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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII**

AOREN ENDEAVORS LLC , a Hawaii Limited Liability Company; Plaintiff, vs. Catch 40 Winks, LLC , a California Limited Liability Company, Defendant.	COMPLAINT Case No. 1-17-cv-217 (JURY DEMAND)
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Plaintiff Aoren Endeavors LLC (“Aoren”) complains against Defendant Catch 40 Winks, LLC (“40 Winks”) and alleges as follows:

PARTIES

1. Aoren is a Hawaii limited liability company existing under the laws of the State of Hawaii, and having its principal place of business at 92-1017 Palailai Pl., Kapolei, Hawaii.
2. On information and belief, 40 Winks is a California limited liability company with its principal place of business at 985 Hancock Ave., West Hollywood, California, and at www.40winkstravel.com.

JURISDICTION AND VENUE

3. This is an action for patent infringement under 35 U.S.C. § 271. This court has original subject matter jurisdiction over this controversy pursuant to 28 U.S.C. §§ 1331 and 1338(a).

4. This Court has personal jurisdiction over 40 Winks because, upon information and belief, 40 Winks has transacted business in this district relating to the subject matter of this lawsuit, including selling, offering for sale, and/or advertising products such as travel neck pillows accused of infringement in this complaint, has placed the accused products into the stream of commerce, and has caused damage to Aoren in the State of Hawaii. Upon information and belief, 40 Winks sells these products via its interactive website (www.40winkstravel.com) and via e-commerce websites such as Amazon.com.

5. Venue is proper in this district pursuant to 28 U.S.C. § 1391 because this Court has personal jurisdiction over 40 Winks.

GENERAL ALLEGATIONS

THE PATENTS-IN-SUIT

6. Aoren is the owner of all right, title, and interest in and to U.S. Patent No. 9,408,471 (“the ’471 patent” and/or the “the Patent-in-Suit”), entitled “Counterweight Pillow Sling Sleep Aid.” The ’471 patent was filed on October 16, 2013, and granted on August 9, 2016. A true and correct copy of the ’471 patent is attached as Exhibit A.

7. The ’471 patent covers a travel pillow that may provide support for one side of the person’s head and/or neck through a pillow, and a strap connected to the pillow, which strap may be placed across the body and hold one or both forearms.

8. Aoren is a growing business practicing the ’471 patent in its commercialization of such a travel pillow, which it calls the “Dream Sling.”

9. Aoren is the sole retailer of its patented Dream Sling travel pillow product.

10. Aoren has invested substantial time and resources into developing its '471 patent and the Dream Sling.

40 WINKS'S INFRINGING PRODUCT

11. Upon information and belief, 40 Winks makes, uses, sells, and offers for sale a product called 40 Winks Travel Neck Pillow that infringes the Patent-in-Suit ("Infringing Product"), which is in direct competition with Aoren's Dream Sling travel pillow. A true and correct screenshot of 40 Winks's Infringing Product being offered for sale on Amazon.com is attached as Exhibit B.

12. The Infringing Product supports one side of the head or neck in a direction toward the one shoulder, has a strap having a length between respective ends, the strap being connected to opposite ends of the pillow, and is positionable around the one shoulder on front and back sides of the person to form a loop. The Infringing Product further has a lower sling portion configured to support at least one of the person's forearms as a sling, dispersing forces across a non-localized area of the at least one forearm. Moreover, the pillow and strap of the Infringing Product operate together so that when the forearm rests on the lower sling portion and the pillow is placed against the side of the head and/or neck of the person on the one shoulder, the weight of the forearm generates a force on the pillow that is transferred to the neck, head, and/or shoulders of the person.

13. Aoren has not granted a license or given any other authorization to 40 Winks to make, use, offer for sale, or sell any products covered by the '471 patent.

FIRST CAUSE OF ACTION **(PATENT INFRINGEMENT)**

14. Aoren re-alleges and incorporates by reference all of the foregoing paragraphs.

15. Aoren is the owner of the '471 patent, which is valid and enforceable.

16. 40 Winks has infringed and continues to infringe the Patent-in-Suit by making, using, selling, and offering for sale the Infringing Product throughout the United States, including within Hawaii, as well as within this District in violation of 35 U.S.C. § 271.

17. For example, 40 Winks directly infringes at least Claim 1 of the '471 patent by making, using, selling, and offering for sale the Infringing Product.

18. As a result of 40 Winks's infringement of the Patent-in-Suit, Aoren has suffered and continues to suffer substantial injury and is entitled to recover all damages caused by 40 Winks's infringement of the Patent-in-Suit to the fullest extent the Patent Act allows, together with prejudgment interests and costs for 40 Winks's wrongful conduct.

19. Aoren has no adequate remedy at law to prevent future infringement of the Patent-in-Suit. Aoren suffers and continues to suffer irreparable harm as a result of 40 Winks's patent infringement and is, therefore, entitled to preliminary and permanent injunctive relief to enjoin 40 Winks's wrongful conduct.

20. 40 Winks has knowledge of the Patent-in-Suit. Upon information and belief, 40 Winks committed, and continues to commit, its infringing acts with knowledge of the Patent-in-Suit, despite an objectively high likelihood that its actions constituted infringement. 40 Winks's infringement has, thus, been willful, intentional, and purposeful.

PRAYER FOR RELIEF

WHEREFORE, Aoren respectfully requests judgment against 40 Winks as follows:

A. That the Court enter judgment that the Patent-in-Suit has been and continues to be infringed by 40 Winks under 35 U.S.C. § 271;

B. That the Court enter a preliminary and a permanent injunction prohibiting 40 Winks and all of its officers, directors, principals, agents, employees, successors, assigns, and anyone else

acting in concert or active participation therewith, from making, using, advertising, selling, and offering for sale the Infringing Product and from otherwise infringing the Patent-in-Suit;

C. That the Court enter judgment in favor of Aoren and against 40 Winks for monetary damages to compensate it for 40 Winks's infringement of the Patent-in-Suit pursuant to 35 U.S.C. § 284, including costs and pre-judgment interest as allowed by law;

D. That the Court enter judgment in favor of Aoren and against 40 Winks for accounting and/or supplemental damages for all damages occurring after any discovery cutoff and through the Court's entry of final judgment;

E. That the Court enter judgment that damages be trebled due to 40 Winks's willful infringement;

F. That the Court enter judgment that this case is exceptional under 35 U.S.C. § 285 and enter an award to Aoren of its costs and attorneys' fees; and

G. That the Court award Aoren all further relief as the Court deems just and proper.

JURY DEMAND

Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Aoren demands that all claims and causes of action raised in this Complaint against 40 Winks be tried to a jury on all issues so triable.

DATED this 17th day of May, 2017.

Respectfully Submitted,

/s/ Steven R. Gray

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