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8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**  
10 **WESTERN DIVISION**

11  
12 **Caravan Canopy Int’l, Inc., a**  
13 California corporation,

14 Plaintiff,

15 v.

16 **International E-Z Up, Inc., a**  
17 California corporation,

18 Defendant.

Case No. 5:23-cv-00319

**COMPLAINT FOR PATENT  
INFRINGEMENT**

**DEMAND FOR JURY TRIAL**

19  
20 For its Complaint, Plaintiff Caravan Canopy Int’l, Inc. hereby alleges as  
21 follows:

22 **JURISDICTION AND VENUE**

23 1. This is an action including for infringement under the patent laws of the  
24 United States, 35 U.S.C. § 101, *et seq.* This Court has subject matter jurisdiction  
25 including under 28 U.S.C. §§ 1331 and 1338(a).

26 2. This Court has personal jurisdiction over Defendant because it is  
27 headquartered and/or has its primary place of business in this District, where it has  
28 committed the infringing acts alleged herein.



1 main body and extending radially outward from the central hollow;” (g) “said pin  
2 body having a space therein extending into the central hollow; a pull pin slidably  
3 disposed in the space of the pull pin body:” (h) “[the pull pin] to move from a first  
4 position extending into the central hollow through the first hole to a second position  
5 outside of the central hollow;” and (i) “a biasing member biasing the pull pin  
6 towards the first position to relatively lock the first rod or pole and the second rod or  
7 pole when the first hole is superimposed on the third hole.”

8 10. Claim 11 of the ‘657 patent, for example, is directed to “A pull pin  
9 assembly according to claim 1, wherein the central hollow, first rod or pole and  
10 second rod or pole all have square cross sections.”

11 11. Claim 15 of the ‘657 patent, for example, is directed to “A pull pin  
12 assembly according to claim 1 wherein the first rod or pole comprises an end and  
13 the main body extends around the end of the first rod or pole.”

14 12. Claim 18 of the ‘657 patent, for example, is directed to “A pull pin  
15 assembly,” and the claim recites elements including, inter alia, (a) “a first rod or  
16 pole, having a first hole;” (b) “a second rod or pole, having a second hole, the  
17 second rod or pole being slidably contained within the first rod or pole, so that the  
18 first hole is superimposable on the second hole;” (c) “a main body having a central  
19 hollow dimensioned to contain the first rod or pole;” (d) “a pull pin body adjacent to  
20 the main body and extending outward from the central hollow, said pin body having  
21 a space therein extending into the central hollow;” (e) “a pull pin disposed in the  
22 space of the pull pin body to move from a first position extending into the second  
23 hole to a second position not extending into the second hole;” (f) “and a biasing  
24 member biasing the pull pin toward the first position to relatively lock the first rod  
25 or pole and the second rod or pole when the first hole is superimposed on the second  
26 hole,” (g) “wherein the main body is fixed against movement along the first rod or  
27 pole when the pull pin is in the second position,” (h) “wherein the first rod or pole  
28 further comprises a third notch or hole and wherein the main body is fixed against

1 movement along the first rod or pole in the second position by a boss extending  
2 between the main body and the first rod or pole,” (i) “and wherein the boss is  
3 formed on a resilient tab on the main body, the boss extending into the central  
4 hollow to engage the third notch or hole of the first rod or pole.”

5 13. Claim 19 of the ‘657 patent, for example, is directed to “ A pull pin  
6 assembly according to claim 18 wherein resilient tab is cut out from the main body.”

7 14. On information and belief, Defendant has made, used, offered for sale,  
8 sold and/or imported into the United States products covered by the claims of the  
9 ‘657 patent. For example, the following products infringe at least Claims 1, 11, 15,  
10 18, and 19 of the ‘657 patent: Ambassador Shelter; Sprint Shelter 10 x 10, 12 x 12;  
11 Sierra Shelter; Eclipse Shelter 8 x 8, 10 x 10, 10 x 15, 10 x 20; Endeavor Shelter 10  
12 x10, 13 x 13, 10 x 15, 10 x 20; Dome Shelter 10 x 10; Enterprise Shelter 10 x 10;  
13 Envoy Shelter; ES100S Shelter Value Pack; Hi-Viz Utility Shelter; Hub Shelter 15 x  
14 15; Hut Shelter 10 x 10; Pyramid Shelter 10 x 10; Speed Shelter 8 x 12; Vantage  
15 Shelter 10 x 10, 10 x 20; Vista Shelter 10 x 10, 12 x 12; and VUE Shelter 5 x 5.  
16 This list is by way of example and may not be an exhaustive list.

17 15. On information and belief, Defendant has caused, encouraged and  
18 aided others, including customers, to directly infringe the ‘657 patent having full  
19 knowledge of the ‘657 patent and the specific intent that its acts and the acts of its  
20 customers and/or others to directly and/or indirectly infringe the ‘657 patent.

21 16. By the acts of making, using, offering to sell, selling and/or importing  
22 the accused infringing products, Defendant has directly infringed the ‘657 patent  
23 under 35 U.S.C. § 271(a).

24 17. By the acts of actively inducing others to infringe the ‘657 patent,  
25 Defendant has infringed the ‘657 patent under 35 U.S.C. § 271(b). On information  
26 and belief, having knowledge of the ‘657 patent, Defendant specifically intended for  
27 its customers to infringe the ‘657 patent by using and/or re-selling the accused  
28 infringing products.

1 18. The acts of infringement asserted herein have been and continue to be  
2 deliberate and willful, at least since Defendant first learned about the ‘657 patent.

3 19. Defendant has derived and received gains, profits and advantages from  
4 the aforesaid acts of infringement, and Plaintiff has lost profits and has otherwise  
5 been damaged and is entitled to monetary relief in an amount to be determined at  
6 trial.

7 **PRAYER FOR RELIEF**

8 Therefore, Plaintiff prays for the following relief:

9 A. A determination that Defendant has infringed the ‘657 patent under 35  
10 U.S.C. § 271, either literally and/or under the doctrine of equivalents;

11 B. An accounting for damages adequate to compensate for the patent  
12 infringement, including Plaintiff’s actual damages including lost profits, treble  
13 damages, pre-judgment and post-judgment interest, and costs;

14 C. A determination of willful patent infringement, and that this is an  
15 exceptional case, and an award of attorney’s fees and expenses to Plaintiff; and

16 D. Such other and further relief as this Court deems just and proper.

17 **JURY TRIAL DEMAND**

18 Pursuant to Fed. R. Civ. P. 38(b)(1) and (c), and L.R. 38-1, Plaintiff hereby  
19 demands a jury trial on all the issues in this action so triable of right by a jury.  
20

21 Respectfully submitted,

22 Dated: February 27, 2023

**SML AVVOCATI P.C.**

23 By: /s/ Stephen M. Lobbin  
24 Attorneys for Plaintiff

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