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10 **UNITED STATES DISTRICT COURT**
11 **CENTRAL DISTRICT OF CALIFORNIA**

12 STACHE PRODUCTS, LLC,

13 Plaintiff,

14 v.

15 TSJ DISTRIBUTORS INC DBA THE
16 SUPPLY JOINT,

17 Defendant.

CASE NO.: 2:24-cv-02327

**COMPLAINT FOR PATENT AND
TRADEMARK INFRINGEMENT
AND UNFAIR COMPETITION**

(INJUNCTIVE RELIEF DEMANDED)

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21 STACHE PRODUCTS, LLC (“Plaintiff” or “Stache Products”) by and through
22 its undersigned counsel, brings this Complaint against Defendant TSJ
23 DISTRIBUTORS INC DBA THE SUPPLY JOINT (“Defendant”) for patent and
24 trademark infringement, and in support, alleges as follows:

25 **NATURE OF THE LAWSUIT**

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27 1. This action is for patent infringement arising under the patent laws of the
28 United States, 35 U.S.C. §§ 271, *et seq.*, to enjoin and obtain damages resulting from
Defendant’s unauthorized manufacture, use, sale, offer to sell, or importation into the

1 United States for subsequent use or sale of products, methods, processes, services or
2 systems that infringe one or more claims of United States Patent Numbers 10,786,006,
3 11,497,244, 11,497,252, and D872,933 S (the “Patents”).

4 2. This is also an action for trademark infringement and unfair competition
5 arising under the Federal Trademark Act of 1946 (“Lanham Act”), 15 U.S.C. §
6 1125(a) and under Cal. Bus. & Prof. Codes § 17200, *et. seq.* to enjoin and obtain
7 damages resulting from the Defendant’s unauthorized marketing, advertising,
8 promotion, sale, and importation of oral vaporizers that infringe Plaintiff’s United
9 States Registered Trademark No. 7,079,618 for RIG IN ONE.

10 JURISDICTION AND VENUE

11 2. This is an action arising under the Patent Act and Lanham Act.

12 3. This Court has original and exclusive subject matter jurisdiction pursuant
13 to 28 U.S.C. § 1331; 28 U.S.C. § 1338; and 35 U.S.C. § 271.

14 4. This Court has personal jurisdiction over Defendant because Defendant
15 resides in this District.

16 5. Venue is proper in this district pursuant to 28 U.S.C. § 1400(b) because
17 Defendant has a regular and established place of business in this District and has
18 committed acts of infringement in this District.

19 THE PARTIES

20 6. Plaintiff, Stache Products, LLC (“Stache Products”), is a Maryland
21 limited liability company.

22 2. Stache Products is a company dedicated to offering innovative, high-
23 quality smoking and vaporization products at a fair price.

24 3. Rodrigo Escorcía Santos (“Santos”) is the owner of Stache Products.
25 Santos assigned his intellectual property to Stache Products who offers RIG IN ONE
26 (“RIO”) devices for sale on its website [https://stacheproducts.com/products/rio-matte-](https://stacheproducts.com/products/rio-matte-1)
27 [1.](https://stacheproducts.com/products/rio-matte-1)

DEFENDANT’S PATENT INFRINGEMENT

16. Defendant imports, offers for sale, distributes, and sells one or more dab rig products that practice all the steps of at least one claim of the patents. An example of the dab rig product distributed by defendant is shown below:



17. Defendant’s RIG IN ONE branded devices operate identically to Plaintiff’s product which is protected by the Patents. Defendant’s RIG IN ONE branded device is an all-in-one rig device that flash heats cannabinoid concentrates to the point of vaporization, utilizing a torch, and then the cannabinoid concentrate is put on a hot surface and inhaled.

18. At all times during which Defendant imported, used, offered to sell, and sold dab rig products that infringe one or more claims of the patents, Defendant had knowledge of the patents.

19. Plaintiff has been irreparably harmed by Defendant’s infringement of Plaintiff’s valuable patent rights.

1 20. Defendant’s unauthorized infringing use of Plaintiff’s patented oral
2 vaporizer has threatened the value of Plaintiff’s intellectual property because
3 Defendant’s conduct results in Plaintiff’s loss of its lawful patent rights to exclude
4 others from importing, making, using, selling offering to sell and/or importing the
5 patented inventions.

6 21. Defendant’s disregard for Plaintiff’s patent rights similarly threatens
7 Plaintiff’s relationship with potential licensees of these patents.

8 22. Defendant will derive a competitive advantage from using Plaintiff’s
9 patented technology without paying compensation for such use.

10 23. Unless and until Defendant’s continued acts of infringement are enjoined,
11 Plaintiff will suffer further irreparable harm for which there is no adequate remedy at
12 law.

13 **DEFENDANT’S TRADEMARK INFRINGEMENT**

14 24. Defendant imports, offers for sale, distributes, and sells one or more dab
15 rig products on its website that Plaintiff’s registered trademark RIG IN ONE as shown
16 below.



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25. Defendant, without a license, permission, or authority offers portable dab rig devices utilizing the mark “RIG IN ONE” for sale in its physical store.

26. The devices that Defendant uses, imports, offers for sale, distributes, and sells, including but not limited to the RIG IN ONE EASY TO USE PORTABLE DAB RIG, infringes Plaintiff’s RIG IN ONE trademark.

27. At all times during which Defendant imported, used, offered to sell, and sold dab rig products that infringe RIG IN ONE trademark, Defendant had knowledge of the trademark.

28. Plaintiff has been irreparably harmed by Defendant’s trademark infringement.

29. Unless and until Defendant’s continued acts of infringement are enjoined, Plaintiff will suffer further irreparable harm for which there is no adequate remedy at law.

COUNT I

DIRECT INFRINGEMENT OF U.S. PATENT NO. 10,786,006

30. Stache Products realleges paragraphs 1 through 29 of this Complaint, as fully and completely as if set forth herein.

31. Within the six years preceding the filing of this Complaint, Defendant directly infringed at least one claim of U.S. Patent No. 10,786,006 by the activities referred to in this Complaint in violation of 35 U.S.C. § 271(a).

32. Without limiting the foregoing, Defendant has infringed at least claim one of U.S. Patent No. 10,786,006.

33. Defendant’s activities alleged in this Count have been without license, permission, or authorization from Plaintiff.

34. The activities of Defendant as set forth in this Count have been to the injury, detriment and irreparable harm to Plaintiff.

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COUNT II

DIRECT INFRINGEMENT OF U.S. PATENT NO. 11,497,244

35. Stache Products realleges paragraphs 1 through 29 of this Complaint, as fully and completely as if set forth herein.

36. Within the six years preceding the filing of this Complaint, Defendant directly infringed at least one claim of U.S. Patent No. 11,497,244 by the activities referred to in this Complaint in violation of 35 U.S.C. § 271(a).

37. Without limiting the foregoing, Defendant has infringed at least claim one of U.S. Patent No. 11,497,244.

38. Defendant’s activities alleged in this Count have been without license, permission, or authorization from Plaintiff.

39. The activities of Defendant as set forth in this Count have been to the injury, detriment and irreparable harm to Plaintiff.

COUNT III

DIRECT INFRINGEMENT OF U.S. PATENT NO. 11,497,252

40. Stache Products realleges paragraphs 1 through 29 of this Complaint, as fully and completely as if set forth herein.

41. Within the six years preceding the filing of this Complaint, Defendant directly infringed at least one claim of U.S. Patent No. 11,497,252 by the activities referred to in this Complaint in violation of 35 U.S.C. § 271(a).

42. Without limiting the foregoing, Defendant has infringed at least claim one of U.S. Patent No. 11,497,252.

43. Defendant’s activities alleged in this Count have been without license, permission, or authorization from Plaintiff.

44. The activities of Defendant as set forth in this Count have been to the injury, detriment and irreparable harm to Plaintiff.

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COUNT IV

DIRECT INFRINGEMENT OF U.S PATENT NO. D872,933 S

45. Stache Products realleges paragraphs 1 through 29 of this Complaint, as fully and completely as if set forth herein.

46. Within the six years preceding the filing of this Complaint, Defendant directly infringed at least one claim of U.S. Patent No. D872,933 S by the activities referred to in this Complaint in violation of 35 U.S.C. § 271(a).

47. Without limiting the foregoing, Defendant has infringed at least claim one of U.S. Patent No. D872,933 S.

48. Defendant’s activities alleged in this Count have been without license, permission, or authorization from Plaintiff.

49. The activities of Defendant as set forth in this Count have been to the injury, detriment and irreparable harm to Plaintiff.

COUNT V

DIRECT INFRINGEMENT OF U.S. REGISTERED TRADEMARK NO. 7,079,618 UNDER LANHAM ACT PURSUANT TO 15 U.S.C. § 1114

50. Stache Products realleges paragraphs 1 through 29 of this Complaint, as fully and completely as if set forth herein.

51. Defendant impermissibly uses the registered trademark RIG IN ONE in interstate commerce in connection with the advertising, marketing, and sale of RIG IN ONE device as shown above.

52. Defendant’s activities alleged in this Count have been without license, permission, or authorization from Plaintiff.

53. Defendant’s unlawful use of the RIG IN ONE trademark is likely to cause and has caused confusion, mistake and deception as to the affiliation, connection and association between Defendant’s products and Santo’s RIO products, in violation of section 32 of the Lanham Act, 15 U.S.C § 1114(1).

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62. Defendant’s acts of infringement and unfair competition are knowing and willful because Defendant committed such acts with knowledge that Stache Products is the rightful owner of all rights, title and interest to the RIG IN ONE trademark and with the intent to cause confusion, or to cause mistake or to deceive.

63. Unless Defendant is enjoined from its wrongful conduct, Plaintiff will suffer further irreparable injury and harm, for which it has no adequate remedy at law.

COUNT VI
UNFAIR COMPETITION UNDER CALIFORNIA STATUTORY LAW
(Cal. Bus. & Prof. Codes § 17200, et. seq.)

64. Stache Products realleges paragraphs 1 through 29 of this Complaint as fully and completely as if set forth herein.

65. Defendant’s foregoing unlawful actions constitute the assumption, adoption or use, with the intent to deceive members of the trade and the general consuming public, for advertising and other purposes, of the RIG IN ONE mark in which may deceive or mislead the aforementioned as to the identity of Defendant or their infringing goods as to an unfounded connection to Stache Products registered RIG IN ONE mark in violation of California’s Business and Professions Codes § 17200.

66. Defendant’s continuing unlawful acts are likely to cause substantial and irreparable injury to Stache Products and are likely to continue to damage Stache Products’ goodwill, and reputation unless restrained by this Court.

67. Defendant’s activities alleged in this Count have been without license permission or authorization from Plaintiff.

68. The activities of Defendant as set forth in this Count have been to the injury, detriment and irreparable harm to Plaintiff.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff STACHE PRODUCTS, LLC demands judgment and relief against Defendant TSJ DISTRIBUTORS INC DBA THE SUPPLY JOINT and respectfully requests that the Court:

A. Defendant and its officers, agents, servants, employees, affiliated entities, and all of those in active concert with them, be preliminarily and permanently enjoined from committing the acts alleged herein in violation of 15 U.S.C. § 1114 and § 1125;

B. Defendant be required to pay Plaintiff his damages including lost sales and Defendants’ profits as provided in 15 U.S.C. § 1125;

C. Enter a finding of willful patent infringement against Defendant under the patents asserted in this Complaint;

D. Permanently enjoin Defendant from committing patent infringement;

E. Award in favor of Plaintiff and against Defendant such damages as Plaintiff may have suffered but in no event less than a reasonable royalty pursuant to 35 U.S.C. § 284;

F. Award in favor of Plaintiff and against Defendant an enhancement of damages;

G. Award in favor of Plaintiff for treble damages pursuant to 15 U.S.C. § 1117(a);

H. Permanently enjoin Defendant from committing trademark infringement;

I. Find that this is an exceptional case;

J. Award Plaintiff his attorneys’ fees against Defendant under 35 U.S.C. § 285 and 15 U.S.C. § 1117(a);

K. Award Plaintiff his costs against Defendant;

L. Plaintiff be awarded pre- and post-judgment interest; and

1 M. Award in favor of Plaintiff and against Defendant such other and
2 further relief as to the Court appears just and proper.

3 **JURY DEMAND**

4 Plaintiff hereby demands a trial by jury of all issues so triable.
5

6 DATED: March 21, 2024

Respectfully submitted,

7
8 /s/ Matthew L. Rollin

9 MATTHEW L. ROLLIN

10 **SRIPLAW, P.A.**

11 *Counsel for Plaintiff Stache Products LLC*
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