

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

Jierong Wang,  Plaintiff,  v.  xindakangmaoyi  Defendant	Case No. 24-cv-01812  JURY TRIAL DEMANDED
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**COMPLAINT**

Plaintiff, Jierong Wang (“Plaintiff” or “Wang”), by and through his legal counsel, J. Zhang and Associates, P.C., for its Complaint against xindakangmaoyi (hereinafter, referred as “Defendant”) allege as follows:

**I. INTRODUCTION**

1. This is an action for infringement by Defendant of Plaintiff’s United States Patent No. D931,947 S (“the ‘947 patent”) under the Patent Act, 35 U.S.C. § 271 (a), based on Defendant’s unauthorized and unlawful commercial making, using for sale, and selling in the United States, and importing into the United States, the 9IUoom branded Connector Piece For Toy Building Set (the “9IUoom Connector Piece”), which Defendant manufactures and sells.

**II. PARTIES**

2. Jierong Wang is an individual residing at Shantou City, Guangdong Province, China 518000.

3. Wang is the applicant and inventor of the ‘947 patent. A copy of the patent is included as **Exhibit A**.

4. Upon information and belief, xindakangmaoyi operates as an eCommerce store, with its publicly registered physical business address at Building 17, No. 804 Tianyuan Road

Compound, Self-compiled A03-101 (Room Y103), Tianhe District, Guangzhou, Guangdong, 510630.

5. Upon information and belief, xindakangmaoyi has and continues to sell its products to the American marketplace via Amazon.com, including the infringing product of 9IUoom Connector Piece.

6. The basis for these beliefs is xindakangmaoyi'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 Defendant because they regularly transact business in this Court's jurisdiction. They sell products through a storefront on Amazon.com.

9. Further, Defendant has 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, Defendant actively marketed to this forum and shipped relevant products to this forum, notably the 9IUoom Connector Piece.

11. Personal jurisdiction is established over Defendant because they purposefully availed themselves to this District. They shipped the 9IUoom Connector Piece to New York county, New York State, which is within the geographic jurisdiction of this Court.


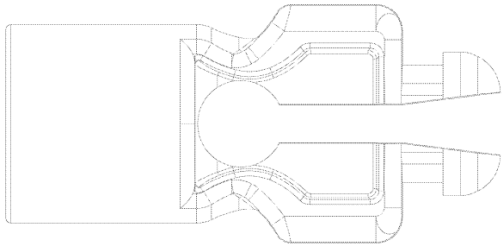
### **IV. FACTS**

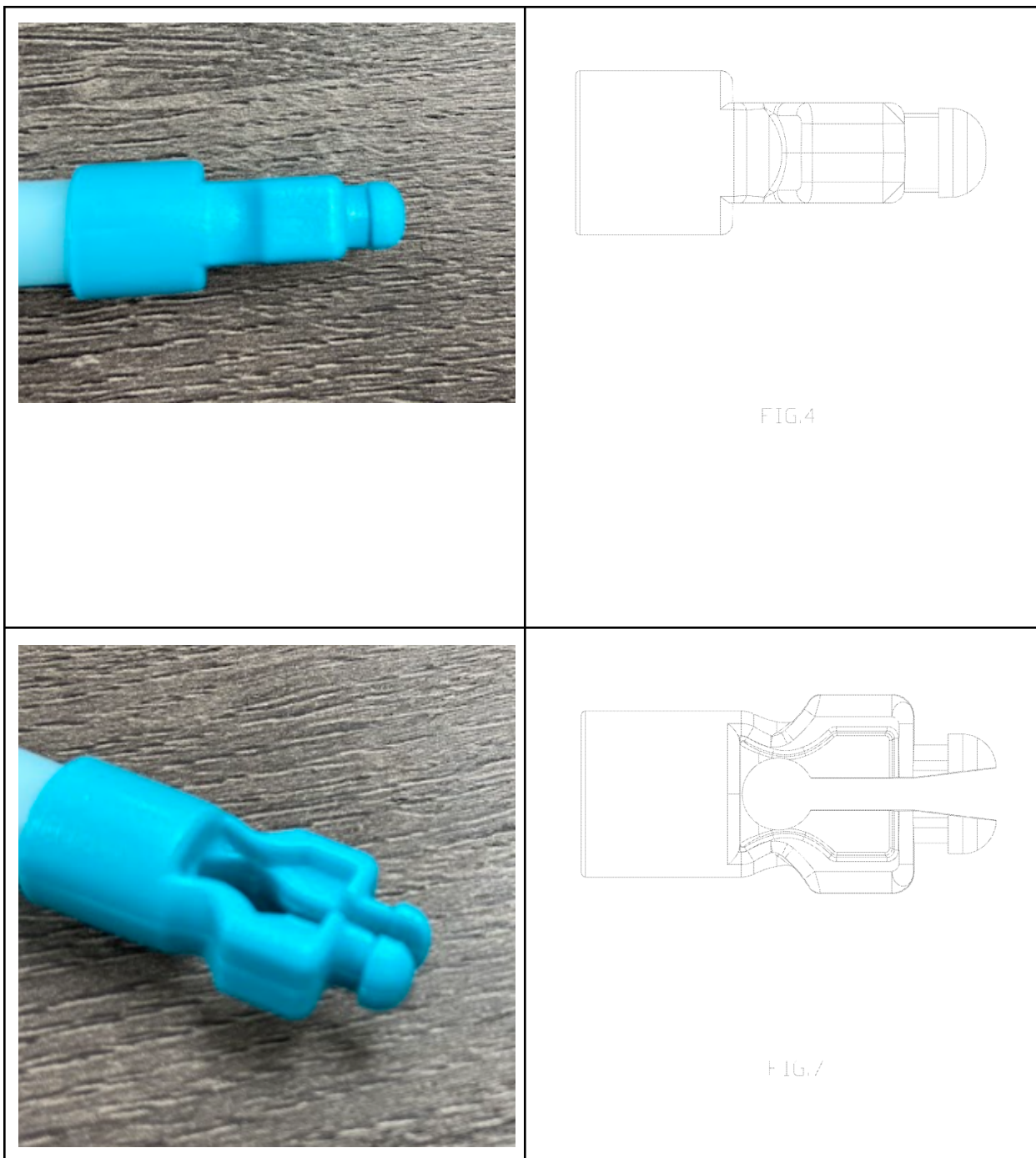
12. Plaintiff is an inventor who has licensed their patented inventions to other sellers for distribution. This includes the connector piece, a new design used for toy building sets.

13. The '947 patent, entitled "9IUoom Connector Piece", issued on September 28, 2021.

14. The '947 patent claims the "ornamental design for a connector piece used for toy building set, as shown and described."

15. Upon information and belief, Defendant has been the toy building sets, including the connector pieces, on Amazon.com. Defendant's connector piece is virtually identical in appearance to the connector piece claimed in the '947 patent.

<b>9IUoom Connector Piece</b>	<b>The '947 patent</b>
 A photograph of a blue, cylindrical connector piece with two protruding, rounded ends. The piece is shown against a dark, textured background.	 <p data-bbox="1084 1465 1154 1493">FIG.2</p> A technical drawing showing a cross-section of the connector piece. The drawing illustrates the internal structure, including a central cavity and two protruding ends with rounded tips. The drawing is labeled "FIG.2" below it.



16. Defendant infringed and continues to infringe the '947 patent by making, using, offering to sell, and selling the 9IUoom Connector Piece throughout the United States, including in this judicial District.

17. Defendant actively manufactures, markets, and distributes connection pieces covered by the '947 patent. Given the virtually identical appearance between Defendant's connection pieces and that covered by the '947 patent, upon information and belief, Defendant's infringement is deliberate, willful, wanton, and intentional.

18. Defendant has caused and will continue to cause Plaintiff substantial damages and injury including Plaintiff's loss of unique product positioning and lost profits due to lost sales of its systems including the patented connection piece by virtue of Defendant's past and continuing infringement of the '947 patents.

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

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

**COUNT I**  
**Infringement of the '947 patent**

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

22. Defendant has been and is now infringing the '947 patent by making, using, offering for sale, and/ or importing in the United States, including in this District, the 9IUoom Connector Piece.

23. On information and belief, and after a reasonable opportunity for further investigation or discovery, it is likely the evidence will show that Defendant's act of infringement has been made with full knowledge of the '947 patent. Such acts constitute willful and deliberate infringement, entitling Plaintiff to enhanced damages and attorneys' fees.

24. As a consequence of Defendant's 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 Defendant's 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 '947 patent has been infringed by Defendant (35 U.S.C. § 271(a)) and that such infringement has been willful;
- B. That this Court issue an injunction, permanently enjoining Defendant 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 Defendant (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 Defendant's 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 Defendant 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 Defendant's willful and wanton acts of infringement, pursuant to 35 U.S.C. § 284;

J. That the Court order Defendant to deliver to Plaintiff all infringing repellers and their packaging for destruction;

K. The Court order Defendant 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: March 8, 2024

Respectfully submitted.

**J. Zhang and Associates, P.C.**  
***Attorney for Plaintiff,***  
***Jierong Wang***

/s/ Jiyuan Zhang

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