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5 Attorneys for Plaintiff,
AC Infinity Inc.

7 **UNITED STATES DISTRICT COURT**
8 **CENTRAL DISTRICT OF CALIFORNIA**

9 AC INFINITY INC., a California
10 corporation,

11 Plaintiff,

12 v.

13 SINOWELL (SHANGHAI) CO., LTD.,
a China limited liability company,

14 Defendant.

Case No.:

COMPLAINT

16 Plaintiff Ac Infinity Inc. (“Plaintiff”) by and through its attorneys, for its
17 Complaint against Defendant Sinowell (Shanghai) Co., Ltd. (“Defendant”), alleges
18 as follows:

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1 **NATURE OF THE ACTION**

2 1. This is an action arising under the Declaratory Judgment Act and patent
3 laws of the United States seeking a declaratory judgment of invalidity of United
4 States Patent No. 11,428,245 (the “’245 Patent”).

5 **JURISDICTION AND VENUE**

6 2. This Court has jurisdiction over the subject matter of this action
7 pursuant to 28 U.S.C. §§ 1331, 1338(a), 2201, and 2202.

8 3. Personal jurisdiction over Defendant is proper in this District because
9 it has availed itself of the rights and benefits of the laws of California and it has
10 conducted business relating to the licensing and enforcement of patents in California.
11 Defendant has filed reports and complaints, alleging infringement of the ‘245 Patent,
12 against Plaintiff’s business operating from this District.

13 4. Venue is proper in this judicial district pursuant to 28 U.S.C. § 1391(b)
14 because a substantial part of the events that give rise to the claim occur within this
15 District. In addition, on information and belief, Defendant is a foreign entity or
16 individual and “a defendant not resident in the United States may be sued in any
17 judicial district...” 28 U.S.C. § 1391(c)(3).

18 **THE PARTIES**

19 5. Plaintiff is a corporation organized under the laws of the State of
20 California, with its principal place of business located at 21880 Baker Pkwy, City of
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1 Industry, CA 91789.

2 6. On information and belief, Defendant is limited liability company
3 organized under the laws of the People’s Republic of China, with its business address
4 located at 96 Siping Road, Suite 3603, 200086 Shanghai, China.

5 **STATEMENT OF FACTS**

6 **The Patent**

7 7. United States Patent No. 11,428,245 (the “’245 Patent”), entitled Clip
8 Fan for Plant Tent names Jia Luo and Yan Yang as the inventors and states an issue
9 date of August 30, 2022. Attached as Exhibit 1 is a true and correct copy of the ‘245
10 Patent.

11 8. The ‘245 Patent is directed to a clip fan for a plant tent, comprising a
12 fan assembly and a clip clasp assembly arranged at the bottom of the fan assembly,
13 wherein the plant tent has a frame composed of a tubular structure; the clip fan for
14 the plant tent, wherein the diameter of the square opening is adapted to a cylindrical
15 rod or a square rod or a plane; and the clip fan for the plant tent, wherein a rubber
16 pad is arranged at a clamping port of the clip clasp opening of the left clip plate and
17 the right clip plate.

18 On information and belief, Defendant is the assignee of all right, title, and interest
19 in the ‘245 Patent.

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1 **Existence of an Actual Controversy**

2 9. There is an actual controversy within the jurisdiction of this Court under
3 28 U.S.C. §§ 2201 and 2202.

4 10. Defendant sent Plaintiff a cease-and-desist letter on September 7, 2022,
5 alleging that Plaintiff’s CLOUDRAY Grow Tent Clip Fan (the “Accused Product”)
6 infringes upon the ‘245 Patent. Defendant has also submitted several patent
7 infringement reports through Amazon alleging that Plaintiff’s listings for the
8 Accused Product infringes upon the ‘245 Patent and has further initiated the Amazon
9 Patent Evaluation Express procedure against Plaintiff, which necessitates the filing
10 of this suit for declaratory judgment.

11 11. Based on the foregoing, a justiciable controversy exists between
12 Plaintiff and Defendant as to whether the Accused Product infringe the ‘245 Patent
13 and whether the claims of ‘245 Patent are valid.
14 Absent a declaration of invalidity, Defendant will continue to wrongfully allege that
15 the Accused Product infringes the ‘245 Patent, and thereby cause Plaintiff
16 irreparable injury and damage.

17 **COUNT I**

18 **(Declaratory Judgment of Invalidity)**

19 12. Plaintiff repeats and incorporates by reference the allegations contained
20 in the preceding paragraphs of this Complaint as if fully set forth herein.

1 customers, manufacturers, users, importers, or sellers of the Accused Product;

2 4. Declaring Plaintiff as the prevailing party and this case as exceptional,
3 and awarding Plaintiff its reasonable attorneys' fees, pursuant to 35 U.S.C. §
4 285;

5 5. That Defendant be ordered to pay all fees, expenses, and costs
6 associated with this action; and

7 6. That Plaintiff be awarded such further legal and equitable relief as the
8 Court deems proper.

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10 Dated: October 6, 2022

Respectfully submitted,

11 /s/ Tommy SF Wang
12 Tommy SF Wang
13 Attorneys for Plaintiff,
14 AC INFINITY INC.
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