

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

SAMA CAMP, LLC,

Plaintiff,

v.

SAMA TEA, LLC; SAMA
WORLDWIDE INC.; SAMA
BEVERAGES, LLC; and 100.CO,

Defendants.

CIVIL ACTION NO. _____

COMPLAINT

Plaintiff Sama Camp, LLC (“Sama Camp” or “Plaintiff”), for its Complaint against Defendants Sama Tea, LLC; Sama Worldwide Inc.; Sama Beverages, LLC; and 100.co, (collectively, “Defendants”) states as follows:

NATURE OF THE ACTION

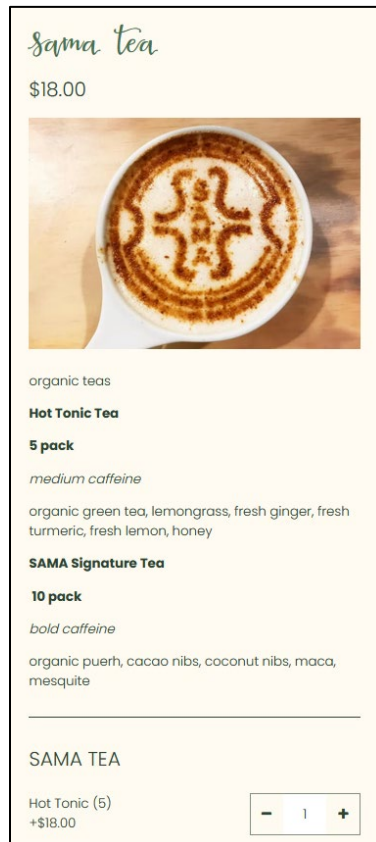
1. This is an action for trademark infringement, unfair competition and false designation of origin arising under the Trademark Act of 1946, as amended, 15 U.S.C. § 1051, *et seq.* (the “Lanham Act”), and under the common law of the State of Georgia.

2. In the highly competitive and extraordinarily challenging restaurant and prepared food industries, Sama Camp has successfully developed a strong

reputation for the high quality of its various products, including its unique blends of tea.

3. For nearly five years, Sama Camp has offered a variety of products and services under its distinctive SAMA® brand and developed a loyal and enthusiastic consumer base.

4. Among Sama Camp's products are a variety of proprietary tea blends, which are sold on premises at Sama Camp's physical location, as well as sold via direct-to-consumer orders through its website as shown below:



5. In October 2017, Sama Camp obtained a federal registration for the mark SAMA® with the United States Patent Office, covering its full suite of goods and services.

6. Sama Camp or its predecessor or successor in interest has made longstanding, continuous and, until the Defendants' conduct giving rise to this action, exclusive use of the SAMA® mark, which consumers have come to associate with Sama Camp, and which Sama Camp has dedicated significant resources to protect.

7. Despite Sama Camp's prior rights in the SAMA® mark, Sama Camp became aware that Defendants are producing, marketing, selling, and distributing to consumers, under the identical "Sama" name, products that are identical to certain products produced under Sama Camp's SAMA® mark (the "infringing goods").

8. Defendants have made repeated, blatant, far-reaching, and expensive efforts to market the infringing goods in the United States, in plain violation of Sama Camp's senior rights, including but not limited to using "Sama" as a stand-alone in the same manner Sama Camp has used and continues to use its SAMA® mark.

9. Defendants' infringing goods are likely to cause, and in fact have caused, confusion among the trade and consuming public as to the source or origin of the infringing goods, thereby causing ongoing irreparable harm to Sama Camp.

THE PARTIES

10. Sama Camp is a limited liability company organized and existing under the laws of the State of Georgia, having its principal place of business at 872 Argonne Avenue, Atlanta, Georgia 30309.

11. On information and belief, Defendant Sama Tea, LLC is a limited liability company organized and existing under the laws of the State of California, having its principal place of business at 404 14th Street, San Diego, California 92101.

12. On information and belief, Defendant Sama Tea, LLC manufactures, distributes, markets, and sells the infringing goods, or causes the infringing goods to be manufactured, distributed, marketed, and sold.

13. On information and belief, Defendant Sama Worldwide Inc. is a corporation organized and existing under the laws of the State of Delaware, having its principal place of business at 382 NE 191st Street, Miami, Florida 33179.

14. On information and belief, Defendant Sama Worldwide Inc. manufactures, distributes, markets, and sells the infringing goods, or causes the infringing goods to be manufactured, distributed, marketed, and sold.

15. On information and belief, Defendant Sama Beverages, LLC is a limited liability company organized and existing under the laws of the State of California, having its principal place of business at 4420 N Bay Road, Miami Beach,

Florida 33140.

16. On information and belief, Defendant Sama Beverages, LLC manufactures, distributes, markets, and sells the infringing goods, or causes the infringing goods to be manufactured, distributed, marketed, and sold.

17. On information and belief, Defendant 100.co is a Florida company having its principal place of business at 382 NE 191st Street, Miami, Florida 33179.

18. On information and belief, Defendant 100.co exercises control over the other Defendants' commercial activities and/or causes the infringing goods to be manufactured, distributed, marketed, and sold.

JURISDICTION AND VENUE

19. This Court has subject matter jurisdiction over this Complaint by virtue of 28 U.S.C. §§1331 and 1338, and under its supplemental jurisdiction of 28 U.S.C. §1367, the Counts of which concern acts of trademark infringement, false designation of origin, and unfair competition under the Lanham Act, 15 U.S.C. §1125(a), and trademark infringement and unfair competition under the laws of the State of Georgia.

20. The Court has supplemental jurisdiction over the claims arising under the laws of the State of Georgia, pursuant to 28 U.S.C. § 1367(a), because the state law claims are so related to the federal subject-matter claims that they form part of

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