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9 **UNITED STATES DISTRICT COURT**  
10 **CENTRAL DISTRICT OF CALIFORNIA**  
11 **EASTERN DIVISION**

12 BALANCED BODY, INC.,

13  
14 Plaintiff,

15 vs.

16 GUANGZHOU OASIS, LLC,  
17 d/b/a trysauna.com, and TRENDING  
18 FIT LLC d/b/a Elina Pilates,

19 Defendants.  
20  
21

) Case Number:

) **COMPLAINT FOR DESIGN  
PATENT INFRINGEMENT**

) DEMAND FOR JURY TRIAL

22  
23 **COMPLAINT**

24 Plaintiff Balanced Body, Inc. brings this Complaint for design patent  
25 infringement against defendant Guangzhou Oasis, LLC and Trending Fit LLC and  
26 alleges as follows:

27 **THE PARTIES**

28 1. Balanced Body is a California corporation with its principal place of

1 business at 5909 88<sup>th</sup> St., Sacramento, CA 95828.

2 2. On information and belief, defendant Guangzhou Oasis, LLC, is a  
3 California limited liability company with its principal place of business at 4980  
4 Eucalyptus Avenue, Chino, CA 91710.

5 3. On information and belief, defendant Trending Fit, LLC is a Florida  
6 limited liability company with its principal place of business at 255 Alhambra Circle,  
7 Suite 630, Coral Gables, FL 33134.

8 **JURISDICTION AND VENUE**

9 4. This action arises under the patent laws of the United States, Title 35 of  
10 the United States Code. Accordingly, this Court has exclusive subject matter  
11 jurisdiction over this action under 28 U.S.C. §§ 1331 and 1338(a).

12 5. On information and belief, defendant Trending Fit is the exclusive  
13 importer, and defendant Guangzhou Oasis is the exclusive distributor, of the accused  
14 Elina Pilates products, which are available exclusively through [www.trysaunsa.com](http://www.trysaunsa.com),  
15 a domain (on information and belief) jointly owned and operated by the defendants  
16 and purporting to operate a warehouse at 4980 Eucalyptus Ave., Chino, CA 91710,  
17 within this Eastern Division of this judicial district in San Bernardino County.  
18 Accordingly, the defendants “reside” in this judicial district and regularly conduct  
19 business here. Hence venue is proper pursuant to 28 U.S.C. §§ 1391 and 1400(b).


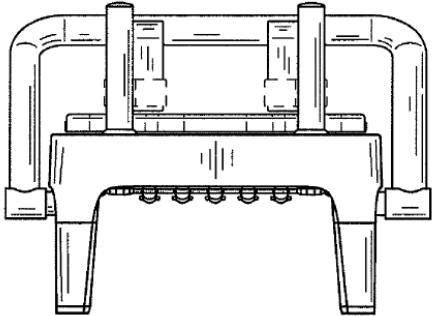

20 **INFRINGEMENT OF U.S. DESIGN PATENT NO. D659,205**

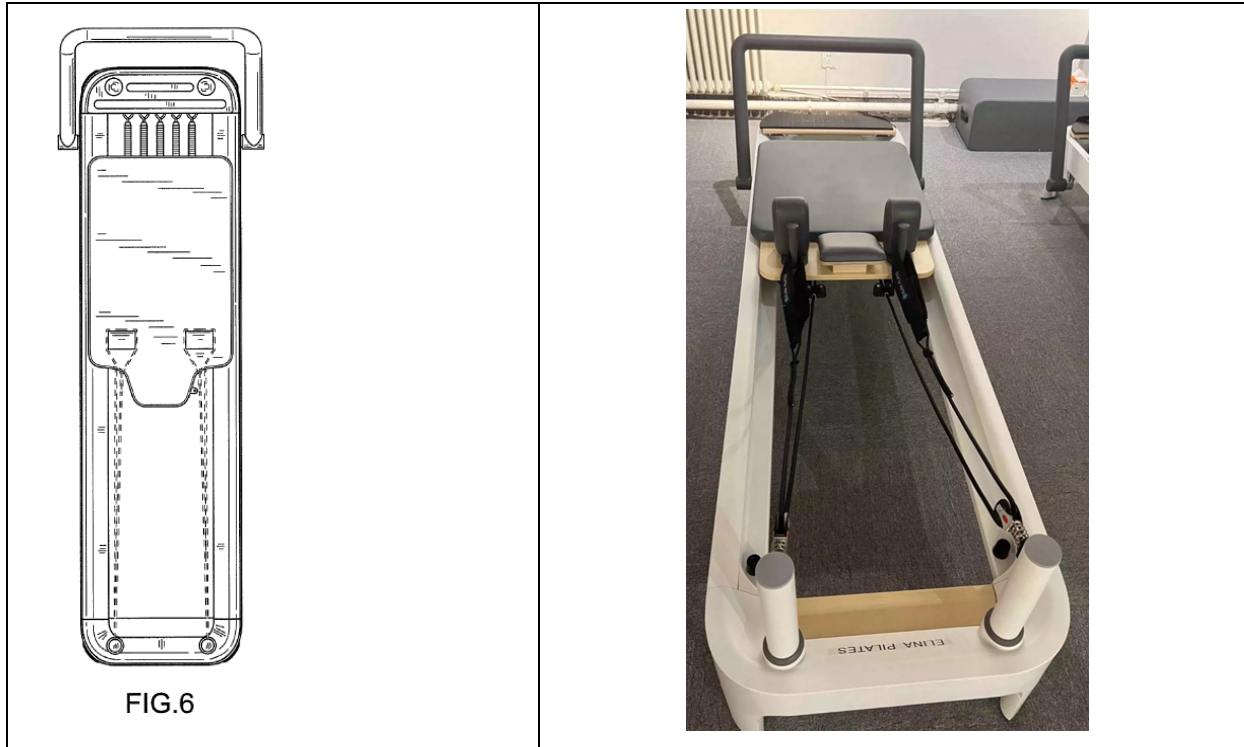
21 6. U.S. Patent No. D659,205, “Reformer Exercise Apparatus,” was duly  
22 and legally issued by the United States Patent and Trademark Office on May 8, 2012,  
23 as shown in **Exhibit A** hereto.

24 7. Balanced Body is the owner and assignee of all rights in the D’205  
25 patent, including the right to enforce the D’205 patent.

26 8. Balanced Body makes, uses, sells, and offers for sale products  
27 embodying the D’205 patent under its Allegro 2 brand and properly marks all such  
28 products under 35 U.S.C. § 287.

9. Defendants have infringed and continue to infringe the D’205 patent. Their infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of infringing Pilates equipment, and inducement of others to manufacture, use, sell, import, and/or offer to sell such equipment, specifically including but not limited to the Elina Pilates Premium Aluminum Pilates Reformer for sale at [www.trysauna.com](http://www.trysauna.com), as shown in the chart below, comparing figures from the D’205 patent with images from defendants’ own website and customer reviews of the accused product:

U.S. Patent No. D659,205	Elina Pilates Premium Aluminum Pilates Reformer
 <p style="text-align: center;">FIG.1</p>	
 <p style="text-align: center;">FIG.2</p>	



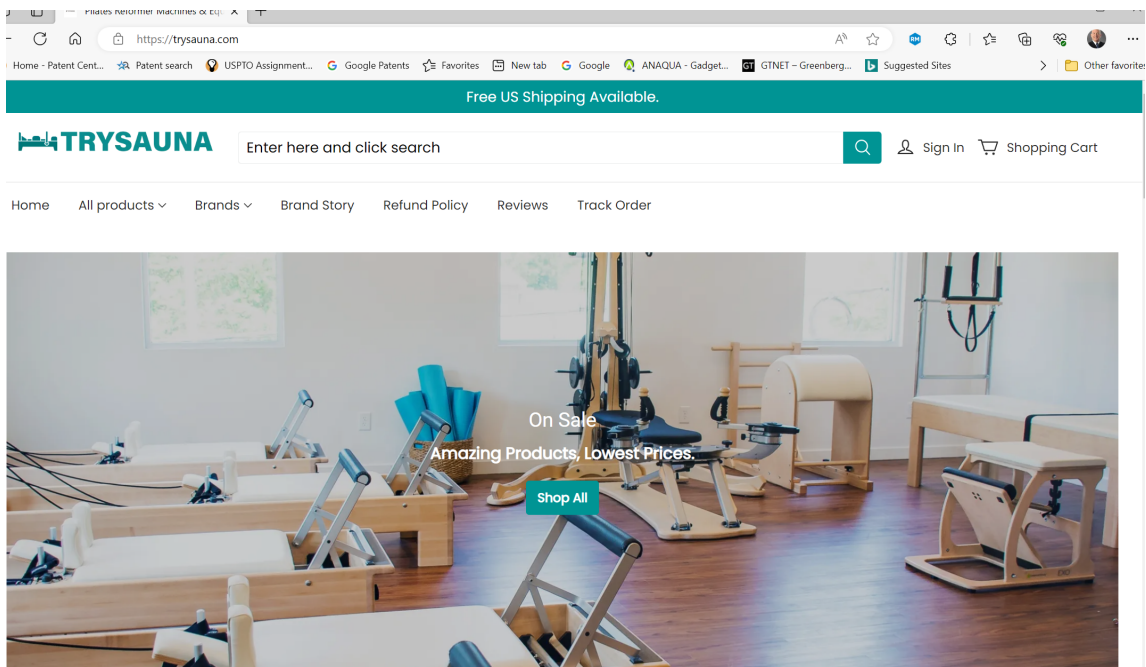
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10. Upon information and belief, defendants' infringement is willful. Even aside from their constructive notice of infringement pursuant to 35 U.S.C. § 287, defendants have actual knowledge of Balanced Body's rights because (on information and belief) the principal of defendant Trending Fit, Miguel Ruiz, is also (under the name Miguel Ruiz Esquiros) the sole owner of PITK Pelotas, S.L. of Novarro, Spain. PITK Pelotas and its Chinese manufacturing affiliates were sued by Balanced Body for infringement of related patents, copyrights, and trademarks three times between 2012 and 2021, resulting in settlements (which these companies have since breached), a treble-damages judgment for approximately \$500,000 (which these companies have not yet paid), and most recently a judgment for infringement of the Chinese intellectual property covering the same Allegro 2 reformer protected in the United States by the D'205 patent (a judgment that, again, has not yet been satisfied). The total court judgment amounts owed by PITK Pelotas to Balanced Body Inc. is at least 4,350,000 RMB or \$604,000 plus interest since 2018.

28

11. Mr. Ruiz's companies—including the defendants here—have repeatedly and specifically targeted and copied products made by Balanced Body

1 because Balanced Body’s products are at the market, technological, and aesthetic  
2 forefront of the Pilates industry. Indeed, the home page of defendants’  
3 [www.trysauna.com](https://www.trysauna.com) website depicts at least one Balanced Body product—the  
4 Balanced Body EXO<sup>®</sup> registered trademark is visible on the chair to the right of the  
5 image on the TrySauna marketing website:



Pilates Reformer

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(Images captured July 10, 2023.)

12. Hence the deliberate copying alleged in this complaint is just the latest of a long string of infringements manifesting defendants’ specific intent to unlawfully profit from Balanced Body’s innovations.

13. Customers likewise recognize that the accused product is a copy of the Allegro 2 product, directly connecting the two products online but commenting that the commenting online that the accused Elina Pilates Premium Aluminum Pilates Reformer is “cheaper”:


TRYSAUNA Enter here and click search

Reviews (6) Questions & Answers(1)

5 /5 ★★★★★ Average rating

A\*\*m  2023/07/26

This Pilates reformer is the best I've ever found. It's cheaper than the Allegro 2 Reformer, which is why I chose to buy it.





1 14. Defendants' continued willful infringement of the '205 patent is causing  
2 irreparable harm for which Balanced Body has no adequate remedy at law unless  
3 defendants are enjoined by this Court. Under 35 U.S.C. § 283, Balanced Body is  
4 entitled to a preliminary and permanent injunction against further infringement of the  
5 D'205 patent.

6 15. In addition, because the D'205 patent is a design patent, Balanced Body  
7 is entitled to recover *all* of the defendants' profits on the accused Elina Pilates  
8 Premium Aluminum Pilates Reformer under 35 U.S.C. § 289.

9 16. In light of defendants' specific targeting of Balanced Body and the  
10 pattern of malfeasance by related parties worldwide, Balanced Body also is entitled  
11 to actual and enhanced damages as well as attorney's fees pursuant to 35 U.S.C. §§  
12 284 and 285.

13 **JURY DEMAND**

14 17. Balanced Body hereby requests a trial by jury pursuant to Rule 38 of the  
15 Federal Rules of Civil Procedure.

16 **PRAYER FOR RELIEF**

17 18. Balanced Body respectfully requests that the Court find in its favor and  
18 against defendants and that the Court grant Balanced Body the following relief:

- 19 a. A judgment that the defendants have infringed Balanced Body's D'205;
- 20 b. A permanent injunction against defendants and their affiliates,  
21 subsidiaries, assignees, employees, agents or anyone acting in privity or  
22 concert with them from further infringement of the D'205 patent,  
23 including enjoining the inducement of others to make, use, sell, or offer  
24 for sale products or systems that infringe any claim of the D'205 patent  
25 without a license from Balanced Body, until the expiration of the D'205  
26 patent;
- 27 c. A judgment for an accounting of all damages, past and future, sustained  
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- 1 by Balanced Body as a result of the acts of infringement by defendants;
- 2 d. A judgment and order requiring defendants to pay Balanced Body all
- 3 profits they generated from the accused products pursuant to 35 U.S.C.
- 4 § 289;
- 5 e. A judgment and order requiring defendants to pay Balanced Body
- 6 damages under 35 U.S.C. § 284, including up to treble damages as
- 7 provided by 35 U.S.C. § 284;
- 8 f. A judgment and order requiring defendants to pay Balanced Body pre-
- 9 judgment and post-judgment interest on the damages awarded;
- 10 g. A judgment and order finding this to be an exceptional case and
- 11 requiring defendants to pay the costs of this action (including all
- 12 disbursements) and attorneys' fees as provided by 35 U.S.C. § 285; and
- 13 h. Such other and further relief as the Court deems just and equitable.
- 14

15 Dated: August 7, 2023

16 Respectfully submitted,  
GREENBERG TRAURIG, LLP

17  
18 /s/ David S. Bloch-  
19 David S. Bloch  
20 *Attorneys for Plaintiff Balanced Body, Inc.*  
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