

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NEW YORK**

Manolo Rivera,	)	
Manolo Technologies, Inc.,	)	
MobilePCS*TV, LLC, and	)	
Multipurposes Wall Outlet	)	
Holding, LLC	)	
	)	
Plaintiffs	)	Case No. 1:22-cv-5808
	)	
v.	)	
	)	JURY TRIAL DEMANDED
Powrui LLC, Shenzhen Anhaoruihe	)	
Electronics Co., Ltd.	)	
	)	
Defendants	)	

**COMPLAINT**

Plaintiffs Manolo Rivera (Mr. Rivera”), Manolo Technologies, Inc., MobilePCS\*TV, LLC, and Multipurposes Wall Outlet Holding, LLC (“MWOH”) (collectively, “Plaintiffs”), by and through counsel, Fairchild Law, LLC, for their Complaint against Powrui LLC (“Powrui”) and Shenzhen Anhaoruihe Electronics Co., Ltd., (“Shenzhen”) (collectively, “Defendants”) allege as follows:

**I. INTRODUCTION**

1. This is an action for infringement by Defendants of Plaintiff’s United States Patent No. 10,644,640 (“the ‘460 patent”) under the Patent Act, 35 U.S.C. § 271 (a) (b) and (c), based on Defendants’ unauthorized and unlawful commercial making, using for sale, and selling in the United States, and importing into the United States, various products sold by Defendants.

2. This case is also a civil action to enjoin and remedy: patent false marking under 35 U.S.C. § 292, false advertising under 15 U.S.C. § 1125(a), and unfair competition under New York common law by Defendants based on Defendants marketing of products with the false claim that such products are covered by their patents.

## II. PARTIES

3. Mr. Rivera is the sole inventor and owner of the '460 patent. See, **Exhibit A**. He is the sole owner of and CEO of MobilePCS\*TV, LLC and Multipurposes Wall Outlet Holding, LLC ("MWOH"), the latter of which is the exclusive assignee of the '460 patent. Mr. Rivera resides in Elmhurst, NY and is also the vice president of Manolo Technologies, Inc., which is headquartered at One Old Country Road, Suite 385, Carle Place, NY 11514, which manufactures electronic equipment.<sup>1</sup>

4. Powrui is a Limited Liability Company formed under the laws of the Commonwealth of Massachusetts. It is located at 4 Susan Lane, Ashland, Massachusetts, 01721.

5. Upon information and belief, Powrui is the domestic affiliate of Shenzhen Anhaoruihe Electronics Co., Ltd., a Chinese manufacturing company.

6. Upon information and belief, Powrui is fully owned, dominated, and controlled by Shenzhen, such that all products sold by Powrui actually are produced by Shenzhen and that orders placed for Powrui products are fulfilled by Shenzhen.

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<sup>1</sup> Plaintiffs manufacture and market electronic equipment under the trade name EG ELECTRICAL GREEN (Ser. No. 86402498) through the website, <https://electricalgreen.com>.

7. The basis of this belief includes a statement made on Powrui's website<sup>2</sup> which identifies that its products are made in China: "POWRUI" is headquartered in ASHLAND,MA, and has it's warehousing facilities in CHINO,CA, and **manufacturing facilities in China.**" (Emphasis added).

8. The basis of this belief is also that Shenzhen has a registered trademark for "Powrui." A copy of the USPTO website search records is included as **Exhibit B.**

### **III. JURISDICTION AND VENUE**

9. This Court has original jurisdiction over the subject matter of this action pursuant to 28 U.S.C. § 1331 and § 1338, as the dispute between the parties presents a substantial question of federal law, including both the Lanham Act, 15 U.S.C. § 1121(a) and the Patent Act, 35 U.S.C. § 271 (a) (b) and (c).

10. This Court has supplemental jurisdiction over Plaintiff's state claims pursuant to 28 U.S.C. § 1367 because they are so related to Plaintiff's federal patent and unfair competition claims that they form part of the same case or controversy.

11. This Court has personal jurisdiction over Powrui, which is incorporated in the Commonwealth of Massachusetts.

12. This Court has personal jurisdiction over Shenzhen because it regularly transacts business in this Court's jurisdiction. It offers to sell products through Powrui, which is its commercial agent in the United States. Purchases conducted by Powrui are redeemed and fulfilled through Shenzhen. Further, Shenzhen has sold and sent relevant products to this forum. See, **Exhibit C.**

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<sup>2</sup> See, <https://www.powrui.com/pages/about-us> (last visited September 2, 2022)

13. Venue is proper in this district under 28 U.S.C. § 1391(b)(2) and 28 U.S.C. § 1400(b) because Powrui is incorporated in the Commonwealth of Massachusetts, which is the jurisdiction for this Court. Further, a substantial part of the events giving rise to the claims occurred in this district.

14. Personal jurisdiction is established over Defendants because they purposefully availed themselves to this District. They shipped the following items to an address in Carle Place, New York, which is within the geographic jurisdiction of this Court. Each of these items is relevant to Plaintiffs' complaint in this action.

- A USB Wall Outlet, 15A Duplex Receptacle with Dual USB ports (5V/ 4.2A) and Dusk-to-Dawn Sensor Night Light, ETL Certified, 6 Pack.” Ex. C, at 1.
- Outlet Extender, Surge Protector, ANHAORUI Multi Plug Outlet with 6-Outlet Splitter and 3 USB ports and Phone Holder for Your Cell Phone, for Home, School, Office, Travel, White ETL Listed....” Id., at 2.
- POWRUI Multi Wall Outlet Adapter Surge Protector 1680 Joules with 4-USB Ports Wall Charrger, Wall Mount Charging Center 3 Outlet Wall Mount Adapter for Home, School, Office, ETL Certified... “ Id.
- POWRUI Surge Protector, USB Wall Charger with 2 USB Charging Ports (Smart 2.4A Total), 6-Outlet Extender and Top Phone Holder for Your Cell Phone. Id.
- Multi Plug Outlet, Surge Protector, ANHAORUI Outlet Splitter with 6 Outlet Extender and 3 USB ports (White). Id., at 4.
- A “Mult Plug Outlet, Surge Protector, POWRUI 6-Outlet Extender with 2 USB Charging Ports (2.4A total) and Night Light.” Id., at 5.

#### **IV. FACTS**

15. Plaintiffs are in the business of innovating, producing, and selling electronics. This includes next generation technology “smart” wall chargers that are equipped computer chips, wifi, USB port, and alternating current directional systems.

16. Mr. Rivera has spent his entire professional life product developing electronic devices and systems and is a named inventor on 24 patents. He sells his innovative products through his company, MobilePCS\*TV, and other companies.

#### **The’460 Patent**

17. The ‘460 patent, entitled “Multipurpose Wall Outlet”, issued on May 5, 2020 and named Mr. Rivera as the inventor. Attached as **Exhibit A** is a true and correct copy of the ‘460 patent.

18. The ‘460 patent has claims directed to a multipurpose wall outlet as set forth in its 24 claims.

19. Upon information and belief, Defendant has known of the existence of the ‘460 patent, and its acts of infringement have been willful and in disregard for the ‘460 patent, without any reasonable basis for believing that Defendant has a right to engage in the infringing conduct.

20. Plaintiff began a correspondence with Defendants by sending them a cease and desist letter on February 23, 2022. This letter notified Defendant of the ‘460 patent and also contained a claim chart which detailed Defendant’s infringement of the ‘460 patent.

21. Through correspondence, Defendants denied that they infringe the ‘460 patent.

22. During this time, Plaintiffs purchased Defendants product and conducted experiments which show that they infringe the ‘460 patent. These resulted in several Claim Infringement

Charts, which demonstrate the structural qualities of the products alongside the elements of claim. Attached, as **Exhibit D**, is a such a chart which shows that Defendants infringe many Claims of the '460 patent. The Claim Chart includes photographs of the Powrui LLC Smart USB Wall Outlet, 15A Duplex Receptacle with Dual USB Ports (5V/4.2A) (Product # B07T5CD2P1) against the claim elements.

23. Upon information and belief, Defendants products utilize CX 2901 IS IC Linear Voltage Regulators, which comprise low-voltage reset (LVR) or Linear Voltage Regulators (LVR). These are smart chips which “convert the electric power from the power source into a direct current (DC) and vice versa.”

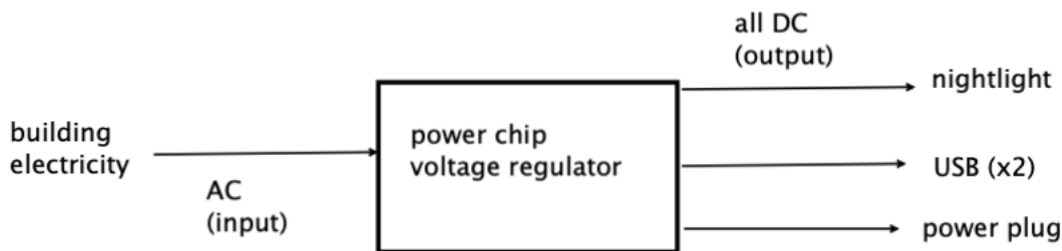
24. A point of contention that emerged during the pre-litigation discussions with Defendants is this portion of Claim 1:

convert the electric power from the power source into a direct current (DC) and vice versa using the smart chip wherein the passivated bridge bridges the DC current to the voltage controller that divides the current into a negative and a positive components which are distributed to a plurality components of the circuit board and to the at least one electrical outlet;

25. Defendants argue that “vice versa” refers to the conversion of AC back into DC.

26. Plaintiffs have a different claim construction where “vice versa” is given the ordinary meaning of “other way around.” In this construction, the point of focus is the circuitry which receives the converted DC current and whether or not defendants’ product utilizes the part number ABS-210, which is a glass passivated bridge rectifier. This structure corresponds to “The first solvate source is different [and] converts electrical power to a second voltage different from the first voltage,” as provided in Claim 1. This connotes the structure of a rectifier in that it converts AC to DC when this circuitry receives AC current from a power source. In other words,

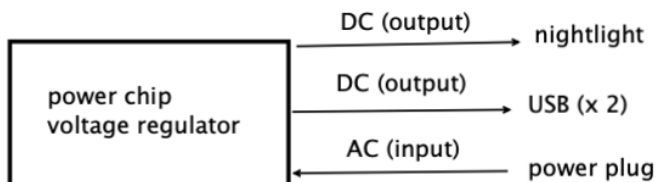
the focus is what happens when the input of power source comes from a different input, in this case, from the front of the front of the device. “Vice versa,” or, the other way around is demonstrated in the following several illustrations.



28. This diagram shows the typical scenario whereby the multi-plug wall outlet is installed connected to the building’s electricity, which is usually high-voltage AC current. This represents the “power source”, as used in the claims of the '460 patent.

29. The internal mechanisms of the device, notably the power chip voltage regulator converts to a controlled DC current which powers the other parts of the device, such as the nightlight, dual USB ports, and external-facing power plug. Notably, all these other parts receive DC voltage.

30. “Vice versa”, or "the other way around", is demonstrated in the following diagram.



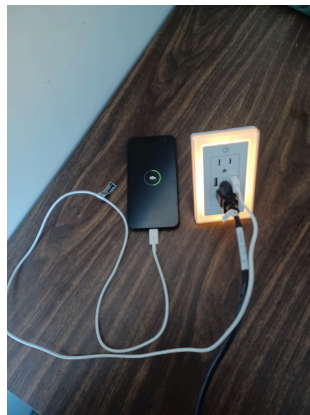
31. In this scenario, the external-facing plug receives the AC power source. Thus, the power source current is coming *in from* a line which directed the output DC current when the power source was the building's electricity. In other words, it is the other way around, i.e., “vice versa.”

32. In this vice versa scenario, the power source AC current is converted to DC current by the power chip voltage regulator. This is the distributed to both the nightlight and the dual USB ports as DC current.

33. Based on this claim construction, then the “vice versa” mechanism of defendants’ products is easily determined. It can be assessed by adding AC current directly into external plug and seeing if the nightlight illuminates.

34. This is precisely what happened.

35. Mr. Rivera tested defendants’ product in this manner. Below is a picture of the device with the nightlight fully illuminated and a phone charging from the a USB port. This occurs while the device receives AC current from, *and only from*, the power plug.



36. This is a “vice versa” power utilization.



37. Moreover, receiving current through these alternative input means, i.e., vice versa, is a key component of defendants' product. This is clear from the product description on [amazon.com](https://www.amazon.com): "This USB charger will **detect your devices automatically** and deliver the fastest charge speed up to 2.4A( 5V/2.4 Max Each Port )".<sup>3</sup>

38. Upon information and belief, this is only made possible through a smart chip which receives and regulates current from external devices. These external devices are then the "automatically power source" in a vice versa/ other way around circuitry arrangement. Should the automatically electric power current AC, then the device will convert it to DC because that is what these voltage regulators do. See, IC Linear Voltage Regulators Information, available at [https://www.globalspec.com/learnmore/semiconductors/power\\_management\\_chips/ic\\_linear\\_voltage\\_regulators](https://www.globalspec.com/learnmore/semiconductors/power_management_chips/ic_linear_voltage_regulators) (last accessed September 9, 2022) and also <https://www.youtube.com/watch?v=qFexafctaf8> (last accessed September 9, 2022).

39. Plaintiffs have sustained, and are likely to continue to sustain, actual damages and irreparable harm to due Defendant's activities.

40. Unless enjoined by this Court, Plaintiffs will continue to suffer irreparable harm for which there is no adequate remedy at law. Plaintiffs are thus entitled to an injunction against Defendant.

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<sup>3</sup> See, [https://www.amazon.com/outlet-Duplex-Receptacle-Sensor-Certified/dp/B07T5CD2P1/ref=sr\\_1\\_3?crid=RUAYQVDLFTG8&keywords=powrui&qid=1658515843&s=industrial&sprefix=powrui%2Cindustrial%2C162&sr=1-3](https://www.amazon.com/outlet-Duplex-Receptacle-Sensor-Certified/dp/B07T5CD2P1/ref=sr_1_3?crid=RUAYQVDLFTG8&keywords=powrui&qid=1658515843&s=industrial&sprefix=powrui%2Cindustrial%2C162&sr=1-3) (last accessed September 9, 2022).

### **The Powrui Website**

41. Powrui claims that all of their chargers are patented. They claimed:

From ID design, mould ,SMT, injection ,assembling and export ,we are professional in every step and ready to provide one-stop solution service.**All of our chargers are patented** and has UL, ETL,CE,ROHS, SAA, PSE, CCC, FCC certification, they are very popular in USA, Canada, and European countries, Walmart, Carefour and 7-Eleven are our regular customers. (Emphasis added)

43. Upon information and belief, Powrui does not own **any** patents, nor is the assignee of **any** patents.

44. Upon information and belief, Shenzhen is the assignee of 12 patents. These are: US Patent No. 11,271,351, US Patent No. 11,333,345, US Patent No. 10,608,395, US Patent No. D814,420, US Patent No. D851,602, US Patent No. D858,447, US Patent No. D886,064, US Patent No. D892,730, US Patent No. D894,837, US Patent No. D894,838, US Patent No. D894,839, and US Patent No. D904,307. These are all included herein as **Exhibit E**.

45. Powrui sells numerous chargers wholesale on its website through the “Powrui Store” on Amazon. In addition to the products mentioned above, **Exhibit F** includes other product listings:

(1) Power Strip with 6 Feet - POWRUI 8 Widely Surge Protector Outlets with 4 USB ports, 3 Wide Outlet Extender with 6 Feet Extension Cord, Flat Plug, Wall Mount, Desk USB Charging Station, ETL, White <sup>4</sup> (Ex. F, at 1)

(2) Schuku Germany France Travel Power Adapter (Type E/F Schuko - Germany, Russia)<sup>5</sup> (Id., at 10)

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<sup>4</sup> See, [https://www.amazon.com/Power-Strip-Feet-Protector-Extension/dp/B09Y8FRMQV/ref=sr\\_1\\_1?qid=1662146267&sr=8-1&srs=20746457011](https://www.amazon.com/Power-Strip-Feet-Protector-Extension/dp/B09Y8FRMQV/ref=sr_1_1?qid=1662146267&sr=8-1&srs=20746457011) (last accessed September 2, 2022)

<sup>5</sup> See, [https://www.amazon.com/Schuko-Germany-France-Travel-Adapter/dp/B07TWXWXR1/ref=sr\\_1\\_10?qid=1662146267&sr=8-10&srs=20746457011](https://www.amazon.com/Schuko-Germany-France-Travel-Adapter/dp/B07TWXWXR1/ref=sr_1_10?qid=1662146267&sr=8-10&srs=20746457011) (last accessed September 2, 2022)

(3) Powrui Multi Wall Outlet Adaptor Surge Protector 1680 Joules with 4-USB Ports Wall Charger, Wall Mount Charging Center 3 Outlet Wall Mount Adapter for Home, School, Office, ETL Certified<sup>6</sup> (Id., at 18)

(4) Powrui Surge Protector, USB Wall Charge with 2 USB Charging Ports (Smart 2.4A Total), 6-Outlet Extender and Top Phone Holder for Your Cell Phone, White, ETL Listed<sup>7</sup> (Id., at 24)

(5) USB Wall Charger, Small Surge Protector, POWRUI USB Outlet with 2 USB ports (2.4A Total) and Top Phone Holder for Apple, iPhone, iPad, Samsung, 1080 Joules, White (2-Pack), ETL Certified<sup>8</sup> (Id., at 28)

46. Each of the five items above is a “charger.” The five associated product descriptions identify each product as a “charger” or capable of “charging.”

47. However, upon information and belief, none of these are protected by any of the 12 patents that have been assigned to Shenzhen.

48. As such, the claim on Powrui’s website that “All of our chargers is patented” is false. (Emphasis added).

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<sup>6</sup> See, <https://www.powrui.com/collections/powrui-b2c/products/powrui-multi-wall-outlet-adaptor-surge-protector-1680-joules-with-4-usb-ports-wall-charger-wall-mount-charging-center-3-outlet-wall-mount-adapter-for-home-school-office-etl-certified> (last accessed September 2, 2022)

<sup>7</sup> See, <https://www.powrui.com/collections/powrui-b2c/products/powrui-surge-protector-usb-wall-charger-with-2-usb-charging-ports-smart-2-4a-total-6-outlet-extender-and-top-phone-holder-for-your-cell-phone-white-etl-listed> (last accessed September 2, 2022)

<sup>8</sup> See, <https://www.powrui.com/collections/powrui-b2c/products/usb-wall-charger-small-surge-protector-powrui-usb-outlet-with-2-usb-ports-2-4a-total-and-top-phone-holder-for-apple-iphone-ipad-samsung-1080joules-white-2-pack-etl-certified> (Last accessed September 2, 2022)

49. Upon information and belief, the statement that “All of our chargers is patented” was made with knowledge of its falsity. Shenzhen is the assignee of twelve patents and is presumed to have knowledge of the patents they own and the products that they cover.

50. Upon information and belief the statement that “All of our chargers is patented” was intended to deceive the public. This is inferred from other statements that appear on the website.

They state:

“With a passion for technology and innovation , our products are Independently developed produced , and sold , and has a number of US patents.”<sup>9</sup>

“POWRUI is established in 1999, nearly 20 years consumer electronics products manufacturing experience make us as your best reliable charger partner.”<sup>10</sup>

“15 Engineers always try best to make perfect product exceed customers’ expectation.”

“From ID design, mould ,SMT, injection ,assembling and export ,we are professional in every step and ready to provide one-stop solution service.”

51. The website emphasizes the supposed unique design and innovation of their products. If true, then they should qualify for patents. Accordingly, a consumer would believe that a patented product would reflect a higher innovation and quality than a protect that is not protected.

52. Collectively, Plaintiffs are damaged because it offers competing products for sale. Powrui’s false claims have given them a competitive edge and unfair advantage against Plaintiffs with regard to customer perception.

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<sup>9</sup> See, <https://www.powrui.com/pages/about-us> (last accessed September 2, 2022)

<sup>10</sup> See, <https://www.powrui.com/pages/our-factory> (last accessed September 2, 2022)

**COUNT ONE**

**(Patent Infringement - 35 U.S.C. § 271)**

**(ALL DEFENDANTS)**

53. Plaintiffs repeat and re-allege the allegations of paragraphs 1 through 52 of the Complaint as if fully set forth herein.

54. Mr. Rivera and MWOH are the owners of all right, title, and interest in and to the validly issued '460 patent including all rights to enforce this patent.

55. Upon information and belief, Defendant has been and is infringing directly and contributing to, and/ or actively inducing infringement, or by equivalents, the '460 patent by making, using, offering for sale and/ or selling within or importing into the United States, Defendants products in violation of 35 U.S.C. § 271(a) (b) and (c).

56. Upon information and belief, Defendant's infringement has been, and continues to be, knowing, intentional, and willful.

57. Defendant's acts of infringement of the '460 patent entitles Plaintiff to compensation pursuant to 35 U.S.C. § 284.

58. Defendant's acts of infringement of the '460 patent has caused and will continue to cause Plaintiff irreparable harm unless such infringing activities are enjoined by this Court pursuant to 35 U.S.C. § 283. Plaintiff has no adequate remedy at law.

59. This case is exceptional and, therefore, Plaintiff is entitled to an award of attorneys' fees pursuant to 35 U.S.C. § 285.

60. Defendants are jointly and severally liable for these damages as they both are aware of the contents of the Powrui website, direct control and oversight of the website, and benefit from sales of products on the website.

**COUNT TWO**

**(PATENT FALSE MARKING UNDER 35 U.S.C. § 292)**

**(ALL DEFENDANTS)**

61. Plaintiffs repeat and re-allege the allegations of paragraphs 1 through 61 of the Complaint as if fully set forth herein.

62. The statement on Powrui's website that all their chargers are covered by patents is a false statement because not all of those products are not covered by any patent that is assigned to either Defendant.

63. The statement on Powrui's website false marking was done for the purpose of deceiving, and with the intent to deceive, the public because the patent markings were and are misrepresentations regarding the patent status of the Defendants' products.

64. Defendants had knowledge of this falsity as they are presumed to know of the patents that they own or are the assignee of.

65. Defendant Shenzhen is presumed to have known of this statement because, upon information and belief, it fulfills orders placed on the Powrui website.

66. Defendants had knowledge that its products were falsely marked.

67. Defendants' false marking was done with bad faith and malice or reckless indifference to Plaintiffs' and consumers' interests.

68. Defendants' bad faith false marking of products makes this an exceptional case within the meaning of 35 U.S.C. § 285.

69. Defendants continue to mark falsely their products and, unless enjoined by this Court, will continue to mark falsely.

70. Defendants should be fined in an amount up to \$500 for each item marked falsely pursuant to 35 U.S.C. § 292.

71. Defendants are jointly and severally liable for these damages as they both are aware of the contents of the Powrui website, direct control and oversight of the website, and benefit from sales of products on the website.

72. Plaintiffs are is entitled to one-half the penalty levied against Defendants, with the other half to the use of the United States.

**COUNT THREE**

**LANHAM ACT FALSE ADVERTISING UNDER 15 U.S.C. § 1125(a)**

**(ALL DEFENDANTS)**

73. Plaintiffs repeat and re-alleges the allegations of paragraphs 1 through 73 of the Complaint as if fully set forth herein.

74. Defendants' association of its unpatented products with the phrase "patented," constitutes a false or misleading representation of fact regarding the patent status of its marked products.

75. Defendants' use of false or misleading representations of fact in commercial advertising or promotion misrepresents the nature, characteristics, or qualities of Defendants' goods.

76. Defendants' use of false or misleading representations of fact has the tendency to deceive a substantial portion of the target consumer audience, or actually deceives the target consumers.

77. Defendants' false or misleading representations of fact are material because they are likely to influence the purchasing decision of the target consumers.

78. Defendants' falsely or misleadingly represented products are advertised, promoted, sold and distributed in interstate commerce.

79. Plaintiffs have been and continue to be injured by Defendants' false or misleading representations of fact through the diversion of sales and/ or loss of goodwill.

80. Defendants know that their representations of fact are false or misleading. Defendant Shenzhen is presumed to be aware of all statements on Powrui's website as it fulfills orders on Powrui's website.

81. Defendants' false or misleading representations of fact were done with bad faith and malice or reckless indifference to Plaintiffs' and consumers' interests.

82. Defendants' bad faith false or misleading representations of fact regarding the patented status of its products makes this an exceptional case within the meaning of 15 U.S.C.

§ 1117.

83. Defendants continue to make false or misleading representations of fact regarding the patented status of its products and will continue to do so unless enjoined by this Court as provided by 15 U.S.C. § 1116.

84. Plaintiffs are entitled to an award of Defendants' profits due to sales of the falsely or misleadingly represented products, any damages sustained by Plaintiffs, and the costs of the action, pursuant to 15 U.S.C. § 1117.



85. Defendants are jointly and severally liable for these damages as they both are aware of the contents of the Powrui website, direct control and oversight of the website, and benefit from sales of products on the website.

**FOURTH CLAIM FOR RELIEF:**

**NEW YORK COMMON LAW UNFAIR COMPETITION**

**(ALL DEFENDANTS)**

86. Plaintiffs repeat and re-alleges the allegations of paragraphs 1 through 86 of the Complaint as if fully set forth herein.

87. Defendants' association of its unpatented products with the phrase "patented" constitutes a misrepresentation of the nature of its products.

88. Defendants know that its representations of fact are false and misleading.

89. Defendants' misrepresentations are calculated to deceive consumers under the ordinary conditions which prevail in the shooting goods trade.

90. Defendants' false or misleading representations of fact will have the natural and probable result of deceiving a portion of the target consumer audience.

91. Plaintiff has been and will continue to be injured by Defendants' false or misleading representations of fact through the diversion of sales or loss of goodwill.

92. Defendants' false or misleading representations of fact were done with bad faith and malice or reckless indifference to Plaintiffs' and consumers' interests.

**WHEREFORE**, Plaintiff requests judgment against Defendant as follows:

1. Adjudging, finding, and declaring that Defendants has and does infringe, directly or by equivalents, the '460 patent, in violation of 35 U.S.C. § 271(a) (b) and (c);

2. Granting an injunction and permanently enjoining Defendant and its employees, agents, officers, servants, directors, attorneys, successors, affiliates, subsidiaries, and assigns, and all of those in active concert and participation with any of the foregoing persons or entities from infringing the '460 patent;

3. Ordering Defendant to account for all sales, revenues, and profits, and to pay actual and compensatory damages adequate to compensate Plaintiff for Defendant's infringement of the '460 patent, with pre-judgment and post-judgment interest and costs, pursuant to 35 U.S.C. § 284;

4. Order that the damages award be increased in an amount up to three times the actual amount assessed, pursuant to 35 U.S.C. § 284;

5. Granting injunctive relief enjoining Defendants and their officers, agents, employees, and all persons or entities in active concert or participation with it, from further false marking Defendants' products;

6. Granting injunctive relief ordering the destruction of Defendants' articles and packaging bearing false patent marks;

7. Awarding damages to Plaintiffs' adequate to compensate them for Defendants' acts of false marking and unfair competition, together with pre-judgment and post-judgment interest thereon;

8. Imposing a statutory penalty against Defendants of up to \$500 per falsely-marked article, with one-half of the penalty amount being awarded to Plaintiff and one-half of the penalty amount being for the use of the United States;

9. Awarding to Plaintiffs the profits earned by Defendants from sales of their chargers that lack any patent protection in an amount that will be proved at trial;

10. Finding this to be an exceptional case pursuant to 35 U.S.C. § 285;

11. Finding this to be an exceptional case pursuant to 15 U.S.C. § 1117;

12. Increasing the amount of damages awarded to Plaintiffs to three times the amount found or assessed by this Court because of the willful and deliberate nature of Defendants' acts, pursuant to 15 U.S.C. § 1117 and/or 35 U.S.C. § 285;

13. Awarding to Plaintiffs their reasonable attorney fees incurred in this action.

14. Awarding to Plaintiffs their costs incurred in this action; and,

15. Awarding such other and further relief as this Court deems just and proper.

**JURY DEMAND**

Plaintiff demands a trial by jury on all issues so triable.

Respectfully submitted.

Dated September 29, 2022



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