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10 **UNITED STATES DISTRICT COURT**
11 **CENTRAL DISTRICT OF CALIFORNIA**
12 **WESTERN DIVISION**

13 ZHEJIANG ZHENGTE CO. LTD., a
Chinese limited company,

14 Plaintiff,

15 v.

16 LAUSAIN INDUSTRIAL CO. LTD., a
17 Chinese limited company; NINGBO RE
18 MODE NETWORK TECHNOLOGY
19 CO., LTD., a Chinese limited company;
20 NINGBO LUOSEN NETWORK
21 TECHNOLOGY CO., LTD., a Chinese
limited company; and TEAK SOURCE
USA, a California corporation,

22 Defendants.

Case No. 2:24-cv-00331

**COMPLAINT FOR PATENT
INFRINGEMENT**

DEMAND FOR JURY TRIAL

1 For its Complaint against Lausaint Industrial Co. Ltd. (“Lausaint”), Ningbo Re
2 Mode Network Technology Co., Ltd. (“Ningbo Re Mode”), Ningbo Luosen Network
3 Technology Co., Ltd. (“Ningbo Luosen”), and Teak Source USA (“Teak Source”)
4 (collectively, “Defendants”), Plaintiff Zhengte Industrial Co. Ltd., (“Zhengte” or
5 “Plaintiff”) hereby allege as follows:

6 **IV. NATURE OF THE ACTION**

7 1. This is an action for patent infringement of United States Patent No.
8 US11624187B2 (“the ’187 Patent” or “the Asserted Patent”), arising under the Patent
9 Laws of the United States, 35 U.S.C. §1, *et seq.*, seeking damages and other relief under
10 35 U.S.C. § 281, *et seq.*

11 **V. THE PARTIES**

12 2. Plaintiff Zhengte is a limited company organized and existing under the laws
13 of China with a principal place of business located at No. 811, Oriental Avenue, Linhai,
14 Zhejiang, China, 317004. Plaintiff makes products covered by the Asserted Patent and
15 which compete directly with the Accused Products described below.

16 3. Upon information and belief, Defendant Lausaint is a limited company
17 organized under the laws of China with a principal place of business located at 5101
18 Densmore Avenue, Encino, CA 91436. On information and belief, Lausaint
19 manufactures, offers for sale, sells, and/or imports into the United States the Accused
20 Products described below.

21 4. Upon information and belief, Defendant Ningbo Re Mode is a limited
22 company organized under the laws of China with a principal place of business located at
23 Room 601, 639 Tiantong South Road, Shounan Street, Yinzhou District, Ningbo City,
24 Zhejiang, China 317004. On information and belief, Ningbo Re Mode manufactures,
25 offers for sale, sells, and/or imports into the United States the Accused Products
26 described below, and also operates the website www.lausaint.com.

27 5. Upon information and belief, Defendant Ningbo Luosen is a limited
28 company organized under the laws of China with a principal place of business located at

1 Room 601, 639 Tiantong South Road, Shouan Street, Yinzhou District, Ningbo City,
2 Zhejiang, China 317004. On information and belief, Ningbo Luosen is the owner of the
3 “LAUSAINT HOME” trademarks with US serial numbers 90703931 and 98270288.

4 6. Upon information and belief, Teak Source is a California corporation with
5 its principal place of address at 5101 Densmore Avenue, Encino, CA 91436. On
6 information and belief, Teak source distributes within the United States one or more of
7 the Accused Product described below.

8 7. Upon information and belief, Defendants sell and offer to sell products and
9 services throughout the United States, including in this District, and introduces products
10 and services into the stream of commerce, which include the Accused Products described
11 below. Defendants perform these acts knowing that the Accused Products will be sold in
12 this District and elsewhere in the United States, resulting in infringement of Plaintiffs’
13 Asserted Patent identified below.

14 8. Upon information and belief, Defendants conduct significant, persistent and
15 regular amount of business in this District through product sales by its distributors,
16 customers, and resellers and through online marketing, and Defendants derive substantial
17 revenue from such business.

18 **VI. JURISDICTION AND VENUE**

19 9. This is an action for patent infringement arising under the Patent Laws of the
20 United States, Title 35 of the United States Code.

21 10. This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and
22 1338(a).

23 11. Venue is proper in this District because Defendants Lausaint, Ningbo Re
24 Mode, and Ningbo Luosen are foreign companies and venue against these defendants is
25 therefore governed by the general venue statute, which provides that “a defendant not
26 resident in the United States may be sued in any judicial district.” 28 U.S.C. § 1391(c)(3);
27 *see also In re HTC Corp.*, 889 F.3d 1349, 1358 (Fed. Cir. 2018). Venue is likewise
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1 proper in this District against Defendant Teak Source because it has a regular and
2 established place of business in the Central District of California.

3 12. Upon information and belief, this Court has personal jurisdiction over
4 Defendants because they have purposefully availed themselves of the privileges and
5 benefits of the laws of the State of California. Further, Defendants are subject to this
6 Court's general and specific personal jurisdiction because Defendants have sufficient
7 minimum contacts within the State of California, pursuant to due process and/or the
8 California Long Arm Statute, because Defendants purposefully availed themselves of the
9 privileges of conducting business in the State of California, and because Plaintiff's causes
10 of action arise directly from Defendants' business contacts and other activities in the
11 State of California, including Defendants regularly doing or soliciting business and
12 deriving substantial revenue from providing products and services to individuals in this
13 District, including the Accused Product described below, which is accused of infringing
14 the Asserted Patents. The exercise of jurisdiction over Defendants would not offend
15 traditional notions of fair play and substantial justice.

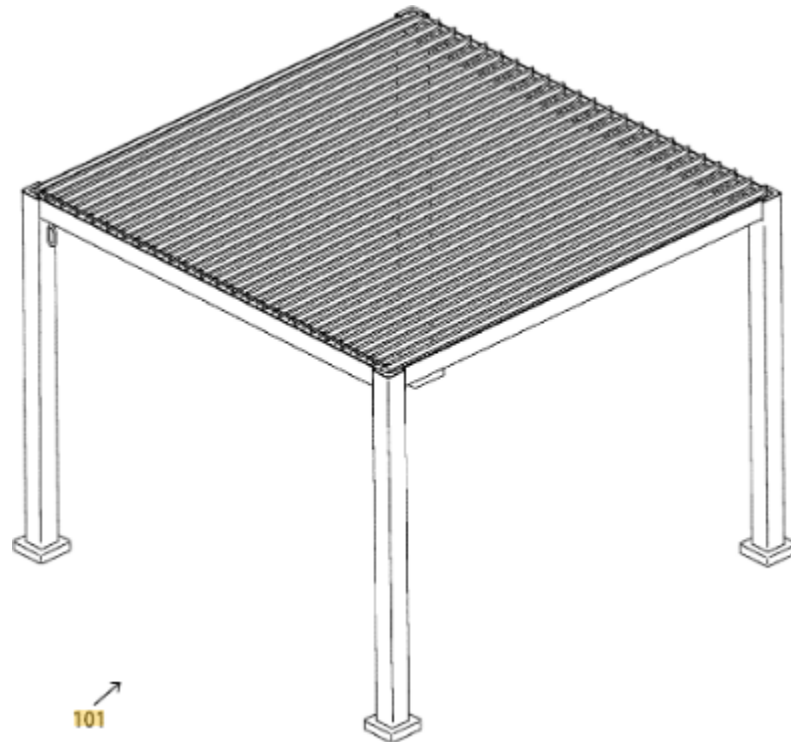
16 **VII. BACKGROUND**

17 13. Plaintiff is a global provider of high-quality outdoor products. Over the past
18 25 plus years, Plaintiff has grown from a small factory into a now major and highly-
19 respected supplier of outdoor leisure furniture and supplies. One of Plaintiff's most
20 successful products is an innovative louvered pergola, which can be easily and quickly
21 assembled by purchasers using only simple tools. This pergola further includes an
22 internal gutter system that allows for easy drainage of rainwater and other moisture from
23 the pergola. Below is a photo of Plaintiff's patented pergola:



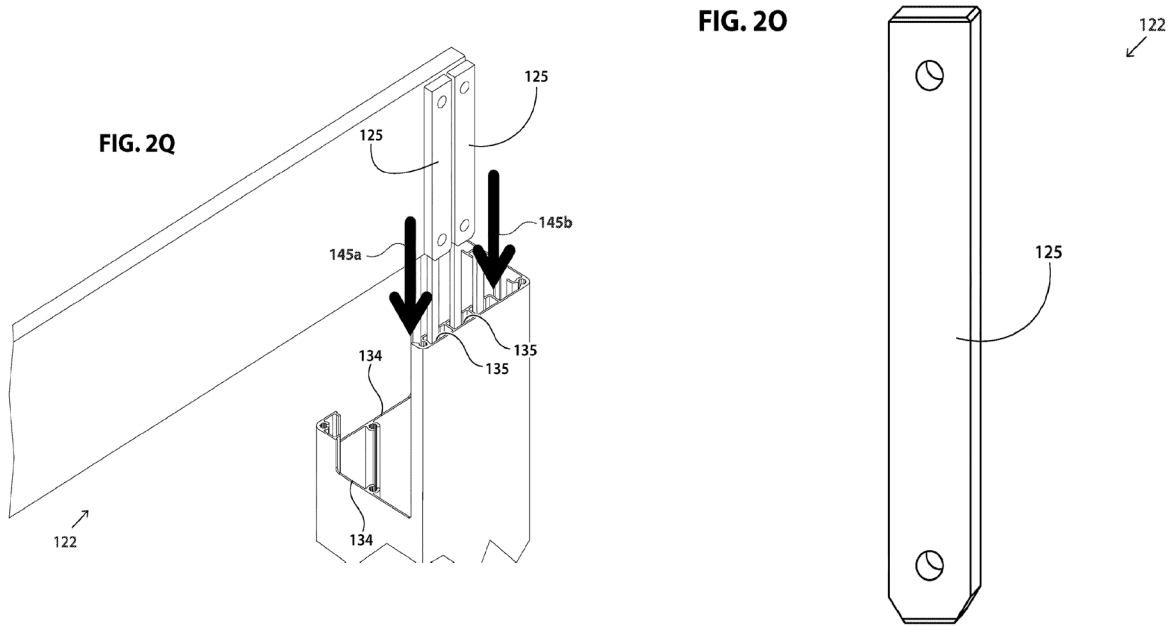
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11 See <https://www.youtube.com/watch?v=mlv3pvE1lh0>

12 14. Plaintiff sought patent protection from the United States Patent Office
13 (“USPTO”) for its louvered pergola. In response, Plaintiff was granted United States
14 Patent No. US11624187B2 (“the ’187 Patent” or “the Asserted Patent”), which describes
15 and claims various innovative aspects of Plaintiff’s louvered pergola. Below is a
16 representative figure from the ’187 Patent:

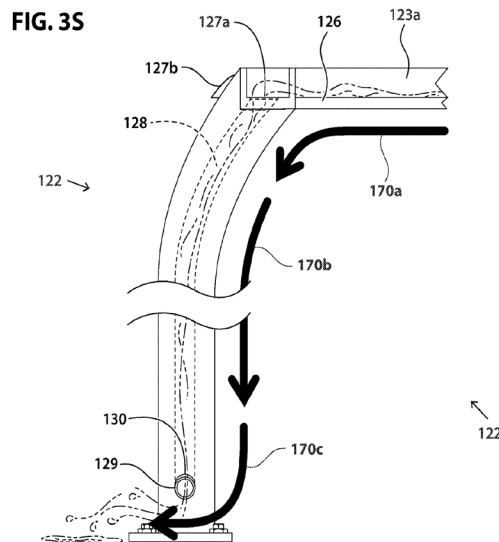


See <https://patents.google.com/patent/US11624187B2/en?q=US11624187B2>

15. Among other innovations, the '187 Patent describes and claims a unique system for assembling the pergola that utilizes securing bars at the ends of each cross beam, which correspond with internal beam securing slots provided on the upper end of each corner post. To assemble the patented pergola, the cross beams are attached to corner posts by slidably inserting the at least one securing bar of each beam end into the at least one internal beam securing slot provided at the top end of the corner post. When assembled in this manner, the patented pergola includes both a clean and fastener-free outer surface as well as an offset between the outer surface of the cross beam as compared to the outer surface of the corner posts. Examples of one embodiment of this attachment system and the resultant cross beam/post offset can be seen in the '187 Patent figures reproduced below:

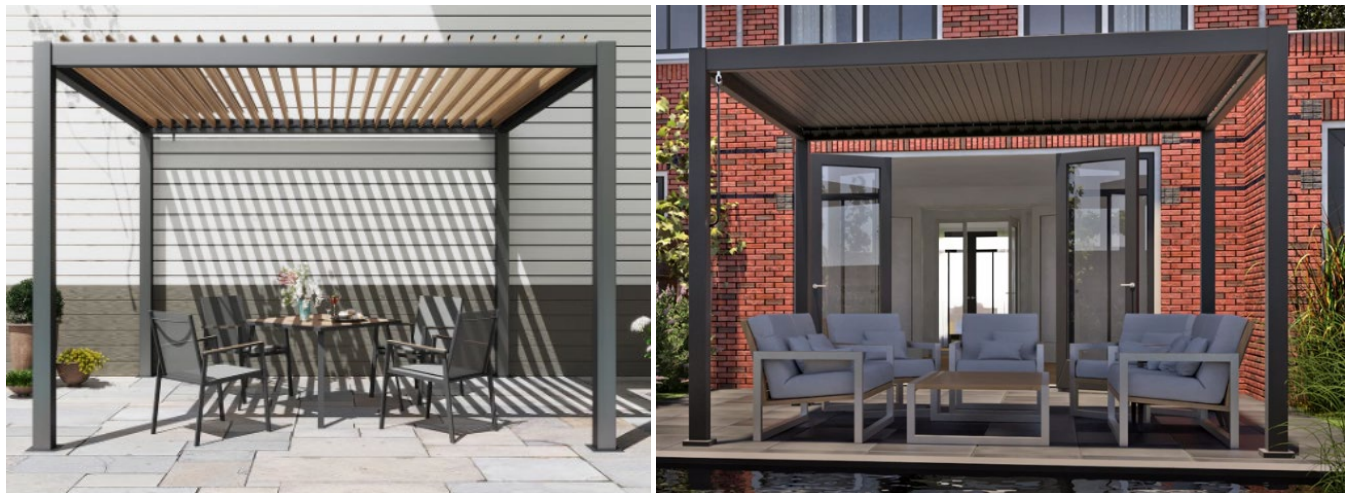


16. Plaintiff's patented pergola further includes an internal gutter system that allows for rainwater to drain from the louvered pergola roof into internal gutters provided along the length each cross beam. Rainwater runs in these internal gutters and thereafter drains into an internal conduit provided in each corner post. After draining into this internal conduit, rainwater thereafter passes through an aperture provided in a lower portion of the respective corner post. One embodiment of this gutter system can be seen in the '187 Patent figure reproduced below:



1 17. Defendants manufacture and export into the United States pergolas and other
2 outdoor leisure furniture and supplies. As shown in the attached claim chart (**Exhibit A**),
3 at least Defendants’ “Lausaint 10’ x 13’ Louvered Pergola” (“Accused Product”)
4 infringes one or more claims of the ’187 Patent, as well as any other louvered pergola
5 made, used, sold, offered for sale, and/or imported by Defendants having substantially the
6 same construction as the exemplary pergola shown in Exhibit A (collectively, “Accused
7 Product” or “Accused Products”).

8 18. Indeed, Defendants’ Accused Product appears to be no more than an obvious
9 knock-off of Plaintiff’s patented pergola. Pictured below is the Accused Product (left
10 photo), compared against Plaintiff’s Pergola (right photo).



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20 See [https://lausaint.com/products/outdoor-louvered-pergola-shade-10x13-with-gutter-](https://lausaint.com/products/outdoor-louvered-pergola-shade-10x13-with-gutter-lausaint-home-well-engineered-waterproof-sun-shade-shelter-kit-with-adjustable-roof-for-patio-garden-and-deck-all-aluminum-black)
21 [lausaint-home-well-engineered-waterproof-sun-shade-shelter-kit-with-adjustable-roof-](https://lausaint.com/products/outdoor-louvered-pergola-shade-10x13-with-gutter-lausaint-home-well-engineered-waterproof-sun-shade-shelter-kit-with-adjustable-roof-for-patio-garden-and-deck-all-aluminum-black)
22 [for-patio-garden-and-deck-all-aluminum-black;](https://lausaint.com/products/outdoor-louvered-pergola-shade-10x13-with-gutter-lausaint-home-well-engineered-waterproof-sun-shade-shelter-kit-with-adjustable-roof-for-patio-garden-and-deck-all-aluminum-black)
23 <https://www.youtube.com/watch?v=mlv3pvE1lh0>

24 19. Defendants’ Accused Product is plainly no more than a blatant knock-off of
25 Plaintiff’s patented Pergola and – more importantly – infringes the patented features
26 described and claimed in the ’187 Patent.

COUNT I

INFRINGEMENT OF THE '187 PATENT

20. Plaintiff hereby restates the allegations contained in the preceding paragraphs above as if fully set forth herein.

21. The '187 Patent was duly and legally issued to Plaintiff by the United States Patent and Trademark Office.

22. Dee Volin and Zhou Jian are the listed inventors and Plaintiff owns all right, title, and interest in and to the '187 Patent, including the right to assert all causes of action arising under the '187 Patent, the right to pursue all remedies for infringement of the '187 Patent, and the right to recover any and all available damages for infringement of the '187 patent

23. Defendants have infringed and continue to infringe the '187 Patent under 35 U.S.C. § 271, literally or under the doctrine of equivalents, by making, using, selling, and/or offering for sale in the United States, and/or importing into the United States without authorization, at least the Accused Product. For example, as shown in the attached claim chart (**Exhibit A**), the Accused Product infringe at least Claim 1 of '187 Patent.

24. Moreover, Defendants have infringed the '187 Patent with full knowledge that their making, using, selling, offering for sale, and/or importing of the Accused Product constitutes infringement of the '187 Patent. In particular, Plaintiff has properly marked all commercial embodiments of Plaintiff's patented pergola with the '187 Patent number in accordance with the requirements of 35 U.S.C. Sec. 287. On information and belief, Defendants nonetheless secured a commercial copy of Plaintiff's patented pergola and thereafter directly copied this pergola. Defendants were thus well aware of the '187 Patent and the fact that Defendants were copying a patent-protected product. But despite having full knowledge of the '187 Patent and their infringement thereof, Defendants copied the Plaintiff's patented pergola and since then have continued to manufacture, use, sell, offer for sale, and/or import into the United States the Accused Product.

1 Defendants' infringement thus has been willful, subjecting it to treble damages in
2 accordance with 35 U.S.C. § 284 as well as an award to Plaintiff of its attorneys' fees in
3 accordance with 35 U.S.C. § 285.

4 **PRAYER FOR RELIEF**

5 WHEREFORE, Plaintiff prays for judgment as follows:

6 a. Declaring that Defendants have infringed the '187 Patent and that such
7 infringement was willful.

8 b. Awarding damages arising out of Defendants' infringement of the '187
9 Patent to Plaintiff, together with prejudgment and post-judgment interest, in an amount
10 according to proof.

11 c. As a consequence of Defendants' willful infringement, trebling the
12 foregoing damages award in accordance with 35 U.S.C. § 284.

13 d. Awarding attorneys' fees to Plaintiff pursuant to 35 U.S.C. § 285 or as
14 otherwise permitted by law.

15 e. Awarding such other costs and further relief as the Court may deem just and
16 proper.

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18 Dated: January 12, 2024

ONE LLP

19
20 By: /s/ Nathaniel L. Dilger

Nathaniel L. Dilger

Peter R. Afrasiabi

Joseph K. Liu

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23 *Attorneys for Plaintiff,*

Zhejiang Zhengte Co. Ltd.

DEMAND FOR JURY TRIAL

Plaintiffs hereby demand trial by jury of all issues so triable under the law.

Dated: January 12, 2024

ONE LLP

By: /s/ Nathaniel L. Dilger

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Peter R. Afrasiabi

Joseph K. Liu

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Zhejiang Zhengte Co. Ltd.

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