

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**XINJIANG HANYUANHENGFENG
XINXIKEJI YOUXIAN GONGSI,**

Plaintiff,

v.

**THE PARTNERSHIPS AND
UNINCORPORATED ASSOCIATIONS
IDENTIFIED ON SCHEDULE “A”,**

Defendants.

Civil Action No. 1:24-cv-8946

JURY DEMAND

ORIGINAL COMPLAINT

Plaintiff Xinjiang Hanyuanhengfeng Xinxikeji Youxian Gongsi (“Plaintiff”) hereby brings this patent infringement action against the Partnerships and Unincorporated Associations identified in Schedule A (collectively, “Defendants”) and alleges as follows:

INTRODUCTION

1. Plaintiff files this action to combat foreign patent infringers who trade upon Plaintiff’s intellectual property rights in the invention and associated business reputation and goodwill by selling and/or offering for sale unlicensed products, namely the shoe-washing laundry bag products shown in Exhibit 1 (“Infringing Products”).

2. The Defendants operate several Amazon storefronts (“Defendant Amazon Stores”) designed to appear to be selling genuine products, while actually selling Infringing Products to unbeknownst consumers. The Defendant Amazon Stores share unique identifiers, such as similar product images and specifications, advertising, design elements, and similarities of the Infringing Products themselves, establishing a logical relationship between them and suggesting that Defendants’ operation arises out of the same transaction, occurrence, or series of transactions or

occurrences. Defendants attempt to avoid liability by going to great lengths to conceal both their identities and the full scope and interworking of their operation.

3. Plaintiff is forced to file this action to combat Defendants' continued infringement of Plaintiff's patent rights, as well as to protect innocent consumers from purchasing Infringing Products on Amazon. Plaintiff has been and continues to be irreparably damaged as a result of Defendants' actions from the loss of its lawful patent rights to exclude others from making, using, selling, offering for sale, and importing its patented invention and seeks injunctive and monetary relief.

JURISDICTION AND VENUE

4. This Court has original subject matter jurisdiction over the claims in this action pursuant to the provisions of the Patent Act, 35 U.S.C. § 1, *et seq.*, 28 U.S.C. § 1338(a)-(b) and 28 U.S.C. § 1331.

5. This Court may properly exercise personal jurisdiction over Defendants since each of the Defendants directly targets business activities toward consumers in the United States, including Illinois, through at least the fully interactive, commercial Defendant Amazon Stores. Specifically, Defendants are reaching out to do business with Illinois residents by operating the Defendant Amazon Stores through which Illinois residents can purchase Infringing Products. Each of the Defendants has targeted sales from Illinois residents by operating online stores that offer shipping to the United States, including Illinois, accept payment in dollars and, on information and belief, has sold Infringing Products to residents of Illinois. Each of the Defendants is committing tortious acts in Illinois, is engaging in interstate commerce, and has wrongfully caused Plaintiff substantial injury in the State of Illinois.

6. Venue is proper in this Court pursuant to 28 U.S.C. § 1391 as Defendants are believed to be related Chinese business entities.

THE PARTIES

7. Plaintiff is a type of foreign limited liability company organized under the laws of the People's Republic of China.

8. Upon information and belief, Defendants are Amazon storefronts operating from China. Defendants conduct business throughout the United States, including within the State of Illinois and this Judicial District, through the Defendant Amazon Stores.

BACKGROUND

9. Plaintiff is the owner by assignment of the United States Patent ("Patent") identified in Exhibit 2.

10. The Patent was filed on September 7, 2014 and duly issued on October 2, 2018.

11. The Patent claims priority to a foreign patent application filed September 11, 2013.

12. The Patent claims an apparatus, system, and method for cleaning and brushing irregular-shaped objects automatically.

13. Plaintiff manufactures and sells their own shoe-washing laundry bag product on the Amazon marketplace under the brand name Teletrogy which embody and practice the Patent.

14. Amazon constitutes Plaintiff's primary sales channel into the United States.

15. The Teletrogy branded products are well established on Amazon and enjoy quality customer reviews and high ratings, earning 4.2 stars out of 5 on over twelve hundred reviews.

16. Listings for Plaintiff's products have received the coveted Amazon's Choice badge, which is awarded to highly rated, well-priced products available to ship immediately.

17. Customers like the performance, cleaning, and shape of Plaintiff's shoe-washing laundry bag. For example, customers mention the bag works great, cleans well, and preserves the life and appearance of shoes.

18. On information and belief, Defendants are under common control of one entity or individual. They are an interrelated group of infringers working in active concert to make, use, offer for sale, sell, and/or import into the United States for subsequent sale or use products that infringe directly and/or indirectly the Patent in the same transaction, occurrence, or series of transactions or occurrences. For example, Defendants all sell and/or offer for sale the same Infringing Products as well as utilize similar if not identical product images and descriptions as shown in Exhibit 1. Tactics used by Defendants to conceal their identities and the full scope of their operation make it virtually impossible for Plaintiff to learn Defendants' true identities and the exact interworking of their network. In the event that Defendants provide additional credible information regarding their identities, Plaintiff will take appropriate steps to amend the Complaint.

19. Defendants go to great lengths to conceal their identities and often use multiple fictitious names and addresses to register and operate their network of Defendant Amazon Stores. On information and belief, Defendants regularly create new Amazon storefronts to allocate potential liability. Such Defendant Amazon Store registration patterns are one of many common tactics used by the Defendants to conceal their identities, the full scope and interworking of their operation, and to avoid being shut down.

20. Even though Defendants operate under multiple fictitious names, there are numerous similarities among the Defendant Amazon Stores. The Defendant Amazon Stores include notable common features beyond selling the exact same infringing product, including the same product images, accepted payment methods, lack of contact information, identically or

similarly priced items and volume sales discounts, the same incorrect grammar and misspellings, and the use of the same text and images.

21. In addition to operating under multiple fictitious names, Defendants in this case and defendants in other similar cases against online infringers use a variety of other common tactics to evade enforcement efforts. For example, infringers like Defendants will often register new online marketplace accounts under new aliases once they receive notice of a lawsuit. Infringers also typically ship products in small quantities via international mail to minimize detection by United States Customs and Border Protection.

22. Further, infringers such as Defendants typically operate multiple credit card merchant accounts and PayPal accounts behind layers of payment gateways so that they can continue operation in spite of Plaintiff's enforcement efforts, such as take down notices. On information and belief, Defendants maintain off-shore bank accounts and regularly move funds from their PayPal accounts or other financial accounts to off-shore bank accounts outside the jurisdiction of this Court. Indeed, analysis of PayPal transaction logs from previous similar cases indicates that offshore infringers regularly move funds from United States based PayPal accounts to China-based bank accounts outside the jurisdiction of this Court.

23. Defendants, without any authorization or license from Plaintiff, have knowingly and willfully offered for sale, sold, and/or imported into the United States for subsequent resale or use products that infringe the Patent, and continue to do so via the Defendant Amazon Stores.

24. Each Defendant Amazon Store offers shipping to the United States, including Illinois, and, on information and belief, each Defendant has sold Infringing Products into the United States, including Illinois.

25. Defendants' infringement of the Patent in the offering to sell, selling, or importing of the Infringing Products is willful.

26. Defendants' infringement of the Patent in connection with the offering to sell, selling, or importing of the Infringing Products, including the offering for sale and sale of Infringing Products in Illinois, is irreparably harming Plaintiff.

COUNT I: PATENT INFRINGEMENT
(35 U.S.C. § 271)

27. Plaintiff hereby re-alleges and incorporates by reference the allegations set forth in the preceding paragraphs.

28. Defendants offer for sale, sell, and/or import into the United States for subsequent resale or use Infringing Products that infringe at least claim 1 of the Patent. An exemplary claim chart showing where each element of claim 1 of the Patent is met and practiced by the Infringing Products is attached as Exhibit 3.

29. Defendants have infringed the Patent through the aforesaid acts and will continue to do so unless enjoined by this Court. Defendants' infringing conduct has caused Plaintiff to suffer irreparable harm resulting from the loss of its lawful patent rights to exclude others from making, using, selling, offering for sale, and importing the patented invention. Plaintiff is entitled to injunctive relief pursuant to 35 U.S.C. § 283.

30. Unless a preliminary and permanent injunction is issued enjoining Defendants and all others acting on in active concert therewith from infringing the Patent, Plaintiff will continue to be irreparably harmed.

31. Plaintiff is entitled to recover damages adequate to compensate for the infringement, but in no event less than a reasonable royalty for the use made of the invention by Defendants, together with interest and costs as fixed by the court, pursuant to 35 U.S.C. § 284.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for relief against Defendants as follows:

- 1) That Defendants, their affiliates, officers, agents, servants, employees, attorneys, confederates, and all persons acting for, with, by, through, under or in active concert with them be temporarily, preliminarily, and permanently enjoined and restrained from:
 - a. offering for sale, selling, and importing any products not authorized by Plaintiff that embody or practice any reproduction, copy or colorable imitation of the Patent;
 - b. aiding, abetting, contributing to, or otherwise assisting anyone in infringing upon the Patent; and
 - c. effecting assignments or transfers, forming new entities or associations or utilizing any other device for the purpose of circumventing or otherwise avoiding the prohibitions set forth in Subparagraphs (a) and (b).
- 2) Those in privity with Defendants and those with notice of the injunction, including, without limitation, any online marketplace platforms such as iOffer, eBay, AliExpress, Alibaba, TEMU, Wish.com, Walmart.com, and Dhgate, web hosts, sponsored search engine or ad-word providers, credit cards, banks, merchant account providers, third party processors and other payment processing service providers, TEMU search engines such as Google, Bing and Yahoo (collectively, “Third Party Providers”) shall:
 - a. disable and cease providing services being used by Defendants, currently or in the future, to engage in the sale of goods that infringe the Patent;
 - b. disable and cease displaying any advertisements used by or associated with Defendants in connection with the sale of infringing goods using the Patent; and

- c. take all steps necessary to prevent links to the Defendant Amazon Stores from displaying in search results, including, but not limited to, removing links to the Defendant Amazon Stores from any search index;

3) That Plaintiff be awarded such damages as it shall prove at trial against Defendants that are adequate to compensate Plaintiff for infringement of the Patent, but in no event less than a reasonable royalty for the use made of the invention by Defendants, together with interest and costs as fixed by the court;

4) An increase of damages up to three times the amount found or assessed, , pursuant to 35 USC § 284;

5) That Plaintiff be awarded its reasonable attorneys' fees and costs; and

6) Any and all other relief that this Court deems just and proper.

DATED: September 25, 2024

Respectfully submitted,

By: /s/ Nicholas Najera

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