

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA

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MATTHEW A. PEQUIGNOT  
1636 R Street, NW  
Third Floor  
Washington, D.C. 20009

Plaintiff,

v.

GILLETTE  
P.O. Box 61  
Boston, MA 02199

and

THE GILLETTE COMPANY  
Prudential Tower Building  
Boston, MA 02199

and

THE PROCTER & GAMBLE COMPANY  
One Procter and Gamble Plaza  
Cincinnati, OH 45202

Defendants.

Case No. 1:08CV49

COMPLAINT FOR FALSE PATENT  
MARKING

Plaintiff MATTHEW A. PEQUIGNOT (hereinafter referred to as "PEQUIGNOT"), for his Complaint against Defendants GILLETTE; THE GILLETTE COMPANY (hereinafter referred to as "GILLETTE CO."); and THE PROCTER & GAMBLE COMPANY (hereinafter referred to as "P&G") (hereinafter collectively referred to as DEFENDANTS), alleges as follows:

**NATURE OF THE CASE**

1. This is an action for false patent marking under Title 35, Section 292, of the United States Code.

COMPLAINT FOR FALSE PATENT MARKING





1 Bars with bonus razor; Gillette CustomPlus 52 Razors, Pivot, Soft UltraGrip, Extra Lubricating  
2 Power; Gillette SensorExcel (25 pack) cartridges; Gillette M3 Power (16 pack) cartridges;  
3 Gillette Mach3 Turbo (16 pack) cartridges with Aloe and Vitamin E; Gillette Venus (16 pack)  
4 cartridges; Gillette Series Invisible Solid Cool Wave Antiperspirant & Deodorant; Cool Right  
5 Guard Sport Anti-Perspirant Deodorant Gel; and/or Right Guard Sport Cool Clear Gel Anti-  
6 Perspirant Deodorant;.

7  
8 **CAUSE OF ACTION FOR FALSE PATENT MARKING**

9 13. PEQUIGNOT repeats, realleges, and incorporates by reference each and every  
10 paragraph above as if set forth fully herein.

11  
12 14. When a patent expires, all monopoly rights in the patent terminate irrevocably.  
13 Therefore, a product marked with an expired patent is not currently patented by such expired  
14 patent.

15 15. Upon information and belief, DEFENDANTS are sophisticated companies which  
16 have many decades of experience with applying for, obtaining, and litigating patents, and know  
17 (themselves or by their representatives), at least constructively, that patents expire (i.e., that they  
18 do not have an indefinite duration).

19  
20 16. Upon information and belief, DEFENDANTS know, or at least should know  
21 (themselves or by their representatives), that one or more of the patents marked on the products  
22 identified in paragraph 11 above are expired.

23  
24 17. Because all monopoly rights in an expired patent have terminated,  
25 DEFENDANTS cannot have any reasonable belief that the products identified in paragraph 11  
26 above are patented or covered by the expired patents marked on such products.



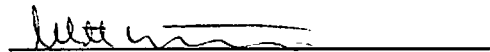


**JURY DEMAND**

Pursuant to Federal Rule of Civil Procedure 38(b), PEQUIGNOT hereby demands a trial  
by jury on all issues so triable.

Respectfully submitted,

Dated: January 15, 2008



Matthew A. Pequignot

*Pro se*

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