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11 Attorneys for Plaintiff  
THE NOCO COMPANY  
12

13 UNITED STATES DISTRICT COURT  
14 CENTRAL DISTRICT OF CALIFORNIA

15 THE NOCO COMPANY,

16 Plaintiff,

17 v.

18 WINPLUS NORTH AMERICA, INC.,  
19 WINPLUS NA, LLC, AND ADC  
SOLUTIONS AUTO LLC

20 Defendants.  
21

**Case No. 8:23-cv-00269**

**COMPLAINT FOR PATENT  
INFRINGEMENT**

**DEMAND FOR JURY TRIAL**

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1 Plaintiff The NOCO Company (“NOCO” or “Plaintiff”) for its Complaint against  
2 Defendants Winplus North America, Inc., Winplus NA, LLC, and ADC Solutions Auto LLC  
3 (collectively, “Winplus” or “Defendants”) alleges as follows:

4 **INTRODUCTION**

5 1. NOCO, a designer of consumer electronics headquartered in the greater Cleveland,  
6 Ohio area, has set a new standard in the performance, design and safety of portable jump starters.  
7 An unfortunate by product of NOCO’s tremendous success has been widespread copycats  
8 entering the market from outside of the U.S. seeking to trade off of NOCO’s substantial  
9 investment in its research, design and marketing. These knockoff and copycat products are  
10 pouring into the United States from overseas infringing NOCO’s valuable intellectual property  
11 rights.

12 2. This is an action to cease the unlawful and infringing activities of Defendants in  
13 the manufacture and sale of their jump starter products. As set forth more fully below, NOCO  
14 seeks damages, costs and attorneys’ fees and permanent injunctive relief as authorized by the  
15 Patent Act.

16 **THE PARTIES**

17 3. NOCO is a corporation organized under the laws of the State of Ohio, with its  
18 principal place of business in Glenwillow, Ohio.

19 4. Upon information and belief, Defendant Winplus North America, Inc. is a  
20 California company having a principal place of business at 2975 Red Hill Avenue, Suite 100  
21 Costa Mesa, CA, 92626-1201, as registered with the California Secretary of State.

22 5. Upon information and belief, Defendant Winplus NA, LLC is a Delaware  
23 company registered to do business in California, having a principal place of business at 2975 Red  
24 Hill Avenue, Suite 100 Costa Mesa, CA, 92626-1201, as registered with the California Secretary  
25 of State.

26 6. Upon information and belief, Defendant ADC Solutions Auto LLC is a  
27 corporation incorporated under the laws of California with its principal place of business located  
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1 at 2975 Red Hill Ave. #100, Costa Mesa, CA 92626.

2 **JURISDICTION AND VENUE**

3 7. This action involves statutory questions and claims arising under the laws of the  
4 United States. This Court has jurisdiction over the subject matter of this action pursuant to  
5 35 U.S.C. § 271, *et. seq.*, and 28 U.S.C. §§ 1331 and 1338.

6 8. Personal jurisdiction exists over Defendants. Defendants share and maintain a  
7 principal place of business in the State of California within this District. Defendants also have  
8 minimum contacts with this the State of California and this District as a result of substantial  
9 business regularly conducted or solicited within the State of California and this District.  
10 Moreover, Defendants have placed its products within the stream of commerce, which stream is  
11 directed to residents of the State of California and this District. Defendants are causing harm to  
12 NOCO as a result of tortious activity occurring in the State of California and in this District.

13 9. Venue is proper in this Court under 28 U.S.C. §§ 1391 and 1400, as Defendants  
14 reside in this District and wrongful acts giving rise to NOCO’s claims have occurred in this  
15 District.

16 **BACKGROUND**

17 10. Founded in the greater Cleveland, Ohio area in 1914, and continuously owned and  
18 managed by the same family since then, NOCO is a power supply and consumer electronics  
19 company. Among other things, NOCO is in the business of designing and marketing innovative,  
20 premium battery products including jump starters, battery chargers, cables and accessories.

21 11. NOCO’s patents asserted in this matter generally relate to technologies  
22 implemented in portable battery jump starters. They concern technologies related to specific  
23 circuitry for improving the performance and safety of these devices.

24 12. Since the early days of automobiles in the 1900s, car batteries have provided  
25 power to start engines. Batteries, however, lose charge over time, and eventually lack sufficient  
26 power to start the car. When a car battery dies, the engine can be started using an external current  
27 source, a process known as “jump starting.” The conventional way to jump start a dead car  
28 battery has been through the use of “jumper cables,” where two cables run from the positive and

1 negative terminals of a live battery (usually in a running car) to the corresponding terminals of the  
2 dead battery.

3 13. Using jumper cables to provide the current needed to start a car with a dead battery  
4 has long been problematic, even dangerous. This method can entail, among other things, a  
5 second car with a live battery or a heavy and bulky lead-acid battery system to provide the current  
6 boost. The method also presents a risk that the cables are improperly connected to either battery,  
7 which may cause sparks and short circuits that damage the car and potentially injure those  
8 performing the process.

9 14. NOCO solved the safety problems presented by jump starting a car with jumper  
10 cables in 2014 and introduced what is now known as the NOCO BOOST® line of jump starter  
11 products.

12 15. NOCO's NOCO BOOST® products are tremendously popular and are the market-  
13 leading compact lithium-ion battery-based jump starters in the United States. The NOCO  
14 BOOST® products have become known for safety, ease of use, and reliability.

15 16. NOCO is an innovator and has made substantial investments in research and  
16 development resulting in NOCO having been awarded numerous utility and design patents,  
17 including the asserted patents identified below, that cover the key safety and performance features  
18 of NOCO's NOCO BOOST® products.

19 17. Some of NOCO's game-changing patented inventions deliver enhanced battery life  
20 and performance thanks to dedicated circuits that equalize the charging process. Lithium-ion  
21 battery-based jump starters generally include a bank of individual battery cells that store enough  
22 charge to jump start a depleted 12-volt car battery. Batteries lose charge over time and with each  
23 use, and so they need to be re-charged. NOCO's patented solutions improve the re-charging  
24 process by equalizing the charges and charging rates of the individual battery cells, resulting in a  
25 more efficient and effective charging process that increases battery life as well as jump starting  
26 performance. The two asserted patents relating to NOCO's equalization circuits are United States  
27 Patent Nos. 10,981,452 ("the '452 Patent") and 11,254,213 ("the '213 Patent").

28 18. The '452 Patent is entitled "Portable or Hand Held Vehicle Battery Jump Starting

1 Apparatus with Battery Cell Equalization Circuit.” The ’452 Patent was duly and legally issued  
2 on April 20, 2021 by the United States Patent and Trademark Office (USPTO), a true and correct  
3 copy of which is attached hereto as Exhibit A and by reference is herein incorporated. NOCO is  
4 the assignee and owner of all right, title and interest, including the right to recover for past  
5 infringement, in the ’452 Patent.

6 19. The ’213 Patent is entitled “Portable or Hand Held Vehicle Battery Jump Starting  
7 Apparatus with Battery Cell Equalization Circuit.” The ’213 Patent was duly and legally issued  
8 on February 22, 2022 by the USPTO, a true and correct copy of which is attached hereto as  
9 Exhibit B and by reference is herein incorporated. NOCO is also the assignee and owner of all  
10 right, title and interest, including the right to recover for past infringement, in the ’213 Patent.

11 20. NOCO’s patented technology also relates to flexible and convenient ways to re-  
12 charge jump starters using a USB input charging interface. Previously, re-charging a jump starter  
13 powerful enough to jump start a 12-volt car battery frequently required a high-power charger  
14 through a non-standard or proprietary plug. NOCO engineers devised a new way to re-charge  
15 using low-voltage inputs through standardized, convenient, and (now) widely-used USB plugs.  
16 The asserted patent relating to NOCO’s USB charging inventions is United States Patent No.  
17 11,447,023 (“the ’023 Patent”).

18 21. The ’023 Patent is entitled “Portable Vehicle Battery Jump Start Apparatus with  
19 Safety Protection and Jumper Cable Device Thereof.” The ’023 Patent was duly and legally  
20 issued on September 20, 2022 by the USPTO, a true and correct copy of which is attached hereto  
21 as Exhibit C and by reference is herein incorporated. NOCO is the assignee and owner of all  
22 right, title and interest, including the right to recover for past infringement, in the ’023 Patent.

23 **DEFENDANTS’ INFRINGING ACTIVITIES**

24 22. Unfortunately, the success and popularity of NOCO’s BOOST® products has  
25 resulted in imitation, copying, and unlawful piggybacking off of NOCO’s substantial investment  
26 in its intellectual property rights, including the asserted patents.

27 23. Upon information and belief, Defendants develop, import, distribute, offer to sell,  
28 sell, and/or use jump starter products within the state of California, within this District, and

1 elsewhere around the country.

2 24. More particularly, Winplus offers for sale and sells at least the following jump  
3 starter products (collectively, “Winplus jump starters”):

- 4 • TYPE S 12V 6.0L Battery Jump Starter with Qi Wireless Charging, JumpGuide™  
5 and 8,000 mAh Power Bank – Black (<https://typesauto.com/products/type-s-wireless-jump-starter-8000mah-with-lcd-ac530013>)
- 6 • TYPE S 12V 6.0L Battery Jump Starter with JumpGuide™ and 10,000 mAh  
7 Power Bank – Black (<https://typesauto.com/products/type-s-jump-starter-10-000mah-with-lcd-and-emergency-light-ac532781>)
- 8 • TYPE S 12V 6.0L Battery Jump Starter with Built-in USB-C Cable & LCD  
9 Display and 8,000mAh Qi Power Bank – Black  
10 (<https://typesauto.com/products/type-s-12v-6-0l-battery-jump-starter-with-built-in-usb-c-cable-lcd-display-and-8-000mah-qi-power-bank-ac532671>)
- 11 • TYPE S 12V 6.0L Battery Jump Starter with Built-in MFi Certified Lightning  
12 Cable & LCD Display and 8,000mAh Qi Power Bank - Black  
13 (<https://typesauto.com/products/type-s-12v-6-0l-battery-jump-starter-with-built-in-lightning-cable-lcd-display-and-8-000mah-power-bank-ac532777>)
- 14 • TYPE S 12V 9.0L ProJump™ Battery Jump Starter with JumpGuide™ and 18,000  
15 mAh Power Bank (<https://typesauto.com/products/type-s-12v-9-0l-projump-18000-jump-starter-ac530017>)
- 16 • TYPE S 12V 9.0L ProJump™ Battery Jump Starter with JumpGuide™ and 26,000  
17 mAh Power Bank (<https://typesauto.com/products/type-s-12v-9-0l-projump%E2%84%A2-battery-jump-starter-with-jumpguide%E2%84%A2-and-26000-mah-power-bank-ac530020>)
- 18 • TYPE S 12V 7.0L Battery Jump Starter with USB C Charging and 10,000 mAh  
19 Power Bank – Blue (<https://typesauto.com/products/type-s-10000mah-jump-starter-and-portable-power-bank-ac56789>)
- 20 • TYPE S 12V 6.0L Battery Jump Starter Power Bank with Dual USB Charging and  
21 8,000 mAh Power Bank – Titanium (<https://typesauto.com/products/type-s-8000mah-car-jump-start-and-portable-power-bank-ac56388>)
- 22 • TYPE S 12V 6.0L Battery Jump Starter with JumpGuide™ and 8,000 mAh Power  
23 Bank (<https://typesauto.com/products/type-s-12v-6-0l-jump-starter-power-bank-with-jump-guide-gen-2-ac532632>)
- 24 • TYPE S 12V 8.0L ProJump™ Battery Jump Starter with JumpGuide™ and 15,000  
25 mAh Power Bank (<https://typesauto.com/products/type-s-12v-8-0l-projump%E2%84%A2-battery-jump-starter-with-jumpguide%E2%84%A2-and-15-000-mah-power-bank-ac532780>)
- 26 • TYPE S Jump Starter & Power Bank (<https://typesauto.com/products/type-s-jump-starter-power-bank-ac532806>)

27 25. Upon information and belief, as set forth more fully below, the Winplus jump  
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1 starters infringe one or more claims of the '452, '213, and '023 Patents.

2 ***The '452 Patent***

3 26. Upon information and belief, as set forth more fully below, the Winplus jump  
4 starters infringe one or more claims of the '452 Patent.

5 27. The '452 Patent is generally directed to a portable vehicle battery jump starting  
6 device comprising a battery pack with multiple individual battery cells and a battery cell  
7 equalization circuit.

8 28. Exemplary Independent claim 1 of the '452 Patent recites:

9 A portable or hand held jump starting apparatus, comprising:

10 a battery comprising a plurality of individual battery cells  
11 connected together in series;

12 a battery cell equalization circuit connected to the battery,  
the battery cell equalization circuit comprising:

13 an individual battery cell equalization circuit  
14 provided for each of the plurality of individual battery cells; and

15 a load resistor provided for each of the individual  
battery cell equalization circuits,

16 wherein the individual battery cell equalization circuits are  
17 configured to discharge a respective individual battery cell using a  
18 respective load resistor upon the respective individual battery cell  
19 reaching a cell voltage exceeding a pre-determined upper voltage  
threshold until the respective cell reaches a pre-determined lower  
voltage level below the upper voltage threshold or until the battery  
charging process is terminated, and

20 wherein the individual battery cell equalization circuits are  
21 configured to charge lower voltage individual battery cells at a  
22 higher rate allowing lower voltage individual battery cells to catch  
up in voltage to an individual battery cell having a highest voltage.

23 29. On information and belief, Defendants offer to sell and sell Winplus jump starters  
24 within this District and throughout the United States that infringe one or more claims of the '452  
25 Patent.

26 30. For example, the Winplus jump starters are portable or hand held jump starting  
27 apparatuses, as shown in the following representative image from Defendants' website:  
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TYPE S 12V 6.0L Battery Jump Starter with JumpGuide™ and 10,000 mAh Power Bank AC532781-1

\$99.99

★★★★★ 39 reviews



Learn More



- 10000mAh Power bank w/ fast-charge USB-C & USB-A ports
- Intelli-Step Jump Guide provides step-by-step jump instructions
- Jump-start up to 6.0L gas or 3.0L diesel engines

(Excerpted from <https://typesauto.com/collections/portable-jump-starters>).

31. Upon information and belief, each of the Winplus jump starters contain a battery comprising a plurality of individual battery cells connected together in series. For example, the Type S 12V 6.0L Battery Jump Starter with JumpGuide™ and 10,000 mAh Power Bank has a “Battery Capacity” of “10,000mAh @ 3.7V.” (See <https://typesauto.com/products/type-s-jump-starter-10-000mah-with-lcd-and-emergency-light-ac532781>).

32. Upon information and belief, the Winplus jump starters contain a battery cell equalization circuit connected to the battery that comprises an individual battery cell equalization circuit for each of the individual battery cells, and a load resistor for each of the individual battery cell equalization circuits.

33. Upon information and belief, in each of the Winplus jump starters, the individual battery cell equalization circuits discharge a respective individual battery cell using a load resistor upon the individual battery cell reaching a cell voltage exceeding a pre-determined upper voltage threshold until the respective cell reaches a pre-determined lower voltage level below the upper voltage threshold or until the battery charging process is terminated.

34. Upon information and belief, in each of the Winplus jump starters, the individual battery cell equalization circuits are configured to charge lower voltage individual battery cells at a higher rate allowing lower voltage individual battery cells to catch up in voltage to an individual battery cell having a highest voltage. For example, the Winplus website explains the Winplus jump starters have “Safe & Smart Jump-Starting Technology” including “Polarity Protection,” “Over-discharge Protection,” “Low Voltage Protection,” “Reverse Charging Protection,” “Short-circuit Protection,” “Overheat Protection,” “Timeout Protection,” “Temperature Control



1 Protection,” and “Spark-proof Clamps.” See [https://typesauto.com/products/type-s-jump-starter-](https://typesauto.com/products/type-s-jump-starter-10-000mah-with-lcd-and-emergency-light-ac532781)  
2 [10-000mah-with-lcd-and-emergency-light-ac532781](https://typesauto.com/products/type-s-jump-starter-10-000mah-with-lcd-and-emergency-light-ac532781).

3 ***The '213 Patent***

4 35. Upon information and belief, as set forth more fully below, the Winplus jump  
5 starters infringe one or more claims of the '213 Patent.

6 36. The '213 Patent is generally directed to a portable vehicle battery jump starting  
7 device comprising a battery pack with multiple individual battery cells and a battery cell  
8 equalization circuit.

9 37. Exemplary Independent claim 1 of the '213 Patent recites:  
10 A portable or hand held jump starting apparatus, comprising:

11 a battery comprising a plurality of individual battery cells  
connected in series;

12 a battery cell equalization circuit connected to the battery,  
13 the battery cell equalization circuit comprising:

14 a plurality of individual battery cell equalization  
circuits each provided for each respective battery cell; and

15 a plurality of load resistors each provided for each  
16 respective battery cell,

17 wherein the individual battery cell equalization circuits are  
18 configured to discharge an individual battery cell by its particular  
19 load resistor upon the individual battery cell reaching a cell voltage  
20 exceeding a pre-determined upper voltage threshold until the  
individual battery cell reaches a pre-determined lower voltage level  
below the upper voltage threshold or until the individual battery cell  
charging process is terminated.

21 38. On information and belief, Defendants offer to sell and sell Winplus jump starters  
22 within this District and throughout the United States that infringe one or more claims of the '213  
23 Patent.

24 39. For example, the Winplus jump starters are portable or hand held jump starting  
25 apparatuses, as shown in the following representative image from Defendants' website:  
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TYPE S 12V 6.0L Battery Jump Starter with JumpGuide™ and 10,000 mAh Power Bank  
AC532781-1  
\$99.99  
★★★★★ 39 reviews  
[Learn More](#)

- 10000mAh Power bank w/ fast-charge USB-C & USB-A ports
- Intelli-Step Jump Guide provides step-by-step jump instructions
- Jump-start up to 6.0L gas or 3.0L diesel engines



(Excerpted from <https://typesauto.com/collections/portable-jump-starters>).

40. Upon information and belief, each of the Winplus jump starters contain a battery comprising a plurality of individual battery cells connected together in series. For example, the Type S 12V 6.0L Battery Jump Starter with JumpGuide™ and 10,000 mAh Power Bank has a “Battery Capacity” of “10,000mAh @ 3.7V.” (See <https://typesauto.com/products/type-s-jump-starter-10-000mah-with-lcd-and-emergency-light-ac532781>).

41. Upon information and belief, the Winplus jump starters contain a battery cell equalization circuit connected to the battery that comprises a plurality of individual battery cell equalization circuits for each respective battery cell, and a plurality of load resistors for each respective battery cell.

42. Upon information and belief, in each of the Winplus jump starters, the individual battery cell equalization circuits discharge an individual battery cell by its particular load resistor upon the individual battery cell reaching a cell voltage exceeding a pre-determined upper voltage threshold until the individual battery cell reaches a pre-determined lower voltage level below the upper voltage threshold or until the individual battery cell charging process is terminated. For example, the website explains the Winplus jump starters have “Safe & Smart Jump-Starting Technology” including “Polarity Protection,” “Over-discharge Protection,” “Low Voltage Protection,” “Reverse Charging Protection,” “Short-circuit Protection,” “Overheat Protection,” “Timeout Protection,” “Temperature Control Protection,” and “Spark-proof Clamps.” See <https://typesauto.com/products/type-s-jump-starter-10-000mah-with-lcd-and-emergency-light-ac532781>.

***The '023 Patent***

43. On information and belief, as set forth more fully below, the Winplus jump starters

1 infringe one or more claims of the '023 Patent.

2 44. The '023 Patent is generally directed to a hand held jump starter comprising a  
3 USB input port and circuit for charging or recharging an internal power supply.

4 45. Exemplary Independent claim 1 of the '023 Patent recites:

5 A jump starting apparatus configured for boosting or charging a  
6 depleted or discharged battery having a positive polarity battery  
7 terminal and a negative polarity battery terminal, the jump starting  
8 apparatus comprising:

9 a power supply;

10 a positive polarity battery terminal connector configured for  
11 connecting the jump starting apparatus to the positive polarity battery  
12 terminal of the depleted or discharged battery;

13 a negative polarity battery terminal connector configured for  
14 connecting the jump starting apparatus to the negative polarity  
15 battery terminal of the depleted or discharged battery;

16 a power switch or circuit configured to turn on power from  
17 the power supply to the positive and negative polarity battery  
18 terminal connectors;

19 a control system or circuit connected to and controlling the  
20 power switch, the control system or circuit configured to detect  
21 whether the positive and negative polarity battery terminal  
22 connectors have a correct polarity connection with the positive and  
23 negative polarity battery terminals of the depleted or discharged  
24 battery prior to turning on the power switch or circuit;

25 a USB input circuit connected to the power supply, the USB  
26 input circuit comprising a DC/DC converter, the USB input circuit  
27 configured for converting power from a USB power source to  
28 increase power voltage to the power supply; and

a USB input connector connected to the USB input circuit,  
the USB input connector configured for connecting to the USB  
power source and providing power input from the USB power source  
through the USB input connector and the USB input circuit to the  
power supply.

46. On information and belief, Defendants offer to sell and sell Winplus jump starters within this District and throughout the United States that infringe one or more claims of the '023 Patent.

47. For example, the Winplus jump starters are jump starting devices for boosting or charging a depleted or discharged battery having a positive polarity battery terminal (red) and a

1 negative polarity battery terminal (**black**), as in the following representative image:

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10 <https://typesauto.com/products/type-s-jump-starter-10-000mah-with-lcd-and-emergency-light-ac532781>.

11 48. Each of the Winplus jump starters comprises a power supply. For example, the  
12 Type S 12V 6.0L Battery Jump Starter with JumpGuide™ and 10,000 mAh Power Bank has a  
13 “Battery Capacity” of “10,000mAh @ 3.7V.” (See <https://typesauto.com/products/type-s-jump-starter-10-000mah-with-lcd-and-emergency-light-ac532781>).

15 49. Each of the Winplus jump starters also comprises a positive polarity battery  
16 terminal connector (**red**) and a negative polarity battery terminal connector (**black**) that connects  
17 the jump starting apparatus to the positive polarity battery terminal and the negative polarity  
18 battery terminal of the depleted or discharged battery, respectively, as shown in the following  
19 representative image:

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26 <https://typesauto.com/products/type-s-jump-starter-10-000mah-with-lcd-and-emergency-light-ac532781>.

28 50. Upon information and belief, each of the Winplus jump starters comprises a power

1 switch or circuit configured to turn on power from the power supply to the positive and negative  
2 polarity battery terminal connectors. For example, upon information and belief, the Winplus  
3 jump starters comprise a power relay or switch internal to the jump starters that turns on power  
4 from the power supply to the positive and negative polarity battery terminal connectors.

5 51. Upon information and belief, the Winplus jump starters further comprise a control  
6 system or circuit that controls the power switch and detects whether the positive and negative  
7 polarity battery terminal connectors have a correct polarity connection with the positive and  
8 negative polarity battery terminals of the depleted/discharged battery prior to turning on the  
9 power switch or circuit. For example, the website explains the Winplus jump starters have “Safe  
10 & Smart Jump-Starting Technology” including “Polarity Protection,” “Over-discharge  
11 Protection,” “Low Voltage Protection,” “Reverse Charging Protection,” “Short-circuit  
12 Protection,” “Overheat Protection,” “Timeout Protection,” “Temperature Control Protection,” and  
13 “Spark-proof Clamps.” See [https://typesauto.com/products/type-s-jump-starter-10-000mah-with-](https://typesauto.com/products/type-s-jump-starter-10-000mah-with-lcd-and-emergency-light-ac532781)  
14 [lcd-and-emergency-light-ac532781](https://typesauto.com/products/type-s-jump-starter-10-000mah-with-lcd-and-emergency-light-ac532781).

15 52. Upon information and belief, the Winplus jump starters comprise a USB input  
16 circuit connected to the power supply. For example, the website refers to a “high-speed USB-C  
17 input/output port,” as shown in the following representative image:

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19 **USB-C Charging Goes  
20 Both Ways**

21 Rapid charge mobile devices AND recharge the TYPE S 12V  
22 6.0L Battery Jump Starter Power Bank With Jump Guide  
(Gen 2) through the high-speed USB-C input/output port.  
23 USB-C charging is up to 20 times faster than standard USB.



24 [https://typesauto.com/products/type-s-jump-starter-10-000mah-with-lcd-and-emergency-light-](https://typesauto.com/products/type-s-jump-starter-10-000mah-with-lcd-and-emergency-light-ac532781)  
25 [ac532781](https://typesauto.com/products/type-s-jump-starter-10-000mah-with-lcd-and-emergency-light-ac532781).

26 53. Upon information and belief, the Winplus jump starters comprise a USB input  
27 circuit that includes a DC/DC converter and is configured for converting power from a USB  
28 power source to increase power voltage to the power supply. For example, upon information and  
belief, each of the Winplus jump starters is configured to be charged through a USB input port

1 described and shown above.

2 54. Upon information and belief, the Winplus jump starters comprise a USB input  
3 connector connected to the USB input circuit, where the USB input connector is configured to  
4 connect to the USB power source and provide power from the USB power source through the  
5 USB input connector and the USB input circuit to the power supply. For example, upon  
6 information and belief and as described and depicted above, the power supply in each of the  
7 Winplus jump starters is charged/provided power through a USB input connection.

8 **COUNT ONE – INFRINGEMENT OF U.S. PATENT NO. 10,981,452**

9 55. NOCO realleges, adopts, and incorporates by reference the allegations included  
10 within paragraphs 1-54 as if fully set forth herein.

11 56. Upon information and belief, Defendants have directly infringed the '452 Patent  
12 by importing, offering to sell, selling, and/or using the Winplus jump starters in the United States,  
13 without authority, in a manner that infringes at least claim 1 of the '452 Patent to the injury of  
14 NOCO both literally and under the doctrine of equivalents.

15 57. Defendants are liable for infringement of the '452 Patent pursuant to 35 U.S.C.  
16 § 271.

17 58. Upon information and belief, Winplus has willfully infringed the '452 Patent.  
18 Among other things, Winplus competes with NOCO. NOCO's portfolio of issued patents is  
19 public knowledge and, upon information and belief, Winplus has actually known about the '452  
20 Patent and their infringement thereof since prior to this lawsuit.

21 59. As a result of Defendants' infringement of the '452 Patent, NOCO has suffered  
22 and will continue to suffer monetary damages, including lost profits and/or a reasonable royalty,  
23 that are compensable under 35 U.S.C. § 284 in an amount to be determined at trial. NOCO  
24 complied with the patent marking statute, 35 U.S.C. § 287(a), by providing an address of a  
25 posting on the Internet, accessible to the public without charge for accessing the address, that  
26 associates the patented article with the number of the patent (<https://no.co/intellectual-property>).

27 60. Unless an injunction is issued enjoining Defendants and their officers, agents,  
28 servants, employees, attorneys, representatives, affiliates, and all others acting on their behalf

1 from infringing the '452 Patent, NOCO will continue to be greatly and irreparably harmed and  
2 has no adequate remedy at law.

3 **COUNT TWO – INFRINGEMENT OF U.S. PATENT NO. 11,254,213**

4 61. NOCO realleges, adopts, and incorporates by reference the allegations included  
5 within paragraphs 1-60 as if fully set forth herein.

6 62. On information and belief, Winplus has directly infringed the '213 Patent by  
7 importing, offering to sell, selling, and/or using the Winplus jump starters in the United States,  
8 without authority, in a manner that infringes at least claim 1 of the '213 Patent to the injury of  
9 NOCO both literally and under the doctrine of equivalents.

10 63. Defendants are liable for infringement of the '213 Patent pursuant to 35 U.S.C.  
11 § 271.

12 64. Upon information and belief, Winplus has willfully infringed the '213 Patent.  
13 Among other things, Winplus competes with NOCO. NOCO's portfolio of issued patents is  
14 public knowledge and, upon information and belief, Winplus has actually known about the '213  
15 Patent and their infringement thereof since prior to this lawsuit.

16 65. As a result of Defendants' infringement of the '213 Patent, NOCO has suffered  
17 and will continue to suffer monetary damages, including lost profits and/or a reasonable royalty,  
18 that are compensable under 35 U.S.C. § 284 in an amount to be determined at trial. NOCO  
19 complied with the patent marking statute, 35 U.S.C. § 287(a), by providing an address of a  
20 posting on the Internet, accessible to the public without charge for accessing the address, that  
21 associates the patented article with the number of the patent (<https://no.co/intellectual-property>).

22 66. Unless an injunction is issued enjoining Defendants and their officers, agents,  
23 servants, employees, attorneys, representatives, affiliates, and all others acting on their behalf  
24 from infringing the '213 Patent, NOCO will continue to be greatly and irreparably harmed and  
25 has no adequate remedy at law.

26 **COUNT THREE – INFRINGEMENT OF U.S. PATENT NO. 11,447,023**

27 67. NOCO realleges, adopts, and incorporates by reference the allegations included  
28 within paragraphs 1-66 as if fully set forth herein.

1 68. On information and belief, Winplus has directly infringed the '023 Patent by  
2 importing, offering to sell, selling, and/or using the Winplus jump starters in the United States,  
3 without authority, in a manner that infringes at least claim 1 of the '023 Patent to the injury of  
4 NOCO both literally and under the doctrine of equivalents.

5 69. Defendants are liable for infringement of the '023 Patent pursuant to 35 U.S.C.  
6 § 271.

7 70. Upon information and belief, Winplus has willfully infringed the '023 Patent.  
8 Among other things, Winplus competes with NOCO. NOCO's portfolio of issued patents is  
9 public knowledge and, upon information and belief, Winplus has actually known about the '023  
10 Patent and their infringement thereof since prior to this lawsuit. In fact, NOCO has previously  
11 accused Winplus (and others) of infringing a related patent (U.S. Patent No. 9,007,015) in earlier  
12 litigation. *See, e.g., Certain Portable Battery Jump Starters & Components Thereof*, Inv. No.  
13 337-TA-1256 (U.S. Int'l Trade Comm'n).

14 71. As a result of Defendants' infringement of the '023 Patent, NOCO has suffered  
15 and will continue to suffer monetary damages, including lost profits and/or a reasonable royalty,  
16 that are compensable under 35 U.S.C. § 284 in an amount to be determined at trial. NOCO  
17 complied with the patent marking statute, 35 U.S.C. § 287(a), by providing an address of a  
18 posting on the Internet, accessible to the public without charge for accessing the address, that  
19 associates the patented article with the number of the patent (<https://no.co/intellectual-property>).

20 72. Unless an injunction is issued enjoining Defendants and their officers, agents,  
21 servants, employees, attorneys, representatives, affiliates, and all others acting on its behalf from  
22 infringing the '023 Patent, NOCO will continue to be greatly and irreparably harmed and has no  
23 adequate remedy at law.

24 **PRAYER FOR RELIEF**

25 NOCO respectfully requests the following relief:

- 26 (a) Judgment for NOCO and against Defendants on all Counts asserted herein;
- 27 (b) Permanent injunctive relief enjoining Defendants and their officers, agents,  
28 servants, employees, attorneys, representatives, affiliates, and all others acting on their behalf or



1 in active concert or participation with them from infringement of the '452, '213, and '023 Patents;

2 (c) Damages to which NOCO is entitled including without limitation as  
3 provided under 35 U.S.C. § 284;

4 (d) Actual, statutory, and compensatory damages as proven at trial;

5 (e) Enhanced damages in an amount equal to three times NOCO's damages for  
6 Defendants' willful infringement of the '452, '213, and '023 Patents pursuant to 35 U.S.C. § 284;

7 (f) Pre-judgment and post-judgment interest;

8 (g) That the Court find that this is an exceptional case within the meaning of  
9 35 U.S.C. § 285;

10 (h) NOCO's costs, expenses, and reasonable attorneys' fees and litigation  
11 expenses incurred in this action; and

12 (i) Such other relief as the Court may deem just and proper.

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Dated: February 14, 2023

Respectfully submitted,

JONES DAY

By: /s/ Alexis A. Smith

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**JURY TRIAL DEMAND**

Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, The NOCO Company demands a trial by jury of all issues triable of right by jury.

Dated: February 14, 2023

Respectfully submitted,

JONES DAY

By: /s/ Alexis A. Smith

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