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Eagle Eyes Traffic Industry USA Holding LLC

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

EAGLE EYES TRAFFIC INDUSTRY USA
HOLDING LLC, a Chinese company,

Plaintiff,

vs.

JL CONCEPTS INC. dba GT RACERS, a
California Corporation; and DOES 1
through 50, inclusive.

Defendants.

Case No.

COMPLAINT FOR PATENT
INFRINGEMENT

DEMAND FOR JURY TRIAL



1 Plaintiff Eagle Eyes Traffic Industry USA Holding LLC (“Eagle Eyes”) presents the following
2 allegations and facts in support of this Complaint and demands a jury trial on all causes of action stated
3 herein against the named Defendant as follows:

4 **JURISDICTION AND VENUE**

5 1. This is a civil action for infringement of a patent, arising under the laws of the United
6 States relating to patents, including, without limitation, 35 U.S.C. § 101, et seq., 35 U.S.C. § 271 and §
7 281. Plaintiffs seek preliminary and permanent injunctions and monetary damages for patent
8 infringement.

9 2. This Court has subject matter jurisdiction over this case for patent infringement under 28
10 U.S.C. §§ 1331 and 1338(a) and pursuant to the patent laws of the United States of America, 35 U.S.C.
11 § 101, et seq.

12 3. Venue properly lies within the Central District of California pursuant to 28 U.S.C.
13 sections 1391(b) and (c); 28 U.S.C. section 1400; and 18 U.S.C. section 1965. On information and
14 belief, Defendant conducts substantial business directly and through third parties or agents in this
15 judicial district by selling and offering to sell the infringing products and by conducting other business
16 in this judicial district. Furthermore, Plaintiffs have been harmed by Defendant’s conduct, business
17 transactions and sales in this district.

18 4. This Court has personal jurisdiction over Defendant because, on information and belief,
19 Defendant transacts continuous and systematic business within the State of California and the Central
20 District of California. In addition, this Court has personal jurisdiction over the Defendant because, on
21 information and belief, this lawsuit arises out of Defendant’s infringing activities, including, without
22 limitation, the making, using, selling and/or offering to sell infringing products in the State of California
23 and the Central District of California. Finally, this Court has personal jurisdiction over Defendant
24 because, on information and belief, Defendant has made, used, sold and/or offered for sale its infringing
25 products and placed such infringing products in the stream of interstate commerce with the expectation
26 that such infringing products would be made, used, sold and/or offered for sale within the State of
27 California and the Central District of California.
28



1 Patent”). The patent’s named inventor is Ching-Tsung Lai, and Plaintiff Eagle Eyes is the assignee and
2 owner of the entire right, title, and interest in and to the ‘966 Patent and vested with the right to bring
3 this suit for damages and other relief. A true and correct copy of the ‘966 Patent and its respective
4 assignments are attached hereto as **Exhibit “B.”**

5 11. On June 10, 2014, the United States Patent and Trademark office, duly and legally issued
6 United States Design Patent No. D706,967, entitled “Light Guide Bar For Vehicle Lamp” (“the ‘967
7 patent”). The patent’s named inventor is Ching-Tsung Lai, and Plaintiff Eagle Eyes is assignee and
8 owner of the entire right, title, and interest in and to the ‘967 Patent and vested with the right to bring
9 this suit for damages and other relief. A true and correct copy of the ‘967 Patent and its respective
10 assignments are attached hereto as **Exhibit “C.”**

11 12. The ‘040 Patent, ‘966’ Patent, and ‘967 Patent are collectively referred to as the
12 “Patented Designs.”

13 **DEFENDANT’S INFRINGEMENT OF EAGLE EYES’ PATENTS**

14 13. The Defendant’s accused products for purposes of the asserted patents include the
15 Defendant’s projection headlights incorporating the Patented Designs.

16 14. In particular, Defendant copied from Eagle Eye’s Patented Designs in designing its
17 “2007-2014 GMC Sierra 1500/2500 Chrome Drl U-Halo Led Projector Headlights.”

18 **COUNT ONE**

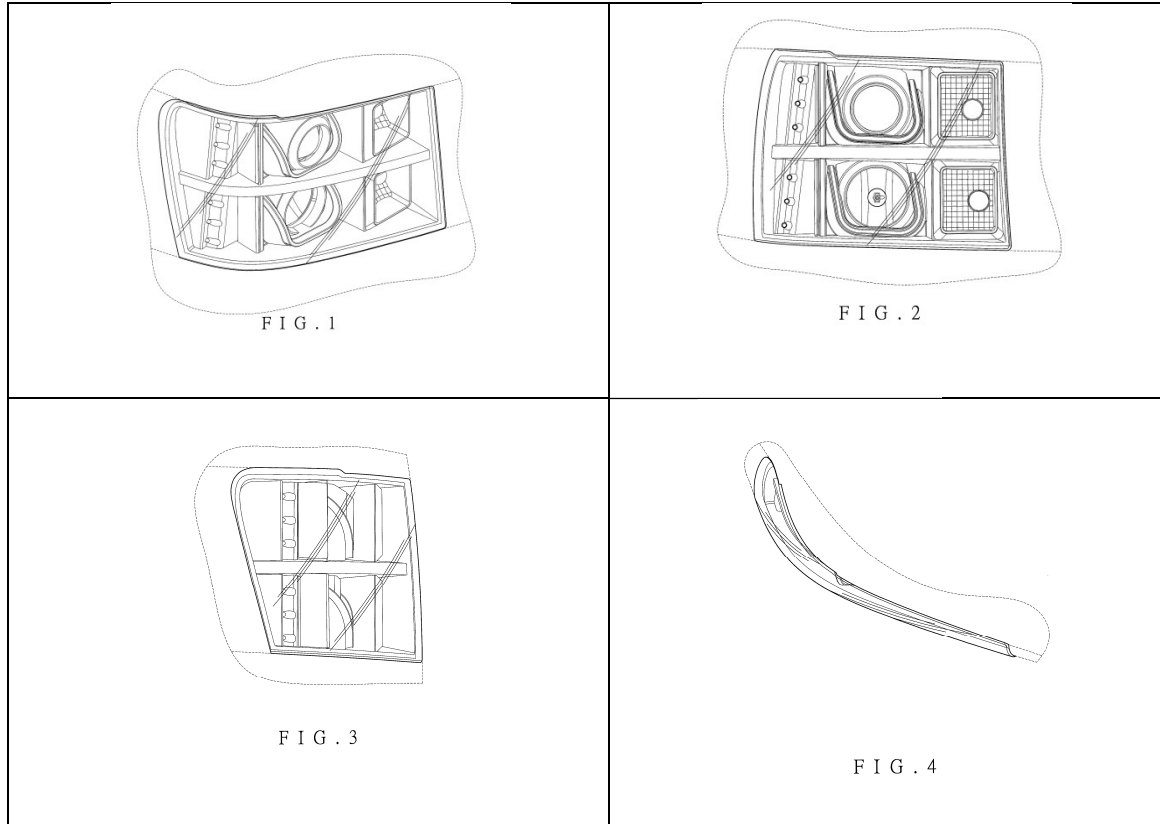
19 **INFRINGEMENT OF THE ‘040PATENT BY DEFENDANT**

20 15. Plaintiff re-alleges and incorporates by reference each of the allegations set forth in
21 paragraphs 1 through 14 above.

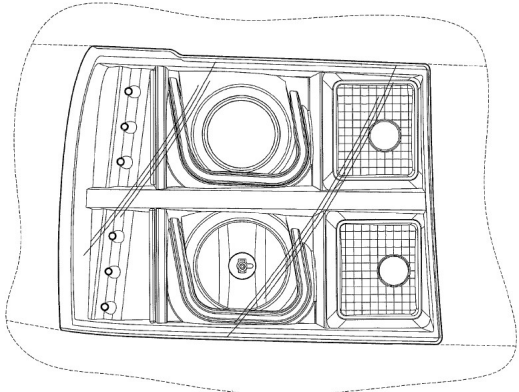

22 16. Defendant has knowledge of infringement of the ‘040 Patent since at least the filing of
23 this complaint.

24 17. Design Patent ‘040 has one single claim directed to the ornamental design for an exterior
25 surface configuration of a vehicular headlight as shown below:
26
27
28





18. Defendant JLC copied the design for its 2007-2014 GMC Sierra 1500/2500 Chrome Drl U-Halo Led Projector Headlights from the headlight design of the '040 Patent. A side-by-side comparison of the '040 Patented design and an exemplary specimen of Defendant JC Concept's headlight is shown below, with the photograph of the exemplary Defendant JL Concepts:

Eagle Eyes' D690,040 Patent	JL Concepts' GT Racers Headlight
 <p>FIG. 2</p>	

1
2 19. As depicted above, the headlight design of the Defendant's 2007-2014 GMC Sierra
3 1500/2500 Chrome Drl U-Halo Led Projector Headlights is the same or substantially the same as the
4 headlight design of the Plaintiff's '040 Patent. The headlight designs are so similar in overall impression
5 as to be nearly identical such that an ordinary observer, giving such attention as a purchaser usually
6 gives, would be so deceived by the substantial similarity between the designs so as to be induced to
7 purchase Defendant JL Concepts' GT Racer products believing them to be substantially the same as the
8 headlight design protected by the '040 Patent.

9 20. Plaintiff has not granted a license or any other authorization to Defendant JL Concepts to
10 make use, offer for sale, sell or import headlights that embody the headlight design patented in the '040
11 Patent and which is proprietary to Plaintiff.

12 21. Plaintiff alleges upon information and belief that, without authority, Defendant has
13 infringed and will continue to infringe the '040 patent by, *inter alia*, making, using, offering to sell, or
14 selling in the United States, including in the State of California and within this District, products
15 infringing the ornamental design covered by the '040 patent in violation of 35 U.S.C. § 271, including
16 but not limited to Defendant JL Concepts' 2007-2014 GMC Sierra 1500/2500 Chrome Drl U-Halo Led
17 Projector Headlights.

18 22. Defendant JL Concepts infringes the '040 patent because, *inter alia*, in the eye of an
19 ordinary observer, giving such attention as a purchaser usually gives, the headlight design of the '040
20 patent and the headlight designs of Defendant JL Concepts' products including without limitation the
21 headlight designs of the 2007-2014 GMC Sierra 1500/2500 Chrome Drl U-Halo Led Projector
22 Headlight products are substantially the same, the resemblance being such as to deceive such an
23 ordinary observer, inducing him to purchase one supposing it to be the other.

24 23. Defendant JL Concepts' acts of infringement of the '040 patent were undertaken without
25 authority, permission or license from Plaintiff. Defendant JL Concepts' infringing activities violate 35
26 U.S.C. § 271.

27 24. Plaintiff is informed and believes that Defendant intentionally sells, ships or otherwise
28 delivers the accused products in the United States, with knowledge that are designed to and do practice
the infringing features of the '040 Patent.

25. Plaintiff is without an adequate remedy at law and has thus been irreparably harmed by these acts of infringement. Plaintiff asserts upon information and belief that infringement of the asserted claims of the '040 Patent is continuous and ongoing unless and until Defendant is enjoined from further infringement by the Court.

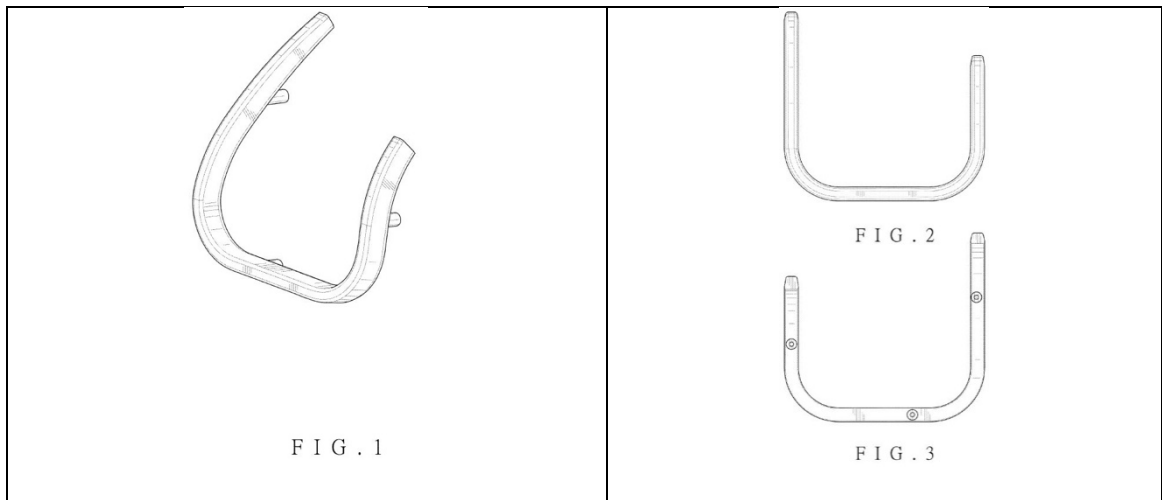
COUNT TWO

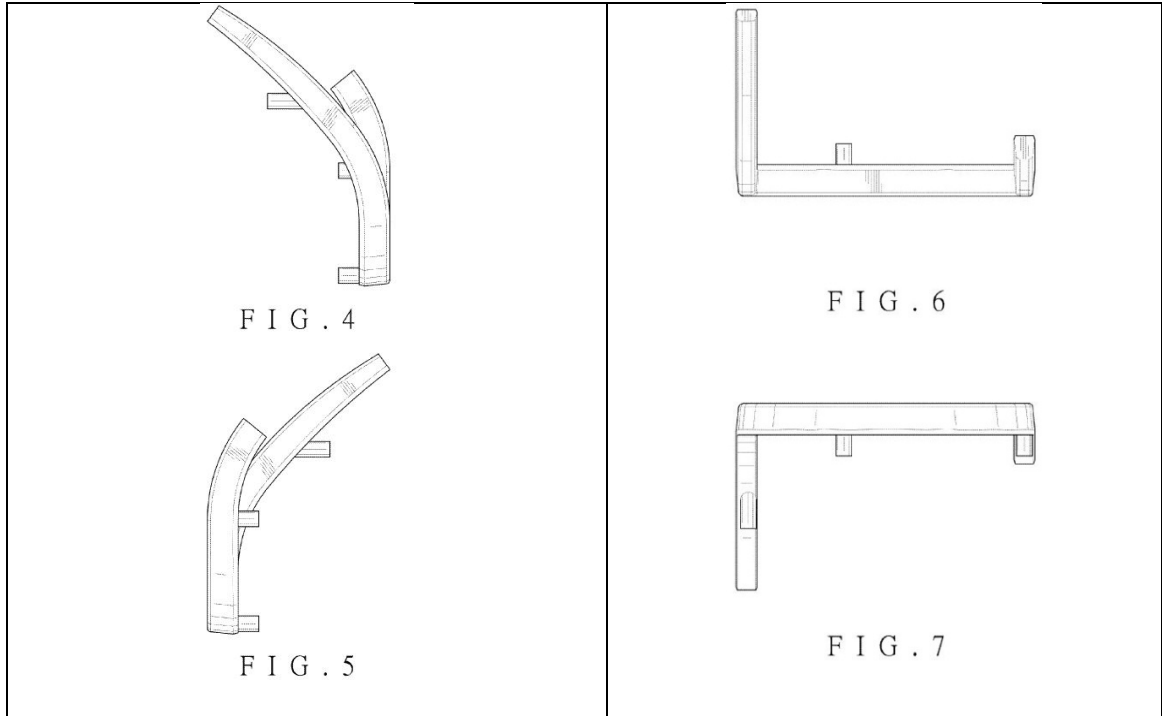
INFRINGEMENT OF THE '966 PATENT BY DEFENDANT

26. Plaintiff re-alleges and incorporates by reference each of the allegations set forth in paragraphs 1 through 25 above.

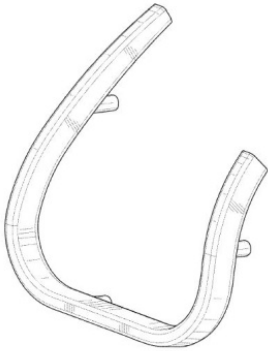

27. Defendant has knowledge of infringement of the '966 Patent since at least the filing of this complaint.

28. Design Patent '966 has one single claim directed to the ornamental design for a light guide bar for a vehicle lamp as shown below:





29. Defendant JL Concepts copied the design of the U-Bar Light Guide Bar from the design of the '966 Patent. A side-by-side comparison of the '966 patented design and an exemplary specimen of Defendant JL Concepts' U-Bar Light Guide Bar is shown below:

Eagle Eye's D706,966	JL Concepts' GT Racers Light Guide Bar
 <p>FIG. 1</p>	

1 30. As shown in the pictures, the Light Guide Bar of Defendant is the same or substantially
2 the same as the design of the '966 patent. The Light Guide Bar designs are so similar as to be nearly
3 identical such that an ordinary observer, giving such attention as a purchaser usually gives, would be so
4 deceived by the substantial similarity between the designs so as to be induced to purchase Defendant JL
5 Concepts' products believing them to be substantially the same as the Light Guide Bar protected by the
6 '966 Patent.

7 31. Plaintiff has not granted a license or any other authorization to Defendant JL Concepts to
8 make use of, offer for sale, sell or import headlights that embody the Light Guide Bar design patented in
9 the '966 Patent and which is proprietary to Plaintiff.

10 32. Plaintiff alleges upon information and belief that, without authority, Defendant has
11 infringed and will continue to infringe the '966 patent by, *inter alia*, making, using, offering to sell, or
12 selling in the United States, including in the State of California and within this District, products
13 infringing the ornamental design covered by the '966 Patent in violation of 35 U.S.C. § 271, including
14 but not limited to Defendant JL Concepts' Light Guide Bar incorporated in its 2007-2014 GMC Sierra
15 1500/2500 Chrome Drl U-Halo Led Projector Headlights.

16 33. Defendant JL Concepts infringes the '966 Patent because, *inter alia*, in the eye of an
17 ordinary observer, giving such attention as a purchaser usually gives, the Light Guide Bar design of the
18 '966 Patent and the light guide bar designs of Defendant JL Concepts' products including without
19 limitation the Light Guide Bar designs incorporated in its headlight of the 2007-2014 GMC Sierra
20 1500/2500 Chrome Drl U-Halo Led Projector Headlight products are substantially the same, the
21 resemblance being such as to deceive such an ordinary observer, inducing him to purchase one
22 supposing it to be the other

23 34. Defendant JL Concepts' acts of infringement of the '966 Patent were undertaken without
24 authority, permission or license from Plaintiff. Defendant JL Concepts' infringing activities violate
25 U.S.C. § 271.

26 35. Plaintiff is informed and believes that Defendant intentionally sells, ships or otherwise
27 delivers the accused products in the United States, which products imitate and in fact infringe upon the
28 features of the '966 Patent.



36. Plaintiff is without an adequate remedy at law and has thus been irreparably harmed by these acts of infringement. Plaintiff asserts upon information and belief that infringement of the asserted claims of the '966 Patent is continuous and ongoing, and will continue to harm Plaintiff unless and until Defendant is enjoined from further infringement by the Court.

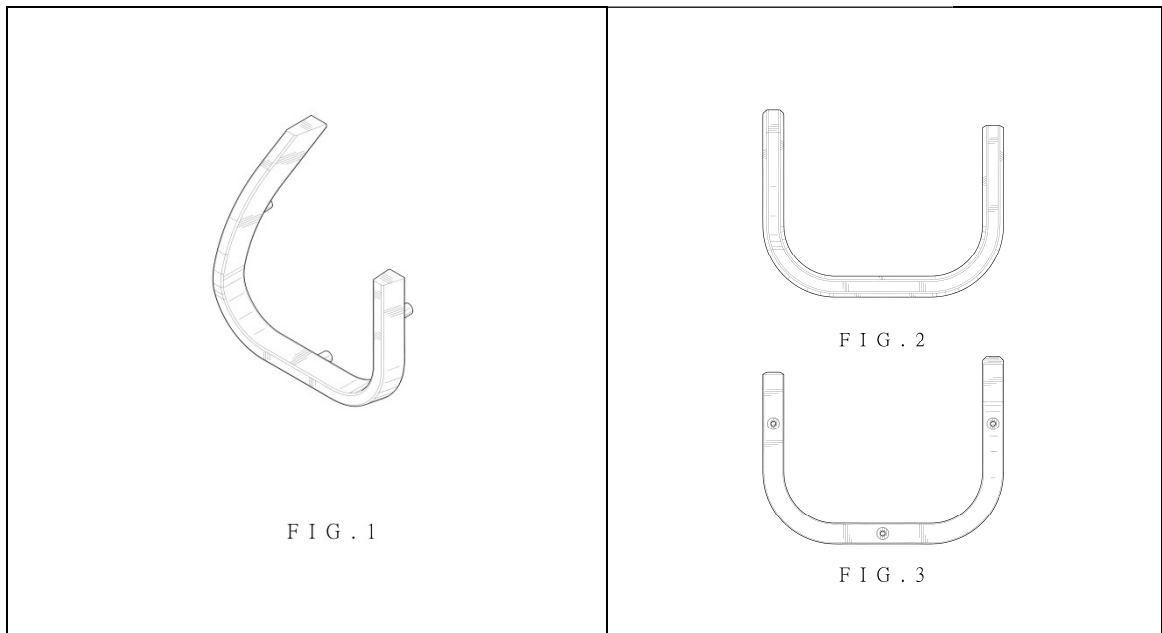
COUNT THREE

INFRINGEMENT OF THE '967PATENT BY DEFENDANT

37. Plaintiff re-alleges and incorporates by reference each of the allegations set forth in paragraphs 1 through 36 above.

38. Defendant has knowledge of infringement of the '967 Patent since at least the filing of this complaint.

39. Design Patent '967 has one single claim directed to the ornamental design for a light guide bar for a vehicle lamp as shown below:



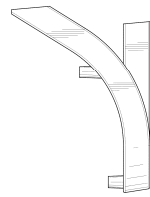


FIG. 4

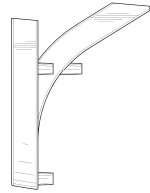


FIG. 5

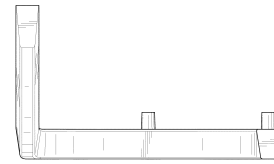


FIG. 6

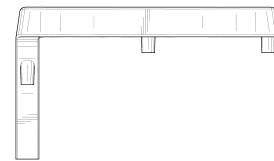
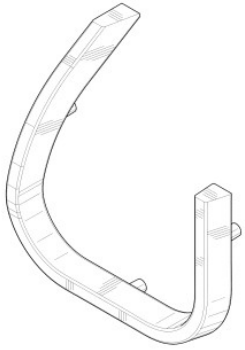



FIG. 7

40. Defendant JL Concepts copied the design of the U-Bar Light Guide Bar from the design of the '967 Patent. A side-by-side comparison of the '967 patented design and an exemplary specimen of Defendant JL Concepts' U-Bar Light Guide Bar is shown below:

Eagle Eye's D706,967	JL Concepts' GT Racers Light Bar Guide
 <p data-bbox="527 1812 628 1843">FIG. 1</p>	

1 41. As shown in the above pictures, the Light Guide Bar of Defendant is the same or
2 substantially the same as the design of the '967 Patent. The Light Guide Bar designs are so similar as to
3 be nearly identical such that an ordinary observer, giving such attention as a purchaser usually gives,
4 would be so deceived by the substantial similarity between the designs so as to be induced to purchase
5 Defendant JL Concepts' products believing them to be substantially the same as the Light Guide Bar
6 protected by the '967 Patent.

7 42. Plaintiff has not granted a license or any other authorization to Defendant JL Concepts to
8 make use of, offer for sale, sell or import headlights that embody the Light Guide Bar design patented in
9 the '967 Patent and which is proprietary to Plaintiff.

10 43. Plaintiff alleges upon information and belief that, without authority, Defendant has
11 infringed and will continue to infringe the '967 patent by, *inter alia*, making, using, offering to sell, or
12 selling in the United States, including in the State of California and within this District, products
13 infringing the ornamental design covered by the '967 Patent in violation of 35 U.S.C. § 271, including
14 but not limited to Defendant JL Concepts' Light Guide Bar incorporated in its 2007-2014 GMC Sierra
15 1500/2500 Chrome Drl U-Halo Led Projector Headlight.

16 44. Defendant JL Concepts infringes the '967 Patent because, *inter alia*, in the eye of an
17 ordinary observer, giving such attention as a purchaser usually gives, the Light Guide Bar design of the
18 '967 Patent and the Light Guide Bar design incorporated in the its headlight of Defendant JL Concepts'
19 products including without limitation the Light Guide Bar design incorporated in the headlight designs
20 of the GMC Sierra U-Bar Halo Projector products are substantially the same, the resemblance being
21 such as to deceive such an ordinary observer, inducing him to purchase one supposing it to be the other

22 45. Defendant JL Concepts' acts of infringement of the '967 Patent were undertaken without
23 authority, permission or license from Plaintiff. Defendant JL Concepts' infringing activities violate 35
24 U.S.C. § 271.

25 46. Plaintiff is informed and believes that Defendant intentionally sells, ships or otherwise
26 delivers the accused products in the United States, which products which imitate and in fact infringe
27 upon the features of the '967 Patent.

28 47. Plaintiff is without an adequate remedy at law and has thus been irreparably harmed by



these acts of infringement. Plaintiff asserts upon information and belief that infringement of the asserted claims of the '967 Patent is continuous and ongoing, and will continue to harm Plaintiff unless and until Defendant is enjoined from further infringement by the Court.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for relief and judgment as follows:

1. The determination that Defendant has infringed the Patents-in-Suit;
2. That Defendant, Defendant's officers, agents, servants, employees, and attorneys, and those persons in active concert or participation with them, be preliminarily and permanently enjoined from infringement of the Patents-in-Suit, including but not limited to any making, using, offering for sale, selling, or importing of unlicensed infringing products within and without the United States;
3. Compensation for all damages caused by Defendant's infringement of the Patents-in-Suit to be determined at trial;
4. A finding that this case is exceptional and an award of reasonable attorney's fees pursuant to 35 U.S.C. § 285;
5. Granting Plaintiff's pre-and post-judgment interest on its damages, together with all costs and expenses; and,
6. Granting Plaintiff such other and further relief as the Court may deem just and proper.

DATED: August 21, 2019

INHOUSE CO. LAW FIRM



By: _____

Alexander Chen, Esq.
William Walz, Esq.
Theodore Lee, Esq.
Attorneys for Plaintiff
Eagle Eyes Traffic Industry USA Holding LLC



DEMAND FOR JURY TRIAL

Plaintiff hereby demands a trial by jury on all claims.

DATED: August 21, 2019

INHOUSE CO. LAW FIRM



By: _____

Alexander Chen, Esq.

William Walz, Esq.

Theodore Lee, Esq.

Attorneys for Plaintiff

Eagle Eyes Traffic Industry USA Holding LLC

