

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

Shenzhen Lianxing Industry Co., Ltd,

Plaintiff,

v.

YYQXWY, and Zhu Danna

Defendants

Case No. 24-cv-1224

JURY TRIAL DEMANDED

**COMPLAINT**

Plaintiff, Shenzhen Lianxing Industry Co., Ltd (“Plaintiff” or “Lianxing”), by and through his legal counsel, J. Zhang and Associates, P.C., for its Complaint against YYQXWY (“YYQXWY”) Zhu Danna (“Zhu”) (collectively, “Defendants”) allege as follows:

**I. INTRODUCTION**

1. This is an action for infringement by Defendants of Plaintiff’s United States Patent No. D888,876 S (“the ‘876 patent”) under the Patent Act, 35 U.S.C. § 271 (a), based on Defendants’ unauthorized and unlawful commercial making, using for sale, and selling in the United States, and importing into the United States, the YYQXWY Ultrasonic Pest Repeller (the “Repeller”), which Defendants manufacture and sell.

**II. PARTIES**

2. Shenzhen Lianxing Industry Co., Ltd is a Chinese company located at Room 2308, No. 52 Bagua 4th Road, Hualin Community, Yuanling Community, Futian District, Shenzhen City, Guangdong Province, China 518000.

3. Lianxing is the assignee of the ‘876 patent. A copy of the patent is included as **Exhibit A**.

4. Upon information and belief, Zhu Danna is a Chinese individual residing at Fu Tian Qu Sai Ge Guang Chang 4702B, Shenzhen City, Guangdong Province, China 518000.

5. Upon information and belief, YYQXWY is the trade name of the Amazon.com storefront through which Zhu sells products to the American marketplace.

6. The basis for these beliefs is YYQXWY's activity on Amazon.com, which sells infringing products to the American marketplace.

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

7. 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 the Patent Act, 35 U.S.C. § 271 (a).

8. This Court has personal jurisdiction over Defendants because they regularly transact business in this Court's jurisdiction. They sell products through a storefront on Amazon.com.

9. Further, Defendants have sold and sent relevant products to this forum.

10. Venue is proper because a substantial part of the events giving rise to the claims occurred in this district. Notably, Defendants actively marketed to this forum and shipped relevant products to this forum, notably the YYQXWY Ultrasonic Pest Repeller.

11. Personal jurisdiction is established over Defendants because they purposefully availed themselves to this District. They shipped the YYQXWY repeller to New York county, New York State, which is within the geographic jurisdiction of this Court.


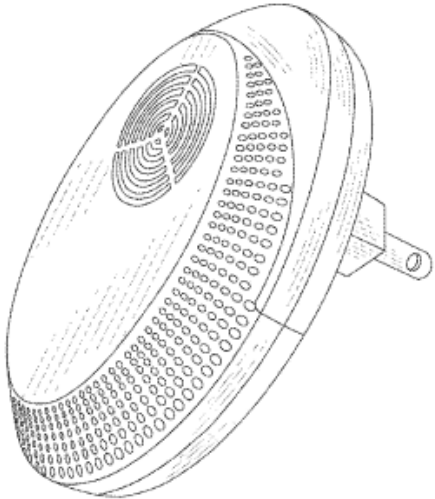
### **IV. FACTS**

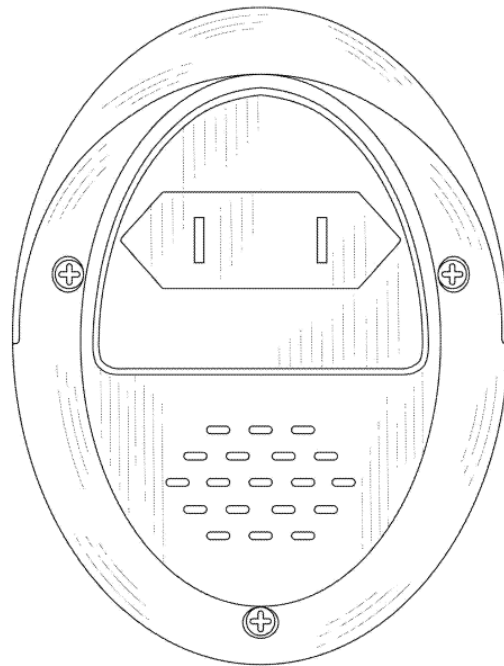
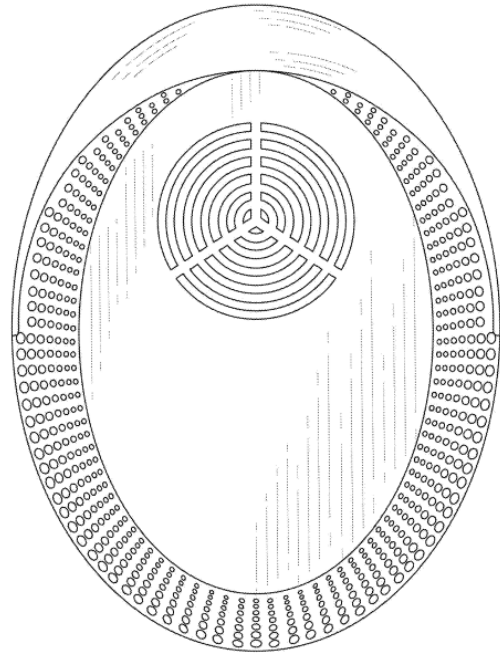
12. Plaintiff is in the business of innovating, producing, and selling electronics. This includes next generation technology ultrasonic pest repeller.

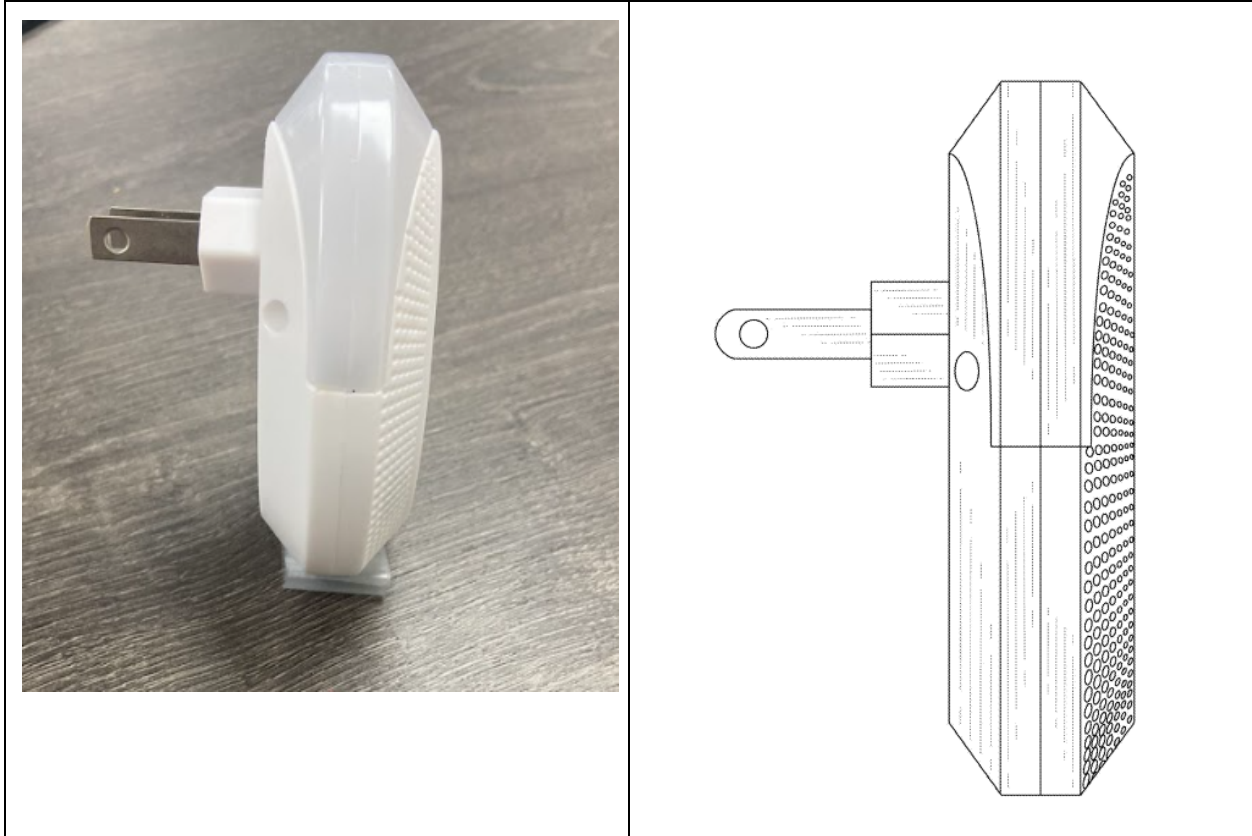
13. The '876 patent, entitled "Ultrasonic Pest Repeller", issued on June 30, 2020 and named Dongpeng Zhu as the inventor.

14. The '876 patent claims the "ornamental design for a ultrasonic pest repeller, as shown and described."

15. Upon information and belief, Defendants have been selling ultrasonic pest repeller on Amazon.com. Defendants' repeller is virtually identical in appearance to the repeller claimed in the '876 patent.

<b>YYQXWY Ultrasonic Pest Repeller</b>	<b>The '876 patent</b>
 A photograph of a white, oval-shaped ultrasonic pest repeller. The device has a circular top surface with a spiral pattern in the center and a grid of small holes around the perimeter. It has a two-prong electrical plug on the bottom.	 A technical drawing of the ultrasonic pest repeller claimed in the '876 patent. The drawing shows a perspective view of the device, which is an oval-shaped disc with a circular top surface. The top surface features a spiral pattern in the center and a grid of small holes around the perimeter. A two-prong electrical plug is attached to the bottom of the device.





16. Defendants infringed and continue to infringe the ‘876 patent by making, using, offering to sell, and selling the YYQXWY Repeller throughout the United States, including in this judicial District.

17. Defendants actively manufacture, market, and distribute repellers covered by the ‘876 patent. Given the virtually identical appearance between Defendants’ repeller and that covered by the ‘876 patent, upon information and belief, Defendants’ infringement is deliberate, willful, wanton, and intentional.

18. Defendants have caused and will continue to cause Plaintiff substantial damages and injury including Plaintiffs loss of unique product positioning and lost profits due to lost sales of its systems including the patented repeller by virtue of Defendants’ past and continuing infringement of the ‘876 patents.

19. Plaintiff will suffer further damage and injury unless and until Defendants are enjoined by this Court from continuing such infringement.

20. The damage caused by Defendants is irreparable and cannot be adequately compensated for solely in monetary damages.

**COUNT I**  
**Infringement of the '876 Patent**

21. Plaintiff repeats and realleges the allegations set forth in paragraphs 1-20.

22. Defendants have been and are now infringing the '876 patent by making, using, offering for sale, and/ or importing in the United States, including in this District, the YYQXWY Repeller.

23. On information and belief, and after a reasonable opportunity for further investigation or discovery, it is likely the evidence will show that Defendants' act of infringement has been made with full knowledge of the '876 patent. Such acts constitute willful and deliberate infringement, entitling Plaintiff to enhanced damages and attorneys' fees.

24. As a consequence of Defendants' infringement, Plaintiff has been irreparably damaged, to an extent not yet determined, and will continue to be irreparably damaged by such acts in the future unless Defendant is enjoined by this Court from committing further acts of infringement.

25. Plaintiff is entitled to recover damages adequate to compensate for Defendants' acts of infringement, which in no even can be less than a reasonable royalty, as well as for lost profit.

**REQUEST FOR RELIEFS**

**WHEREFORE**, Plaintiff prays for the following relief:



- A. That this Court enter Judgment that the '876 patent has been infringed by Defendants (35 U.S.C. § 271(a)) and that such infringement has been willful;
- B. That this Court issue an injunction, permanently enjoining Defendants and their officers, agents, subsidiaries, successors, employees, representatives, and assigns from further patent infringement (35 U.S.C. § 283);
- C. That this Court award damages to Plaintiff adequate to compensate Plaintiff for all acts of infringement by Defendants (U.S.C. § 284) including for lost profits (U.S.C. § 289);
- D. 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;
- E. That this Court award damages in the amount of Defendants' total profits realized for the infringing products (35 U.S.C. § 289);
- F. That the damages awarded be increased up to three times as provided for in 35 U.S.C. § 284 concerning patent infringement;
- G. That Plaintiff be awarded their attorneys' fees under 35 U.S.C. § 285;
- H. That Plaintiff be granted pre-judgment interest pursuant to 35 U.S.C. § 284 and post-judgment interest pursuant to 28 U.S.C. § 1961 continuing thereafter until such judgment is paid, on the damages caused by reason of the acts of Defendants as set forth above;
- I. That Plaintiff be granted an award of increased damages in an amount not less than three times the amount of damages found by the jury or assessed by this Court, for Defendants' willful and wanton acts of infringement, pursuant to 35 U.S.C. § 284;
- J. That the Court order Defendants to deliver to Plaintiff all infringing repellers and their packaging for destruction;

K. The Court order Defendants to identify the manufacturer(s) of its infringing repellers including their location and location of any molds or other tooling employed in manufacturing the repellers and creating their packaging; and,

L. That this Court grant Plaintiff such other and further relief as it may deem just and proper.

**JURY DEMAND**

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

Dated: February 20, 2024

Respectfully submitted.

**J. Zhang and Associates, P.C.**  
***Attorney for Plaintiff,***  
***Shenzhen Lianxing Industry Co., Ltd***

*/s/ Jiyuan Zhang*

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