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**IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

Chengdu Ruihan Yongtai Trading Co., Ltd.
dba Mooyran US, a Chinese corporation,
Zhengzhou Chonger Network Technology
Co., Ltd. dba Mooyran Authorized Shop, a
Chinese corporation, and Guigang Tianshi
Trading Co., Ltd. dba SFOUR, a Chinese
Corporation,

Plaintiffs,

v.

Aaron Chien, an individual, Te-Ju Chien, an
individual, and Hsin-Yi Wang, an individual,
Jasco Products Company LLC, an Oklahoma
Corporation,

Defendants.

Case No. 2:24-cv-04379-JLS-MAA

**FIRST AMENDED COMPLAINT FOR
DECLARATORY JUDGMENT OF
PATENT NON-INFRINGEMENT AND
INVALIDITY**

JURY DEMANDED

COMPLAINT FOR DECLARATORY JUDGMENT OF PATENT NON-INFRINGEMENT
AND INVALIDITY

Plaintiffs Chengdu Ruihan Yongtai Trading Co., Ltd. dba Mooyran US (“Mooyran US”), Zhengzhou Chonger Network Technology Co., Ltd. dba Mooyran Authorized Shop (“Mooyran Authorized Shop”), and Guigang Tianshi Trading Co., Ltd. dba SFOUR (“SFOUR”), file this Complaint against Defendants Aaron Chien (“Aaron”), Te-Ju Chien (“Te-Ju”), Hsin-Yi Wang (“Wang”), and Jasco Products Company LLC (“Jasco”), and respectfully allege as follows:

NATURE OF THIS ACTION

1. This is a declaratory judgment action for non-infringement and invalidity of U.S. Patent No. 9,719,654 (“the ’654 patent”).

PARTIES

2. Plaintiff Mooyran US is a corporation organized under the laws of the People’s Republic of China, with a principal place of business in Chengdu City, Sichuan Province, the People’s Republic of China.

3. Plaintiff Mooyran Authorized Shop is a corporation organized under the laws of the People’s Republic of China, with a principal place of business in Zhengzhou City, Henan Province, the People’s Republic of China.

4. Plaintiff SFOUR is a corporation organized under the laws of the People’s Republic of China, with a principal place of business in Guigang City, Guangxi Province, the People’s Republic of China.

5. Defendants Aaron, Te-Ju and Wang (collectively, the “Individual Defendants”) are believed to be individuals resident in the State of California at 151 Blue Crystal Dr., Walnut, California 91789.

6. Defendant Jasco is, based on information and belief, is a limited liability corporation organized under the laws of Oklahoma, with a principal place of business in Oklahoma.

JURISDICTION AND VENUE

7. This action arises under the Patent Laws of the United States, Title 35, United States Code 35 U.S.C. § 1 et seq., and under Title 28, United States Code, Chapter 151, §§ 2201 and 2202, entitled Declaratory Judgments.

8. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331, 1338(a), 2201 and/or 2202.

9. This Court has personal jurisdiction over Defendants in this matter. Among other things, Individual Defendants are residents in this District at 151 Blue Crystal Dr., Walnut, California 91789. On information and belief, Defendant Jasco negotiated and obtained an exclusive patent license to practice and enforce the '654 Patent with the Individual Defendants who are residents in this District. Defendant Jasco has also taken substantial actions on behalf of the Individual Defendants to enforce the '654 Patent. In addition, on information and belief, Defendant Jasco sells a substantial share of its products that purportedly practice the '654 Patent into California and this District. As a result, Defendant Jasco has purposefully directed its licensing, enforcement, sales, and business activities at California.

10. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391(b), 1391(c), and/or 1400(b).

BACKGROUND

11. Plaintiffs are successful Amazon sellers of an LED light projector in the shape of an astronaut.

12. Specifically, Plaintiffs Mooyran US and Mooyran Authorized Shop sell a product in the decorative lighting projectors category named “Star Projector Galaxy Night Light - Astronaut Space Projector, Starry Nebula Ceiling LED Lamp with Timer and Remote” in this District and across the U.S. via Amazon.com. The unique Amazon Standard Identification Number (ASIN) for this product’s listing on Amazon.com is B09FL6YR9L (also, “Mooyran Astronaut LED”).

13. Plaintiff SFOUR sells a product in the night light category named the “SFOUR Star Projector, Galaxy Night Light, Astronaut Starry Nebula Ceiling LED Lamp with Timer and

1 Remote” in this District and across the U.S., via listing on Amazon.com. The unique ASIN for
2 this product’s listing on Amazon.com is B09Q2WL7C6 (also, “SFOUR Astronaut LED”).

3 14. Together, the Mooyran Astronaut LED and SFOUR Astronaut LED are the
4 Accused Products. The Accused Products are protected by three U.S. design patents, U.S Patent
5 Nos. D965848, D969391, and D977177.

6 15. On information and belief, Individual Defendants are the owners by assignment of
7 the ’654 patent, and Defendant Jasco is the exclusive licensee of the ’654 patent. A copy of the
8 ’654 Patent is attached here as **Exhibit A**.

9 16. The ’654 Patent is entitled “LED and/or Laser Light Has More Than One Optics
10 Means to Create Wider or Big Areas Image” and has 10 claims. The ’654 Patent bears an issuance
11 date of August 1, 2017.

12 17. On information and belief, sometime prior to March 27, 2024, Defendants reported
13 to Amazon.com that the Accused Products infringed the ’654 patent, and requested that
14 Amazon.com remove Plaintiffs’ listings of the same. In making this report, Defendants also
15 requested to use Amazon.com’s Amazon Patent Evaluation Express (“APEX”) Procedure to
16 attempt resolution of their infringement dispute with Plaintiffs, by providing their information for
17 this purpose. When requesting the APEX Procedure, Defendants had provided the contact
18 information of Defendant Jasco’s in-house counsel as the contact for the patent owner or patent
19 owner’s authorized representative.

20 18. On or about March 27, 2024, Mooyran US received an e-mail from Amazon.com,
21 stating that it had received a report from Defendants claiming that the Mooyran Astronaut LED
22 (identified in the e-mail as an accused product by its ASIN of B09FL6YR9L) infringes the ’654
23 patent. A copy of the email is attached as Exhibit B. The Amazon.com email stated that
24 Amazon.com would remove the listing for the Accused Product unless, among other things,
25 Mooyran US resolved their claim with the patent owner directly or filed an action for declaratory
26 judgment of non-infringement of the asserted patent in a federal district court within three weeks,
27 or agreed to participate in APEX within three weeks.

1 19. Also on or about March 27, 2024, Mooyran Authorized Shop received an e-mail
2 from Amazon.com, stating that it had received a report from Defendants claiming that the
3 Mooyran Astronaut LED (identified in the e-mail as an accused product by its ASIN of
4 B09FL6YR9L) infringes the ‘654 patent. A copy of the email is attached as Exhibit C. The
5 Amazon.com email stated that Amazon.com would remove the listing for the Accused Product
6 unless, among other things, Mooyran Authorized Shop resolved their claim with the patent owner
7 directly or filed an action for declaratory judgment of non-infringement of the asserted patent in a
8 federal district court within three weeks, or agreed to participate in APEX within three weeks.

9 20. Similarly, on or about March 28, 2024, SFOUR received an e-mail from
10 Amazon.com, stating that it had received a report from Defendants claiming that the SFOUR
11 Astronaut LED (identified in the e-mail by its ASIN of B09Q2WL7C6) infringes the ‘654 patent.
12 A copy of the email is attached as Exhibit D. The Amazon.com email stated that Amazon.com
13 would remove the listing for the Accused Product unless, among other things, SFOUR resolved
14 their claim with the patent owner directly or filed an action for declaratory judgment of non-
15 infringement of the asserted patent in a federal district court within three weeks, or agreed to
16 participate in APEX within three weeks.

17 21. Plaintiffs continue, and intend to continue, listing and selling the Accused Products
18 on Amazon.com. The e-mails from Amazon.com evidence a risk of removal of the Amazon.com
19 listings for the Accused Products. Such removal threatens to cause substantial harm to Plaintiffs’
20 sales and therefore Plaintiffs’ business. A substantial share of sales of the Accused Products are
21 made through orders received on Amazon.com. And for all Plaintiffs, California is their largest
22 market for the Accused Products.

23 22. Since Plaintiffs’ receipts of the above-described e-mails from Amazon.com,
24 Plaintiffs have each agreed to participate in the non-binding APEX process with Defendants.

25 23. A single evaluation case (with one case number) has been initiated, to which all the
26 Plaintiffs, and Defendants, are party. The evaluation has begun, an evaluator has been assigned,
27 and the patent owner (Defendants) have submitted its initial written arguments explaining how the
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1 asserted patent claim allegedly covers the Accused Products on May 20, 2024. Defendant Jasco's
2 in-house counsel appears to be representing all four Defendants, including the Individual
3 Defendants from California, in communicating with the evaluator and submitting Defendants'
4 arguments. After the filing of this action, the APEX proceeding has been stayed pending
5 resolution of this action.

6 24. As a result of the Defendants' above-described conduct, Plaintiffs have at least a
7 reasonable apprehension of enforcement of the '654 Patent against them and harm flowing to
8 them therefrom. Therefore, Plaintiffs file this action in order to resolve an actual and justiciable
9 controversy between the parties.

10 **COUNT I: DECLARATION OF NON-INFRINGEMENT**

11 25. Plaintiffs repeat and reallege the allegations in the preceding paragraphs as though
12 fully set forth herein.

13 26. Plaintiffs have not infringed and do not infringe, directly or indirectly, any valid
14 and enforceable claim of the '654 patent.

15 27. Specifically, the Accused Products do not satisfy at least the claim limitations of
16 "more than one optical element having a geometric shape, each said optical element having
17 reflective and/or refractive properties, wherein the more than one optical element includes at least
18 one first optical element arranged to reflect, refract, enlarge shape, and/or diffuse light beams from
19 the at least one LED and/or laser light and at least one second optical element arranged to reflect,
20 refract, enlarge, shape, and/or diffuse an image formed by the light beams from the first optical
21 element" and "wherein light beams emitted by the at least one LED and/or laser light are reflected
22 and/or refracted by the at least one first optical element before traveling or passing through the at
23 least one second optical element to create a wider range or bigger size of image for projection to at
24 least one external surface, said external surface including a ceiling, wall, or other surface" in
25 claims 1 through 8. The Accused Products also do not satisfy similar claim limitations of "more
26 than one optical element having a geometric shape, said optical elements each having a surface
27 having reflective and/or refractive optics-properties, wherein the more than one optical element
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1 includes at least one first optical element arranged to reflect, refract, enlarge, shape, and/or diffuse
2 light beams from the at least one LED and/or laser light and at least one second optical element
3 arranged to reflect, refract, enlarge, shape, and/or diffuse an image formed by the light beams
4 from the first optical element” and “wherein said at least one first optical element reflects and/or
5 refracts light beams before they travel or pass through at least one second optical element to create
6 a wider range or bigger size of image for projection onto a ceiling, wall, or other surface ...” in
7 claims 9 and 10.

8 28. The Accused Products also do not satisfy the claim limitation of “wherein image
9 moving effects are created without a motor by causing said plurality of LEDs and/or laser light
10 sources to sequentially flash, fade-in and fade-out, change colors, randomly turn on and off, or
11 exhibit other LED light performances, effects, duration, or duty cycles to cause a viewed image to
12 appear to be moving” in claim 9.

13 29. In addition, the Accused Products do not satisfy the claim limitation of “wherein
14 said moving optical element is made of a light block-out material with shaped openings, cutouts,
15 windows, or a stencil, and wherein the moving optical element has a predetermined optical texture
16 or desired shape with a variety or plurality of different thicknesses to allow light passing through
17 to create said moving image” in claim 10.

18 30. Because each of Accused Products does not include at least the above recited
19 limitation, the Accused Products do not infringe any claims of the '654 Patent.

20 **COUNT II: DECLARATION OF INVALIDITY OF THE '654 PATENT**

21 31. Plaintiffs repeat and reallege the allegations in the preceding paragraphs as though
22 fully set forth herein.

23 32. The '654 Patent is invalid for failing to meet the conditions for patentability and
24 failing to comply with one or more of the provisions of Title 35 of the United States Code,
25 including, but not limited to sections 101, 102, 103, and/or 112.

26 33. Plaintiffs seek and are entitled to a judgment against Defendants that the '645
27 patent is invalid.

COUNT III: DECLARATION OF UNENFORCEABILITY OF THE '654 PATENT

34. Plaintiffs repeat and reallege the allegations in the preceding paragraphs as though fully set forth herein.

35. Upon information and belief, the '645 Patent is unenforceable due to inequitable conduct during prosecution of the '645 Patent.

36. Upon information and belief, the named inventor and applicant (Tseng-Lu Chien), patent prosecution counsel, and/or others substantively involved in the preparation or prosecution of the patent application intentionally failed to disclose and/or buried known material prior art with the intent to deceive the U.S. Patent Office, including Mr. Chien's own earlier U.S. Patent No. 7,832,917, U.S. Patent Application No. 2010/0277952, and U.S. Patent Application No. 2012/0200828.

37. Plaintiffs seek and are entitled to a judgment against Defendants that the '645 patent is unenforceable.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully request that judgment be entered:

- a. Declaring that Plaintiffs have not and does not infringe, directly, contributorily, by inducement, literally or by equivalents, jointly, or willfully, any claim of the '654 Patent by making, using, selling, offering to sell, and/or importing of the Accused Products;
- b. Declaring that the Accused Products do not infringe, directly, contributorily, by inducement, literally or by equivalents, jointly, or willfully, any claim of the '654 Patent;
- c. Declaring that the '645 patent is invalid and unenforceable;
- d. Declaring this case exceptional under 35 U.S.C. § 285 at least as a result of Defendants' assertion of the '654 Patent despite Defendants' knowledge of Plaintiffs' non-infringement and knowledge of the patent's invalidity and unenforceability, and ordering Defendants to pay Plaintiffs' reasonable attorneys'

1 fees and expenses in this action;

2 e. Ordering Defendants to pay Plaintiffs' costs pursuant to 28 U.S.C. § 1920; and

3 f. Awarding Plaintiffs any other remedy or relief to which it may be entitled and
4 which the Court deems just, proper, and equitable.

5 DATED: November 7, 2024

MORROW NI LLP

6 By: /s/ Xinlin Li Morrow

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