

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

DANGO PRODUCTS, LLC

Plaintiff,

v.

EVCING; JEXICASE; and ZEEKER,

Defendants.

Civil Action No.

JURY TRIAL DEMANDED

FIRST AMENDED COMPLAINT FOR PATENT INFRINGEMENT

1. Plaintiff Dango Products, LLC (“Dango” or “Plaintiff”), for its Complaint against Defendants Evcing, Jexicase, and Zeeker (collectively referred to as “Defendants”), alleges the following:

NATURE OF THE ACTION

2. This is an action for patent infringement arising under the Patent Laws of the United States, 35 U.S.C. § 1 *et seq.*

THE PARTIES

3. Plaintiff Dango is a company organized under the laws of the state of California. Dango has its principal place of business at 204 La Cuesta Dr. Portola Valley, CA 94028 (U.S.A.).

4. Upon information and belief, Evcing sells and offers to sell products throughout the United States (via www.amazon.com), including this judicial district. Evcing is a foreign entity with no known place of business. Evcing does not publicly list any information regarding its place of business, and, upon numerous requests, Evcing has refused to release any information regarding its place of business. Plaintiff has made numerous attempts to contact and locate Evcing, but to no avail. Due to the Plaintiff’s unsuccessful attempts to contact and locate Evcing and the ease with which Amazon sellers may change business names, including brand and storefront names, thus allowing a seller to disappear overnight and evade the United States judiciary, this complaint will identify Evcing by its infringing products, including: Product 1 as illustrated in Exhibit 1 (see <https://www.amazon.com/Minimalist-Wallet-Men-Blocking-Capacity/dp/B097LM9GT1/>,

1 ASIN: B097LM9GT1); Product 2 as illustrated in Exhibit 2 (see
2 <https://www.amazon.com/Minimalist-Wallet-Men-Blocking-Capacity/dp/B08SBXLF4D/>, ASIN:
3 B08SBXLF4D); and Product 3 as illustrated in Exhibit 3 (see
4 <https://www.amazon.com/Minimalist-Wallet-Men-Blocking-Capacity/dp/B093TDS551/>, ASIN:
5 B093TDS551).

6 5. Upon information and belief, Jexicase sells and offers to sell products throughout the
7 United States (via www.amazon.com), including this judicial district. Jexicase is a foreign entity
8 with no known place of business. Jexicase does not publicly list any information regarding its
9 place of business, and, upon numerous requests, Jexicase has refused to release any information
10 regarding its place of business. Plaintiff has made numerous attempts to contact and locate
11 Jexicase, but to no avail. Due to the Plaintiff's unsuccessful attempts to contact and locate Jexicase
12 and the ease with which Amazon sellers may change business names, including brand and
13 storefront names, thus allowing a seller to disappear overnight and evade the United States
14 judiciary, this complaint will identify Jexicase by its infringing products, including: Product 4, as
15 illustrated in Exhibit 4 (see <https://www.amazon.com/dp/B08CXZY6KQ/>, ASIN:
16 B08CXZY6KQ); and Product 5, as illustrated in Exhibit 5 (see [https://www.amazon.com/Dapper-
17 Leather-JEXICASE-Blocking-Minimalist/dp/B08CXY2J4K/](https://www.amazon.com/Dapper-Leather-JEXICASE-Blocking-Minimalist/dp/B08CXY2J4K/), ASIN: B08CXY2J4K).

18 6. Upon information and belief, Zeeker sells and offers to sell products throughout the
19 United States (via www.amazon.com), including this judicial district. Zeeker is a foreign entity
20 with no known place of business. Zeeker does not publicly list any information regarding its place
21 of business, and, upon numerous requests, Zeeker has refused to release any information regarding
22 its place of business. Plaintiff has made numerous attempts to contact and locate Zeeker, but to no
23 avail. Due to the Plaintiff's unsuccessful attempts to contact and locate Zeeker and the ease with
24 which Amazon sellers may change business names, including brand and storefront names, thus
25 allowing a seller to disappear overnight and evade the United States judiciary, this complaint will
26 identify Zeeker by its infringing products, including: Product 6 as illustrated in Exhibit 6 (see
27 <https://www.amazon.com/Minimalist-Blocking-Tactical-Wallet-Zeeker->

1 [Wallets/dp/B092M2YXZT/](https://www.amazon.com/Wallets/dp/B092M2YXZT/), ASIN: B092M2YXZT); Product 7 as illustrated in Exhibit 7 (see
2 [https://www.amazon.com/Minimalist-Blocking-Tactical-Wallet-Zeeker-
3 Wallets/dp/B092M1TPGP/](https://www.amazon.com/Minimalist-Blocking-Tactical-Wallet-Zeeker-Wallets/dp/B092M1TPGP/), ASIN: B092M1TPGP); and Product 8 as illustrated in Exhibit 8 (see
4 <https://www.amazon.com/dp/B092LY85YJ/>, ASIN: B092LY85YJ).

5 6 **JURISDICTION AND VENUE**

7 7. This is an action for patent infringement arising under the Patent Laws of the United
8 States, Title 35 of the United States Code.

9 8. This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338(a).

10 9. Venue is proper in this judicial district under 28 U.S.C. §§ 1391(c).

11 10. Upon information and belief, each Defendant conducts substantial business in this
12 forum, directly or through intermediaries, including: (i) at least a portion of the infringements
13 alleged herein; and (ii) regularly doing or soliciting business, engaging in other persistent courses
14 of conduct and/or deriving substantial revenue from goods provided to individuals and business in
15 the State of Minnesota. Further, this Court has personal jurisdiction over Defendants because
16 Defendants have purposely availed itself of the privileges and benefits of the laws of the State of
17 Minnesota, at least by selling and offering to sell its products into the State of Minnesota.

18 19 **COUNT I – INFRINGEMENT OF U.S. PATENT NO. D866,964**

20 11. The allegations set forth in the foregoing paragraphs 1 through 6 are incorporated into
21 this First Claim for Relief.

22 12. On November 19, 2019, U.S. Patent No. D866,964 (“the ’964 patent”), entitled
23 “Wallet,” was duly and legally issued by the United States Patent and Trademark Office. A true
24 and correct copy of the ’964 patent is attached as Exhibit 9.

25 13. Dango is the assignee and owner of all right, title and interest in and to the ’964 patent,
26 including the right to assert all causes of action arising under said patent and the right to any
27 remedies for infringement of said patent.

1 14. Upon information and belief, Defendants Evcing and Zeeker have and continue to
2 directly infringe one or more claims of the '964 patent under 35 U.S.C. § 271, by making, using,
3 selling, importing and/or providing and causing to be used wallet products such as the products
4 illustrated in Exhibits 1 through 3 and 6 through 8.

5 15. Dango has been harmed by each Defendant's infringing activities.
6

7 **COUNT II – INFRINGEMENT OF U.S. PATENT NO. D887,708**

8 16. The allegations set forth in the foregoing paragraphs 1 through 6 are incorporated into
9 this First Claim for Relief.

10 17. On June 23, 2020, U.S. Patent No. D887,708 ("the '708 patent"), entitled "Wallet,"
11 was duly and legally issued by the United States Patent and Trademark Office. A true and correct
12 copy of the '708 patent is attached as Exhibit 10.

13 18. Dango is the assignee and owner of all right, title and interest in and to the '708 patent,
14 including the right to assert all causes of action arising under said patent and the right to any
15 remedies for infringement of said patent.

16 19. Upon information and belief, Defendant Jexicase has and continues to directly infringe
17 one or more claims of the '708 patent under 35 U.S.C. § 271, by making, using, selling, importing
18 and/or providing and causing to be used wallet products such as the products illustrated in Exhibits
19 4 and 5.

20 20. Dango has been harmed by each Defendant's infringing activities.
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22 **COUNT III – INFRINGEMENT OF U.S. PATENT NO. 11,178,947**

23 21. The allegations set forth in the foregoing paragraphs 1 through 6 are incorporated into
24 this First Claim for Relief.

25 22. On November 23, 2021, U.S. Patent No. 11,178,947 ("the '947 patent"), entitled
26 "Wallet," was duly and legally issued by the United States Patent and Trademark Office. A true
27 and correct copy of the '947 patent is attached as Exhibit 11.

1 23. Dango is the assignee and owner of all right, title and interest in and to the '947
2 patent, including the right to assert all causes of action arising under said patent and the right to
3 any remedies for infringement of said patent.

4 24. Upon information and belief, Defendants Evcing, Jexicase and Zeeker have and
5 continue to directly infringe one or more claims of the '947 patent under 35 U.S.C. § 271, by
6 making, using, selling, importing and/or providing and causing to be used wallet products such as
7 the products illustrated in Exhibits 1 through 8.

8 25. Dango has been harmed by each Defendant's infringing activities.

9
10 **JURY DEMAND**

11 26. Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Dango demands a trial
12 by jury on all issues triable as such.

13 **PRAYER FOR RELIEF**

14 WHEREFORE, Plaintiff Dango demands judgment for itself and against Defendants as
15 follows:

16 A. Equitable relief in the form of a preliminary injunction against the Defendants and its
17 officers, partners, employees, agents, parents, subsidiaries, attorneys, and anyone acting or
18 participating with the Defendants, precluding the manufacture, use, sale, or offer for sale of any
19 product that infringes the '964 patent;

20 B. Equitable relief in the form of a preliminary injunction against the Defendants and its
21 officers, partners, employees, agents, parents, subsidiaries, attorneys, and anyone acting or
22 participating with the Defendants, precluding the manufacture, use, sale, or offer for sale of any
23 product that infringes the '708 patent;

24 C. Equitable relief in the form of a preliminary injunction against the Defendants and its
25 officers, partners, employees, agents, parents, subsidiaries, attorneys, and anyone acting or
26 participating with the Defendants, precluding the manufacture, use, sale, or offer for sale of any
27 product that infringes the '947 patent;

1 D. An adjudication that the Defendants have each infringed the '964 patent;

2 E. An adjudication that the Defendants have each infringed the '708 patent;

3 F. An adjudication that the Defendants have each infringed the '947 patent;

4 G. Equitable relief in the form of a permanent injunction against the Defendants and its
5 officers, partners, employees, agents, parents, subsidiaries, attorneys, and anyone acting or
6 participating with the Defendants, precluding the manufacture, use, sale, or offer for sale of any
7 product that infringes the '964 patent;

8 H. Equitable relief in the form of a permanent injunction against the Defendants and its
9 officers, partners, employees, agents, parents, subsidiaries, attorneys, and anyone acting or
10 participating with the Defendants, precluding the manufacture, use, sale, or offer for sale of any
11 product that infringes the '708 patent;

12 I. Equitable relief in the form of a permanent injunction against the Defendants and its
13 officers, partners, employees, agents, parents, subsidiaries, attorneys, and anyone acting or
14 participating with the Defendants, precluding the manufacture, use, sale, or offer for sale of any
15 product that infringes the '947 patent;

16 J. An award of damages to be paid by Defendants adequate to compensate Dango for each
17 Defendant's past infringement of the '964 patent, and any continuing or future infringement
18 through the date such judgment is entered, including interest, costs, expenses and an accounting
19 of all infringing acts including, but not limited to, those acts not presented at trial;

20 K. An award of damages to be paid by Defendants adequate to compensate Dango for each
21 Defendant's past infringement of the '708 patent, and any continuing or future infringement
22 through the date such judgment is entered, including interest, costs, expenses and an accounting
23 of all infringing acts including, but not limited to, those acts not presented at trial;

24 L. An award of damages to be paid by Defendants adequate to compensate Dango for
25 each Defendant's past infringement of the '947 patent, and any continuing or future infringement
26 through the date such judgment is entered, including interest, costs, expenses and an accounting
27 of all infringing acts including, but not limited to, those acts not presented at trial;

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M. A declaration that this case is exceptional under 35 U.S.C. § 285, and an award of Plaintiff's reasonable attorneys' fees; and

N. An award to Dango of such further relief at law or in equity as the Court deems just and proper.



Dated: 2021-12-08

Wesley E. Schwie
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