

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

Christopher Designs, Inc.,

Plaintiff,

v.

Henri Daussi, LLC

Defendant.

Case. No. 24-cv-03186

**COMPLAINT FOR
PATENT INFRINGEMENT**

TRIAL BY JURY DEMANDED

Plaintiff Christopher Designs, Inc. (“CDI”), by and through its attorneys, Windels Marx Lane & Mittendorf, LLP, files its complaint against Defendant Henri Daussi, LLC (“Daussi”) for injunctive relief and damages as follows:

NATURE OF THE ACTION

1. As set forth in detail below, Daussi willfully infringes multiple claims of U.S. Patent No. 9,398,791 (“the ‘791 patent”), a true and correct copy of which is attached hereto as

Exhibit “A.”

PARTIES AND JURISDICTION

2. CDI is a corporation organized and existing under the laws of the State of New York, having its principal place of business at 50 West 47th Street, Suite 1507, New York, NY 10036.

3. ECNA, LLC is the owner by assignment of the ‘791 patent. CDI has an exclusive license to the ‘791 patent from ECNA that gives CDI all substantial rights to the ‘791 patent, including the right to sue for patent infringement.

4. Daussi is a limited liability company organized and existing under the laws of the State of New York, having its principal place of business at 590 Fifth Ave, 11th Floor, New York, NY 10036.

5. This action arises under the Patent Act of 1952, 35 U.S.C. §§1 et seq., as amended.

6. This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338(a).

7. Personal jurisdiction over Daussi is proper in this District because Daussi is a New York limited liability company and with its principal place of business in New York City and sells infringing products in this District.

8. Venue is proper in this District under 28 U.S.C. § 1391 because Daussi is a New York limited liability company.

FACTUAL ALLEGATIONS

9. CDI is a leading innovator in the field of diamond cutting and design. Christopher Slowinski founded CDI in 1981. Mr. Slowinski was born in Poland and apprenticed under master jewelry artisans in his native country and in the United States.

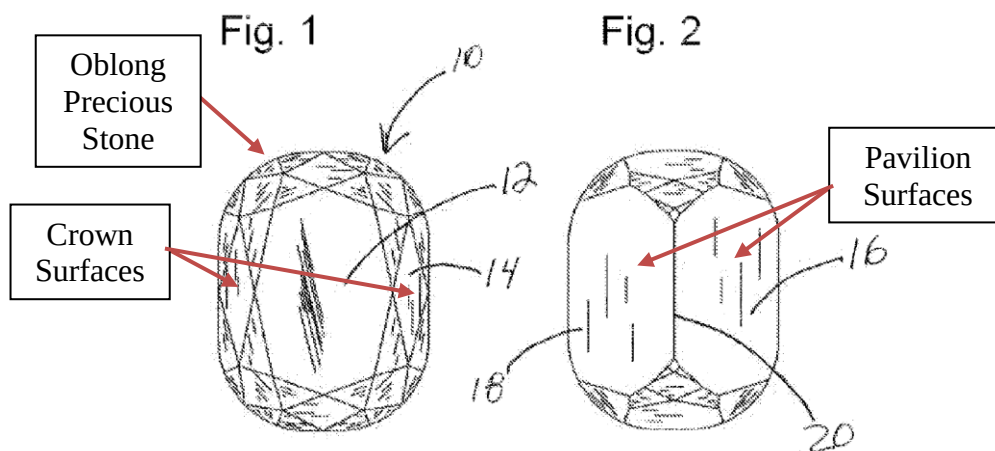
10. CDI's innovations include the original Crisscut® diamond. The original Crisscut® was launched with great fanfare: the arrangement of the 77 (versus the generic 48) “crisscrossed” facets redefined just how brilliant a diamond could be.

11. The Crisscut® facet arrangement was initially used for emerald shapes and later for the Crisscut® Cushion, another innovative design created by Mr. Slowinski.

12. CDI patented its latest innovation in diamond design in the ‘791 patent, entitled: “Diamond Cuts Providing Increased Light Amplification.”



13. The '791 patent discloses and claims: "A sparkling, oblong-shaped precious stone, such as an emerald or cushion cut diamond" which is "formed by providing these diamonds with two long crown surfaces extending at a crown angle and two long pavilion surfaces extending at a pavilion angle, where the crown angle is in the range of 30-36 [degrees] and the pavilion angle is in the range of 30-34 [degrees]." The crown angle and the pavilion angle are formed so "that the crown angle is either equal to or larger than the pavilion angle by an angle that does not exceed 6 degrees."



14. CDI's innovations have spawned imitators and copyists. Daussi is now offering for sale a diamond that copies the patented design disclosed in the '791 patent. The Daussi 1.5

carat diamond incorporates all of the patented features of at least claim 1 of the ‘791 patent as set forth in more detail below.

COUNT I—INFRINGEMENT OF U.S. PATENT 9,398,791

15. CDI’s analysis of the Daussi 1.5 carat diamond (“The Accused Product”) revealed that the Accused Product infringes at least independent claim 1 and dependent claims 2, 3, 5, 6, 7, and 13 of the ‘791 patent.

16. Daussi, without authority from CDI, has made, used, offered for sale, and sold, the Accused Product, which embodies the patented invention disclosed and claimed in the ‘791 patent.

17. Claim 1 of the ‘791 patent reads:

An oblong precious stone elongated in one direction and defining a length of the precious stone in said one direction and a width in a direction perpendicular to said one direction, the precious stone having a left side and a right side both of which extend along the length of the stone, the precious stone comprising:

a table having a table plane, elongated in the one direction, a girdle, and said precious stone having a shape and configuration that results in a specific total depth percentage, a specific crown height percentage, a specific girdle height percentage and a specific table percentage;

a first crown surface, elongated in the one direction and extending at the left side of the stone and located between the table and the girdle and extending at a crown angle to the table plane;

a second crown surface, elongated in the one direction and extending at the right side of the stone and located between the table and the girdle and opposed to the first crown surface and extending at said crown angle relative to the table plane;

a first pavilion surface, elongated in the one direction and extending at the left side of the stone and at a pavilion angle relative to the table plane;

a second pavilion surface, elongated in the one direction and extending at the right side of the stone and extending oppositely to the first pavilion surface and extending at said pavilion angle relative to the table plane;

wherein said crown angle is in the range of 30-36 degrees and wherein said pavilion angle is in the range of 30-34 degrees; and

wherein said crown angle and said pavilion angle are so formed that the crown angle is either equal to or larger than said pavilion angle by an angle that does not exceed 6 degrees, to attain increased light amplification.

18. As set forth in the claim chart attached hereto as **Exhibit “B,”** the Accused Product meets every limitation of at least claims 1, 2, 3, 5, 6, 7, and 13 of the ‘791 patent or includes features that are insubstantially different from and interchangeable with the claim limitations. To the extent the features of the Accused Product deviate from the express limitations claims 1, 2, 3, 5, 6, 7, and 13, the features of the Accused Product perform the same function, in the same way, to achieve the same result as the express limitations of claims 1, 2, 3, 5, 6, 7, and 13. Therefore, the Accused Product infringes at least claims 1, 2, 3, 5, 6, 7, and 13 under the doctrine of equivalents.

19. The Accused Product is marketed and sold as a direct substitute for CDI’s products that practice the ‘791 patent.

20. Daussi is currently practicing the ‘791 patent without authority from CDI and threatens to continue to do so absent injunctive relief from this Court.

21. The conduct of Daussi has injured and is continuing to injure CDI in its business and property.

22. The conduct of Daussi has caused and threatens CDI with irreparable harm for which CDI has no adequate remedy at law.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs pray that the Court:

- A. Declare, adjudge, and decree that Daussi is liable for infringement of the ‘791 patent;
- B. Issue preliminary and permanent injunctions restraining Daussi from engaging in any further activities that infringe the ‘791 patent, including through appropriate recall relief;
- C. Award CDI damages in accordance with 35 U.S.C. § 284;
- D. Declare this case “exceptional” and award CDI increased damages and reasonable attorneys’ fees in accordance with 35 U.S.C. § 285; and
- E. Award CDI such other and further relief as the Court deems just and proper.

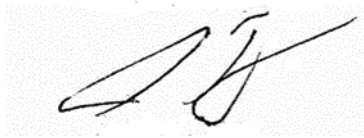
DEMAND FOR JURY TRIAL

In accordance with Rule 38 of the Federal Rules of Civil Procedure, Plaintiff respectfully demands a jury trial of all issues triable to a jury in this action.

Dated: April 25, 2024

Respectfully submitted,

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EXHIBIT A



US009398791B1

(12) **United States Patent**
Slowinski

(10) **Patent No.:** **US 9,398,791 B1**
(45) **Date of Patent:** **Jul. 26, 2016**

(54) **DIAMOND CUTS PROVIDING INCREASED LIGHT AMPLIFICATION**

(71) Applicant: **Christopher Slowinski**, Lake Success, NY (US)

(72) Inventor: **Christopher Slowinski**, Lake Success, NY (US)

(73) Assignee: **ECNA, LLC**

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days.

(21) Appl. No.: **14/604,955**

(22) Filed: **Jan. 26, 2015**

(51) **Int. Cl.**
A44C 17/00 (2006.01)

(52) **U.S. Cl.**
CPC **A44C 17/00** (2013.01)

(58) **Field of Classification Search**
CPC A44C 17/00; A44C 17/001; A44C 17/007
USPC 63/32, 26-2, 29.1-29.2, 30-31
See application file for complete search history.

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(57) **ABSTRACT**

A sparkling, oblong-shaped precious stone, such as an emerald or cushion cut diamond is formed by providing these diamonds with two long crown surfaces extending at a crown angle and two long pavilion surfaces extending at a pavilion angle, where the crown angle is in the range of 30-36 and the pavilion angle is in the range of 30-34. The crown angle and the pavilion angle are so formed that the crown angle is either equal to or larger than the pavilion angle by an angle that does not exceed 6 degrees.

14 Claims, 4 Drawing Sheets

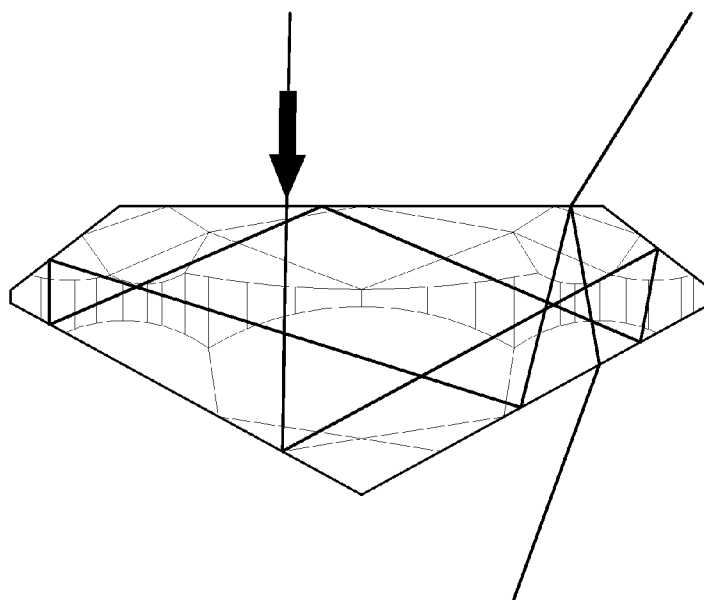


Fig. 1

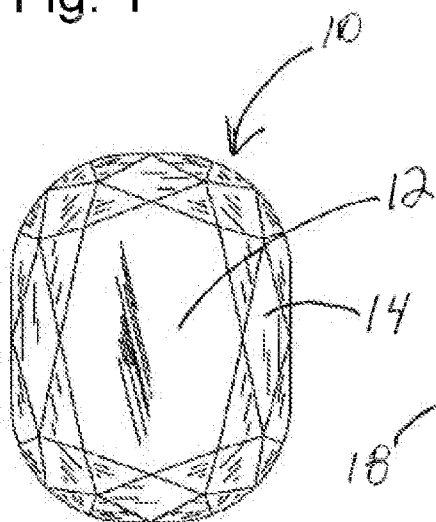


Fig. 2

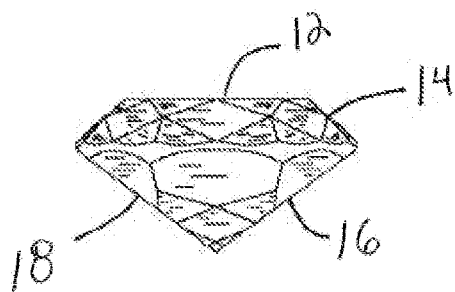
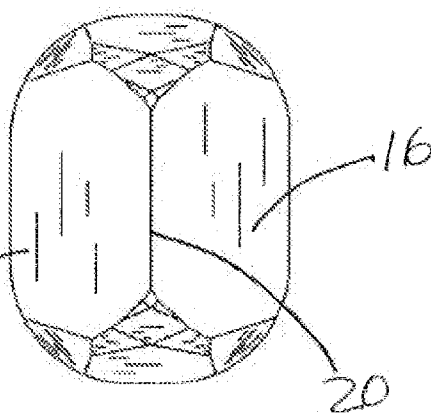


Fig. 3

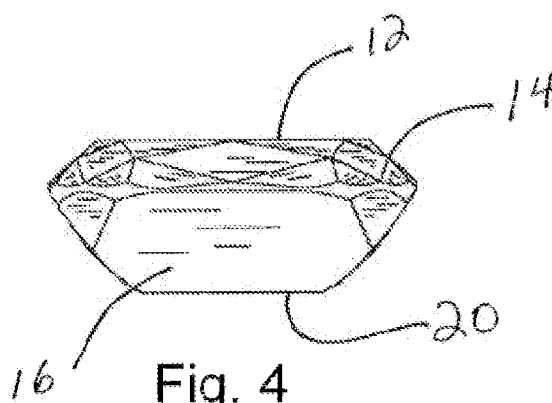


Fig. 4

U.S. Patent

Jul. 26, 2016

Sheet 2 of 4

US 9,398,791 B1

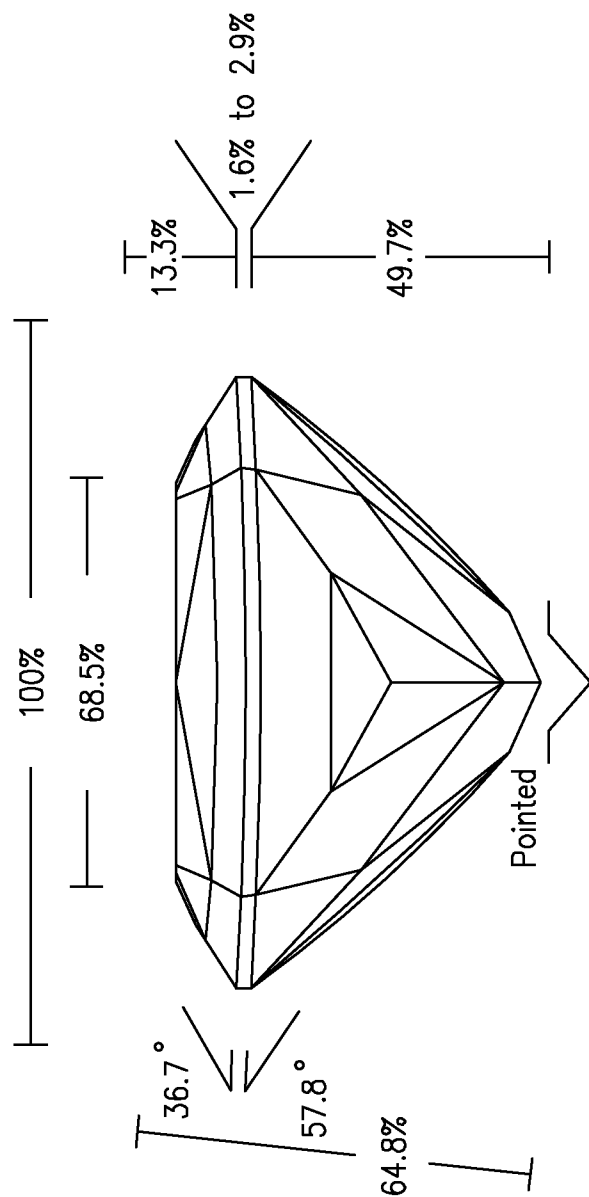


FIG. 5 (Prior Art)

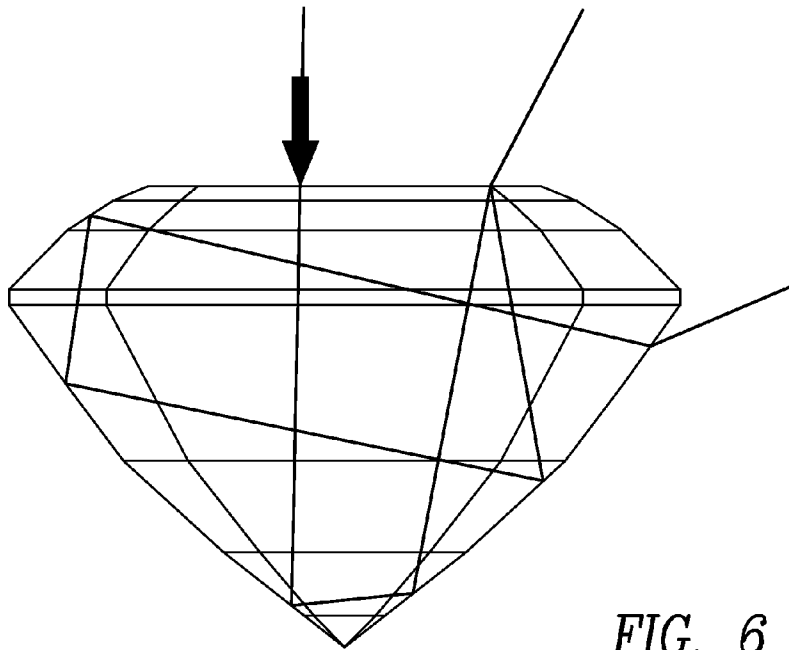


FIG. 6 (Prior Art)

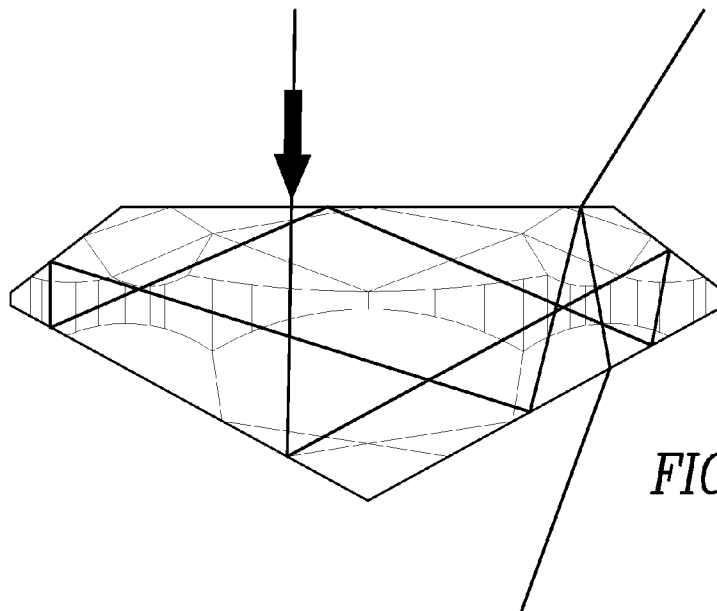


FIG. 7

U.S. Patent

Jul. 26, 2016

Sheet 4 of 4

US 9,398,791 B1

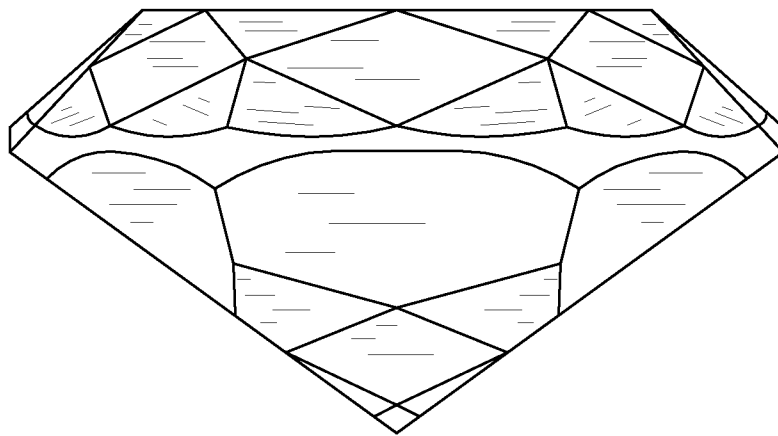


FIG. 8

US 9,398,791 B1

1

DIAMOND CUTS PROVIDING INCREASED LIGHT AMPLIFICATION

BACKGROUND OF THE INVENTION

The present invention is generally directed to gemstones and, more particularly, to non-round gemstones, preferably diamonds, having a unique cut that produces greater light amplification at the crown and table surfaces thereof.

The original round, brilliant-cut was developed by Marcel 10
Tolkowsky in 1919. The round brilliant consists of 58 facets and is widely popular. In more recent years, non-round diamond shapes have come into vogue. The present invention is focused on non-round diamond cuts, such as those that are known as the emerald, cushion and radiant cuts. But the disclosure herein is also applicable to other oblong shapes, such as the marquise and oval cuts. It may even be applied to the asscher and princess cuts as well. The unique look of the emerald cut diamonds is created by the "step cuts" of its pavilion and its large, open table. Instead of the sparkle of the brilliant cut, emerald cut diamonds produce a hall-of-reflection-mirrors effect, with an interplay of light and dark planes. While less fiery, the long lines and dramatic flashes of light give the emerald cut an elegant appeal.

The present invention builds and improves upon the specially-shaped emerald diamond shown in the present inventor's issued U.S. Design Pat. No. D698,278, the contents of which are incorporated herein by reference.

As is well known, emerald and cushion cut diamonds have associated therewith certain parameters. These parameters include the crown angle, the crown height percentage, the girdle height percentage, the pavilion angle, the table percentage and the total depth percentage. Conventionally, the crown angle for an emerald cut is in the range of 35-36°. The pavilion angle is in the range of 40-41.5°. The total depth percentage is conventionally in the range of 60-70%.

As could be appreciated from the foregoing, emerald cut diamonds do not provide the brilliance and light reflecting experience which is the hallmark of the round, brilliant cut stones. The diamond trade has invested enormous efforts in searching for and attempting to find cuts that would increase the brilliance of oblong gemstones such as the emerald and cushion cut stones.

SUMMARY OF THE INVENTION

It is an object of the present invention to provide oblong gemstone shapes that are more sparkling.

It is another object of the invention to provide oblong shaped gemstones, particularly diamonds, that provide greater light reflection amplification.

The foregoing and other objects of the invention are realized by an oblong precious stone that includes: a table having a table plane; a first long crown surface extending at a predetermined crown angle to the table plane; a second long crown surface opposed to the first long crown surface and extending at said crown angle relative to the table plane; a first long pavilion surface extending at a predetermined pavilion angle relative to the table plane; a second long pavilion surface extending oppositely to the first long pavilion surface and extending at said predetermined pavilion angle relative to the table plane; wherein said predetermined crown angle is in the range of 30-36 and wherein said pavilion angle is in the range of 30-34; and wherein said predetermined crown angle and said pavilion angle are so formed that the predetermined crown angle is either equal to or larger than said pavilion angle by an angle that does not exceed 6 degrees.

2

Preferably, the precious stone has a crown angle in the range of 31-34; a crown height percentage of 8-13; a girdle height percentage of 3.5-4.5; a pavilion angle in the range of 31-33; a table percentage in the range of 72-77 and a total depth percentage in the range of 40-50.

Other features and advantages of the present invention will become apparent from the following description of the invention which refers to the accompanying drawings.

BRIEF DESCRIPTION OF THE DRAWINGS

FIG. 1 is a top view of an emerald stone in accordance with the present invention.

FIG. 2 is a bottom view of an emerald stone in accordance with the present invention.

FIG. 3 is an end view of an emerald stone in accordance with the present invention.

FIG. 4 is a side view of an emerald stone in accordance with the present invention.

FIG. 5 shows parameters of a conventional emerald cut stone indicating the values of the crown angle, crown height percentage, pavilion angle, table percentage and total depth percentage.

FIG. 6 is a light reflection diagram for a conventional emerald cut stone.

FIG. 7 is a light reflection diagram for the emerald cut and other stone cuts in accordance with the present invention.

FIG. 8 replicates FIG. 3 and is annotated with the various parameters thereof.

DETAILED DESCRIPTION OF EMBODIMENTS OF THE INVENTION

Referring to FIGS. 1-4, one can note the cushion-cut diamond 10 in FIG. 1, its table 12, crown 14 extending adjacently to the table and left and right side oblong pavilions 16, 18 extending adjacently to the oblong pavilion, the pavilion meeting at a culet-like line 20. FIG. 3 shows that the oblong pavilions 16, 18 extending at a distinct pavilion angle relative to the table surface (or to a line passing through the girdle) of the precious stone. Similarly, the crown angle is also indicated, although it is noted that the crown angle is more definitively provided in an emerald cut diamond.

In marked departure from the prior art, the instant inventor has discovered that a brilliant-like reflection pattern can be obtained by providing an emerald cut stone with a very shallow underside, namely by forming the pavilion angles in the range of 30 to 34 degrees, preferably 31 to 33 degrees, as opposed to the conventional pavilion angles which are in the range of 40 to 41.5 degrees. Furthermore, unlike the total depth percentage which is conventionally in the range of 60 to 70 percent, the present invention realizes its unexpectedly improved brilliance and light amplification characteristics by setting the total depth percentage in a range from 36.00 to 57.00. The crown angle is preferably from 30 to 36 degrees.

The realization of the unexpected brilliance of the diamond cut herein described is also dependent on assuring that the pavilion angle is equal to or smaller by up to 6 degrees, as compared to the crown angle.

The table below provides the relevant parameters for an emerald cut diamond, indicating in each instance a minimum value, a maximum value and a preferred range.

US 9,398,791 B1

3

ANGLE AND PERCENTAGE PARAMETERS FOR EMERALD CUT DIAMOND			
PARAMETER	MINIMUM	PREFERRED RANGE	MAXIMUM
Crown Angle°	30	30-33	36
Crown Height %	6	8-13	15
Girdle Height %	3	3.5-4.5	5
Pavilion Angle°	30	31-33	34
Table %	70	72-77	79
Total Depth %	36	40-50	57

Additional criteria of the foregoing is that the pavilion angle is 6° or less than the crown angle. In other words, the pavilion angle $\leq 6^\circ$ crown angle.

By adhering to the criteria set forth in the above table, and with reference to FIGS. 6 and 7, one can compare the light reflection pattern, which has actually been measured for a gemstone embodiment of the invention, and so note in the conventional gemstone, a ray of light that strikes the table perpendicularly hits the pavilion at one side, is then reflected to the opposed pavilion side and eventually reflected back out through the table with only a small portion of the light traversing the volume between the different surfaces, none of which is the table.

In marked contrast to the prior art, the light pattern for an emerald stone in accordance with the present invention, follows a path whereby light is reflected from one pavilion surface to an opposed crown surface, then to the other pavilion surface, then to the table, then back to the pavilion surface, then to the crown, then to the opposed pavilion and only then out to the table. This light pattern, with light rays being repeatedly reflected and refracted between many diamond surfaces creates an extremely brilliant light display that has been very well received and appreciated by those who have seen it.

In FIG. 3, the crown angle is indicated to be (for a conventional emerald stone) 36.7°. The pavilion angle is shown to be at 57.8°. The total depth percentage is 64.8% and is calculated as the ratio of the height divided by the width of the stone. The table percentage (68.5%) is calculated relative to the entire width of the stone measured across the oblong pavilion surfaces, i.e., across the length of the stone. The corresponding values for the stone of the present invention (FIG. 8) are set forth in the tabulation above. As can be discerned from FIGS. 1, 2 and 4, the overall stone shape is substantially rectangular and therefore the mentioned crown and pavilion surfaces lengths are substantially those of the table length.

Although the present invention has been described in relation to particular embodiments thereof, many other variations and modifications and other uses will become apparent to those skilled in the art. It is preferred, therefore, that the present invention be limited not by the specific disclosure herein, but only by the appended claims.

What is claimed is:

1. An oblong precious stone elongated in one direction and defining a length of the precious stone in said one direction and a width in a direction perpendicular to said one direction, the precious stone having a left side and a right side both of which extend along the length of the stone, the precious stone comprising:

4

a table having a table plane, elongated in the one direction, a girdle, and said precious stone having a shape and configuration that results in a specific total depth percentage, a specific crown height percentage, a specific girdle height percentage and a specific table percentage;

a first crown surface, elongated in the one direction and extending at the left side of the stone and located between the table and the girdle and extending at a crown angle to the table plane;

a second crown surface, elongated in the one direction and extending at the right side of the stone and located between the table and the girdle and opposed to the first crown surface and extending at said crown angle relative to the table plane;

a first pavilion surface, elongated in the one direction and extending at the left side of the stone and at a pavilion angle relative to the table plane;

a second pavilion surface, elongated in the one direction and extending at the right side of the stone and extending oppositely to the first pavilion surface and extending at said pavilion angle relative to the table plane;

wherein said crown angle is in the range of 30-36 degrees and wherein said pavilion angle is in the range of 30-34 degrees; and

wherein said crown angle and said pavilion angle are so formed that the crown angle is either equal to or larger than said pavilion angle by an angle that does not exceed 6 degrees, to attain increased light amplification.

2. The precious stone of claim 1, wherein said total depth percentage is in the range of 36.00 to 57.00.

3. The precious stone of claim 1, wherein the total depth percentage is in the range of 40 to 50.

4. The precious stone of claim 1, wherein said crown angle is in the range of 31-34 degrees.

5. The precious stone of claim 1, wherein said pavilion angle is in the range of 31 to 33 degrees.

6. The precious stone of claim 1, wherein said precious stone is a diamond.

7. The precious stone of claim 1, wherein said precious stone has a cushion-cut shape.

8. The precious stone of claim 1, wherein said precious stone has an emerald-cut shape.

9. The precious stone of claim 1, wherein said precious stone has a radiant shape.

10. The precious stone of claim 1, wherein said precious stone has an oval shape.

11. The precious stone of claim 1, wherein said precious stone has a marquise shape.

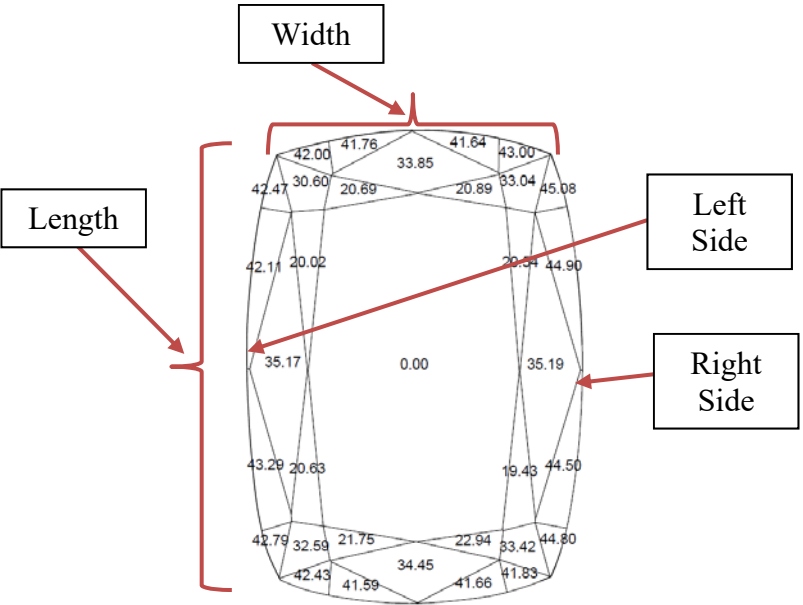
12. The precious stone of claim 1, wherein said precious stone has a princess shape.

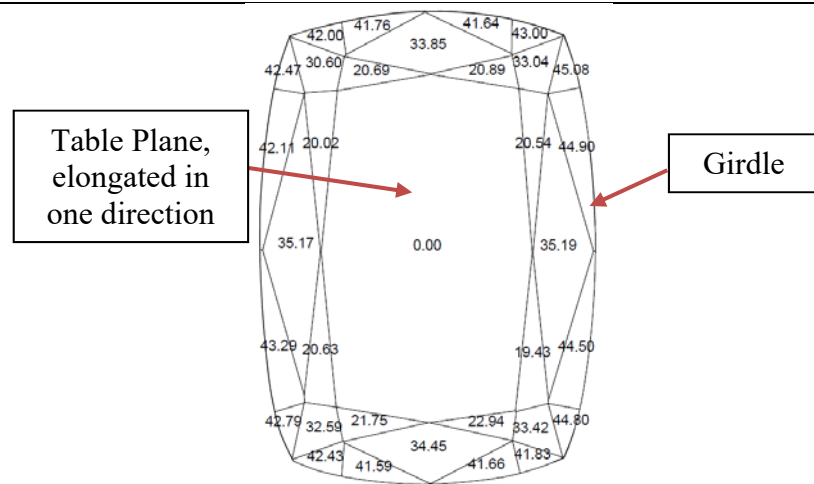
13. The precious stone of claim 1, wherein said crown height percentage in the range of 6-15, said girdle height percentage in the range of 3-5, said table percentage in the range of 70-79, and said total depth percentage in the range of 36-57.

14. The precious stone of claim 13, wherein said crown height percentage is in the range of 8-13, said girdle height percentage is in the range of 3.5-4.5, said table percentage is in the range of 72-77, and said total depth percentage is in the range of 40-50.

* * * * *

EXHIBIT B

Claims of US 9,398,791 (the '791 Patent)	1.50 Carat Stone by HENRI DAUSSI LLC (Accused Product)
1. An oblong precious stone elongated in one direction and defining a length of the precious stone in said one direction and a width in a direction perpendicular to said one direction, the precious stone having a left side and a right side both of which extend along the length of the stone, the precious stone comprising:	The Accused Product includes these basic features. Specifically, shown below is a representation of the Accused Product, which is oblong in shape. The Accused Product includes a length, width, and left and right sides as illustrated below.  The diagram shows a top-down view of an oblong, faceted precious stone. Red arrows and brackets indicate the dimensions: 'Width' points to the top edge, 'Length' points to the left edge, 'Left Side' points to the left edge, and 'Right Side' points to the right edge. The stone is divided into numerous facets, each labeled with a numerical value. The central facet is labeled '0.00'. The values on the facets range from 0.00 to 45.08.
a table having a table plane, elongated in the one direction, a girdle, and said precious stone having a shape and configuration that results in a specific total depth percentage, a specific crown height percentage, a specific girdle height percentage and a specific table percentage;	The Accused Product includes each of these claimed features as identified below.

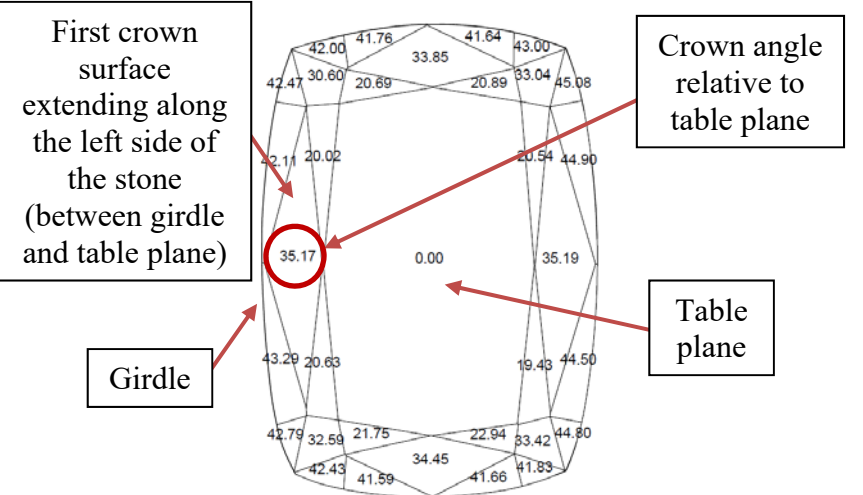
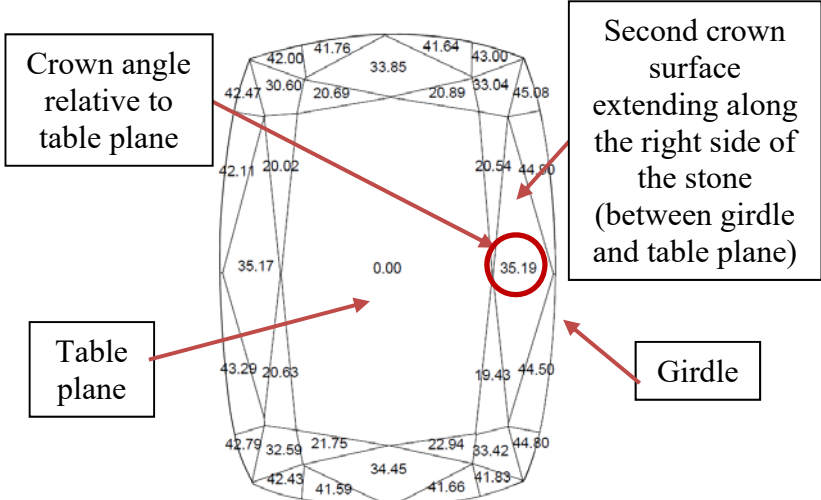


A **depth percentage** is known in the industry as a percentage of a stone's height divided by its width, with a greater depth resulting in a higher depth percentage. Accordingly, any stone with a height and width, such as the Accused Product, includes a specific total depth percentage.

A **crown height percentage** is known in the industry as the crown height divided by the total stone height. Accordingly, any stone with a crown, such as the Accused Product, includes a specific crown height percentage.

A **girdle height percentage** is known in the industry as the girdle height divided by the total stone height. Accordingly, any stone with a girdle, such as the Accused Product, includes a specific girdle height percentage.

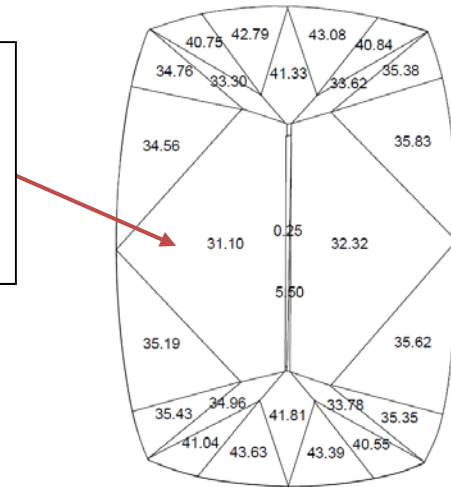
A **table percentage** is known in the industry as the diameter of the table, divided by the average girdle diameter of the stone. Accordingly, any stone with a table, such as the Accused Product,

a first crown surface, elongated in the one direction and extending at the left side of the stone and located between the table and the girdle and extending at a crown angle to the table plane;	includes a specific table percentage. The Accused Product includes each of these claimed features as identified below.  The diagram shows a diamond with various facets labeled with numbers. A red circle highlights the value 35.17, which is the crown angle relative to the table plane. A red arrow points from the label 'First crown surface extending along the left side of the stone (between girdle and table plane)' to the left side of the diamond. Another red arrow points from the label 'Crown angle relative to table plane' to the red circle. A third red arrow points from the label 'Table plane' to the horizontal line representing the table. A fourth red arrow points from the label 'Girdle' to the bottom edge of the diamond.
a second crown surface, elongated in the one direction and extending at the right side of the stone and located between the table and the girdle and opposed to the first crown surface and extending at said crown angle relative to the table plane;	The Accused Product includes each of these claimed features as identified below.  The diagram shows the same diamond as above. A red circle highlights the value 35.19, which is the crown angle relative to the table plane. A red arrow points from the label 'Crown angle relative to table plane' to the red circle. Another red arrow points from the label 'Second crown surface extending along the right side of the stone (between girdle and table plane)' to the right side of the diamond. A third red arrow points from the label 'Table plane' to the horizontal line representing the table. A fourth red arrow points from the label 'Girdle' to the bottom edge of the diamond.

a first pavilion surface, elongated in the one direction and extending at the left side of the stone and at a pavilion angle relative to the table plane;

The Accused Product includes each of these claimed features as identified below.

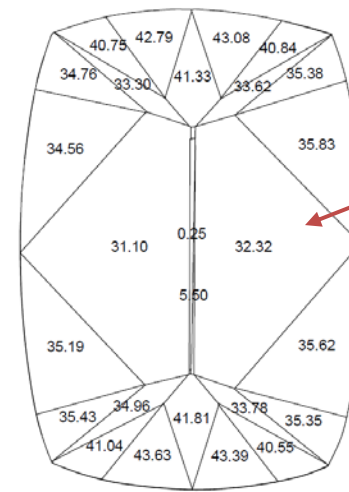
First pavilion surface, elongated in one direction, extending at left side of stone at pavilion angle



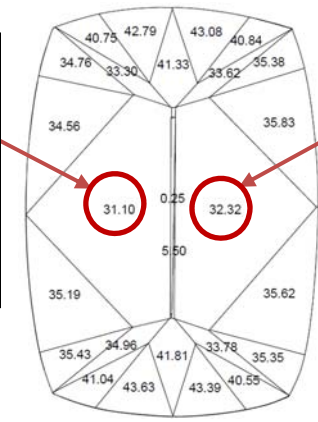
a second pavilion surface, elongated in the one direction and extending at the right side of the stone and extending oppositely to the first pavilion surface and extending at said pavilion angle relative to the table plane;

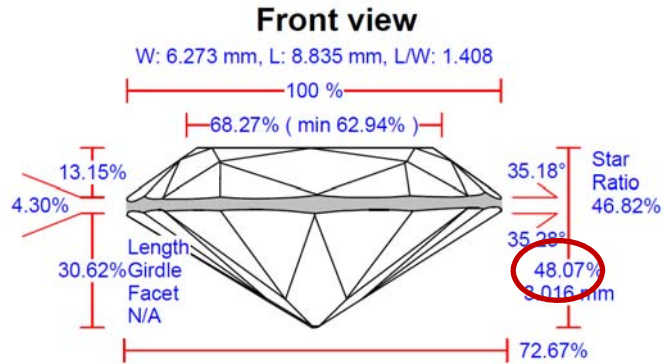
The Accused Product includes each of these claimed features as identified below.

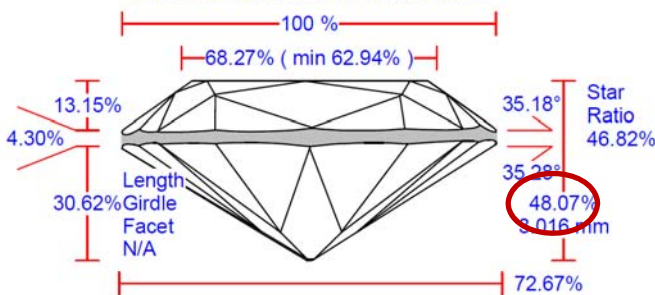
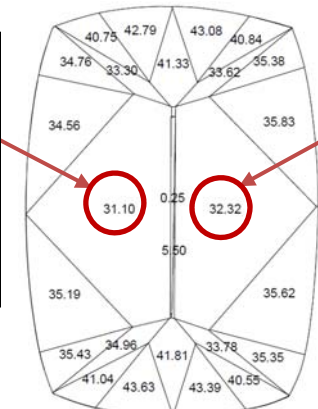
Second pavilion surface, elongated in one direction, extending at right side of stone at pavilion angle

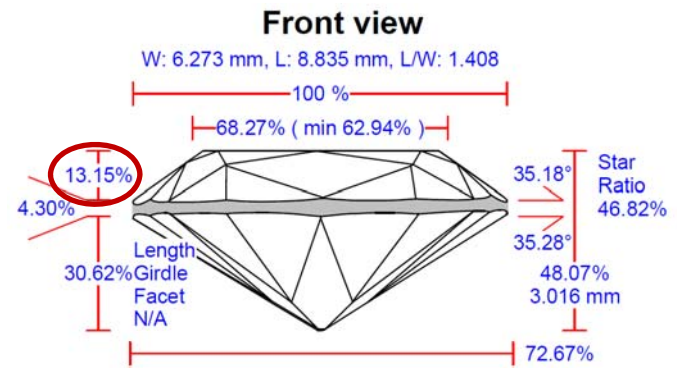


wherein said crown angle is in the range of 30-36 degrees and	The Accused Product includes each of these claimed features as identified below. Crown angle of first crown surface is 35.17 degrees, which is within the claimed range. Crown angle of second crown surface is 35.19 degrees, which is within the claimed range. The Accused Product includes the feature “said crown angle is in the range of 30-36 degrees.” Said crown angle refers to an angle of the first crown surface and an angle of the second crown surface, and that both the angle of the first crown surface and the second crown surface must be between 30-36 degrees. Thus, the Accused Product falls explicitly within this claim feature. In the alternative, this claim limitation is met under the Doctrine of Equivalents. Specifically, the features of the Accused product are insubstantially different from the claimed limitations and perform the same function, in the same way, to achieve the same result as the express limitations noted herein.
wherein said pavilion angle is in the range of 30-34 degrees; and	The Accused Product includes each of these claimed features as

	identified below. Pavilion angle of first pavilion surface is 31.10 degrees, which is within the claimed range.  Pavilion angle of second pavilion surface is 32.32 degrees, which is within the claimed range. The Accused Product includes the feature “said pavilion angle is in the range of 30-34 degrees.” Said pavilion angle refers to an angle of the first pavilion surface and an angle of the second pavilion surface, and that both the angle of the first pavilion surface and the second pavilion surface must be between 30-34 degrees. Thus, the Accused Product falls explicitly within this claim feature. In the alternative, this claim limitation is met under the Doctrine of Equivalents. Specifically, the features of the Accused product are insubstantially different from the claimed limitations and perform the same function, in the same way, to achieve the same result as the express limitations noted herein.
wherein said crown angle and said pavilion angle are so formed that the crown angle is either equal to or larger than said pavilion angle by an angle that does not exceed 6 degrees, to attain increased light amplification.	The Accused Product includes each of these claimed features. Specifically, for each of the left side and the right side of the Accused Product, the crown angle is either equal to or larger than said pavilion angle by an angle that does not exceed 6 degrees. See below for calculations. - Left Side: 35.17 (crown) – 31.10 (pavilion) = 4.07 degrees

	- Right Side: 35.19 (crown) – 32.32 (pavilion) = 2.87 degrees In the alternative, this claim limitation is met under the Doctrine of Equivalents. Specifically, the features of the Accused product are insubstantially different from the claimed limitations and perform the same function, in the same way, to achieve the same result as the express limitations noted herein.
2. The precious stone of claim 1, wherein said total depth percentage is in the range of 36.00 to 57.00.	The Accused Product includes a depth percentage of 48.07% as shown below. This value is within the claimed range of 36.00-57.00 %.  Front view W: 6.273 mm, L: 8.835 mm, L/W: 1.408 100 % 68.27% (min 62.94%) 13.15% 4.30% Length Girdle Facet N/A 30.62% 35.18° Star Ratio 46.82% 35.28° 48.07% 8.016 mm 72.67%
3. The precious stone of claim 1, wherein the total depth percentage is in the range of 40 to 50.	The Accused Product includes a depth percentage of 48.07% as shown below. This value is within the claimed ranged of 40-50%.

	Front view W: 6.273 mm, L: 8.835 mm, L/W: 1.408 
5. The precious stone of claim 1, wherein said pavilion angle is in the range of 31 to 33 degrees.	The Accused Product includes each of these claimed features as identified below. Pavilion angle of first pavilion surface is 31.10 degrees, which is within the claimed range.  Pavilion angle of second pavilion surface is 32.32 degrees, which is within the claimed range. The Accused Product includes the feature “said pavilion angle is in the range of 31-33 degrees.” Thus, the Accused Product falls explicitly within this claim feature. In the alternative, this claim limitation is met under the Doctrine of Equivalents. Specifically, the features of the Accused product are insubstantially different from the claimed limitations and perform the same function, in the same way, to achieve the same result as

	the express limitations noted herein.
6. The precious stone of claim 1, wherein said precious stone is a diamond.	The Accused Product is a diamond, and therefore, meets this claim limitation.
7. The precious stone of claim 1, wherein said precious stone has a cushion-cut shape.	The Accused Product is a cushion cut diamond. Specifically, the Accused Product is an elongated cushion cut diamond. Therefore, the Accused Product meets this claim limitation.
13. The precious stone of claim 1, wherein said crown height percentage in the range of 6-15,	The Accused Product includes a crown height percentage of 13.15% as shown below. This value is within the claimed range of 6-15%.  Front view W: 6.273 mm, L: 8.835 mm, L/W: 1.408 100 % 68.27% (min 62.94%) 13.15% 4.30% 30.62% Length Girdle Facet N/A 35.18° Star Ratio 46.82% 35.28° 48.07% 3.016 mm 72.67%
said girdle height percentage in the range of 3-5,	The Accused Product includes a girdle height percentage of 4.30% as shown below. This value is within the claimed range of 3-5%.

	Front view W: 6.273 mm, L: 8.835 mm, L/W: 1.408 100 % 68.27% (min 62.94%) 13.15% 4.30% 35.18° Star Ratio 46.82% 35.28° 48.07% 3.016 mm 72.67% Length 30.62% Girdle Facet N/A
said table percentage in the range of 70-79, and	The Accused Product includes a table percentage of 68.27% as shown below. This claim limitation is met under the Doctrine of Equivalents. Specifically, the features of the Accused product are insubstantially different from the claimed limitations and perform the same function, in the same way, to achieve the same result as the express limitations noted herein. Front view W: 6.273 mm, L: 8.835 mm, L/W: 1.408 100 % 68.27% (min 62.94%) 13.15% 4.30% 35.18° Star Ratio 46.82% 35.28° 48.07% 3.016 mm 72.67% Length 30.62% Girdle Facet N/A
said total depth percentage in the range of 36-57.	The Accused Product includes a depth percentage of 48.07% as shown below. This value is within the claimed range of 36-57%. Therefore, the Accused Product meets this claim limitation. Front view W: 6.273 mm, L: 8.835 mm, L/W: 1.408 100 % 68.27% (min 62.94%) 13.15% 4.30% 35.18° Star Ratio 46.82% 35.28° 48.07% 3.016 mm 72.67% Length 30.62% Girdle Facet N/A

