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14 *Ningbo Ruihua Electronics Plastics Co., Ltd.*

15 **UNITED STATES DISTRICT COURT**
16 **CENTRAL DISTRICT OF CALIFORNIA**

17 NINGBO RUIHUA ELECTRONICS
18 PLASTICS CO., LTD.,
a Chinese corporation,

19
20 Plaintiff,

21 v.

22 CHARLES HWANG, a.k.a.
23 HAN-CHIEH HWANG, a.k.a.
24 HANJIE HUANG, an individual;
JOHN/JANE DOE(S),

25
26 Defendants.
27
28

Case No. 2:22-cv-2108

COMPLAINT FOR:
(1) CORRECTION OF
INVENTORSHIP OF A PATENT
UNDER 35 U.S.C. § 256;
(2) DECLARATORY JUDGMENT
OF PATENT OWNERSHIP;
(3) MISAPPROPRIATION OF TRADE
SECRETS UNDER THE DEFEND
TRADE SECRETS ACT; AND
(4) MISAPPROPRIATION OF TRADE
SECRETS UNDER THE
CALIFORNIA UNIFORM TRADE
SECRETS ACT

JURY TRIAL DEMANDED

1 Plaintiff Ningbo Ruihua Electronics Plastics Co., Ltd. (“Ruihua”) brings this
2 Complaint against Defendants Charles Hwang, a.k.a. Han-Chieh Hwang, a.k.a. Hanjie
3 Huang (“Hwang”), as well as other currently unidentified John/Jane Doe(s), for claims
4 for relief of correction of inventorship of a patent, declaratory judgment of patent
5 ownership, and misappropriation of trade secrets under the Defend Trade Secrets Act
6 and California Uniform Trade Secrets Act.

7 **JURISDICTIONAL STATEMENT PURSUANT TO L.R. 8-1**

8 1. This is a civil action arising under the Declaratory Judgment Act, 28
9 U.S.C. § 2201, *et seq.*, the patent laws of the United States 35 U.S.C. § 1, *et seq.*, the
10 Defend Trade Secrets Act, 18 U.S.C. § 1836, *et seq.* and the California Uniform Trade
11 Secrets Act, Cal. Civ. Code § 3426 *et seq.* The Court has original jurisdiction over the
12 claims alleged herein pursuant to 28 U.S.C. §§ 1331, 1338(a), 2201 and 2202, 35
13 U.S.C. § 256, and 18 U.S.C. § 1836(c). This Court has supplemental jurisdiction over
14 the claims alleged herein arising under state law pursuant to 28 U.S.C. § 1367(a).

15 **PARTIES**

16 2. Plaintiff Ruihua is a Chinese corporation with a principal place of
17 business at 49 Zhennan Road, Ditang Street, Yuyao, Ningbo City, Zhejiang Province,
18 China 315490.

19 3. Ruihua has been a pioneer and leading innovator in the development of
20 jump starter technologies for automotive vehicles since its founding in 1994.

21 4. On information and belief, Defendant Hwang is an individual and citizen
22 of Taiwan who resides in this District at 1714 Stoner Avenue, #9, Los Angeles,
23 California 90025.

24 5. On information and belief, one or more Defendants John/Jane Does,
25 whose names and addresses are currently unknown, are individuals who at all times
26 relevant hereto engaged in the illegal activities identified and described in this
27 Complaint with Hwang.
28

1 6. On information and belief, one or more Defendants John/Jane Does,
2 whose names and addresses are currently unknown, have acted in concert with Hwang
3 to commit the acts set forth herein.

4 7. The true names of Defendants sued herein as John/Jane Does are
5 presently unknown to Ruihua, who therefore sues said Defendants by such fictitious
6 names. Ruihua will seek leave to amend this Complaint to allege the true names of
7 such John/Jane Does when the same have been ascertained. On information and
8 belief, Ruihua alleges that each of the fictitiously named Defendants participated in
9 some or all of the acts alleged in the Complaint.

10 **JURISDICTION AND VENUE**

11 8. This civil action includes claims for correction of inventorship of United
12 States Patent No. 9,407,102 (“the ’102 Patent”) under 35 U.S.C. § 256, declaratory
13 judgment of patent ownership under 28 U.S.C. §§ 2201 and 2202, and claims for trade
14 secret misappropriation under the Defend Trade Secrets Act, 18 U.S.C. § 1836, *et seq.*
15 and California Uniform Trade Secrets Act, Cal. Civ. Code § 3426 *et seq.*

16 9. This Court has original subject matter jurisdiction over Ruihua’s claims
17 for correction of inventorship pursuant to 28 U.S.C. §§ 1331 and 1338(a) and 35
18 U.S.C. § 256. Subject matter jurisdiction exists for Ruihua’s federal trade secret claim
19 pursuant to 18 U.S.C. § 1836(c) and 28 U.S.C. § 1331. This Court also has subject
20 matter jurisdiction over Ruihua’s declaratory judgment of patent ownership claim
21 under 28 U.S.C. §§ 2201 and 2202.

22 10. This Court also has supplemental jurisdiction under 28 U.S.C. § 1367
23 over Ruihua’s state law claims asserted herein.

24 11. This Court has personal jurisdiction over Defendants because, on
25 information and belief, Defendants reside in this District and a substantial portion of
26 the acts committed in furtherance of the violations alleged herein took place within
27 this District.

1 12. Venue is proper pursuant to 28 U.S.C. § 1391(b) as, on information and
2 belief, it is the judicial district in which Defendants reside and is the location where a
3 substantial part of the acts, events and omissions giving rise to the claims asserted
4 herein occurred.

5 **FACTUAL BACKGROUND**

6 ***Ruihua’s Innovations in the Manufacture and Design of***
7 ***Jump Starter Products and Accessories***

8 13. This case concerns portable electrical energy sources used to boost dead
9 or discharged batteries of automotive vehicles, generally referred to as “jump
10 starters.”

11 14. Founded in 1994 in Ningbo, China, Ruihua is a leading designer and
12 manufacturer of lead-acid and lithium-ion jump starter products and accessories.
13 Ruihua launched its first jump starter products in 1998. Since then, Ruihua has
14 continued to develop and advance its innovative core technology for battery charging
15 and jumper cable designs under the leadership of Ruihua’s Co-Founder and President,
16 Mr. Senliao Lou.

17 15. For more than 20 years, Ruihua has invested substantially in the research
18 and development of its jump starter technologies. Ruihua has also spent considerable
19 resources to protect its technologies by securing its trade secrets and applying for
20 patents. Because of Ruihua’s investments in research and development to improve its
21 proprietary jump starter technology, Ruihua’s products have been highly sought after
22 and sold by major automotive parts retailers throughout the U.S. since 1998.

23 16. At all times, Ruihua has taken reasonable measures to protect the
24 confidentiality of its proprietary trade secret information, including storing its design
25 documents and diagrams on password-protected servers and computers and disclosing
26 this information only on a need-to-know basis to certain employees. Ruihua
27 maintains internal procedures and policies to protect its proprietary information from
28 wrongful acquisition, misuse, and/or disclosure.

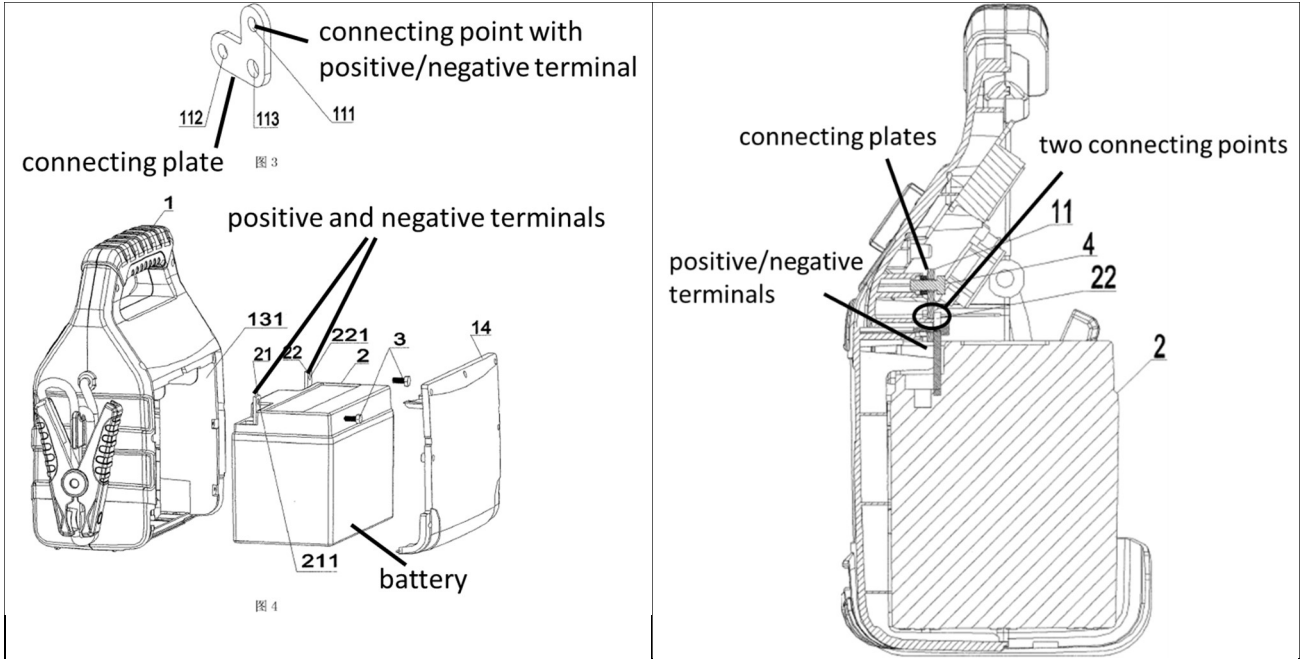
1 17. Ruihua also protects its technology through patent protection. To date,
2 Ruihua has more than 17 issued Chinese patents covering its jumper starter
3 technologies.

4 18. In or about 2013, Ruihua introduced its 55 Series products (model
5 numbers 55000, 55001, 55002 and 55003), which were easier to assemble than prior
6 models and featured enhanced electrical reliability.

7 19. Mr. Senliao Lou, together with Ruihua engineers Mr. Bo Zhang and
8 Mr. Yongsong Zhang, were the design team for the 55 Series products. Mr. Lou
9 conceptualized and developed the overall design of the 55 Series products for nearly a
10 year. Mr. Bo Zhang assisted with the design of the jump starter structure, and
11 Mr. Yongsong Zhang assisted with the design of the electrical circuits. Throughout
12 the development of the 55 Series products, Ruihua documented relevant technical
13 information concerning the products including, among other things, information
14 regarding the specifications for the products, design requirements, manufacturing
15 techniques, and testing procedures.

16 20. Ruihua's innovations include the design of a battery unit with
17 positionally fixed positive and negative terminals and a portable case with two
18 positionally fixed L-shaped connecting plates that allow for simple installation of the
19 battery unit into the portable case during final assembly (the "battery connection
20 design"). This battery connection design has the advantage of reducing the power
21 routing between the battery unit and the portable case to just two connecting points—
22 thereby simplifying the installation process and reducing potential errors during the
23 installation process. The battery connection design also has the advantage of
24 minimizing errors in displacement as the battery unit is entirely fixed in one position
25 defined by the terminals and the connecting plates.

26 21. Figures from Ruihua's Chinese patents that cover the 55 Series products
27 are shown below demonstrating the battery connection design:
28



22. In early 2013, Ruihua sought patent protection for the battery connection design of its 55 Series products in China, where the products were designed and manufactured.

23. Specifically, on January 21, 2013, Ruihua filed a Chinese utility model patent application on the main structure and key components, which later issued on August 7, 2013, as Chinese Utility Model Patent No. CN203119522U (“the ’522U Patent”). A true and correct copy of the ’522U Patent and a certified translation thereof are attached as Exhibits A and B, respectively.

24. On the same day, Ruihua filed a Chinese design patent application on the design of the portable case, which later issued on May 15, 2013, as Chinese Design Patent No. CN302435617S (“the ’617S Patent”), respectively. A true and correct copy of the ’617S Patent and a certified translation thereof are attached as Exhibits C and D, respectively.

25. On April 23, 2013, Ruihua filed a Chinese design patent application on the design of the battery unit, specifically, the positionally fixed positive and negative terminals thereon, which later issued on August 14, 2013, as Chinese Design Patent

1 No. CN302535063S (“the ’063S Patent”). A true and correct copy of the ’063S
2 Patent and a certified translation thereof are attached as Exhibits E and F, respectively.

3 26. On May 17, 2013, Ruihua filed Chinese Patent Application No.
4 ZL201310187311.9, which later issued on December 30, 2015, as Chinese Patent No.
5 CN103456905B (“the ’905 Patent”). The ’905 Patent covers some of the key utility
6 features of the battery connection design invention. A true and correct copy of the
7 ’905 Patent and a certified translation thereof are attached as Exhibits G and H,
8 respectively.

9 27. In addition to the patented battery connection design, Ruihua also
10 developed other proprietary designs and operating methodology. These technologies
11 include Ruihua’s proprietary electrical and mechanical design that allows multiple
12 voltage sources for charging various products beyond an automotive vehicle,
13 including a Type-A USB connector for charging small electrical devices such as a
14 mobile telephone (the “voltage source design”). Specifically, Ruihua’s proprietary
15 voltage source design ensures electrical safety by protecting the jump starter’s
16 electrical circuit from damage caused by an overcurrent or short circuit.

17 28. Ruihua intended to maintain such other proprietary designs and operating
18 methodology of the 55 Series products, including the voltage source design, as trade
19 secrets. The electrical and mechanical layouts and operating methods for such designs
20 can and are intended to be integrated into Ruihua’s other products. These
21 technologies are not disclosed in Ruihua’s Chinese patents, and are not readily
22 apparent from examination of the products.

23 ***Hwang and John/Jane Doe Defendants’***
24 ***Misappropriation of Ruihua’s Trade Secrets***

25 29. In early 2010, Ruihua sought to improve its jump starter product sales in
26 the United States. Defendant Charles Hwang was introduced to Mr. Lou as a
27 salesperson with experience with the U.S. market.
28

1 30. Hwang did not have any experience with jump starter technology prior to
2 joining Ruihua, but Ruihua hoped to benefit from Hwang’s promises to help increase
3 Ruihua’s U.S. sales.

4 31. On or about June 1, 2012, Hwang was hired as a full-time employee of
5 Ruihua to manage and oversee all its sales operations in the U.S., and was given the
6 title of Vice President and Director of Sales. During the course of his employment,
7 Hwang was paid a base salary of RMB 15,000. He also received discretionary sales
8 commissions that ranged from 2% to 5% of the sales that he helped generate. As an
9 additional incentive, Mr. Lou put Hwang in charge of maintaining the relationships
10 with many existing Ruihua distributors and their customers, including Test Rite
11 Products Corporation (“Test Rite”) and O’Reilly Automotive, Inc. (“O’Reilly”).
12 Hwang was also reimbursed for business travel and housing expenses during the time
13 he was employed by Ruihua.

14 32. Unbeknownst to Ruihua, Hwang planned to, and did, misappropriate
15 Ruihua’s confidential and proprietary information for his personal benefit.

16 33. In his capacity as Ruihua’s Vice President and Director of Sales, Hwang
17 was privy to highly sensitive and confidential proprietary technical information of
18 Ruihua’s products that were to be marketed and sold in the U.S. market, including the
19 55 Series products.

20 34. In addition, during the development of the 55 Series products, Hwang
21 proposed and specifically asked to share an office with Mr. Bo Zhang, one of the key
22 design engineers on the 55 Series product.

23 35. Upon information and belief, Hwang used his close proximity with
24 Mr. Bo Zhang’s work to copy and transfer design documents of the 55 Series products
25 stored in the shared office space—to which he had no authority to access and in direct
26 violation of Ruihua’s company policy.

27 36. Also unbeknownst to Ruihua, Hwang used Ruihua’s trade secrets to
28 apply for a provisional patent in his own name in the United States on September 27,

1 2013, which ultimately issued on August 2, 2016, as U.S. Patent No. 9,407,102 (“the
2 ’102 Patent”). In particular, Hwang disclosed Ruihua’s trade secrets relating to its
3 battery connection design and voltage source design, including figures used in
4 Ruihua’s then unpublished Chinese patent application for the ’905 Patent. A true and
5 correct copy of the ’102 Patent is attached as Exhibit I.

6 37. Hwang was not an inventor of the inventions disclosed in the ’102 Patent.

7 38. The correct inventors of the inventions disclosed in the ’102 Patent are
8 Messrs. Senliao Lou, Bo Zhang, and Yongsong Zhang.

9 39. On or about September 26, 2021, Ruihua terminated Hwang’s
10 employment due to his failure to achieve the sales goals he had promised to Ruihua’s
11 executive team.

12 40. On information and belief, following the termination of his employment,
13 on November 15, 2021, Hwang sent a cease-and-desist letter to Ruihua’s distributor
14 Test Rite, alleging infringement of the ’102 Patent based on the sale of the 55 Series
15 products.

16 41. Investigation by Ruihua revealed that Hwang had in fact incorporated
17 Ruihua’s early designs of the 55 Series products in the ’102 Patent, including the
18 electrical and mechanical layout of an air compressor module externally attached to
19 the jump starter product to inflate tires. Ruihua had improved this early design to a
20 built-in air compressor module to minimize voltage drops and reduce equipment
21 requirements. This early design of an externally connected air compressor was not
22 adopted in the final 55 Series products sold in the U.S. market.

23 42. Hwang disclosed in the ’102 Patent features and confidential proprietary
24 designs that Hwang could only have learned while he was employed at Ruihua, which
25 Hwang obtained in violation of Ruihua’s company and employee policies.

26 43. On information and belief, certain unknown John/Jane Doe Defendants
27 unlawfully acted in concert with Hwang to obtain and disclose Ruihua’s confidential
28 proprietary technologies, including the battery connection design, the voltage source

1 design and Ruihua’s early designs of its 55 Series products, including the design of
2 externally connected air compressors.

3 44. On February 23, 2022, Hwang filed an action in this Court against
4 Ruihua’s distributor, Test Rite, and Test Rite’s customer, O’Reilly, alleging
5 infringement of the ’102 Patent. *Charles Hwang v. Test Rite Product Corporation et*
6 *al.*, Case No. 2:22-cv-01259-JWH-SHK (C.D. Cal.).

7 **COUNT I**

8 **(Correction of Inventorship Under 35 U.S.C. § 256)**

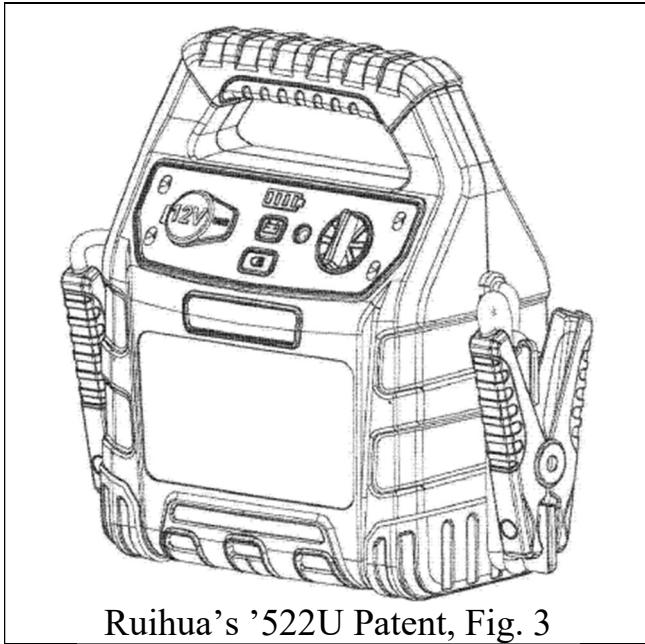
9 45. Ruihua incorporates by reference and realleges paragraphs 1-44 above of
10 this Complaint as if fully set forth herein.

11 46. Hwang improperly used Ruihua’s proprietary and trade secret
12 information to apply for a U.S. patent. Hwang filed a provisional application on
13 September 27, 2013, and a nonprovisional application (U.S. Patent Application No.
14 14/088,149) two months later, on November 22, 2013, which ultimately led to the
15 issuance of the ’102 Patent on August 2, 2016. The ’102 Patent is titled “Portable
16 Modular Power Station,” and lists Hwang as the sole inventor and assignee.

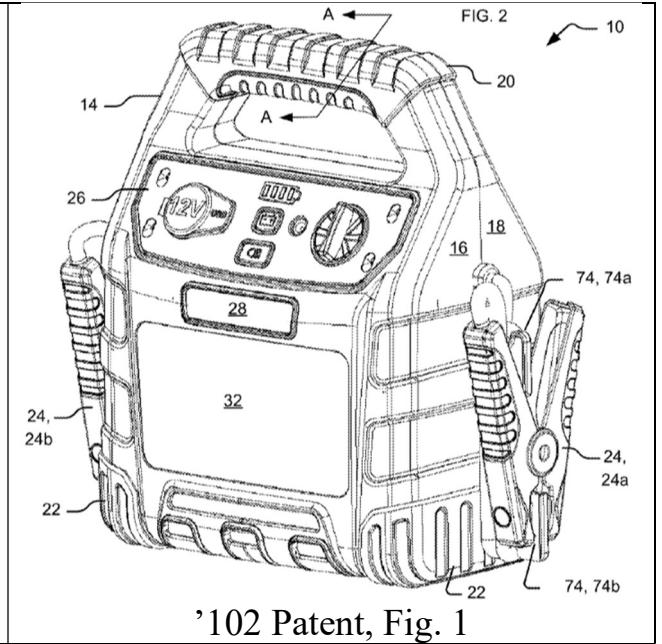
17 47. Hwang utilized the early and intended designs of Ruihua’s yet-to-be-
18 released 55 Series products to apply for the ’102 Patent, including the battery
19 connection design that Ruihua had intended to disclose for patent protection in China
20 through Ruihua’s ’905 Patent, ’522U Patent, ’617S Patent and ’063S Patent—all of
21 which were filed before Hwang’s applications for the ’102 Patent—as well as the
22 voltage source design that Ruihua planned to maintain as a trade secret.

23 48. Even a cursory examination of the ’102 Patent and Ruihua’s China
24 patents reveals that Hwang copied Ruihua’s proprietary battery connection design.
25 For example, the figures of the ’102 Patent are exact or near-exact copies of Ruihua’s
26 Chinese applications (which were all filed in early 2013—well before any filing for
27 the ’102 Patent):
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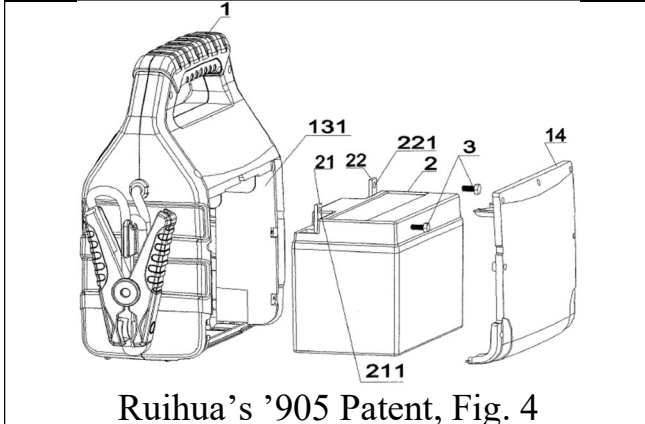
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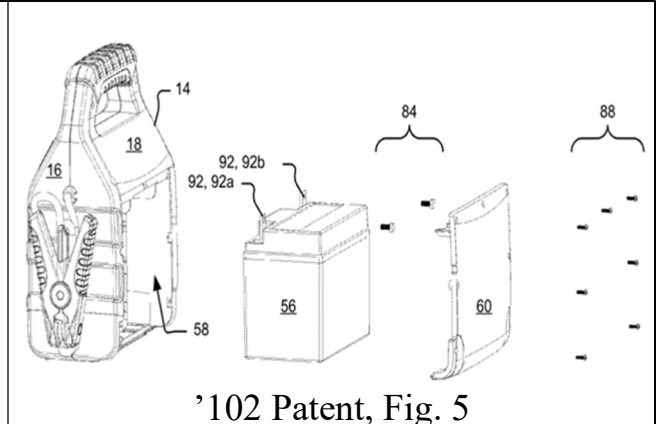
Ruihua's '522U Patent, Fig. 3



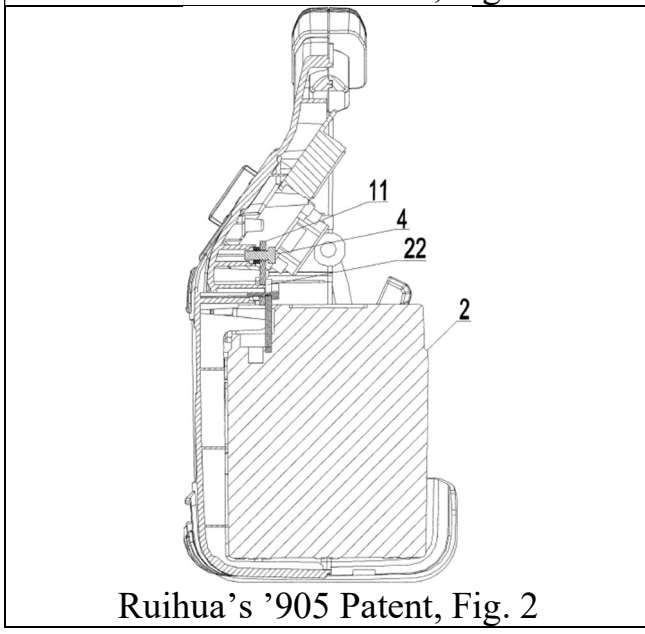
'102 Patent, Fig. 1



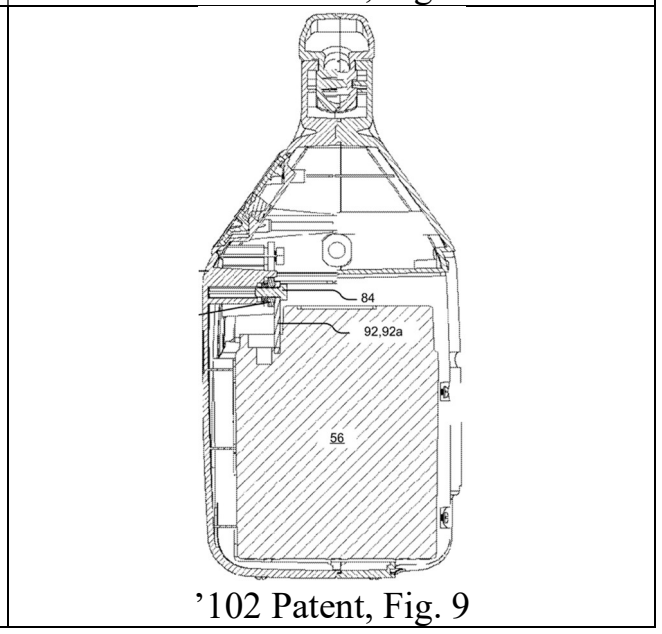
Ruihua's '905 Patent, Fig. 4



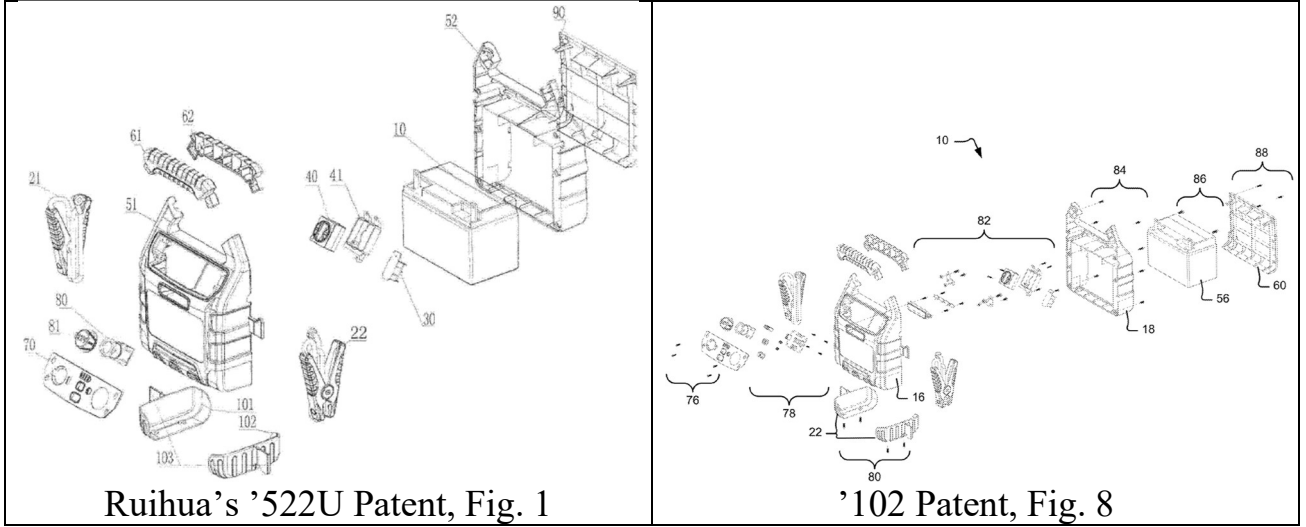
'102 Patent, Fig. 5



Ruihua's '905 Patent, Fig. 2



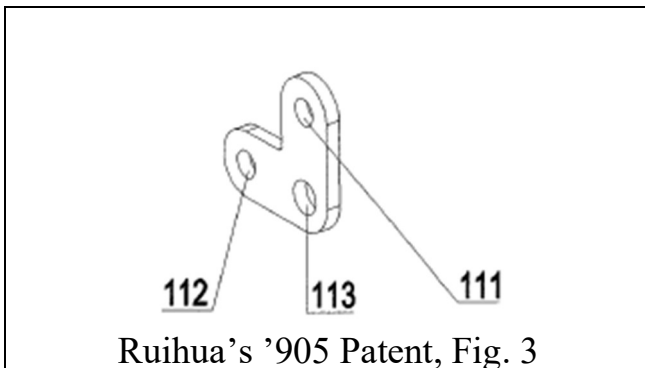
'102 Patent, Fig. 9



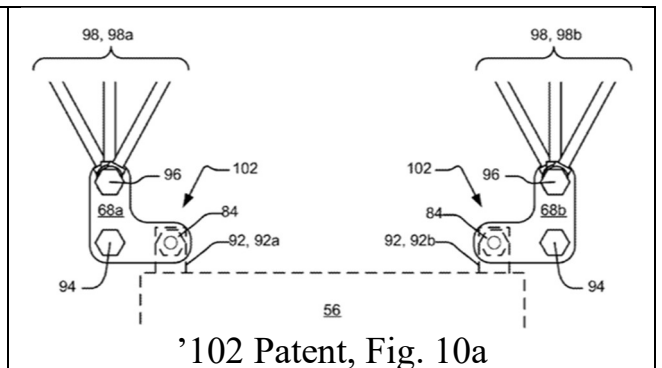
Ruihua's '522U Patent, Fig. 1

'102 Patent, Fig. 8

49. In addition, Ruihua's '905 Patent expressly describes "L-shaped" connecting plates fixed on the portable case ("main body") for connection with the terminals fixed on the battery unit. '905 Patent at Claim 1 and Fig. 3 ("wherein ... two metal connecting plates are correspondingly provided in the main body... the two metal connecting plates are both L-shaped") (emphasis added). The '102 Patent similarly recites "L-shaped" connecting brackets positionally fixed on the portable case. See '102 Patent at 8:3-26 and Fig. 10a ("The main power source 56 has two power terminals 92 (a positive terminal 92a and a negative terminal 92b) that are fixed in position. ... Inside the front shall piece 16 the attachment posts 68 are fixedly mounted in positions able to connect to the terminals 92a-b only when they are close. ... The attachment posts 68 here are L-shaped brackets. For example, brackets that are L-shaped or angular in one plane but have a z-offset in another plane.") (emphasis added).



Ruihua's '905 Patent, Fig. 3



'102 Patent, Fig. 10a

1 50. The claims of both patents cover the terminals fixed on the battery unit
2 and the connecting plates fixed on the portable case (“main body”). Claim 1 of
3 Ruihua’s ’905 Patent recites “the battery mounted in the main body, the battery
4 mounted in the main body, wherein a positive metal plate terminal and a negative
5 metal plate terminal are provided on the battery, two metal connecting plates are
6 correspondingly provided in the main body, and the positive metal plate terminal and
7 the negative metal plate terminal are respectively in contact with the two metal
8 connecting plates.”

9 51. Using language similar to Ruihua’s ’905 Patent, the ’102 Patent’s Claim
10 1 recites “a housing (14) ... suitable to contain a main power source (56) having a
11 positionally fixed positive power terminal (92a) and a positionally fixed negative
12 power terminal (92b),” “said housing having a positionally fixed positive attachment
13 post (68a) ... which is suitable for electrically connection of said positive power
14 terminal of a said main power source,” “said housing further having a positionally
15 fixed negative attachment post (68b) ... which is suitable for electrically connection of
16 said negative power terminal of a said main power source.”

17 52. The ’102 Patent further discloses additional trade secrets and proprietary
18 technologies that had been documented by Ruihua during the development process of
19 its 55 Series products, including the voltage source design and Ruihua’s early design
20 of externally connected air compressors.

21 53. Hwang applied for and was awarded the ’102 Patent based on the false
22 representation to the United States Patent and Trademark Office that he was the sole
23 inventor. A true and correct copy of the Inventor’s Oath or Declaration for the filing
24 of the ’102 Patent is attached as Exhibit J. This representation was false because
25 Hwang failed to disclose that Messrs. Senliao Lou, Bo Zhang, and Yongsong Zhang
26 were the true inventors of the inventions described in the ’102 Patent. Hwang made
27 no contribution to the invention claimed in the ’102 Patent and should not have been
28 named as an inventor.

1 54. The inventorship of the '102 Patent is incorrect because, through a false
2 and fraudulent representation to the United States Patent and Trademark Office,
3 Messrs. Senliao Lou, Bo Zhang, and Yongsong Zhang are not listed as the inventors
4 on the '102 Patent.

5 55. Pursuant to 35 U.S.C. § 256, Ruihua is entitled to a judgment that
6 Messrs. Senliao Lou, Bo Zhang, and Yongsong Zhang are the true and only inventors
7 of the '102 Patent.

8 56. Pursuant to 35 U.S.C. § 256, Ruihua is entitled to a judgment that Hwang
9 is improperly named as the inventor of the '102 Patent, and Hwang's ownership
10 interest in the '102 Patent and any and all U.S. or foreign applications or issued
11 patents claiming priority therefrom or relating thereto are owned by Ruihua.

12 57. Accordingly, Ruihua requests that the Court order correction of, and
13 enter judgment regarding, the '102 Patent in accordance with the above and according
14 to proof.

15 **COUNT II**

16 **(Declaration of Ownership of the '102 Patent Under 28 U.S.C. §§ 2201 and 2202)**

17 58. Ruihua incorporates by reference and realleges paragraphs 1-57 above of
18 this Complaint as if fully set forth herein.

19 59. The '102 Patent is recorded as assigned to and owned by Hwang.
20 Hwang, however, made no inventive contributions to the invention claimed in the
21 '102 Patent.

22 60. As set forth above, Messrs. Senliao Lou, Bo Zhang, and Yongsong
23 Zhang are the true and only inventors of the '102 Patent.

24 61. Working for Ruihua, Messrs. Senliao Lou, Bo Zhang, and Yongsong
25 Zhang assigned their inventions to Ruihua. Therefore, Ruihua is the sole owner of the
26 '102 Patent and any and all U.S. or foreign applications or issued patents claiming
27 priority therefrom or relating thereto.
28

1 62. An actual and justiciable controversy has arisen and now exists between
2 Ruihua and Hwang concerning the ownership of the '102 Patent. Hwang, as the sole
3 named inventor, has no legitimate claim of ownership right to the invention claimed in
4 the '102 Patent. All rights in the '102 Patent should be assigned to Ruihua.

5 63. Ruihua seeks declaratory relief under at least 28 U.S.C. §§ 2201 and
6 2202, as well as applicable federal patent law. Ruihua desires a judicial determination
7 of its rights and a declaration as to the ownership of the technology alleged above, the
8 '102 Patent and any and all related patent applications. Ruihua also seeks an order
9 from the Court directing the United States Patent and Trademark Office to amend the
10 relevant records to reflect the ownership interest of Ruihua.

11 64. A judicial declaration is necessary and appropriate at this time under the
12 circumstances in order that Ruihua and Hwang may ascertain their rights—especially
13 in light of the ongoing patent infringement action that Hwang has asserted against
14 Ruihua's distributor and retailer based on the '102 Patent. Declaratory relief will
15 clarify the parties' rights and obligations and lessen the burden caused by the unsettled
16 state of affairs.

17 **COUNT III**

18 **(Misappropriation of Trade Secrets**

19 **Under the Defend Trade Secrets Act (“DTSA”))**

20 65. Ruihua incorporates by reference and realleges paragraphs 1-64 above of
21 this Complaint as if fully set forth herein.

22 66. Ruihua owns and possesses confidential and trade secret information,
23 including but not limited to its battery connection design, voltage source design, and
24 external air compressor module, as alleged above. These trade secrets are reflected in
25 Ruihua's design documents for the 55 Series products and other confidential company
26 documents.

27 67. Ruihua's trade secrets relate to products used, sold and ordered in, or
28 intended to be used, sold and/or ordered in, interstate and foreign commerce.

1 68. Ruihua has taken reasonable measures to keep such information secret
2 and confidential, including by storing its design documents and diagrams on
3 password-protected servers and computers and disclosing it only on a need-to-know
4 basis to certain employees and by maintaining internal procedures and policies to
5 protect its proprietary information from outsider access and employee wrongful
6 acquisition, misuse, or disclosure. Ruihua’s trade secrets are not generally known and
7 cannot be readily ascertained by others.

8 69. Ruihua has developed its trade secrets over the course of many years,
9 through a substantial financial investment of at least \$1 million, as well as through
10 significant investment in time, talent, and other resources. Ruihua’s proprietary and
11 confidential information derives independent economic value from not being
12 generally known to and not being readily ascertainable through proper means by
13 another person who could obtain economic value from the disclosure or use of the
14 information. Ruihua’s trade secrets are kept secret because they provide Ruihua with
15 a competitive advantage in the marketplace.

16 70. Despite Ruihua’s extensive efforts to maintain the secrecy of its trade
17 secrets, Hwang and John/Jane Doe Defendants, individually and/or in collaboration
18 with one another, in violation of Ruihua’s rights, have willfully misappropriated
19 Ruihua’s trade secrets, including the battery connection design, voltage source design
20 and external air compressor module design. Hwang further knowingly and
21 deliberately disclosed Ruihua’s trade secrets to apply for and claim such technology as
22 his own, including that set forth in the ’102 Patent.

23 71. Hwang and John/Jane Doe Defendants’ misappropriation of Ruihua’s
24 trade secrets has been intentional, knowing, willful, malicious, fraudulent, and
25 oppressive. Hwang is currently using, and will continue to use, Ruihua’s trade secrets
26 for his own benefit both in the operation of his business and in pursuing patent
27 infringement claims against Ruihua’s distributors and customers.
28

1 72. Ruihua has suffered, and continues to suffer, damages, including
2 damages for actual loss caused by the misappropriation, damages for unjust
3 enrichment of Hwang and John/Jane Doe Defendants caused by the misappropriation,
4 damages caused by the misappropriation measured by imposition of liability for a
5 reasonable royalty for Hwang and John/Jane Doe Defendants' misappropriation,
6 and/or disgorgement of profits.

7 73. Ruihua is entitled to monetary remedies. Ruihua seeks, in addition to
8 damages, permanent injunctive relief to recover and protect its trade secrets. Ruihua
9 is also entitled to an award of exemplary damages, and attorney's fees.

10 **COUNT IV**

11 **(Misappropriation of Trade Secrets**

12 **Under the California Uniform Trade Secrets Act)**

13 74. Ruihua incorporates by reference and realleges paragraphs 1-73 above of
14 this Complaint as if fully set forth herein.

15 75. The conduct alleged as to Hwang and John/Jane Doe Defendants'
16 violations of the DTSA also constitute violations of the California Uniform Trade
17 Secrets Act, Cal. Civ. Code § 3426 *et seq.* At all times relevant herein, Ruihua owned
18 and was in possession of its trade secrets as specified herein and as defined by
19 California Civil Code Section 3426.1(d). As set forth herein, these trade secrets
20 include confidential proprietary information regarding Ruihua's battery connection
21 design, voltage source design, and external air compressor module design, as alleged
22 above. These trade secrets are reflected in Ruihua's design documents for the 55
23 Series products and other confidential company documents. Ruihua's trade secrets are
24 kept secret because they provide Ruihua with a competitive advantage in the
25 marketplace.

26 76. Despite Ruihua's extensive efforts to maintain the secrecy of its trade
27 secrets, Hwang and John/Jane Doe Defendants, individually and/or in collaboration
28

1 with one another, acquired, through improper means, Ruihua’s trade secrets in
2 violation of California Civil Code Section 3426.1(b).

3 77. Hwang and John/Jane Doe Defendants’ misappropriation of Ruihua’s
4 trade secrets has been intentional, knowing, willful, malicious, fraudulent, and
5 oppressive.

6 78. Hwang and John/Jane Doe Defendants are currently using, and will
7 continue to use, Ruihua’s trade secrets for his own benefit both in the operation of his
8 business and in pursuing patent infringement claims against Ruihua’s distributors and
9 customers.

10 79. As a result of the foregoing misappropriation of trade secrets, Ruihua has
11 suffered, and continues to suffer, damages, including damages for actual loss caused
12 by the misappropriation, damages for unjust enrichment of Hwang and John/Jane Doe
13 Defendants caused by the misappropriation, damages caused by the misappropriation
14 measured by imposition of liability for a reasonable royalty for Hwang and John/Jane
15 Doe Defendants’ misappropriation, and/or disgorgement of profits.

16 80. Ruihua is entitled to monetary remedies. Ruihua seeks, in addition to
17 damages, permanent injunctive relief to recover and protect its trade secrets. Ruihua
18 is also entitled to an award of exemplary damages, and attorneys’ fees.

19 **PRAYER FOR RELIEF**

20 WHEREFORE, Ruihua respectfully request judgment and relief as follows:

21 A. The Court order correction of the ’102 Patent pursuant to 35 U.S.C. § 256
22 to list Messrs. Senliao Lou, Bo Zhang, and Yongsong Zhang as inventors thereof;

23 B. The Court declare that Ruihua is the sole owner of the ’102 Patent and
24 any and all related patent applications;

25 C. The Court award damages, including but not limited to actual,
26 exemplary, and/or unjust enrichment damages, and/or a reasonable royalty, as
27 appropriate as to each of the above claims, in favor of Ruihua in amounts to be
28 determined at trial;

1 D. The Court order that Hwang, John/Jane Doe Defendants, and all those
2 acting on behalf of or in active concert or participation with any of them, return all
3 documents or materials containing Ruihua’s confidential information or trade secrets;

4 E. The Court order that Hwang, John/Jane Doe Defendants, and all those
5 acting on behalf of or in active concert or participation with any of them, be
6 permanently enjoined from using Ruihua’s confidential information or trade secrets
7 and from selling or offering for sale any products using or embodying Ruihua’s
8 confidential information or trade secrets;

9 F. The Court award Ruihua its reasonable attorneys’ fees and damages
10 enhancements as appropriate for each of the above claims due to Defendants’ willful
11 and/or malicious conduct; and

12 G. The Court award such other relief as the Court may deem just and proper.

13 **JURY DEMAND**

14 Pursuant to Rule 38(b), Plaintiff demands a trial by jury of this action.

15
16
17 Dated: March 30, 2022

Respectfully submitted,
PILLSBURY WINTHROP SHAW
PITTMAN LLP

18
19
20 */s/ David J. Tsai*
21 _____
David J. Tsai

22 Attorneys for Plaintiff
23 NINGBO RUIHUA ELECTRONICS
24 PLASTICS CO., LTD
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