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5 Attorneys for Plaintiff,  
EP FAMILY CORP.

6  
7 **UNITED STATES DISTRICT COURT**  
8 **CENTRAL DISTRICT OF CALIFORNIA**  
9

10 EP FAMILY CORP., a California  
corporation,

11 Plaintiff,

12 v.

13 The Entities and Individuals Identified  
in Annex A,

14 Defendants.  
15

Case No.:

**COMPLAINT FOR PATENT  
INFRINGEMENT**

**JURY TRIAL DEMANDED**

16  
17 Plaintiff EP FAMILY CORP. (“Plaintiff”) hereby files this Complaint for  
18 patent infringement and related claims against the Entities and Individuals identified  
19 in Annex A (each hereinafter referred to individually as a “Defendant” and  
20 collectively as the “Defendants”) and alleges as follows:

1 **NATURE OF THE ACTION**

2 1. This is an action for design patent infringement pursuant to 35 U.S.C.  
3 § 271 against Defendants for unlawful use of Plaintiff’s design patent in conjunction  
4 with unauthorized sales of infringing products.

5 2. Defendants are individuals and entities who sell and/or offer for sale  
6 infringing and unauthorized products through various online retail websites  
7 including, but not limited to, Amazon.

8 **JURISDICTION AND VENUE**

9 3. This Court has jurisdiction over the subject matter of this action  
10 pursuant to 28 U.S.C. §§ 1331 and 1338(a).

11 4. Each Defendant runs a “storefront” through Amazon and other website  
12 platforms through which each Defendant specifically targets residents in this judicial  
13 district by offering to sell and/ upon information and belief, shipping infringing  
14 products to residents within the Central District of California. Thus, each Defendant  
15 is committing design patent infringement in this district.

16 5. Venue is proper in this judicial district pursuant to 28 U.S.C. § 1391  
17 because a substantial part of the events that give rise to the claim occur within this  
18 district and each Defendant has committed acts of infringement in, and has  
19 significant contacts within, this district. In addition, on information and belief, each  
20 of the Defendants is a foreign entity or individual and “a defendant not resident in

1 the United States may be used in any judicial district...” 28 U.S.C. § 1391(c)(3).

2 **THE PARTIES**

3 6. Plaintiff EP FAMILY CORP. is a corporation organized under the laws  
4 of the State of California, with its principal place of business located at 20687 Amar  
5 Road, Suite 2-832, Walnut, California 91789.

6 7. The design patent owned by Plaintiff and asserted in this action is  
7 Patent No. D880,889 (the “’889 Patent”) entitled “Hanging Storage Bag”, which was  
8 duly and legally issued by the United States Patent and Trademark Office on April  
9 14, 2020. A copy of this design patent registration is attached hereto as Exhibit 1.

10 8. Plaintiff sells its “Over The Door Hanging Organizer with 5 Big  
11 Pockets, Houseware Wall Mount Storage with Clear Windows and Metal Hooks  
12 (“Plaintiff’s Hanging Storage Bag”), which incorporates the design protected in the  
13 ‘889 Patent, throughout the United States, including in this district, through various  
14 online retail websites including Amazon.

15 9. The popularity of Plaintiff’s Hanging Storage Bag has led to Plaintiff  
16 receiving an abundance of positive reviews for the product, and the design of  
17 Plaintiff’s Hanging Storage Bag has become known throughout the United States.

18 10. Because Plaintiff’s Hanging Storage Bag has become so popular and  
19 recognized by consumers, the design of Plaintiff’s product has been subject to  
20 widespread infringement.

1           11. On information and belief, Defendants are individuals and entities who  
2 conduct business in the United States, including within California, through their  
3 operation of interactive, online marketplaces and/or websites which offer for sale  
4 infringing hanging storage bags that infringe the '889 Patent.

5           12. On information and belief, based on similarities in the characteristics  
6 of the online product listings and the infringing products, some or all of the  
7 Defendants are related or work together as part of a single enterprise to willfully  
8 make, distribute, offer for sale, and sell products that infringe the '889 Patent.

9           13. At present, many of the Defendants can only be identified through their  
10 online storefronts and other limited publicly available information. Plaintiff will  
11 amend its Complaint if Defendants provide additional credible information  
12 regarding their identities.

13                           **DEFENDANTS' UNLAWFUL CONDUCT**

14           14. Defendants operate under many different names on a variety of  
15 different websites and sales platforms to overwhelm the marketplace with a  
16 multitude of infringing products in order to evade detection by patent owners. Upon  
17 information belief, some of the Defendants operate under more than one alias so as  
18 to avoid identification. The online marketplaces and/or websites conceal the actual  
19 persons and entities responsible for the websites and listings in favor of fictitious  
20 ones, such as the names listed on Annex A.



1           20. Defendants have infringed and are currently infringing, directly and/or  
2 through intermediaries, the '889 Patent by making, using, selling, offering for sale,  
3 and/or importing into the United States, without authority, products that incorporate  
4 the design protected by the '889 patent.

5           21. An ordinary observer, giving such attention as a purchaser usually  
6 gives, would be so deceived by the resemblance between the design of the accused  
7 products and the '889 Patent as to be induced to purchase the accused products  
8 believing they embody the design of the '889 Patent.

9           22. On information and belief, each and every Defendant has had actual  
10 knowledge of their infringement of the '889 Patent since no later than the filing date  
11 of this Complaint.

12           23. Defendants' deliberate and willful actions in infringing the design of  
13 the '889 Patent have caused, and will continue to cause, irreparable harm to Plaintiff  
14 unless preliminarily and permanently enjoined pursuant to 35 U.S.C. § 283.

15           24. By reason of Defendants' infringement of the '889 Patent, Plaintiff has  
16 suffered, and will continue to suffer, substantial damages.

17           25. Defendants' infringement of the '889 patent is exceptional and entitles  
18 Plaintiff to recovery of its attorneys' fees and costs incurred in prosecuting this  
19 action under 35 U.S.C. § 285.

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1 **PRAYER FOR RELIEF**

2 WHEREFORE, Plaintiff prays for judgment as follows:

3 1. That Defendants and their respective agents, employees, affiliates, and  
4 all persons acting in concert with them be temporarily, preliminarily, and  
5 permanently enjoined and restrain from further infringement of the ‘889 Patent  
6 including, but not limited to, importing, making, using, selling, and offering for sale  
7 any products that infringe upon the design protected by the ‘889 Patent.

8 2. That, upon Plaintiff’s request, all in privity with Defendants, with  
9 notice of the injunction, including, but not limited to, any online marketplace  
10 platforms such as Amazon and any financial services providers such as credit card  
11 providers, banks, merchant account providers, third party payment processors, and  
12 Internet search engines, shall:

13 a. cease providing services used by Defendants, currently or in the  
14 future, to sell or offer for sale products which infringe the ‘889 Patent;

15 b. cease displaying any advertisements in any form in connection  
16 with the sale or offer for sale of infringing products; and

17 c. disable all links to the marketplace accounts identified on Annex  
18 A from displaying in search results, including from any search index.

19 3. That Defendants, and each of them, account to Plaintiff for their profits  
20 and any damages sustained by Plaintiff arising from their acts of infringement;

