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 18 *LF Products Pte Ltd., and LF Centennial Limited*

IN THE UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA - EASTERN DIVISION

17	LF PRODUCTS PTE LTD, a Singapore	)	Case No. 16-cv-2120 MWF (KK)
18	corporation, and	)	
19	LF CENTENNIAL LIMITED, a British	)	<b>FIRST AMENDED</b>
20	Virgin Islands corporation,	)	<b>COMPLAINT FOR PATENT</b>
21	Plaintiffs,	)	<b>INFRINGEMENT</b>
22	v.	)	
23		)	<b>DEMAND FOR JURY TRIAL</b>
24	BLUMENTHAL DISTRIBUTING, INC.,	)	
25	a California corporation, d/b/a OFFICE	)	
26	STAR PRODUCTS, and ANJI BOMEI	)	
27	FURNITURE CO. LTD., a Chinese	)	
	corporation, f/k/a ANJI BOMEI	)	
	FURNITURE CO. LTD,	)	
	Defendants.	)	

1 Plaintiffs LF Products Pte Ltd (“LF Products”) and LF Centennial Limited  
2 (“LF Centennial”) (collectively, “Plaintiffs”), for their Complaint against  
3 defendant Blumenthal Distributing Inc. (“Blumenthal Distributing”), doing  
4 business as Office Star Products (“Office Star”) (together, “Blumenthal”), and  
5 defendant Anji Bomei Furniture Co. Ltd. (“Anji Bomei”) (collectively,  
6 “Defendants”), allege as follows:  
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8 **JURISDICTION AND VENUE**

9 1. The Court has original jurisdiction of the federal claims raised herein  
10 pursuant to 28 U.S.C. §§ 1331, 1332 and 1338(a).

11 2. This Court has personal jurisdiction over Defendants. On  
12 information and belief, Defendant Blumenthal Distributing, doing business as  
13 Office Star, regularly conducts business in the State of California and this  
14 District, including through its facility located in the State of California and this  
15 District, and/or has committed acts of patent infringement in the State of  
16 California and this District.

17 3. Upon information and belief, Blumenthal imports into the United  
18 States, and into the State of California and this District, offers to sell, and sells  
19 office furniture. That office furniture includes office chairs for use at home or in  
20 office and/or commercial settings and, in particular, the Bartlett Executive Chair,  
21 including modified versions thereof.

22 4. Upon information and belief, Blumenthal imports, offers to sell, and  
23 sells office chairs into the United States, and into the State of California and this  
24 District, including offers to sell, and selling office chairs, including the Bartlett  
25 Executive Chair and modified versions thereof, to a large national retailer.  
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11. Plaintiffs bring this patent infringement action to protect their intellectual property rights relating to innovative designs for home or office chairs, each having, *inter alia*, a dynamically-flexible back and seat shape that enhances the user’s comfort. As such, each of the patented products is a home or office chair having a dynamically-flexible back and seat to enhance the comfort of one seated in the chair as a user’s position in the chair changes.

12. LF Centennial, together with its affiliates, designs, manufactures and markets office furniture products and spends substantial sums to design and develop new products and develop goodwill in the marketplace.

**THE PARTIES**

13. Plaintiff LF Products is a company organized and existing under the laws of Singapore, with its principal place of business at 10 Raeburn Park, Block A #03-08 Singapore 088702.

14. Plaintiff LF Centennial is a company organized and existing under the laws of the British Virgin Islands, with its registered office at Box 957, Offshore Incorporation Centre, Road Town Tortola, British Virgin Islands.

15. Upon information and belief, Defendant Blumenthal Distributing is a company organized and existing under the laws of the State of California, with its principal place of business at 1901 S. Archibald Avenue, Ontario, California 91761-8548. Blumenthal’s publicly available Internet site is located at [www.officestar.net](http://www.officestar.net).

16. Upon information and belief, Blumenthal Distributing does business as Office Star Products, and purports to have its principal place of business at 1901 S. Archibald Avenue, Ontario, California 91761-8548.





1 upwardly from the chair seat, said lumbar portion having a top, a bottom and a  
2 curved section lying between said top and said bottom and being spaced in front  
3 of said back support by a gap, said lumbar portion rotating back and forth around  
4 said pivot axis and tilting towards the first side of said back support or towards  
5 the opposite side thereof so that the curved section of said lumbar portion moves  
6 into said gap when the user shifts the position of his back against said lumbar  
7 portion.

8           31. Blumenthal’s infringement causes and will continue to cause damage  
9 and irreparable injury unless and until that infringement is enjoined by this Court,  
10 as a remedy at law alone would be inadequate.

11           32. Upon information and belief, Blumenthal has been aware of the ’070  
12 patent since approximately July 2016.

13           33. Upon information and belief, Anji Bomei manufactures the Bartlett  
14 Executive Chair for Defendants in China at its facility located at Building 1,  
15 Yanggaung Industry District, Dipu Street, Anji County, Zhejiang Province.

16           34. Representatives from LF Products communicated with  
17 representatives from Anji Bomei in China regarding the existence of the ’070  
18 Patent and Plaintiffs’ products covered by the ’070 Patent, including its Air Chair.  
19 Through these same communications, Plaintiffs’ representatives put Anji Bomei  
20 on notice that the Bartlett Executive Chair infringed the claims of the ’070 Patent.  
21 These communications happened at least as early as July 2016.

22           35. Upon information and belief, in the course of doing business with  
23 Blumenthal, Anji Bomei informed Blumenthal that the Bartlett Executive Chair  
24 infringed the ’070 Patent.  
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1           36. Upon information and belief, at least as early as July 2016,  
2 Blumenthal was aware that the Bartlett Executive Chair infringed the claims of  
3 the '070 Patent.

4           37. On August 31, 2016, counsel for Plaintiffs wrote to Rick  
5 Blumenthal, President of Blumenthal Distributing, Inc., putting Mr. Blumenthal  
6 and Blumenthal on notice that the importation, offering to sell or selling the  
7 Bartlett Executive Chair infringed the claims of the '070 patent.

8           38. Upon information and belief, Blumenthal knows, and has known for  
9 months, that the Bartlett Executive Chair infringes the claims of the '070 Patent,  
10 and nevertheless continues to import, offer to sell, and sell the Bartlett Executive  
11 Chair in the face of this known risk.

12           39. Upon information and belief, Blumenthal was motivated to imitate  
13 the success of the Plaintiffs' products containing the features patented in the '070  
14 Patent. Upon information and belief, Blumenthal asked that Anji Bomei copy the  
15 patented features of Plaintiffs' products, as well as the product configuration, in  
16 their desire to develop and sell their own copy, the Bartlett Executive Chair, and  
17 improperly benefit from, and trade on, the reputation, goodwill, and commercial  
18 success of the Plaintiffs' patented products, including the Air Chair.

19           40. Blumenthal's infringement of the claims of the '070 Patent has been  
20 egregious, typifying that of a pirate, and represents culpable conduct that goes  
21 beyond typical patent infringement and is, therefore, willful.

22           41. Plaintiffs are entitled to injunctive relief and damages in accordance  
23 with 35 U.S.C. §§ 271, 281, 283, and 284.  
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**COUNT II**

**(PATENT INFRINGEMENT - '411 PATENT)**

42. Plaintiffs re-allege and incorporate the allegations set forth in paragraphs 1-41 above as if fully set forth herein.

43. Upon information and belief, Blumenthal has, after importing certain Bartlett Executive Chairs into the United States, modified and will continue to modify those imported chairs in an attempt, according to representations made by counsel for Blumenthal, to design around the claims of the '070 Patent.

44. In or around October 2016, counsel for Blumenthal notified counsel for Plaintiffs of the modifications to the Bartlett Executive Chair and sent to counsel for Plaintiffs a partial model product that was purported by Blumenthal to be representative of the Bartlett Executive Chair with the attempted design-around modifications (the "First Modified Bartlett Executive Chair") for examination.

45. Upon information and belief, Blumenthal has similarly modified and will continue to modify additional Bartlett Executive Chairs inside and outside of the United States in a purported attempt to design around the claims of the '070 Patent. Upon information and belief, these First Modified Bartlett Executive Chairs are made in China by or in concert with Anji Bomei and are intended for importation into the United States.

46. In or around October 2016, counsel for Plaintiffs notified counsel for Blumenthal that, based on an examination of the partial model of the First Modified Bartlett Executive Chair, the First Modified Bartlett Executive Chair infringed at least claim 1 of the '411 Patent.

47. Then, in or around November 2016, counsel for Blumenthal notified counsel for Plaintiffs of modifications to the Bartlett Executive Chair and/or the

1 First Modified Bartlett Executive Chair that were, according to representations  
2 made by counsel for Blumenthal, made in an attempt to design around both the  
3 '070 Patent and the '411 Patent.

4 48. In or around November 2016, counsel for Blumenthal sent to counsel  
5 for Plaintiffs a partial model product that was purported by Blumenthal to be  
6 representative of the Bartlett Executive Chair and/or the First Modified Bartlett  
7 Executive Chair with the additional attempted design-around modifications (the  
8 "Second Modified Bartlett Executive Chair") for examination. However, the  
9 additional modifications were not sufficient for the Second Modified Bartlett  
10 Executive Chair to avoid infringement of the '411 Patent.

11 49. Upon information and belief, Blumenthal has similarly modified and  
12 will continue to modify additional Bartlett Executive Chairs and/or First Modified  
13 Bartlett Executive Chairs inside and outside of the United States in a purported  
14 attempt to design around the claims of the '070 and '411 Patents. Upon  
15 information and belief, certain units of these Second Modified Bartlett Executive  
16 Chairs are made in China by or in concert with Anji Bomei and are intended for  
17 importation into the United States.

18 50. Upon information and belief, Blumenthal has infringed and will  
19 continue to infringe one or more claims of the '411 Patent, including but not  
20 limited to claim 1, pursuant to 35 U.S.C. § 271(a) at least by, without authority,  
21 importing into the United States, offering to sell, and selling the products referred  
22 to herein as the First and Second Modified Bartlett Executive Chairs, certain units  
23 of which, on information and belief, are made in China by Anji Bomei.

24 51. Upon information and belief, Blumenthal has infringed at least claim  
25 1 of the '411 patent pursuant to 35 U.S.C. § 271(a) at least because the First and  
26 Second Modified Bartlett Executive Chairs each includes a chair comprising a  
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1 back and a seat, said back including a firm back support, an opposing flexible  
2 back rest spaced from said firm back support such that a first air space is created  
3 therebetween, first resilient means comprising a flexible liner carried by said  
4 flexible back rest in opposite facing alignment with said firm back support and  
5 having a top, a bottom and a spring memory, a first pair of ties being spaced from  
6 one another and extending from the top of said flexible liner through said firm  
7 back support for attaching said top to said firm back support, and a second pair of  
8 ties being spaced from one another and extending from the bottom of said flexible  
9 liner through said firm back support for attaching said bottom to said firm back  
10 support, said flexible liner bending between said first and second pairs of ties and  
11 moving with said flexible back rest towards said firm back support and into said  
12 first air space to cause the shape of said chair back to change in response to  
13 compressive forces generated by a user's movements in the chair pushing back  
14 and sliding side-to-side against the flexible back rest, and said flexible liner  
15 expanding between said first and second pairs of ties and moving with said  
16 flexible back rest out of said first air space and away from said firm back support  
17 after the compressive forces generated by the user's movements are terminated,  
18 whereby the chair back returns to its original shape prior to said first resilient  
19 means bending.  
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21 52. Blumenthal's infringement causes and will continue to cause damage  
22 and irreparable injury unless and until that infringement is enjoined by this Court,  
23 as a remedy at law alone would be inadequate.

24 53. Upon information and belief, Blumenthal has been aware of the '411  
25 patent since approximately July 2016 through the same means discussed above  
26 that it became aware of the '070 Patent, which on its face makes express reference  
27 and claims priority to the patent application that became the '411 Patent.

1           54. On information and belief, Blumenthal has been aware of the '411  
2 Patent at least since August 31, 2016, when, as described above, counsel for  
3 Plaintiffs sent correspondence to Rick Blumenthal regarding the '070 Patent,  
4 which on its face makes express reference and claims priority to the patent  
5 application that became the '411 Patent.

6           55. In any event, Blumenthal has been aware of the '411 Patent at least  
7 since October 2016, when counsel for Plaintiff notified counsel for Blumenthal  
8 that the First Modified Bartlett Chair infringed one or more claims of the '411  
9 Patent.

10           56. Upon information and belief, Anji Bomei has manufactured and will  
11 continue to manufacture the First and Second Modified Bartlett Executive Chairs  
12 for Blumenthal in China at its facility located at Building 1, Yanggaung Industry  
13 District, Dipu Street, Anji County, Zhejiang Province.

14           57. Upon information and belief, Anji Bomei has been aware of the '411  
15 patent since at least as early as July 2016 through the same means discussed  
16 above that it became aware of the '070 Patent, which on its face makes express  
17 reference and claims priority to the patent application that became the '411  
18 Patent.

19           58. Upon information and belief, Anji Bomei knows that the products  
20 referred to herein as the First and Second Modified Bartlett Executive Chairs  
21 infringe the claims of the '411 patent.

22           59. Upon information and belief, Blumenthal knows, and has known at  
23 least since it first modified the Bartlett Executive Chair in an attempt to design  
24 around the '070 Patent, that the products referred to herein as the First and  
25 Second Modified Bartlett Executive Chairs infringe the claims of the '411 Patent,  
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1 and nevertheless continues to import, offer to sell, and sell the First and Second  
2 Modified Bartlett Executive Chairs in the face of this known risk.

3 60. Upon information and belief, Blumenthal was motivated to imitate  
4 the success of the Plaintiffs’ products containing the features patented in the ’411  
5 Patent. Upon information and belief, Blumenthal asked that Anji Bomei copy the  
6 patented features of the chairs, as well as the product configuration, in their desire  
7 to develop and sell their own copy and improperly benefit from, and trade on, the  
8 reputation, goodwill, and commercial success of the Plaintiffs’ patented products.

9 61. Blumenthal’s infringement of the claims of the ’411 Patent has been  
10 egregious, typifying that of a pirate, and represents culpable conduct that goes  
11 beyond typical patent infringement and is, therefore, willful.

12 62. Plaintiffs are entitled to injunctive relief and damages in accordance  
13 with 35 U.S.C. §§ 271, 281, 283, and 284.

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15 **COUNT III**

16 **(INDUCEMENT OF PATENT INFRINGEMENT - ’411 PATENT)**

17 63. Plaintiffs re-allege and incorporate the allegations set forth in  
18 paragraphs 1-62 above as if fully set forth herein.

19 64. Blumenthal has infringed and will continue to infringe the ’411  
20 Patent by inducing direct infringement of the ’411 Patent by a large national  
21 retailer.

22 65. As set forth above, Blumenthal was aware of the ’411 Patent at least  
23 through its communication with its Chinese manufacturer Anji Bomei, through  
24 the correspondence sent by counsel for Plaintiffs to Rick Blumenthal, and through  
25 the correspondence sent by counsel for Plaintiffs to counsel for Blumenthal.  
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1           66. Upon information and belief, Blumenthal was aware that its actions  
2 of importation, offering to sell, and selling the First and Second Modified Bartlett  
3 Executive Chairs infringe the claims of the '411 Patent.

4           67. As set forth above, in October 2016, counsel for Plaintiffs put  
5 Blumenthal on notice of their infringement when they specifically notified  
6 Blumenthal that its First Modified Bartlett Executive Chairs infringed at least  
7 claim 1 of the '411 Patent.

8           68. In or around November 2016, counsel for Blumenthal notified  
9 counsel for Plaintiffs that, in view of the attempts to design around the '070 and  
10 '411 Patents, as set forth above, neither the Bartlett Executive Chair nor the First  
11 Modified Bartlett Executive Chair would be offered for sale, sold, or otherwise  
12 distributed to a large national retailer, as Blumenthal had previously planned to  
13 do.

14           69. Upon information and belief, Blumenthal is importing, offering to  
15 sell and selling the infringing Second Modified Bartlett Executive Chair product  
16 to a large national retailer for retail sales to its customers by way of both online  
17 and in-store sales channels within the United States and this District.

18           70. Upon information and belief, Blumenthal has entered into a contract  
19 to supply the Second Modified Bartlett Executive Chair to a large national retailer  
20 in the United States and this District.

21           71. By Blumenthal importing, offering to sell, and selling the Second  
22 Modified Bartlett Executive Chair to a large national retailer, Blumenthal is  
23 knowingly inducing that large national retailer to infringe the claims of '411  
24 Patent by that large national retailer's own conduct of offering to sell and selling  
25 the Second Modified Bartlett Executive Chair to its customers in the United  
26 States.  
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1           4. That Defendants be required to prepare and deliver to the Court a full  
2 accounting of all products known as and referred to herein as the Bartlett  
3 Executive Chair and the First and Second Modified Bartlett Executive Chairs,  
4 whether known by any other name or any insubstantially different variations  
5 thereon, including the price at which they were sold, the date sold and a profit and  
6 loss statement for each year in which any infringing activities took place.

7           5. That Defendants be required to destroy all products known as and  
8 referred to herein as the Bartlett Executive Chair and the First and Second  
9 Modified Bartlett Executive Chairs, whether known by any other name or any  
10 insubstantially different variations thereon before a representative of the  
11 Plaintiffs.

12           6. That Defendants be required to prepare and deliver to the Court a  
13 complete list of entities to whom such Defendants have imported, sold or offered  
14 to sell the products known as and referred to herein as the Bartlett Executive  
15 Chair and the First and Second Modified Bartlett Executive Chairs, whether  
16 known by any other name or any insubstantially different variations thereon.

17           7. That Defendants, within thirty days after receiving notice of entry of  
18 judgment, be required to file with the Court and serve upon Plaintiffs' counsel a  
19 written report under oath setting forth in detail the manner in which Defendants  
20 have complied with Paragraphs 1 through 6, immediately above.

21           8. That Defendants account for and pay over to Plaintiffs damages  
22 sustained by Plaintiffs, directly and indirectly, adequate to compensate for its  
23 infringement pursuant to 35 U.S.C. § 284.

24           9. That Defendants' infringement of the LF Patents be found willful  
25 and that treble damages, together with interest and costs, be awarded under 35  
26 U.S.C. § 284, or as otherwise permitted by law.  
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10. That Plaintiffs be awarded all costs and expenses in this action under 28 U.S.C. § 1920 and under Federal Rule of Civil Procedure 54(d).

11. That the present case be found exceptional and that attorney fees be awarded to Plaintiffs under 35 U.S.C. § 285, or as otherwise permitted by law.

12. That Plaintiffs have such other and further relief as the Court may deem equitable.

DATED this 19th day of December, 2016,

Respectfully submitted,

STALWART LAW GROUP

/s/ Dylan Ruga  
Dylan Ruga

SEED IP LAW GROUP PLLC  
Michael P. Hogan  
Thomas A. Shewmake  
Marc C. Levy

*Attorneys for Plaintiffs LF Products Pte Ltd., and LF Centennial Limited*

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**DEMAND FOR JURY TRIAL**

Plaintiffs demand a jury trial on all issues for which a jury trial is permitted.

DATED this 19th day of December, 2016,

Respectfully submitted,

STALWART LAW GROUP

/s/ Dylan Ruga  
Dylan Ruga

SEED IP LAW GROUP PLLC  
Michael P. Hogan  
Thomas A. Shewmake  
Marc C. Levy

*Attorneys for Plaintiffs LF Products Pte Ltd., and LF Centennial Limited*