WARREN S. ROBINS, ESQ. (WR-1565) DUNN, PASHMAN, SPONZILLI & FINNERTY CONTINENTAL PLAZA II 411 HACKENSACK AVENUE HACKENSACK, NEW JERSEY 07601 Telephone: (201) 489-1500 Facsimile: (201) 489-1512

1

ROBERT C. FABER, ESQ. DOUGLAS A. MIRO, ESQ. MARC A. LIEBERSTEIN, ESQ. OSTROLENK, FABER, GERB & SOFFEN 1180 AVENUE OF THE AMERICAS NEW YORK, NEW YORK 10036-8403 Telephone: (212) 382-0700 Facsimile: (212) 382-0888

FILED 1995 JUN 16 1995 MULIAN Low

Attorneys for Tiny Love, Ltd. and The Maya Group, Inc.

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

:

-x

TYCO INDUSTRIES, INC.

Plaintiff,

v.

TINY LOVE, LTD. and THE MAYA GROUP, INC.,

Defendants

TINY LOVE, LTD.

Plaintiff on the Counterclaims,

v.

TYCO INDUSTRIES, INC.,

Defendant on Counterclaims.

Civil Action No. 95-1135

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of the original on file in my office. UNITED STATES DISTRICT COURT DISTRICT OF NEW JERSEY WILLIAM T. WALSH, CLERK By

AFFIDAVIT OF RONALD BRAWER

LTT\120129

ARM

ΟΟΚΕ

Find authenticated court documents without watermarks at docketalarm.com.

STATE OF PENNSYLVANIA : : SS.: COUNTY OF MONTGOMERY :

I, Ronald Brawer, hereby attest to the following:

 I am the owner and President of Relax Incorporated (hereinafter "Relax") located at 110 North Keswick Avenue,
Glenside, Pennsylvania 19038.

2. Relax is in the business of marketing, distributing and manufacturing juvenile products and has been doing so for approximately four years.

3. I first became aware of Tiny Love's GYMINI Gym upon its introduction to the marketplace in October of 1993. I believe that Tiny Love has created a unique design and appearance for its GYMINI Gym activity gym. Although there are other activity gyms, toy bars and blankets, nothing in the marketplace looks like the GYMINI Gym.

4. I customarily look for the introduction of new baby products and toys. Consequently, in February of 1995, while I was looking through the February issue of <u>Juvenile Merchandising</u> magazine, I saw an activity gym marketed by Tyco under the name "COZY QUILT Gym". I thought that it looked identical to the GYMINI Gym which caused me to become confused as to the source of the COZY QUILT Gym. I assumed that Tiny Love had licensed Tyco to sell the GYMINI Gym.

LTT\120129

DOCKE

Find authenticated court documents without watermarks at docketalarm.com.

______ 0.888 OSTROLENK FABER Ø 007 + 56 14-95 11:19 **3212**

5. Later, I was surprised to learn at the New York International Toy Fair in New York City in February 1995 that Tyco was not a licensee but copied Tiny Lovers GYMINI Gym design instead

concept_inverse prost_ cover that the types_lip_ort_____

Sawer

June 14,th

Δ

CERTIFICATION OF SERVICE

It is hereby certified that a true copy of the foregoing AFFIDAVIT OF RONALD BRAWER has been served on counsel for Plaintiff this 16th day of June, 1995 as follows:

BY FIRST CLASS MAIL, POSTAGE PREPAID:

Susan S. Singer, Esq. SINGER & GOGER 111 Mulberry Street Renaissance Tower Newark, New Jersey 07102

and

BY FIRST CLASS MAIL, POSTAGE PREPAID:

Roberta Jacobs-Meadway, Esq. Steven H. Meyer, Esq. PANITCH, SCHWARZE, JACOBS & NADEL, P.C. 1601 Market Street, 36th Floor Philadelphia, PA 19103

Man Rint

LTT\120583

DOCKE.

Δ

A R M Find authenticated court documents without watermarks at <u>docketalarm.com</u>.

Exhibit 1

Find authenticated court documents without watermarks at <u>docketalarm.com</u>.

DOCKET A L A R M



Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.