

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

Socket Solutions, LLC)	
)	
Plaintiff,)	
v.)	Case No. _____
)	
Huizhou Jishunkang Industrial Co. Ltd.,)	JURY TRIAL DEMANDED
)	
Defendant.)	

COMPLAINT

Plaintiff Socket Solutions, LLC (“Socket Solutions”) for its Complaint against Huizhou Jishunkang Industrial Co. Ltd. (“Jishunkang”) alleges:

NATURE OF THE ACTION

1. This is a civil action for patent infringement of U.S. Patent No. 9,509,080 (“the ‘080 Patent”), attached as Exhibit A.
2. The ‘080 Patent relates to a “Functional Indoor Electrical Wall Outlet Cover” that plugs into to a standard electrical wall outlet and fully conceals the outlet while providing one or more receptables for electrical plugs at the other end of an extension cord.
3. Jishunkang manufactures electrical wall outlet covers (“Infringing Outlet Covers”) that infringe at least claim 1 of the ‘080 patent.

THE PARTIES

4. Socket Solutions is a limited liability company, organized in Texas with a principal place of business in Houston, Texas.
5. Socket Solutions owns all rights to the ‘080 Patent.
6. Socket Solutions sells a successful line of electrical wall outlet covers that practice the ‘080 Patent claims.

7. Upon information and belief, Jishunkang is a Chinese company that offers to sell and sells Infringing Outlet Covers on Alibaba.com and perhaps elsewhere, under the brand name “Jeostorm.”

8. Upon information and belief, Jishunkang also manufactures the Infringing Outlet Covers.

JURISDICTION AND VENUE

9. The Court has subject matter jurisdiction over this patent infringement claim under 28 U.S.C. §§ 1331 and 1338(a).

10. Jishunkang offers to sell and sells Infringing Outlet Covers that infringe the ‘080 Patent to U.S. businesses on Alibaba.com.

11. Upon information and belief, Alibaba.com is owned by Alibaba Group Holding Limited (“Alibaba”), a Chinese multinational company specializing in e-commerce.

12. Upon information and belief, Alibaba is based in China and is one of the world’s largest retailers and e-commerce companies. Among other things, Alibaba provides both (1) a wholesale business-to-business (B2B) website for sales to companies seeking to sell on various marketplaces to retail consumers, and (2) a retail business-to-consumer (B2C) website for sales directly to retail consumers, in each case, via its e-commerce web pages.

13. Jishunkang offers Infringing Outlet Covers on Alibaba.com and directs infringing sales of those products into the U.S. market.

14. Through its Alibaba.com product listings, Jishunkang offers to sell the Infringing Outlet Covers in bulk quantities to potential re-sellers.

15. Through these listings, Jishunkang also offers to sell the Infringing Outlet Covers in quantities as small as one unit.

16. Accordingly, through its Alibaba.com listing pages, Jishunkang makes its Infringing Outlet Covers available to businesses and individuals, for both resale and consumer use.

17. Through its Alibaba.com account, Jishunkang systematically targets its business activities at businesses and individuals in the U.S., including those in Illinois and this judicial district.

18. The “Transactions” tab on Jishunkang’s Alibaba.com listing pages reflects that Jishunkang has sold Infringing Outlet Covers into the United States.

19. Through its online Aliababa.com account, Jishunkang has shipped its Infringing Outlet Covers—the subject of the patent infringement claims in this action—into Illinois and specifically, into this judicial district.

20. Illinois residents, including those in this district, can view Jishunkang’s sales listings on Alibaba.com, can communicate with Jishunkang regarding Jishunkang’s infringing product listing, can purchase Infringing Outlet Covers for delivery into Illinois, including this district, and can receive corresponding sales confirmation.

21. Jishunkang should reasonably expect such actions to have consequences in Illinois and in this judicial district.

22. The Court has personal jurisdiction over Jishunkang because, upon information and belief, Jishunkang regularly solicits business in this judicial district, it has sold Infringing Outlet Covers into Illinois and this judicial district, and thereby has availed itself of the privileges and protections of Illinois law such that this Court’s assertion of jurisdiction over Jishunkang does not offend traditional notions of fair play and due process.

23. Venue is proper in this Court under 28 U.S.C. § 1391(c)(3) because Jishunkang is not a U.S. resident.

BACKGROUND

Socket Solutions and the Sleek Socket® Products

24. Socket Solutions is the exclusive worldwide manufacturer of Sleek Socket® products and the leading seller of ultra-thin outlet cover/power strips.

25. Sleek Socket® products provide an innovative and affordable way to completely hide electrical wall outlets via a unique, ultra-thin plug design that extends only fractions of an inch from the outlet.

26. Sleek Socket® products dramatically reduce obstructions that traditional plugs create between furniture and the outlet, allowing users to position furniture closer to the wall while providing electrical receptacles in a more conveniently located power strip.

27. Sleek Socket® products cover unsightly outlets, creating a more appealing visual look while reducing or eliminating hazards for children and pets.

28. The United States Patent and Trademark Office has awarded various patents on the inventions embodied in the Sleek Socket® products, including the '080 Patent.

29. Socket Solutions holds the exclusive rights to make, use, sell and/or offer to sell any invention embodying the '080 Patent claims throughout the United States, as well as the exclusive right to import any invention embodying the '080 Patent claims into the United States.

The '080 Patent

30. Socket Solutions is the assignee and owner of all right, title, and interest in and to the '080 patent, which the United States Patent and Trademark Office issued on November 29, 2016.

31. The image below, Figure 1 from the '080 Patent, depicts one embodiment of the invention claimed in that patent.

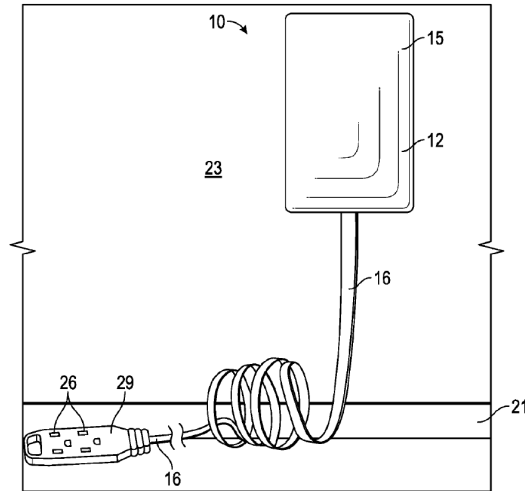


FIG. 1

32. The '080 Patent relates to a device that covers the wall outlet while allowing that outlet to be used. The cover, which plugs into the wall outlet, is designed to be very thin, which allows it to be used in tight places behind furniture and which also gives it a sleek look in open areas where the wall outlet otherwise would readily be visible.

33. The Sleek Socket[®] products, which embody the '080 invention, have been commercially successful and have become the leading products of their kind in the market.

34. Socket Solutions has developed a reputation for selling high quality, safe electronic products that practice the '080 Patent claims.

35. Socket Solutions has complied with the requirements of 35 U.S.C. § 287 by, among other things, marking the packaging for its patented products with the '080 Patent number.

Jishunkang's Infringing Outlet Covers

36. Jishunkang sells at least three versions of the Infringing Outlet Covers on Alibaba.com. These products differ only in the number of receptacles on the power strip and the type of receptacles (standard 3-prong receptacle or USB port).

37. One of the Infringing Outlet Covers has three standard outlet receptacles, one has seven standard outlet receptacles, and one has three standard outlet receptacles plus three USB ports.

38. The variations between these three groups of Infringing Outlet Covers are irrelevant to the infringement analysis under the '080 Patent. All variations infringe the '080 Patent claims for the same reasons.

39. As of the filing date of this Complaint, Jishunkang offered these three Infringing Outlet Covers for sale into the U.S. at the following Alibaba.com links:

- https://www.alibaba.com/product-detail/Ultra-Thin-Electrical-Outlet-Cover-Mult_1600678996956.html
- https://www.alibaba.com/product-detail/Ultra-Thin-Electrical-Outlet-Cover-Extension_1600703133894.html
- https://www.alibaba.com/product-detail/Ultra-Thin-Electrical-Outlet-Cover-Extension_1600683544457.html

40. The image below, which was obtained from the first link above, depicts one of the Infringing Outlet Covers:



41. The Infringing Outlet Covers infringe at least claim 1 of the '080 Patent by practicing each limitation of that claim.

42. The Infringing Outlet Covers sold by Jishunkang compete with the patented Sleek Socket[®] products.

43. Jishunkang is not licensed to make, import, use, offer to sell or sell any inventions claimed in the '080 Patent.

44. Jishunkang's Infringing Outlet Covers also are available for retail purchase in the U.S. through online retail marketplaces including Temu.com and Etsy.com.

Count I
Patent Infringement
Direct Infringement Under 35 U.S.C. § 271(a)

45. Socket Solutions incorporates the allegations contained in paragraphs 1 through 44 of this Complaint as though fully set forth in this paragraph.

46. Jishunkang has been, and currently is, directly infringing at least claim 1 of the '080 Patent by selling and offering to sell the Infringing Outlet Covers in the United States.

47. Jishunkang also has been, and currently is, directly infringing at least claim 1 of the '080 Patent by importing the Infringing Outlet Covers into the United States.

48. Unless Jishunkang is enjoined, it will continue to directly infringe the '080 Patent.

49. Socket Solutions has been irreparably harmed by Jishunkang's direct infringement. Unless it is enjoined, Jishunkang will continue to harm Socket Solutions irreparably. Monetary damages alone cannot compensate for this harm.

Count II
Patent Infringement
Inducement Under 35 U.S.C. § 271(b)

50. Socket Solutions incorporates the allegations contained in paragraphs 1 through 49 of this Complaint as though fully set forth in this paragraph.

51. Upon information and belief, Jishunkang actively encourages its customers to sell and offer to sell the Infringing Outlet Covers in the U.S. That customer use directly infringes at least claim 1 of the '080 Patent.

52. Jishunkang encourages that infringing customer use even though, on information and belief, Jishunkang knows of Socket Solutions' '080 Patent.

53. Socket Solutions has reason to believe that Jishunkang knows of Socket Solutions' '080 Patent because in November 2022, Socket Solutions asserted a successful infringement claim on Amazon.com against a seller who was purchasing Jishunkang's Infringing Outlet Covers and re-selling them to U.S. consumers on the Amazon marketplace.

54. Socket Solutions also has reason to believe that Jishunkang knows of Socket Solutions' '080 Patent because in March 2023, Socket Solutions submitted to Alibaba.com a notice-and-takedown request coupled with a detailed patent infringement analysis asserting the '080 Patent claims against Jishunkang's infringing Alibaba.com product listings. Alibaba.com did not honor the takedown request due to the "complexity and difficulty of the patent case." It suggested that Socket Solutions "solve the complaint through judicial channels." On information and belief, Alibaba.com notifies sellers of takedown requests.

55. Unless Jishunkang is enjoined, it will continue to induce its customers to infringe the '080 Patent.

56. Socket Solutions has been irreparably harmed by Jishunkang's actions inducing others to infringe the '080 Patent directly. Unless it is enjoined, Jishunkang's actions will continue to harm Socket Solutions irreparably. Monetary damages alone cannot compensate for this harm.

REQUEST FOR RELIEF

WHEREFORE, Socket Solutions asks this Court to:

- a. Find that U.S. Patent No. 9,509,080 is valid and enforceable;
- b. Find that Jishunkang has infringed U.S. Patent No. 9,509,080;
- c. Permanently enjoin Jishunkang from infringing U.S. Patent No. 9,509,080;
- d. Award Socket Solutions damages sufficient to compensate it for Jishunkang's past infringement of U.S. Patent No. 9,509,080, together with costs and pre-judgment interest; and
- e. Award Socket Solutions such other and further relief as may be just and proper under the circumstances.

DEMAND FOR JURY TRIAL

Socket Solutions requests a trial by jury under Rule 38 of the Federal Rules of Civil Procedure of all issues that may be determined by a jury.

Dated: July 19, 2023

Respectfully submitted,

/s/ Edward H. Rice

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