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Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

SUN TAIYANG CO., LTD.

Plaintiff,

v.

**JBS HAIR CORP., and JINNY BEAUTY
SUPPLY CO., INC.**

Defendants.

Civil Action No. _____

DOCUMENT FILED ELECTRONICALLY

JURY TRIAL DEMANDED

Plaintiff Sun Taiyang Co., Ltd. (“Sun”) for its Complaint against Defendants JBS Hair Corp. (“JBS Hair”) and Jinny Beauty Supply Co., Inc. (“Jinny Beauty Supply”) collectively (“Defendants”) hereby states and alleges as follows:

NATURE OF THE ACTION

1. This is an action for patent infringement arising under Title 35 of the United States Code, seeking monetary damages and other relief against Defendants due to Defendants’

infringement of, and Sun's rights to, U.S. Patent No. 8,439,237 ("the '237 Patent" or "Patent-in-suit"). A copy of the '237 Patent is attached to this Complaint as Exhibit A.

PARTIES

2. Plaintiff Sun is a company organized and existing under the laws of the State of New Jersey with its principal place of business at 90 Triangle Boulevard, Carlstadt New Jersey 07072.

3. On information and belief, Defendant JBS Hair Corp. ("JBS Hair") is a company organized and existing under the laws of the State of Georgia with its principal place of business at 3001 McCall Drive, Atlanta Georgia, 30340.

4. On information and belief, Defendant Jinny Beauty Supply Co., Inc. ("Jinny Beauty Supply") is a company organized and existing under the laws of the State of Georgia with its principal place of business at 3587 Oakcliff Road, Doraville, Georgia 30340.

JURISDICTION AND VENUE

5. This Court has jurisdiction over the subject matter of this action pursuant to 28 U.S.C. §§ 1331 and 1338(a).

6. This Court has personal jurisdiction over Defendants by virtue of, *inter alia*, Defendants' minimum contacts with the State of New Jersey and this judicial district as a result of business regularly conducted within the State of New Jersey and this judicial district by Defendants. On information and belief, Defendants have conducted and continue to conduct regular and ongoing business in New Jersey, including but not limited to placing products that infringe the patent-in-suit into the stream of commerce, with the knowledge and/or intent that the infringing products enter New Jersey. On information and belief, Defendants have committed and continue to commit acts of infringement in this District by making, using, importing, offering for sale, and/or selling such infringing products.

7. Venue is proper in this District under 28 U.S.C. §§ 1391 and 1400(b).

THE PATENT IN SUIT

8. On May 14, 2013, the '237 Patent, entitled "Wig Or Hair Piece Box And Form" was duly and legally issued by the United States Patent and Trademark Office ("PTO"). Sun is the

lawful owner by assignment of all rights, title and interest in and to the '237 Patent, including all rights to sue and recover for infringement thereof.

DEFENDANTS' INFRINGING CONDUCT

9. Defendant Jinny Beauty Supply is in the business of making, using, importing, and offering for sale multi-cultural beauty supplies. Indeed, Defendant Jinny Beauty Supply purports to be “the largest multi-cultural beauty and professional salon / barber distributor in the world” according to its website www.jinny.com.

10. Defendant JBS Hair is in the business of making, using, importing, and offering for sale multi-cultural beauty supplies including human and synthetic hair products, wigs, and other hair products.

11. Defendant Jinny Beauty Supply lists Defendant JBS Hair as a related entity on its website www.jinny.com.

12. On information and belief, Defendants have and continue to engage in the activities of making, using, importing, offering for sale, and/or selling Defendants’ “Pink Diamond Petit,” TruHair” and “Petit” products thereby infringing one or more claims of the '237 Patent.

13. On information and belief, Defendants know and intend that customers within the United States and within this District will use said infringing products for their intended purpose.

COUNT ONE
(Infringement of the '237 Patent)

14. Sun incorporates herein by reference all allegations set forth in paragraphs 1 through 19 above.

15. Defendants have infringed and continue to infringe the '237 patent under 35 U.S.C. § 271(a), either literally and/or under the doctrine of equivalents by making, using, offering to sell and selling in the United States, and importing into the United States, products that infringe the '237 patent, including without limitation, the “Pink Diamond Petit,” TruHair” and “Petit” products, without authority or license from Sun.

16. Sun has and continues to be damaged by the Defendants' acts of infringement and will suffer additional damages including irreparable damages and impairment of the value of its patent rights unless Defendants are enjoined from their infringing activities.

17. Defendants have had knowledge of the '237 patent and their infringement of the '237 since at least June 26, 2013.

18. Sun is entitled to recover damages from Defendants to compensate for Defendants' past, present and ongoing infringement.

19. Upon information and belief, Defendants' acts of infringement have been and continue to be committed with full knowledge of Sun's rights in the '237 Patent, and in willful and wanton disregard of Sun's rights, rendering this an exceptional case under 35 U.S.C. § 285.

JURY DEMAND

20. Sun demands a trial by jury of all issues triable of right by jury.

RELIEF SOUGHT

WHEREFORE, Plaintiff Sun respectfully requests:

A) A judgment and decree preliminarily and permanently enjoining Defendants and Defendants' officers, directors, employees, agents and all persons in active concert with them, from infringing the '237 Patent;

B) A judgment and decree that Defendants have infringed and are currently infringing the '237 Patent;

C) An award of damages adequate to compensate Sun for Defendants' past, present and future infringement of the '237 Patent, including pre-judgment and post judgment interest;

D) An award of trebled damages for Defendants' willful infringement of the '237 Patent;

E) A declaration that this an exceptional case under 35 U.S.C. § 285;

F) An award of costs and attorneys' fees incurred in this action; and

G) Any other relief that the Court deems just and proper.

Dated: January 6, 2014

Respectfully submitted,

s/ Todd M. Nosher

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