

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

)	
JOHN JACKSON)	
1208 Stevens Street)	
North Versailles, PA 15137)	
)	
Plaintiff,)	
)	
v.)	
)	
5150 WHIPS INC.)	
19051 June St.)	
Hesperia, CA 92345)	Civil Action No.: _____
)	
and)	
)	
ELIZABETH ANDERSON)	
19051 June St.)	
Hesperia, CA 92345)	
)	
Defendants.)	
)	
Serve: Jaime Vargas)	
3531 Travis Ave.)	
Commerce, CA 90040)	
)	

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff **JOHN JACKSON** (“Plaintiff”) hereby asserts the following claims for patent infringement against Defendant **5150 WHIPS INC.** and Defendant **ELIZABETH ANDERSON** (collectively, “Defendants”), and alleges as follows:

NATURE OF THE ACTION

1. This is a civil action for patent infringement under the patent laws of the United States, 35 U.S.C. § 1 et seq.

2. Plaintiff is the original inventor and legal owner of U.S. Patent No. 10,176,719 (“the ‘719 patent”), which was duly and legally issued by the United States Patent and Trademark Office (“USPTO”) on January 8, 2019.

3. Defendants offer for sale various types of LED Whips on their website, <https://5150whips.com> (“the 5150 Whips Website”).

4. Defendants have infringed and continue to infringe, and have induced and continue to induce infringement of, one or more claims of Plaintiff’s ‘719 patent at least by selling and offering to sell Remote LED Whips, as can be found for sale by Defendants at the following website address: <https://5150whips.com/collections/all/products/single-led-whip-4ft>.

5. Defendants have infringed and continue to infringe, and have induced and continue to induce infringement of, one or more claims of Plaintiff’s ‘719 patent at least by selling and offering to sell 187 LED Whips, as can be found for sale by Defendants at the following website address: <https://5150whips.com/collections/all/products/1x-187-led-whip> .

6. Defendants have profited from the sales of the Remote LED Whips and the 187 LED Whips.

7. Plaintiff seeks injunctive relief and monetary damages.

THE PARTIES

8. Plaintiff incorporates by reference and re-alleges all the foregoing paragraphs of this Complaint as if fully set forth herein.

9. Plaintiff **JOHN JACKSON** is an individual domiciled in Pennsylvania, namely at 1208 Stevens St., North Versailles, Pennsylvania 15137.

10. Upon information and belief, Defendant **ELIZABETH ANDERSON** (“**ANDERSON**”) is an individual domiciled 19051 June Street, Hesperia, California 92345, and

is the CEO and Director of **5150 WHIPS INC.** (“**5150**”), a corporation organized and existing under the laws of California with its principal place of business at 19051 June St., Hesperia, CA 92345.

11. Upon information and belief, **5150 WHIPS INC.** is wholly owned by **ELIZABETH ANDERSON.**

12. Upon information and belief, **5150** is in the business of researching, designing, developing, manufacturing, distributing, and selling Remote LED Whips and the 187 LED Whips on the Internet in the United States, including in this District.

13. Upon information and belief, each of the Defendants directly and/or indirectly imports, develops, designs, manufactures, distributes, markets, offers to sell and/or sells infringing products and services in the United States, including in the U.S. District for the District of Columbia, and otherwise purposefully directs infringing activities to this District in connection with the Remote LED Whips and the 187 LED Whips.

14. Upon information and belief and as further explained below, Defendants have been and are acting in concert, and are otherwise liable jointly, severally, and/or otherwise for a right to relief related to or arising out of the same transaction, occurrence or series of transactions or occurrences related to the making, using, importing into the United States, offering for sale or selling the Remote LED Whips and the 187 LED Whips in this District.

15. In addition, this action involves questions of law and fact that are common to all Defendants.

JURISDICTION AND VENUE

16. Plaintiff incorporates by reference and re-alleges all the foregoing paragraphs of this Complaint as if fully set forth herein.

17. This is a civil action for patent infringement arising under the patent laws of the United States, 35 U.S.C. § 1 et seq.

18. This Court has subject matter jurisdiction over the matters asserted herein under 28 U.S.C. §§ 1331 and 1338(a).

19. Defendants are subject to this Court's personal jurisdiction. Defendants have infringed the '719 patent in this District by, among other things, engaging in infringing conduct within and directed at or from this District. For example, Defendants have purposefully and voluntarily placed the Remote LED Whips and the 187 LED Whips for sale on the Internet, which *ipso facto* routes into the stream of commerce with the expectation that these infringing products will be used in this District. These infringing products have been and continue to be sold and used in this District.

20. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391 and 1400(b) at least because **5150** and **ANDERSON** have committed acts of infringement in this District at least by offering Remote LED Whips and the 187 LED Whips for sale on the Internet, thereby establishing a route of trade through this District via an electronic offering for sale of the Remote LED Whips and the 187 LED Whips.

PLAINTIFF'S HISTORY AND PATENTED TECHNOLOGY

21. Plaintiff incorporates by reference and re-alleges all the foregoing paragraphs of this Complaint as if fully set forth herein.

22. Around the year 2015, Plaintiff **JOHN JACKSON** was walking in a large parking lot after a concert, and he had a difficult time locating his vehicle amongst the myriad of parked automobiles.

23. After finally finding his car after 30 minutes of searching, Plaintiff had an epiphany, namely, an invention to help people locate their vehicles, especially at night time when visibility is low.

24. Plaintiff created multiple prototypes, but finally developed a system including a light-up rod-like device that would emit light in response to activation by a portable control device, in order to help a user to locate a parked vehicle.

25. On September 23, 2017, Plaintiff filed for patent protection on his innovation at the United States Patent and Trademark Office.

26. On January 9, 2019, Plaintiff received a grant on the '719 patent, entitled "System for Locating a Parked Vehicle."

27. Plaintiff **JOHN JACKSON** is, and has always been, the owner of the '719 patent. (A true and correct copy of the '719 patent is attached hereto as Exhibit A.)

ACTS GIVING RISE TO THIS ACTION

28. Plaintiff incorporates by reference and re-alleges all the foregoing paragraphs of this Complaint as if fully set forth herein.

29. On or about February of 2023, Plaintiff discovered that Defendants were selling Remote LED Whips and the 187 LED Whips on the 5150 Whips Website.

30. Upon perusal of the 5150 Whips Website, Plaintiff discovered that the Remote LED Whips and the 187 LED Whips include the elements of at least independent claim 1 of the '719 patent.

31. As a result of Plaintiff's discovery of the infringing products on the 5150 Whips Website, Plaintiff determined it to be prudent to file a lawsuit for patent infringement in this District, via Counsel.

**COUNT I: DEFENDANTS' INFRINGEMENT OF U.S. PATENT NO. 10,176,719 BY
REMOTE LED WHIPS**

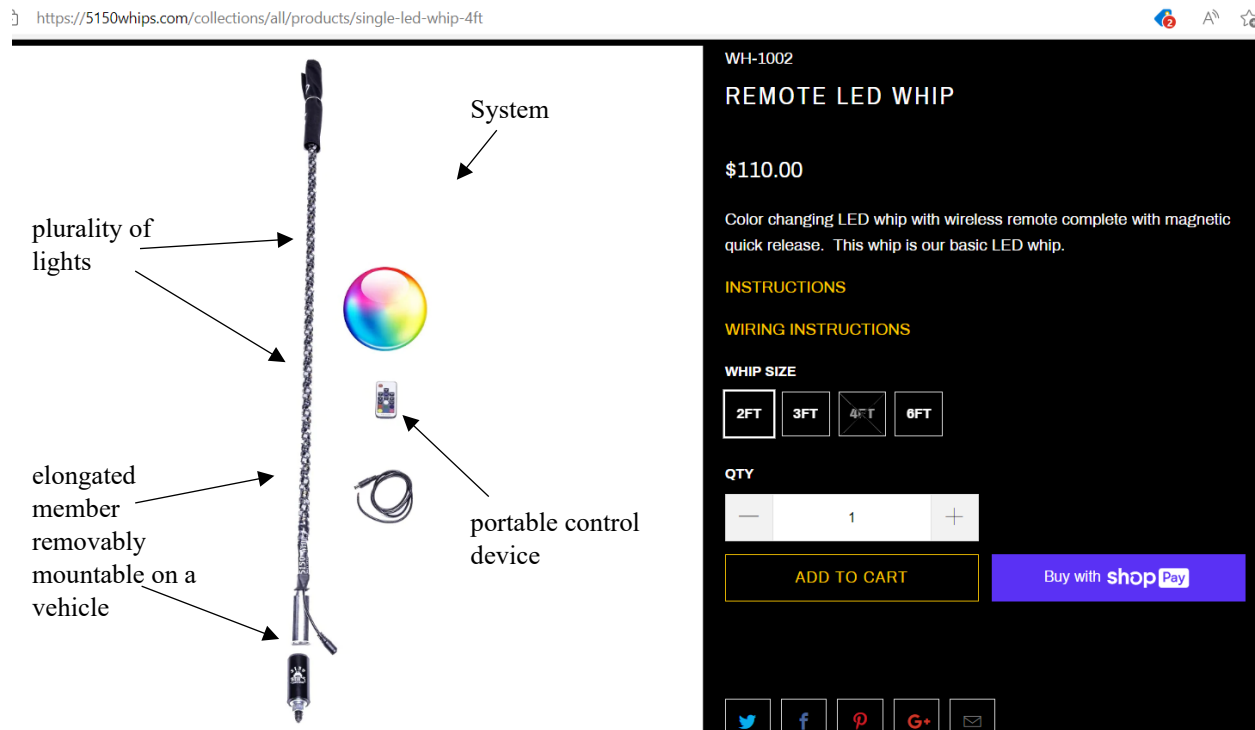
32. Plaintiff incorporates by reference and re-alleges all the foregoing paragraphs of this Complaint as if fully set forth herein.

33. Defendants have directly infringed and are currently directly infringing the '719 patent by making, using, selling, offering for sale, and/or shipping in the United States, without authority, products and equipment that embody one or more claims of the '719 patent, including but not limited to the Remote LED Whips.

34. As just one non-limiting example, set forth below (with claim language in italics) is a description of infringement of exemplary claim 1 of the '719 patent in connection with the Remote LED Whips. This description is based on publicly available information, and Plaintiff reserves the right to modify this description, including, for example, on the basis of information about the Remote LED Whips that it obtains during discovery.

1(a) *A system for locating a parked vehicle, comprising:* The Remote LED Whip is a system including a plurality of components, which allows a parked vehicle to be located, as described below.

1(b) *an elongated member removably mountable on the parked vehicle, such that the elongated member supports a plurality of lights and is different and separate from an antenna of the parked vehicle;* As can be seen from the image below, the Remote LED Whip includes an elongated member that is removably mountable on a parked vehicle, and the elongated member also includes a plurality of lights. Also, the Remote LED Whip is different and separate from an antenna of a parked vehicle.



1(c) a portable control device adapted to be carried away from the parked vehicle and activated to wirelessly communicate with and control the plurality of lights supported by the elongated member, such that the portable control device locates the elongated member in response to the elongated member being removed from the parked vehicle; The Remote LED Whip includes a remote control that wirelessly communicates and controls the LED lights of the Remote LED Whip, and even allows the activation of the LED lights if the Remote LED Whip is removed from a parked vehicle, so long as the electrical connection for the Remote LED Whip remains intact.

35. At least as early as the filing and service of this Complaint, Defendants are directly and indirectly infringing the '719 patent.

36. Defendants have actual knowledge of Plaintiff's rights in the '719 patent and details of Defendants' infringement of the '719 patent based on at least the filing and service of this Complaint.

37. Defendants' manufacture, use, shipping, offer for sale, and/or sale of the Remote LED Whips with knowledge of or willful blindness to the fact that its actions will induce Defendants' retail partners and end users to infringe the '719 patent by at least using and/or selling the Remote LED Whips in violation of 35 U.S.C. § 271.

38. Defendants' infringement has caused, and is continuing to cause, damage and irreparable injury to Plaintiff, and Plaintiff will continue to suffer damage and irreparable injury unless and until that infringement is enjoined by this Court.

39. Plaintiff JACKSON is entitled to injunctive relief and damages in accordance with 35 U.S.C. §§ 271, 281, 283, and 284.

COUNT II: DEFENDANTS' INFRINGEMENT OF U.S. PATENT NO. 10,176,719 BY 187 LED WHIPS

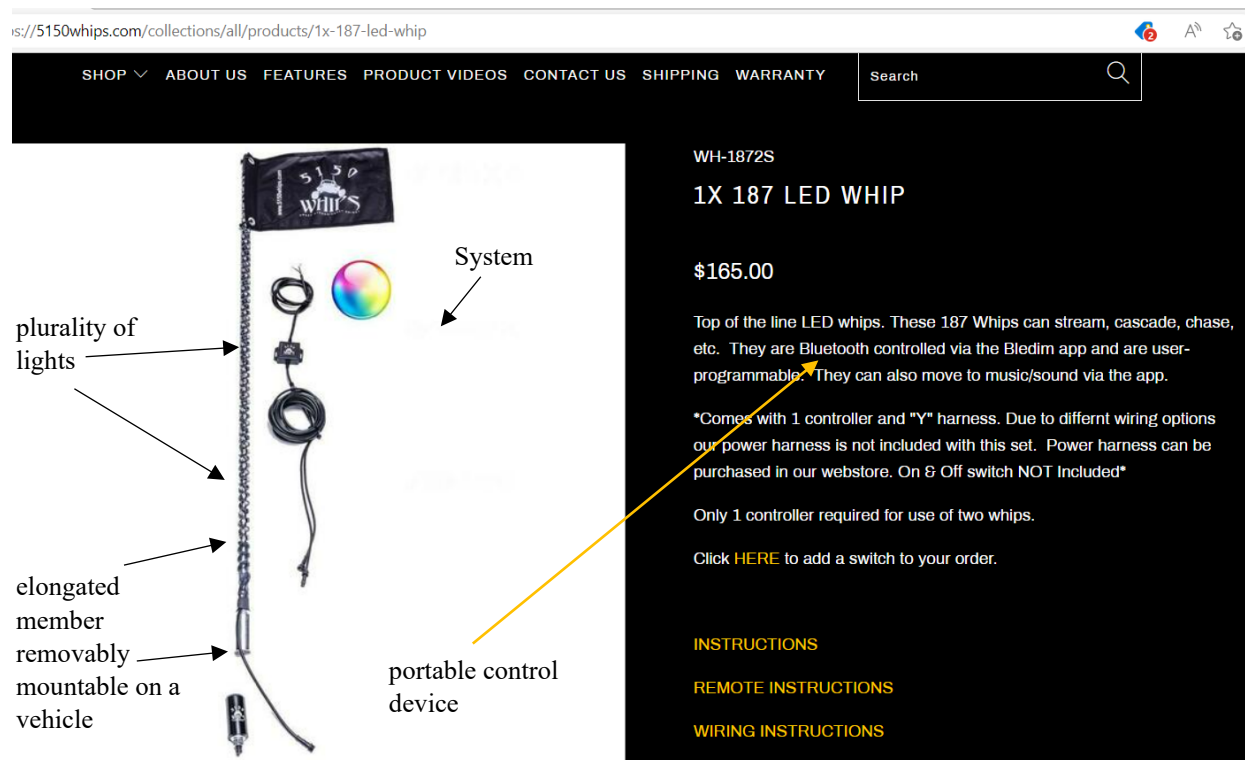
40. Plaintiff incorporates by reference and re-alleges all the foregoing paragraphs of this Complaint as if fully set forth herein.

41. Defendants have directly infringed and are currently directly infringing the '719 patent by making, using, selling, offering for sale, and/or shipping in the United States, without authority, products and equipment that embody one or more claims of the '719 patent, including but not limited to the 187 LED Whips.

42. As just one non-limiting example, set forth below (with claim language in italics) is a description of infringement of exemplary claim 1 of the '719 patent in connection with the 187 LED Whips. This description is based on publicly available information, and Plaintiff reserves the right to modify this description, including, for example, on the basis of information about the 187 LED Whips that it obtains during discovery.

1(a) *A system for locating a parked vehicle, comprising:* The 187 LED Whip is a system including a plurality of components, which allows a parked vehicle to be located, as described below.

1(b) *an elongated member removably mountable on the parked vehicle, such that the elongated member supports a plurality of lights and is different and separate from an antenna of the parked vehicle;* As can be seen from the image below, the Remote LED Whip includes an elongated member that is removably mountable on a parked vehicle, and the elongated member also includes a plurality of lights. Also, the Remote LED Whip is different and separate from an antenna of a parked vehicle.



1(c) *a portable control device adapted to be carried away from the parked vehicle and activated to wirelessly communicate with and control the plurality of lights supported by the elongated member, such that the portable control device locates the elongated member in response to the elongated member being removed from the parked vehicle;* The

187 LED Whip is controllable via a mobile application (i.e., a downloadable APP) that runs on a mobile device (e.g., a portable control device, such as a mobile telephone or tablet computer), allowing for wireless communication and control of the LED lights of the 187 LED Whip, and even allows the activation of the LED lights if the 187 LED Whip is removed from a parked vehicle, so long as the electrical connection for the 187 LED Whip remains intact.

43. At least as early as the filing and service of this Complaint, Defendants are directly and indirectly infringing the '719 patent.

44. Defendants have actual knowledge of Plaintiff's rights in the '719 patent and details of Defendants' infringement of the '719 patent based on at least the filing and service of this Complaint.

45. Defendants' manufacture, use, shipping, offer for sale, and/or sale of the 187 LED Whips with knowledge of or willful blindness to the fact that its actions will induce Defendants' retail partners and end users to infringe the '719 patent by at least using and/or selling the 187 LED Whips in violation of 35 U.S.C. § 271.

46. Defendants' infringement has caused, and is continuing to cause, damage and irreparable injury to Plaintiff, and Plaintiff will continue to suffer damage and irreparable injury unless and until that infringement is enjoined by this Court.

47. Plaintiff **JACKSON** is entitled to injunctive relief and damages in accordance with 35 U.S.C. §§ 271, 281, 283, and 284.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff **JACKSON** respectfully requests:

A. That Judgment be entered that Defendant **5150** has infringed the '719 patent, directly, indirectly, literally, contributorily, and/or under the doctrine of equivalents;

B. That Judgment be entered that Defendant **ANDERSON** has infringed the '719 patent, directly, indirectly, literally, contributorily, and/or under the doctrine of equivalents;

C. That, in accordance with 35 U.S.C. § 283, Defendants and all affiliates, employees, agents, officers, directors, attorneys, successors, and assigns and all those acting on behalf of or in active concert or participation with any of them, be preliminarily and permanently enjoined from (1) infringing the '719 patent and (2) making, using, selling, and offering for sale the Remote LED Whips and the 187 LED Whips or any variation of a product resembling the '719 patent and/or a combination of its elements;

D. An award of damages sufficient to compensate Plaintiff **JACKSON** for Defendants' infringement under 35 U.S.C. ¶ 284, including, but not limited to, any profits generated by the sale of the Remote LED Whips.

E. An award of damages sufficient to compensate Plaintiff **JACKSON** for Defendants' infringement under 35 U.S.C. ¶ 284, including, but not limited to, any profits generated by the sale of the 187 LED Whips.

F. That the case be found exceptional under 35 U.S.C. § 285, that Defendants' infringement was willful, and that Plaintiff **JACKSON** be awarded its attorneys' fees;

G. That Plaintiff **JACKSON** be awarded its court costs, fees, and expenses that have been incurred by Plaintiff to bring about this action in this District;

H. An award of prejudgment and post-judgment interest; and

I. Such other and further relief as this honorable Court may deem just and proper.

DATED: February 24, 2023

Respectfully submitted,

/s/Lev Ivan Gabriel Iwashko

Lev Ivan Gabriel Iwashko

Counsel for Plaintiff

DC Bar No. 1022054

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AttorneyLev@gmail.com

CERTIFICATE OF SERVICE

I hereby certify that on February 24, 2023, I served a copy of the foregoing Complaint for Patent Infringement via process service to the Registered Agent for Defendants at the following address:

Jaime Vargas
3531 Travis Ave.
Commerce, CA 90040

/s/Lev Ivan Gabriel Iwashko
Lev Ivan Gabriel Iwashko
Counsel for Plaintiff