



## Target Corporation Targeted for Design Patent Infringement

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Earlier this month a Suffolk, Virginia corporation sued Minneapolis-based Target Corporation for alleged infringement of a design patent. *Spring & Assocs., LLC v. Target Corp.*, No. 1:09cv00149-LO/JFA (filed Feb. 11, 2009). In the suit, Spring & Associates (“Spring”) accuses Target of infringing U.S. Design Patent No. 581,628 (“628 Patent”), which covers an ornamental design for underwear.

According to the complaint, Target has knowingly and intentionally sold infringing underwear “as simulations of Spring’s patented underwear.” (Compl. ¶ 9.) Spring also contends that Target’s infringement “has been and continues to be intentional and willful.” (*Id.* ¶ 11.) The complaint requests a trial by jury and indicates that Spring is seeking an injunction, treble damages, and attorneys’ fees. (*Id.* ¶¶ B-D.)