

UNITED STATES INTERNATIONAL TRADE COMMISSION  
WASHINGTON, D.C.

In the Matter of

CERTAIN LIGHTING PRODUCTS

Inv. No. 337-TA-\_\_\_\_\_

**COMPLAINT UNDER SECTION 337**  
**OF THE TARIFF ACT OF 1930, AS AMENDED**

**Complainant:**

**Blumberg Industries, Inc. d/b/a Fine Art Lamps**

5770 Miami Lakes Drive East

Miami Lakes, Florida 33014

Tel: (305) 821-3850

Fax: (305) 675-3769

**Counsel for Complainant**

Mauricio O. Muñoz-Luciano

Maria C. Colberg-Guerra

**O'Neill & Borges**

American Int'l Plaza, Suite 800

250 Muñoz Rivera Avenue

San Juan, Puerto Rico 00918

Tel: (787) 764-8181

Fax: (787) 753-8944

Thomas J. Finn

Diane Duhaime

**Jorden Burt LLP**

175 Powder Forest Drive, Suite 301

Simsbury, CT 06089

Tel: (860) 392-5000

Fax: (860) 392-5058

**Proposed Respondent**

**Lights & More, Inc.**

170 F.D. Roosevelt Avenue

San Juan, Puerto Rico 00918

Tel: (787) 758-0022

**Index of Non-confidential Exhibits**

<b>EXHIBIT NUMBER</b>	<b>ITEM</b>
1	Certified Copy of U.S. Patent No. D570,038
2	Certified Copy of U.S. Copyright Registration No. VA 1-399-618
3	Certified Copy of U.S. Copyright Registration No. VA 1-415-353
4	Certified Copy of U.S. Trademark Registration No. 3,703,710
5	Certified Copy of U.S. Trademark Registration No. 3,703,711
6	Certified Copy of U.S. Trademark Registration No. 3,700,479
7	Certified Copy of U.S. Trademark Registration No. 3,700,480
8	Excerpt of Fine Art Lamp's website ( <i>fineartlamps.com</i> )
9	Assignment of U.S. Patent No. D570,038 to Blumberg Industries, Inc.
10	Photographs depicting BEVELED ARCS™ Trade Dress
11	Bills of Lading for Imports by Lights & More, Inc. of the Infringing Products
12	Photographs of Infringing Product No. 18288 and Fine Art Lamp's Product No. 701340
13	Photographs of Infringing Product No. 18292 and Fine Art Lamp's Product No. 701240
14	Photographs of Infringing Product No. 18290 and Fine Art Lamp's Product No. 704340

<b>EXHIBIT NUMBER</b>	<b>ITEM</b>
15	Photographs of Infringing Product No. 18296 and Fine Art Lamp's Product No. 727440-1
16	Photographs of Infringing Product and Fine Art Lamp's Product No. 728640-1
17	Photographs of Infringing Product and Fine Art Lamp's Product No. 711840-1

## **I. INTRODUCTION**

1. Blumberg Industries, Inc. d/b/a Fine Art Lamps (“Fine Art Lamps”) files this Complaint under the auspices of Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. §1337 (“Section 337”), based on the unlawful importation into the United States and/or the sale within the United States after importation of certain lighting products, lamps and/or lighting fixtures.

2. The proposed respondent is Lights & More, Inc. (“L&M”), a retail store of lighting products, equipment, and fixtures (among others), established in 1986 with business locations in San Juan, Puerto Rico and Tampa, Florida.

3. This Complaint is directed to certain lamps and lighting fixture products imported by L&M (and then sold by L&M within the United States, mainly in Puerto Rico, after importation into the United States) that infringe one or more claims of the United States Patent No. D570,038S, entitled “Decorative Element of Lighting Fixtures” (“the ‘038 patent”), and/or violate other the intellectual property rights and protections afforded to Fine Art Lamps under U.S. copyright, trademark and unfair competition laws (collectively, the “Infringing Products”). Upon further investigation and discovery, Fine Art Lamps may identify additional accused products and/or seek to assert supplemental claims. A certified copy of the ’038 patent is attached hereto as **Exhibit 1**. A certified copy of Copyright Registration No. VA 1-399-618 (hereinafter the “BEVELED ARCS Registered Copyright”) is attached hereto as **Exhibit 2**. A certified copy of Copyright Registration No. VA 1-415-353 (hereinafter the “ENCASED GEMS Registered Copyright”) is attached hereto as **Exhibit 3**. Certified copies of U.S. Trademark Registration Nos. 3703710, 3703711, 3700479 and 3700480 for the BEVELED ARCS™ collection are attached hereto as **Exhibits 4, 5, 6 and 7**. Fine Art Lamps has the

intellectual property rights registrations or pending applications for the BEVELED ARCS™ and ENCASED GEMS collections outside the United States set forth in **Confidential Exhibit A**.

4. Through this Complaint, and pursuant to Section 337(d), Fine Art Lamps seeks a general exclusion order, or in the alternative a limited exclusion order, of the Infringing Products from entry into the United States, including Puerto Rico. Pursuant to Section 337(f), Fine Art Lamps further seeks a cease and desist order, proscribing the importing, selling, marketing, advertising, displaying, distributing, offering for sale, reproducing, and/or transferring of the Infringing Products; or the aiding and/or abetting in the importation, sale for importation, sale after importation, marketing, advertising, displaying, distributing, offering for sale, reproducing and/or transferring of the Infringing Products.

## **II. THE PARTIES**

### **A. COMPLAINANT FINE ART LAMPS**

5. Complainant Fine Art Lamps is a corporation organized under the laws of the State of Florida and has its principal place of business at 5770 Miami Lakes Drive East, Miami Lakes, Florida 33014. An excerpt from Fine Art Lamps' website ([www.fineartlamps.com](http://www.fineartlamps.com)), with further background information about Fine Art Lamps, is attached hereto as **Exhibit 8**.

6. Fine Art Lamps has been in the business of designing, manufacturing, selling and distributing ornamental lamps and elegant, decorative, lighting fixtures since it was founded in 1941. It is the leader in the decorative residential lighting industry and is well recognized for its quality products and unique and innovative designs. Further, it has one of the leading designer and artist staffs in the country and has been the recipient of numerous design awards. It has provided uniquely crafted, elegant ornamental lamps, lighting fixtures, and products particularly geared toward the upscale residential home market, as well as the hotel, casino, hospitality, and

institutional markets. To this end, Fine Art Lamps maintains a manufacturing and warehousing facility of more than 400,000 square feet in Miami Lakes and Hialeah, Florida. A more detailed description of the domestic industry involved herein, as required under 19 U.S.C. § 1337, is attached hereto as **Confidential Exhibit B**.

7. Fine Arts Lamps' products are marketed throughout the United States, Puerto Rico and in over 60 countries. Fine Art Lamps, however, has no licensees for any imports of its intellectual property rights in the BEVELED ARCS™ and ENCASED GEMS collections subject of this Complaint.

8. Fine Art Lamps has expended substantial resources in designing, promoting, manufacturing and selling its lighting fixtures in the United States, and has built a valuable business based on demand for its instinctively styled, quality lighting fixtures. For over sixty (60) years, Fine Art Lamps has created more than 10,000 distinctive designs for ornamental lamps and lighting fixtures, and has spent millions of dollars, and countless hours, on the creation of these original designs.

9. Fine Art Lamps has become identified in the mind of the relevant market as the provider of distinctively styled, quality lighting fixtures. To this end, Fine Art Lamps' products are displayed and marketed: (i) in permanent showrooms in Miami Lakes, Florida, High Point, North Carolina, and Dallas, Texas; (ii) in retail lighting showrooms, designer showrooms, trade showrooms, and furniture showrooms throughout the United States, and in more than 60 other countries; (iii) in print catalogs; and (iv) online at the Fine Art Lamps' website ([www.fineartlamps.com](http://www.fineartlamps.com)).

10. From its inception, Fine Art Lamps has taken great effort to ensure that only original, high quality lighting products are made and distributed under the its name. Fine Art

Lamps has employed sculptors, designers, and other accomplished artists and craftsmen, who have won numerous industry awards for their original designs.

11. Fine Art Lamps markets and sells its lighting products in collection lines, grouped together based on certain shared themes, motifs and characteristics. The design and trade dress of each line has acquired secondary meaning in the marketplace. In the minds of the consumers of Fine Arts Lamps' products and the public at large, the primary significance of the trade dress and/or design of each line of products, some of which incorporate the non-functional elements of Fine Art Lamps' registered trademarks, is to identify the line as coming from Fine Art Lamps. Each line with a distinctive trade dress has had significant sales success.

**B. RESPONDENT LIGHTS & MORE, INC.**

12. The proposed respondent, L&M, was established in 1986. L&M owns and operates two retail stores of lighting products, equipment, and fixtures, one in San Juan, Puerto Rico and the other in Tampa, Florida. L&M sells its merchandise through these two retail stores. Upon information and belief, L&M also sells and/or promotes its merchandise through its website (*www.lightsandmore.com*).

13. At all times material to this Complaint, and up to August 2008, L&M directly purchased from Fine Art Lamps and/or its local distributors in San Juan, Puerto Rico and/or Tampa, Florida, certain lighting designs and/or fixtures.

**III. RELEVANT FACTS TO THIS COMPLAINT**

14. In January 2007, Fine Art Lamps introduced a new line of residential lighting fixtures, known as the BEVELED ARCS<sup>TM</sup> Collection.

15. Before approving a lighting prototype, Fine Art Lamps subjects the design to rigorous review to ensure that it comports with Fine Art Lamps' high standards of excellence and

originality. Once a design is approved, Fine Art Lamps hand-picks the sculptors, craftspeople, and processes for development and implementation of the particular design features, including the material and finish. Although each design is original and unique, all of Fine Art Lamps' products bear tell-tale signs that they have been crafted and manufactured by Fine Art Lamps. Fine Art Lamps' manufacturing processes are highly controlled.

16. Fine Art Lamps' commitment to such quality and excellence is an aspect of Fine Art Lamps' business that has set it apart from other lighting fixture manufacturers and wholesalers.

17. In its first year of sales, the BEVELED ARCS™ Collection became Fine Art Lamps' biggest selling product line, as well as the biggest selling product line in the history of Fine Art Lamps.

18. On May 27, 2008, U.S. Design Patent No. D570,038S, entitled "Decorative Element for Lighting Fixtures" (hereinafter "the '038 patent"), was duly and legally issued to Fine Art Lamps by the United States Patent and Trademark Office, on an application filed by Mark McDowell on January 15, 2008. See Exhibit 1.

19. Fine Art Lamps is the owner by assignment of the '038 patent from the inventor, Mark McDowell. A true and exact copy of the assignment is attached hereto as **Exhibit 9**.

20. Fine Art Lamps actively advertises, markets, and otherwise promotes its BEVELED ARCS™ Collection, and has incurred over \$3 million in promotional expenditures since the introduction of the BEVELED ARCS™ Collection in January 2007, of which a substantial percentage was devoted to promoting the BEVELED ARCS™ Collection.

21. Fine Art Lamps has received acclaim for its innovative product designs, including the BEVELED ARCS™ Collection. For example, on January 21, 2008, Fine Art Lamps was

awarded an Accessories Resources Team (ARTS) Award for 2007 Manufacturer of the Year at the January 2008 Lighting & Accessory Market in Dallas, Texas, a lighting industry show attended by retailers and wholesalers, with the BEVELED ARCS™ Collection prominently featured as a Fine Art Lamps design (hereinafter the “January 2008 Market Show”). About 1,000 people were present when Fine Art Lamps was awarded Manufacturer of the Year. With its 2008 ARTS Award, Fine Art Lamps won the Manufacturer of the Year award nine times, more than any other manufacturer regularly attending lighting shows at the Dallas Lighting & Accessory Market. Further, Fine Art Lamps has been inducted into the Lighting & Accessory Market Hall of Fame, only one of two lighting manufacturers with such a distinction.

22. Fine Art Lamps’ BEVELED ARCS™ Collection embodies an inherently distinctive protectable trade dress, which incorporates the registered trademarks for BEVELED ARCS™ (see **Exhibits 4, 5, 6 and 7**), in the perception of purchasers and potential purchasers of lighting fixtures (hereinafter “the BEVELED ARCS™ trade dress”), and previously Fine Art Lamps has successfully enforced its rights with respect to the BEVELED ARCS™ Collection.<sup>1</sup> The BEVELED ARCS™ trade dress, which incorporates the BEVELED ARCS™ registered trademarks, is as shown in **Exhibit 10** attached hereto and includes the overall appearance reflected in the designs in the BEVELED ARCS™ Collection, as well as the appearance of unique crystals utilized in each of the lighting designs for the BEVELED ARCS™ Collection.

23. The BEVELED ARCS™ trade dress, which incorporates the registered trademarks for BEVELED ARCS™, reflects the impression created by each lighting fixture individually, the entire line collectively, as well as individual components of the lighting fixture that are consistently expressed in all of the models of the line, such as beveled, arcuate crystals;

---

<sup>1</sup> Fine Art Lamps owns U.S. Trademark Registration Nos. 3703710, 3703711, 3700479 and 3700480 for the BEVELED ARCS™ trade dress. See **Exhibits 4-7**. Although these are on the Supplemental Register, Fine Art Lamps herein makes a showing of secondary meaning in the BEVELED ARCS™ trade dress.

arcuate support arms; and the combined support arms and crystals where the crystals appear as an extension of the support, and thus an extension of a flowing artistic gesture. Regardless of whether the lighting fixture has 4, 6, 8 or more arms, the appearance of the lighting fixture is of the flowing arcuate arms with curved crystals extending as part of each arm. Additionally, the combination of a support and a crystal is presented to the viewer as part metallic finish and part optically aesthetic crystal.

24. The BEVELED ARCS™ trade dress uses high quality metals and unique crystals, and is contained in each item of the BEVELED ARCS™ Collection, regardless of whether the particular item in the collection has four, six, or any number of arms and crystals.

25. The BEVELED ARCS™ trade dress is an innovation that has never before been seen in the lighting industry and thus is entirely unique and distinctive to the lighting industry and immediately identifiable as belonging to Fine Art Lamps.

26. Fine Art Lamps' BEVELED ARCS™ trade dress, which incorporates the registered trademarks for BEVELED ARCS™, is widely recognized by the trade and the public, and has built up extensive goodwill and obtained secondary meaning among the relevant trade and public as a symbol identifying Fine Art Lamps as the source of origin of the BEVELED ARCS™ Collection.

27. Upon information and belief, the BEVELED ARCS™ trade dress serves primarily as a designator of origin of lighting fixtures emanating from or sponsored or licensed by Fine Art Lamps.

28. Fine Art Lamps' catalogs, brochures, and showrooms are organized and designed to enhance and encompass its trade dress rights. Fine Art Lamps' advertising of the BEVELED ARCS™ Collection draws attention to the BEVELED ARCS™ trade dress and encourages

customers to associate the design features of the BEVELED ARCS™ Collection with Fine Art Lamps.

29. Since January 2007, the BEVELED ARCS™ Collection has been advertised by Fine Art Lamps in, and has been featured in, industry marketing materials.

30. In part as a result of these advertising efforts, Fine Art Lamps' sales have increased steadily since the BEVELED ARCS™ Collection was introduced in January 2007.

31. Fine Art Lamps' advertising and sales efforts have caused the BEVELED ARCS™ Collection to be recognized as originating from a single source.

32. As a result of the widespread sales, use and display of the BEVELED ARCS™ Collection, Fine Art Lamps' expenditures in advertising, marketing, and otherwise promoting the BEVELED ARCS™ Collection, and the knowledge and acclaim of the BEVELED ARCS™ Collection in the marketplace, the BEVELED ARCS™ trade dress, which incorporates the registered trademarks for BEVELED ARCS™, has achieved secondary meaning and built up extensive goodwill since this collection was introduced in January 2007.

33. On or about February 1, 2007, Fine Art Lamps also applied to the Register of Copyrights for a Certificate of Copyright Registration for the work known as "Beveled Arcs # 700840, 701040, 701240, 701340, 701540, 701850, 702040, 702240, 702440, 702840, 704040, 704240, 704340, 704440, 704540, 704640, 704850, 704950, 705050, 705150, 705250, 705340, 705440, 705540, 705640, 707050." The nature of said work is non-functional sculptural features of lighting fixture designs embodying the BEVELED ARCS™ Collection, which consists of copyrightable subject matter under the laws of the United States.

34. As noted above, a copyright certificate was issued and bears Copyright Registration No. VA 1-399-618 for the BEVELED ARCS Registered Copyright, and a certified

copy of this Certificate is attached hereto as **Exhibit 2**.

35. Fine Art Lamps is currently, and at all times relevant to the matters alleged herein, has been the copyright claimant of all right, title, and interest in and to the BEVELED ARCS™ Registered Copyright for the Subject Work, and all exclusive rights therein.

36. The copyright in the Subject Work is presently valid and subsisting and has been valid and subsisting at all times since its inception.

37. Fine Art Lamps' copyright, patent and trademark rights in the BEVELED ARCS™ Collection are clearly noticed on catalogs, promotional materials and Fine Art Lamps' website.

38. L&M has a showroom, a large section of which is fully decorated with lighting fixtures identical to those of Fine Art Lamps; that is, the Infringing Products. Fourteen different models of the Infringing Products clearly constitute "fake copies" of Fine Art Lamps' original designs.

39. L&M represents to showroom visitors that its lighting fixtures are of the highest quality and that similar lighting fixtures on the market manufactured by Fine Art Lamps are of inferior quality and more expensive than their line of lighting fixtures. L&M also represents to showroom visitors that its lighting fixtures are almost identical to the more expensive ones, making specific reference to Fine Art Lamps.

40. L&M represents that the Infringing Products are manufactured by an entity named "DELLART," allegedly from **Europe**. See First Affidavit of José Nuñez-Caballero in the Matter of Blumberg Industries, Inc. d/b/a Fine Art Lamps, attached hereto as **Confidential Exhibit C**, ¶ 17.

41. Several of the bills of lading for imports by L&M from China, from February

2009 through May 2009, identify products as having been imported from “dellart@hotmail.com Made in China.” See Exhibit 11.

42. L&M represents that DELLART does not have a website inasmuch as it is an exclusive designer/manufacturer for L&M. Moreover, DELLART represents that its distributor in the Caribbean and Latin America is the respondent herein, L&M. See Confidential Exhibit D.

43. Four (4) of the Infringing Products are: (a) chandelier with L&M’s product number 18288, replicating Fine Art Lamps product number 701540; (b) chandelier with L&M’s product number 18292, replicating Fine Art Lamps product number 701240; (c) semi-flush mount lamp with L&M’s product number 18290, replicating Fine Art Lamps product number 704340; (d) lantern with L&M’s product number 18296, replicating Fine Art Lamps product number 727440-1; (e) L&M’s pendant lamp, replicating Fine Art Lamps product number 728640-1 and (f) lantern with L&M’s product number 18296, replicating Fine Art Lamps product number 711840-1. See Exhibits 12, 13, 14, 15, 16 and 17.

44. L&M has full knowledge of the BEVELED ARCS™ Collection and other collections of Fine Art Lamps, such as the ENCASED GEMS Collection™, and L&M has represented that L&M no longer does business with Fine Art Lamps because their products are too expensive and of inferior quality, and L&M sends DELLART the designs of the lighting fixtures that it wants DELLART to manufacture. See Second Affidavit of José Nuñez-Caballero in the Matter of Blumberg Industries, Inc. d/b/a Fine Art Lamps, attached hereto as Confidential Exhibit E, ¶ 14.

#### **IV. UNLAWFUL AND UNFAIR ACTS OF RESPONDENTS – PATENT INFRINGEMENT**

45. From the foregoing background facts, it is clear that L&M directly infringes,

induces the infringement of and/or contributes to the infringement of Fine Art Lamps' '038 patent. L&M does so by using, selling, offering for sale, selling after importation, and/or importing into the United States certain Infringing Products covered by the claim of the '038 patent, and, upon information and belief, engaging DELLART to manufacture and export from China and/or Europe into the United States certain Infringing Products covered by the claim of the '038 patent, and L&M will continue to do so unless this Commission issues a general exclusion order, or in the alternative a limited exclusion order, and orders L&M to cease and desist from this continuous infringing conduct.

46. L&M's infringement of the '038 patent has irreparably damaged Fine Art Lamps in an amount that is unknown and cannot at the present time be ascertained, and will cause added injury and loss unless this Commission issues a general exclusion order, or in the alternative a limited exclusion order, and orders L&M to cease and desist from this continuous infringing conduct.

47. Without the consent of Fine Art Lamps, L&M has actively infringed, induced infringement and/or contributed to the infringement, and is still actively infringing, inducing and/or contributing to the infringement of the '038 patent, and will continue to do so unless this Commission issues a general exclusion order, or in the alternative a limited exclusion order, and orders L&M to cease and desist from this continuous infringing conduct.

48. L&M's infringement, inducement of infringement and/or contributory infringement of the '038 patent has irreparably damaged Fine Art Lamps in an amount that is unknown and cannot at the present time be ascertained, and will cause added injury and loss unless this Commission issues a general exclusion order, or in the alternative a limited exclusion order, and orders L&M to cease and desist from this continuous infringing conduct.

**V. TRADEMARK INFRINGEMENT**

49. Fine Art Lamps re-alleges and restates each and every allegation set forth above, and incorporates them herein by reference.

50. L&M's unauthorized use of BEVELED ARCS™ registered trademarks, as incorporated in BEVELED ARCS™ trade dress, in connection with lighting fixtures for its Infringing Products' design that is virtually identical and confusingly similar to Fine Art Lamps' BEVELED ARCS™ Collection constitutes trademark infringement.

51. L&M's wrongful acts have caused and will continue to cause serious irreparable injury and damage to Fine Art Lamps, to distributors who legitimately sell Fine Art Lamps' products, and to the goodwill associated with the distinctive BEVELED ARCS™ registered trademarks, as incorporated in BEVELED ARCS™ trade dress, including the diversion of customers, lost sales and lost profits.

52. Therefore, this Commission should issue a general exclusion order, or in the alternative, a limited exclusion order, as well as an order L&M to immediately cease and desist its infringing conduct.

**VI. COPYRIGHT INFRINGEMENT**

53. Fine Art Lamps re-alleges and restates each and every allegation set forth above, and incorporates them herein by reference.

54. L&M, by the above-alleged actions, has infringed and will continue to infringe Fine Art Lamps' copyright in the BEVELED ARCS Registered Copyright and ENCASED GEMS Registered Copyright. As a former client of Fine Art Lamps, L&M has had access to Fine Art Lamps' products. Further, through sending DELLART the designs of the lighting fixtures that it wants DELLART to manufacture, as well as the subsequent importation and sale

of the Infringing Products, L&M's conduct constitutes copyright infringement.

55. The specific acts of copyright infringement alleged, as well as L&M's entire course of conduct, have caused and are causing Fine Art Lamps great and incalculable damage, the amount of which is unknown and cannot at the present time be ascertained.

56. Fine Art Lamps' sales of its own works, as well as sales of such works by authorized Fine Art Lamps distributors, is substantially damaged by L&M's copyright infringement.

57. Therefore, this Commission should issue a general exclusion order, or in the alternative, a limited exclusion order, as well as an order for L&M to cease and desist from committing further acts of copyright infringement.

**WHEREFORE**, by reason of the foregoing, Fine Art Lamps requests that the United States International Trade Commission:

- a. Institute an immediate investigation pursuant to Section 337(b)(1) of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, with respect to violations of that section based upon the unlawful importation into the United States and/or the sale within the United States after importation by L&M of the Infringing Products;
- b. Render a determination that the importation and/or sale after importation of L&M's Infringing Products constitute one or more violation of Section 337 of the Tariff Act of 1930, 19 U.S.C. §1337;
- c. Issue a general exclusion order, or in the alternative, a limited exclusion order, for the Infringing Products to be excluded from entry into the United States;
- d. Issue a cease and desist order pursuant to Section 337(f) of the Tariff Act of 1930, as amended, prohibiting the importing, selling, marketing, advertising, distributing,

offering for sale or transferring (except for exportation) of any of L&M's products that infringe Fine Art Lamps' protected intellectual property rights under the patent, trademark and copyright statutes, including an order for L&M to preserve any and all Infringing Products that it currently has in inventory, and any and all documents and information (including, but not limited to, all electronically-stored information) regarding the Infringing Products; and

e. Any other relief that this Commission deem just and proper.

RESPECTFULLY SUBMITTED.

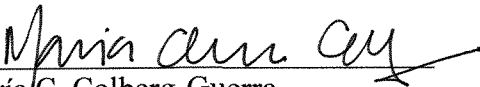
In San Juan, Puerto Rico, this 3<sup>rd</sup> day of May, 2010.

**O'NEILL & BORGES**

*Attorneys for Complainant  
Blumberg Industries, Inc. d/b/a  
Fine Art Lamps*  
American Int'l Plaza, Suite 800  
250 Muñoz Rivera Avenue  
San Juan, Puerto Rico 00918  
Telephone: 787-764-8181  
Fax: 787-753-8944



Mauricio O. Muñoz-Luciano  
mauricio.muniz@oneillborges.com



María C. Colberg-Guerra  
Maria.colberg@oneillborges.com

**JORDEN BURT LLP**

*Attorneys for Complainant  
Blumberg Industries, Inc. d/b/a  
Fine Art Lamps*  
175 Powder Forest Drive, Suite 301  
Simsbury, CT 06089  
Telephone: 860-392-5000  
Fax: 860-392-5058



Thomas J. Finn  
tjf@jordenusa.com



Diane Duhaime  
dd@jordenusa.com

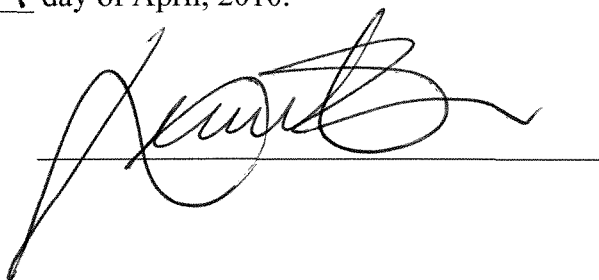
## VERIFICATION

I, Laura Goldblum, President and Chief Financial Officer of Blumberg Industries, Inc. d/b/a Fine Art Lamps, am duly authorized to execute this Complaint on behalf of Blumberg Industries, Inc. d/b/a Fine Art Lamps. I have read the Complaint and am aware of its contents. To the best of my knowledge, information, and belief, formed after inquiry reasonable under the circumstances, I hereby certify as follows:

1. The Complaint is not being presented for any improper purpose, such as to harass or cause unnecessary delay or needless increase in the cost of the investigation;
2. The claims and other legal contentions in the Complaint are warranted by existing law or nonfrivolous argument for the extension, modification, or reversal of existing law or the establishment of new law; and
3. The allegations and other factual contentions in the Complaint have evidentiary support or, if specifically so identified, are likely to have evidentiary support after reasonable opportunity for further investigation or discovery.

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

Executed in Miami Lakes, Florida, this 29 day of April, 2010.

A handwritten signature in black ink, appearing to read 'Laura Goldblum', is written over a horizontal line. The signature is cursive and somewhat stylized.