

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

FANTTIK INNOVATION INC.,

Plaintiff,

v.

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

Defendants.

Civil Action No.

JURY TRIAL DEMANDED

COMPLAINT

Plaintiff Fanttik Innovation Inc. (“Fanttik” or “Plaintiff”) hereby brings this action against the four Partnerships and Unincorporated Associations identified on Schedule A attached hereto (collectively, “Defendants”) and alleges as follows:

JURISDICTION AND VENUE

1. 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. §101, et seq., 28 U.S.C. § 1338(a)-(b) and 28 U.S.C. § 1331.

2. Venue is proper in this Court pursuant to 28 U.S.C. § 1391, and 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, e-commerce stores¹ operating under the seller aliases identified in Schedule A attached hereto (the “Seller Aliases”). Specifically, Defendants have targeted sales to Illinois residents by setting up and operating e-commerce stores that target United States consumers using one or more Seller Aliases, offer shipping to the United States, including Illinois, accept payment in U.S. dollars and/or funds from U.S. bank accounts, and, on

¹ The e-commerce store URLs are listed on Schedule A hereto under the Online Marketplaces.

information and belief, have sold products featuring Fanttik's patented designs to residents of Illinois. Each of the Defendants is committing tortious acts in Illinois, is engaging in interstate commerce, and has wrongfully caused Fanttik substantial injury in the State of Illinois.

INTRODUCTION

3. This action has been filed by Fanttik to combat e-commerce store operators who trade upon Fanttik's reputation and goodwill by making, using, offering for sale, selling and/or importing into the United States for subsequent sale or use the same unauthorized and unlicensed product, namely the [REDACTED] shown in the claim chart attached as Exhibit B that infringes Fanttik's patented designs, U.S. Patent No. [REDACTED] (the "Infringing Products"). Defendants have created e-commerce stores operating under one or more Seller Aliases that are making, using, offering for sale, selling, and/or importing into the United States for subsequent sale or use Infringing Products to unknowing consumers. Fanttik has filed this action to combat Defendants' infringement of its patented designs, as well as to protect unknowing consumers from purchasing Infringing Products over the Internet. Fanttik has been and continues to be irreparably damaged from the loss of its lawful patent rights to exclude others from making, using, selling, offering for sale, and importing its patented design as a result of Defendants' actions and seeks injunctive and monetary relief.

THE PARTIES

A. Plaintiff

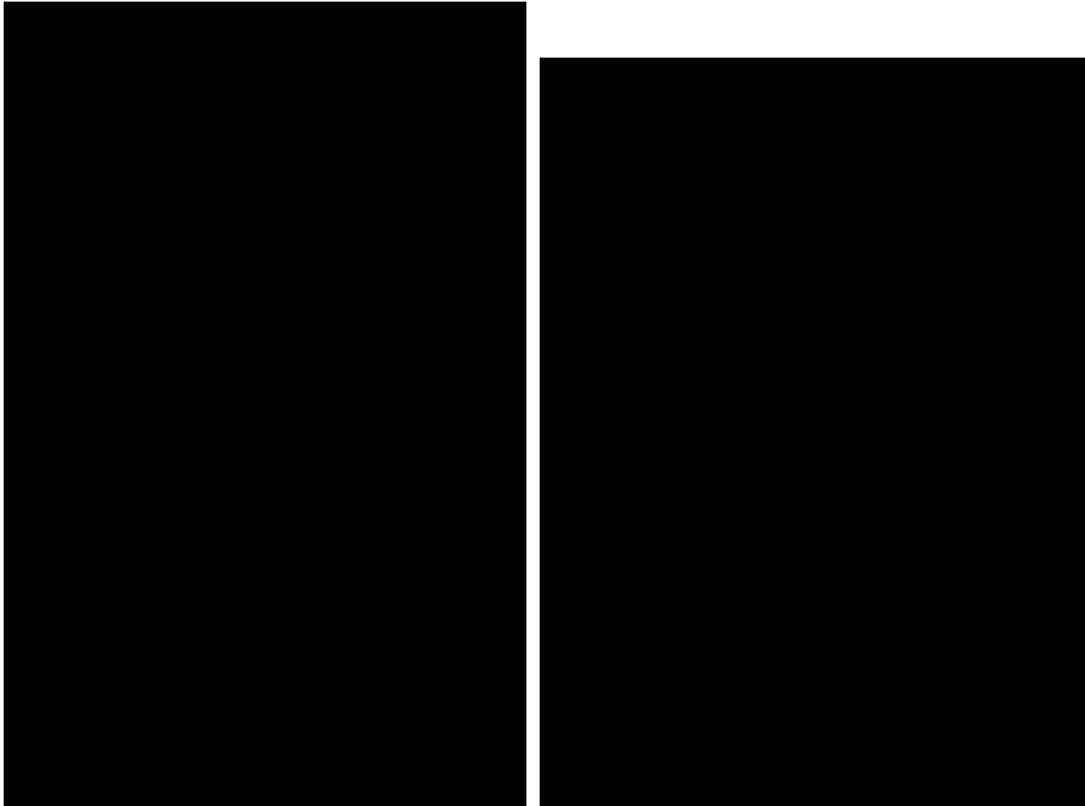
4. Plaintiff Fanttik is a company having its principal place of business at 21700 Copley Dr. Ste 270, Diamond Bar, CA 91765.

5. Plaintiff is the owner of U.S. Design Patent [REDACTED] ("the [REDACTED]") ("the patent-in-suit") attached as Exhibit A.

6. The patent-in-suit has an effective filing date at least as early as [REDACTED], as shown below:

| Patent No. Issue Date | Application No. Filing Date | Foreign Filing Application |
|--------------------------|-----------------------------|----------------------------|
| [REDACTED] | [REDACTED] | [REDACTED] |

7. The [REDACTED] claims an [REDACTED]
[REDACTED].” Figs. 1 and 9, reproduced in part below, show the claimed design:



8. The [REDACTED] states that the “evenly dashed broken lines in the drawings illustrate portions of the [REDACTED] which form no part of the claimed design.” The [REDACTED] further states that the “unevenly dashed broken lines illustrate the boundary of the enlarged views and form no part of the claimed design.”

9. Since 2021, Plaintiff and its affiliates have marketed [REDACTED] covered by the patent-in-suit.

B. Defendants

10. Defendants are individuals and business entities of unknown makeup who own and/or operate one or more of the four e-commerce stores under at least the Seller Aliases

identified on Schedule A and/or other seller aliases not yet known to Fanttik. On information and belief, Defendants reside and/or operate in the People's Republic of China or other foreign jurisdictions with lax intellectual property enforcement systems, or redistribute products from the same or similar sources in those locations. Defendants have the capacity to be sued pursuant to Federal Rule of Civil Procedure 17(b).

11. On information and belief, Defendants either individually or jointly, operate one or more e-commerce stores under the Seller Aliases listed in Schedule A attached hereto. Tactics used by Defendants to conceal their identities and the full scope of their operation make it virtually impossible for Fanttik to discover Defendants' true identities and the exact interworking of their network. If Defendants provide additional credible information regarding their identities, Fanttik will take appropriate steps to amend the Complaint.

DEFENDANTS' UNLAWFUL ACTS

12. Defendants have targeted sales to Illinois residents by setting up and operating ecommerce stores that target United States consumers using one or more Seller Aliases, offer shipping to the United States, including Illinois, accept payment in U.S. dollars and/or funds from U.S. bank accounts, and, on information and belief, have sold Infringing Products to residents of Illinois.

13. Defendants concurrently employ and benefit from substantially similar advertising and marketing strategies. For example, Defendants facilitate sales by designing e-commerce stores operating under the Seller Aliases so that they appear to unknowing consumers to be authorized online retailers, outlet stores, or wholesalers. E-commerce stores operating under the Seller Aliases appear sophisticated and accept payment in U.S. dollars and/or funds from U.S. bank accounts via credit cards, Alipay, Amazon Pay, and/or PayPal. Fanttik has not licensed or authorized Defendants to use the Fanttik Designs, and none of the Defendants are authorized retailers of genuine Fanttik Products.

14. Defendants are collectively causing harm to Plaintiff's goodwill and reputation because the effect of their unlawful actions taken together amplifies each harm and creates a single negative consumer impression. Defendants' activities, occurring at the same time and in the same retail space and manner as one another, blend together to create a single negative impression on consumers such that they constitute the same occurrence or series of occurrences. The combination of all Defendants engaging in the same illegal activity in the same time span causes a collective harm to Plaintiff in a way that individual actions, occurring alone, might not.

COUNT I
INFRINGEMENT OF U.S. DESIGN PATENT NO. [REDACTED] (35 U.S.C. §271)

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

16. Plaintiff is the owner of the [REDACTED].

17. Plaintiff's [REDACTED] is duly issued by the United States Patent and Trademark Office, and under 35 U.S.C. § 282 are presumed valid.

18. Defendants have infringed and will continue to infringe Plaintiff's [REDACTED] by engaging in the acts complained of herein, by offering to sell, selling, and importing products that infringe Plaintiff's [REDACTED], and/or by inducing others to infringe the [REDACTED]. Claim chart comparisons of Infringing Products with the [REDACTED] are provided in Exhibit B.

19. Plaintiff has been and continues to be irreparably injured by Defendants' infringing activities and has no adequate remedy at law.

20. Plaintiff is entitled to an immediate order, temporarily restraining Defendants from offering for sale, selling, marketing, and importing the accused products.

21. Plaintiff is also entitled to an order freezing Defendants' bank accounts used in connection with the sales of the Accused Products, including but not limited to Defendants' accounts for the sale of the Accused Products in the online stores.

22. Plaintiff is entitled to recover damages adequate to compensate for the infringement, including Defendants' profits pursuant to 35 U.S.C. § 289. Plaintiff is entitled to recover any other damages as appropriate pursuant to 35 U.S.C. § 284.

23. Defendants have willfully infringed Plaintiff's [REDACTED], in reckless disregard of Plaintiff's rights.

24. Plaintiff is also entitled to damages for Defendants' acts of infringement, to a finding that this case is exceptional, under 35 U.S.C. § 285, and to three times the amount of such damages pursuant thereto.

25. Plaintiff is also entitled to recover its attorneys' fees and costs from Defendants.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment against Defendants as follows:

A. That Defendants, their affiliates, officers, agents, servants, employees, attorneys, principals, 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 infringing patent-in-suit in violation of 35 U.S.C. § 271;

B. For entry of an Order that, upon Plaintiff's request, those with notice of the injunction, including, without limitation, any payment platforms such as credit cards, PayPal, JCB, Maestro, OXXO, and Diners' Club International, (collectively, the "Third Party Payment Providers") shall disable the accounts used by or associated with Defendants in connection with the sale of the Accused Products, which infringe the patent-in-suit;

C. For entry of an Order that, upon Plaintiff's request, those with notice of the injunction, including without limitation any online marketplace platforms such as eBay,

AliExpress, Alibaba, Amazon, Wish.com, Walmart, Etsy, DHgate, Temu, web hosts, sponsored search engine or ad-word providers, credit cards, banks, merchant account providers, third party processors and other payment processing service providers, Internet search engines such as Google, Bing and Yahoo (collectively, the “Third Party Providers”) shall:

- 1) disable and cease displaying any advertisements used by or associated with Defendants in connection with the sale of the Infringing Products;
- 2) disable and cease providing services being used by Defendants, currently or in the future, to engage in the sale of the Infringing Products; and
- 3) take all steps necessary to prevent links to the Defendant Internet Stores identified on Schedule A from displaying in search results, including, but not limited to, removing links to the Defendant Internet Stores from any search index;

D. Judgment that Plaintiff’s patent-in-suit is valid and enforceable;

E. Judgment that Defendants have infringed and are infringing Plaintiff’s patent-in-suit;

F. That Plaintiff be awarded such damages as it shall prove at trial against Defendants that are adequate to compensate Plaintiff for Defendants’ infringement of the Fanttik Designs, but in no event less than a reasonable royalty for the use made of the invention by the Defendants, together with interest and costs, pursuant to 35 U.S.C. § 284;

G. That Plaintiff be awarded damages pursuant to 35 U.S.C. § 289 for Defendants’ infringement of the patent-in-suit;

H. That this Court find that Defendants have willfully infringed Plaintiff’s patents-in-suit, that this Court find this case exceptional under 35 U.S.C. §285, and award three times actual damages under 35 U.S.C. §284;

I. That Plaintiff be awarded its reasonable attorneys’ fees and costs;

J. For such other and further relief as this Court deems just and proper.

DEMAND FOR JURY TRIAL

Plaintiff hereby demands a jury for all issues so triable.

Date: September 30, 2025

Respectfully submitted,

RIMON, P.C.

/s/ Eric C. Cohen

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