

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

SHENZHEN LANHE TECHNOLOGIES CO.,  
LTD.; and SHENZHENSHI  
LECHUANGTIANCHENG KEJI  
YOUXIANGONGSI,

Plaintiffs,

v.

SHENZHEN JISU TECHNOLOGIES CO.,  
LTD.,

Defendant.

Case No.

**JURY TRIAL DEMANDED**

**COMPLAINT**

Plaintiffs Shenzhen Lanhe Technologies Co., Ltd. (“Lanhe”) and Shenzhenshi Lechuangtiancheng Keji Youxiangongsi (“LCTC”) (collectively “Plaintiffs”) hereby bring the present action against defendant Shenzhen Jisu Technologies Co., Ltd. (“Jisu” or “Defendant”) and alleges as follows:

**I. JURISDICTION AND VENUE**

1. This Court has original subject matter jurisdiction over the claims in this action pursuant to the provisions of the Patent Act, 35 U.S.C. § 1, *et seq.*, 28 U.S.C. § 1338(a)-(b), and 28 U.S.C. § 1331.

2. Venue is proper in this Court pursuant to 28 U.S.C. § 1391, and this Court may properly exercise personal jurisdiction over Defendant because it directly targets business activities towards consumers in the United States, including Illinois, through at least its product listings on Amazon.com and its website jisulife.com. Defendants reach out to do business with Illinois residents through these fully interactive, commercial online marketplaces, through which

Illinois residents can purchase products featuring Plaintiff's patented design. Defendant has targeted sales from Illinois residents by operating, or listing its products on online stores that offer shipping to the United States, including Illinois, accept payment in U.S. dollars, and, on information and belief, have sold products featuring Plaintiff's patented design to residents of Illinois. Defendant is committing tortious acts in Illinois, is engaging in interstate commerce, and has wrongfully caused Plaintiff substantial injury in the State of Illinois.

## **II. THE PARTIES**

3. Plaintiff Shenzhen Lanhe Technologies Co., Ltd., is a limited company based in Shenzhen, China. Plaintiff is the owner by assignment of U.S. Design Patent No. D903,086 (the "'086 Patent" titled "Neck Fan."

4. Plaintiff Shenzhenshi Lechuangtiancheng Keji Youxiangongsi ("LCTC") is a limited company based in Shenzhen, China. LCTC holds an exclusive license under the '086 Patent for selling through Amazon.com in the United States.

5. On information and belief, defendant Shenzhen Jisu Technologies Co., Ltd., is a limited company based in Shenzhen, China.

## **III. BACKGROUND**

6. Plaintiffs are in the business of designing and/or selling consumer electronics and accessories, including portable neck fans. Portable neck fans are a personal electronic device worn around the neck, which blows air mainly towards the wearer's neck, head, and face to provide convenient, localized cooling.

7. Plaintiff Lanhe was the first to develop a bladeless or "leafless" fan design that produces air current without the use of conventional fan blades, which pose the risk of entangling hair.

8. Plaintiff LCTC sells portable neck fans under the “TORRAS®” brand name, including the L2 and L3 series. An example of Plaintiffs’ products is shown below:



9. Lanhe first filed for utility patent protection on October 9, 2019, and for design patent protection on November 25, 2019.

10. In particular, Lanhe is the lawful owner of all rights, title, and interest in the '086 Patent. The '086 Patent was duly issued on November 24, 2020. Attached hereto as Exhibit A is a true and correct copy of the '086 Patent.

11. Lanhe continues to innovate and apply for patent protection in the portable neck fan space. It has invested considerable resources in research and development and in protecting its intellectual property.

12. Plaintiffs were the first to sell innovative “leafless” portable neck fans. For example, in early March 2020, Plaintiffs started to sell the innovative “leafless” portable neck fan in the Torras® flagship store on Tmall, a leading retail platform in Asia. In May 2020, Plaintiffs began selling portable neck fans to U.S. consumers through Amazon.com.

13. Lanhe, through its wholly-owned subsidiary Torras, has also invested in promotion

and marketing of its portable neck fans. For example, on June 10, 2020, Torras held a product launch conference in the Shenzhen Huaxia Art Center. The new patented Torras® neck fan product was prominently featured:



14. As a result of Plaintiffs’ investment in development, patent protection, marketing and sales, Plaintiffs have built goodwill in the industry and acquired a reputation of innovation as the first to sell the leafless neck fan design.

#### IV. DEFENDANT’S WRONGFUL CONDUCT

15. Defendant, a later entrant in the portable neck fan business, is engaged in selling products of confusingly similar design to Plaintiff’s products and the ’086 Patent.

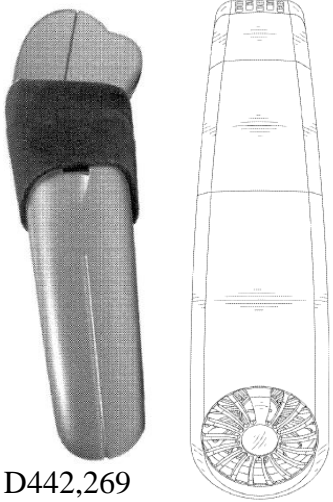
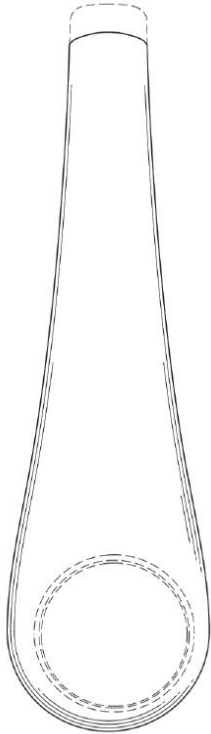

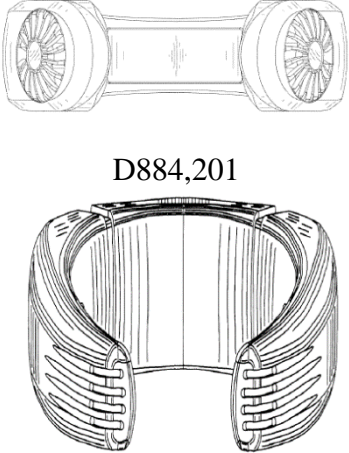


16. Plaintiffs have not granted a license or any other form of permission to Defendant with respect to the patented design or the ’086 Patent.

17. On information and belief, Defendant sells portable neck fans under the brand “JISULIFE,” including on Amazon.com under the seller name “JISULIFE-NA.”

18. Certain models of Defendant’s neck fans are substantially similar to the ’086 Patent, such that an ordinary observer would be deceived into thinking they are Plaintiff’s patented design.

19. The similarity between Defendant’s product and the ’086 Patent is illustrated in the three-way comparison between prior art of record, the ’086 Patent, and Defendant’s product below:

Prior Art	'086 Patent	Jisu Product
 <p data-bbox="332 934 462 966">D884,201</p>  <p data-bbox="332 1344 462 1375">D442,269</p>	 <p data-bbox="771 1029 852 1060">Fig. 1</p>	
 <p data-bbox="332 1816 462 1848">D884,201</p>	 <p data-bbox="771 1806 852 1837">Fig. 2</p>	

Prior Art	'086 Patent	Jisu Product
 <p>D442,269</p> <p>D884,201</p>	 <p>Fig. 4</p>	
 <p>D884,201</p> <p>D457,945</p>	 <p>Fig. 7</p>	

20. On information and belief, Defendants have imported such neck fans into the United States, including in connection with Amazon.com's Fulfillment by Amazon program.

21. Defendant's conduct has eroded both Plaintiffs' sales and goodwill. Defendant's



conduct creates confusion about who is the true pioneer in the portable neck fan space. In addition, Defendant has undercut Plaintiffs' prices, which threatens to overshadow Plaintiffs in sales volume.

22. Lanhe has acted diligently to enforce its intellectual property against Defendant. For example, Lanhe has submitted complaints to online platforms that host or offer Defendant's products, including TMall, JD.com, and Amazon. Lanhe has also asserted its Chinese intellectual property rights against Defendant in Chinese courts.

23. Despite Plaintiff's efforts, Defendant continues to flout Plaintiffs' rights and has acted to evade enforcement and have its product relisted for sale.

**COUNT I**  
**INFRINGEMENT OF UNITED STATES DESIGN PATENT NO. D903,086**  
**(35 U.S.C. § 271)**

24. Plaintiffs hereby re-allege and incorporate by reference the allegations set forth in the preceding paragraphs.

25. Defendant offers for sale, sells, and/or imports into the United States for subsequent resale or use products that infringe directly and/or indirectly the ornamental design claimed in the '086 Patent. Defendant engaged in this conduct without any authorization or license from Plaintiff.

26. Defendant has infringed the '086 Patent through the aforesaid acts and will continue to do so unless enjoined by this Court. Defendants' wrongful conduct has caused Plaintiffs to suffer irreparable harm resulting from the loss of its lawful patent rights to exclude others from making, using, selling, offering for sale, and importing the patented design. Plaintiffs are entitled to injunctive relief pursuant to 35 U.S.C. § 283.

27. Defendant's infringement of the '086 Patent in the offering to sell, selling, or importing of the accused products was willful.

28. Plaintiffs are entitled to recover damages adequate to compensate for the

infringement, including Defendant's profits pursuant to 35 U.S.C. § 289. Plaintiffs are entitled to recover any other damages as appropriate pursuant to 35 U.S.C. § 284.

### **PRAYER FOR RELIEF**

WHEREFORE, Plaintiffs pray for a judgment against Defendant as follows:

1) That Defendant, its affiliates, officers, agents, servants, employees, attorneys, confederates, and all persons acting for, with, by, through, under, or in active concert with Defendant be temporarily, preliminarily, and permanently enjoined and restrained from:

- a. offering for sale, selling, and importing any products not authorized by Plaintiff, and that include any reproduction, copy or colorable imitation of the design claimed in the '086 Patent;
- b. aiding, abetting, contributing to, or otherwise assisting anyone in infringing upon the '086 Patent; and
- c. effecting assignments or transfers, forming new entities or associations or utilizing any other device for the purpose of circumventing or otherwise avoiding the prohibitions set forth in Subparagraphs (a) and (b).

2) Entry of an Order that, upon any Plaintiff's request, those in privity with Defendants and those with notice of the injunction, including, without limitation, any online marketplace platforms such as iOffer, eBay, AliExpress, Alibaba, Amazon, Wish.com, Walmart.com, and Dhgate, web hosts, sponsored search engine or ad-word providers, credit cards, banks, merchant account providers, third party processors and other payment processing service providers, Internet search engines such as Google, Bing and Yahoo (collectively, the "Third Party Providers") shall:

- a. disable and cease providing services being used by Defendants, currently or in the future, to engage in the sale of goods that infringe the '086 Patent;



- b. disable and cease displaying any advertisements used by or associated with Defendants in connection with the sale of infringing goods using the patented design; and
  - c. take all steps necessary to prevent links to the Defendant's infringing products from displaying in search results;
- 3) That Plaintiffs be awarded such damages as it shall prove at trial against Defendant that are adequate to compensate Plaintiffs for infringement of the '086 Patent, and all the profits realized by Defendant, or others acting in concert or participation with Defendant, from Defendant's unauthorized use and infringement of the patented design;
- 4) That Plaintiffs be awarded from Defendant, as a result of Defendant's use and infringement of the patented design, three times Plaintiffs' damages therefrom and three times Defendant's profits therefrom, after an accounting, pursuant to 35 U.S.C. § 284;
- 5) That Plaintiffs be awarded its reasonable attorneys' fees and costs; and
- 6) That the Court award any and all other relief that it deems just and proper.

**JURY DEMAND**

Plaintiffs demand a trial by jury.

Respectfully submitted,

September 3, 2021

/s/ Sharon A. Hwang  
\_\_\_\_\_  
Sharon A. Hwang, Bar No. 6217211  
Deborah A. Laughton, Bar No. 6277863  
Amber J. Carpenter, Bar No. 6332527  
**MCANDREWS, HELD & MALLOY, LTD.**  
500 West Madison Street, 34th Floor  
Chicago, Illinois 60661  
(312) 775-8000

(312) 775-8100 – fax  
shwang@mcandrews-ip.com  
dlaughton@mcandrews-ip.com  
acarpenter@mcandrews-ip.com

Richard F. Martinelli, NY Bar No. 3938057  
rmartinelli@orrick.com  
Yufeng (Ethan) Ma, Bar No. 6277936  
yma@orrick.com

ORRICK, HERRINGTON & SUTCLIFFE  
LLP  
51 West 52nd Street  
New York, NY 10019-6142  
Telephone: +1 212 506 5000  
Facsimile: +1 212 506 5151

*Attorneys for Plaintiffs*  
Shenzhen Lanhe Technologies Co. Ltd., and  
Shenzhenshi Lechuangtiancheng Keji  
Youxiangonsi