

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

**UNICORN GLOBAL, INC.,
AND HANGZHOU CHIC INTELLIGENT
TECHNOLOGY CO., LTD.,**

Plaintiffs,

v.

JETSON ELECTRIC BIKES LLC,

Defendant.

Civil Action No. 1:21-cv-1436

JURY TRIAL DEMANDED

PLAINTIFFS' AMENDED COMPLAINT FOR PATENT INFRINGEMENT

This is an action for patent infringement in which Unicorn Global, Inc. (“Unicorn”) and Hangzhou Chic Intelligent Technology Co., Ltd. (“Chic”) (collectively, “Plaintiffs”) accuse Jetson Electric Bikes LLC (“Defendant”) of infringing U.S. Patent Nos. 10,486,764 (the “’764 Patent”) and 10,696,348 (the “’348 Patent”) (collectively, the “Patents-in-Suit”), alleging as follows:

PARTIES

1. Chic is a company organized and existing under the laws of the People’s Republic of China with a principal place of business located at 2/F, No. 2 Building, Liangzhu University, Science and Technology Park, No. 1 Jingyi Road, Liangzhu, Hangzhou, 311112, People’s Republic of China.

2. Chic is a high-tech company that is supported by Zhejiang University Ministry of Education Computer Aided Product Innovation Design Engineering Center; Zhejiang University International Design; and Zhejiang Key Laboratory of Service Robot. Chic manufactures and licenses hoverboard products for sale in the United States. Chic has been assigned 70 authorized patents for its hoverboard technology and design in different regions such as China, the United States, the European Union, and Canada.

3. Unicorn is a California corporation with its place of business located at 820 S Wanamaker Ave, Ontario, CA 91761. Unicorn has enforcement rights for the Patents-in-Suit under a written Patent License Agreement dated October 16, 2018, and subsequent amendments.

4. Defendant Jetson Electric Bikes LLC is a New York limited liability company with its principal place of business at 1 Rewe Street, 2nd Floor, Brooklyn, New York 11211. Upon information and belief, Defendant can be served with process at 1 Rewe Street, 2nd Floor, Brooklyn, New York 11211.

JURISDICTION AND VENUE

5. This is an action for infringement of the Patents-in-Suit arising under 35 U.S.C. § 271(a), 281, and 284-85. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338(a).

6. Venue is proper in this District under 28 U.S.C. § 1400(b). Defendant is a resident of the forum state by virtue of its incorporation under the laws of the forum state and has committed acts of infringement within the forum state.

7. Defendant is subject to this Court's specific and general personal jurisdiction under due process and/or the New York Long Arm Statute due at least to Defendant's substantial business in this forum, including: (i) at least a portion of the infringements alleged herein; (ii) regularly doing or soliciting business, engaging in other persistent courses of conduct, and/or deriving substantial revenue from goods and services provided to individuals in New York and in this District; (iii) and by virtue of its incorporation under the laws of the forum state.

U.S. PATENT NO. 10,486,764

8. On November 26, 2019, United States Patent No. 10,486,764, was duly and legally issued by the United States Patent and Trademark Office for an invention entitled "Electric Vehicle". A true and correct copy of the '764 Patent is attached hereto as Exhibit A.

9. Jiawei Ying and Shaojun Cao are the inventors of the '764 Patent.

10. Chic is the owner of all right, title, and interest in and to the '764 Patent, and collectively, Plaintiffs have the exclusive rights to enforce the '764 Patent, to file actions based on infringement of the '764 Patent, to recover damages or other monetary amounts for infringement of the '764 Patent, and to obtain injunctive relief pertaining to the '764 Patent.

11. Chic has owned the '764 Patent at all times during Defendant's infringement of the '764 Patent.

12. Upon information and belief, to the extent any marking was required by 35 U.S.C. § 287, Plaintiffs have complied with such requirements.

U.S. PATENT NO. 10,696,348

13. On June 30, 2020, United States Patent No. 10,696,348, was duly and legally issued by the United States Patent and Trademark Office for an invention entitled "Electric Vehicle". A true and correct copy of the '348 Patent is attached hereto as Exhibit B.

14. Jiawei Ying and Shaojun Cao are the inventors of the '348 Patent.

15. Chic is the owner of all right, title, and interest in and to the '348 Patent, and collectively, Plaintiffs have the exclusive rights to enforce the '348 Patent, to file actions based on infringement of the '348 Patent, to recover damages or other monetary amounts for infringement of the '348 Patent, and to obtain injunctive relief pertaining to the '348 Patent.

16. Chic has owned the '348 Patent at all times during Defendant's infringement of the '348 Patent.

17. Upon information and belief, to the extent any marking was required by 35 U.S.C. § 287, Plaintiffs have complied with such requirements.

COUNT I
INFRINGEMENT OF U.S. PATENT NO. 10,486,764

18. Defendant, directly or through intermediaries, makes, uses, imports, offers to sell, and/or sells electric balance vehicles commonly referred to as “hoverboards,” which infringe the ‘764 Patent, shown in Exhibits A-1 and A-2.

19. Defendant has been and is now infringing claims 1, 14, 15, 16, 17, 19, 20, and 21 of the ‘764 Patent in the State of New York, in this judicial district, and elsewhere in the United States, by, among other things, directly or through intermediaries, making, using, selling, offering to sell, and/or importing electric balance vehicles, including but not limited to the Jetson Plasma, Magma and Strike hoverboard products (collectively, the “Accused Products”), covered by one or more claims of the ‘764 Patent to the injury of Plaintiffs. Defendant is directly infringing, literally infringing, and/or infringing the ‘764 Patent under the doctrine of equivalents. Defendant is thus liable for direct infringement of the ‘764 Patent pursuant to 35 U.S.C. § 271(a).

20. The Accused Products directly infringe claim 1 of the ‘764 Patent. They are electric vehicles comprising: a first platform; a second platform; a rotation mechanism disposed between the first platform and connecting the second platform, allowing the first platform and the second platform to rotate relative to each other; two wheels rotatably fixed at two opposite sides of the first platform and the second platform, respectively; two motors configured to drive the two wheels, respectively; a plurality of sensors; a power supply; a controller electrically connected with the plurality of sensors, the power supply, and the two motors; wherein the controller is configured to control the two motors to drive the two wheels using power from the power supply and based on signals from the plurality of sensors; and a limiting mechanism configured to limit an overlarge relative rotation angle between the first platform and the second platform; wherein the limiting mechanism is disposed between the first platform and the second platform. *See* Exs. A-1 and A-2.

21. The Accused Products directly infringe claim 14 of the ‘764 Patent. They meet the limitations of claim 1, and further comprise a blocking element, wherein the plurality of sensors

comprise an inductive switch; the blocking element is configured to block an inductive area of the inductive switch to trigger the inductive switch sending signals from the inductive switch to control the motors. *See* Exs. A-1 and A-2.

22. The Accused Products directly infringe claim 15 of the '764 Patent. They meet the limitations of claim 1, and further wherein the first platform comprises a first top cover and a first bottom cover; the second platform comprises a second top cover and a second bottom cover; wherein the first top cover and the second top cover are disposed symmetrically and rotatable relative to each other. *See* Exs. A-1 and A-2.

23. The Accused Products directly infringe claim 16 of the '764 Patent. They meet the limitations of claim 15, and further wherein the first top cover and the first bottom cover are made of a same material, and the second top cover and second bottom cover are made of a same material. *See* Exs. A-1 and A-2.

24. The Accused Products directly infringe claim 17 of the '764 Patent. They meet the limitations of claim 15, and further wherein the rotating mechanism comprises a shaft sleeve and two bearings, and the shaft sleeve is disposed inside the two bearings, which are fixed to the first platform and the second platform, respectively. *See* Exs. A-1 and A-2.

25. The Accused Products directly infringe claim 19 of the '764 Patent. They meet the limitations of claim 1, and further comprise two pedals fixed to the first platform and the second platform, respectively. *See* Exs. A-1 and A-2.

26. The Accused Products directly infringe claim 20 of the '764 Patent. They meet the limitations of claim 19, and further comprise at least one blocking element, wherein the plurality of sensors comprise at least one inductive switch; and when at least one of the two pedals is stamped on, the at least one blocking element blocks an induction area of the at least one inductive switch to trigger the at least one inductive switch sending signals to the controller. *See* Exs. A-1 and A-2.

27. The Accused Products directly infringe claim 21 of the '764 Patent. They meet the limitations of claim 1, and further comprise two pedals fixed to the first top cover and the second top cover correspondingly. *See* Exs. A-1 and A-2.

28. Plaintiffs are in compliance with any applicable marking and/or notice provisions of 35 U.S.C. § 287 with respect to the '764 Patent.

29. As a result of Defendant's infringement of the '764 Patent, Plaintiffs have suffered monetary damages and are entitled to a money judgment in an amount adequate to compensate for Defendant's infringement, but in no event less than a reasonable royalty for the use made of the invention by Defendant, together with interest and costs as fixed by the court, and Plaintiffs will continue to suffer damages in the future unless Defendant's infringing activities are enjoined by this Court.

30. Unless a permanent injunction is issued enjoining Defendant and its agents, servants, employees, representatives, affiliates, and all others acting on in active concert therewith from infringing the '764 Patent, Plaintiffs will be greatly and irreparably harmed.

COUNT I
INFRINGEMENT OF U.S. PATENT NO. 10,696,348

31. Defendant, directly or through intermediaries, makes, uses, imports, offers to sell, and/or sells electric balance vehicles commonly referred to as "hoverboards," which infringe the '348 Patent, shown in Exhibits B-1 and B-2.

32. Defendant has been and is now infringing claims 8, 10, 11, 16, 17, and 18 of the '348 Patent in the State of New York, in this judicial district, and elsewhere in the United States, by, among other things, directly or through intermediaries, making, using, selling, offering to sell, and/or importing the Accused Products, covered by one or more claims of the '348 Patent to the injury of Plaintiffs. Defendant is directly infringing, literally infringing, and/or infringing the '348

Patent under the doctrine of equivalents. Defendant is thus liable for direct infringement of the '348 Patent pursuant to 35 U.S.C. § 271(a).

33. The Accused Products directly infringe claim 8 of the '348 Patent. They are electric balance vehicles comprising a first part comprising a first platform and a first bottom cover removably coupled to the first platform; a second part comprising a second platform and a second bottom cover removably coupled to the second platform; a rotation mechanism disposed between the first part and the second part and configured to allow the first part and the second part to rotate relative to each other; a first wheel rotatably fixed at a first end of the first part and a second wheel rotatably fixed at a second end of the second part, wherein the first end and the second end are at opposite ends of the electric balance vehicle; a first motor mounted within the first wheel and configured to drive the first wheel; a second motor mounted within the second wheel and configured to drive the second wheel; a plurality of sensors; a power supply disposed therein; at least one controller electrically coupled to the first motor, the plurality of sensors, and the power supply and configured to control the first motor to drive the first wheel using power from the power supply and based on one or more signals from the plurality of sensors; and a limiting mechanism disposed between the first part and the second part and configured to limit an overlarge relative rotation angle between the first part and the second part. *See* Exs. B-1 and B-2.

34. The Accused Products directly infringe claim 10 of the '348 Patent. They meet the limitations of claim 8, and further herein the rotating mechanism further comprises a bearing and a shaft sleeve. *See* Exs. B-1 and B-2.

35. The Accused Products directly infringe claim 11 of the '348 Patent. They meet the limitations of claim 10, and further wherein the bearing and shaft sleeve are disposed inside a cylindrical barrel. *See* Exs. B-1 and B-2.

36. The Accused Products directly infringe claim 16 of the '348 Patent. They are an electric balance vehicle comprising a first part comprising a first platform and a first bottom cover removably coupled to the first platform; a second part comprising a second platform and a second bottom cover removably coupled to the second platform; a rotation mechanism disposed between the first part and the second part and configured to allow the first part and the second part to rotate relative to each other, the rotation mechanism comprising a bearing and a shaft sleeve; a first wheel rotatably fixed at a first end of the first part and a second wheel rotatably fixed at a second end of the second part, wherein the first end and the second end are at opposite ends of the electric balance vehicle; a first motor mounted within the first wheel and configured to drive the first wheel; a second motor mounted within the second wheel and configured to drive the second wheel; a plurality of sensors; a power supply disposed therein; and a limiting mechanism disposed between the first part and the second part and configured to limit an overlarge relative rotation angle between the first part and the second part. *See* Exs. B-1 and B-2.

37. The Accused Products directly infringe claim 17 of the '348 Patent. They meet the limitations of claim 16, and further comprise a controller electrically connected with the plurality of sensors, the power supply and the first motor, and wherein the controller is configured to control the first motor to drive the first wheel to rotate according to one or more signals from the plurality of sensors. *See* Exs. B-1 and B-2.

38. The Accused Products directly infringe claim 18 of the '348 Patent. They meet the limitations of claim 16, and further wherein the controller is further electrically connected with the second motor and configured to control the second motor to drive the second wheel to rotate according to one or more signals from the plurality of sensors. *See* Exs. B-1 and B-2.

39. Plaintiffs are in compliance with any applicable marking and/or notice provisions of 35 U.S.C. § 287 with respect to the '348 Patent.

40. As a result of Defendant's infringement of the '348 Patent, Plaintiffs have suffered monetary damages and are entitled to a money judgment in an amount adequate to compensate for Defendant's infringement, but in no event less than a reasonable royalty for the use made of the invention by Defendant, together with interest and costs as fixed by the court, and Plaintiffs will continue to suffer damages in the future unless Defendant's infringing activities are enjoined by this Court.

41. Unless a permanent injunction is issued enjoining Defendant and its agents, servants, employees, representatives, affiliates, and all others acting on in active concert therewith from infringing the '348 Patent, Plaintiffs will be greatly and irreparably harmed.

DEMAND FOR JURY TRIAL

Plaintiffs, under Rule 38 of the Federal Rules of Civil Procedure, requests a trial by jury of any issues so triable by right.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully request that this Court enter:

A. a judgment in favor of Plaintiffs that Defendant has infringed at least one or more claims of the Patents-in-Suit, directly and/or indirectly, literally and/or under the doctrine of equivalents;

B. a permanent injunction enjoining Defendant and its officers, directors, agents, servants, affiliates, employees, divisions, branches, subsidiaries, parents, and all others acting in active concert therewith from infringement, inducing the infringement of, or contributing to the infringement of the Patents-in-Suit, or such other equitable relief that the Court determines is warranted;

C. a judgment and order requiring Defendant pay to Plaintiffs their damages, costs, expenses, and prejudgment and post-judgment interest for Defendant's infringement of the Patents-

in-Suit as provided under 35 U.S.C. § 284, including an enhancement of damages on account of Defendant's willful infringement, and an accounting of ongoing post-judgment infringement;

D. that the case be found exceptional under 35 U.S.C. § 285 and that Plaintiffs be awarded their reasonable attorneys' fees;

E. such other and further relief as the Court may deem just and proper.

DATED July 19, 2021.

Respectfully submitted,

By: /s/ Timothy T. Wang

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**ATTORNEYS FOR PLAINTIFFS
UNICORN GLOBAL, INC. AND
HANGZHOU CHIC INTELLIGENT
TECHNOLOGY CO., LTD.**

CERTIFICATE OF SERVICE

I hereby certify that on the 19th day of July, 2021, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Eastern District of New York, using the electronic case filing system of the court. The electronic case filing system sent a “Notice of Electronic Filing” to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

/s/ Timothy T. Wang
Timothy T. Wang