

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

WILLIAMS-SONOMA, INC.,

Plaintiff,

v.

WAYFAIR, INC.,

Defendant.

JURY TRIAL DEMANDED

COMPLAINT

Plaintiff Williams-Sonoma, Inc. (“WSI”) through its brand West Elm (“West Elm”) alleges:


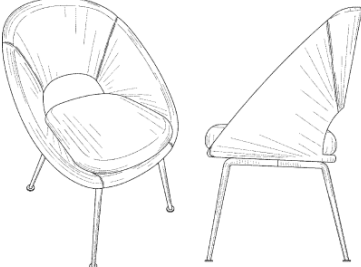








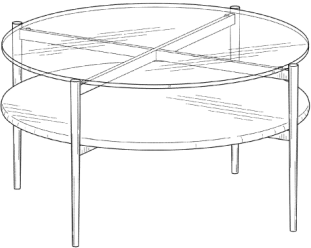

1. Wayfair, Inc. through its group of brands, including Wayfair and AllModern, (“Wayfair”) deliberately infringes the intellectual property of WSI and unlawfully imitates the West Elm brand. Wayfair has engaged in this unlawful conduct for years. West Elm has repeatedly attempted to resolve these issues outside of the courtroom, to no avail.

2. Each season, West Elm’s team of in-house design professionals create original and exclusive collections of products to embody and identify the distinctive West Elm brand. West Elm devotes tremendous resources to develop its unique designs and carefully curated aesthetic. As described more fully below, WSI owns numerous design patents to protect its famous West Elm brand.

3. For many years, Wayfair has made, marketed, offered for sale, and sold numerous products which infringe WSI’s design patent rights and are so highly similar to West Elm’s patented products that an ordinary observer would be confused by the imitation.

4. Below are just a few examples of West Elm's products and design patents, alongside the nearly identical products sold by Wayfair:

West Elm Product	West Elm Patent	Infringing Wayfair Product
		
		
		









West Elm Product	West Elm Patent	Infringing Wayfair Product
		
		
		
		

5. Wayfair’s unlawful copying of West Elm’s designs is not an accident; it is the result of a targeted effort. For example, Wayfair recently launched an entire product line described as “West Elm-inspired.” As explained below, however, Wayfair’s deliberate reproductions of

protected West Elm products go beyond “inspiration” to infringement.

6. At the same time Wayfair is engaged in copying West Elm’s protected designs and trading off of the West Elm name, Wayfair claims in its advertising and marketing to consumers that the products it sells are available “Only at Wayfair” or are “Wayfair-exclusive.” This is false. In addition to infringing West Elm’s design patent protected products, Wayfair has also copied numerous other West Elm product designs, some examples of which are shown below:

West Elm Products	Wayfair Products
	
	
	
	
	
	

West Elm Products	Wayfair Products
	
	
	
	

7. Wayfair’s conduct infringes WSI’s protected intellectual property, and it is false and misleading. It has and will irreparably harm WSI, the West Elm brand, and its substantial goodwill. It has also caused monetary harm in an amount to be determined at trial.



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