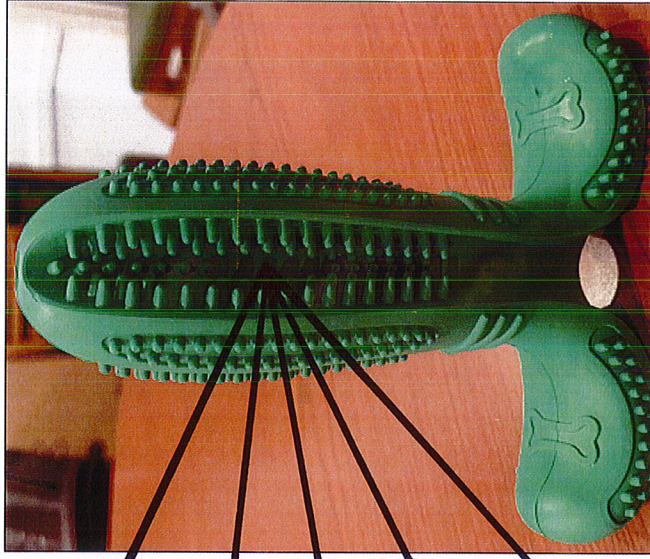
**Text of Claim 1**

A chew toy for pet dental hygiene, comprising:

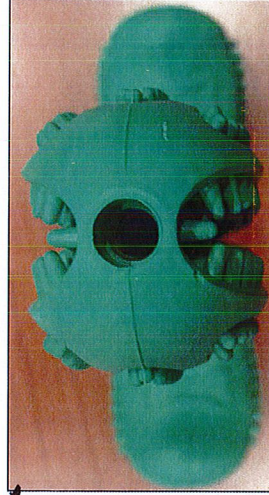
- a) a central chewing member, comprising:
  - i) at least two U-shaped grooves that comprise, on at least a portion of all internal surfaces of said at least two U-shaped grooves, a plurality of protruding scrubbing elements;
  - a) wherein said at least two U-shaped grooves generally define said central chewing member with a first and second end;
  - b) further wherein said at least two U-shaped grooves are arranged parallel to each other and perpendicular, at said second end, to an at least one bottom stabilizing portion;
  - c) further wherein said at least two U-shaped grooves are each substantially the length of said central chewing member;
  - d) further wherein said at least two U-shaped grooves are positioned on opposing sides of said central chewing member;
  - e) further wherein each said at least two U-shaped grooves is generally U-shaped in cross section across said central chewing member;

**Type 3 Infringing Product**

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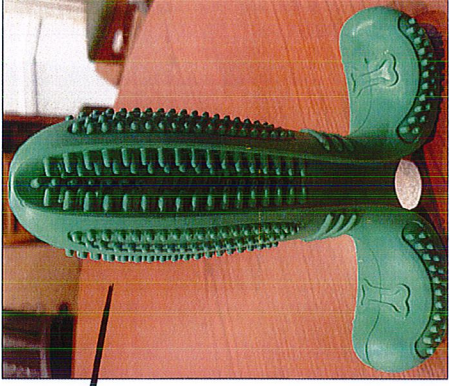


**SIDE VIEW**

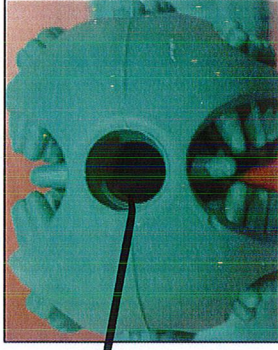


**TOP VIEW**

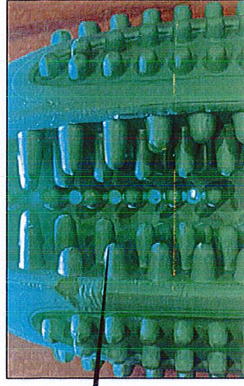
ii) a plurality of nub shaped elements positioned on an outside surface of said central chewing member,



iii) at least one central aperture in said first end of said central chewing member and an at least one longitudinal cavity that begins at said aperture and runs at least a portion of the length of said central chewing member;



iv) at least one dispensing hole communicating between said at least one longitudinal cavity and said at least two U-shaped grooves, wherein said at least one dispensing hole is perpendicular to said at least one longitudinal cavity;



Type 3 Infringing Product against claim 1 of U.S Patent No. 10,477,838

b) said at least one bottom stabilizing portion, comprising:

- i) at least one substantially flat projection that stabilizes said chew toy when in use;
- ii) wherein said at least one projection is perpendicular to said central chewing member;
- iii) wherein said at least one bottom stabilizing portion is configured to stabilize said chew toy in an upright position; and



wherein said chew toy is a unitary structure made of non-toxic material.

Chew toy is a unitary structure made of non-toxic material.

# **Exhibit 9**



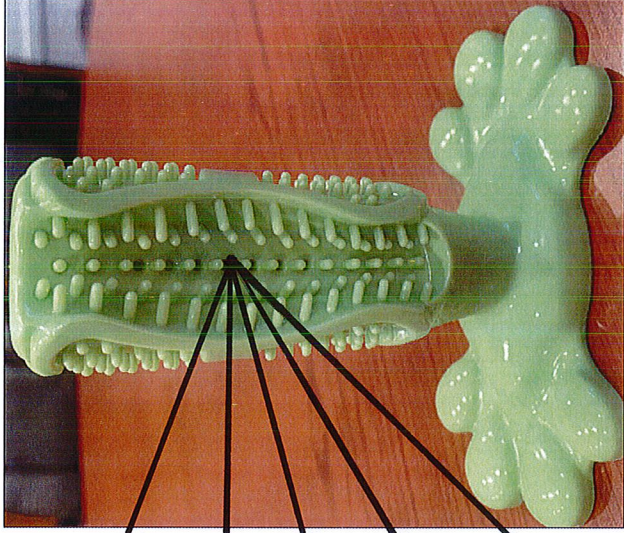
**Text of Claim 1**

A chew toy for pet dental hygiene, comprising:

- a) a central chewing member, comprising:
  - i) at least two U-shaped grooves that comprise, on at least a portion of all internal surfaces of said at least two U-shaped grooves, a plurality of protruding scrubbing elements;
  - a) wherein said at least two U-shaped grooves generally define said central chewing member with a first and second end;
  - b) further wherein said at least two U-shaped grooves are arranged parallel to each other and perpendicular, at said second end, to an at least one bottom stabilizing portion;
  - c) further wherein said at least two U-shaped grooves are each substantially the length of said central chewing member;
  - d) further wherein said at least two U-shaped grooves are positioned on opposing sides of said central chewing member;
  - e) further wherein each said at least two U-shaped grooves is generally U-shaped in cross section across said central chewing member;

**Type 4 Infringing Product**

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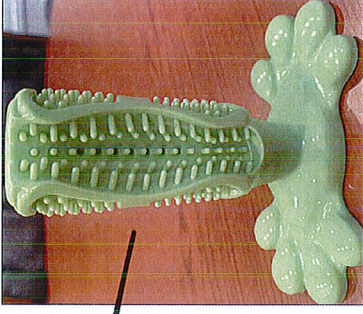
**SIDE  
VIEW**



**TOP  
VIEW**

Type 4 Infringing Product against claim 1 of U.S Patent No. 10,477,838

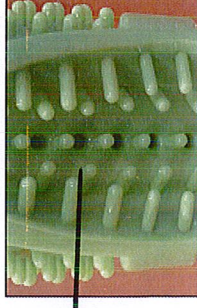
ii) a plurality of nub shaped elements positioned on an outside surface of said central chewing member,



iii) at least one central aperture in said first end of said central chewing member and an at least one longitudinal cavity that begins at said aperture and runs at least a portion of the length of said central chewing member:

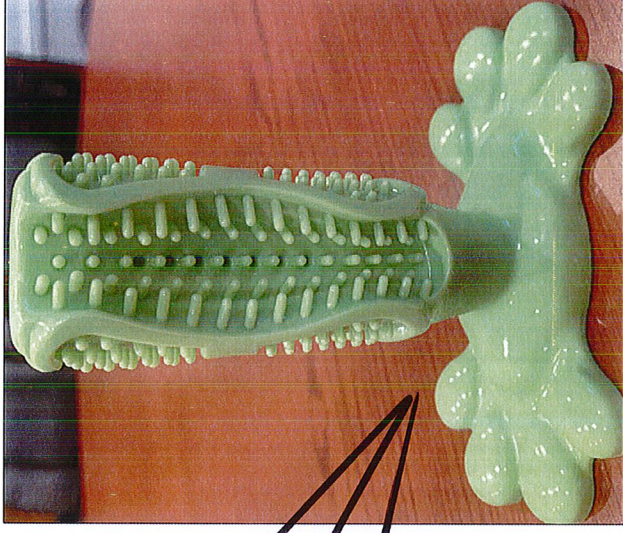


iv) at least one dispensing hole communicating between said at least one longitudinal cavity and said at least two U-shaped grooves, wherein said at least one dispensing hole is perpendicular to said at least one longitudinal cavity;



Type 4 Infringing Product against claim 1 of U.S Patent No. 10,477,838

- b) said at least one bottom stabilizing portion, comprising:
  - i) at least one substantially flat projection that stabilizes said chew toy when in use;
  - ii) wherein said at least one projection is perpendicular to said central chewing member;
  - iii) wherein said at least one bottom stabilizing portion is configured to stabilize said chew toy in an upright position; and



wherein said chew toy is a unitary structure made of non-toxic material.

Chew toy is a unitary structure made of non-toxic material.

# **Exhibit 10**

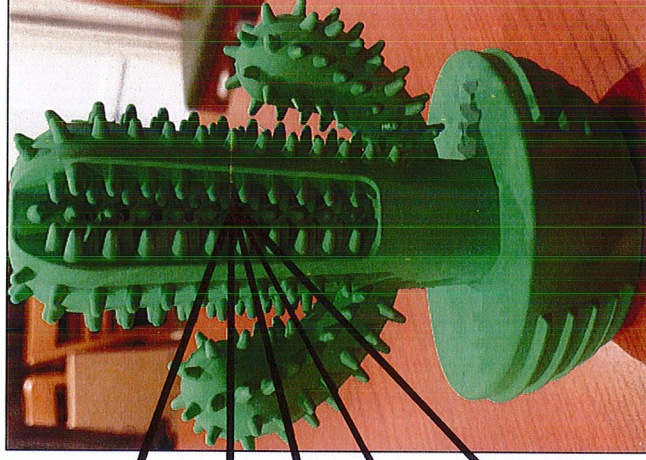
### Text of Claim 1

A chew toy for pet dental hygiene, comprising:

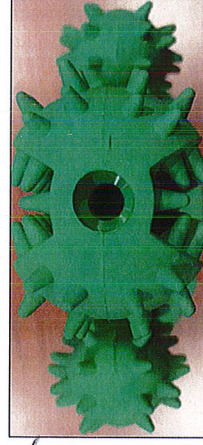
- a) a central chewing member, comprising:
  - i) at least two U-shaped grooves that comprise, on at least a portion of all internal surfaces of said at least two U-shaped grooves, a plurality of protruding scrubbing elements;
- a) wherein said at least two U-shaped grooves generally define said central chewing member with a first and second end;
- b) further wherein said at least two U-shaped grooves are arranged parallel to each other and perpendicular, at said second end, to an at least one bottom stabilizing portion;
- c) further wherein said at least two U-shaped grooves are each substantially the length of said central chewing member;
- d) further wherein said at least two U-shaped grooves are positioned on opposing sides of said central chewing member;
- e) further wherein each said at least two U-shaped grooves is generally U-shaped in cross section across said central chewing member;

### Type 5 Infringing Product

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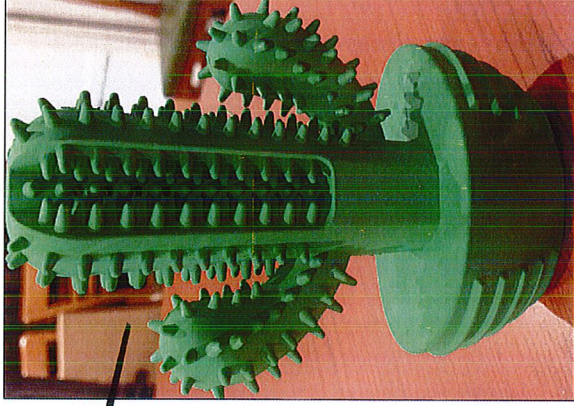


**SIDE  
VIEW**

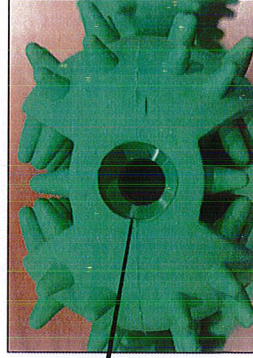


**TOP  
VIEW**

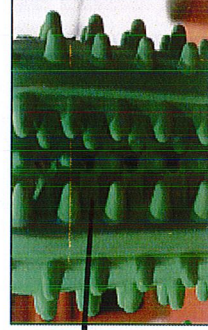
ii) a plurality of nub shaped elements positioned on an outside surface of said central chewing member,



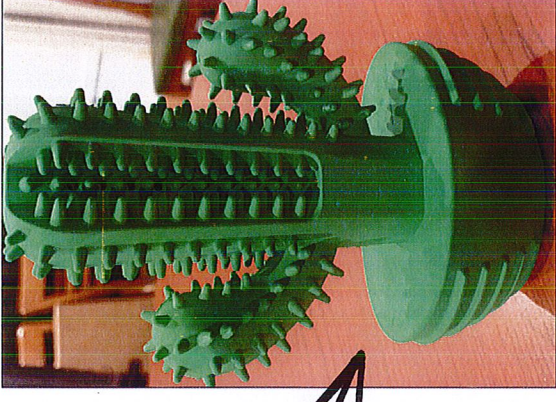
iii) at least one central aperture in said first end of said central chewing member and an at least one longitudinal cavity that begins at said aperture and runs at least a portion of the length of said central chewing member;



iv) at least one dispensing hole communicating between said at least one longitudinal cavity and said at least two U-shaped grooves, wherein said at least one dispensing hole is perpendicular to said at least one longitudinal cavity;



- b) said at least one bottom stabilizing portion, comprising:
  - i) at least one substantially flat projection that stabilizes said chew toy when in use;
  - ii) wherein said at least one projection is perpendicular to said central chewing member;
  - iii) wherein said at least one bottom stabilizing portion is configured to stabilize said chew toy in an upright position; and



wherein said chew toy is a unitary structure made of non-toxic material.

Chew toy is a unitary structure made of non-toxic material.