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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91218280
Party	Plaintiff Mya Saray, LLC
Correspondence Address	M KEITH BLANKENSHIP DA VINCIS NOTEBOOK LLC 10302 BRISTOW CENTER DRIVE, NO 52 BRISTOW, VA 20136 UNITED STATES keith@dnotebook.com
Submission	Other Motions/Papers
Filer's Name	M. Keith Blankenship
Filer's e-mail	keith@dnotebook.com
Signature	/M. Keith Blankenship/
Date	03/13/2017
Attachments	Notice to Board Re Stay.pdf(774994 bytes) Declaration_FINAL_opt.pdf(1887661 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

MYA SARAY, LLC,

Plaintiff,

v.

DABES, IBRAHIM

Defendant.

Proceeding No. 91218280

NOTICE TO THE BOARD

On May 2, 2016 this Board agreed to stay this opposition/cancellation proceeding (this “Proceeding”) in light of pending litigation between the parties to the issues of this Proceeding. A primary basis of the request for stay by the Opposer/ Canceller (hereinafter, “Mya Saray”) is that the scope of the Dabes’ use of the marks of this Proceeding requires evidence that this Board does not consider (e.g., Intent evidence¹) and includes a scope greater than would be considered in this Proceeding in relation to claims (e.g., Dabes’ counterfeits, patent infringement, copyright infringement, etc.) and parties (i.e., Dabes’ American distribution network). Although Dabes’ correctly communicated that one action has been terminated, Mya Saray’s litigation against Dabes has not concluded.

I. The First Action, 1:16-cv-64 (E.D.Va)

On January 20, 2016, Mya Saray filed suit against Dabes as well as his two American distributors, Premium Molasses, Inc. and World Smoke Shop. Premium Molasses settled, and in the course of reviewing the inventory of Premium Molasses, Mya Saray was able to construct the more robust action that was filed on June 7, 2016. See Decl. K. Blankenship, Ex. 1.

¹ This Board expressly ruled that it would not consider ‘Intent’ in conformity with its standard practices in

II. The Second Action, 1:16-cv-64 (E.D.Va)

Mya Saray investigation of Dabes' counterfeit inventory received pursuant to Premium Molasses' settlement revealed many facts that Dabes had hoped to hide in the course of this Proceeding. One of the points that Mya Saray has attempted to demonstrate to this Board is that Dabes copies as much of the MYA brand as he dares: hardly any element of Dabes' packaging refrains from copying at least one element of Mya Saray's packaging. See Decl. K. Blankenship, Ex. 2.

Mya Saray's Packaging



Mya Saray's Packaging



Dabes' Packaging²



Dabes Packaging³



² The same woman and color scheme

³ The same logo hue.

These are the facts that are highly relevant to likelihood of confusion, yet can only be demonstrated in an Article III Court. In the Second Action, Mya Saray brought suit against Dabes' only remaining American distributor, World Smoke Shop, which had by that time become defunct with only Allabadie, the natural person that owned the entity, as the rightful candidate for service. Because Allabadie operated his business from Los Angeles, a motion to dismiss surfaced and the Court granted the motion on September 9, 2016 and Mya Saray shortly appealed thereafter.

Mya Saray asked the district of the Second Action to stay the Second Action with respect to Dabes pending resolution of the appeal. The Eastern District of Virginia is known for its speed, and in a scenario where Mya Saray continued its litigation against Dabes while the Federal Circuit mulled the appeal against Allabadie, Dabes' remaining distributor, Mya Saray would not have access to the evidence of Allabadie to use against Dabes, except such as could be acquired via subpoena. The district court had other ideas: J. Brinkema allowed Mya Saray to dismiss Dabes for separate litigation. See Decl. K. Blankenship, Ex. 3.

III. The Third Action, 1:16-cv-64 (W.D.Va)

Mya Saray did bring a Third Action against Dabes that is separate from the stalled action against Allabadie, which it filed in the U.S. District Court for the Western District of VA. See Decl. K. Blankenship, Ex. 4. This action includes the claims of the First Action and the Second Action, along with other recently discovered claims.

IV. Conclusion

This Proceeding ought not returned to active status. Mya Saray is continuing to pursue its claims against Dabes, and these claims are the same that caused this Board to stay the Proceeding in the first instance.

DATED: 3/13/2017

By: /M. Keith Blankenship/
Attorney for Petitioner
M. Keith Blankenship, Esq.
Da Vinci's Notebook, LLC
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Bristow, VA 20136
Ph: (703) 646-1406
keith@dnotebook.com

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing document has been served on counsel for Applicant/Registrant by mailing said copy via First Class Mail, postage prepaid to:

John Lord
One LLP
9301 Wilshire Boulevard, Penthouse Suite
Beverly Hills, CA 90210

This 13th day of March 2017.

By : M. Keith Blankenship
M. Keith Blankenship

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

MYA SARAY, LLC,

Plaintiff,

v.

DABES, IBRAHIM

Defendant.

Proceeding No. 91218280

DECLARATION OF M. KEITH BLANKENSHIP

I, M. Keith Blankenship, declare that if called to testify, I would testify to the best of my information and belief as follows:

1. I have personal knowledge of all facts set forth in this Declaration and, if called upon, could competently testify to those facts. I am over 18 years of age and am qualified to testify.
2. I am the litigation attorney for Mya Saray and am familiar with the case history and file of this proceeding as well as the cases for the documents attached hereto.
3. Exhibit 1 is a true and accurate copy of the complaint filed for case captioned thereby.
4. Exhibit 2 is a true and accurate copy of the complaint filed for case captioned thereby.
5. Exhibit 3 is a true and accurate copy of an order dismissing Dabes from the case of captioned by the complaint of Exhibit 2.

6. Exhibit 4 is a true and accurate copy of the complaint filed for case captioned thereby.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this March 13, 2017.

By: M. Keith Blankenship
M. Keith Blankenship

(Declaration Exhibits Slanted As In Example Below to Distinguish from Complaint Exhibits)

EXHIBIT X

EXHIBIT 1

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

MYA SARAY, LLC

Plaintiff

v.

DABES, IBRAHIM dba
DABES EGYPTIAN IMPORTS

and

PREMIUM MOLASSES, INC.

and

SHISHA WHOLESALERS, INC.

and

WORLD SMOKE SHOP

Defendants

Docket No.

1:16cv64
LMB/IDD

2016 JAN 20 A 11:19
CLERK US DISTRICT COURT
ALEXANDRIA, VIRGINIA

FILED

JURY TRIAL DEMANDED

COMPLAINT

Mya Saray, LLC for its complaint against Ibrahim Dabes, Premium Molasses, Inc., Shisha Wholesalers, Inc., and World Smoke Shop avers with knowledge as to its own acts and otherwise on information and belief as follows:

THE PARTIES

1. The Plaintiff Mya Saray, LLC ("Mya Saray") is a limited liability company organized and existing under the laws of the Commonwealth of Virginia, with its principal place of business at 6405 10th Street, Alexandria, VA.

2. Defendant Ibrahim Dabes, dba Dabes Egyptian Imports, ("Dabes") is a sole proprietorship, with a mailing address of Neuburger Str. 109 Augsburg; Fed Rep Germany 86167.

3. Defendant Premium Molasses, Inc. ("Premium Molasses") is an Illinois corporation, with a principal place of business at 1056 East Wilson Ave; Lombard, IL 60148. The registered agent for Premium Molasses is Luai Abuhilal accepting service at 75 Eisenhower Lane South; Lombard, IL 60148.

4. Defendant Shisha Wholesalers, Inc. ("Shisha Wholesalers") is an Illinois corporation, with a principal place of business at 75 Eisenhower Lane South; Lombard, IL 60148. The registered agent for Shisha Wholesalers is Luai Abuhilal accepting service at 75 Eisenhower Lane South; Lombard, IL 60148.

5. Defendant World Smoke Shop ("World Smoke Shop") is a California sole proprietorship doing business at 508 South Brookhurst St.; Anaheim, CA 92804.

JURISDICTION AND VENUE

6. This civil action for unfair competition arises under the Patent laws of the United States, including 35 U.S.C. §271, the Unfair Competition laws of the United States, including 15 U.S.C. § 1125; and the Virginia Consumer Protection Act ("VCPA"), Va. Code § 59.1-196 et seq. This court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(b), and supplemental jurisdiction for VCPA claims pursuant to 28 U.S.C. § 1367(a). Venue is proper under 28 U.S.C. §§ 1391(b) and 1400(b). Ibrahim Dabes, Premium Molasses, Inc., Shisha Wholesalers, Inc., and World

Smoke Shop (collectively, "Defendants") are subject to personal jurisdiction in this district.

FACTS

7. Mya Saray is a manufacturer and distributor of tobacco products, particularly hookahs and hookah accessories, and has been in existence since 1863.

8. Mya Saray sells tobacco products nationally under the federally registered trademarks MYA, Reg. No. 3,031,439 ("the '439 registration" or the "Mya Word Mark") and MYA (as stylized), Reg. No. 3,031,440 ("the '440 registration" or the "Mya Design Mark"), and Reg. No. 4,693,443 ("the '443 registration). True copies of the '439 registration and the '440 registration and the '443 registration are attached hereto as Exhibit A and Exhibit B and Exhibit C, respectively. Mya Saray owns many common law trademarks incorporating the term MYA having rights derived from the '439 and '440 registrations, including MYA (and depictions thereof) on packaging, advertisements, hookahs, etc.

9. Mya Saray is the exclusive owner of United States Patent No. 8,001,978 ("the '978 patent") with authority to enforce that patent. A true copy of the '978 patent is attached as Exhibit D.

10. Mya Saray manufactures, distributes, advertises, publicizes, sells, and offers to sell the Mya QT hookah ("QT"), depicted in Exhibit E. The QT product design ("QT Hookah") is distinctive, non-functional, and serves as a trademark. Furthermore, the QT Hookah is composed of a distinctive hookah stem design ("QT Stem") and a distinctive hookah base ("QT Base"), each separately trademarked and capable of

independently acting as an indicator of source. The base of the QT hookah is protected by U.S. Trademark Reg. No. 3,845,276 ("the '276 registration). Exhibit E.

11. The MYA brand is one of the most counterfeited brands in the world.

12. Dabes is a German industrialist that has been importing hookahs from third party manufacturers for resale in Europe.

13. Mya Saray first encountered Dabes on or about 2009 when Dabes requested authority to distribute Mya Saray hookahs throughout Europe.

14. In performing due diligence, Mya Saray uncovered that Dabes was involved in significant counterfeiting activities, including offering counterfeits of multiple Mya Saray hookahs. Mya Saray refused Dabes distribution rights in any territory.

15. Subsequent to Mya Saray's refusal of Dabes' attempted distribution rights, Dabes began to sell hookahs throughout Europe with the term "AMY" associated therewith. The term "AMY" was stamped upon hookahs and hookah cases, and portrayed in advertisement and sales media for Dabes' hookahs ("AMY hookahs").

16. On or about July 31, 2013 Dabes filed an application in the U.S. Patent and Trademark Office for registration of a logo comprising the term "AMY DELUXE" as a logo, U.S. App. Ser. No. 86,025,122 ("the '122 application").

17. On or about July 31, 2013 Dabes filed an application in the U.S. Patent and Trademark Office for registration of a logo comprising the term "AMY GOLD TOBACCO MOLASSES" as a logo, U.S. App. Ser. No. 86, 025,182 ("the '182 application").

18. Dabes exports into the United States its AMY hookahs to two national distributors, Premium Molasses and World Smoke Shop. Premium Molasses and Shisha Wholesalers act in unison to accept imported AMY hookahs and distribute them to retail stores throughout the United States.

19. Defendants sell, offer to sell, and use in the United States a counterfeit of Mya Saray's QT hookah that infringes Mya Saray's '978 patent rights and the '276 registration. See Exhibit F.

20. Defendants provide AMY hookahs to Internet retailers in the United States that sell and offer to sell AMY hookahs into this district via website shopping carts, including: http://5starhookah.com/AMY_c200.htm; <http://www.smoking-hookah.com/hookahs>; <http://www.tcxashookah.com/hookahs.html>; <http://www.smokyhookah.com/hookahs.html>; et. al.

21. Multiple retail stores in this district sell, offer to sell, and use AMY hookahs.

CLAIMS FOR RELIEF

Count I. Violation of 15 U.S.C. § 1125(a)

Unfair Competition and Deceptive Marketing

22. Mya Saray incorporates by reference the preceding paragraphs of this Complaint as though fully set forth herein.

23. The conduct of Defendants constitutes use in commerce of designations and dress, false designations of origin, false or misleading descriptions of fact, and false or misleading representations of fact likely to confuse and deceive a substantial number of distributors in the trade, relevant consumers, and other purchasers as to the affiliation,

connection, or association of Defendants with Mya Saray and others, in violation of 15 U.S.C. § 1125(a)(1)(A).

24. The conduct of Defendants constitutes use in commerce of designations and dress, false designations of origin, false or misleading descriptions of fact, and false or misleading representations of fact likely to confuse and deceive a substantial number of distributors in the trade, relevant consumers, and other purchasers as to the origin, sponsorship, or approval of Defendants' goods and commercial activities as they relate to Mya Saray and others, in violation of 15 U.S.C. § 1125(a)(1)(A).

25. The conduct of Defendants constitutes use in commerce of designations and dress, false designations of origin, false or misleading descriptions of fact, and false or misleading representations of fact that in commercial advertising and promotion misrepresent the nature, characteristics, and qualities of Defendants' goods and commercial activities in violation of 15 U.S.C. § 1125(a)(1)(B).

26. The conduct of Defendants in unfairly competing with Mya Saray is willful and deliberate and done with an intent to misrepresent the nature, characteristics, and qualities of Defendants' goods, and confuse, mislead, and deceive a substantial number of distributors in the trade, relevant consumers, and other purchasers, and members of the public as to the origin of Defendants' goods and to cause said persons to believe that the goods have been sponsored, approved, authorized, or licensed by Mya Saray.

27. Defendants' conduct is causing Mya Saray immediate and irreparable injury and will continue to both damage Mya Saray and deceive the public unless enjoined by this court. Mya Saray has no adequate remedy at law.

**Count II. Violation of 15 U.S.C. § 1114
Registered Trademark Infringement of the '439 Registration**

28. Mya Saray incorporates herein by reference all preceding allegations of this Complaint as though fully set forth herein.

29. The conduct of Defendants in using the MYA Word Mark and colorable imitations thereof in connection with the sale, offering for sale, distribution, and advertising of tobacco products is likely to cause confusion or mistake or to deceive in violation of 15 U.S.C. § 1114(1)(a).

30. The conduct of Defendants in reproducing the MYA Word Mark and colorable imitations thereof and applying the reproduction to labels, signs, prints, packages, wrappers, receptacles or advertisements with the intent to be used in commerce with the sale, offer for sale, distribution, and advertising of tobacco products and such use is likely to cause confusion or mistake or to deceive in violation of 15 U.S.C. § 1114(1)(b).

31. Defendants' conduct is causing Mya Saray immediate and irreparable injury and will continue to both damage Mya Saray and deceive the public unless enjoined by this court. Mya Saray has no adequate remedy at law.

**Count III. Violation of 15 U.S.C. § 1114
Registered Trademark Infringement of the '440 Registration**

32. Mya Saray incorporates herein by reference all preceding allegations of this Complaint as though fully set forth herein.

33. The conduct of Defendants in using the MYA Design Mark and colorable imitations thereof in connection with the sale, offering for sale, distribution, and

advertising of tobacco products is likely to cause confusion or mistake or to deceive in violation of 15 U.S.C. § 1114(1)(a).

34. The conduct of Defendants in reproducing the MYA Design Mark and colorable imitations thereof and applying the reproduction to labels, signs, prints, packages, wrappers, receptacles or advertisements with the intent to be used in commerce with the sale, offer for sale, distribution, and advertising of tobacco products and such use is likely to cause confusion or mistake or to deceive in violation of 15 U.S.C. § 1114(1)(b).

35. Defendants' conduct is causing Mya Saray immediate and irreparable injury and will continue to both damage Mya Saray and deceive the public unless enjoined by this court. Mya Saray has no adequate remedy at law.

**Count IV. Violation of 15 U.S.C. § 1114
Registered Trademark Infringement of the '276 Registration**

36. Mya Saray incorporates herein by reference all preceding allegations of this Complaint as though fully set forth herein.

37. The conduct of Defendants in using the QT hookah product design and colorable imitations thereof in connection with the sale, offering for sale, distribution, and advertising of tobacco products is likely to cause confusion or mistake or to deceive in violation of 15 U.S.C. § 1114(1)(a).

38. The conduct of Defendants in reproducing the QT hookah product design and colorable imitations thereof and applying the reproduction to labels, signs, prints, packages, wrappers, receptacles or advertisements with the intent to be used in commerce with the sale, offer for sale, distribution, and advertising of tobacco products and such use

is likely to cause confusion or mistake or to deceive in violation of 15 U.S.C. § 1114(1)(b).

39. Defendants' conduct is causing Mya Saray immediate and irreparable injury and will continue to both damage Mya Saray and deceive the public unless enjoined by this court. Mya Saray has no adequate remedy at law.

**Count V. Violation of 15 U.S.C. § 1114
Registered Trademark Infringement of the '443 Registration**

40. Mya Saray incorporates herein by reference all preceding allegations of this Complaint as though fully set forth herein.

41. The conduct of Defendants in using the MYA logo of the '443 registration and colorable imitations thereof in connection with the sale, offering for sale, distribution, and advertising of tobacco products is likely to cause confusion or mistake or to deceive in violation of 15 U.S.C. § 1114(1)(a).

42. The conduct of Defendants in using the MYA logo of the '443 registration and colorable imitations thereof and applying the reproduction to labels, signs, prints, packages, wrappers, receptacles or advertisements with the intent to be used in commerce with the sale, offer for sale, distribution, and advertising of tobacco products and such use is likely to cause confusion or mistake or to deceive in violation of 15 U.S.C. § 1114(1)(b).

43. Defendants' conduct is causing Mya Saray immediate and irreparable injury and will continue to both damage Mya Saray and deceive the public unless enjoined by this court. Mya Saray has no adequate remedy at law.

**Count V. Patent Infringement
Infringement of the '978 Patent**

44. Mya Saray incorporates herein by reference all preceding allegations of this Complaint as though fully set forth herein.

45. The '978 patent, which was duly and lawfully granted on August 23, 2011, describes and claims a smoking apparatus.

46. Defendants have been and are infringing, inducing infringement of, and contributing to the infringement of the '978 patent by making, using, offering for sale and/or selling, in these United States, or importing into these United States articles, including the AMY "Jinn" hookah, that read on the '978 patent claims, all without the consent of Mya Saray.

47. Mya Saray has been and will continue to be damaged by the infringing activities of Defendants and will be irreparably harmed unless those infringing activities are enjoined by this Court.

**Count VI. Violation of Va. Code § 59.1-200(A)
The Virginia Consumer Protection Act**

48. Mya Saray incorporates herein by reference all other allegations of this Complaint as though fully set forth herein.

49. Defendants are misrepresenting to consumers, and contributing to the ability of other suppliers to misrepresent, that the goods of Defendants are the goods of Mya Saray in violation of Va. Code § 59.1-200(A)(1).

50. Defendants are misrepresenting to consumers, and contributing to the ability of other suppliers to misrepresent, that the goods of Defendants are sponsored by,

approved by, or certified by Mya Saray, or that Mya Saray is a source of such goods in violation of Va. Code § 59.1-200(A)(2).

51. Defendants are misrepresenting to consumers, and contributing to the ability of other suppliers to misrepresent, that their goods are affiliated, connected, or associated with Mya Saray in violation of Va. Code § 59.1-200(A)(3).

52. Defendants are misrepresenting to consumers, and contributing to the ability of other suppliers to misrepresent, that their goods have the characteristics and benefits of the goods of Mya Saray in violation of Va. Code § 59.1-200(A)(5).

53. Defendants are misrepresenting to consumers, and contributing to the ability of other suppliers to misrepresent, that their goods are similar to those of Mya Saray in terms of standards, quality, grade, style, or model in violation of Va. Code Ann § 59.1-200(A)(6).

54. Defendants are violating Va. Code § 59.1-200(A)(14).

WHEREFORE, Plaintiff prays for judgment:

A. That Mya Saray is the owner of U.S. Patent No. 8,001,978 and has the right to sue and collect damages for any and all infringements thereof;

B That U.S. Patent No. 8,001,978 remains good and valid in law and has been infringed by Defendants;

C. That Defendants, and their officers, agents, servants, and employees and those persons in active concert and participation with or controlled by any of them, be preliminarily and permanently enjoined and restrained from infringing, inducing infringement of, and contributing to the infringement of U.S. Patent No. 8,001,978;

D. That Mya Saray is the sole and exclusive owner of the Trademarks referenced in this Complaint, including: the MYA word mark; the MYA design mark (As Stylized); the trade dress for the designs of the QT hookah base, hookah stems, and combination thereof; and that Mya Saray has the right to sue for its damages for any and all infringements thereof and trespasses thereupon;

E. That Defendants have unfairly competed with Mya Saray in violation of the unfair competition laws of Virginia and these United States, including 15 U.S.C. § 1125(a) and the Virginia Consumer Protection Act;

F. That this Court order Defendants, their agents, associates, employees, attorneys, and any other person in active concert or participation with them, be forthwith preliminarily and permanently enjoined from: using, alone or in combination, the designations MYA and MYA (As Stylized) and MYA (as portrayed in the '443 registration) and hookah products having a design confusingly similar to that of any protectable Mya Saray trade dress, including the '276 registration;

G. That Mya Saray be awarded all damages related to the unlawful actions of Defendants as characterized by this Complaint, or in the alternative statutory damages as recoverable under the U.S. Lanham Act.

H. That Defendants be required to account for and to disgorge its profits and that Mya Saray be awarded its damages and that those damages be trebled, together with interest and costs;

I. That Mya Saray be awarded its reasonable attorney's fees and costs in this action;

J. That all infringing articles and all means of making the same be delivered up and destroyed, at the costs of the Defendants;

K. That this Court order the cancellation of any trademark rights recognized by the U.S. Patent and trademark office for any name, symbol, or device utilized by Defendants confusingly similar to any protectable trademark of Mya Saray, including Dabes' U.S. Trademark Application Serial Nos. 86/025,182 and 86/025,122.

L. That Mya Saray be awarded such further relief as this Court may deem just and proper.

JURY DEMAND

Mya Saray demands a trial by jury pursuant to Fed. R. Civ. Pro. 38 as to all issues triable of right to a jury.

DATED: January 19, 2016

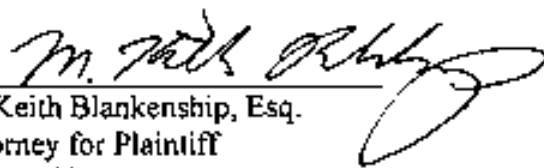
By 
M. Keith Blankenship, Esq.
Attorney for Plaintiff
VSB# 70027
Da Vinci's Notebook, LLC
10302 Bristow Center Dr
No. 52
Bristow, VA 20136
703-581-9562
keith@dnotebook.com

Exhibit A

Int. Cl.: 34

Prior U.S. Cls.: 2, 8, 9 and 17

Reg. No. 3,031,439

United States Patent and Trademark Office

Registered Dec. 20, 2005

**TRADEMARK
PRINCIPAL REGISTER**

MYA

**MYA SARAY, LLC (VIRGINIA LIMITED LIABILITY CORPORATION)
SUITE 1414 EAST
3709 SOUTH GEORGE MASON DRIVE
FALLS CHURCH, VA 22041**

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

**FOR: WATER PIPES FOR SMOKING, IN CLASS 34
(U.S. CLS. 2, 8, 9 AND 17).**

SER. NO. 78,349,135, FILED 1-9-2004.

FIRST USE 3-1-2002; IN COMMERCE 3-1-2002.

ANN E. SAPPENFIELD, EXAMINING ATTORNEY

The '439 Registration – Mya Word Mark

Exhibit B

Int. Cl.: 34

Prior U.S. Cls.: 2, 8, 9 and 17

United States Patent and Trademark Office

Reg. No. 3,031,440

Registered Dec. 20, 2005

**TRADEMARK
PRINCIPAL REGISTER**

MYA

**MYA SARAY, LLC (VIRGINIA LIMITED LIABILITY CORPORATION)
SUITE 1414 EAST
3709 SOUTH GEORGE MASON DRIVE
FALLS CHURCH, VA 22041**

**FOR: WATER PIPES FOR SMOKING, IN CLASS 34
(U.S. CLS. 2, 8, 9 AND 17).**

FIRST USE 3-1-2002; IN COMMERCE 3-1-2002

**THE MARK CONSISTS OF THE NAME MYA IN
STYLIZED FORM.**

SER. NO. 78-349,903, FILED 1-9-2004.

ANN E. SAPPENFIELD, EXAMINING ATTORNEY

The '440 Registration – Mya Design Mark

Exhibit C

United States of America
United States Patent and Trademark Office



Reg. No. 4,693,443

Registered Feb. 24, 2015

Int. Cl.: 34

TRADEMARK

PRINCIPAL REGISTER

MYA SARAY, LLC (VIRGINIA LIMITED LIABILITY COMPANY)
UNIT 114

43671 TRADE CENTER PLAZA
STEEL DAM, VA 20186

FOR: TOBACCO PRODUCTS, NAMELY, CIGARETTES AND TOBACCO ACCESSORIES,
NAMELY, TOBACCO STEMS, TOBACCO PIPES, TOBACCO TONGS, TOBACCO PLATES,
TOBACCO BOWLS, TOBACCO HOOKS, TOBACCO CASES, AND TOBACCO GRINDERS,
TOBACCO SMOKE CURE, TOBACCO FOR SMOKE, IN CLASS 34 (U.S. CLS. 2, 8, 9 AND 17).

FIRST USE: 11-20-2014, IN CONNECTION: 11-20-2014

THE MARK CONSISTS OF AN INDEPENDENT ARRANGEMENT OF THE LETTERS "M"
AND "Y" AND "A" LOCATED INSIDE A SQUARE CIRCLE AND SQUARE, RESPECT-
IVELY.

EXAMINER'S REPORT: 1-24-2015

JUSTINE D. PARKER EXAMINING ATTORNEY



Michelle K. Lee

Deputy Director of the United States
Patent and Trademark Office

The '443 Registration – A Mya Logo

Exhibit D

The '978 Patent

(Begins on Next Page)



US008001978B2

(12) **United States Patent**
Mehio

(10) **Patent No.:** **US 8,001,978 B2**
(45) **Date of Patent:** ***Aug. 23, 2011**

(54) **SMOKING APPARATUS**

(56) **References Cited**

(75) **Inventor:** **Nizar Yousef Mehio, Talat El Khayat (LB)**

U.S. PATENT DOCUMENTS

722,405 A *	3/1900	Gaim	134/173
3,805,806 A *	4/1974	GriSalva	134/173
3,918,464 A *	11/1975	Kolodziej	131/173
4,134,410 A *	1/1979	Kahler	134/173
5,908,531 A *	6/1999	Laurent	156/296

(73) **Assignee:** **Mya Saray, L.L.C., Sterling, VA (US)**

FOREIGN PATENT DOCUMENTS

DE 2004134 U1 * 5/2000

* cited by examiner

Primary Examiner -- Richard Crispino

Assistant Examiner -- Phu Nguyen

(74) *Attorney, Agent, or Firm* -- General Counsel, P.C.

(*) **Notice:** Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 190 days.

This patent is subject to a terminal disclaimer.

(21) **Appl. No.:** **11/201,289**

(22) **Filed:** **Aug. 11, 2005**

(65) **Prior Publication Data**

US 2006/0272658 A1 Dec. 7, 2006

(51) **Int. Cl.**
A24F 1/14 (2006.01)
A24F 1/30 (2006.01)

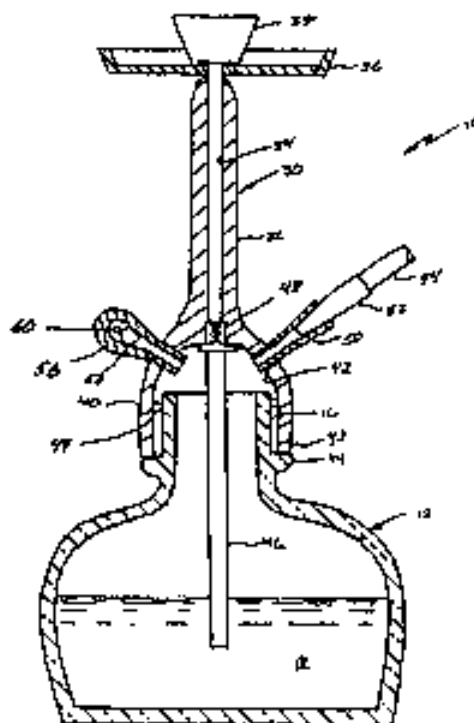
(52) **U.S. Cl.** 131/173; 131/221; 131/229; 131/201;
131/207

(58) **Field of Classification Search** 131/173
See application file for complete search history.

(57) **ABSTRACT**

An improved smoking apparatus includes a bottle containing a fluid. The bottle has an upstanding neck with peripheral collar formed around the external periphery thereof. A stem has a base and a neck. The base defines an interior plenum, and a passage extends through the neck and terminates at the interior passage. A burner cup is mounted to the stem in communication with the passage. The interior plenum has a size and shape to permit the stem to be coupled to the bottle by placing the base over the neck, with a bottom edge of the base resting on the collar of the bottle. A sealing element is disposed between the exterior surface of the neck of the bottle and the inner surface of the interior plenum to provide a substantially air-tight coupling.

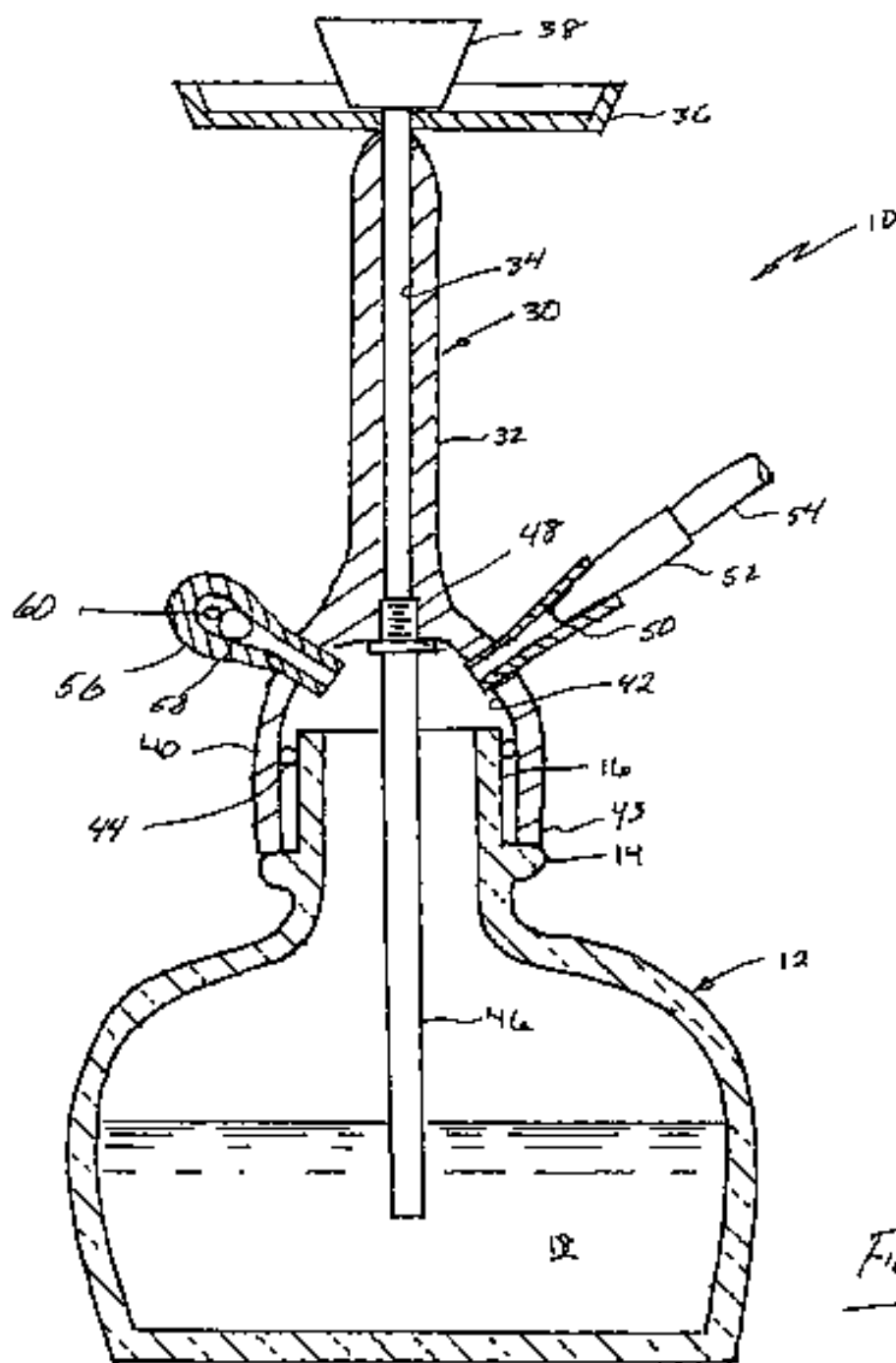
14 Claims, 1 Drawing Sheet



U.S. Patent

Aug. 23, 2011

US 8,001,978 B2



US 8,001,978 B2

1 SMOKING APPARATUS

BACKGROUND OF THE INVENTION

1. Field of the Invention

The invention relates to smoking apparatuses, such as a pipe, and more particularly to smoking pipes with blown-glass bases.

2. Description of the Related Art

Pipes are often used to smoke substances such as tobacco. Moisture from a fluid may be mixed with pipe smoke to ameliorate harshness and to impart a pleasant flavor or aroma to the smoke. So-called hookah pipes are one way in which smoke may be mixed with moisture.

A hookah pipe has a bottle which filled with fluid. The bottle of the hookah may be made of glass, such as crystal. A stem is mounted to the bottle. The stem includes a passage conveying smoke from a burner cup on top of the stem through a down tube projecting from the stem and into the fluid in the bottle. The stem is preferably made of metal. The smoke drawn through the stem is expelled from the down tube beneath the surface of the fluid and allowed to bubble up through the fluid to the surface, absorbing moisture as it rises to the fluid surface. The stem base defines an interior plenum into which smoke bubbling from the fluid surface collects. One or more smoking hoses are connected to the stem, in communication with the interior plenum. A user smokes the hookah by drawing smoke through the hose.

The bottle of a hubble-bubble is often made of blown glass. The stem of the hookah is mounted to a neck of the base, so the neck must be drawn out to a length and diameter commensurate with the dimensions of the metal stem and plenum during the glass blowing process. It may be difficult to control accurately the dimensions of the neck while the glass is being blown. Some of this variation of dimensions is attractive, and lends a unique, hand-crafted appearance to the base. Significant variations of dimensions can make coupling the stem to the neck with an airtight connection difficult. Typically a base of the stem is inserted or threaded into the neck of the bottle. The stem must fit inside the neck substantially tightly in order to prevent smoke from leaking. The longer the neck, the more likely the inner profile of the neck will vary from true roundness, and the less likely the stem will fit tightly.

SUMMARY OF THE INVENTION

The current invention is embodied in a smoking apparatus which includes a bottle containing a fluid, a stem coupled to the bottle, and one or more smoking tubes connected to the stem which permit users to draw smoke from a burner cup mounted to the stem, through the stem and the fluid contained within the bottle, and out of the tube.

The bottle has an upwardly-extending neck and a radially extending collar extending around the external periphery of the neck. The stem has a base and a neck extending upwardly from the base. The base defines an interior plenum having a size and shape that permits the base to be placed over the neck of the bottle with a bottom edge of the base resting on the collar.

BRIEF DESCRIPTION OF THE OF THE DRAWINGS

FIG. 1 is a smoking pipe according to the present invention shown in cross section.

2 DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENTS

A smoking apparatus in the form of a hookah pipe indicated by reference no. 10 is shown in FIG. 1. The pipe 10 includes a bottle 12 containing a liquid 18 and a stem 30 mounted to the top of the bottle 12. The bottle 12 has an upper, generally cylindrical neck 16 and a radially extending peripheral shoulder 14 surrounding the neck beneath the upper end thereof. The bottle 12 may be formed from any suitable material such as glass, plastic, acrylic, ceramic, etc.

The stem 30 includes an upper neck 32 and a stem base 40. A burner cup 38 for holding the smoking material, such as tobacco, is mounted proximate a top end of the neck 32. Preferably a plate 36 is positioned beneath the burner cup 38 for catching ashes and other materials spilled from the burner cup 38.

The stem base 40 forms an interior plenum 42. The lower portion 43 of the base 40 has a shape, preferably circular, that conforms to the shape of the neck 16 of the bottle 12 and has a diameter sufficiently larger than that of the neck 16 so that the stem 30 can be operatively mounted onto the bottle 12 by merely placing the stem base 40 over the neck 16 so that the lower end 43 of the stem base 40 is seated on the collar 14 of the bottle 12. Preferably, a sealing element, such as an o-ring 44 or other suitable gasket material, is placed over the neck 16 between the neck 16 and the inner surface of the stem base 40 to provide a generally airtight seal between the stem base 40 and the neck 16.

A passage 34 extends from the burner cup 38 through the neck 32. A down tube 46 is secured into the neck 32, preferably by a threaded end 48, in alignment with the passage 34. The down tube 46 extends from the interior plenum 42 into the bottle 12 such that its lower-most end is beneath the surface of the liquid 18.

A hose fitting 50 extends into the stem base 40 and is preferably threaded thereto. A smoking hose 54 has a hose nipple 52 secured at an end thereof, and the nipple 52 is secured to the hose fitting 50 by forcing its tapered end into the tapered opening of the hose fitting as shown in FIG. 1.

The pipe 10 is smoked by a user drawing smoke through a mouthpiece (not shown) of an opposite end of the hose 54, thereby drawing air through the burner cup 38, through the passage 34 and down tube 46, through the liquid 18, up into the interior plenum 42, and through the hose fitting 50 and hose 54. Although not shown, the pipe 10 may include more than one hose fitting and attached hoses to permit multiple users.

Because the stem 30 is coupled to the bottle 12 by merely placing the stem base 40 over the neck 16 with o-ring 44 in place to provide a suitable seal, manufacturing tolerances of the neck 16 need not be so stringent. In addition, should the bottle 12 be broken, the stem 30 can easily be placed onto a second bottle having a neck of generally similar proportions.

A pressure release 56 extends into the stem base 40 and is preferably secured thereto by threading. The pressure release comprises a generally enclosed tab with an interior plenum including a tapered portion and a rounded end portion. A ball 58 is disposed within the interior of the pressure release 56 and a relief opening 60 is formed in the pressure release 56 into the interior portion thereof. During use of the pipe while a user is drawing smoke through the tube 54, the relative vacuum formed in the interior plenum 42 draws the ball 58 into the tapered portion of the interior plenum of the pressure release 56, thereby blocking any air passage through the pressure release 56. To equalize the pressure within the interior plenum 42 of the stem 30, the user need only blow slightly

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into the tube 54. The increased pressure created within the interior plenum 42 will cause the ball 58 to dislodge from the tapered portion thereby permitting airflow into the pressure release 56, around the ball 58, and out of the relief opening 60.

While various embodiments of the present invention have been described above, they should be understood to have been presented by way of examples only, and not limitation. Thus, the breadth and scope of the present invention should not be limited by the above described embodiments.

Modifications and variations of the present invention are possible in light of the above teachings. It is therefore to be understood that the invention may be practiced otherwise than as specifically described herein.

What is claimed is:

1. A hookah system comprising:

a hookah bottle having an upper neck with a substantially flush exterior, peripheral side surface and a hookah bottle opening;

a flexible seal disposed about said substantially flush exterior, peripheral side surface; and

a hookah stem with a stem base defining an interior plenum comprising:

an interior sidewall having a substantially flush sidewall surface dimensioned to sealingly accept said flexible seal by compressing said flexible seal upon said substantially flush exterior, peripheral side surface of said neck upon placement of said stem onto said bottle neck;

an elevated wet smoke cavern above said hookah bottle opening and defined by said interior sidewall positioned above said compressed flexible seal for the direct accumulation of wet smoke from said bottle; and

a wet smoke aperture defined by said interior plenum sidewall that directly accesses said wet smoke cavern and is adapted to accept a hose fitting.

2. The system of claim 1 wherein said flexible seal is removably disposed about the periphery of said neck.

3. The system of claim 1 wherein said wet smoke cavern includes a perimeter diminishing upwardly with respect to said bottle.

4. The system of claim 3 wherein said stem further comprises multiple wet smoke outlets, and multiple hose fittings in fluid communication with said multiple wet smoke outlet such that each wet smoke outlet allows the passage of wet smoke to a single hose fitting.

5. The system of claim 4 wherein said multiple hose fittings are removable hose fittings with a threaded portion.

6. The system of claim 1 wherein said bottle further defines a peripheral shoulder dimensioned to support said hookah stem.

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7. The system of claim 1 further comprising a down tube, connected to said interior sidewall, passing through said wet smoke cavern and descending into said bottle.

8. The system of claim 7 wherein said down tube is releasably connected to said interior sidewall.

9. A hookah system comprising:

a hookah bottle having an upper neck with a substantially flush exterior, peripheral side surface, an interior side surface, and a hookah bottle opening;

a flexible seal disposed about said substantially flush exterior, peripheral side surface; and

a hookah stem with a stem base defining an interior plenum comprising:

an interior plenum sidewall having a substantially flush sidewall surface dimensioned to sealingly accept said flexible seal by compressing said flexible seal upon said substantially flush exterior, peripheral side surface of said neck upon placement of said stem onto said bottle neck;

an elevated wet smoke cavern above said hookah bottle opening and defined by said interior plenum sidewall positioned above said compressed flexible seal for the direct accumulation of wet smoke from said bottle; and

a wet smoke aperture defined by said interior plenum sidewall that directly accesses said wet smoke cavern and is adapted to accept a hose fitting; and

a down tube, connected to said interior plenum sidewall, with a down tube exterior and passing through said wet smoke cavern and descending into said bottle,

wherein space between said down tube and said interior plenum sidewall and space between said down tube and said inside neck surface define a substantially annular wet smoke ascension void, extending continuously from said bottle into said wet smoke cavern, positioned to allow the uniform, direct ascension of wet smoke from said bottle to said wet smoke cavern.

10. The system of claim 9 wherein said flexible seal is removably disposed about the periphery of said neck.

11. The system of claim 9 wherein said wet smoke cavern includes a perimeter diminishing upwardly with respect to said bottle.

12. The system of claim 11 wherein said stem further comprises multiple wet smoke outlets, and multiple hose fittings in fluid communication with said multiple wet smoke outlet such that each wet smoke outlet allows the passage of wet smoke to a single hose fitting.

13. The system of claim 12 wherein said multiple hose fittings are removable hose fittings with a threaded portion.

14. The system of claim 9 wherein said bottle further defines a peripheral shoulder dimensioned to support said hookah stem.

* * * * *

Exhibit E

United States of America
United States Patent and Trademark Office



Reg. No. 3,545,276

Registered Sep. 7, 2010

Int. CL: 34

TRADEMARK

PRINCIPAL REGISTER

MYA SARAY, LLC (MICHIGAN LIMITED LIABILITY COMPANY)
UNIT 111
4351 TRADE CENTER PLACE
SHELTON, VA 20165

FOR: HOOKAHS, IN CLASS 16 (U.S. CL. 9 AND 17).

FIRST USE: 11-1-2008, IN COMMERCE: 11-1-2008.

THE MARK CONSISTS OF A THREE-DIMENSIONAL CONSTRUCTION OF A HOOKAH BASE THAT IS ESSENTIALLY CIRCULAR, IS DEEP AND HAS SEVERAL GRADUATED LEVELS. THE MATERIAL SHOWN IN DASHED LINES IS NOT PART OF THE MARK.

SEE: 3(P).

DOI: NO. 77-859,010, FILED 3-15-2010

SEARON WELER, EXAMINING ATTORNEY



The '276 Registration

The MYA QT Hookah



Exhibit F

Name: _____
 Adresse: _____
 Telefon: _____
 E-Mail: _____

Dabes Egyptian Imports
 Hohenbergstr. 107
 66267 Augsburg
 Tel: +49 821 54 99445

**Preisliste / Bestellformular**

- gilt für Deutschland 2015 -

Wasserpfeifen

DABES MOSENA

	Art		Bestellnr. 01-0001	Preis/ab 1 Kart.	Preis / 2 Kart.
	rot	schwarz		13,00 €	12,00 €
	blau	schwarz			
	schwarz	schwarz			
	Orsay Dabes		Bestellnr. 0000-1	Preis/ab 1 Kart.	Preis / 2 Kart.
	blau	schwarz		25,00 €	22,50 €
	schwarz mit Koffer	schwarz			
	schwarz	schwarz			
	Orsay Dabes Spotted Art		Bestellnr. 0000-2	Preis/ab 1 Kart.	Preis / 2 Kart.
	schwarz	schwarz		18,00 €	16,00 €
	schwarz mit Koffer	schwarz			
	schwarz	schwarz			
	Orsay Dabes		Bestellnr. 0000-3	Preis/ab 1 Kart.	Preis / 2 Kart.
	schwarz	schwarz		28,00 €	26,00 €
	schwarz mit Koffer	schwarz			
	schwarz	schwarz			
	Orsay Dabes		Bestellnr. 0000-4	Preis/ab 1 Kart.	Preis / 2 Kart.
	schwarz	schwarz		28,00 €	26,00 €
	schwarz mit Koffer	schwarz			
	schwarz	schwarz			
	Orsay Dabes		Bestellnr. 0000-5	Preis/ab 1 Kart.	Preis / 2 Kart.
	schwarz	schwarz		28,00 €	26,00 €
	schwarz mit Koffer	schwarz			
	schwarz	schwarz			
	Orsay Dabes		Bestellnr. 0000-6	Preis/ab 1 Kart.	Preis / 2 Kart.
	schwarz	schwarz		28,00 €	26,00 €
	schwarz mit Koffer	schwarz			
	schwarz	schwarz			
	Orsay Dabes		Bestellnr. 0000-7	Preis/ab 1 Kart.	Preis / 2 Kart.
	schwarz	schwarz		28,00 €	26,00 €
	schwarz mit Koffer	schwarz			
	schwarz	schwarz			
	Orsay Dabes		Bestellnr. 0000-8	Preis/ab 1 Kart.	Preis / 2 Kart.
	schwarz	schwarz		28,00 €	26,00 €
	schwarz mit Koffer	schwarz			
	schwarz	schwarz			
	Orsay Dabes		Bestellnr. 0000-9	Preis/ab 1 Kart.	Preis / 2 Kart.
	schwarz	schwarz		28,00 €	26,00 €
	schwarz mit Koffer	schwarz			
	schwarz	schwarz			

Dabes Catalogue Picture

EXHIBIT 2

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

2016 JUN -7 PM 2:52

Docket No. 1:16-cv-00629

MYA SARAY, LLC

Plaintiff

v.

DABES, IBRAHIM dba
DABES EGYPTIAN IMPORTS

and

ALLABADIE, ALLA dba
WORLD SMOKE SHOP and dba
SHISHA CENTER

Defendants

JURY TRIAL DEMANDED

COMPLAINT

Mya Saray, LLC for its complaint against Ibrahim Dabes and Alla Allabadie avers with knowledge as to its own acts and otherwise on information and belief as follows:

THE PARTIES

1. The Plaintiff Mya Saray, LLC ("Mya Saray") is a limited liability company organized and existing under the laws of the Commonwealth of Virginia, with its principal place of business at 43671 Trade Center Pl #114, Sterling, VA 20166.

2. Defendant Ibrahim Dabes, dba Dabes Egyptian Imports, (collectively, "Dabes") is a sole proprietorship, with a mailing address of Neuburger Str. 109 Augsburg; Fed Rep Germany 86167.

3. Defendant Alla A. Allabadie doing business as a California sole proprietor as "World Smoke Shop" and also doing business as a California sole proprietor as "Shisha Center" all at 508 South Brookhurst St., Anaheim, CA 92804 (collectively, "Allabadie").

JURISDICTION AND VENUE

4. This civil action arises under the Patent, Unfair Competition, and Copyright laws of the United States, as well as the laws of Virginia, including 35 U.S.C. §271, 15 U.S.C. §§1114 and 1125, and 17 U.S.C. §501. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(b), and supplemental jurisdiction for VCPA, VUTSA, and contract claims pursuant to 28 U.S.C. § 1367(a). Venue is proper under 28 U.S.C. §§ 1391(b) and 1400(b). Ibrahim Dabes and Allabadie (collectively, "Defendants") are subject to personal jurisdiction in this district.

FACTS

5. Mya Saray is a manufacturer and distributor of tobacco products, particularly hookahs and hookah accessories, and has been in existence since 1863.

6. Mya Saray sells tobacco products under its MYA brand ("MYA Tobacco Products"), throughout the world, and nationally under the federally registered trademarks MYA, Reg. No. 3,031,439 ("the '439 registration" or the "Mya Word Mark") and MYA (as stylized), Reg. No. 3,031,440 ("the '440 registration" or the "Mya Design Mark"), and Reg. No. 4,693,443 ("the '443 registration). True copies of the '439 registration and the '440 registration and the '443 registration are attached hereto as Exhibit A and Exhibit B and Exhibit C, respectively. The MYA Tobacco Products are

associated with many common law trademarks owned by Mya Saray, including the trade dress of packaging, various depictions of the term "MYA," along with product designs of various hookahs (collectively, MYA Common Law Trademarks). These MYA Common Law Trademarks are distinctive, non-functional, extend throughout the United States and its territories, and are buttressed by lengthy use and substantial consumer recognition.

7. Mya Saray manufactures, distributes, advertises, publicizes, sells, and offers to sell the Mya QT hookah, depicted in Exhibit D. The product design of this hookah ("QT Hookah") is distinctive, non-functional, and serves as a trademark. Furthermore, the QT Hookah is composed of a distinctive hookah stem design ("QT Stem") and a distinctive hookah base ("QT Base"), each separately trademarked and capable of independently acting as an indicator of source. The QT Base is protected by U.S. Trademark Reg. No. 3,845,276 ("the '276 registration"). Exhibit E. The brand name "QT" is protected by U.S. TM. Reg. No. 4,562,908 ("the '908 registration" or the "QT Word Mark"). A true copy of the '908 registration is attached hereto as Exhibit F.

8. Mya Saray is the exclusive owner of United States Patent No. 8,001,978 ("the '978 patent") with authority to enforce that patent. Exhibit G.

9. Mya Saray is the exclusive owner of United States Patent No. 7,806,123 ("the '123 patent") with authority to enforce that patent. Exhibit H.

10. Mya Saray is the exclusive owner of United States Patent No. 8,573,229 ("the '229 patent") with authority to enforce that patent. Exhibit I.

11. Mya Saray is the exclusive owner of United States Patent No. 9,107,456 ("the '456 patent") with authority to enforce that patent. Exhibit J.

12. The MYA brand is one of the most counterfeited brands in the world. The QT Hookah is the world's most counterfeited hookah.

13. Dabes is a German industrialist that has been importing hookahs and hookah accessories ("Dabes Tobacco Products") from third party manufacturers, primarily in China, for resale in Europe.

14. Mya Saray first encountered Dabes on or about 2009 when Dabes requested authority to distribute Mya Saray hookahs throughout Europe along with the Dabes Tobacco Products.

15. In performing due diligence, Mya Saray uncovered that Dabes was involved in significant counterfeiting activities, including offering counterfeits of multiple Mya Saray hookahs in the Dabes Tobacco Products line. Mya Saray refused Dabes distribution rights in any territory shortly after his request for such rights.

16. Subsequent to Mya Saray's refusal of Dabes' attempted distribution rights, Dabes expanded the Dabes Hookahs to include as a subset brand of "AMY" ("AMY Tobacco Products"), a brand that Dabes applied, and applies, to Dabes Tobacco Products throughout Europe. The term "AMY" was depicted on hookahs and hookah cases, and portrayed in packaging for tobacco products, advertisement, and sales media for the Dabes Hookahs.

17. The designation "AMY" was adopted by Dabes purely as a rouse to create, and exploit, consumer confusion occurring between the MYA and AMY products. Such confusion has actually resulted.

18. Dabes has ordered counterfeits and knock-offs of MYA Tobacco Products for the knowing purpose of confusing consumers, and permitting and encouraging its

distributors and retailers to confuse consumers. For example, many of Dabes' "Jinn" hookah, which is a counterfeit of the MYA QT Hookah, is frequently sold in Europe and into the United States as an AMY QT hookah or DABES QT hookah.

19. On or about July 31, 2013 Dabes filed an application in the U.S. Patent and Trademark Office for registration of a logo comprising the term "AMY DELUXE" as a logo, U.S. App. Ser. No. 86,025,122 ("the '122 application").

20. On or about July 31, 2013 Dabes filed an application in the U.S. Patent and Trademark Office for registration of a logo comprising the term "AMY GOLD TOBACCO MOLASSES" as a logo, U.S. App. Ser. No. 86,025,182 ("the '182 application").

21. Dabes exports into the United States its Dabes Tobacco Products, including AMY Tobacco Products, to two national distributors, Premium Molasses and Allabadie. Premium Molasses and Allabadie acted in unison to accept imported AMY Tobacco Products and distribute them to retail stores throughout the United States.

22. The Dabes Tobacco Products include multiple products that infringe Mya Saray's intellectual property, and these products were knowingly created (and ordered to be created) by Defendants for the purpose of knowingly infringing Mya Saray's intellectual property rights. The scope of infringement is vast.

23. Defendants provide AMY Tobacco Products to Internet retailers in the United States and Europe that sell and offer to sell AMY Tobacco Products into the United States and this district via website shopping carts, including: http://5starhookah.com/AMY_c200.htm; <http://www.smoking-hookah.com/hookahs>;

<http://www.texashookah.com/hookahs.html>;

<http://www.smokyhookah.com/hookahs.html>; et. al.

24. Multiple retail stores, and other establishments, in this district sell, offer to sell, and use, and permit the use, of Dabcs Tobacco Products, including AMY Tobacco Products.

25. In late 2013, Mya Saray warned Dabcs via cease-and-desist letter to avoid selling its infringing products in the United States including any AMY Tobacco Products.

26. Subsequent to both Mya Saray's warnings and Article II litigation between Mya Saray and Dabcs, Dabcs escalated its copying of MYA Tobacco Products brands. Dabcs copied hues, tones, and other elements of Mya Saray's packaging, which constitutes protectable trade dress as Mya Saray's Common Law Trademarks, to intensify the likelihood of confusion between the AMY and MYA brands. The elements of Mya Saray's packaging constitute a creative work protectable under Title 17, and Mya Saray's Freeze Hose Product Packaging is protected by Copyright, Case No. 1-3566596511, ("the '511 Copyright"). See Exhibit K.

27. Examples of Dabcs packaging for the AMY Tobacco Products sold in the United States that violates Mya Saray's Common Law Trademarks are shown in Exhibit L ("AMY Accessory Packaging") and Exhibit M ("AMY Cooling Hose Packaging"). The AMY Cooling Hose Packaging is a copy of the '511 Copyright and Mya Saray's Freeze Hose Product Packaging.

28. In late 2013, Mya Saray warned Shisha Center, Inc., a California-based national distributor, to avoid selling its infringing products in the United States including any AMY Tobacco Products or face litigation. Allabadie, through Shisha Center, Inc.,

agreed to cease all activities related to AMY Tobacco Products in exchange for Mya Saray's promise not to pursue litigation ("Settlement Agreement").

29. Shisha Center, Inc. was a California corporation, now dissolved, controlled by Allabadie that existed while performing the acts of this Complaint.

30. Shortly subsequent to Mya Saray's warning letter to Shisha Center, Allabadie and Dabes arranged for the import of a container of AMY Tobacco Products through Allabadie's World Smoke Shop entity, which Products Allabadie then sold. Allabadie never intended to abide by the Settlement Agreement, and used World Smoke Shop as an obscured, discreet alter ego to arrange for the imports that he knew were in violation of both law and contract.

CLAIMS FOR RELIEF

Count I. Violation of 15 U.S.C. § 1125(a) *Unfair Competition and Deceptive Marketing*

31. Mya Saray incorporates by reference the preceding paragraphs of this Complaint as though fully set forth herein.

32. The conduct of Defendants constitutes use in commerce of designations and dress, false designations of origin, false or misleading descriptions of fact, and false or misleading representations of fact likely to confuse and deceive a substantial number of distributors in the trade, relevant consumers, and other purchasers as to the affiliation, connection, or association of Defendants with Mya Saray and others, in violation of 15 U.S.C. § 1125(a)(1)(A).

33. The conduct of Defendants constitutes use in commerce of designations and dress, false designations of origin, false or misleading descriptions of fact, and false

or misleading representations of fact likely to confuse and deceive a substantial number of distributors in the trade, relevant consumers, and other purchasers as to the origin, sponsorship, or approval of Defendants' goods and commercial activities as they relate to Mya Saray and others, in violation of 15 U.S.C. § 1125(a)(1)(A).

34. The conduct of Defendants constitutes use in commerce of designations and dress, false designations of origin, false or misleading descriptions of fact, and false or misleading representations of fact that in commercial advertising and promotion misrepresent the nature, characteristics, and qualities of Defendants' goods and commercial activities in violation of 15 U.S.C. § 1125(a)(1)(B).

35. The conduct of Defendants in unfairly competing with Mya Saray is willful and deliberate and done with an intent to misrepresent the nature, characteristics, and qualities of Defendants' goods, and confuse, mislead, and deceive a substantial number of distributors in the trade, relevant consumers, and other purchasers, and members of the public as to the origin of Defendants' goods and to cause said persons to believe that the goods have been sponsored, approved, authorized, or licensed by Mya Saray.

36. Defendants' conduct is causing Mya Saray immediate and irreparable injury and will continue to both damage Mya Saray and deceive the public unless enjoined by this court. Mya Saray has no adequate remedy at law.

Count II. Violation of 15 U.S.C. § 1114
Registered Trademark Infringement of the '439 Registration

37. Mya Saray incorporates herein by reference all preceding allegations of this Complaint as though fully set forth herein.

38. The conduct of Defendants in using the MYA Word Mark and colorable imitations thereof in connection with the sale, offering for sale, distribution, and advertising of tobacco products is likely to cause confusion or mistake or to deceive in violation of 15 U.S.C. § 1114(1)(a).

39. The conduct of Defendants in reproducing the MYA Word Mark and colorable imitations and counterfeits thereof and applying the reproduction to labels, signs, prints, packages, wrappers, receptacles or advertisements with the intent to be used in commerce with the sale, offer for sale, distribution, and advertising of tobacco products and such use is likely to cause confusion or mistake or to deceive in violation of 15 U.S.C. § 1114(1)(b).

40. Defendants' conduct is causing Mya Saray immediate and irreparable injury and will continue to both damage Mya Saray and deceive the public unless enjoined by this court. Mya Saray has no adequate remedy at law.

Count III. Violation of 15 U.S.C. § 1114
Registered Trademark Infringement of the '440 Registration

41. Mya Saray incorporates herein by reference all preceding allegations of this Complaint as though fully set forth herein.

42. The conduct of Defendants in using the MYA Design Mark and colorable imitations thereof in connection with the sale, offering for sale, distribution, and advertising of tobacco products is likely to cause confusion or mistake or to deceive in violation of 15 U.S.C. § 1114(1)(a).

43. The conduct of Defendants in reproducing the MYA Design Mark and colorable imitations and counterfeits thereof and applying the reproduction to labels, signs, prints, packages, wrappers, receptacles or advertisements with the intent to be used

in commerce with the sale, offer for sale, distribution, and advertising of tobacco products and such use is likely to cause confusion or mistake or to deceive in violation of 15 U.S.C. § 1114(1)(b).

44. Defendants' conduct is causing Mya Saray immediate and irreparable injury and will continue to both damage Mya Saray and deceive the public unless enjoined by this court. Mya Saray has no adequate remedy at law.

Count IV. Violation of 15 U.S.C. § 1114
Registered Trademark Infringement of the '276 Registration

45. Mya Saray incorporates herein by reference all preceding allegations of this Complaint as though fully set forth herein.

46. The conduct of Defendants in using the QT Hookah product design and colorable imitations and counterfeits thereof in connection with the sale, offering for sale, distribution, and advertising of tobacco products is likely to cause confusion or mistake or to deceive in violation of 15 U.S.C. § 1114(1)(a).

47. The conduct of Defendants in reproducing the QT hookah product design and colorable imitations and counterfeits thereof and applying the reproduction to labels, signs, prints, packages, wrappers, receptacles or advertisements with the intent to be used in commerce with the sale, offer for sale, distribution, and advertising of tobacco products and such use is likely to cause confusion or mistake or to deceive in violation of 15 U.S.C. § 1114(1)(b).

48. Defendants' conduct is causing Mya Saray immediate and irreparable injury and will continue to both damage Mya Saray and deceive the public unless enjoined by this court. Mya Saray has no adequate remedy at law.

Count V. Violation of 15 U.S.C. § 1114

Registered Trademark Infringement of the '443 Registration

49. Mya Saray incorporates herein by reference all preceding allegations of this Complaint as though fully set forth herein.

50. The conduct of Defendants in using the MYA logo of the '443 registration and colorable imitations and counterfeits thereof in connection with the sale, offering for sale, distribution, and advertising of tobacco products is likely to cause confusion or mistake or to deceive in violation of 15 U.S.C. § 1114(1)(a).

51. The conduct of Defendants in using the MYA logo of the '443 registration and colorable imitations thereof and applying the reproduction to labels, signs, prints, packages, wrappers, receptacles or advertisements with the intent to be used in commerce with the sale, offer for sale, distribution, and advertising of tobacco products and such use is likely to cause confusion or mistake or to deceive in violation of 15 U.S.C. § 1114(1)(b).

52. Defendants' conduct is causing Mya Saray immediate and irreparable injury and will continue to both damage Mya Saray and deceive the public unless enjoined by this court. Mya Saray has no adequate remedy at law.

Count VI. Violation of 15 U.S.C. § 1114
Registered Trademark Infringement of the '908 Registration

53. Mya Saray incorporates herein by reference all preceding allegations of this Complaint as though fully set forth herein.

54. The conduct of Dabes in, and encouraging the use of, the QT Word Mark of the '908 registration and colorable imitations and counterfeits thereof in connection with the sale, offering for sale, distribution, and advertising of tobacco products is likely to cause confusion or mistake or to deceive in violation of 15 U.S.C. § 1114(1)(a).

55. The conduct of Dabes in using the MYA logo of the '443 registration and colorable imitations thereof and applying the reproduction to labels, signs, prints, packages, wrappers, receptacles or advertisements with the intent to be used in commerce with the sale, offer for sale, distribution, and advertising of tobacco products and such use is likely to cause confusion or mistake or to deceive in violation of 15 U.S.C. § 1114(1)(b).

56. Dabes' conduct is causing Mya Saray immediate and irreparable injury and will continue to both damage Mya Saray and deceive the public unless enjoined by this court. Mya Saray has no adequate remedy at law.

57. To Mya Saray's knowledge, this Count is not presently applicable to Allabadie.

Count VII. Patent Infringement
Infringement of the '978 Patent

58. Mya Saray incorporates herein by reference all preceding allegations of this Complaint as though fully set forth herein.

59. The '978 patent, which was duly and lawfully granted on August 23, 2011, describes and claims a smoking apparatus.

60. Dabes has been and is infringing, inducing infringement of, and contributing to the infringement of the '978 patent by making, using, offering for sale and/or selling, in these United States, or importing into these United States articles, including the AMY "Jinn" hookah, that reads on the '978 patent claims, all without the consent of Mya Saray.

61. Mya Saray has been and will continue to be damaged by the infringing activities of Defendants and will be irreparably harmed unless those infringing activities are enjoined by this Court.

62. Mya Saray provided notice to Defendants of its infringements, and all actions of this Court are conducted with knowledge of the wrongfulness thereof and Defendants intended to perpetrate the infringements described herein.

63. To Mya Saray's knowledge, this Count is not presently applicable to Allabadie.

Count VII. Patent Infringement
Infringement of the '229 Patent

64. Mya Saray incorporates herein by reference all preceding allegations of this Complaint as though fully set forth herein.

65. The '229 patent, which was duly and lawfully granted on Nov. 5, 2013, describes and claims a multiple port, pressure-responsive adjustable hookah.

66. Defendants have been and are infringing, inducing infringement of, and contributing to the infringement of the '229 patent by making, using, offering for sale and/or selling, in these United States, or importing into these United States articles, including *at least* the model designated by Defendants as AMY0006, as well as other hookahs, that read on the '229 patent claims, all without the consent of Mya Saray.

67. Mya Saray has been and will continue to be damaged by the infringing activities of Defendants and will be irreparably harmed unless those infringing activities are enjoined by this Court.

68. Mya Saray provided notice to Defendants of its infringements, and all actions of this Court are conducted with knowledge of the wrongfulness thereof and Defendants intended to perpetrate the infringements described herein.

Count VIII. Patent Infringement
Infringement of the '123 Patent

69. Mya Saray incorporates herein by reference all preceding allegations of this Complaint as though fully set forth herein.

70. The '123 patent, which was duly and lawfully granted on October 5, 2010, describes and claims a modular smoking apparatus.

71. Defendants have been and are infringing, inducing infringement of, and contributing to the infringement of the '123 patent by making, using, offering for sale and/or selling, in these United States, or importing into these United States articles, including *at least* the model designated as AMY630 as well as other hookahs, that read on the '123 patent claims, all without the consent of Mya Saray.

72. Mya Saray has been and will continue to be damaged by the infringing activities of Defendants and will be irreparably harmed unless those infringing activities are enjoined by this Court.

73. Mya Saray provided notice to Defendants of its infringements, and all actions of this Court are conducted with knowledge of the wrongfulness thereof and Defendants intended to perpetrate the infringements described herein.

Count IX. Patent Infringement
Infringement of the '456 Patent

74. Mya Saray incorporates herein by reference all preceding allegations of this Complaint as though fully set forth herein.

75. The '456 patent, which was duly and lawfully granted on August 18, 2015, describes and claims a hookah hose and hookah system.

76. Dabes has been and are infringing, inducing infringement of, and contributing to the infringement of the '456 patent by making, using, offering for sale and/or selling, in these United States, or importing into these United States articles, including *at least* the product of Exhibit M as well any hookahs used therewith, that read on the '456 patent claims, all without the consent of Mya Saray.

77. Mya Saray has been and will continue to be damaged by the infringing activities of Defendants and will be irreparably harmed unless those infringing activities are enjoined by this Court.

78. Mya Saray provided notice to Defendants of its infringements, and all actions of this Court are conducted with knowledge of the wrongfulness thereof and Defendants intended to perpetrate the infringements described herein.

79. To Mya Saray's knowledge, this Count is not presently applicable to Allabadie.

Count X. Copyright Infringement
AMY Cooling Hose Packaging

80. Mya Saray incorporates herein by reference all preceding allegations of this Complaint as though fully set forth herein.

81. Without the authorization of Mya Saray, Dabes is, and is contributing to and aiding others in, reproducing the works of the '511 Copyright in copies; preparing derivative works of the '511 Copyright; distributing copies of the '511 Copyright to the public by sale or other transfer of ownership; performing and displaying the '511

Copyright publicly; and digitally transmitting the '511 Copyright for purposes of public performance (collectively, "Package Copyright Infringement").

82. Dabes' Package Copyright Infringement has damaged Mya Saray and has been and continues to be willful and deliberate and with full knowledge of Mya Saray's rights.

83. Defendants will continue their acts of Package Copyright Infringement unless enjoined by this Court.

84. As a result of the Package Copyright Infringement, Softech has suffered and continues to suffer damages in an amount to be proven at trial.

85. To Mya Saray's knowledge, this Count is not presently applicable to Allabadie.

Count XI. Breach of Contract

86. Mya Saray incorporates herein by reference all preceding allegations of this Complaint as though fully set forth herein.

87. The Agreement between Allabadie and Mya Saray whereby Allabadie would cease further sales activities related to AMY Tobacco Products was duly executed by both Mya Saray and All Fun and is enforceable.

88. Mya Saray performed in accordance with the Agreement.

89. Allabadie has breached the Agreement and caused actual damages to Mya Saray that are recoverable under Virginia law.

90. To Mya Saray's knowledge, this Count is not presently applicable to Dabes.

Count XII. Actual and Constructive Fraud

91. Mya Saray incorporates herein by reference all preceding allegations of this Complaint as though fully set forth herein.

92. Allabadie did, with knowledge of the falsity thereof or reckless disregard therefor, represent to Mya Saray that he would cease all sales activities related to the AMY Tobacco Products.

93. Allabadie did intend to induce reliance in Mya Saray in believing that it had ceased all sales activities related to the AMY Tobacco Products.

94. Mya Saray did reasonably rely on Allabadie representations and was damaged thereby.

95. In performing the acts within this count, Allabadie acted with malice and disregard for the rights of Mya Saray.

96. To Mya Saray's knowledge, this Count is not presently applicable to Dabes.

WHEREFORE, Plaintiff prays for judgment:

A. That Mya Saray is the owner of U.S. Patents of this action and has the right to sue and collect damages for any and all infringements thereof;

B That the U.S. Patents of this action remains good and valid in law and have been infringed by Defendants;

C. That Defendants, and their officers, agents, servants, and employees and those persons in active concert and participation with or controlled by any of them, be

preliminarily and permanently enjoined and restrained from infringing, inducing infringement of, and contributing to the infringement of the U.S. Patents of this action;

D. That Mya Saray is the sole and exclusive owner of the Trademarks referenced in this Complaint, including Mya Saray's Common Law Trademarks, including the creative works associated therewith, including the '511 Copyright; and that Mya Saray has the right to sue for its damages for any and all infringements thereof and trespasses thereupon;

E. That Defendants have unfairly competed with Mya Saray in violation of these United States, including 15 U.S.C. §§1125 and 1114.

F. That this Court order Defendants, their agents, associates, employees, attorneys, and any other person in active concert or participation with them, be forthwith preliminarily and permanently enjoined from: using, alone or in combination, any of Mya Saray's trademarks as registered or at the common law;

G. That Mya Saray be awarded all damages related to the unlawful actions of Defendants as characterized by this Complaint, and/or statutory damages for counterfeiting and other actions as recoverable under the U.S. Lanham Act.

H. That Defendants be required to account for and to disgorge its profits and that Mya Saray be awarded its damages and that those damages be trebled, together with interest and costs;

I. That Mya Saray be awarded its reasonable attorney's fees and costs in this action;

J. That all infringing articles and all means of making the same be delivered up and destroyed, at the costs of the Defendants;

K. That this Court order the cancellation of any trademark rights recognized by the U.S. Patent and trademark office for any name, symbol, or device utilized by Defendants confusingly similar to any protectable trademark of Mya Saray, including Dabes' U.S. Trademark Application Serial Nos. 86/025,182 and 86/025,122.

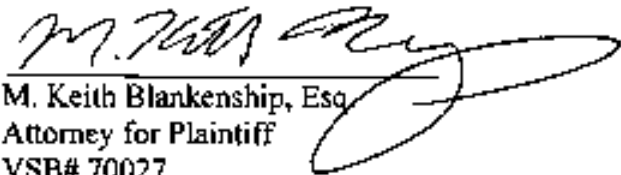
L. That Mya Saray be awarded such further relief as this Court may deem just and proper.

JURY DEMAND

Mya Saray demands a trial by jury pursuant to Fed. R. Civ. Pro. 38 as to all issues triable of right to a jury.

DATED: June 7, 2016

By



M. Keith Blankenship, Esq.
Attorney for Plaintiff
VSB# 70027
Da Vinci's Notebook, LLC
10302 Bristow Center Dr
No. 52
Bristow, VA 20136
703-581-9562
keith@dnotebook.com

EXHIBIT A

Int. Cl.: 34

Prior U.S. Cls.: 2, 8, 9 and 17

Reg. No. 3,031,439

United States Patent and Trademark Office

Registered Dec. 20, 2005

**TRADEMARK
PRINCIPAL REGISTER**

MYA

MYA SARAY, LLC (VIRGINIA LIMITED LIABILITY CORPORATION)
SUITE 1414 EAST
3709 SOUTH GEORGE MASON DRIVE
FALLS CHURCH, VA 22041

FOR: WATER PIPES FOR SMOKING, IN CLASS 34
(U.S. CLS. 2, 8, 9 AND 17).

FIRST USE 3-1-2002; IN COMMERCE 3-1-2002

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

SER. NO. 78-349,755, FILED 1-9-2004.

ANN E. SAPPENFIELD, EXAMINING ATTORNEY

EXHIBIT B

Int. Cl.: 34

Prior U.S. Cls.: 2, 8, 9 and 17

United States Patent and Trademark Office

Reg. No. 3,031,440

Registered Dec. 20, 2005

**TRADEMARK
PRINCIPAL REGISTER**



**MYA SARAY, LLC (VIRGINIA LIMITED LIABILITY CORPORATION)
SUITE 1414 EAST
3709 SOUTH GEORGE MASON DRIVE
FALLS CHURCH, VA 22041**

**FOR: WATER PIPES FOR SMOKING, IN CLASS 34
(U.S. CLS. 2, 8, 9 AND 17).**

FIRST USE 3-1-2002, IN COMMERCE 3-1-2002

**THE MARK CONSISTS OF THE NAME MYA IN
STYLIZED FORM.**

SER. NO. 78-349,903, FILED 1-9-2004.

ANN E. SAPPENFIELD, EXAMINING ATTORNEY

EXHIBIT C

United States of America

United States Patent and Trademark Office



Reg. No. 4,693,443

Registered Feb. 24, 2015

Int. Cl.: 34

TRADEMARK

PRINCIPAL REGISTER

MYA SARAY, LLC (VIRGINIA LIMITED LIABILITY COMPANY)
UNIT 114
43671 TRADE CENTER PLACE
STERLING, VA 20166

FOR TOBACCO PRODUCTS, NAMELY, HOOKAHS AND HOOKAH ACCESSORIES,
NAMELY, HOOKAH STEMS, HOOKAH BASES, HOOKAH TONGS, HOOKAH PLATES,
HOOKAH BOWLS, HOOKAH HOSES, HOOKAH CASES, AND HOOKAH GROMMETS;
TOBACCO-SUBSTITUTE HERBS FOR SMOKING, IN CLASS 34 (U.S. CLS. 2, 8, 9 AND 17).

FIRST USE 11-20-2014; IN COMMERCE 11-20-2014.

THE MARK CONSISTS OF AN INDEPENDENT ARRANGEMENT OF THE LETTER "M"
AND "Y" AND "A" ENCAPSULATED BY A SQUARE, CIRCLE, AND SQUARE, RESPECT-
IVELY.

SN 86-230,743, FILED 3-24-2014

JUSTINE D. PARKER, EXAMINING ATTORNEY



Michelle K. Lee

Deputy Director of the United States
Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*

What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a Federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.

EXHIBIT D

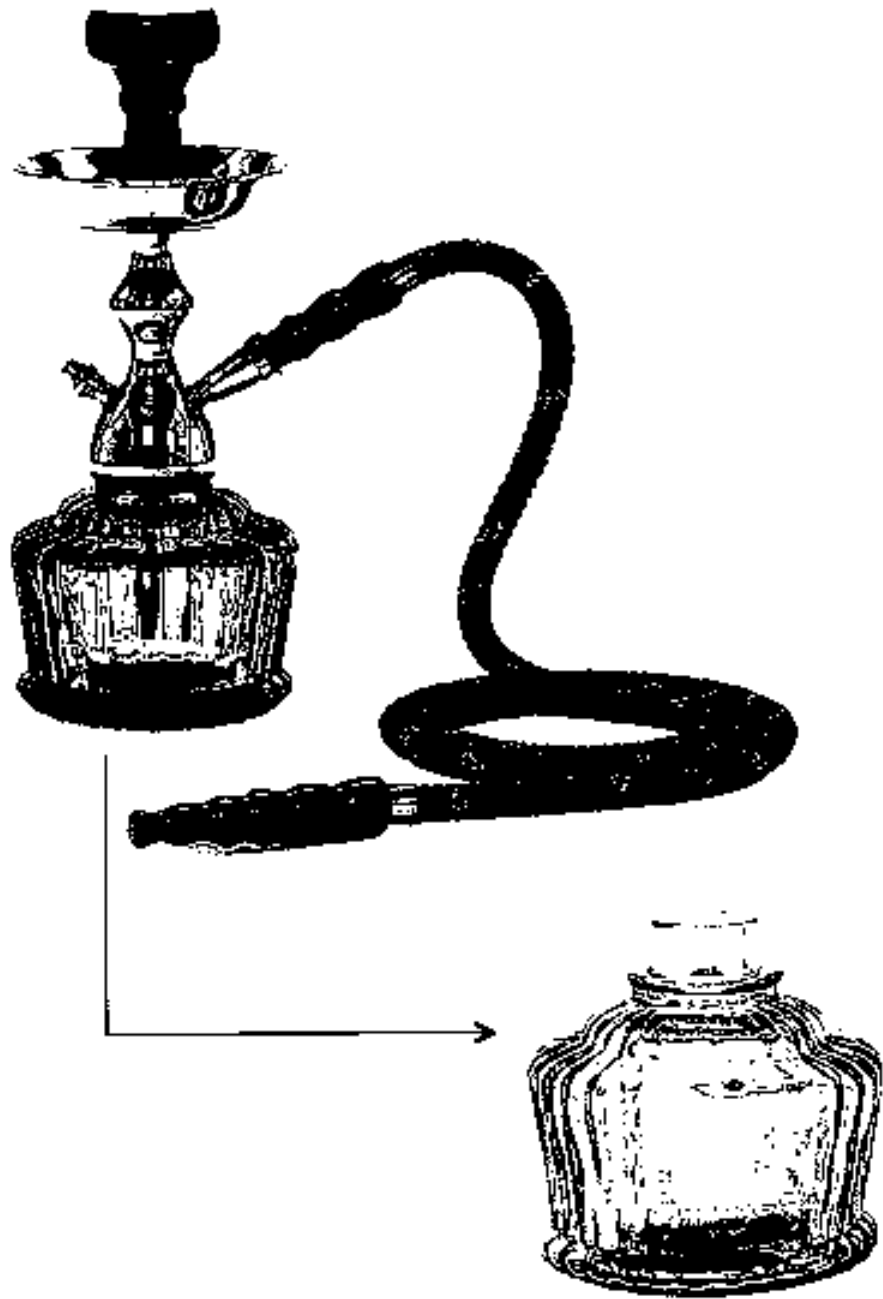


EXHIBIT E

United States of America

United States Patent and Trademark Office



Reg. No. 3,845,276

Registered Sep. 7, 2010

Int. Cl.: 34

TRADEMARK

PRINCIPAL REGISTER

MYA SARAY, LLC (VERGINIA LIMITED LIABILITY COMPANY)
UNIT 114
43671 TRADE CENTER PLACE
STERLING, VA 20166

FOR: HOOKAH'S, IN CLASS 34 (U.S. CLS. 2, 8, 9 AND 17).

FIRST USE 11-7-2005, IN COMMERCE 11-7-2005.

THE MARK CONSISTS OF A THREE-DIMENSIONAL CONFIGURATION OF A HOOKAH BASE THAT IS GENERALLY CIRCULAR IN DESIGN AND HAS SEVERAL GRADUATED LEVELS. THE MATERIAL SHOWN IN BROKEN LINES IS NOT PART OF THE MARK.

SEC. 2(F).

SER. NO. 77-959,010, FILED 3-15-2010

SHARON MEIER, EXAMINING ATTORNEY



David J. Kappas

Attorney at Law, United States Patent and Trademark Office

EXHIBIT F

United States of America

United States Patent and Trademark Office

QT

Reg. No. 4,562,908

Registered July 8, 2014

Int. Cl.: 34

TRADEMARK

PRINCIPAL REGISTER

MYA SARAY, LLC (VIRGINIA LIMITED LIABILITY COMPANY)
UNIT 114
43671 TRADE CENTER PLACE
STERLING, VA 20166

FOR: HOOKAHS, IN CLASS 34 (U.S. CLS. 2, 8, 9 AND 17)

FIRST USE 11-7-2005; IN COMMERCE 11-7-2005

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

SER. NO. 86-079,060, FILED 9-30-2013.

JOHN DALLER, EXAMINING ATTORNEY



Michelle K. Lee

Deputy Director of the United States
Patent and Trademark Office

EXHIBIT G



US008001978B2

(12) **United States Patent**
Mehio

(10) **Patent No.:** **US 8,001,978 B2**
(45) **Date of Patent:** ***Aug. 23, 2011**

(54) **SMOKING APPARATUS**

(56) **References Cited**

(75) **Inventor:** **Nizar Youssef Mehio, Talal El Khayet**
(LP)

U.S. PATENT DOCUMENTS

722,405 A * 3/1903 Gamini 131/173
3,805,806 A * 4/1974 Gribalva 131/173
3,918,464 A * 11/1975 Kolodziej 131/173
4,134,410 A * 1/1979 Kahler 131/173
5,908,531 A * 6/1999 Laurent .. 156/096

(73) **Assignee:** **Mya Saray, LLC, Sterling, VA (US)**

FOREIGN PATENT DOCUMENTS

DE 2004134 U1 * 5/2000
* cited by examiner

(*) **Notice:** Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 190 days.

This patent is subject to a terminal disclaimer.

Primary Examiner — Richard Crispino
Assistant Examiner — Phu Nguyen

(74) **Attorney, Agent, or Firm** — General Counsel, P.C.

(21) **App. No.:** **11/201,269**

(22) **Filed:** **Aug. 11, 2005**

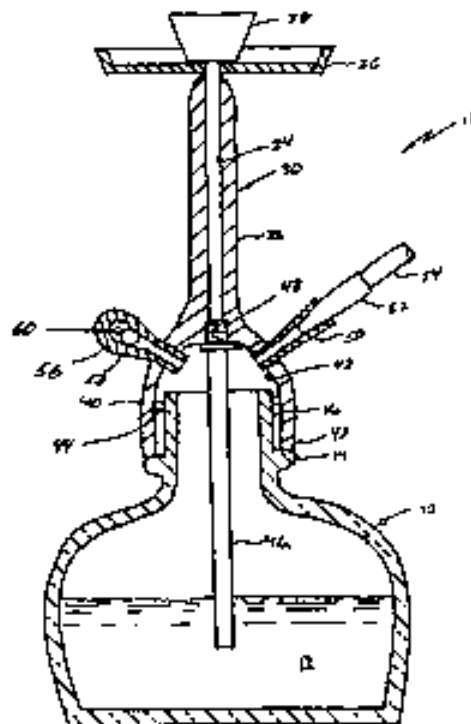
(65) **Prior Publication Data**
US 2006/0272658 A1 Dec. 7, 2006

(57) **ABSTRACT**

An improved smoking apparatus includes a bottle containing a fluid. The bottle has an upstanding neck with peripheral collar formed around the external periphery thereof. A stem has a base and a neck. The base defines an interior plenum, and a passage extends through the neck and terminates at the interior passage. A burner cup is mounted to the stem in communication with the passage. The interior plenum has a size and shape to permit the stem to be coupled to the bottle by placing the base over the neck, with a bottom edge of the base resting on the collar of the bottle. A sealing element is disposed between the exterior surface of the neck of the bottle and the inner surface of the interior plenum to provide a substantially air-tight coupling.

14 Claims, 1 Drawing Sheet

(51) **Int. Cl.**
A24F 1/14 (2006.01)
A24F 1/30 (2006.01)
(52) **U.S. Cl.** 131/173; 131/221; 131/229; 131/201;
131/207
(58) **Field of Classification Search** 131/173
See application file for complete search history.



U.S. Patent

Aug. 23, 2011

US 8,001,978 B2

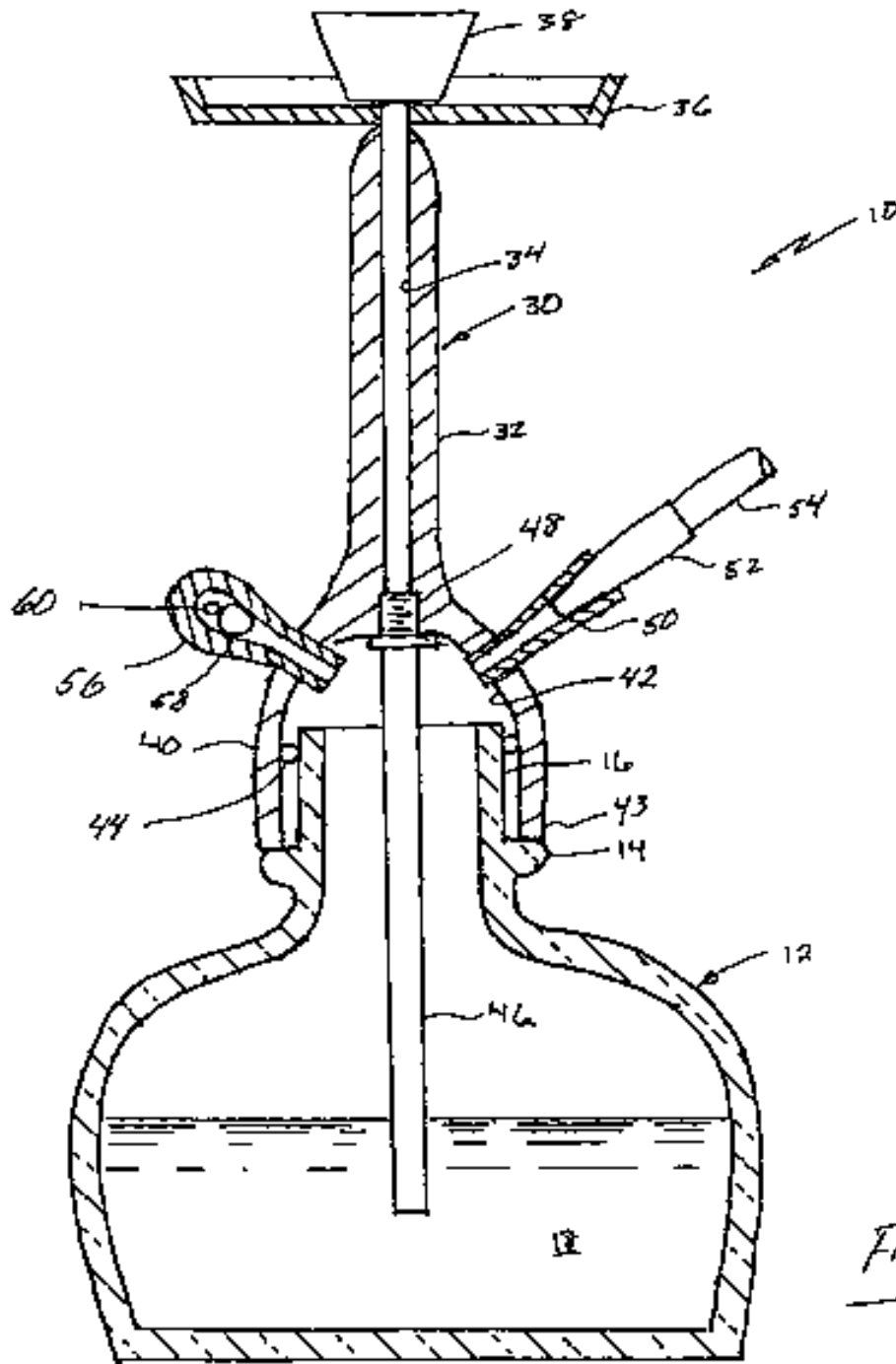


FIG. 1

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SMOKING APPARATUS

BACKGROUND OF THE INVENTION

1. Field of the Invention

The invention relates to smoking apparatuses, such as a pipe, and more particularly to smoking pipes with blown-glass bases.

2. Description of the Related Art

Pipes are often used to smoke substances such as tobacco. Moisture from a fluid may be mixed with pipe smoke to ameliorate harshness and to impart a pleasant flavor or aroma to the smoke. So-called hookah pipes are one way in which smoke may be mixed with moisture.

A hookah pipe has a bottle which filled with fluid. The bottle of the hookah may be made of glass, such as crystal. A stem is mounted to the bottle. The stem includes a passage conveying smoke from a burner cup on top of the stem through a down tube projecting from the stem and into the fluid in the bottle. The stem is preferably made of metal. The smoke drawn through the stem is expelled from the down tube beneath the surface of the fluid and allowed to bubble up through the fluid to the surface, absorbing moisture as it rises to the fluid surface. The stem base defines an interior plenum into which smoke bubbling from the fluid surface collects. One or more smoking hoses are connected to the stem, in communication with the interior plenum. A user smokes the hookah by drawing smoke through the hose.

The bottle of a bubble-bubble is often made of blown glass. The stem of the hookah is mounted to a neck of the bottle, so the neck must be drawn out to a length and diameter commensurate with the dimensions of the metal stem and plenum during the glass blowing process. It may be difficult to control accurately the dimensions of the neck while the glass is being blown. Some of this variation of dimensions is attractive, and lends a unique, hand-crafted appearance to the base. Significant variations of dimensions can make coupling the stem to the neck without air tight connection difficult. Typically a base of the stem is inserted or threaded into the neck of the bottle. The stem must fit inside the neck substantially tightly in order to prevent smoke from leaking. The longer the neck, the more likely the inner profile of the neck will vary from true roundness, and the less likely the stem will fit tightly.

SUMMARY OF THE INVENTION

The current invention is embodied in a smoking apparatus which includes a bottle containing a fluid, a stem coupled to the bottle, and one or more smoking tubes connected to the stem which permit users to draw smoke from a burner cup mounted to the stem, through the stem and the fluid contained within the bottle, and out of the tube.

The bottle has an upwardly-extending neck and a radially extending collar extending around the external periphery of the neck. The stem has a base and a neck extending upwardly from the base. The base defines an interior plenum having a size and shape that permits the base to be placed over the neck of the bottle with a bottom edge of the base resting on the collar.

BRIEF DESCRIPTION OF THE OF THE DRAWINGS

FIG. 1 is a smoking pipe according to the present invention shown in cross section.

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DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENTS

A smoking apparatus in the form of a hookah pipe indicated by reference no. 10 is shown in FIG. 1. The pipe 10 includes a bottle 12 containing a liquid 18 and a stem 30 coupled to the top of the bottle 12. The bottle 12 has an upper, generally cylindrical neck 16 and a radially extending peripheral shoulder 14 surrounding the neck beneath the upper end thereof. The bottle 12 may be formed from any suitable material such as glass, plastic, acrylic, ceramic, etc.

The stem 30 includes an upper neck 32 and a stem base 40. A burner cup 38 for holding the smoking material, such as tobacco, is mounted proximate a top end of the neck 32. Preferably a plate 36 is positioned beneath the burner cup 38 for catching ashes and other materials spilled from the burner cup 38.

The stem base 40 forms an interior plenum 42. The lower portion 43 of the base 40 has a shape, preferably circular, that conforms to the shape of the neck 16 of the bottle 12 and has a diameter sufficiently larger than that of the neck 16 so that the stem 30 can be operatively mounted onto the bottle 12 by merely placing the stem base 40 over the neck 16 so that the lower end 43 of the stem base 40 is seated on the collar 14 of the bottle 12. Preferably, a sealing element, such as O-ring 44 or other suitable gasket material, is placed over the neck 16 between the neck 16 and the inner surface of the stem base 40 to provide a generally airtight seal between the stem base 40 and the neck 16.

A passage 34 extends from the burner cup 38 through the neck 32. A down tube 46 is secured into the neck 32, preferably by a threaded end 48, in alignment with the passage 34. The down tube 46 extends from the interior plenum 42 into the bottle 12 such that its lower-most end is beneath the surface of the liquid 18.

A hose fitting 50 extends into the stem base 40 and is preferably threaded thereto. A smoking hose 54 has a hose nipple 52 secured at an end thereof, and the nipple 52 is secured to the hose fitting 50 by forcing its tapered end into the tapered opening of the hose fitting as shown in FIG. 1.

The pipe 10 is smoked by a user drawing smoke through a mouthpiece (not shown) at an opposite end of the hose 54, thereby drawing air through the burner cup 38, through the passage 34 and down tube 46, through the liquid 18, up into the interior plenum 42, and through the hose fitting 50 and hose 54. Although not shown, the pipe 10 may include more than one hose fitting and attached hoses to permit multiple users.

Because the stem 30 is coupled to the bottle 12 by merely placing the stem base 40 over the neck 16 with O-ring 44 in place to provide a suitable seal, manufacturing tolerances of the neck 16 need not be so stringent. In addition, should the bottle 12 be broken, the stem 30 can easily be placed onto a second bottle having a neck of generally similar proportions.

A pressure release 56 extends into the stem base 40 and is preferably secured thereto by threading. The pressure release comprises a generally enclosed tab with an interior plenum including a tapered portion and a rounded end portion. A ball 58 is disposed within the interior of the pressure release 56 and a relief opening 60 is formed in the pressure release 56 into the interior portion thereof. During use of the pipe while a user is drawing smoke through the tube 54, the relative vacuum formed in the interior plenum 42 draws the ball 58 into the tapered portion of the interior plenum of the pressure release 56, thereby blocking any air passage through the pressure release 56. To equalize the pressure within the interior plenum 42 of the stem 30, the user need only blow slightly

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into the tube 54. The increased pressure created within the interior plenum 42 will cause the ball 58 to dislodge from the tapered portion thereby permitting airflow into the pressure release 56, around the ball 58, and out of the relief opening 60.

While various embodiments of the present invention have been described above, they should be understood to have been presented by way of examples only, and not limitation. Thus, the breadth and scope of the present invention should not be limited by the above described embodiments.

Modifications and variations of the present invention are possible in light of the above teachings. It is therefore to be understood that the invention may be practiced otherwise than as specifically described herein.

What is claimed is:

1. A hookah system comprising:

a hookah bottle having an upper neck with a substantially flush exterior, peripheral side surface and a hookah bottle opening;

a flexible seal disposed about said substantially flush exterior, peripheral side surface; and

a hookah stem with a stem base defining an interior plenum comprising:

an interior sidewall having a substantially flush sidewall surface dimensioned to sealingly accept said flexible seal by compressing said flexible seal upon said substantially flush exterior, peripheral side surface of said neck upon placement of said stem onto said bottle neck;

an elevated wet smoke cavern above said hookah bottle opening and defined by said interior sidewall positioned above said compressed flexible seal for the direct accumulation of wet smoke from said bottle; and

a wet smoke aperture defined by said interior plenum sidewall that directly accesses said wet smoke cavern and is adapted to accept a hose fitting.

2. The system of claim 1 wherein said flexible seal is removably disposed about the periphery of said neck.

3. The system of claim 1 wherein said wet smoke cavern includes a perimeter diminishing upwardly with respect to said bottle.

4. The system of claim 3 wherein said stem further comprises multiple wet smoke outlets, and multiple base fittings in fluid communication with said multiple wet smoke outlet such that each wet smoke outlet allows the passage of wet smoke to a single base fitting.

5. The system of claim 4 wherein said multiple base fittings are removable hose fittings with a threaded portion.

6. The system of claim 1 wherein said bottle further defines a peripheral shoulder dimensioned to support said hookah stem.

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7. The system of claim 1 further comprising a down tube, connected to said interior sidewall, passing through said wet smoke cavern and descending into said bottle.

8. The system of claim 7 wherein said down tube is releasably connected to said interior sidewall.

9. A hookah system comprising:

a hookah bottle having an upper neck with a substantially flush exterior, peripheral side surface, an interior side surface, and a hookah bottle opening;

a flexible seal disposed about said substantially flush exterior, peripheral side surface; and

a hookah stem with a stem base defining an interior plenum comprising:

an interior plenum sidewall having a substantially flush sidewall surface dimensioned to sealingly accept said flexible seal by compressing said flexible seal upon said substantially flush exterior, peripheral side surface of said neck upon placement of said stem onto said bottle neck;

an elevated wet smoke cavern above said hookah bottle opening and defined by said interior plenum sidewall positioned above said compressed flexible seal for the direct accumulation of wet smoke from said bottle; and

a wet smoke aperture defined by said interior plenum sidewall that directly accesses said wet smoke cavern and is adapted to accept a hose fitting; and

a down tube, connected to said interior plenum sidewall, with a down tube exterior and passing through said wet smoke cavern and descending into said bottle,

wherein space between said down tube and said interior plenum sidewall and space between said down tube and said inside neck surface define a substantially annular wet smoke ascension void, extending continuously from said bottle into said wet smoke cavern, positioned to allow the uniform, direct ascension of wet smoke from said bottle to said wet smoke cavern.

10. The system of claim 9 wherein said flexible seal is removably disposed about the periphery of said neck.

11. The system of claim 9 wherein said wet smoke cavern includes a perimeter diminishing upwardly with respect to said bottle.

12. The system of claim 11 wherein said stem further comprises multiple wet smoke outlets, and multiple hose fittings in fluid communication with said multiple wet smoke outlet such that each wet smoke outlet allows the passage of wet smoke to a single hose fitting.

13. The system of claim 12 wherein said multiple base fittings are removable hose fittings with a threaded portion.

14. The system of claim 9 wherein said bottle further defines a peripheral shoulder dimensioned to support said hookah stem

* * * * *

EXHIBIT H



US007806123B2

(12) **United States Patent**
Mehio

(10) **Patent No.:** **US 7,806,123 B2**
(45) **Date of Patent:** **Oct. 5, 2010**

(54) **MODULAR SMOKING APPARATUS**

(75) **Inventor:** Nizar Youssef Mehio, Tallet El Khayen (LB)

(73) **Assignee:** Mya Saray, LLC, Sterling, VA (US)

(*) **Notice:** Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 1817 days.

(21) **Appl. No.:** 10/751,119

(22) **Filed:** Jan. 5, 2004

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(30) **Foreign Application Priority Data**
Jan. 31, 2003 (LB) 6657

(51) **Int. Cl.**
A24F 1/14 (2006.01)
A24F 1/38 (2006.01)

(52) **U.S. CL.** 131/173; 131/221; 131/229; 131/201; 131/207

(58) **Field of Classification Search** 131/173
See application file for complete search history

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Primary Examiner—Philip C. Tucker

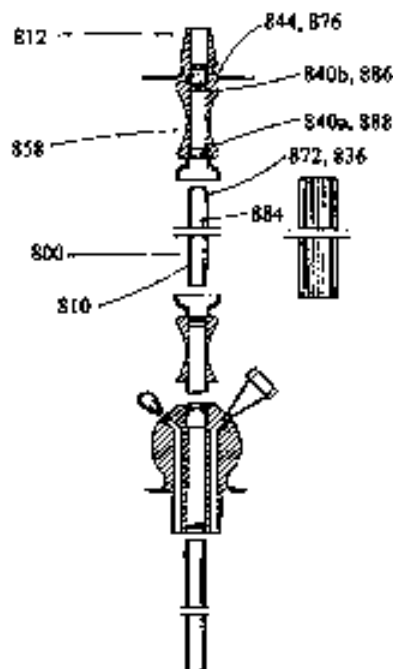
Assistant Examiner—Phu H. Nguyen

(74) *Attorney, Agent, or Firm*—General Counsel, P.C.

(57) **ABSTRACT**

A modular smoking apparatus includes a plenum having a substantially vertical dry smoke aperture and a wet smoke aperture disposed substantially parallel to the dry smoke aperture. An upper end of a down tube may be inserted into a lower end of the dry smoke aperture and a lower end of an intermediate tube may be inserted into an upper end of the dry smoke aperture. An upper end of the intermediate tube may be inserted into a lower end of a burner. A lower end of the plenum may be inserted into an upper end of the base. The base may contain a fluid submerging a lower end of the down tube. The intermediate tube, the dry smoke aperture, and the down tube may form a conduit for dry smoke from the burner to the base, and the wet smoke aperture may form a conduit for wet smoke from the base to a hose.

8 Claims, 5 Drawing Sheets



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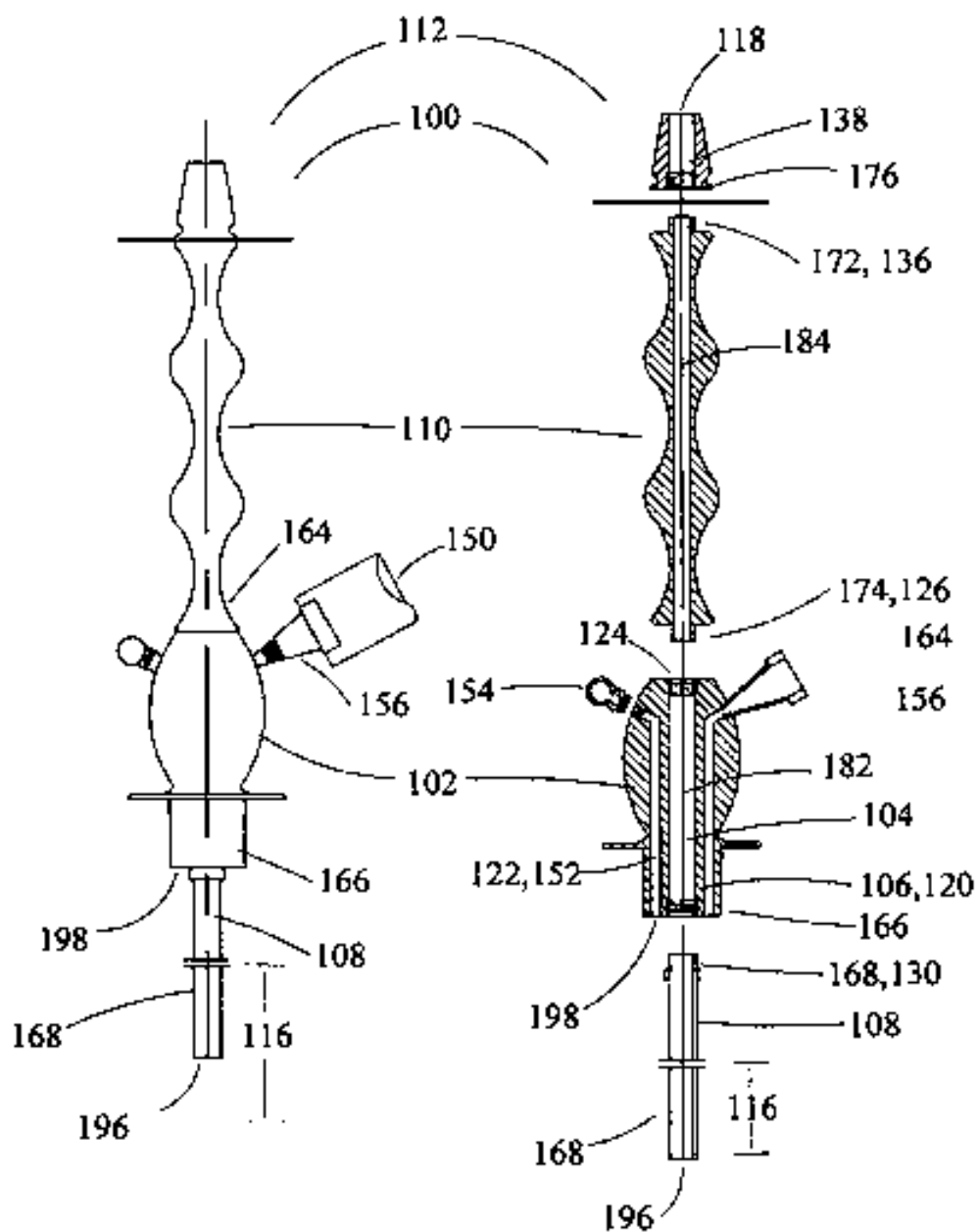


FIG. 1

FIG. 2

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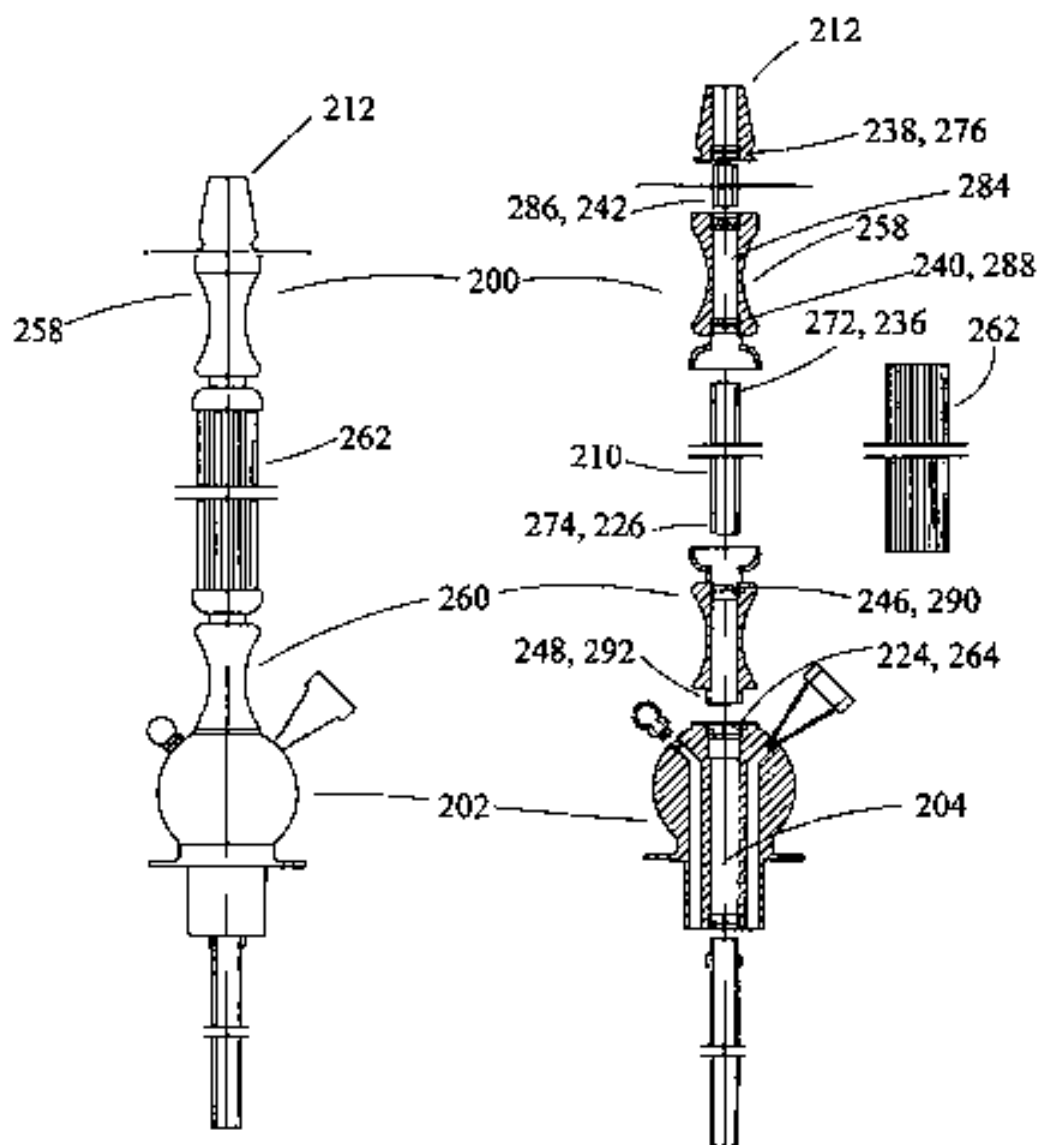


FIG. 3

FIG. 4

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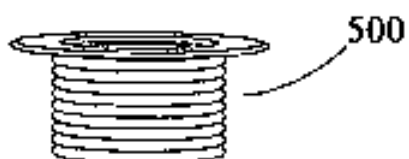


FIG. 5

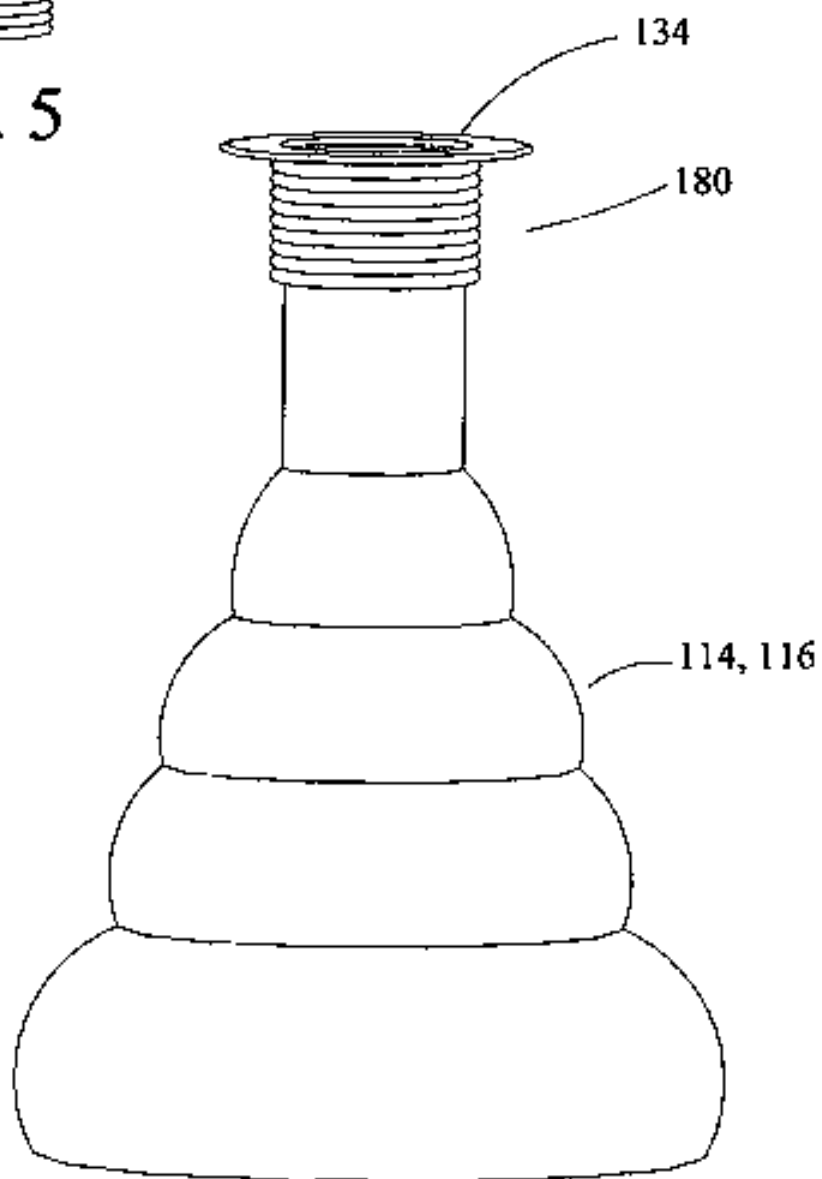


FIG. 6

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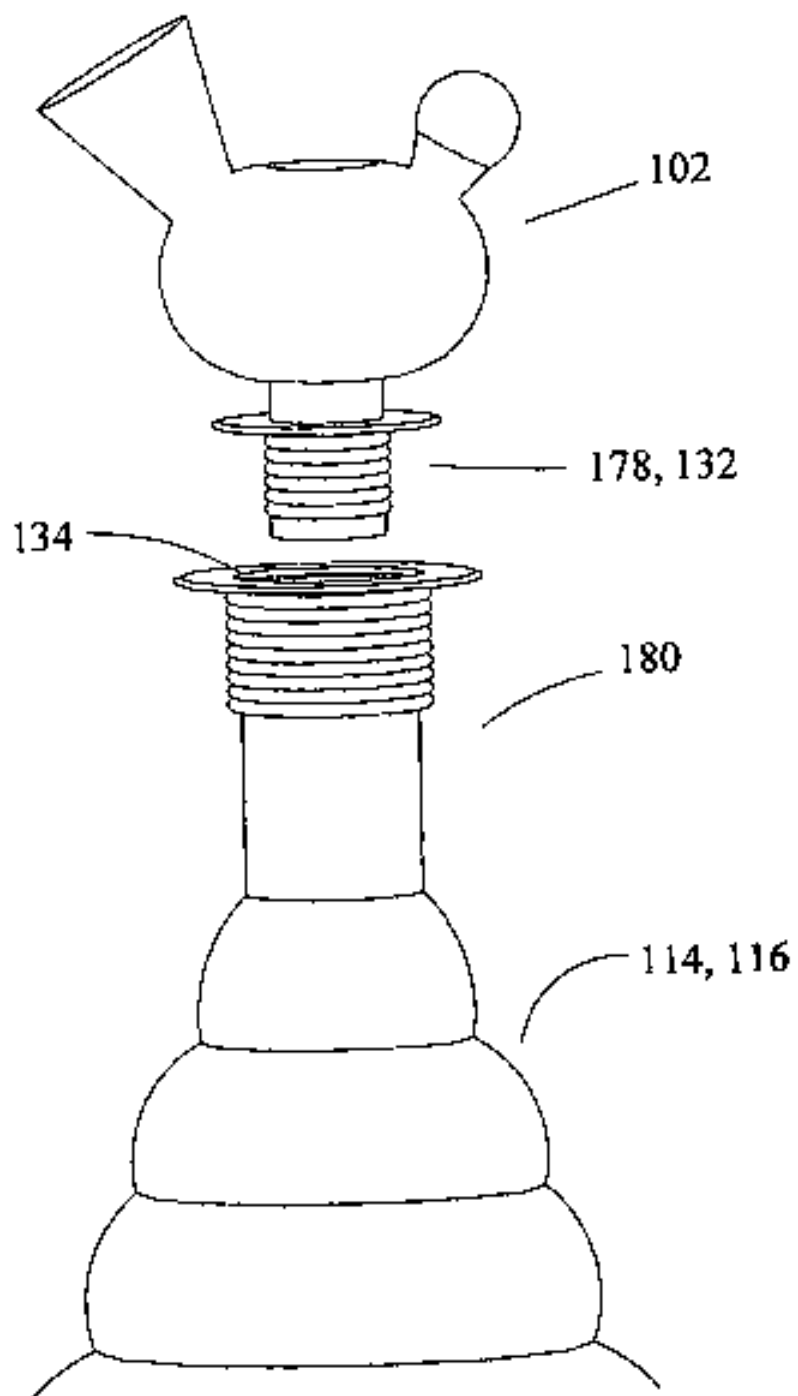


FIG. 7

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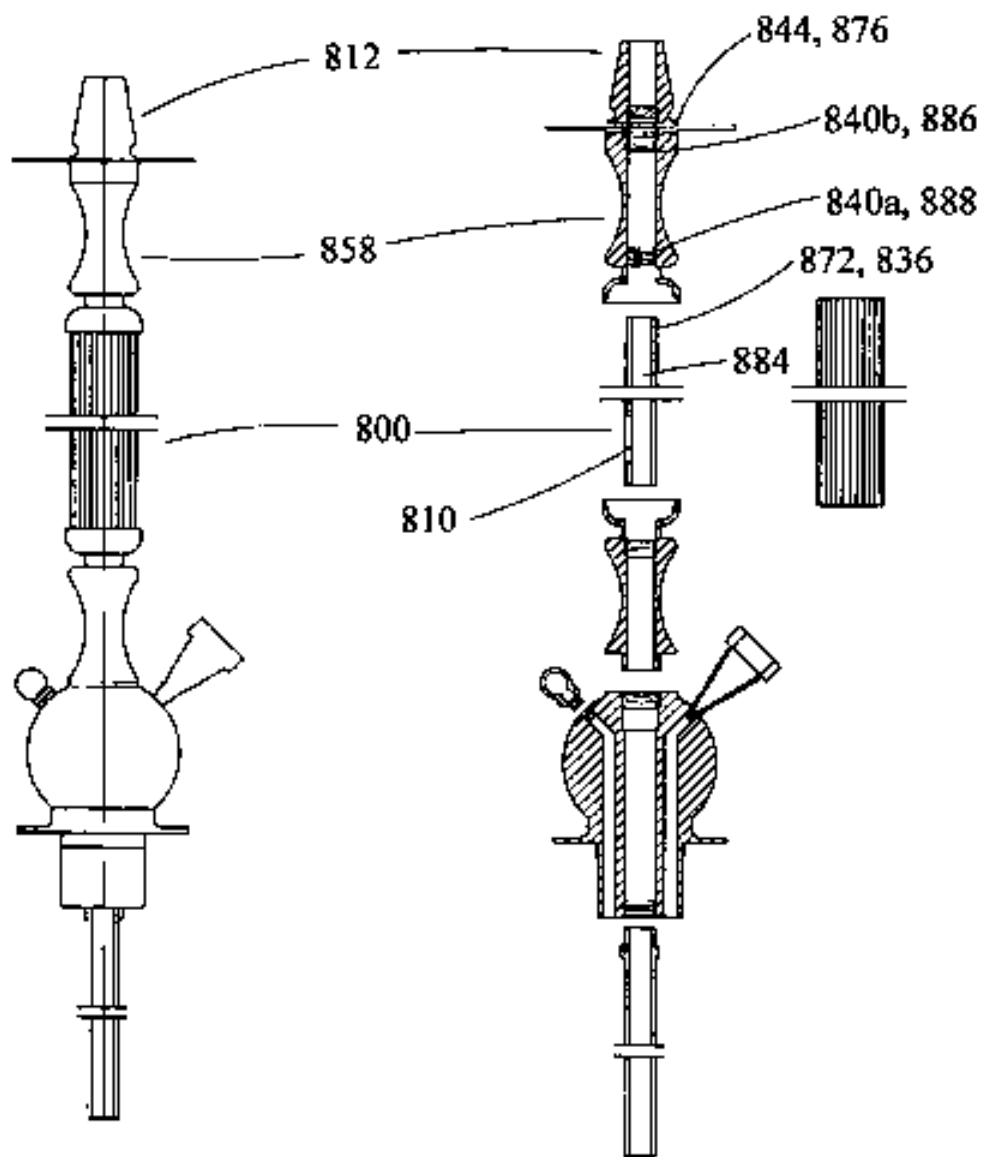


FIG. 8

FIG. 9

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MODULAR SMOKING APPARATUS

BACKGROUND OF THE INVENTION

1. Field of the Invention

The invention relates to smoking, such as by smoking a pipe, and more particularly to smoking pipes that may be dismantled for repair, replacement, and maintenance.

2. Description of the Related Art

Pipes are often used to smoke substances such as tobacco. Moisture from a fluid may be mixed with pipe smoke to ameliorate harshness and to impart a pleasant flavor or aroma to the smoke. So-called Bubble-Bubble or hookah pipes are one way in which smoke may be mixed with moisture.

A hookah has a bowl or base which is filled with fluid. The base has an opening at the top fitted for a plenum, which is part of a stem. The stem may be a tube conveying smoke from a burner on top to a passage through the plenum, and then through a tube at the bottom of the plenum in to the fluid filling the base. The smoke is let out underneath the surface of the fluid and allowed to bubble up through the fluid to the surface, absorbing moisture as it does. A second passage through the plenum, the plenum conveys the now-moistened smoke out of the base to a hose. A smoker smokes the hookah by drawing smoke through the hose.

The base of a hookah may be made of glass, such as crystal. The plenum and stem may be made of metal. There may be an interference fit between the plenum and the base to retain the plenum in the base. A smoker who wishes to move the hookah may grasp the stem and pick up the hookah. An interference fit between the metal and glass may be inadequate to support the weight of the base, particularly if the base is relatively full of fluid. The base may consequently fall off while the hookah is being carried, possibly sustaining damage.

Stems are often formed of one piece. Since a stem may be relatively long, a one-piece stem may be difficult to clean. The down tube, which runs downward from the plenum to the fluid, may become fouled relatively quickly, since the down tube is in a hot, corrosive, acidic environment formed by the smoke mixing with the fluid in the base. The down tube may be so fouled as to be corroded or occluded. A stem with a corroded or occluded down tube may be difficult to smoke. The entire stem may have to be thrown away when the down tube has become corroded or occluded.

Stems formed of more than one piece may be fitted together with interference fits as well. The interference fits may be secured by wrapping the male component with cloth or masking tape before insertion in the female part. Cloth or masking tape may degrade relatively quickly, however, in the smoky environment.

SUMMARY OF THE INVENTION

A primary object of the invention is to overcome the deficiencies of the related art described above by providing a modular smoking apparatus and a method for using the same. The present invention achieves these objects and others by providing a modular smoking apparatus and a method for using the same.

In a first aspect, a modular smoking apparatus includes a plenum having a substantially vertical dry smoke aperture and a wet smoke aperture disposed substantially parallel to the dry smoke aperture, a down tube having an upper end disposed insertably in a lower end of the dry smoke aperture, an intermediate tube having a lower end disposed insertably in an upper end of the dry smoke aperture, a burner having a

lower end, an upper end of the intermediate tube disposed insertably in the lower end of the burner, a base having an upper end, a lower end of the plenum disposed threadably in the upper end of the base, the base containing a fluid, a lower end of the down tube submerged substantially in the fluid, the intermediate tube, the dry smoke aperture, and the down tube forming a conduit for dry smoke from the burner to the base, and the wet smoke aperture forming a conduit for wet smoke from the base to a hose.

In a second aspect, a method for using a modular smoking apparatus includes providing a plenum having a substantially vertical dry smoke aperture and a wet smoke aperture disposed substantially parallel to the dry smoke aperture, inserting an upper end of a down tube into a lower end of the dry smoke aperture, inserting a lower end of an intermediate tube into an upper end of the dry smoke aperture, inserting an upper end of the intermediate tube into a lower end of a burner, filling a base with a fluid, submerging substantially a lower end of the down tube in the fluid, screwing a lower end of the plenum into an upper end of the base, attaching a hose to an upper end of the wet smoke aperture, conducting substantially dry smoke from the burner through the intermediate tube, the dry smoke aperture, and the down tube to the fluid, and conducting substantially wet smoke from the base through the wet smoke aperture to the hose.

In a third aspect, a method for using a modular smoking apparatus may include providing a plenum having a substantially vertical dry smoke aperture and a wet smoke aperture disposed substantially parallel to the dry smoke aperture, inserting an upper end of a down tube into a lower end of the dry smoke aperture, inserting a lower end of a lower cap into an upper end of the dry smoke aperture, inserting a lower end of an intermediate tube into an upper end of the lower cap, inserting an upper end of the intermediate tube into a lower end of an upper cap, inserting an upper end of the upper cap into a lower end of a burner, filling a base with a fluid, submerging substantially a lower end of the down tube in the fluid, screwing a lower end of the plenum into an upper end of the base, attaching a hose to an upper end of the wet smoke aperture, conducting substantially dry smoke from the burner through the intermediate tube, the dry smoke aperture, and the down tube to the fluid, and conducting substantially wet smoke from the base through the wet smoke aperture to the hose.

In a fourth aspect, a system for modular smoking includes a plenum having a substantially vertical dry smoke aperture and a wet smoke aperture disposed substantially parallel to the dry smoke aperture, means for inserting an upper end of a down tube into a lower end of the dry smoke aperture, means for inserting a lower end of an intermediate tube into an upper end of the dry smoke aperture, means for inserting an upper end of the intermediate tube into a lower end of a burner, means for filling a base with a fluid, means for submerging substantially a lower end of the down tube in the fluid, means for screwing a lower end of the plenum into an upper end of the base, means for attaching a hose to an upper end of the wet smoke aperture, means for conducting substantially dry smoke from the burner through the intermediate tube, the dry smoke aperture, and the down tube to the fluid, and means for conducting substantially wet smoke from the base through the wet smoke aperture to the hose.

The above and other features and advantages of the present invention, as well as the structure and operation of various

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embodiments of the present invention, are described in detail below with reference to the accompanying drawings.

BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWINGS

The accompanying drawings, which are incorporated herein and form part of the specification, illustrate various embodiments of the present invention and, together with the description, further serve to explain the principles of the invention and to enable a person skilled in the pertinent art to make and use the invention. In the drawings, like reference numbers indicate identical or functionally similar elements. A more complete appreciation of the invention and many of the attendant advantages thereof will be readily obtained as the same becomes better understood by reference to the following detailed description when considered in connection with the accompanying drawings, wherein:

FIG. 1 shows a plan view of a modular smoking apparatus according to a first embodiment of the invention.

FIG. 2 shows an exploded, cut-away view of the embodiment shown in FIG. 1;

FIG. 3 shows a plan view of a modular smoking apparatus according to a second embodiment of the invention;

FIG. 4 shows an exploded, cut-away view of the embodiment shown in FIG. 3;

FIG. 5 shows a sleeve for use with an embodiment of the invention;

FIG. 6 shows a base for use with an embodiment of the invention;

FIG. 7 shows a base and a plenum for use with an embodiment of the invention being assembled;

FIG. 8 shows a plan view of a modular smoking apparatus according to a fifth embodiment of the invention; and

FIG. 9 shows an exploded, cut-away view of the embodiment shown in FIG. 8;

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENTS

Since a base may fall off a stem while a hookah is being carried by the stem, it would be desirable if the base could be fastened securely to the stem. Since a one-piece stem may be difficult to clean, it would be desirable for the stem to be formed of several individual components. Since the down tube of a stem may become corroded or occluded by the atmosphere in the base, it would be desirable for the down tube to be replaceable.

FIGS. 1 and 2 show a modular smoking apparatus 100 according to a first embodiment of the invention. Modular smoking apparatus 100 may include a plenum 102. Plenum 102 may have a substantially vertical dry smoke aperture 104 and a wet smoke aperture 106 disposed substantially parallel to dry smoke aperture 104.

An upper end 168 of a down tube 108 may be inserted in a lower end 166 of dry smoke aperture 104. In one embodiment, a lower internal dry smoke aperture thread 128 may be disposed substantially helically within lower end 166 of dry smoke aperture 104 about an axis 182 of dry smoke aperture 104, while an external down tube thread 130 is disposed substantially helically around upper end 168 of down tube 108 about axis 182. In this embodiment, external down tube thread 130 may be disposed threadably in lower internal dry smoke aperture thread 128.

A lower end 174 of an intermediate tube 110 may be inserted in an upper end 164 of dry smoke aperture 104. In one embodiment, an upper internal dry smoke aperture thread 124

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may be disposed substantially helically within upper end 164 of dry smoke aperture 104 about an axis 182 of dry smoke aperture 104, while a lower external intermediate tube thread 126 is disposed substantially helically around lower end 174 of intermediate tube 110 about axis 182. In this embodiment, lower external intermediate tube thread 126 may be disposed threadably in upper internal dry smoke aperture thread 124.

Modular smoking apparatus 100 may also include a burner 112 having a lower end 176 into which an upper end 172 of intermediate tube 110 may be inserted. In one embodiment, an upper external intermediate tube thread 136 may be disposed substantially helically around an upper end 172 of intermediate tube 110 about an axis 184 of intermediate tube 110, while an internal burner thread 138 is disposed substantially helically within lower end 176 of burner 112 about axis 184. In this embodiment, upper external intermediate tube thread 136 may be disposed threadably in internal burner thread 138.

In one embodiment, axes 182 and 184 are co-axial. In another embodiment, axes 182 and 184 are skewed relative to each other. This may be the case if modular smoking apparatus 100 is curved. Furthermore, intermediate tube 110 itself may be curved, and axis 184 may be an axis local to lower end 176 or upper end 172. In one embodiment, burner 112, intermediate tube 110, and plenum 102 comprise a stem.

Modular smoking apparatus 100 may also include a base 114 such as that shown in FIG. 6. Base 114 may have an upper end 180 into which a lower end 178 of plenum 102 may be inserted, as shown in FIG. 7. In one embodiment, lower end 178 is threaded into upper end 180. In this embodiment, an external plenum thread 132 may be disposed substantially helically around lower end of plenum 102 about an axis 182 of dry smoke aperture 104, while an upper internal base thread 134 is disposed substantially helically within upper end 180 of base 114 about axis 182. In this embodiment, external plenum thread 132 may be disposed threadably in upper internal base thread 134.

In one embodiment, upper internal base thread 134 may be disposed substantially helically within a sleeve 500 such as that shown in FIG. 5. Sleeve 500 may be comprised of a metal similar to or compatible with that of external plenum thread 132. Sleeve 500 may be adhered to upper end 180 of base 114 with an adhesive.

In another embodiment, sleeve 500 may be a drawn or spun metal cylinder conforming substantially to upper internal base thread 134. In this embodiment, sleeve 500 may be threaded into upper internal base thread 134.

In several embodiments, base 114 may be made of a material selected from the group consisting of acrylic, glass, Formica, quartz, plastic, and crystal. Base 114 may contain a fluid 116, such as an ethyl-alcohol-based fluid, such as those that may be derived by fermentation or distillation of fruit, grain, or vegetables, or a flavored water such as rose water. In one embodiment, base 114 holds enough fluid 116 to submerge substantially a lower end 168 of down tube 108 when plenum 102 is inserted into base 114.

In one embodiment, intermediate tube 110, dry smoke aperture 104, and down tube 108 form a conduit 118 through which dry smoke 196 may travel from burner 112 to base 114. If lower end 168 of down tube 108 is submerged in fluid 116, dry smoke 196 may absorb moisture from fluid 116 after leaving lower end 168 and become substantially wet smoke 198 as it bubbles to a surface of fluid 116. In one embodiment, wet smoke aperture 106 forms a conduit 120 through which wet smoke 198 may travel from base 114 to a hose 150, after picking up moisture from fluid 116.

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In one embodiment, a pressure relief aperture 152 may be disposed in plenum 102 substantially parallel to dry smoke aperture 104 and wet smoke aperture 106. In this embodiment, pressure relief aperture 152 may form a second conduit 122 for wet smoke 198 from base 114 to a pressure relief valve 154.

In one embodiment, modular smoking apparatus 100 may include a fitting 156 for a hose 150 disposed substantially communicably at an end of wet smoke aperture 106. In this embodiment, fitting 156 may attach base 150 to plenum 102.

In FIGS. 3 and 4 is shown a modular smoking apparatus 200 according to a second embodiment of the invention. Modular smoking apparatus 200 may include an upper cap 258 placed on an upper end 272 of an intermediate tube 210, between upper end 272 and a burner 212. In one embodiment, upper cap 258 may have an internal upper cap thread 240 disposed substantially helically within a lower end 288 of upper cap 258 about an axis 284 of intermediate tube 210, while an upper external intermediate tube thread 236 is disposed substantially helically around an upper end 272 of intermediate tube 210 about axis 284. In this embodiment, upper external intermediate tube thread 236 may be disposed threadably in internal upper cap thread 240.

In one embodiment, an internal burner thread 238 may be disposed substantially helically within a lower end 276 of burner 212 about axis 284 while an external upper cap thread 242 is disposed substantially helically around an upper end 286 of upper cap 258 about axis 284. In this embodiment, external upper cap thread 242 may be disposed threadably in internal burner thread 238.

Modular smoking apparatus 200 may also include a lower cap 260 placed on a lower end 274 of intermediate tube 210, between lower end 274 and a plenum 202. In one embodiment, lower cap 260 may have an internal lower cap thread 246 disposed substantially helically within an upper end 290 of lower cap 260 about axis 284 of intermediate tube 210, while a lower external intermediate tube thread 226 is disposed substantially helically around lower end 274 of intermediate tube 210 about axis 284. In this embodiment, lower external intermediate tube thread 226 may be disposed threadably in internal lower cap thread 246.

In one embodiment, lower cap 260 may have an external lower cap thread 248 disposed substantially helically around a lower end 292 of lower cap 260 about axis 284, while an upper internal dry smoke aperture thread 224 is disposed substantially helically within an upper end 264 of dry smoke aperture 204 about axis 284. In this embodiment, external lower cap thread 248 may be disposed threadably in upper internal dry smoke aperture thread 224.

In one embodiment, burner 212, upper cap 258, intermediate tube 210, lower cap 260, and plenum 202 comprise a stem.

In a third embodiment, also shown in FIGS. 3 and 4, modular smoking apparatus 200 may include a cover 262 disposed substantially co-axially with axis 284 of intermediate tube 210 around intermediate tube 210. In this embodiment, burner 212, intermediate tube 210, cover 262, and plenum 202 comprise a stem.

In a third embodiment, a method for using a modular smoking apparatus may include the steps of providing plenum 102 having substantially vertical dry smoke aperture 104 and wet smoke aperture 106 disposed substantially parallel to dry smoke aperture 104, inserting upper end 168 of down tube 108 into lower end 166 of dry smoke aperture 104, inserting lower end 174 of intermediate tube 110 into upper end 164 of dry smoke aperture 104, inserting upper end 172 of intermediate tube 110 into lower end 176 of burner 112, filling base

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114 with fluid 116, submerging substantially lower end 170 of down tube 108 in fluid 116, screwing lower end 178 of plenum 102 into upper end 180 of base 114, attaching hose 150 to upper end 194 of wet smoke aperture 106, conducting substantially dry smoke 196 from burner 112 through intermediate tube 110, dry smoke aperture 104, and down tube 108 to fluid 116, and conducting substantially wet smoke 198 from base 114 through wet smoke aperture 106 to base 150.

In one embodiment, upper end 168 of down tube 108 may be inserted into lower end 166 of dry smoke aperture 104 by screwing. In one embodiment, lower end 174 of intermediate tube 110 may be inserted into upper end 164 of dry smoke aperture 104 by screwing. In one embodiment, upper end 172 of intermediate tube 110 may be inserted into lower end 176 of a burner 112 by screwing.

In a fourth embodiment, a method for using a modular smoking apparatus may include the steps of providing plenum 202 having substantially vertical dry smoke aperture 204 and wet smoke aperture 206 disposed substantially parallel to dry smoke aperture 204, inserting upper end 268 of down tube 208 into lower end 266 of dry smoke aperture 204, inserting lower end 292 of lower cap 260 into upper end 264 of dry smoke aperture 204, inserting lower end 274 of intermediate tube 210 into upper end 290 of lower cap 260, inserting upper end 272 of intermediate tube 210 into lower end 268 of upper cap 258, inserting upper end 286 of upper cap 258 into lower end 276 of a burner 212, filling a base 214 with a fluid 216, submerging substantially a lower end 270 of down tube 208 in fluid 216, screwing a lower end 278 of plenum 202 into an upper end 280 of base 214, attaching a hose 250 to an upper end 294 of wet smoke aperture 206, conducting substantially dry smoke 296 from burner 212 through intermediate tube 210, dry smoke aperture 204, and down tube 208 to fluid 216, and conducting substantially wet smoke 298 from base 214 through wet smoke aperture 206 to hose 250.

In one embodiment, lower end 292 of lower cap 260 may be inserted into upper end 264 of dry smoke aperture 204 by screwing. In one embodiment, lower end 274 of intermediate tube 210 may be inserted into upper end 268 of lower cap 260 by screwing. In one embodiment, upper end 272 of intermediate tube 210 may be inserted into lower end 288 of upper cap 258 by screwing. In one embodiment, upper end 236 of upper cap 258 may be inserted into lower end 276 of a burner 212 by screwing.

In FIGS. 8 and 9 is shown a modular smoking apparatus 800 according to a fifth embodiment of the invention. Modular smoking apparatus 800 may include an upper cap 858 placed on an upper end 872 of an intermediate tube 810, between upper end 872 and a burner 812. In one embodiment, a first internal upper cap thread 840a may be disposed substantially helically within a lower end 888 of upper cap 858 about an axis 884 of intermediate tube 810, while an upper external intermediate tube thread 836 is disposed substantially helically around upper end 872 of intermediate tube 810 about axis 884. In this embodiment, upper external intermediate tube thread 836 may be disposed threadably in first internal upper cap thread 840a.

In one embodiment, a second internal upper cap thread 840b may be disposed substantially helically within an upper end 886 of upper cap 858 about axis 884, while an external burner thread 844 is disposed substantially helically around a lower end 876 of burner 812 about axis 884. In this embodiment, external burner thread 844 may be disposed threadably in second internal upper cap thread 840b.

The foregoing has described the principles, embodiments, and modes of operation of the present invention. However, the invention should not be construed as being limited to the

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particular embodiments described above, as they should be regarded as being illustrative and not restrictive. It should be appreciated that variations may be made in these embodiments by those skilled in the art without departing from the scope of the present invention.

While various embodiments of the present invention have been described above, they should be understood to have been presented by way of examples only, and not limitation. Thus, the breadth and scope of the present invention should not be limited by the above described embodiments.

Obviously, numerous modifications and variations of the present invention are possible in light of the above teachings. It is therefore to be understood that the invention may be practiced otherwise than as specifically described herein.

What is claimed is:

1. A modular hookah comprising:

a base, dimensioned to contain a substantial amount of fluid, with an internally threaded upper end for receiving dry smoke; and

a stem, with an intermediate tube, having an upper end and a lower end, defining a dry smoke aperture; and

a plenum further defining said dry smoke aperture and defining a wet smoke aperture oriented to accept wet smoke from said base, said plenum having an upper end adapted to removably fasten to said lower end of said intermediate tube and an externally threaded lower end configured to mate with said threaded upper end of said base; and

wherein said stem terminates in a selectively releasable peripheral down tube, defining said dry smoke aperture and dimensioned to substantially penetrate said base, and with an upper end adapted to removably fasten to said plenum.

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2. The modular hookah of claim 1 further comprising an intermediate tube upper cap in releasable attachment to both said intermediate tube and a burner.

3. The modular hookah of claim 2 further comprising an intermediate tube lower cap in releasable attachment to both said intermediate tube and said plenum.

4. The modular hookah of claim 3 further comprising an intermediate tube cover dimensioned to house said intermediate tube.

5. The modular hookah of claim 1 wherein said intermediate tube is adapted to threadably fasten to said plenum and said plenum is adapted to threadably fasten with both said down tube and said base.

6. The modular hookah of claim 5 further comprising a burner adapted to removably fasten to said intermediate tube.

7. The modular hookah of claim 6 wherein said burner is adapted to threadably fasten to said intermediate tube.

8. A modular hookah comprising:

a base, dimensioned to contain a substantial amount of fluid, with a threaded upper end for receiving dry smoke; and

a stem, having a threaded lower end configured to mate with said threaded upper end of said base, terminating in a selectively releasable peripheral down tube dimensioned to substantially penetrate said base, said stem defining a dry smoke aperture oriented to conduct dry smoke into said base and a wet smoke aperture oriented to accept wet smoke from said base; and

wherein said stem further defines a pressure release aperture selectively obstructed by a pressure release valve; and

wherein said pressure release valve includes a threaded connection for releasably affixing to said stem.

* * * * *

EXHIBIT I



US008573229B2

(12) **United States Patent**
Mehio

(10) **Patent No.:** **US 8,573,229 B2**
(45) **Date of Patent:** ***Nov. 5, 2013**

(54) **MULTIPLE PORT, PRESSURE-RESPONSIVE
ADJUSTABLE DOORKAU**

(58) **Field of Classification Search**
None
See application file for complete search history.

(75) **Inventor:** Nizar Youssef Mehio, Telex El Khayet
(LB)

(56) **References Cited**

(73) **Assignee:** Mya Samy, LLC, Sterling, VA (US)

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(*) **Notice:** Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 1140 days.

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This patent is subject to a terminal disclaimer.

Primary Examiner Richard Crispino

Assistant Examiner — Phu Nguyen

(74) *Attorney, Agent, or Firm* — Da Vinci's Notebook, LLC

(21) **Appl. No.:** 12/489,114

(22) **Filed:** Jun. 22, 2009

(57) **ABSTRACT**

(65) **Prior Publication Data**

US 2009/0301502 A1 Dec. 10, 2009

Related U.S. Application Data

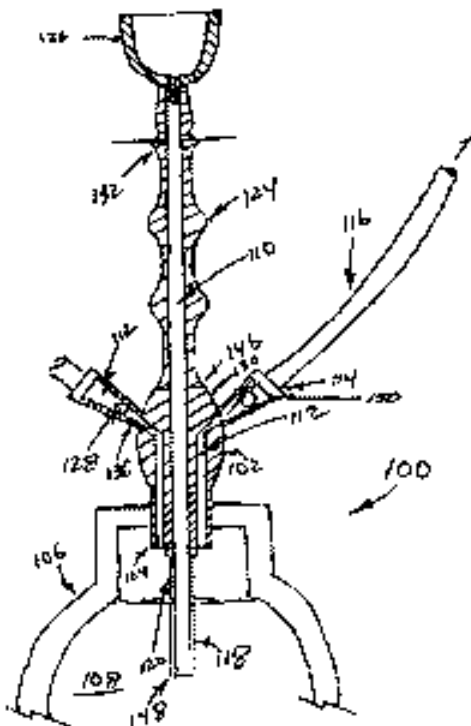
(63) Continuation of application No. 11/201,274, filed on Aug. 11, 2005, now abandoned.

A smoking apparatus includes a stem having a base at a lower end thereof coupled to a bottle containing a fluid and a neck extending upwardly from the base. A central passage extends through the stem from a burner cup disposed atop the neck to the interior of the cup. Smoking hoses are connected to the stem to permit users to draw smoke from the burner cup, through the central passage, through the water, and out of the hose. The hoses are connected to the stem by one-way fittings which permit air to be drawn out of the bottle and into the hose, but prevent air from being drawn through the hose and into the bottle.

(51) **Int. Cl.**
A24F 1/14 (2006.01)
A24F 1/30 (2006.01)

(52) **U.S. Cl.**
USPC 131/173; 131/201; 131/207; 131/331;
131/512

4 Claims, 5 Drawing Sheets

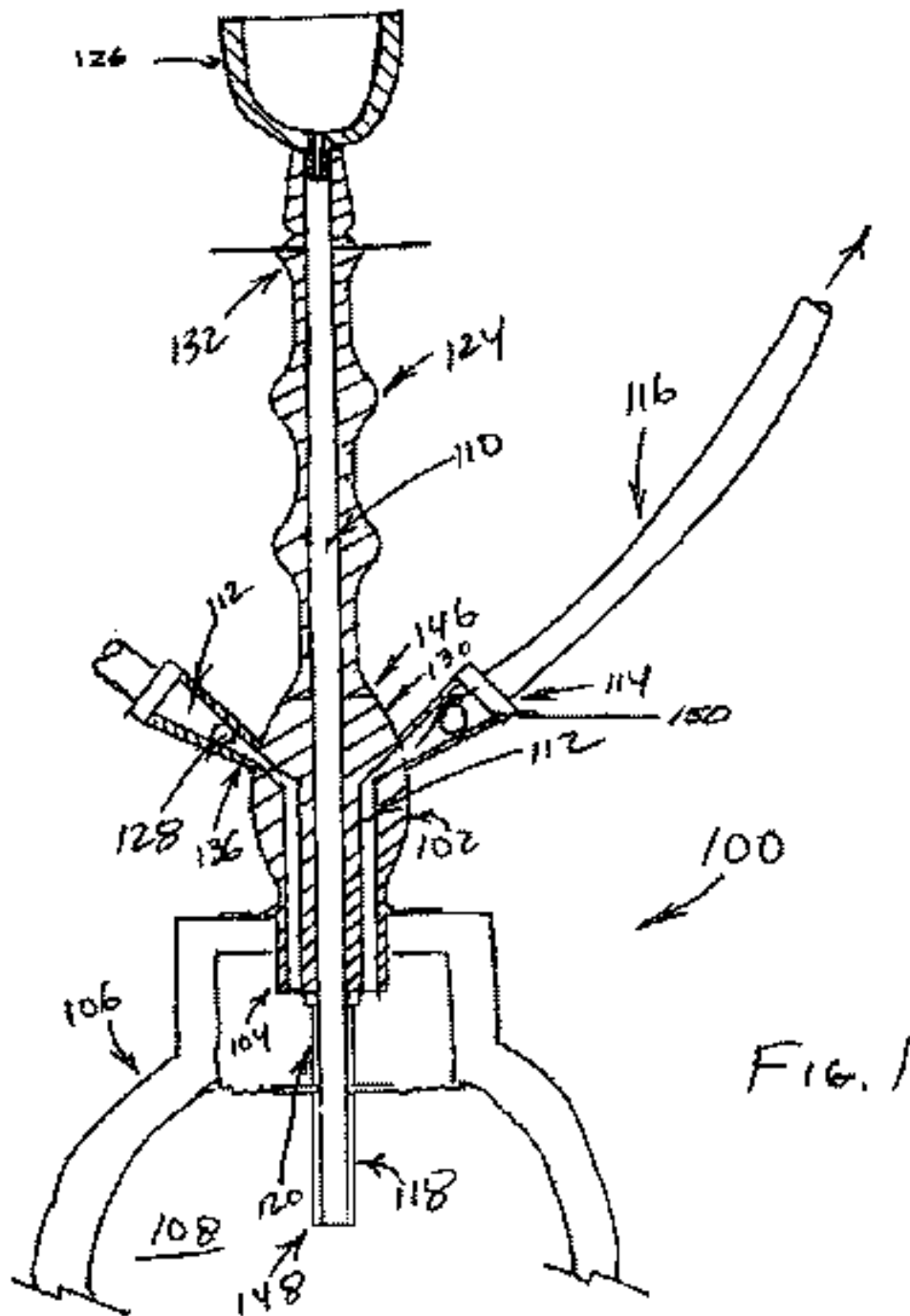


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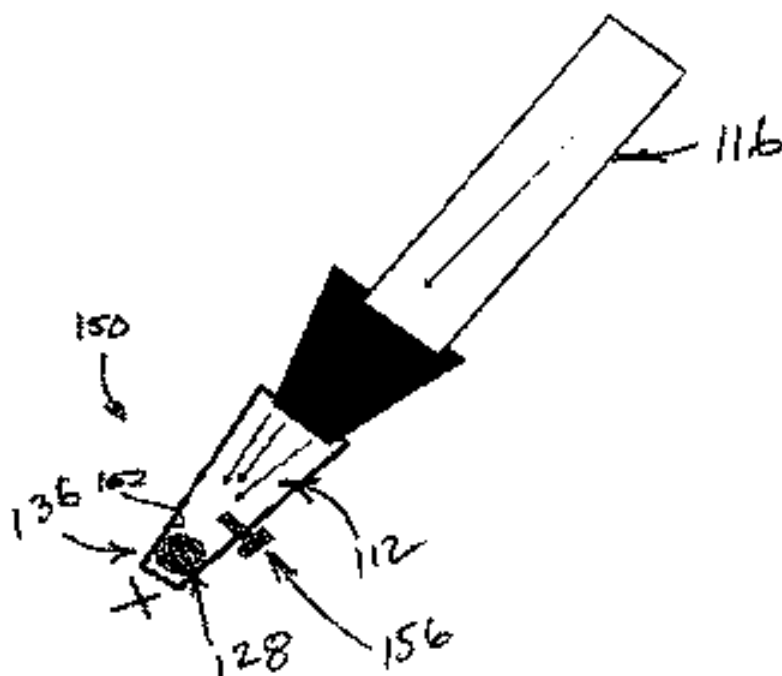
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FIG. 2

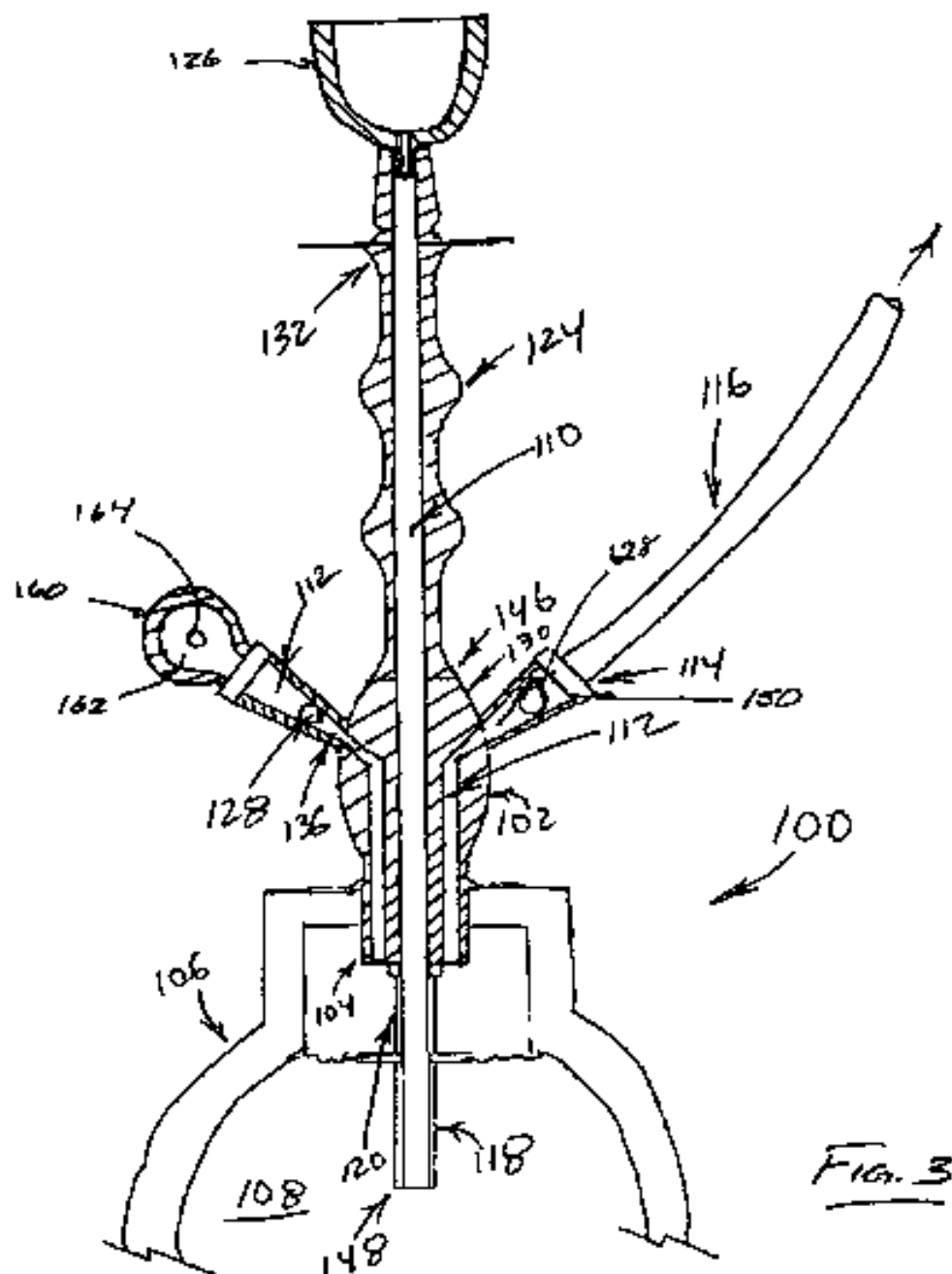


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FIG. 4A

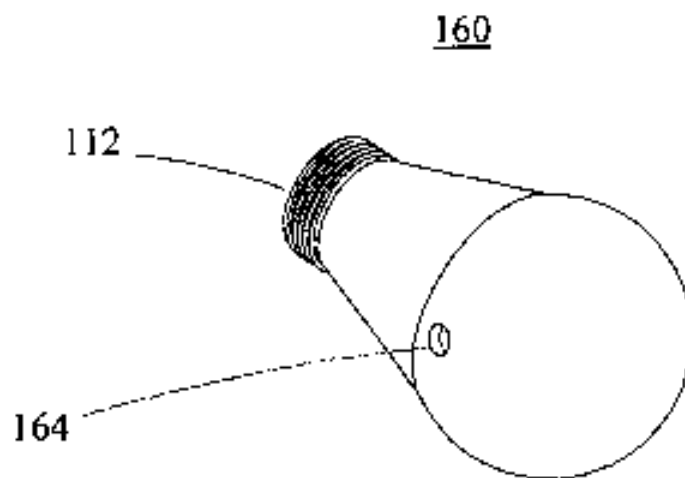
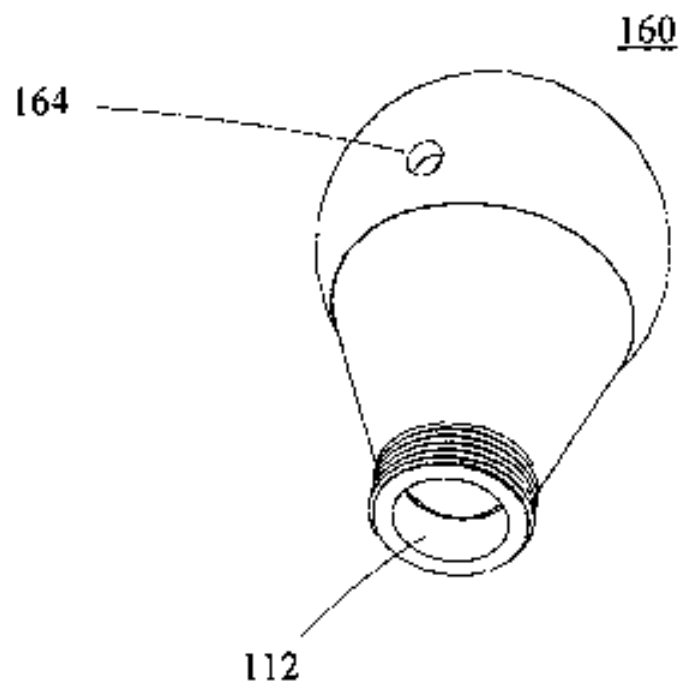


FIG. 4B



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FIG. 5

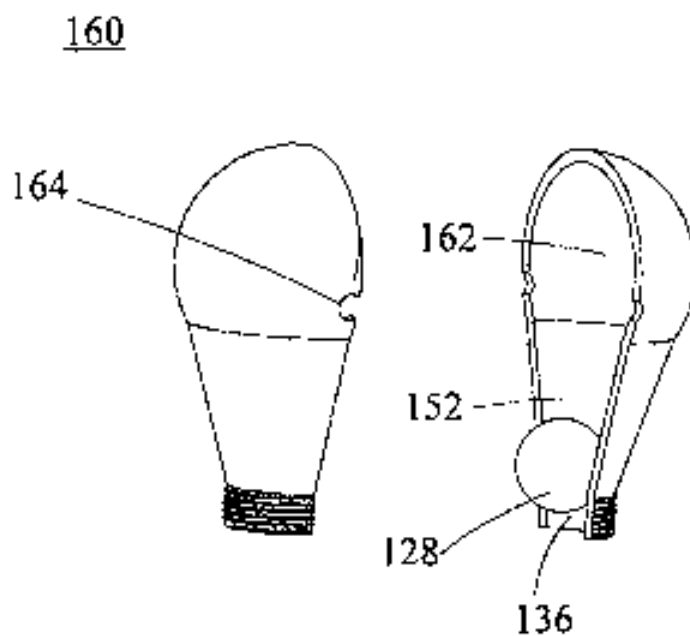
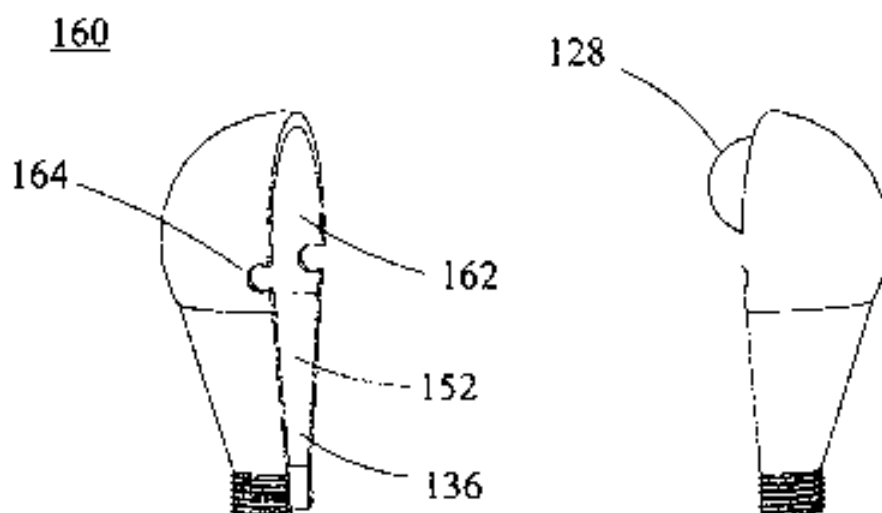


FIG. 6



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MULTIPLE PORT, PRESSURE-RESPONSIVE ADJUSTABLE HOOKAH

RELATED APPLICATIONS

This application is a continuation of, and claims priority under 35 U.S.C. §120 from, U.S. patent application Ser. No. 11/201,274, filed Aug. 11, 2005 now abandoned, the disclosure of which is incorporated herein by reference.

The invention relates to a smoking apparatus, and more particularly, to a smoking apparatus that may be smoked by more than one smoker at a time.

BACKGROUND

Pipes are often used to smoke materials such as tobacco. Moisture from a fluid may be mixed with the pipe smoke to ameliorate harshness and to impart a pleasant flavor or aroma to the smoke. So-called hookah pipes are smoking apparatuses which mixed pipe smoke with moisture.

A hookah pipe has a bottle containing fluid. The bottle may be made of glass, such as crystal. A stem is mounted to the bottle. The stem includes a passage conveying smoke from a burner cup on top of the stem through a down tube projecting from the stem and into the fluid in the bottle. The stem is preferably made of metal. The smoke drawn through the stem is expelled from the down tube beneath the surface of the fluid and allowed to bubble up through the fluid to the surface, absorbing moisture as it rises to the fluid surface. A second passage formed within the stem conveys the now-moistened smoke out to a hose. A smoker smokes the hookah pipe by drawing smoke through the hose.

Hookah pipes may have a plurality of hoses -- each with a separate fitting connecting them to the stem -- thereby permitting multiple smokers to use the pipe. The stopper prevents air from being drawn through an unused fitting into the stem when the smoker inhales, bypassing the burner and destroying the draft. If, on the other hand, the hookah pipe is intended to be smoked by more than one smoker, each smoker is provided with a separate hose. Multiple smokers smoke the hookah pipe by inhaling alternately through their respective hoses. Smokers who are not currently inhaling may squeeze their hoses to block them, preventing air from being drawn through them down into the stem while the other smoker is inhaling. If one of the non-inhaling users forgets to pinch off his hose, or does so inadequately, the inhaling smoker will draw mostly smokeless air through the open hose, rather than smoke through the burner cup.

SUMMARY

A primary object of the invention is to overcome the deficiencies of the related art described above by providing a multiple-user smoking apparatus.

The invention is embodied in a smoking apparatus comprising a bottle, with a stem attached thereto with a burner cup mounted atop the stem, and smoking hoses connected to the stem by one-way flow fittings. When one smoker is using the pipe, the unused hoses are disconnected and the fittings may be replaced with, for example, a stopper or a pressure-release valve. The bottle contains a fluid and has an opening at an upper end thereof. The stem has a base and a neck extending upwardly from the base with a central passage extending through the base and the neck. A down tube extends from said base in communication with the central passage. The base is secured to the bottle with the down tube extending through the opening of the bottle with a terminal end of the down tube

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disposed beneath the surface of the fluid contained in the bottle. Two or more one-way flow fittings are secured to the stem in communication with an interior of the bottle, and each one-way flow fitting is constructed and arranged to permit air flow out of the interior of the bottle through the fitting and to restrict air flow into the interior of the bottle through the fitting. A hose is connected to each one-way flow fitting and is constructed and arranged to permit a user to draw on one end of the hose to draw air through the burner cup, through the central passage and down tube, through the fluid contained in the bottle, and into the user's hose.

These aspects of the invention are not meant to be exclusive. Furthermore, some features may apply to certain versions of the invention, but not others. Other features, aspects, and advantages of the present invention will be readily apparent to those of ordinary skill in the art when read in conjunction with the following description, and accompanying drawings.

BRIEF DESCRIPTION OF THE DRAWINGS

The accompanying drawings, which are incorporated herein and form part of the specification, illustrate various embodiments of the present invention and, together with the description, further serve to explain the principles of the invention and to enable a person skilled in the pertinent art to make and use the invention. In the drawings, like reference numbers indicate identical or functionally similar elements. A more complete appreciation of the invention and many of the attendant advantages thereof will be readily obtained as the same becomes better understood by reference to the following detailed description when considered in connection with the accompanying drawings, wherein:

FIG. 1 shows a side, cross-sectional view of a multiple-user smoking apparatus according to a first embodiment of the invention.

FIG. 2 shows a one-way flow fitting for use with an embodiment of the invention.

FIG. 3 shows a side, cross-sectional view of a multiple-user smoking apparatus according to an alternate embodiment of the invention.

FIGS. 4A and 4B each show a perspective view of the exhaust valve of the present invention depicted in FIG. 3.

FIG. 5 shows a sliced, perspective view of the exhaust valve of the present invention depicted in FIG. 3.

FIG. 6 shows a sliced, perspective view of the exhaust valve of the present invention depicted in FIG. 3.

DETAILED DESCRIPTION

FIG. 1 shows a multiple-user smoking apparatus 100, e.g., a hookah pipe according to a first embodiment of the invention. Multiple-user smoking apparatus 100 includes a stem 102 having a base 130 and a neck 124 projecting up from the base 130. A lower end 104 of base 130 is connected to a bottle 106 containing a fluid 108, for example it may be disposed insertably in bottle 106. Bottle 106 may be made of a material selected from the group consisting of acrylic, glass, Formica, quartz, plastic, and crystal.

Stem 102 includes a central passage 110. A plurality of peripheral passages 112 are formed around central passage 110 in the base 130 of the stem 102, and communicate with an interior of bottle 106. A proximate end 114 of a hose 116 is connected to the stem 102 at a peripheral passage 112 by a one-way flow fitting 150.

As an alternative to discrete peripheral passages 112, an interior plenum may be defined within the base 130 of the

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stem 102. The interior pleenum would be open to the interior of the bottle 106, and the down tube 118 would extend through the pleenum. All hoses would be in communication with the pleenum.

An upper end 120 of the down tube 118 is connected to the lower end 104 of the base 130 and extends into the bottle 106 below the surface of the fluid 108. The down tube 118 may be threaded at its upper end 120 for connecting it with mating threads (not shown) formed in the base 130. A burner cup 124 is mounted (such as by inserting an end thereof) at an upper end 132 of stem neck 124.

Bottle 106 may contain fluid 108, such as water or wine or a flavored water such as rose water.

In operation, one of several users of apparatus 100 inhales from a distal end of one of hoses 116. As long as the hoses 116 held by the other, non-inhaling users of smoking apparatus 100 are substantially closed off, the inhalation creates a draft through the smoking user's peripheral passage 112 from the interior of bottle 106. The draft creates a partial vacuum within the interior of bottle 106, reducing a pressure at the surface of fluid 108 and allowing wet smoke from fluid 108 to bubble up and escape. This in turn reduces the partial pressure within fluid 108, causing in turn a partial vacuum in central passage 110 and down tube 118 to burner cup 124 and drawing dry smoke down into fluid 108.

Referring now to FIG. 2, the one-way flow fitting 150 includes a stopper 128 (e.g., a ball) is disposed within the fitting body. The fitting 150 is secured to the base 130 of the stem 102 (preferably threaded) in alignment with one of the peripheral passages 112. An interior space with a frustoconical surface 152 is defined within the fitting body. A narrow end 136 of the surface 152, closest to the base 130, has a width that is less than that of the stopper 128 (i.e. the stopper diameter) and a wide end of the surface 152, further from the base than the narrow end, has a width that is greater than that of the stopper 128.

When one of several users of smoking apparatus 100 inhales from a distal end of one of hoses 116, stopper 128 in the fitting 150 associated with that hose 116 is drawn away from narrow end 136 of the interior frustoconical surface 152 by the draft, allowing wet smoke to traverse the passage 112, through the fitting 150 and around the stopper 128, and into the hose 116. Stoppers 128 in fittings 150 associated with the hoses 116 held by the other non-inhaling users of apparatus 100, on the other hand, remain at small end 136, retained there by the partial vacuum created in the interior of bottle 106. Thus the peripheral passages 112 associated with the hoses 116 held by the non-inhaling users of smoking apparatus 100 are substantially closed off by the stopper 128 wedged in the narrow end 136. Accordingly, the non-inhaling smokers need do nothing to close off their respective tubes. The draft created by the inhaling smoker will automatically close off all but his own smoking tube.

A pin 156 (e.g., a small screw), or other structure, is preferably disposed in a wall of fitting 150 to prevent stopper 128 from being drawn into hose 116 by inhalation.

FIG. 3 depicts an embodiment of the present invention bearing a one-way flow fitting exhaust valve 160 and the one-way flow hose fitting 150. The pressure-release valve, or exhaust valve 160, like the hose fitting 150, couples or is affixed to the base 130 of the stem 102 (preferably threaded) in alignment with one of the peripheral passages 112. FIG. 4A and FIG. 4B depict in detail the exhaust valve 160.

The exhaust valve 160 is a flow fitting of the present invention that fits into the peripheral passage of the hookah base of the stem. Rather than include an aperture for accepting a hookah hose, the exhaust valve 160 possesses a body lacking

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sizable apertures. The exhaust valve 160 includes a body with a release port 164 in selective fluid communication with, and that permits external exhaust from, the peripheral passage 112. The body of the exhaust valve 160 may include any shape, configuration, and dimensions suitable to perform its task.

As FIG. 5 shows, the selective fluid communication between the release port and the peripheral passage is controlled by the stopper 128 of the present invention. The exhaust valve includes an interior space with a frustoconical surface 152 within the exhaust valve 160 body. A narrow end 136 of the surface 152, closest to the base, has a width that is less than that of the stopper 128 (i.e. the stopper diameter) and a wide end of the surface 152, further from the base than the narrow end, has a width that is greater than that of the stopper 128. As FIG. 3 shows, the exhaust valve 160 is preferably used in conjunction with at least one hose fitting positioned in a stem base that draws from a common volume of air. The exhaust valve reacts to the negative net pressure created by the draw of air from a hose through a hose fitting by permitting downward actuation of the exhaust valve stopper 128 towards the stem base. The negative net pressure acts to seal the hookah and permit the user of the hookah a tight seal to enhance his draw of smoke from the hookah bottle. In such circumstances, the stopper 128 would be positioned as shown in FIG. 5.

FIG. 6 depicts the positioning of the exhaust valve stopper 128 in a positive bottle pressure situation. Positive net pressure urges the stopper through the frustoconical body of the exhaust valve to permit air passage around the stopper. The preferred dimensions of the exhaust valve 160 includes a bulbous stopper compartment 162 connected to the frustoconical interior portion 152. The stopper compartment 162 includes a substantially continuous surface from the frustoconical interior thereto to prevent the stopper from catching in transition stages and prevent the build-up of contamination in the interior of the exhaust valve. Upon an internal net pressure decrease, the stopper may roll back into a lower position. The stopper compartment 162 preferably permits substantial three-dimensional motion of the stopper therein. A bulbous exhaust valve is preferred as it provides a substantial, smooth interior surface.

The release port 164, in any quantity, is preferably located on the stopper compartment, and should be located on the exhaust valve at least a stopper's diameter from the connection between the stem base and the exhaust valve. The release port 164, or release ports in the aggregation, should have an area substantially smaller than the narrowest cross-sectional area of the passage 112 to which it connects. A preferred sizing of the release port 164 is between 20% and 80% of the narrowest cross-sectional area of the passage 112 to which the exhaust valve directly connects. The size of the release port 164 may vary greatly with the hookah with which it is used. A relatively decreased size permits a user to blow through a hookah hose into the hookah bottle and purge the bottle of stale smoke within. A release port sized to closer to the narrowest cross-sectional area of the passage 112 to which the exhaust valve directly connects will minimize the force applied to the air within the hookah bottle and will generally not permit a velocity adapted to the clear the smoke contents of the hookah bottle. A release port drastically smaller than the narrowest cross-sectional area of the passage 112 to which the exhaust valve directly connects will create excess pressure within the hookah bottle that may force the liquid therein through the exhaust valve—or even up the stem to the burner.

Modifications and variations of the present invention are possible in light of the above teachings. It is therefore to be

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understood that the invention may be practiced otherwise than as specifically described herein. Although the present invention has been described in considerable detail with reference to certain preferred versions thereof, other versions would be readily apparent to those of ordinary skill in the art. Therefore, the spirit and scope of the appended claims should not be limited to the description of the preferred versions contained herein.

What is claimed is:

1. A manual pressure-controlled hookah kit, said kit comprising:

- a hookah bottle having a bottle interior;
- a stem, configured to sealably attach to said hookah bottle, with a base defining multiple, internal peripheral passages with uniform, external peripheral passage openings and leading to said bottle interior and with a neck defining a central smoke passage configured such that smoke travels from said central smoke passage into said bottle interior and then through said peripheral passages;
- a pressure-release exhaust valve, with a lower portion adapted to releasably affix to any one of said uniform peripheral passage openings, having a body defining an interior void, comprising a tapered void portion leading to said lower portion of said exhaust valve and a bulbous void portion, that confines a floating exhaust stopper with a stopper diameter length therein and at least one release port positioned on said exhaust valve body at least said stopper diameter length from said stem base upon affixation thereto and substantially transverse to said interior void; and
- a hose fitting, defining a tapered interior void with a major portion dimensioned to internally accept a hookah hose

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and a minor portion defining a smoke inlet, said hose fitting with a lower portion adapted to releasably affix to any one of said uniform peripheral passage openings, wherein an aggregation of said release ports defines an area sized substantially smaller than said hose fitting interior void minor portion and further sized to effect purging of a substantial portion of gas within said bottle interior in response to moderate user pressure originating from said hose fitting, and wherein said hose fitting interior void is in gaseous communication with said exhaust valve interior void such that pressure exerted from said hose fitting interior void minor portion to said hose fitting interior void major portion forces said exhaust valve stopper toward said exhaust lower portion, and pressure exerted from said hose fitting interior void major portion to said hose fitting interior void minor portion forces said exhaust stopper toward said exhaust valve bulbous portion.

2. The kit of claim 1 wherein said hose fitting further comprises: an impediment, disposed within said void, dimensioned to partially obstruct said void and to allow substantial interior entry of a penetrative proximate end of a tapered hookah hose; and a floating spherical fitting stopper, disposed in said void between said smoke inlet and said impediment, dimensioned to selectively seal said void from the egress of vented smoke.

3. The kit of claim 2 wherein said impediment is externally-accessible.

4. The kit of claim 3 further with at least two of the hose fittings of claim 1.

* * * *

EXHIBIT J



US009107456B2

(12) **United States Patent**
Mehio

(10) **Patent No.:** **US 9,107,456 B2**
(45) **Date of Patent:** **Aug. 18, 2015**

(54) **HOOKAH HOSE, HOOKAH SYSTEM**

(56) **References Cited**

(75) **Inventor:** **Nizar Mehio, Tallet El Khayet (LB)**

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(73) **Assignee:** **Mys Saray, LLC, Sterling, VA (US)**

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(*) **Notice:** Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 1157 days.

* cited by examiner

(21) **App. No.:** **12/944,063**

Primary Examiner Richard Crispino

(22) **Filed:** **Nov. 11, 2010**

Assistant Examiner — Phu Nguyen

(65) **Prior Publication Data**

US 2012/0118305 A1 May 17, 2012

(74) **Attorney, Agent, or Firm** — Dia Vinci's Notebook, LLC

(57) **ABSTRACT**

(51) **Int. Cl.**
A24B 1/02 (2006.01)
A24B 1/08 (2006.01)
A24F 1/30 (2006.01)

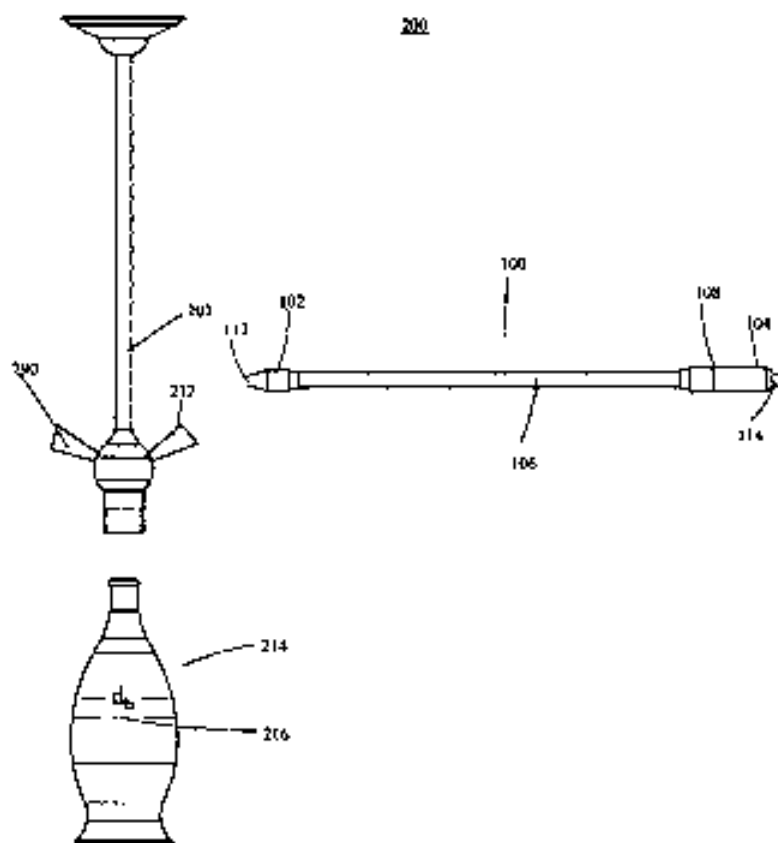
The present invention is directed to a hookah hose, hookah system, and process for cooling hookah smoke in a hookah. The hookah hose includes a shank, a conduit, a mouthpiece, and a reservoir bearing a coolant cartridge. The shank permits the hookah hose to connect to a stem of a hookah generally or the hookah system of the present invention. The use of coolant cartridges permits a user to manipulate both wet smoke temperature and velocity.

(52) **U.S. Cl.**
CPC **A24F 1/30 (2013.01)**

(58) **Field of Classification Search**
None

See application file for complete search history.

13 Claims, 7 Drawing Sheets



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FIG. 1

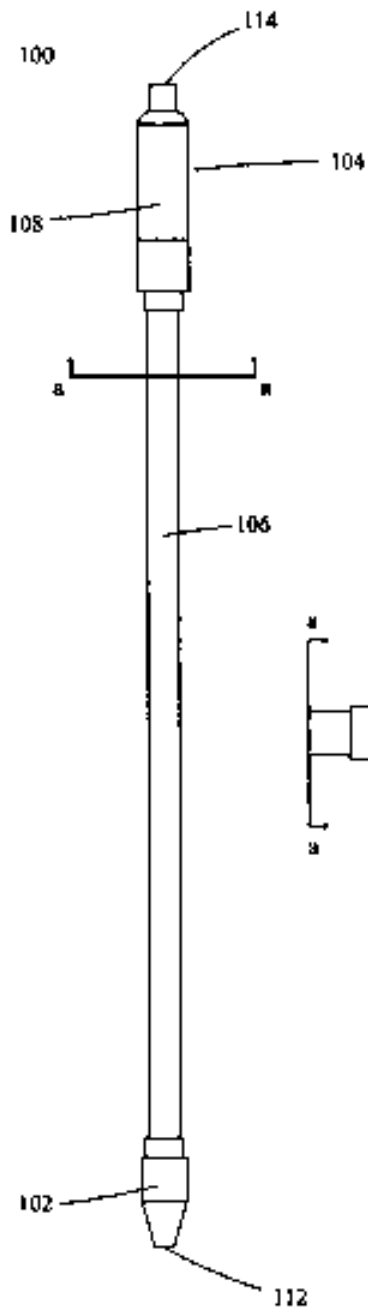
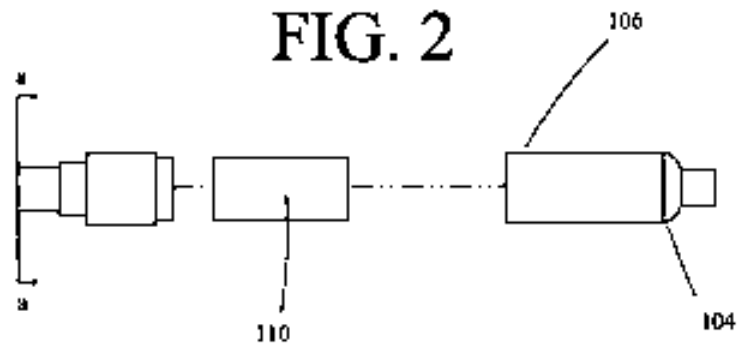


FIG. 2



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FIG. 3

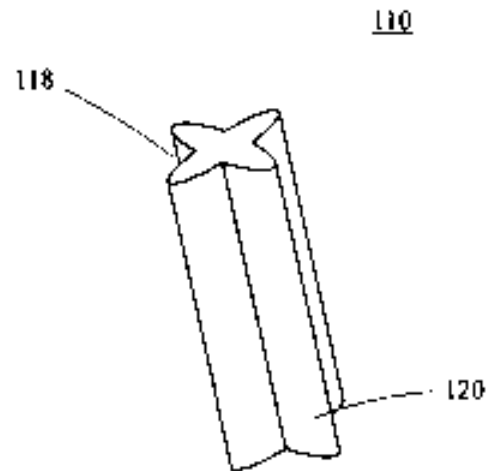


FIG. 4

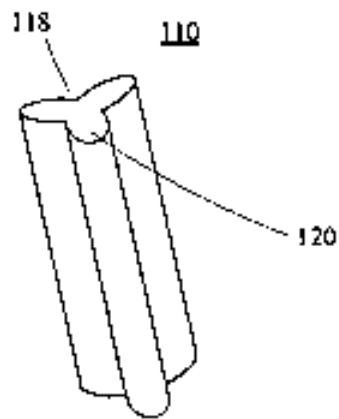
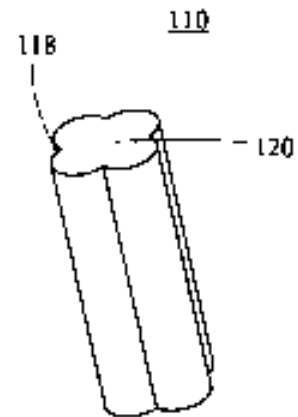


FIG. 5



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FIG. 6

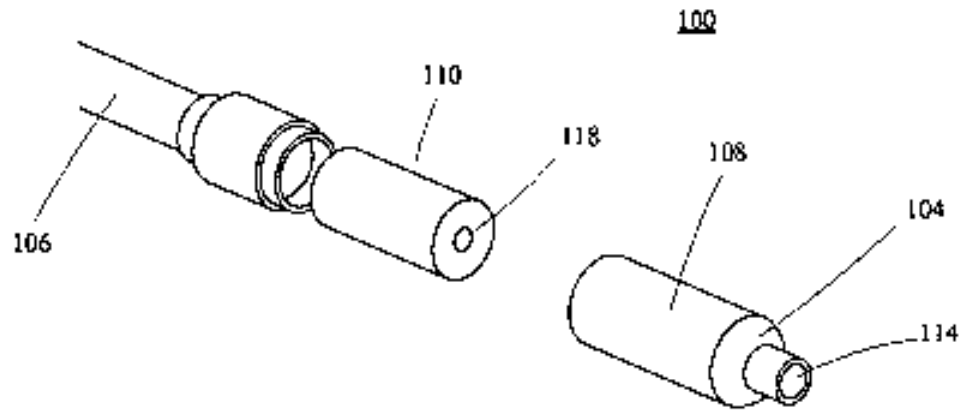
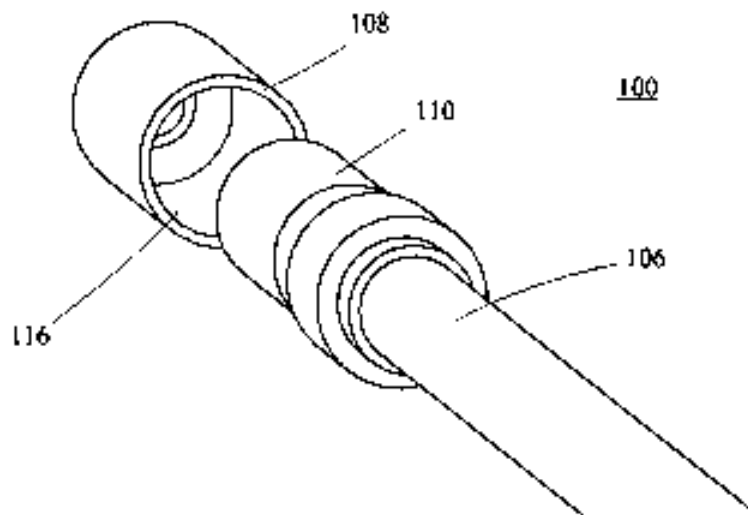


FIG. 7



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FIG. 8

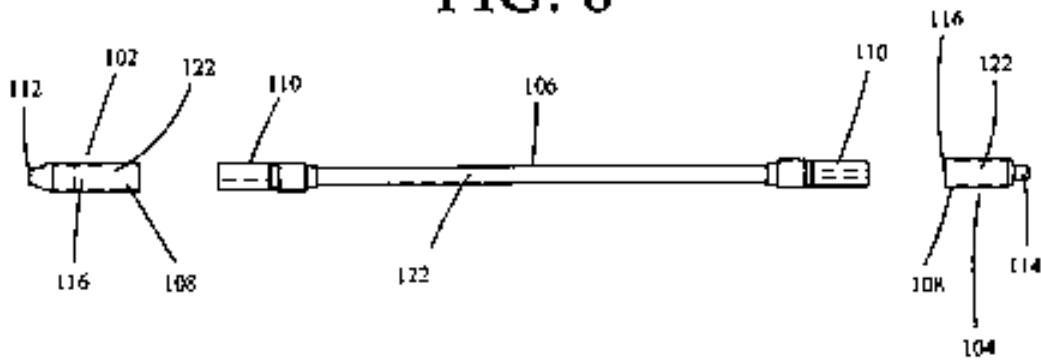


FIG. 9A

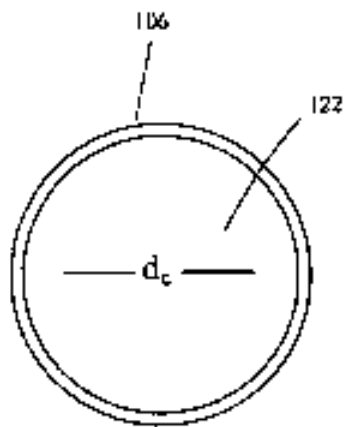
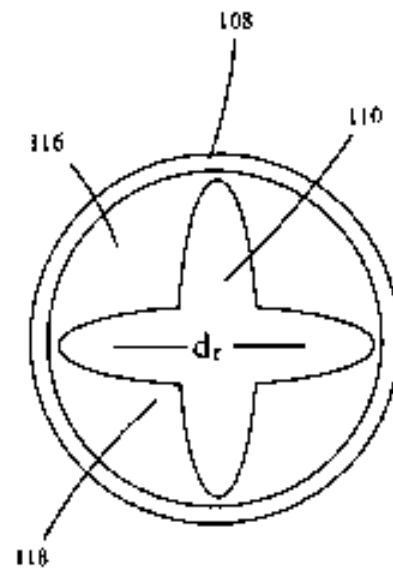


FIG. 9B



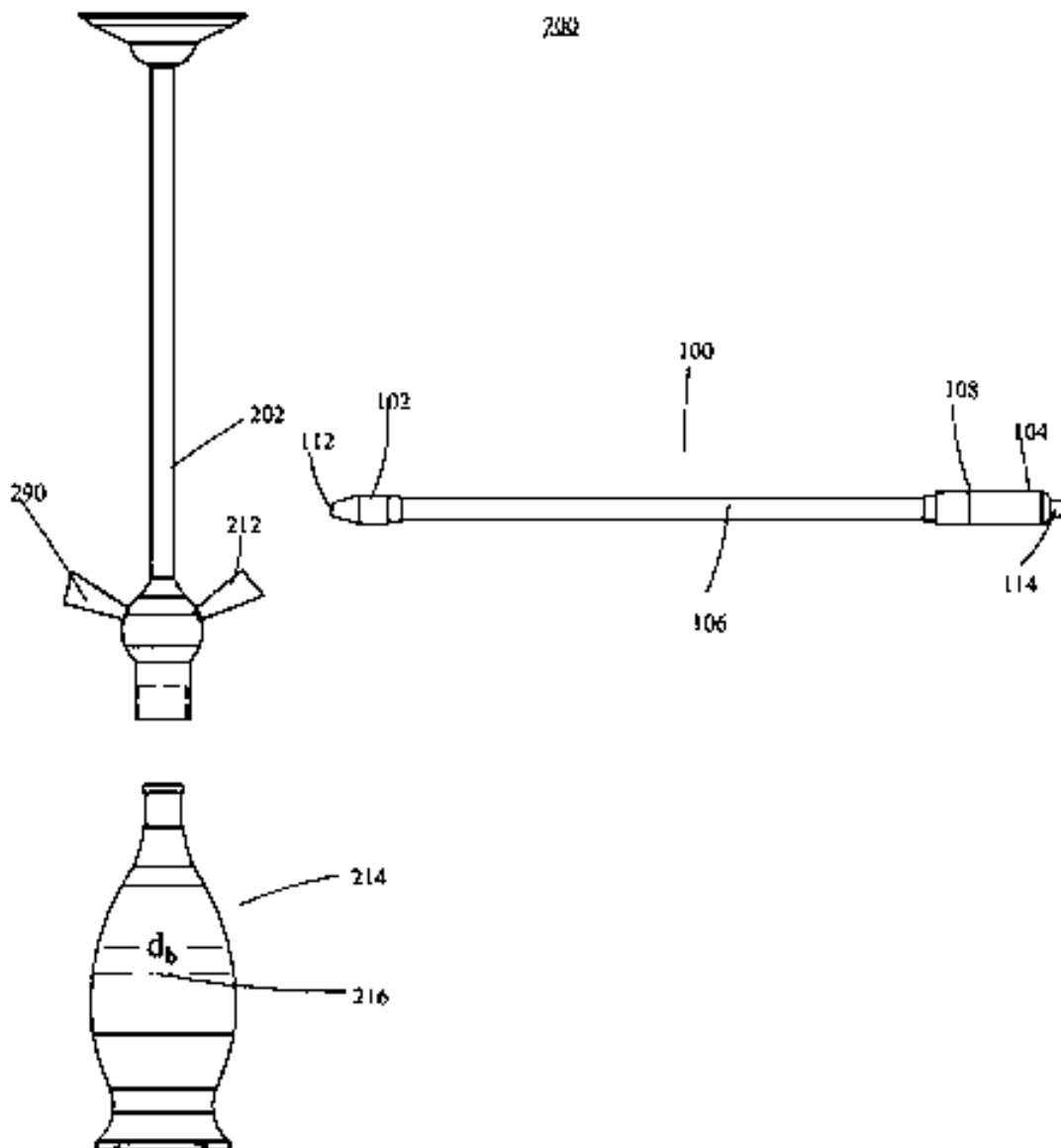
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FIG. 10



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FIG. 11A

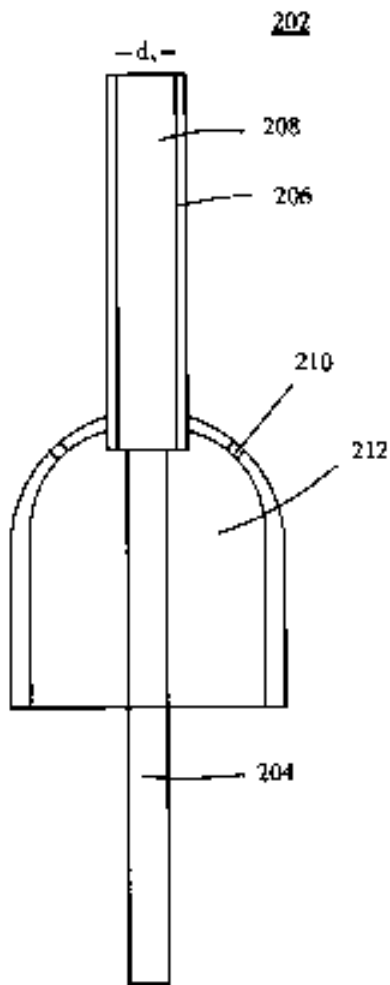
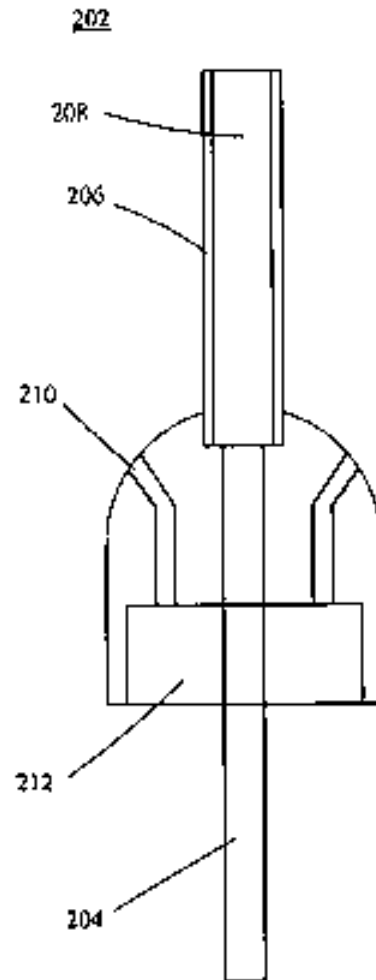


FIG. 11B



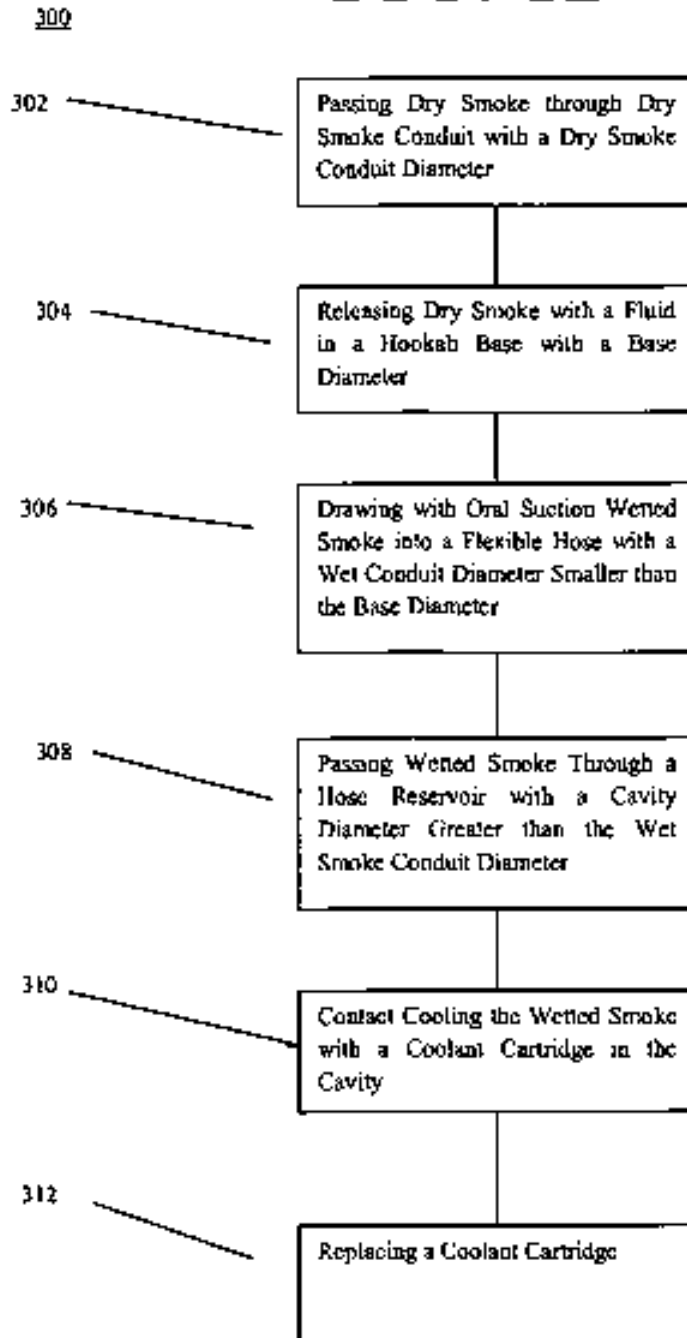
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FIG. 12



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HOOKAH HOSE, HOOKAH SYSTEM**FIELD OF THE INVENTION**

The present invention relates to the field of wetted smoking and more specifically to the field of hookahs.

BACKGROUND

Of the many proud traditions of Ottoman culture, few have achieved the world-wide fame of hookah smoking. Once confined to the Middle East and Near East regions, the hookah's notoriety was invigorated by Napoleon's invasion of Egypt and the stream of curious Westerners which followed thereafter. Painters, such as Eugene Delacroix and Jean-Léon Gerome, when depicting Oriental styles typically included a hookah as a symbol of the depicted culture. The hookah was elevated from a regional curiosity to a universal symbol of sophistication.

The hookah, which has maintained a constant popularity in the Middle East, presently enjoys in American culture a unique, niche function. Hookah smoking combines community and relaxation into a single event. Rarely does one witness a group smokers crowded about a single cigarette, cigar, or pipe. Though hookahs are often designed with a single smoke outlet, the presence of multiple hoses, each capable of simultaneous use, emanating from a single smoking instrument is unique to the hookah. Multiple hose hookahs form the centerpiece of hookah clubs in which hookah smokers gather to unwind and converse with other community members. A hookah combines fashion, art, and function into a single device.

A basic hookah includes a base, a stem, at least one hose with a mouthpiece, and a bowl. The hookah bowl holds the hookah tobacco, frequently "massell." Massell is a mixture of tobacco, molasses, and often a flavor or fruit extract. The molasses and fruit extract add a substantial amount of moisture to the massell that is missing in conventional tobacco. This added moisture makes massell more sensitive to the elements relative to conventional tobacco; prolonged exposure to air evaporates much of the moisture of massell and reduces its flavor. When properly protected, massell allows a smoker a more recreational, flavored smoke than the tobacco of cigars, cigarettes, pipes, and the like. An experienced hookah smoker will know to loosely distribute massell into a pile within the hookah bowl to allow heat to evenly circulate through the pile.

The heat that ignites the massell derives from coals positioned above the hookah bowl. The coals and massell preferably never contact one to the other. A common method of placing coals proximate to the massell involves spreading a foil upon the top of a hookah bowl, punching holes in the foil, and then placing the coals onto the foil. The heat from the lighted coals travels through the holes in the foil to ignite portions of the massell. Particulates from the massell travel in the smoke created by the ignition down through the hookah bowl into the hookah pipe.

The hookah stem is the body of a hookah and is usually fabricated from brass, tin, or stainless steel. The stem transports the massell smoke from the bowl to the hookah base, which is a cavern containing water. The base of the hookah is typically fabricated of glass or plastic and tends to be the most expressive portion of the hookah, ranging from transparent to wildly-colored. Within the cavern of the hookah base, the massell smoke is cooled by the water within. The cooled massell smoke then returns to the stem, though not through the same entrance by which the massell smoke enters the

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base. From the stem, the massell smoke travels through the hose and out of the mouthpiece.

There are presently two prominent versions of hookah structures: the Lebanese style and the Egyptian style. Although the aficionados will explain that there are many differences between the two styles, the practical layman would quickly note the obvious difference: the connection point between the stem and the hookah bowl. The Egyptian style hookah pipe tapers upward into what is generally referred to as a male connection. The Egyptian style hookah bowl includes a female connection which receives the pipe's male connection. In the Lebanese style hookah the bowl has the tapered male connection and the pipe has the female connection to accept the Lebanese style hookah bowl. In both styles, to allow a more airtight connection a collar is generally added to fit around the male connection.

Wet smoke from a hookah has had its internal temperature manipulated by the liquid of the base. However, the liquid of the base may not supply a sufficient ability to control the internal temperature and further control may be desired. Furthermore, the use of a room temperature liquid prevents the wetted smoke from achieving a temperature less than that of room temperature. A user may further desire to alter the ability to control wetted smoke temperature without disturbing a base, or may desire to alter the fluid flow characteristics of a hookah singly or among multiple parties of a group. Therefore there is a need for a hose, hookah system, and process that permits controlled, effective manipulation of wetted smoke pressure and temperature in the presence of a uniform barrier filter layer.

SUMMARY

The present invention is directed to a hookah hose, hookah system, and process for cooling hookah smoke in a hookah. The hookah hose includes a shank, a conduit, a mouthpiece, and a reservoir bearing a coolant cartridge. The shank permits the hookah hose to connect to a stem of a hookah. The shank begins with a shank aperture that accepts wetted smoke from the stem of a hookah and passes the wetted smoke within the hose conduit. The conduit is the flexible body of the hose that conducts wetted smoke to the mouthpiece and the mouthpiece aperture. Positioned on the hose, between the shank aperture and the mouthpiece aperture is the reservoir. The reservoir includes a cavity that may be exposed for the placement of the coolant cartridge. The coolant cartridge includes a membrane that bears an artificial cold source, e.g. a phase transitional fluid. The cartridge may have internal and peripheral wet smoke channels to contact cool wetted smoke as it passes through the reservoir.

The hookah system includes the hookah hose as part of an advantageous hookah system. The hookah system includes the hookah hose, a hookah base, and a removable hookah stem. The hookah stem sits upon the hookah base and includes a dry smoke conduit that releases dry smoke to a substantial depth within the base. The hookah stem includes a wet smoke duct within the hookah stem that is positioned over the base and shunts wetted smoke to the shank aperture of the hose. The hookah system may accept multiple hoses.

The process for cooling hookah smoke includes vertically passing dry smoke through a dry smoke conduit. The dry smoke is released directly into fluid within a sealed hookah base. A user draws with oral suction wetted smoke through the hose through the reservoir and interior cavity with the coolant cartridge. The coolant cartridge cools on contact the wetted smoke.

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Therefore, in an aspect of the present invention to provide superior cooling for wetted smoke smoking device

Therefore, it is an aspect of the present invention to provide a hookah hose capable of independently cooling smoke irrespective of the hookah to which it is attached.

It is a further aspect of the present invention to provide a hookah hose adapted to bear a replaceable cooling device capable of replacement during use of the hookah to which it is attached.

It is a further aspect of the present invention to provide a hookah hose adapted to cool wetted smoke with minimal mess within the hose.

It is a further aspect of the present invention to provide a hookah system and process capable of filtering and wetting dry smoke and further cooling the resulting wetted smoke.

It is a further aspect of the present invention to provide a hookah system, hose, and process capable of effective cooling and filtering without generating substantial internal back pressure at the point of cooling.

These aspects of the invention are not meant to be exclusive. Furthermore, some features may apply to certain versions of the invention, but not others. Other features, aspects, and advantages of the present invention will be readily apparent to those of ordinary skill in the art when read in conjunction with the following description, and accompanying drawings.

BRIEF DESCRIPTION OF THE DRAWINGS

FIG. 1 is an orthographic view of an embodiment of the hose of the present invention.

FIG. 2 is a partial, exploded view of the hose of FIG. 1 along cutting lines a-a.

FIG. 3 is a perspective view of an embodiment of the coolant cartridge.

FIG. 4 is a perspective view of an embodiment of the coolant cartridge.

FIG. 5 is a perspective view of an embodiment of the coolant cartridge.

FIG. 6 is a partial, perspective view of an embodiment of the hose of the present invention.

FIG. 7 is a partial, perspective view of an embodiment of the hose of the present invention.

FIG. 8 is a revealed, orthographic view of an embodiment of the hose of the present invention.

FIG. 9A is a cross-sectional view of an embodiment of the hose of the present invention.

FIG. 9B is a cross-sectional view of an embodiment of the hose of the present invention.

FIG. 10 is an orthographic view of the hookah system of the present invention.

FIGS. 11A and B are exposed views of hookah stems of the present invention.

FIG. 12 is a view of the process of the present invention.

DETAILED DESCRIPTION

Referring first to FIGS. 1 and 2, a basic embodiment of the hookah hose 100 is shown. (Overview the main elements). The hookah hose 100 includes a shank 102, a conduit 106, a mouthpiece 104, and a reservoir 108 bearing a coolant cartridge 110. The shank 102 permits the hookah hose 100 to connect to a stem of a hookah. The shank 102 begins with a shank aperture 112 that accepts wetted smoke from the stem of a hookah and passes the wetted smoke within the hose conduit 106. The shank 102 need not have any particular sizing or dimensions. It is preferred that the shank have vari-

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able outer walls, e.g. frustoconical, that permit the shank to form a sealed interference fit with a hookah stem. The hookah hose 100 may be utilized with any existing hookah and the shank may be formed to fit a particular hookah or dimensioned to permit universal attachment. The shank is preferably a rigid, inflexible material that may include metals, plastic, or other hard material.

The shank 102 is preferably integrally affixed to the conduit 106. The conduit 106 is a long flexible component to allow a user to use a hookah in multiple positions adjacent to the hookah. Throughout the conduit 106 is a wet smoke passage that begins in the shank 102 with the shank aperture 112. The conduit 106 is longitudinally connected to the mouthpiece 104, a rigid component with a mouthpiece aperture 114. The mouthpiece aperture 114 is an opening in the mouthpiece that permits a user to apply oral suction to urge wetted smoke from the shank opening 112, into the wet smoke passage of the shank 102, through the wet smoke passage of the conduit 106, into the wet smoke passage of the mouthpiece 104, though the mouthpiece aperture 114, and to the user. The shank 102, conduit 106, and mouthpiece 104 contribute to form a single wet smoke passage placing the shank, conduit, and mouthpiece in fluid communication with each other component of the hose.

Turning to FIGS. 6 and 7, integrated upon the hose, between the shank aperture and the mouthpiece aperture 114 is the reservoir 108. The reservoir 108 includes a cavity 116 that may be exposed for the placement of the coolant cartridge 110. The preferred reservoir 108 is a mouthpiece reservoir affixed directly adjacent to said mouthpiece 104 such that the reservoir and the mouthpiece ostensibly form a unitary component. The preferred reservoir is configured to include an inflexible construction to form a segmentable shell. By segment, it is meant that a portion of the reservoir separates from another portion of the shell to the extent necessary to access the cavity 110 for removal/placement of a coolant cartridge 110. The cavity 110 may include any dimensions adapted to contain the coolant cartridge; the preferred dimensions include that of a cylinder. The segmented reservoir may include threading to permit reservoir portions to be selectively removable and securely maintained. The reservoir is positioned contiguous to the wet smoke passage and in fluid communication with the shank, conduit, and mouthpiece.

Turning to FIGS. 3-5, the coolant cartridge 110 includes a membrane 120 with an artificial cold source, preferably phase transitional fluid, therein. By phase transitional fluid, it is meant a substance that is naturally a liquid at comfortable room temperatures, e.g. approximately 50-100 degrees Fahrenheit, but undergoes a phase change to a solid at temperatures less than comfortable room temperature environments. By artificial cold source, it is meant a substance adapted to achieve a coolant temperature due to ancillary interactions with the coolant cartridge catalyzed or supplied by external factors. Examples of artificial cold sources and external factors include: freezing or cooling a membrane bearing water or a water derivative (e.g., diluted isopropyl alcohol), breaking a separation layer within the membrane that bears separated urea and ammonium chloride that intermingle upon breaking of the separation layer, separated ammonium nitrate and a starch material acting as a gelling agent in one zone and water in another zone, and the like.

As a gelling agent, inorganic compounds such as metal oxides, metal alkoxides, or alkali metal salts of metal oxides can be used. These include zinc oxide, tin oxide, titanium oxide, zirconium oxide, and silicates and aluminates in combination with solvents such as water and alcohols. Useful organic gelling agents include organic compounds such as

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carbohydrates including starch; polyacrylamide; polyols such as pentaerythritol; or proteinaceous materials such as dried gelatin. These agents can form gels in combination with solvents such as water, acetone, alcohols, dimethoxytetrahydrofuran, or other suitable solvents. As a multiple use artificial cold source may include any compound adapted for maintenance of internal, chilled temperature to a greater degree than simple frozen water, a preferred artificial cold source may include a combination of water, gel food grade guar gum, and sodium chloride, or water and a cellulose ether. The artificial cold source need not undergo a phase change, although a phase change liquid is preferred as the phase change may be indicative of a substantial increase in internal temperature of the artificial cold source. Any plastic or vinyl material, or other suitable material dependent upon the manufacturer's desire for rigidity or flexibility, may be used in the construction of the membrane.

The cartridge may have internal and peripheral wet smoke channels 118 to contact cool wetted smoke as it passes through the reservoir. By wet smoke channel 118, it is meant a conduit within or upon the cartridge by which wetted smoke may pass longitudinally through or along the cartridge. As the cartridge is adapted to be positioned with the cavity of a reservoir and the reservoir is in fluid communication with the shank-mouthpiece-conduit network, there must be some void that permits wetted smoke to pass along the cartridge to the mouthpiece aperture. The passage along the cartridge is in a manner that permits a substantial amount of wetted smoke to contact the cartridge membrane and cool the wetted smoke. With the channel is entirely bounded by the cartridge, as in FIG. 6, then the channel is considered an internal channel; when the channel is only partially bounded by the cartridge and is further bounded by the inner sidewall of the reservoir, then the channel is considered a peripheral channel. Multiple, peripheral channels are preferred in the cartridge of the present invention as multiple channels permit a greater surface area of the cartridge to contact the wetted smoke during passage.

Furthermore, the cartridge may include a flavoring agent either within the membrane 120, or the cartridge may be composed of the flavoring agent. Due to the pressure factors within a hookah system, it is preferred that the cartridge bearing the flavoring agent include dimensions similar to cooling cartridges of the present invention.

As depicted in FIG. 8, the present invention may include multiple reservoirs 108 with multiple cavities 116 for multiple cartridges 110. The cartridges 110 may include similar or differing dimensions. The reservoirs may be positioned at any position along the hose in fluid communication with the wet smoke passage 122. It is preferred any auxiliary reservoir include a shank reservoir positioned adjacent to the shank 102 such that the shank 102 and reservoir ostensibly form an integrated component. The reservoir may include any reservoir attributes stated herein.

As shown in FIGS. 9A-9B, the reservoir 108 of the present invention includes a reservoir diameter d_r . By diameter, it is meant a measurement from a first side of the interior of the reservoir to a second, opposing side of the interior of the reservoir. The cartridge is preferably sized to form an interference fit, slip fit, or close fit with the reservoir. Closing positioning the proximities of the cartridge to the inner wall of the reservoir permits the travel path of wetted smoke to be more closely predicted and regulated. The conduit 106 also includes a diameter d_c , defined by a measurement from a first side of the interior of the conduit to a second, opposing side of the interior of the conduit. The reservoir diameter is preferably sized to be substantially larger than the conduit diameter. By sizing the reservoir diameter to be larger than the conduit

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diameter, it permits a greater amount of cartridge surface area to be utilized with a minimum of back pressure and other fluid dynamics negatives resulting from detrimental cross section restrictions. It is more preferred that an aggregation of the wet smoke channels 118 of the coolant cartridge 110 results in an aggregated cartridge channel cross-section area at least dimensionally comparable to, and more preferably greater than, a cross-section area of the wet smoke passage. In other words, providing a cross section area within the reservoir—withstanding the presence of the cartridge—approximately equal to, or greater than, that of the cross section of the conduit 106 permits wetted smoke to continue passage without detrimental pressure effects within the base. The present invention, however, may be practiced with reservoirs having a cross section area sized approximately equal to, or smaller, than a cross section of a conduit. It is preferred that the diameter of the reservoir be greater than that of the diameter of the mouthpiece aperture and shank aperture.

As depicted in FIGS. 10, 11A, 11B, and 12 the hookah system 200 of the present invention includes a stem 202, a base 214, and hose 100. The hose may include any of the attributes discussed within the present disclosure. The base 214 and stem 202 may include generally commercially available hookah bases and stems; however, certain characteristics described within this disclosure permit advantageous synergistic advantages. The base 214 may include any hookah vessel adapted to contain a room temperature liquid 214. The base typically includes a sidewall that expands downward, which is of significance in light of the fluid dynamics advantages of the present invention. The liquid 214 is filled within the base to a degree significant to cool and filter dry smoke from the stem 202. Dry smoke travels down a dry smoke conduit 208 of the stem 202, with a stem diameter d_s , from a bowl attached thereto (not shown). The stem of the present invention includes any component or series of components adapted to vertically pass dry hookah smoke from a hookah bowl to a hookah base. The stem may include a unitary construction, or include an intermediate tube 206 affixed to a down tube 204. The stem penetrates the base 214 suitable to permit the dry smoke to be passed 302 through the stem and released 304 into a substantial amount liquid 214 of the base 214. By substantial amount of liquid, it is meant an amount of liquid suitable to provide significant or customary cooling of a dry hookah smoke. Typical liquid amounts include approximately 100.0 mL to 1.0 L, depending upon the size and configuration of the base. The liquid forms a uniform barrier to the passage of dry smoke in the sealed environment of a stem/base/hose configuration except through disruption of the barrier. A uniform liquid filter barrier is differentiated from a solid perforated filter layer, e.g., charcoal filters or fibrous filters, which permits passage of dry smoke without disruption of the structure of the layer.

Liquid is a preferred filter layer as it is disposable and includes a greater capacity to absorb the temperature of the dry smoke. Disadvantages of a uniform liquid barrier include its negative effects on a user's force required to draw smoke. Embodiments of the present invention require a uniform liquid barrier, and rather than seek means of eliminating the uniform liquid barrier, seek to mitigate its negative effects in further cooling of smoke. Means for mitigating the negative effects of the uniform liquid barrier include downstream adjustment of internal configurations.

As the smoke is released from the stem into the base, the smoke becomes wetted smoke and rises into a wet smoke duct 212, which may include either a cavern or discrete voids within the stem. The smoke may rise of its own volition or be drawn 306 via the oral suction of a user having a hose in fluid

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communication with the base. The base includes a base diameter d_b as measured from opposing inner sidewalls of the base just above the waterline. The wet smoke duct 212 leads to the wet smoke outlet 210, which permits a hookah hose to be attached thereto. When the hookah hose 100 of the present invention is attached to the wet smoke outlet 210, the wetted smoke is conducted to the reservoir 108. It is preferred that the reservoir 108 of the hookah hose 100 include a preferred sizing as indicated within the present disclosure. Furthermore, it is preferred that the wet smoke outlet 210 be sized similar to the shank aperture 122 to prevent back pressure at the shank aperture and wet smoke outlet juncture. It is further preferred that the shank aperture, wet smoke outlet, and wet smoke passage include comparable cross section sizing.

The reservoir bears the coolant cartridge of the present invention and cools 310 by contact the wetted smoke passing through the reservoir. It is significant that smoke has passed through two layers of cooling and a layer of filtration with the use of only two media, the liquid barrier and the coolant cartridge. Depending upon the configuration of the internal voids of the hookah system, including the preferred sizings of the present invention, the two layers of filtration/manipulation convey no substantial negative pressure effects beyond those of the single uniform liquid layer. Further advantages of the present system, hose, and process are apparent in that depleted coolant cartridges, i.e. those that have an internal temperature approximately equal to or greater than that of room temperature, may be replaced while one or more users continue to use the hookah system. Furthermore, the use of coolant cartridges specifically adapted to alter fluid pressure within the hookah to suit the user may be achieved through the current process and systems. For example, users desiring greater smoke force may utilize coolant cartridges with aggregated smoke channels having a cross section less than, particularly substantially less than, the wet smoke passage of the hookah conduit, shank aperture, wet smoke outlet, or other internal passage.

For example, users desiring less smoke force may utilize coolant cartridges with aggregated smoke channels having a cross section greater than, particularly substantially greater than, the wet smoke passage of the hookah conduit, shank aperture, wet smoke outlet, or other internal passage. The velocity of resulting smoke will be related to the internal constrictions of the hookah; by placing constriction elements within the hose, the constriction may be suited to the user of a particular hose rather than an agreed upon pressure of a hookah or water pipe. The velocity of dry and wet smoke is altered significantly in the present invention due to the substantially varying diameters of the dry smoke conduit 208, base 214, wet smoke outlet 210, shank opening 212, wet smoke conduit 122, wet smoke passages 118, and the mouthpiece aperture 114. The use of the present invention in relation to the pressure increase of the dry smoke conduit to the base, from the base to the wet smoke outlet/shank opening may be greatly ameliorated by the configuration of the wet smoke passages of the coolant cartridge in the cavity—either for greater or lesser pressure. The use of an auto seal mechanism 290 contributes to internal pressure stability by permitting a user to “purge” the stem of overpressure. The auto seal mechanism may include a sealing mechanism such as that disclosed in United States Patent Published Patent Application No. 2006/0272657, which is hereby incorporated by reference.

Although the present invention has been described in considerable detail with reference to certain preferred versions thereof, other versions would be readily apparent to those of ordinary skill in the art. Therefore, the spirit and scope of the

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appended claims should not be limited to the description of the preferred versions contained herein.

What is claimed is:

1. A hookah hose for the transport of cooled, wetted smoke, said hose comprising:

an inflexible shank having a shank aperture and defining an interior wet smoke passage in fluid communication with said shank aperture;

a flexible conduit, affixed to said shank, further defining said interior wet smoke passage, wherein said wet smoke passage includes a wet smoke passage diameter, an inflexible mouthpiece having a mouthpiece aperture, affixed to said flexible conduit in fluid communication with said flexible conduit;

a mouthpiece reservoir, affixed directly adjacent to said mouthpiece, with an inflexible, segmentable shell defining an interior cavity, with a cavity diameter, in fluid communication with said wet smoke passage and said cavity diameter is greater than said wet smoke passage diameter and a diameter of said shank aperture; and at least one coolant cartridge, dimensioned to be positioned within said cavity, with a membrane sealingly bearing an artificial cold source, and said cartridge dimensioned to include at least one wet smoke channel.

2. The hookah hose of claim 1 wherein coolant cartridge includes multiple, peripheral wet smoke channels.

3. The hookah hose of claim 1 wherein an aggregation of said wet smoke channels results in an aggregated channel cross-section area at least dimensionally comparable to a cross-section area of said wet smoke passage.

4. The hookah hose of claim 3 wherein said aggregated channel cross-section area is greater than said wet smoke passage cross-section area.

5. The hookah hose of claim 1 further comprising a shank reservoir, affixed directly adjacent to said shank, with an inflexible, segmentable shell defining an interior cavity, with a cavity diameter, in fluid communication with said wet smoke passage; and said coolant cartridge.

6. The hookah hose of claim 5 wherein said coolant cartridge within said shank reservoir and said coolant cartridge within said mouthpiece reservoir include peripheral wet smoke channels.

7. The hookah hose of claim 5 wherein an aggregation of said wet smoke channels of said coolant cartridge within said shank reservoir results in an aggregated shank channel cross-section area: at least dimensionally comparable to a cross-section area of said wet smoke passage, and at least dimensionally comparable to an aggregation of said wet smoke channels of said coolant cartridge within said mouthpiece reservoir.

8. A hookah system for the transport of cooled, wetted smoke, said system comprising:

a hookah base, dimensioned to contain an interior fluid medium,

a removable hookah stem, capable of sealed fit upon said hookah base, comprising:

a wet smoke duct within said hookah stem positioned over said base and terminating in a wet smoke outlet; and

a dry smoke conduit dimensioned to release dry smoke to a substantial depth within said hookah base,

a hookah hose comprising:

an inflexible shank having a shank aperture, adapted to releasably affix to said hookah stem, and defining an interior wet smoke passage in fluid communication with said shank aperture and said wet smoke outlet;

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a flexible conduit, affixed to said shank, further defining said interior wet smoke passage, wherein said wet smoke passage includes a wet smoke passage diameter;

an inflexible mouthpiece having a mouthpiece aperture, affixed to said flexible conduit in fluid communication with said flexible conduit;

a mouthpiece reservoir, affixed directly adjacent to said mouthpiece, with an inflexible, segmentable shell defining an interior cavity, with a cavity diameter, in fluid communication with said wet smoke passage and said cavity diameter is greater than said wet smoke passage diameter and a diameter of said shank aperture; and

at least one coolant cartridge, dimensioned to be positioned within said cavity, with a membrane sealably bearing an artificial cold source, and said cartridge dimensioned to include at least one wet smoke channel.

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9. The hookah system of claim 8 wherein said hookah stem includes at least two wet smoke ducts that include a first wet smoke duct and a second wet smoke duct terminating in a first wet smoke outlet and a second wet smoke outlet, respectively; and at least two hookah hoses.

10. The hookah system of claim 9, wherein said at least two wet smoke ducts include an automatically sealing first wet smoke duct and an automatically sealing second wet duct.

11. The hookah system of claim 8 wherein coolant cartridge includes multiple, peripheral wet smoke channels.

12. The hookah system of claim 8 wherein an aggregation of said wet smoke channels results in an aggregated channel cross-section area at least dimensionally comparable to a cross-section area of said wet smoke passage.

13. The hookah system of claim 12 wherein said aggregated channel cross-section area is greater than said wet smoke passage cross-section area.

* * * * *

EXHIBIT K

Registration #: *-APPLICATION-
Service Request #: 1-3560590511

Mail Certificate

Mya Samy, LLC
Mazin Badawi
43671 Trade Center Place
Unit 114
Sterling, VA 20166 United States

Priority: Routine

Application Date: June 07, 2016

Correspondent

Organization Name: Mya Samy, LLC
Name: Mazin Badawi
Email: myasamy@myasamy.com
Telephone: (703)996-2800
Address: 43671 Trade Center Place
Unit 114
Sterling, VA 20166 United States

Registration Number

-APPLICATION-

Title

Title of Work: Freeste.Hose Product Packaging

Completion/Publication

Year of Completion: 2011
Date of 1st Publication: February 02, 2011
Nation of 1st Publication: United States

Author

* Author: Aramco, Corp.
Author Created: 2-D artwork
Work made for hire: Yes
Domestic to: United States

Copyright Claimant

Copyright Claimant: Myra Satay, LLC
43671 Trade Center Place, Unit 114, Sterling, VA, 20166, United States
Transfer statement: By written agreement

Limitation of copyright claim

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

Rights and Permissions

Organization Name: Myra Satay, LLC
Name: Mazin Badawi
Email: myrasatay@myrasatay.com
Telephone: (703)996-8800
Address: 43671 Trade Center Place
Unit 114
Sterling, VA 20166 United States

Certification

Name: M. Keith Blankenship
Date: June 07, 2016
Applicant's Tracking Number: DNMVA-0072

EXHIBIT L

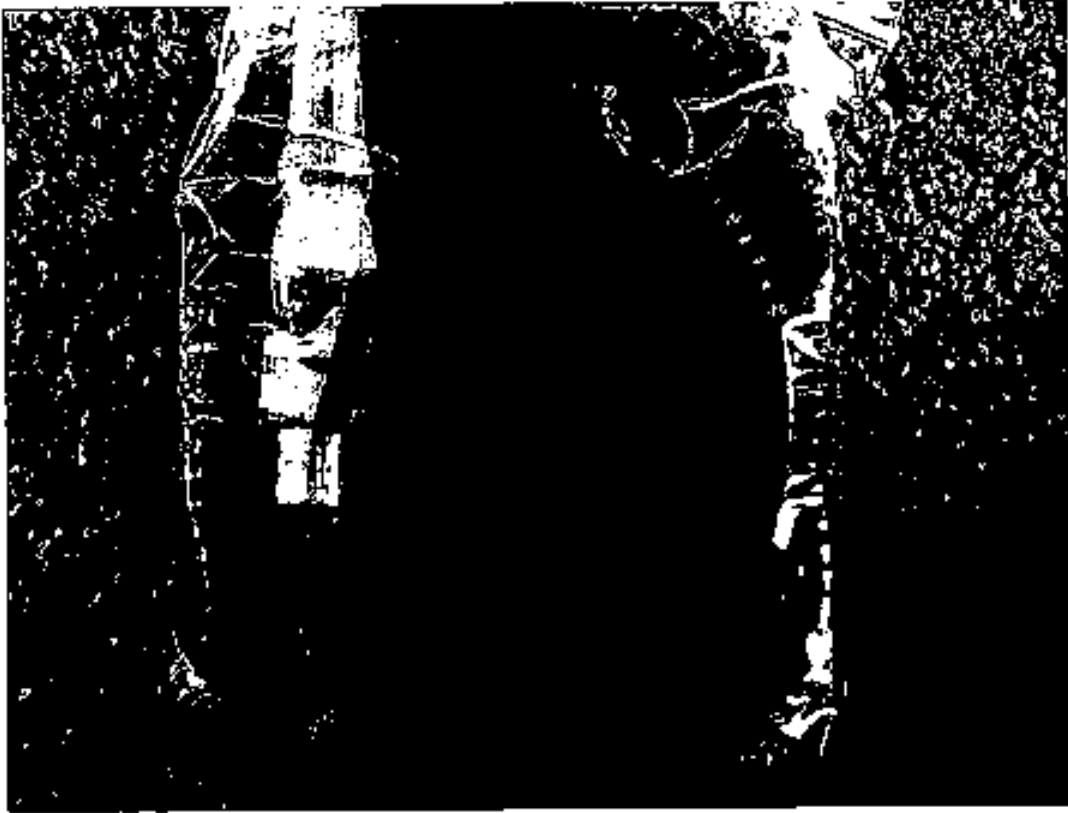
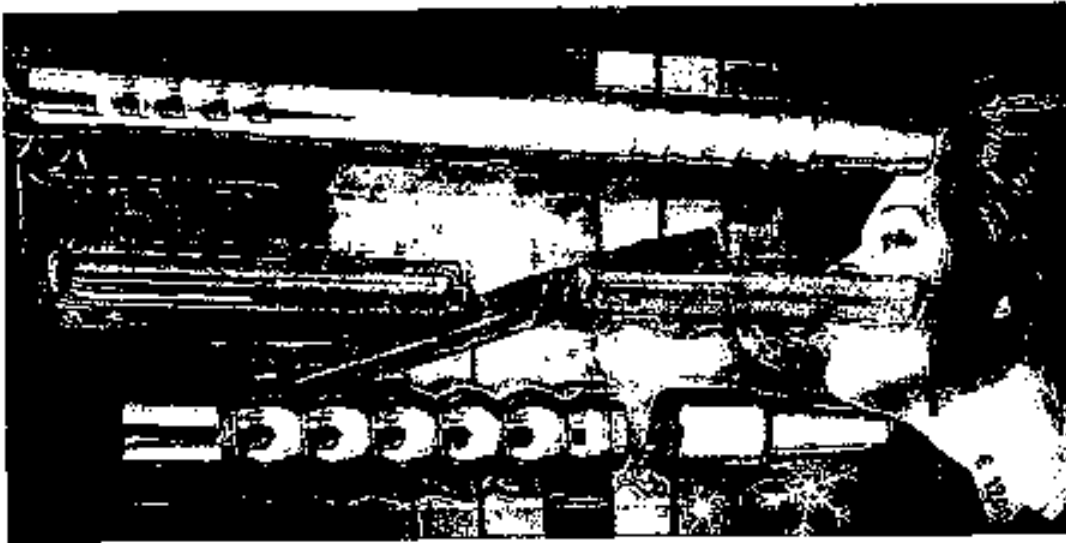


EXHIBIT M



JS 64 (Rev. 12/13)

CIVIL COVER SHEET

RECEIVED

The JS 64 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS
MYA SARAY, LLC**DEFENDANTS**

Dabas, Ibrahim; Allabadie, Alla

(b) County of Residence of First Listed Plaintiff Alexandria
(EXCEPT IN U.S. PLAINTIFF CASES)County of Residence of First Listed Defendant N/A
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED

(c) Attorneys (Firm Name, Address, and Telephone Number)
M. Keith Blankenship, Da Vinci's Notebook, LLC; 10302 Bristow Center Dr. No. 52; Bristow, VA 20136 - 703-581-9582

Attorneys If Known

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 2 U.S. Governmental Defendant
- ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | | | | | |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FOREIGN JURISDICTION	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Interstate <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instruments <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 193 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Theft in Landing <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 425 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patents <input checked="" type="checkbox"/> 840 Trademark LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor-Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Legislation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 375 False Claim Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable-Sat TV <input type="checkbox"/> 500 Securities/Commodities/Exchange <input type="checkbox"/> 590 Other Statutory Actions <input type="checkbox"/> 591 Agricultural Act <input type="checkbox"/> 593 Environmental Matters <input type="checkbox"/> 595 Freedom of Information Act <input type="checkbox"/> 596 Arbitration <input type="checkbox"/> 599 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER MATTERS <input type="checkbox"/> Habeas Corpus <input type="checkbox"/> 463 Alien Detention <input type="checkbox"/> 510 Monitors to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	SOCIAL SECURITY <input type="checkbox"/> 361 HIA (1395ff) <input type="checkbox"/> 362 Black Lung (9231) <input type="checkbox"/> 363 DIWC/DIWW (405(g)) <input type="checkbox"/> 364 SSD Title XVI <input type="checkbox"/> 365 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS - Third Party 26 USC 7609	

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation

VI. CAUSE OF ACTION

One the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity).
 15 U.S.C. 1114

Brief description of cause.
 Trademark Infringement/Unfair Competition/Patent Infringement/Copyright Infringement

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint.

JURY DEMAND: ☒ Yes ☐ No**VIII. RELATED CASE(S) IF ANY**

(See instructions).

JUDGE J. Brinkema

DOCKET NUMBER 1:16cv64

DATE
06/07/2016

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING OFF

JUDGE

MAG. JUDGE

Court Name: United States District Court
Division: 1
Receipt Number: 14603859529
Cashier ID: rbroaden
Transaction Date: 06/07/2016
Payer Name: SARAY VS DAKES IBRAHIM

CIVIL FILING FEE
For: SARAY VS DAKES IBRAHIM
Amount: \$400.00

CREDIT CARD
Amt Tendered: \$400.00

Total Due: \$400.00
Total Tendered: \$400.00
Change Amt: \$0.00

FILING FEE
116C9629

EXHIBIT 3

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

MYA SARAY,

Plaintiff,

v.

IBRAHIM DABES,
ALLA ALLABADIE,

Defendants.

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No. 1:16-cv-629 (LMB/IDD)

ORDER


For the reasons stated in open court, it is hereby

ORDERED that Defendant Allabadie's Motion to Dismiss for lack of personal jurisdiction
[Dkt. No. 6] be and is GRANTED.

The Clerk is directed to forward copies of this Order to counsel of record.

Entered this 9th day of September, 2016.

Alexandria, Virginia



Leonie M. Brinkema
United States District Judge

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

MYA SARAY,

Plaintiff,

v.

IBRAHIM DABES, et al.,

Defendants.

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)
)
)

No. 1:16-cv-629 (LMB/IDD)

ORDER

For the reasons stated in open court, it is hereby

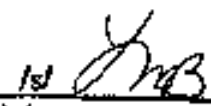
ORDERED that plaintiff's Motion for Rule 54(b) Certification and Stay, and in the Alternative, Motion to Drop Dabes as a Party or Amend the Complaint to Remove Dabes as a Party [Dkt. No. 25] is DENIED as to plaintiff's request for Rule 54(b) Certification, but GRANTED as to the request to dismiss Ibrahim Dabes as a defendant; accordingly, it is hereby

ORDERED that defendant Ibrahim Dabes be and is DISMISSED WITHOUT PREJUDICE.

The Clerk is directed to forward copies of this Order to counsel of record and terminate this civil action.

Entered this th17 day of February, 2017.

Alexandria, Virginia



Leonie M. Brinkema
United States District Judge

EXHIBIT 4

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION**

MYA SARAY, LLC

Plaintiff

v.

DABES, IBRAHIM dba
DABES EGYPTIAN IMPORTS

Defendants

Docket No. _____

JURY TRIAL DEMANDED

COMPLAINT

Mya Saray, LLC for its complaint against Ibrahim Dabes avers with knowledge as to its own acts and otherwise on information and belief as follows:

THE PARTIES

1. The Plaintiff Mya Saray, LLC (“Mya Saray”) is a limited liability company organized and existing under the laws of the Commonwealth of Virginia, with its principal place of business at 43671 Trade Center Pl #114, Sterling, VA 20166.

2. Defendant Ibrahim Dabes, dba Dabes Egyptian Imports, (collectively, “Dabes”) is a sole proprietorship, with a mailing address of Neuburger Str. 109 Augsburg; Fed Rep Germany 86167.

JURISDICTION AND VENUE

3. This civil action arises under the Patent, Unfair Competition, and Copyright laws of the United States, as well as the laws of Virginia, including 35 U.S.C. §271, 15 U.S.C. §§1114

and 1125, and 17 U.S.C. §501. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(b). Venue is proper under 28 U.S.C. §§ 1391(c) and 1400(b). Ibrahim (“Defendant”) is subject to personal jurisdiction in this district.

FACTS

4. Mya Saray is a manufacturer and distributor of tobacco products, particularly hookahs and hookah accessories, and has been in existence since 1863.

5. Mya Saray sells tobacco products under its MYA brand (“MYA Tobacco Products”), throughout the world, and nationally under the federally registered trademarks MYA, Reg. No. 3,031,439 (“the ‘439 registration” or the “Mya Word Mark”) and MYA (as stylized), Reg. No. 3,031,440 (“the ‘440 registration” or the “Mya Design Mark”), and Reg. No. 4,693,443 (“the ‘443 registration”). The MYA Tobacco Products are associated with many common law trademarks owned by Mya Saray, including the trade dress of packaging, various depictions of the term “MYA,” along with product designs of various hookahs (collectively, MYA Common Law Trademarks). These MYA Common Law Trademarks are distinctive, non-functional, extend throughout the United States and its territories, and are buttressed by lengthy use and substantial consumer recognition.

6. Mya Saray manufactures, distributes, advertises, publicizes, sells, and offers to sell the Mya QT hookah. The product design of this hookah (“QT Hookah”) is distinctive, non-functional, and serves as a trademark. The QT Base is protected by U.S. Trademark Reg. No. 3,845,276 (“the ‘276 registration”). The brand name “QT” is protected by U.S. TM. Reg. No. 4,562,908 (“the ‘908 registration” or the “QT Word Mark”).

7. Mya Saray is the exclusive owner of United States Patent No. 8,001,978 (“the ‘978 patent”) with authority to enforce that patent. Mya Saray is the exclusive owner of United

States Patent No. 7,806,123 (“the ‘123 patent”) with authority to enforce that patent. Mya Saray is the exclusive owner of United States Patent No. 8,573,229 (“the ‘229 patent”) with authority to enforce that patent. Mya Saray is the exclusive owner of United States Patent No. 8,464,725 (“the ‘725 patent”) with authority to enforce that patent. Mya Saray is the exclusive owner of United States Patent No. 9,107,456 (“the ‘456 patent”) with authority to enforce that patent.

8. The MYA brand is one of the most counterfeited brands in the world. The QT Hookah is the world’s most counterfeited hookah.

9. Dabes is a German industrialist that has been importing hookahs and hookah accessories (“Dabes Tobacco Products”) from third party manufacturers, primarily in China, for resale in Europe.

10. Mya Saray first encountered Dabes on or about 2009 when Dabes requested authority to distribute Mya Saray hookahs throughout Europe along with the Dabes Tobacco Products.

11. In performing due diligence, Mya Saray uncovered that Dabes was involved in significant counterfeiting activities, including offering counterfeits of multiple Mya Saray hookahs in the Dabes Tobacco Products line. Mya Saray refused Dabes distribution rights in any territory shortly after his request for such rights.

12. Subsequent to Mya Saray’s refusal of Dabes’ attempted distribution rights, Dabes expanded the Dabes Hookahs to include as a subset brand of “AMY” (“AMY Tobacco Products”), a brand that Dabes applied, and applies, to Dabes Tobacco Products throughout Europe. The term “AMY” was depicted on hookahs and hookah cases, and portrayed in packaging for tobacco products, advertisement, and sales media for the Dabes Hookahs.

13. The designation “AMY” was adopted by Dabes purely as a ruse to create, and exploit, consumer confusion occurring between the MYA and AMY products. Such confusion has actually resulted.

14. Dabes has ordered counterfeits and knock-offs of MYA Tobacco Products for the knowing purpose of confusing consumers, and permitting and encouraging its distributors and retailers to confuse consumers. For example, many of Dabes’ “Jinn” hookah, which is a counterfeit of the MYA QT Hookah, is frequently sold in Europe and into the United States as an AMY QT hookah or DABES QT hookah.

15. On or about July 31, 2013 Dabes filed an application in the U.S. Patent and Trademark Office for registration of a logo comprising the term “AMY DELUXE” as a logo, U.S. App. Ser. No. 86,025,122 (“the ‘122 application”).

16. On or about July 31, 2013 Dabes filed an application in the U.S. Patent and Trademark Office for registration of a logo comprising the term “AMY GOLD TOBACCO MOLASSES” as a logo, U.S. App. Ser. No. 86,025,182 (“the ‘182 application”).

17. Dabes exported into the United States its Dabes Tobacco Products, including AMY Tobacco Products, to two national distributors, Premium Molasses and Allabadie. Premium Molasses and Allabadie acted in unison to accept imported AMY Tobacco Products and distribute them to retail stores throughout the United States, including the Commonwealth of Virginia.

18. The Dabes Tobacco Products include multiple products that infringe Mya Saray’s intellectual property, and these products were knowingly created (and ordered to be created) by Defendant for the purpose of knowingly infringing Mya Saray’s intellectual property rights. The scope of infringement is vast.

19. Defendant provides AMY Tobacco Products to Internet retailers in the United States and Europe that sell and offer to sell AMY Tobacco Products into the United States and this district via website shopping carts requiring only a consumer's acquiescence and payment information to consummate a sales transaction, including: http://5starhookah.com/AMY_c200.htm; <http://www.smoking-hookah.com/hookahs>; <http://www.texashookah.com/hookahs.html>; <http://www.smokyhookah.com/hookahs.html>; et. al.

20. Multiple retail stores, and other establishments, in the Commonwealth of Virginia sell, offer to sell, and use, and permit the use, of Dabes Tobacco Products, including AMY Tobacco Products.

21. In late 2013, Mya Saray warned Dabes via cease-and-desist letter to avoid selling its infringing products in the United States including any AMY Tobacco Products.

22. Subsequent to both Mya Saray's warnings and Article II litigation between Mya Saray and Dabes, Dabes escalated its copying of MYA Tobacco Products brands. Dabes copied hues, tones, and other elements of Mya Saray's packaging, which constitutes protectable trade dress as Mya Saray's Common Law Trademarks, to intensify the likelihood of confusion between the AMY and MYA brands. The elements of Mya Saray's packaging constitute a creative work protectable under Title 17, and Mya Saray's Freeze Hose Product Packaging is protected by Copyright Reg. No. VA0002019287, ("the '287 Copyright").

23. Examples of Dabes packaging for the AMY Tobacco Products sold in the United States that violates Mya Saray's Common Law Trademarks are shown in Exhibit A ("AMY Accessory Packaging") and Exhibit B ("AMY Cooling Hose Packaging"). The AMY Cooling Hose Packaging is a copy of the '287 Copyright and Mya Saray's Freeze Hose Product Packaging.

24. In late 2013, Mya Saray warned Shisha Center, Inc., a California-based national distributor, to avoid selling its infringing products in the United States including any AMY Tobacco Products or face litigation. Allabadie, through Shisha Center, Inc., agreed to cease all activities related to AMY Tobacco Products in exchange for Mya Saray's promise not to pursue litigation ("Settlement Agreement").

25. Shisha Center, Inc. was a California corporation, now dissolved, controlled by Allabadie that existed while performing the acts of this Complaint.

26. Shortly subsequent to Mya Saray's warning letter to Shisha Center, Allabadie and Dabes arranged for the import of a container of AMY Tobacco Products through Allabadie's World Smoke Shop entity, which Products Allabadie then sold. Allabadie never intended to abide by the Settlement Agreement, and used World Smoke Shop as an obscured, discreet alter ego to arrange for the imports that he knew were in violation of both law and contract. With knowledge of the Settlement Agreement, Dabes offered to import to Allabadie and did import to Allabadie hookahs in violation of the Settlement Agreement.

27. Dabes manufactures, and orders the manufacture of, a hookah bowl that is interchangeably called the AMY Silicone or Silikon hookah bowl. This hookah bowl is sold within the United States and in and to this district and the Commonwealth of Virginia. An example of such a vendor can be found at: <https://hookahjunkie.com/>. This hookah bowl can be ordered via an interactive shopping cart for sale and delivery into this district merely with the payment of fees.

CLAIMS FOR RELIEF

Count I. Violation of 15 U.S.C. § 1125(a)
Unfair Competition and Deceptive Marketing

28. Mya Saray incorporates by reference the preceding paragraphs of this Complaint as though fully set forth herein.

29. The conduct of Defendant constitutes use in commerce of designations and dress, false designations of origin, false or misleading descriptions of fact, and false or misleading representations of fact likely to confuse and deceive a substantial number of distributors in the trade, relevant consumers, and other purchasers as to the affiliation, connection, or association of Defendant with Mya Saray and others, in violation of 15 U.S.C. § 1125(a)(1)(A).

30. The conduct of Defendant constitutes use in commerce of designations and dress, false designations of origin, false or misleading descriptions of fact, and false or misleading representations of fact likely to confuse and deceive a substantial number of distributors in the trade, relevant consumers, and other purchasers as to the origin, sponsorship, or approval of Defendant's goods and commercial activities as they relate to Mya Saray and others, in violation of 15 U.S.C. § 1125(a)(1)(A).

31. The conduct of Defendant constitutes use in commerce of designations and dress, false designations of origin, false or misleading descriptions of fact, and false or misleading representations of fact that in commercial advertising and promotion misrepresent the nature, characteristics, and qualities of Defendant's goods and commercial activities in violation of 15 U.S.C. § 1125(a)(1)(B).

32. The conduct of Defendant in unfairly competing with Mya Saray is willful and deliberate and done with an intent to misrepresent the nature, characteristics, and qualities of Defendant's goods, and confuse, mislead, and deceive a substantial number of distributors in the

trade, relevant consumers, and other purchasers, and members of the public as to the origin of Defendant's goods and to cause said persons to believe that the goods have been sponsored, approved, authorized, or licensed by Mya Saray.

33. Defendant's conduct is causing Mya Saray immediate and irreparable injury and will continue to both damage Mya Saray and deceive the public unless enjoined by this court. Mya Saray has no adequate remedy at law.

Count II. Violation of 15 U.S.C. § 1114
Registered Trademark Infringement of the '439 Registration

34. Mya Saray incorporates herein by reference all preceding allegations of this Complaint as though fully set forth herein.

35. The conduct of Defendant in using the MYA Word Mark, colorable imitations, and counterfeits thereof in connection with the sale, offering for sale, distribution, and advertising of tobacco products is likely to cause confusion or mistake or to deceive in violation of 15 U.S.C. § 1114(1)(a).

36. The conduct of Defendant in reproducing the MYA Word Mark and colorable imitations and counterfeits thereof and applying the reproduction to labels, signs, prints, packages, wrappers, receptacles or advertisements with the intent to be used in commerce with the sale, offer for sale, distribution, and advertising of tobacco products and such use is likely to cause confusion or mistake or to deceive in violation of 15 U.S.C. § 1114(1)(b).

37. Defendant's conduct is causing Mya Saray immediate and irreparable injury and will continue to both damage Mya Saray and deceive the public unless enjoined by this court. Mya Saray has no adequate remedy at law.

Count III. Violation of 15 U.S.C. § 1114
Registered Trademark Infringement of the '440 Registration

38. Mya Saray incorporates herein by reference all preceding allegations of this Complaint as though fully set forth herein.

39. The conduct of Defendant in using the MYA Design Mark, colorable imitations, and counterfeits thereof in connection with the sale, offering for sale, distribution, and advertising of tobacco products is likely to cause confusion or mistake or to deceive in violation of 15 U.S.C. § 1114(1)(a).

40. The conduct of Defendant in reproducing the MYA Design Mark and colorable imitations and counterfeits thereof and applying the reproduction to labels, signs, prints, packages, wrappers, receptacles or advertisements with the intent to be used in commerce with the sale, offer for sale, distribution, and advertising of tobacco products and such use is likely to cause confusion or mistake or to deceive in violation of 15 U.S.C. § 1114(1)(b).

41. Defendant's conduct is causing Mya Saray immediate and irreparable injury and will continue to both damage Mya Saray and deceive the public unless enjoined by this court. Mya Saray has no adequate remedy at law.

Count IV. Violation of 15 U.S.C. § 1114
Registered Trademark Infringement of the '276 Registration

42. Mya Saray incorporates herein by reference all preceding allegations of this Complaint as though fully set forth herein.

43. The conduct of Defendant in using the QT Hookah product design and colorable imitations and counterfeits thereof in connection with the sale, offering for sale, distribution, and advertising of tobacco products is likely to cause confusion or mistake or to deceive in violation of 15 U.S.C. § 1114(1)(a).

44. The conduct of Defendant in reproducing the QT hookah product design and colorable imitations and counterfeits thereof and applying the reproduction to labels, signs, prints, packages, wrappers, receptacles or advertisements with the intent to be used in commerce with the sale, offer for sale, distribution, and advertising of tobacco products and such use is likely to cause confusion or mistake or to deceive in violation of 15 U.S.C. § 1114(1)(b).

45. Defendant's conduct is causing Mya Saray immediate and irreparable injury and will continue to both damage Mya Saray and deceive the public unless enjoined by this court. Mya Saray has no adequate remedy at law.

Count V. Violation of 15 U.S.C. § 1114
Registered Trademark Infringement of the '443 Registration

46. Mya Saray incorporates herein by reference all preceding allegations of this Complaint as though fully set forth herein.

47. The conduct of Defendant in using the MYA logo of the '443 registration and colorable imitations and counterfeits thereof in connection with the sale, offering for sale, distribution, and advertising of tobacco products is likely to cause confusion or mistake or to deceive in violation of 15 U.S.C. § 1114(1)(a).

48. The conduct of Defendant in using the MYA logo of the '443 registration and colorable imitations thereof and applying the reproduction to labels, signs, prints, packages, wrappers, receptacles or advertisements with the intent to be used in commerce with the sale, offer for sale, distribution, and advertising of tobacco products and such use is likely to cause confusion or mistake or to deceive in violation of 15 U.S.C. § 1114(1)(b).

49. Defendant's conduct is causing Mya Saray immediate and irreparable injury and will continue to both damage Mya Saray and deceive the public unless enjoined by this court. Mya Saray has no adequate remedy at law.

Count VI. Violation of 15 U.S.C. § 1114
Registered Trademark Infringement of the '908 Registration

50. Mya Saray incorporates herein by reference all preceding allegations of this Complaint as though fully set forth herein.

51. The conduct of Defendant in, and encouraging the use of, the QT Word Mark of the '908 registration and colorable imitations and counterfeits thereof in connection with the sale, offering for sale, distribution, and advertising of tobacco products is likely to cause confusion or mistake or to deceive in violation of 15 U.S.C. § 1114(1)(a).

52. The conduct of Defendant in using the QT Word Mark of the '908 registration and colorable imitations and counterfeits thereof and applying the reproduction to labels, signs, prints, packages, wrappers, receptacles or advertisements with the intent to be used in commerce with the sale, offer for sale, distribution, and advertising of tobacco products and such use is likely to cause confusion or mistake or to deceive in violation of 15 U.S.C. § 1114(1)(b).

53. Defendant's conduct is causing Mya Saray immediate and irreparable injury and will continue to both damage Mya Saray and deceive the public unless enjoined by this court. Mya Saray has no adequate remedy at law.

Count VII. Patent Infringement
Infringement of the '978 Patent

54. Mya Saray incorporates herein by reference all preceding allegations of this Complaint as though fully set forth herein.

55. The '978 patent, which was duly and lawfully granted on August 23, 2011, describes and claims a smoking apparatus.

56. Defendant has been and is infringing, inducing infringement of, and contributing to the infringement of the '978 patent by making, using, offering for sale and/or selling, in these

United States, or importing into these United States articles, including the AMY “Jinn” hookah, that reads on the ‘978 patent claims, all without the consent of Mya Saray.

57. The “Jinn” hookah includes the neck seal, hookah neck, down tube, and stem interior characterized by the elements of the independent claims of the ‘978 patent. Alternatively, the neck seal and stem interior of the “Jinn” includes a neck seal, hookah neck, down tube, and stem interior equivalent to the elements of the independent claims of the ‘978 patent.

58. Mya Saray has been and will continue to be damaged by the infringing activities of Defendant and will be irreparably harmed unless those infringing activities are enjoined by this Court.

59. Mya Saray provided notice to Defendant of its infringements, and all actions of this Court are conducted with knowledge of the wrongfulness thereof and Defendant intended to perpetrate the infringements described herein.

Count VIII. Patent Infringement
Infringement of the ‘229 Patent

60. Mya Saray incorporates herein by reference all preceding allegations of this Complaint as though fully set forth herein.

61. The ‘229 patent, which was duly and lawfully granted on Nov. 5, 2013, describes and claims a multiple port, pressure-responsive adjustable hookah.

62. Defendant has been and is infringing, inducing infringement of, and contributing to the infringement of the ‘229 patent by making, using, offering for sale and/or selling, in these United States, or importing into these United States articles, including *at least* the model designated by Defendants as AMY0006, as well as other hookahs, that read on the ‘229 patent claims, all without the consent of Mya Saray.

63. The AMY0006 hookah, includes the kit of the independent claim, including the stem, exhaust valve, and hose fitting as characterized thereby. Alternatively, the AMY0006 stem includes equivalents of the elements of the independent claims of the '978 patent.

64. Mya Saray has been and will continue to be damaged by the infringing activities of Defendant and will be irreparably harmed unless those infringing activities are enjoined by this Court.

65. Mya Saray provided notice to Defendant of its infringements, and all actions of this Court are conducted with knowledge of the wrongfulness thereof and Defendants intended to perpetrate the infringements described herein.

Count IX. Patent Infringement
Infringement of the '123 Patent

66. Mya Saray incorporates herein by reference all preceding allegations of this Complaint as though fully set forth herein.

67. The '123 patent, which was duly and lawfully granted on October 5, 2010, describes and claims a modular smoking apparatus.

68. Defendant has been and is infringing, inducing infringement of, and contributing to the infringement of the '123 patent by making, using, offering for sale and/or selling, in these United States, or importing into these United States articles, including *at least* the model designated as AMY630 as well as other hookahs, that read on the '123 patent claims, all without the consent of Mya Saray.

69. The AMY630 hookah includes the stem, plenum, down tube, and exhaust valve, and hookah base that that read on the independent claims of the '123 patent. The stem is subdividable as characterized by the independent claims, and the valve includes the limitations of independent claim 8.

70. Mya Saray has been and will continue to be damaged by the infringing activities of Defendant and will be irreparably harmed unless those infringing activities are enjoined by this Court.

71. Mya Saray provided notice to Defendant of its infringements, and all actions of this Court are conducted with knowledge of the wrongfulness thereof and Defendant intended to perpetrate the infringements described herein.

Count X. Patent Infringement
Infringement of the '456 Patent

72. Mya Saray incorporates herein by reference all preceding allegations of this Complaint as though fully set forth herein.

73. The '456 patent, which was duly and lawfully granted on August 18, 2015, describes and claims a hookah hose and hookah system.

74. Defendant has been and is infringing, inducing infringement of, and contributing to the infringement of the '456 patent by making, using, offering for sale and/or selling, in these United States, or importing into these United States articles, including *at least* the product of Exhibit M as well any hookahs used therewith, that read on the '456 patent claims, all without the consent of Mya Saray.

75. Defendant's hose includes a shank, flexible conduit, mouthpiece and reservoir, and cartridge that read on claim 1 of the '456 patent. Defendant's hose is structured and intended to be used with a hookah that infringes claim 8 of the '456 patent. Furthermore, the hose and hookah include elements that are substantial equivalents of the limitations of the independent claims of the '456 patent.

76. Mya Saray has been and will continue to be damaged by the infringing activities of Defendants and will be irreparably harmed unless those infringing activities are enjoined by this Court.

77. Mya Saray provided notice to Defendants of its infringements, and all actions of this Court are conducted with knowledge of the wrongfulness thereof and Defendants intended to perpetrate the infringements described herein.

Count XI. Patent Infringement
Infringement of the '725 Patent

78. Mya Saray incorporates herein by reference all preceding allegations of this Complaint as though fully set forth herein.

79. The '725 patent, which was duly and lawfully granted on June 18, 2013, describes and claims a Hookah Bowl.

80. Defendant has been and is infringing, inducing infringement of, and contributing to the infringement of the '725 patent by making, using, offering for sale and/or selling, in these United States, or importing into these United States articles, including *at least* the AMY Silicone (aka "Silikon") hookah bowl.

81. Defendant's Silicone hookah bowl, when sold with a hookah bowl screen, includes the bowl, spire, and coal plate of at least claim 1 of the '725 patent. Alternatively, the Silicone bowl includes a bowl, spire, and coal plate that are equivalents of the limitations of claim 1. The Silicone hookah bowl is commonly sold with the hookah bowl screen that transforms the Silicone hookah bowl into an infringing article.

82. Mya Saray has been and will continue to be damaged by the infringing activities of Defendants and will be irreparably harmed unless those infringing activities are enjoined by this Court.

83. Mya Saray provided notice to Defendants of its infringements, and all actions of this Count are conducted with knowledge of the wrongfulness thereof and Defendants intended to perpetrate the infringements described herein.

Count XII. Copyright Infringement
AMY Cooling Hose Packaging

84. Mya Saray incorporates herein by reference all preceding allegations of this Complaint as though fully set forth herein.

85. Without the authorization of Mya Saray, Defendant is, and is contributing to and aiding others in, reproducing the works of the ‘287 Copyright in copies; preparing derivative works of the ‘287 Copyright; distributing copies of the ‘287 Copyright to the public by sale or other transfer of ownership; performing and displaying the ‘287 Copyright publicly; and digitally transmitting the ‘287 Copyright for purposes of public performance (collectively, “Package Copyright Infringement”).

86. Dabes’ Package Copyright Infringement has damaged Mya Saray and has been and continues to be willful and deliberate and with full knowledge of Mya Saray’s rights.

87. Defendants will continue their acts of Package Copyright Infringement unless enjoined by this Court.

88. As a result of the Package Copyright Infringement, Softech has suffered and continues to suffer damages in an amount to be proven at trial.

Count XIII. Interference with Contract

89. Mya Saray incorporates herein by reference all preceding allegations of this Complaint as though fully set forth herein.

90. The Agreement between Allabadie and Mya Saray whereby Allabadie would cease further sales activities related to AMY Tobacco Products was duly executed by both Mya Saray and All Fun and is enforceable.

91. Mya Saray performed in accordance with the Agreement.

92. Allabadie has breached the Agreement and caused actual damages to Mya Saray that are recoverable under Virginia law.

93. Defendant knew of the contract between Defendant and Mya Saray, and by shipments of unlawful hookahs from Defendant to Allabadie resulted in a breach of the contract between Mya Saray and Allabadie, which caused damage to Mya Saray.

WHEREFORE, Plaintiff prays for judgment:

A. That Mya Saray is the owner of U.S. Patents of this action and has the right to sue and collect damages for any and all infringements thereof;

B That the U.S. Patents of this action remains good and valid in law and have been infringed by Defendants;

C. That Defendant, and its officers, agents, servants, and employees and those persons in active concert and participation with or controlled by any of them, be preliminarily and permanently enjoined and restrained from infringing, inducing infringement of, and contributing to the infringement of the U.S. Patents of this action;

D. That Mya Saray is the sole and exclusive owner of the Trademarks and Copyrights referenced in this Complaint, including Mya Saray's Common Law Trademarks, including the creative works associated therewith, such the '287 Copyright; and that Mya Saray

has the right to sue for its damages for any and all infringements thereof and trespasses thereupon;

E. That Defendant has unfairly competed with Mya Saray in violation of these United States, including 15 U.S.C. §§1125 and 1114;

F. That this Court order Defendant, its agents, associates, employees, attorneys, and any other person in active concert or participation with them, be forthwith preliminarily and permanently enjoined from: using, alone or in combination, any of Mya Saray's trademarks as registered or at the common law;

G. That Mya Saray be awarded all damages related to the unlawful actions of Defendant as characterized by this Complaint, and/or statutory damages for counterfeiting, copyright infringement, and other actions as recoverable under the U.S. Lanham Act and/or Titles 35 and 17.

H. That Defendant be required to account for and to disgorge its profits and that Mya Saray be awarded its damages and that those damages be trebled, together with interest and costs;

I. That Mya Saray be awarded its reasonable attorney's fees and costs in this action;

J. That all infringing articles and all means of making the same be delivered up and destroyed, at the costs of the Defendant;

K. That this Court order the cancellation of any trademark rights recognized by the U.S. Patent and trademark office for any name, symbol, or device utilized by Defendant confusingly similar to any protectable trademark of Mya Saray, including Dabes' U.S. Trademark Application Serial Nos. 86/025,182 and 86/025,122.

L. That Mya Saray be awarded such further relief as this Court may deem

just and proper.

JURY DEMAND

Mya Saray demands a trial by jury pursuant to Fed. R. Civ. Pro. 38 as to all issues triable of right to a jury.

DATED: February 21, 2017


By 
M. Keith Blankenship, Esq.
Attorney for Plaintiff
VSB# 70027
Da Vinci's Notebook, LLC
10302 Bristow Center Dr
No. 52
Bristow, VA 20136
703-581-9562
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Exhibit A



Exhibit B



CIVIL COVER SHEET

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

I. (a) PLAINTIFFS

Mya Saray, LLC

DEFENDANTS

Dabes, Ibrahim dba
Dabes Egyptian Imports

(b) County of Residence of First Listed Plaintiff Loudon

(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Da Vinci's Notebook, LLC; M. Keith Blankenship; 10302 Bristow Center Dr., No. 52, Bristow, VA 20136; 703-581-9562

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 137 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input checked="" type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

15 USC ss 1114

Brief description of cause:

Trademark, Patent, and Copyright Infringement

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$

 CHECK YES only if demanded in complaint:
 JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions)

JUDGE

DOCKET NUMBER

DATE
02/21/2017

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE