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8 UNITED STATES DISTRICT COURT

9 **CENTRAL DISTRICT OF CALIFORNIA**

10 WONDERFOLD CORPORATION,  
11 a California Corporation.

12 Plaintiff,

13 vs.

14 HIGHLINK TRADE LIMITED, a  
15 Hong Kong, China Corporation,  
16 OMNIFAMILY INC., a California  
17 Corporation, OMNIHOME INC., a  
18 New Jersey Corporation, and DOES  
19 1-5 inclusive,

20 Defendants.  
21

) Case No.: 2:24-cv-3280

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

) JURY TRIAL DEMANDED

22  
23 Plaintiff, Wonderfold Corporation, (hereinafter “Wonderfold”) for its  
24 Complaint against Defendants, Omnifamily Inc., a California Corporation,  
25 (“Omnifamily”), Omnihome, a New Jersey Corporation, (“Omnihome”), and  
26 Highlink Trade Limited, a Hong Kong Corporation (“Highlink”, collectively,  
27 “Defendants”), states and alleges the following:  
28

1 **NATURE OF THE ACTION**

2 1. This is a civil action for patent infringement under the patent laws of  
3 the United States, 35 U.S.C. § 1 *et seq.*, and the common law of trademark  
4 infringement, misappropriation, and unfair competition.

5 2. Defendants have infringed and continue to infringe, and have induced  
6 and continue to induce infringement of, one or more claims of Plaintiff’s U.S.  
7 Patent No. 10,464,588 (“the ‘588 patent”) and U.S. Patent No. D955,301 (“the  
8 ‘301 patent”), and the protected design elements of the stroller of Wonderfold, at  
9 least by importing, selling and offering to sell the Joymor stroller.

10 3. Wonderfold is the exclusive licensee and assignee of all rights to all  
11 causes of action and remedies arising under the ‘588 patent and the ‘301 patent,  
12 and the owner of the trademark design of the stroller of Wonderfold in the United  
13 States, which was duly and legally issued by the United States Patent and  
14 Trademark Office (“USPTO”). Plaintiff seeks injunctive relief and monetary  
15 remedies.  
16

17 **JURISDICTION AND VENUE**

18 4. This is a civil action for patent infringement arising under patent laws  
19 of the United States, 35 U.S.C. § 1 *et seq.*, and for trademark infringement arising  
20 under the Lanham Act, 15 U.S.C. §1125(a) and unfair competition.

21 5. This Court has subject matter jurisdiction over the matters asserted  
22 herein under 28 U.S.C. §§ 1331, 1332 and 1338(a) and 15 U.S.C. § 1125(a) because  
23 this action arises under the trademark and patent laws of the United States, there  
24 is a diversity of citizenship between the parties, and the amount in controversy  
25 exceeds \$75,000.

26 6. Defendants are subject to this Court’s personal jurisdiction for one or  
27 more of the following reasons:  
28

1 a. Defendants have infringed the '588 patent, the '301 patent and  
2 the trademark in this District by, among other things, engaging in infringing  
3 conduct within and directed at or from this District. For example, Defendants  
4 have purposefully availed and voluntarily placed the Joymor stroller into the  
5 stream of commerce with the expectation that these infringing products will be  
6 used in this District.

7 b. Defendants have done and continue to do business in the State  
8 of California and with one or more residents of the State of California, including  
9 in this District;

10 c. Defendants direct into the State of California, including in this  
11 District, commerce, good and services, and advertising, including by mail,  
12 electronic communications and other means;

13 d. Defendants have entered into contracts with one or more  
14 residents of the State of California to supply products or services within the State  
15 of California, including in this District;

16 e. Defendants have offered and continue to offer, products  
17 constituting patent and trademark infringement and services relating to this  
18 complaint in the State of California including in this District;

19 f. Defendants have made substantial sales and shipments of  
20 infringing goods within the State of California, including in this District;

21 g. These infringing products have been and continue to be sold  
22 and used in this District;

23 h. Defendants maintain warranty services, such as those  
24 referenced at its website, [www.joymor.com/pages/product-registration](http://www.joymor.com/pages/product-registration), on  
25 infringing products within the State of California, including in this District;

26 i. In addition, defendant Omnifamily is organized within the State  
27 of California with a principal place of business in this District.  
28



1 into the United States, and with sales in the United States, including in this  
2 District.

3 11. Upon information and belief, HIGHLINK TRADE LIMITED, is a  
4 corporation organized and existing under the laws of Hong Kong with a principal  
5 place of business at 2-16 Fa Yuen St Rm 18 27/F Ho King Comm Ctr, Mongkok,  
6 KL Hong Kong 999077, China, and is in the business of researching, designing,  
7 developing, manufacturing, marketing, and selling children's toys, furniture and  
8 strollers at low prices, accessories, and components of those products and  
9 accessories for importation into the United States, and with sales in the United  
10 States, including in this District.

11 12. Upon information and belief, defendants directly and or indirectly  
12 import, develop, design, manufacture, distribute, market, offer to sell and/or sell  
13 infringing products and services in the United States, including in the Central  
14 District of California, and otherwise purposefully directs infringing activities to  
15 this district in connection with the Joymor stroller.

16 13. Upon information and belief, Defendants and defendant Does 1-5,  
17 have been and are acting in concert, and are otherwise liable jointly, severally or  
18 otherwise for a right to relief related to or arising out of the same transaction,  
19 occurrence or series of transactions or occurrences related to the making, using,  
20 importing into the United States, offering for sale or selling the Joymor stroller in  
21 this District. In addition, this action involves questions of law and fact that are  
22 common to all Defendants.

23  
24 **HISTORY OF THE STROLLER OF WONDERFOLD**

25 14. Wonderfold is currently and for years has been the leading  
26 manufacturer of stroller wagons for children. At least as early as 2019,  
27 Wonderfold 2019 has designed, manufactured, marketed and sold innovative  
28 stroller to customers that would assist in carrying all the essentials for toddlers

1 and young children, have the safety and function to be able to carry toddlers and  
2 young children, have the convenience of being collapsible, foldable, and have an  
3 appealing and distinctive three dimensional shaped design came to signify the  
4 quality and reputation of Wonderfold strollers early in the company's history;  
5 and such use has been continuous and exclusive since at least as early as 2019.

6 15. As a pioneer in the creation and innovation of stroller wagons,  
7 Wonderfold launched a line of stroller wagons intended for children six months  
8 and older. Wonderfold is known for their reliability, ease-of-use, and innovative  
9 industrial design. Wonderfold's team has integrated the functionality of a  
10 foldable stroller with a three-dimensional shaped design that is appealing and  
11 enjoyable for children and caregivers.  
12

13 16. Wonderfold is owner of the stylized mark, "Wonderfold" in Class 12  
14 for strollers and related items, U.S. Registration No. 5,977,081, (the "081 Mark")  
15 and the word mark, "Wonderfold" in class 12 for strollers and related items and  
16 class 20, U.S. Registration No. 5,956,667, (the "667 Mark") (collectively, the  
17 "Wonderfold Marks"). A true and correct copy of the '081 Mark is attached hereto  
18 as Exhibit 1. A true and correct copy of the '667 Mark is attached hereto as  
19 Exhibit 2.

20 17. New Century Products Limited filed for patent protection on its  
21 innovations, and currently holds multiple patents in the US, Taiwan, and Japan,  
22 relating to baby carriages, a foldable storage bag, and multi-purpose chairs. The  
23 '588 patent, granted by the United States Patent and Trademark Office on  
24 November 5, 2019, is entitled "Foldable Baby Stroller", has remained in force  
25 since that time and continues to be in force.



26 18. On June 21, 2022, United States Design Patent No. D955,301 titled  
27 "Stroller" of New Century Products Limited, was duly and legally issued by the  
28



1 United States Patent and Trademark Office. The '301 patent has remained in  
2 force since that time and continues to be in force.

3 19. Wonderfold is the exclusive licensee of the '588 patent, and the '301  
4 patent with all substantial rights in and to the '588 patent and the '301 patent,  
5 and was assigned all rights to all causes of action and remedies arising under the  
6 '588 patent and the '301 patent in the United States. A true and correct copy of  
7 the '588 patent is attached hereto as Exhibit 3. A true and correct copy of the '301  
8 patent is attached hereto as Exhibit 4.

9 20. The '301 patent covers an ornamental design for a stroller.  
10 Wonderfold has practiced the '301 patent in connection with the  
11 commercialization with the Wonderfold strollers and services, as shown for  
12 example in the side-by-side comparison below:  
13

Figure 1 of '301 patent	Joymor Manual Front Cover
	

1           21. Wonderfold has invested substantial, time, effort and financial  
2 resources in developing and promoting its stroller design and stroller of the '301  
3 patent and the '588 patent and has spent approximately \$13 million in extensive  
4 promotion alone and in a variety of media throughout the United States,  
5 including, but not limited to, product labeling and packaging, brochures, point of  
6 purchase display materials, signage, trade magazine advertisements, trade show  
7 displays and, on the web, to distinguish its products and services from those  
8 offered by others.

9           22. The Wonderfold stroller is sold in high-end department stores such as  
10 Saks Fifth Avenue, Bloomingdales, and Nordstrom, and where some of which are  
11 sold for \$1,599.00 and is found in approximately 1,500 retail stores including 100  
12 brick-and-mortar stores such as Macy's, Dick's Sporting Goods, and Sam's Club  
13 and approximately 308,000 units of the Wonderfold stroller were sold thus far.

14           23. The designs associated with the strollers of Wonderfold have become  
15 an asset of substantial value and a symbol of Wonderfold's quality products,  
16 services, and goodwill. The designs associated with the stroller of Wonderfold are  
17 inherently distinctive and have acquired secondary meaning through  
18 Wonderfold's long-term, widespread, and continuous use of its designs  
19 associated with the Wonderfold stroller in commerce.

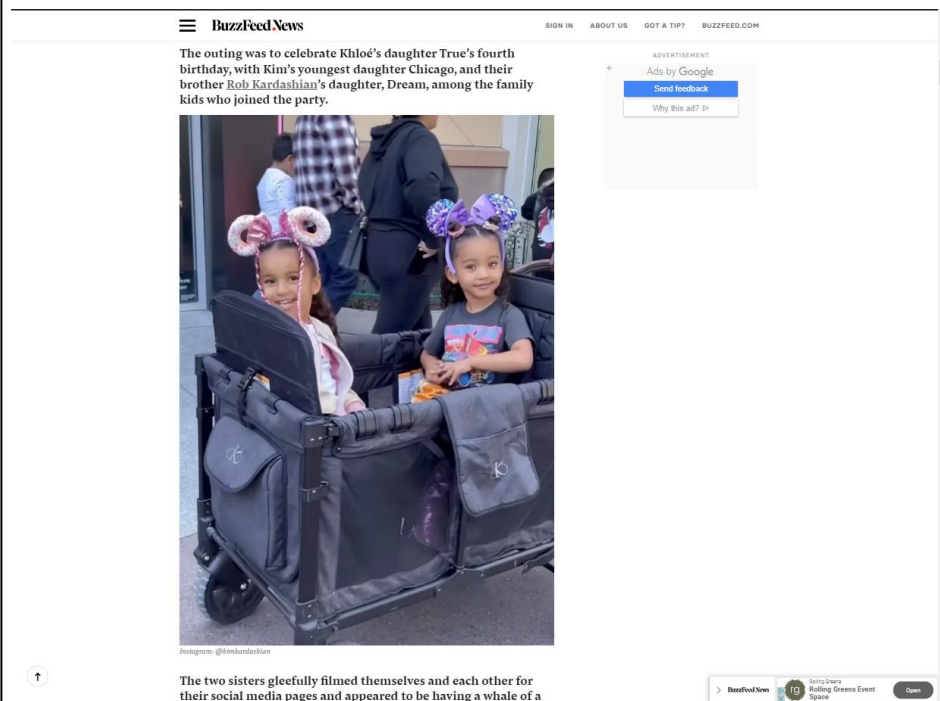
20           24. Strollers manufactured and sold by Wonderfold are specifically  
21 designed to provide a unique stroller, distinctive from other strollers. Consumers,  
22 retail providers, and others associate the three-dimensional shaped design of the  
23 Wonderfold stroller with Wonderfold, as such stroller designs visually set  
24 Wonderfold's products and services apart from those of its competitors.

25           25. The design of the Wonderfold stroller is well-known and famous.  
26 Wonderfold has used the design of the stroller in connection with its advertising  
27 and design collaborations with celebrities such as Kim Kardashian and Chrissie  
28



1 Teigen and has enjoyed unsolicited media coverage where celebrities such as Kim  
2 Kardashian Khloe Kardashian, Kevin Hart, Chrissie Teigen, and Joe Jonas have  
3 been the subject of celebrity news for using the strollers of Wonderfold.

4 26. The image below is of a Wonderfold stroller designed in collaboration  
5 between Wonderfold and Kim Kardashian and bearing the personal logo of Kim  
6 Kardashian:



20 Print screen taken from article at Buzzfeednews.com, link at  
21 [https://www.buzzfeednews.com/article/stephaniesoteriou/kim-khloe-](https://www.buzzfeednews.com/article/stephaniesoteriou/kim-khloe-kardashian-disneyland-rides-cutting-line)  
22 [kardashian-disneyland-rides-cutting-line](https://www.buzzfeednews.com/article/stephaniesoteriou/kim-khloe-kardashian-disneyland-rides-cutting-line) and last accessed on April 19, 2024.

23 27. See also below image taken from Kylie Jenner's Instagram account of  
24 her child in a Wonderfold stroller:



Link at  
[https://www.instagram.com/p/CoIFMR5JoqE/?utm\\_source=ig\\_web\\_copy\\_link&igsh=MzRlODBiNWFlZA%3D%3D&img\\_index=5](https://www.instagram.com/p/CoIFMR5JoqE/?utm_source=ig_web_copy_link&igsh=MzRlODBiNWFlZA%3D%3D&img_index=5), see fifth photo on post, and last accessed on April 19, 2024. As of April 19, 2024, Kylie Jenner had 400 million followers.

28. See also Instagram post of Chrissy Teigen in her Wonderfold stroller:

Instagram

Log In



chrissteigen • Follow

THANK YOU @baby2baby and @wonderfold, for inviting me to design this wagon. I had so much fun working together on this project and I'm grateful to Wonderfold for their incredibly generous donation to Baby2Baby, which continues to provide millions of essential items to families in need across the country.

30w

phoenixx0112 Great Idea 8w Reply

sandersm09 I need one so bad.. but toooo expensive for me right now.

121,452 likes  
September 8, 2023

Log in to like or comment.

[https://www.instagram.com/p/Cw8byO4ybdJ/?utm\\_source=ig\\_web\\_copy\\_link&igsh=MzRlODBiNWFlZA%3D%3D&img\\_index=1](https://www.instagram.com/p/Cw8byO4ybdJ/?utm_source=ig_web_copy_link&igsh=MzRlODBiNWFlZA%3D%3D&img_index=1), last accessed on April 19, 2024. As of April 19, 2024, Chrissy Teigen had 42.6 million followers.

29. Without solicitation, Consumers have dedicated a multitude of internet platforms for the sole discussion of Wonderfold strollers. For example, without the solicitation of Wonderfold:

- a. a mom on Facebook created a group “for people to discuss Wonderfold wagons”, at link:

1 <https://www.facebook.com/groups/456820231549640/permalink/146075531156122/>, last accessed on April 19, 2024;

3 b. a group was created on Instagram and is described as “Just two  
4 Mamas obsessed with all things Wonderfold!” and use the below Wonderfold  
5 stroller design icon as their profile photo:



12 at link: <https://www.instagram.com/wonderfoldmamas/>, last accessed on April  
13 19, 2024; and

14 c. a Facebook group was created to advertise accessories they make for  
15 the Wonderfold stroller, at link:  
16 <https://www.facebook.com/groups/811445196547009/permalink/970360117322182/?mibextid=oFDknk&rdid=6Ker3Q1tuV4npaal>, last accessed on April 19,  
17 2024.

19 30. A stroller, designed in the shape of a 3D rectangle with panels that  
20 raise above the front and back ends of the 3D rectangular shape, side-by-side  
21 vertical rectangle-shaped designs on the left and right side of the stroller shape  
22 separated and outlined by a thin solid upright rectangle design, two translucent  
23 side-by-side panels on the two vertical rectangle-shapes on the left and right side  
24 of the stroller, two seats for children appear to float inside the stroller, stroller  
25 seats where the seat backs protrude above the rectangle shape and where the seat  
26 bottoms are raised above the lower portion of the 3D rectangle shape, a flap with  
27 a vertical rectangular shape with rounded corners on the lower portion of the flap  
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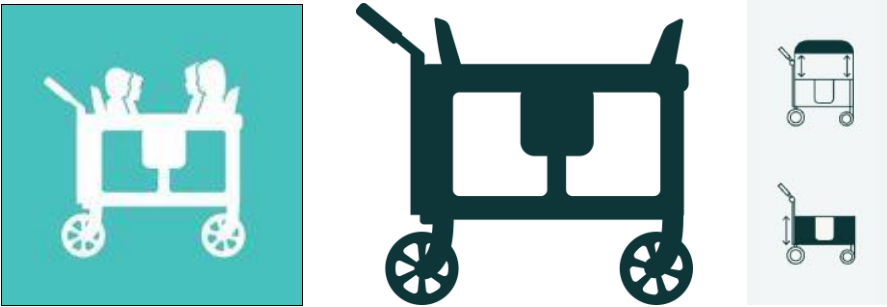
1 that hangs over the left and right side of the stroller, a design with three panels of  
2 vertical rectangles with the outer two vertical rectangles in translucent material  
3 and the middle pattern in solid fabric on the lower portion of a removable basket  
4 on the back of the stroller, a crescent shaped flap over the front pocket of the  
5 stroller, an overhead canopy with distinctive rounded edges, a distinctive three-  
6 ridge design on the clips for the child seats for the stroller, a distinctive three-  
7 ridge design on the clips for accessories for the stroller, a distinctive shape when  
8 the stroller is folded and with the center flap with a distinctive rectangular design  
9 positioned to hang over the edge of the uppermost portion of the folded stroller, a  
10 distinctive capsule-shape for the padding for the harness for the child seats, a  
11 distinctive design containing a multiplicity of interconnecting boat-shapes on the  
12 tread of the wheels, two distinctive curves near the insertion point on the folding  
13 latch, handlebar button where the outer facing cover for the button is shaped in a  
14 distinctive square where the lines of the square curve outward, where the button  
15 for the handlebar is on the inside of the handlebar and is rounded and with an  
16 indented circle in the center, and where these purely aesthetic, non-functional  
17 stroller designs, or a combination thereof are recognized by consumers as the  
18 Wonderfold stroller. The first image below showing the child seat for the stroller  
19 and the second image below showing the stroller with the child seat installed.  
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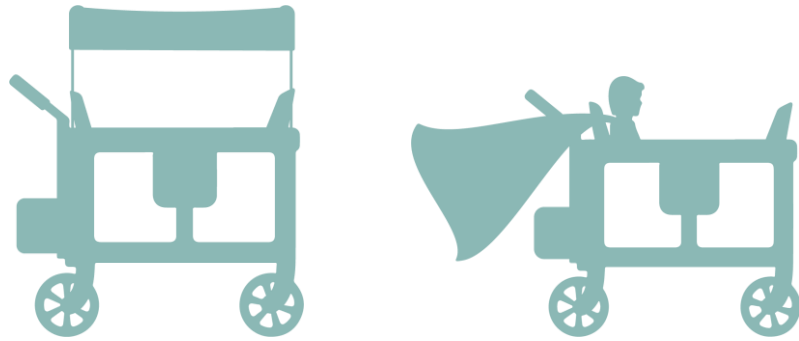


31. The shapes and lines of the protected design of the Wonderfold stroller are purely aesthetic, not functional, and not essential for the purpose of the stroller, to transport children, and do not affect the quality or, make the stroller of Wonderfold more or less expensive to manufacture or sell. The design of the Wonderfold stroller is not essential to its use or purpose, and there are a multitude of ways in which a child may be transported in a stroller, and which do not require the design of the Wonderfold stroller.

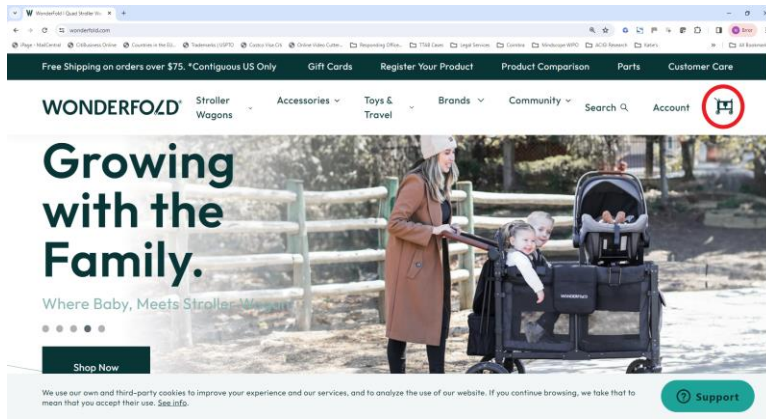
32. Wonderfold emphasizes and stresses the elements of the design of the stroller. Below are drawings created by Wonderfold for the marketing of the Wonderfold stroller that emphasize the elements of the stroller of Wonderfold:



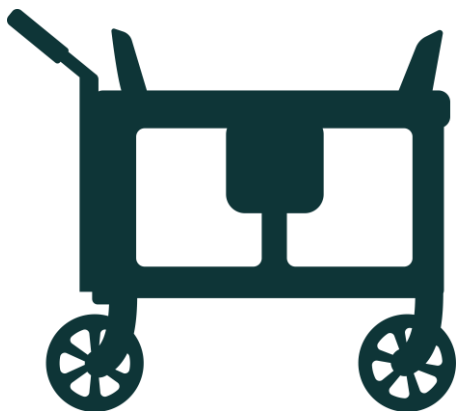




33. Wonderfold uses the following drawings adjacent to photos of the stroller of Wonderfold in its advertising, as shown below on the main page of its webpage; the drawing circled below in red:

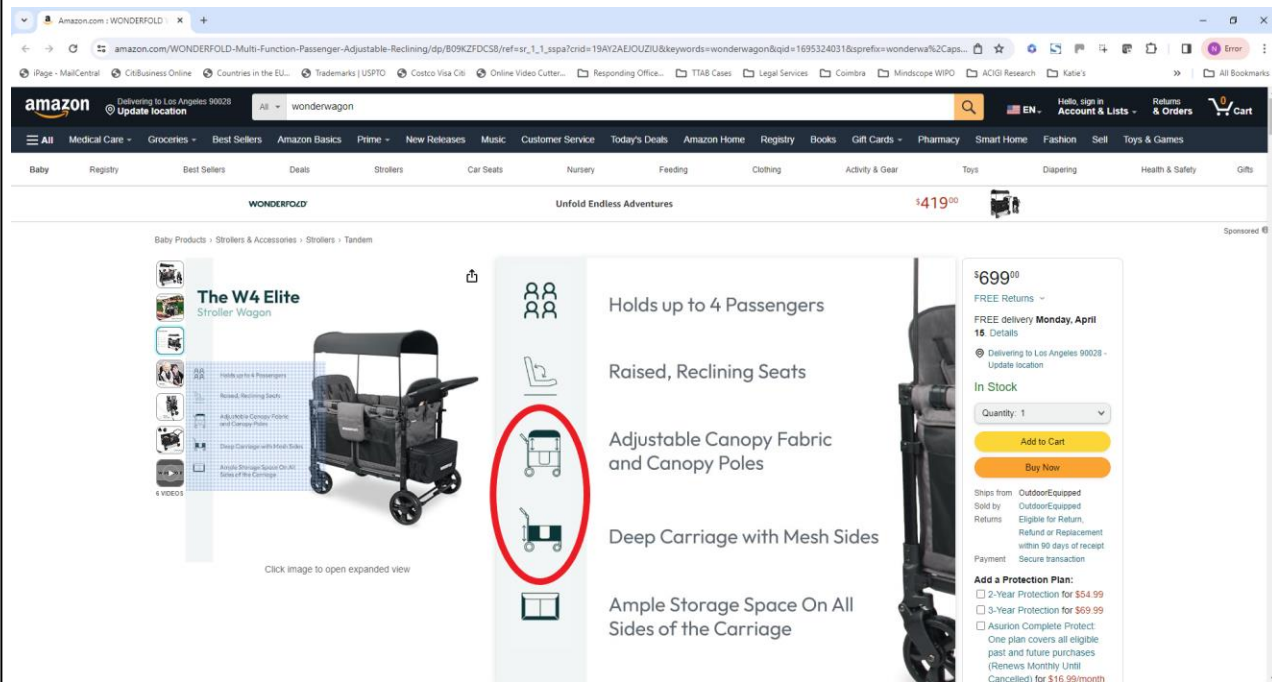


See enlarged drawing below:

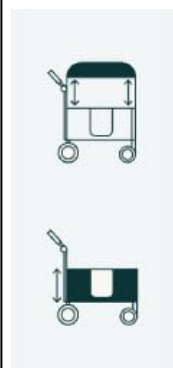


Screenshots taken from website at <https://wonderfold.com/> and last accessed on April 19, 2024.

34. Below is a screenshot of how retailers use the drawings of Wonderfold the emphasize the elements of the trademark design of the stroller of Wonderfold:



See enlarged drawings below:



Screenshot taken from [https://www.amazon.com/WONDERFOLD-Multi-Function-Passenger-Adjustable-Reclining/dp/B09KZFDCS8/ref=sr\\_1\\_2?crid=2IToM55Q13OI3&dib=eyJ2IjoiMSJ9.f2sULBoiC45dyrmrhqpDhYyY09TZKPyYjDI6hbaTJh3BD3Y3JrOo9A4X8DaKwGOKVcyL7uAj\\_rRCdmrWrUEzJm8I4oPiQG7ekhoV9zWbLLIYRJOH\\_uR6qHl](https://www.amazon.com/WONDERFOLD-Multi-Function-Passenger-Adjustable-Reclining/dp/B09KZFDCS8/ref=sr_1_2?crid=2IToM55Q13OI3&dib=eyJ2IjoiMSJ9.f2sULBoiC45dyrmrhqpDhYyY09TZKPyYjDI6hbaTJh3BD3Y3JrOo9A4X8DaKwGOKVcyL7uAj_rRCdmrWrUEzJm8I4oPiQG7ekhoV9zWbLLIYRJOH_uR6qHl)

1 [RE U9YY9zLJNiyVMttTI51ah2OibVRNqZNIGWmcK zSTh5Y5CjKc4FkKuEaIlx](https://www.walmart.com/ip/Ktaxon-Stroller-Wagon-for-2-Kids-Featuring-2-High-Face-to-Face-Seats-with-5-Point-Harnesses-Removable-UV-Protection-Canopy-Black/3515283584?adsRedirect=true)  
2 [Yo5V8PzpCmhv5ncFwAJyYyJzZ5oJ2\\_pher2SHDfpq6tE55SeDIH6QL8.cEXGvsZ](https://www.walmart.com/ip/Ktaxon-Stroller-Wagon-for-2-Kids-Featuring-2-High-Face-to-Face-Seats-with-5-Point-Harnesses-Removable-UV-Protection-Canopy-Black/3515283584?adsRedirect=true)  
3 [c6BDh3bqpjffYBMMPGLgYXk8jW6J1rUqaBMO&dib\\_tag=se&keywords=wonde](https://www.walmart.com/ip/Ktaxon-Stroller-Wagon-for-2-Kids-Featuring-2-High-Face-to-Face-Seats-with-5-Point-Harnesses-Removable-UV-Protection-Canopy-Black/3515283584?adsRedirect=true)  
4 [rwagon&qid=1713557452&sprefix=wonderwagon%2Caps%2C132&sr=8-2](https://www.walmart.com/ip/Ktaxon-Stroller-Wagon-for-2-Kids-Featuring-2-High-Face-to-Face-Seats-with-5-Point-Harnesses-Removable-UV-Protection-Canopy-Black/3515283584?adsRedirect=true) last  
5 accessed on April 19, 2024.

6 35. Third parties besides Defendants have also copied the design of the  
7 Wonderfold stroller, see below advertisement of yet another copycat stroller:  
8



9 See link at: [https://www.walmart.com/ip/Ktaxon-Stroller-Wagon-for-2-Kids-](https://www.walmart.com/ip/Ktaxon-Stroller-Wagon-for-2-Kids-Featuring-2-High-Face-to-Face-Seats-with-5-Point-Harnesses-Removable-UV-Protection-Canopy-Black/3515283584?adsRedirect=true)  
10 [Featuring-2-High-Face-to-Face-Seats-with-5-Point-Harnesses-Removable-UV-](https://www.walmart.com/ip/Ktaxon-Stroller-Wagon-for-2-Kids-Featuring-2-High-Face-to-Face-Seats-with-5-Point-Harnesses-Removable-UV-Protection-Canopy-Black/3515283584?adsRedirect=true)  
11 [Protection-Canopy-Black/3515283584?adsRedirect=true](https://www.walmart.com/ip/Ktaxon-Stroller-Wagon-for-2-Kids-Featuring-2-High-Face-to-Face-Seats-with-5-Point-Harnesses-Removable-UV-Protection-Canopy-Black/3515283584?adsRedirect=true). Link last accessed on  
12 4.9.24.  
13

14 36. As a result of result of the substantial advertising and promotional  
15 efforts of Wonderfold, as well as the high quality of the products and services  
16 associated with the stroller design of the '301 patent and Wonderfold's line of  
17 strollers, such distinctive stroller design has earned valuable and residual  
18 goodwill and reputation for Wonderfold being the sole source for such goods and  
19 services in the United States.  
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**ACTS GIVING RISE TO THE ACTION**

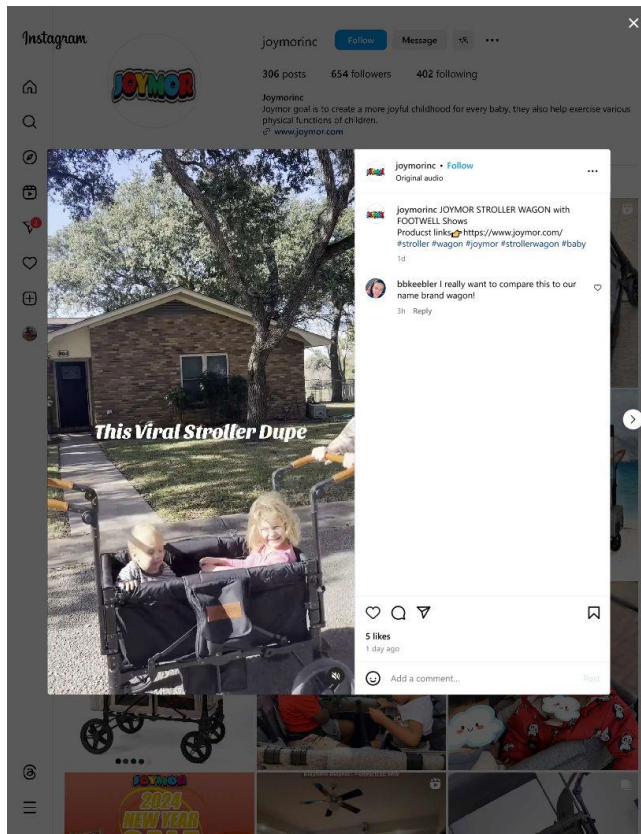
37. In recognition of the commercial success of the stroller of the ‘588 and ‘301 patents, and the inherently distinctive design of the Wonderfold line of strollers, in 2022, Defendants, Omnifamily, Omnihome, and Highlink began marketing and selling a foldable stroller in direct competition with Wonderfold, which copies exactly all of the patented and distinctive designs of the stroller of Wonderfold, and which Defendants identify as the Joymor stroller and advertise as “the wonderfold exact dupe”, at a fraction of the price of the Wonderfold stroller, and further boast the Joymor stroller “fits all the accessories from the wonderfold” stroller, as shown below:



The following a closer look at the description above from Defendants’ Instagram page:

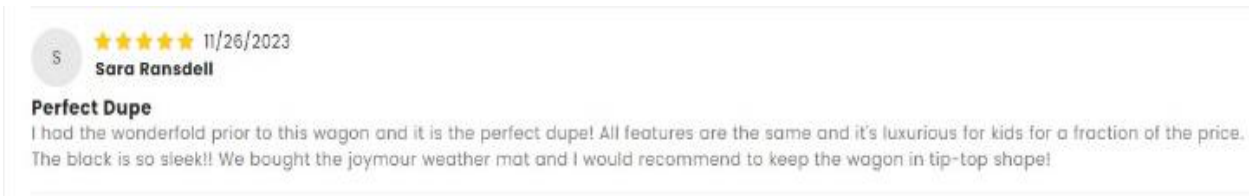


38. The following a further example of Defendants’ advertising on their Instagram page, the Joymor stroller as the “stroller dupe” of Wonderfold:



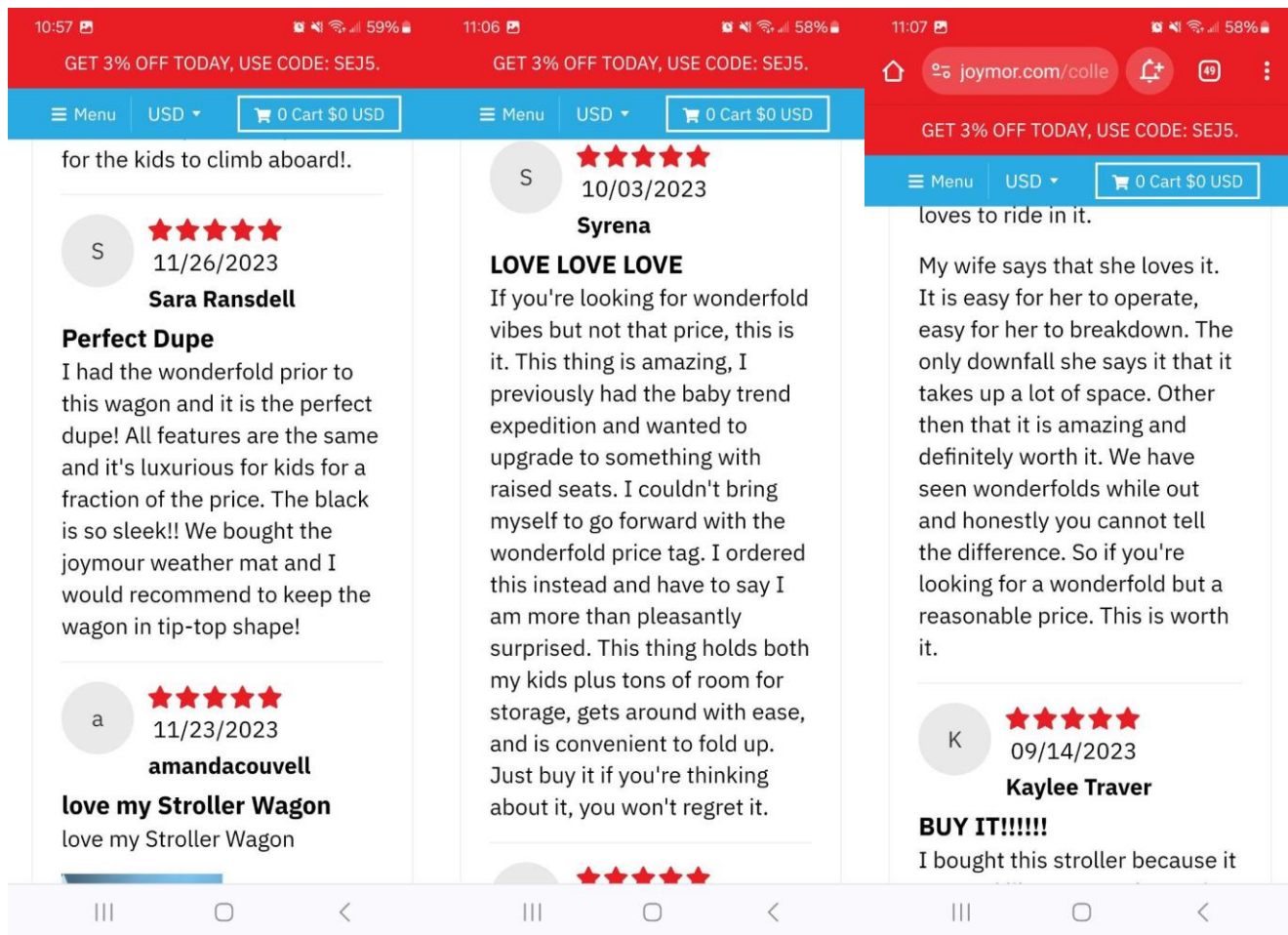
39. The following from a customer of Defendants identifying the Joymor stroller as the Wonderfold “perfect dupe”:



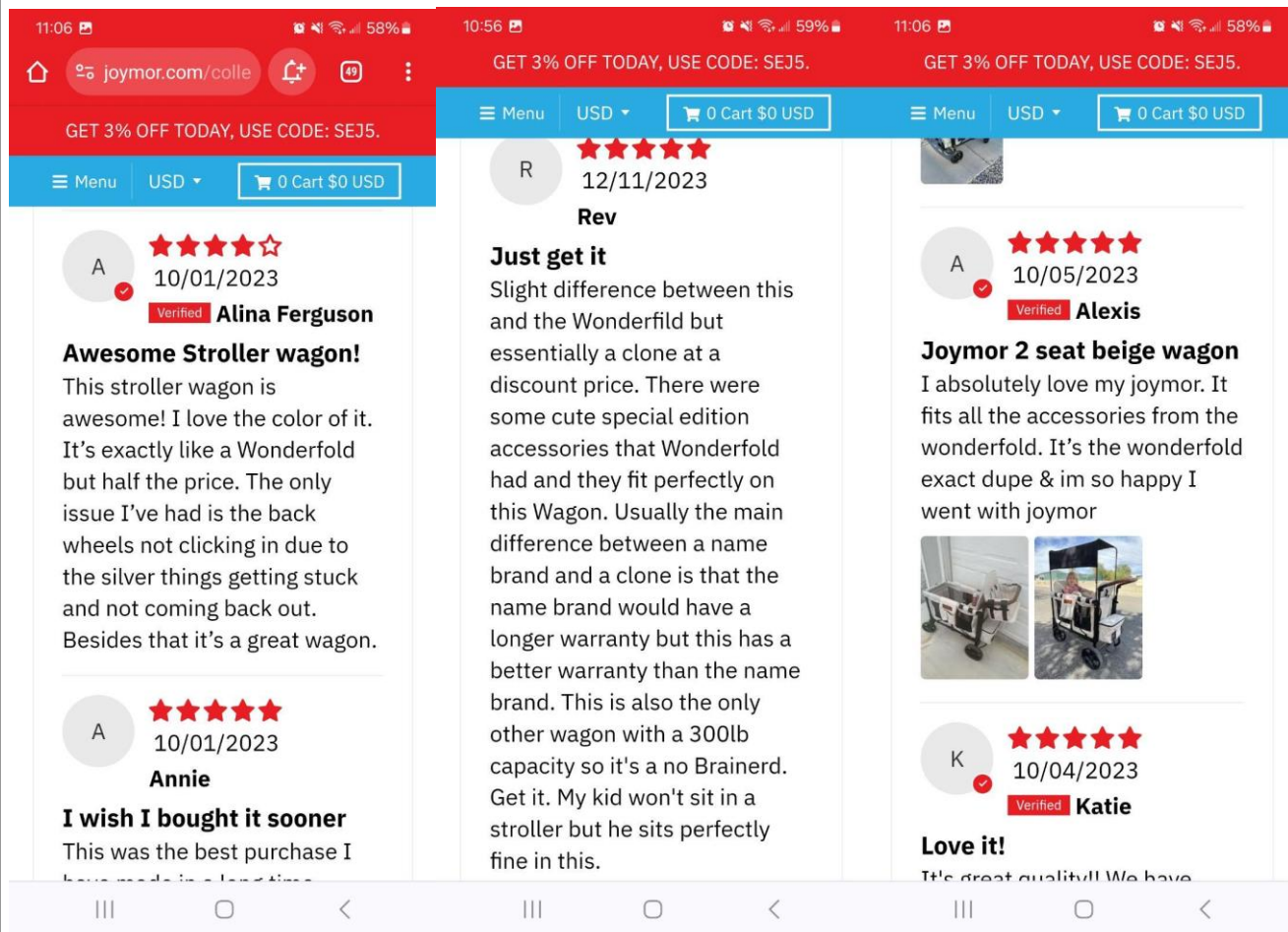


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5 Screenshot of Defendants website advertising the Joymor stroller taken on April  
6 19, 2024 at [https://www.joymor.com/products/joymor-stroller-wagon-for-4-](https://www.joymor.com/products/joymor-stroller-wagon-for-4-kids-luxury-4-seater-wagon-stroller-features-rubber-wheel-5-point-harnesses-double-side-handles-adjustable-removable-uv-protection-canopy)  
7 [kids-luxury-4-seater-wagon-stroller-features-rubber-wheel-5-point-harnesses-](https://www.joymor.com/products/joymor-stroller-wagon-for-4-kids-luxury-4-seater-wagon-stroller-features-rubber-wheel-5-point-harnesses-double-side-handles-adjustable-removable-uv-protection-canopy)  
8 [double-side-handles-adjustable-removable-uv-protection-canopy.](https://www.joymor.com/products/joymor-stroller-wagon-for-4-kids-luxury-4-seater-wagon-stroller-features-rubber-wheel-5-point-harnesses-double-side-handles-adjustable-removable-uv-protection-canopy)

9 40. See also below screenshots from reviews of Joymor’s stroller taken  
10 from Joymor’s website, www.joymor.com:

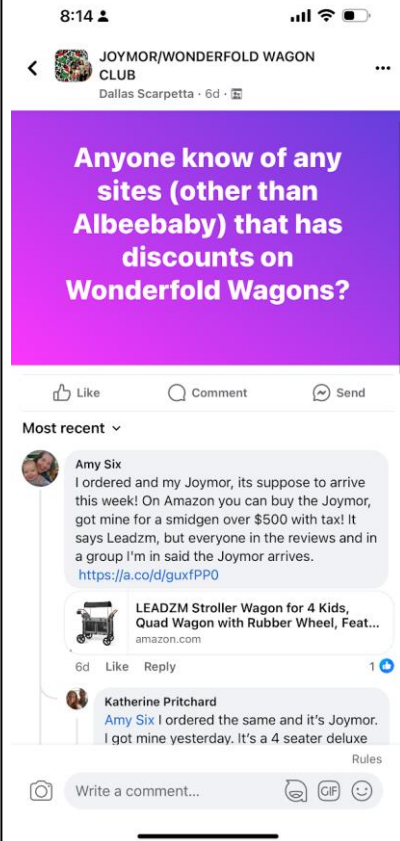






41. The sale and advertising of the Joymor stroller has caused consumer confusion; as shown below, the post asks for discounts on Wonderfold strollers and the response references Joymor strollers:

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42. The following customer describes their relative wanted a Wonderfold stroller and when asked which model they purchased, sent a description of a Joymor stroller, see below:

## Group posts



### WonderFold Wagon BST & Family Chat Group

Lane Warner · Nov 7, 2023 · 🗨️

My MIL was so excited and told me she bought my sister in law a wagon like ours. I am planning on getting them accessories for Christmas.

Today I asked which model she bought and she sent me the JOYMOR brand from Amazon 😊 does anyone have this and do you know if the rain cover or snack tray will work with it??

[View insights](#)

8.8K Post Reach



41 comments

The above screenshot taken from link at

<https://www.facebook.com/share/p/ig3Z8fKzhmJaqfHS/?mibextid=oFDknk>.

Link last accessed on April 19, 2024.

43. The following customer was confused about Joymor and stated “it appears to be a rebranded wonderfold”:

1 **Wonderfold,Keenz,and Stroller** ...  
2 **Wagons (Chat,BST,&Advice) ·**  
3 **Follow**

Rayna Chaney · Jul 19, 2023 · 🌐

4 Has anyone bought the joymor stroller??? It  
5 appears to be a rebranded wonderfold. The  
6 reviews seem legit I just wanted to reach out  
7 here first.

8 JOYMOR Quad Deluxe Stroller Wagon for 4  
9 Kids, Both Face Forward High Seat, Face to  
10 Face, Features Rubber Wheel, 5-Point  
11 Harnesses Safety Belt,Double Side Handles,  
12 UV-Protection Canopy, Phone Holder  
13 <https://a.co/d/cOzhBbT>

14 JOYMOR Quad Deluxe Stroller Wagon for 4 Kids, Both Face  
15 Forward High Seat, Face to Face, Features Rubber Wheel, 5-  
16 Point Harnesses Safety Belt,Double Side Handles, UV-  
17 Protection Canopy, Phone Holder



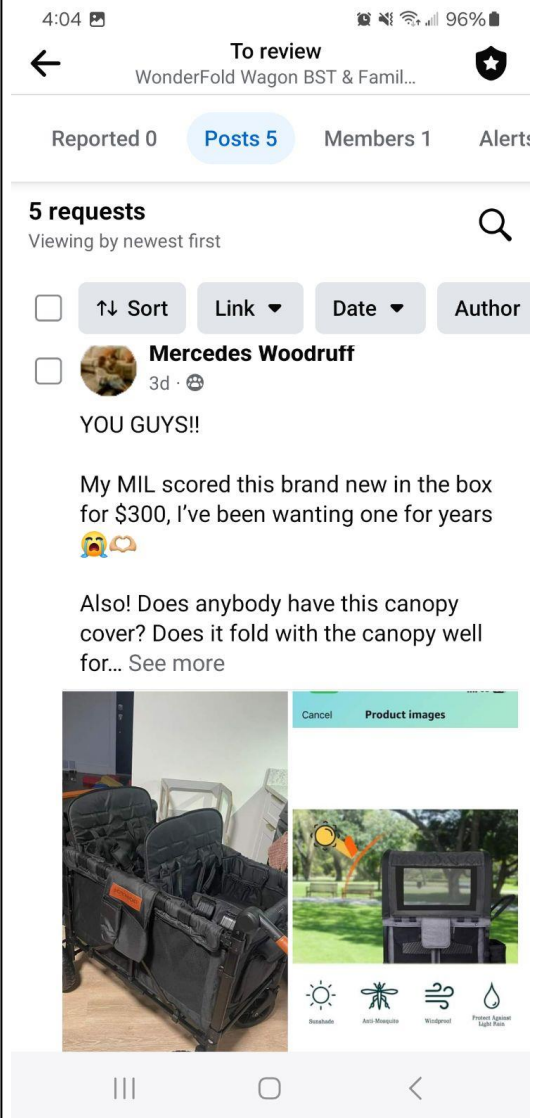
18 Screenshot above taken from link at:

19 <https://www.facebook.com/share/p/WHpyPKe7PybijAry/?mibextid=oFDknk>.

20 Link last accessed on April 19, 2024.

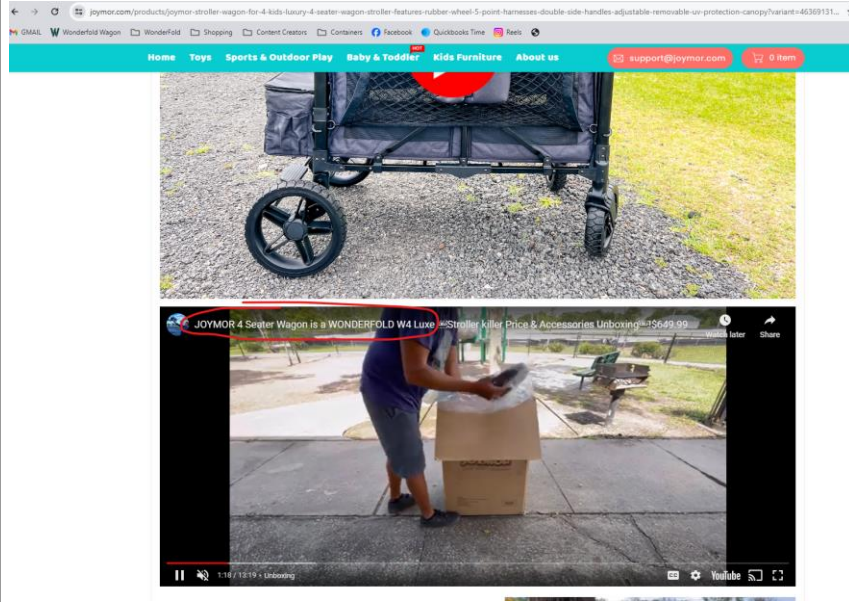
21  
22 44. The following customer was confused when, on a social media  
23 platform designated for strollers of Wonderfold, she posted a photo of her Joymor  
24 stroller:  
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45. The following consumer was confused where he posted a video on [www.Youtube.com](http://www.Youtube.com), titled “JOYMOR 4 seater wagon is a WONDERFOLD W4 Luxe”, and Joymor uses that video on its website. See below screenshot of customer’s video on Joymor’s website:

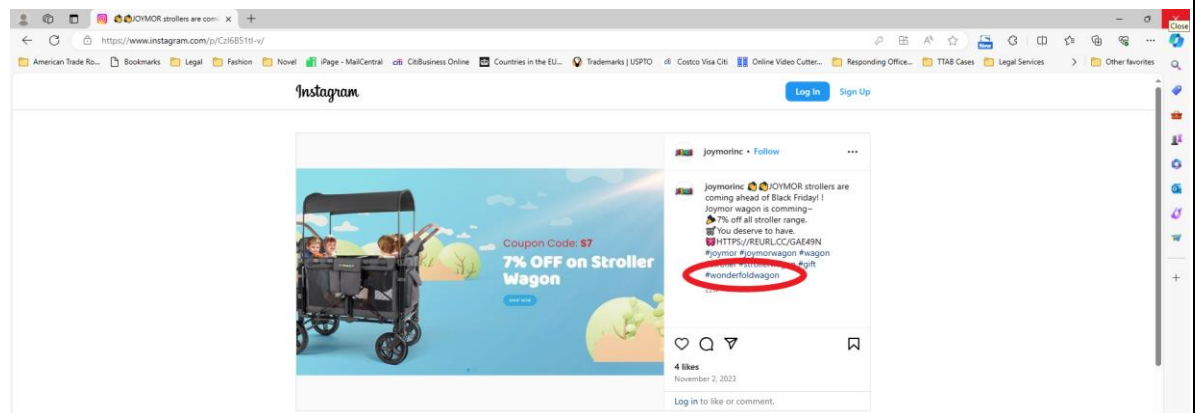




Link to Joymor website using customer's video:  
[https://www.joymor.com/collections/stroller-wagon/products/joymor-stroller-wagon-for-4-kids-luxury-4-seater-wagon-stroller-features-rubber-wheel-5-point-harnesses-double-side-handles-adjustable-removable-uv-protection-canopy?\\_pos=2&\\_sid=ef8027efd&\\_ss=r](https://www.joymor.com/collections/stroller-wagon/products/joymor-stroller-wagon-for-4-kids-luxury-4-seater-wagon-stroller-features-rubber-wheel-5-point-harnesses-double-side-handles-adjustable-removable-uv-protection-canopy?_pos=2&_sid=ef8027efd&_ss=r).

Link last accessed April 19, 2024.

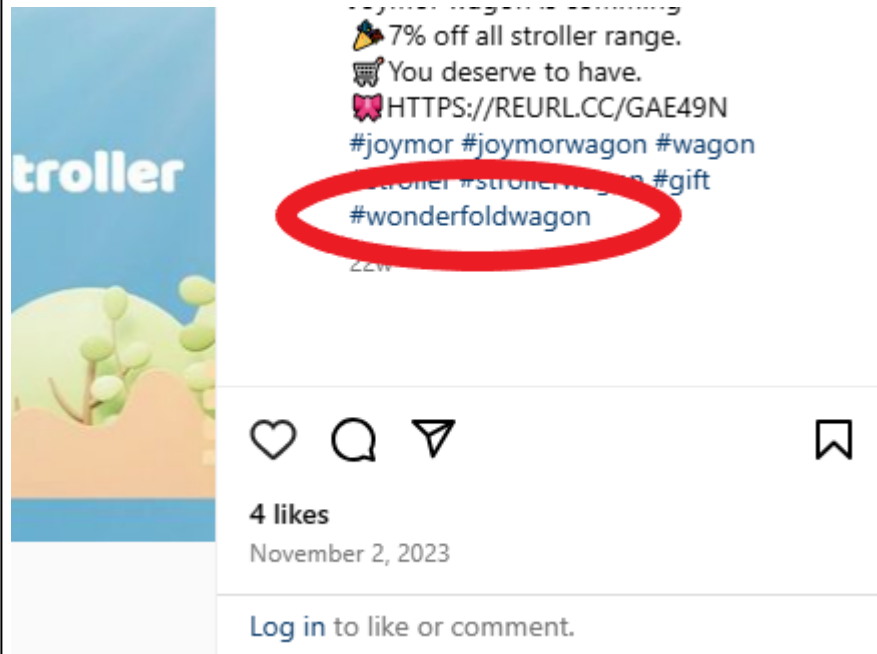
46. Defendants sell the Joymor stroller at a fraction of the cost of the Wonderfold stroller, and, in further efforts to trade off the goodwill of the Wonderfold stroller, use the Wonderfold registered trademarks in hashtags, i.e., #wonderfoldwagon to draw Wonderfold customers to the Joymor stroller:



a.



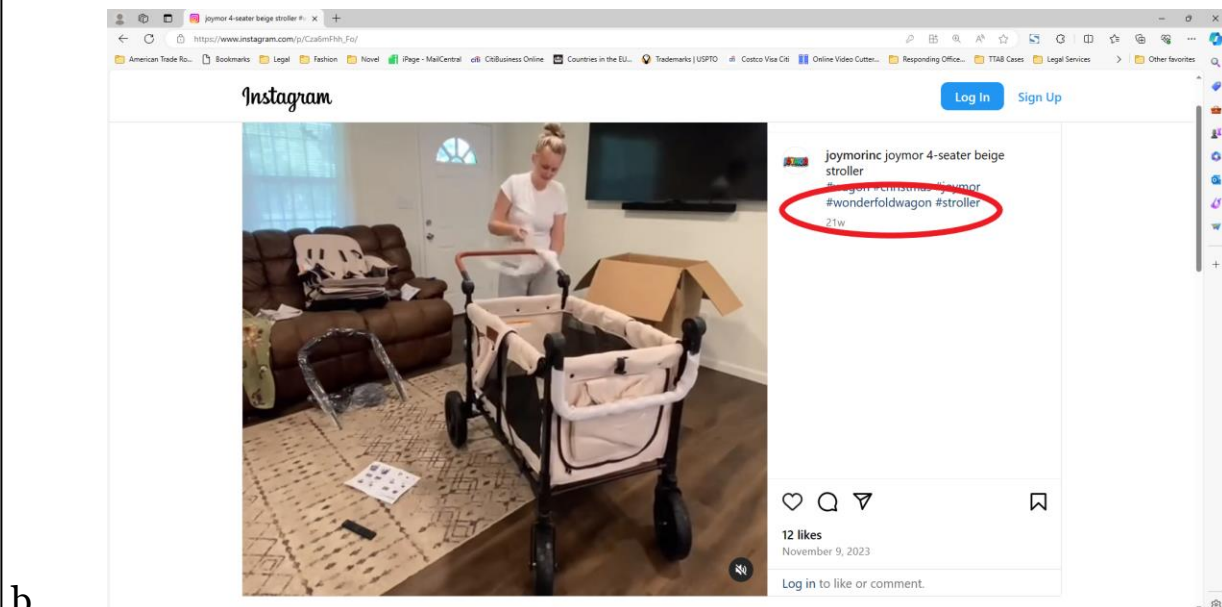
1 See close-up



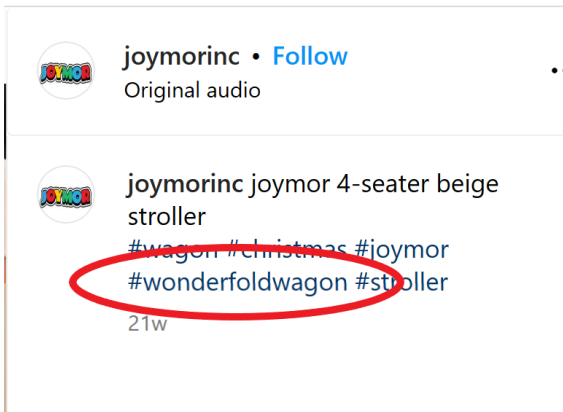
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14 From link at <https://www.instagram.com/p/CzI6B51tl-v/>, last accessed on April

15 19, 2024; and



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See close up:

From link at [https://www.instagram.com/p/Cza6mFhh\\_Fo/](https://www.instagram.com/p/Cza6mFhh_Fo/), last accessed on April 19, 2024.

47. Based on information and belief, the quality of the Joymor stroller is sub-par, as it fails to meet safety standards and regulations, including, but not limited to: failing to provide a suffocation warning on the plastic packaging containing parts and accessories for the Joymor stroller despite being marketed as a children’s product; incorporating a middle bar for supporting the front seat that poses a risk of finger pinching for toddlers seated in the rear; failing to provide registration numbers, distribution information, and date of delivery on stroller labels, and tracking information which are required, in part, in order to assure tracking in the event of product recalls; marketing the Joymor stroller for use by children 0-36 months despite not being tested for those standards, and advertising the use of the stroller in unsafe ways, and such acts are causing damage to the goodwill and reputation of Wonderfold.

48. See below image of Joymor stroller advertised by Joymor as safe for use for children as a bassinet, for which it is not safety approved.



49. See below image of Joymor stroller using seat positions that are dangerous for children, i.e., unsafe to attach the seat onto the handlebars and to attach the seats inside the wagon positions facing in the same direction:



1           50. In addition, in its operating manual for its strollers, the Joymor  
2 manual publishes photographs substantially similar to, or the same as  
3 photographs used in the Wonderfold operating manual for its strollers, and the  
4 entire manual is substantially similar to the operating manual of Wonderfold for  
5 its strollers.

6           51. Defendants copied the stroller design from the stroller design of the  
7 ‘301 patent and the stroller of the ‘588 patent and the distinctive design of  
8 Wonderfold’s line of strollers.

9           52. The stroller design of Defendant’s stroller is the same or substantially  
10 the same as the stroller design of the ‘301 patent and Wonderfold’s line of  
11 strollers. The stroller designs are so similar as to be nearly identical such that an  
12 ordinary observer, giving such attention as a purchaser usually gives, would be so  
13 deceived by the substantial similarity between the designs so as to be induced to  
14 purchase Defendants’ products believing them to be substantially the same as the  
15 ‘301 patent.  
16

17           53. In spite of the rights of Wonderfold, Defendants willfully and  
18 knowingly infringed Wonderfold’s rights, including as to the ‘588 patent and the  
19 ‘301 patent.

20           54. Defendants copied the stroller of the ‘588 patent and the stroller  
21 design of the ‘301 patent. A side-by-side comparison of the ‘301 patented design  
22 and exemplary specimens of the Wonderfold stroller and the Joymor stroller are  
23 shown below, the photograph of the Joymor stroller being taken from the website  
24 of Defendants advertising and offering for sale the Joymor:  
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Figure 1 of '301 patent	Wonderfold Stroller	Joymor Stroller
		

55. As shown in the photos, the Joymor stroller has a design that is the same or substantially the same Wonderfold stroller. The stroller designs are so similar as to be nearly identical such that an ordinary observer, giving such attention as a purchase usually gives, would be so deceived by the substantial similarity between the designs so as to be induced to purchase Wonderfold's products believing them to be substantially the same as the stroller design protected by the '301 patent.

56. Wonderfold has not granted any license or any authorization to Defendants to make, use, offer for sale, sell, or import strollers that embody the stroller design patented in the '301 patent and which is proprietary to Wonderfold.

57. In spite of the rights of Wonderfold, Defendants willfully and knowingly infringed the rights of Wonderfold, including as to the '301 patent and the '588 patent and trade dress of the stroller of Wonderfold. Further, Defendants committed wrongful acts that constitute unfair and deceptive trade practices in relation to the Joymor stroller and the stroller design and services related to the Joymor stroller.

1           58. Wonderfold has been damaged by the foregoing infringing and  
2 wrongful acts of Highlink, including, but without limitation, suffering actual  
3 damages.

4           59. By manufacturing and selling the Joymor strollers with a stroller  
5 design that is the same as, or substantially similar to, Wonderfold's unique and  
6 distinctive stroller design from Wonderfold's stroller protected by the '588 patent  
7 and the stroller design protected by the '301 patent, Joymor willfully and  
8 knowingly caused a likelihood of confusion or misunderstanding as to, *inter alia*,  
9 the sponsorship and approval of the Joymor products and services being offered  
10 and sold by Defendants. Such wrongful conduct also caused a likelihood of  
11 confusion or misunderstanding as to the affiliation, connection, or association of  
12 the Joymor products and services with Wonderfold.  
13

14           60. Defendants encouraged consumers to believe that the Defendants'  
15 products and services were sponsored, approved or sold in affiliation, connection  
16 or association with Wonderfold despite knowing of Wonderfold's rights.  
17 Defendants' wrongful actions and practices in connection with the Joymor  
18 products and services were deceptive to consumers and others including  
19 Wonderfold.

20           61. Defendants' wrongful conduct and activities will continue unless  
21 enjoined by this Court.

22           **COUNT 1: INFRINGEMENT OF U.S. PATENT NO. 10,464,588**

23           62. Wonderfold incorporates by reference and re-alleges all the foregoing  
24 paragraphs of this Complaint as if fully set forth herein.

25           63. Defendants have directly infringed and is currently directly infringing  
26 the '588 patent my making, using, selling, offering for sale, and/or importing into  
27 the United States, without authority, products and equipment that embody one  
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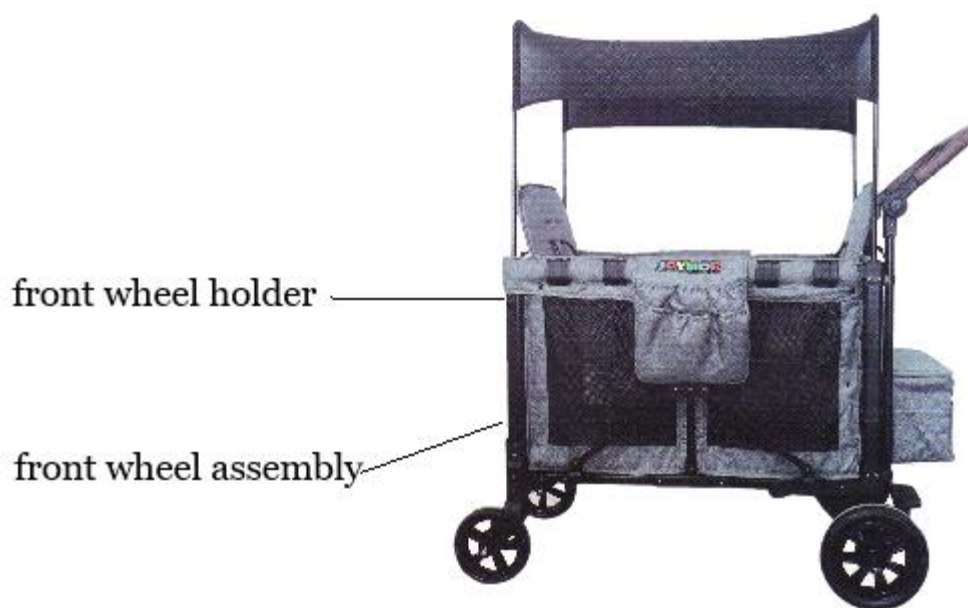


1 or more claims of the '588 patent, including but not limited to the Joymor  
2 stroller.

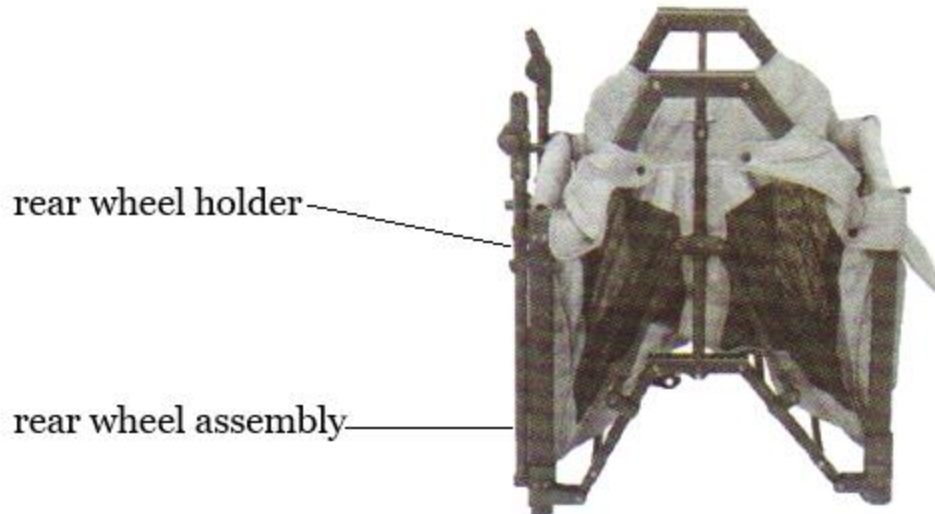
3 64. As just one non-limiting example, set forth below (with claim  
4 language in italics) is a description of infringement of exemplary claim 1 of the  
5 '588 patent in connection with the Joymor stroller. This description is based on  
6 publicly available information. Wonderfold reserves the right to modify this  
7 description, including, for example, on the basis of information about the Joymor  
8 stroller that it obtains during discovery.

9 *A foldable baby stroller, comprising:* The Joymor stroller is a combination  
10 of the claimed elements, as described below.

11 1(a) *a front wheel assembly, comprising a front wheel holder, a front-left*  
12 *wheel and a front-right wheel disposed at the bottom of the front wheel holder;*  
13 The Joymor stroller includes a front wheel holder, a left-wheel holder and a right  
14 wheel holder at the bottom of the front-wheel holder as indicated below and  
15 using photographs from the manual for the Joymor stroller:  
16



1           1(b) a rear wheel assembly, comprising a rear wheel holder, a rear-left  
2 wheel and a rear-right wheel disposed at the bottom of the rear wheel holder,  
3 wherein the rear wheel holder is inverted U-shaped, connected to a push rod  
4 and the push rod extends from a rear side of the rear wheel holder; The Joymor  
5 stroller includes a rear wheel assembly, comprising a rear wheel holder, a rear-  
6 left wheel and a rear-right wheel disposed at the bottom of the rear wheel holder,  
7 wherein the rear wheel holder is inverted U-shaped, connected to a push rod and  
8 the push rod extends from a rear side of the rear wheel holder;  
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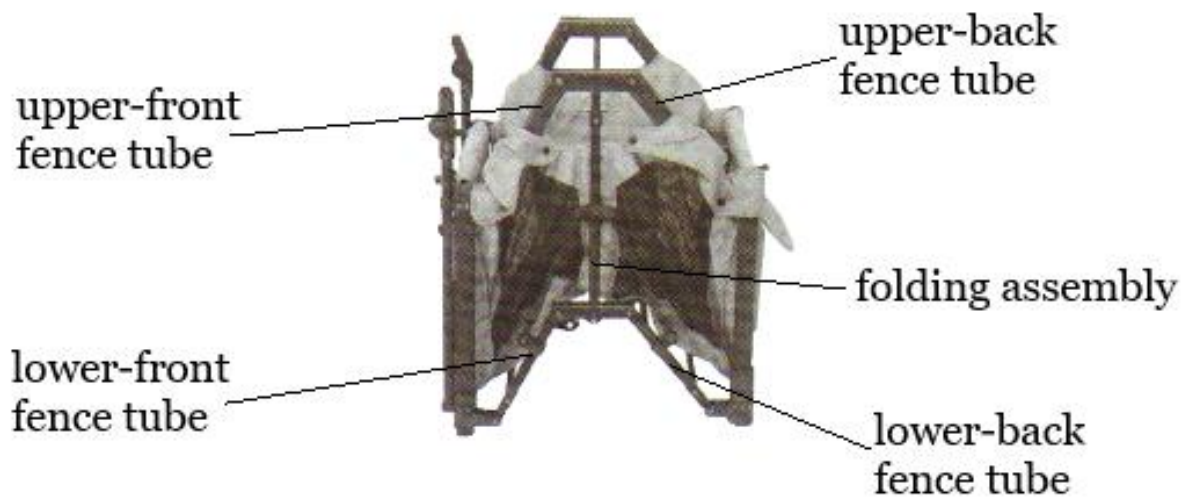
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3 1 (d) *the upper-front fence tube and the upper-back fence tube are*  
4 *disposed in front of and adjacent to the lower-front fence tube and the lower-*  
5 *back fence tube respectively; The Joymor stroller has an upper-front fence tube*  
6 *and upper-back fence tube that are disposed of in front of and adjacent to the*  
7 *lower front fence tube and the lower back fence tube respectively as indicated*  
8 *below and using photographs from the manual for the Joymor stroller:*



23 //

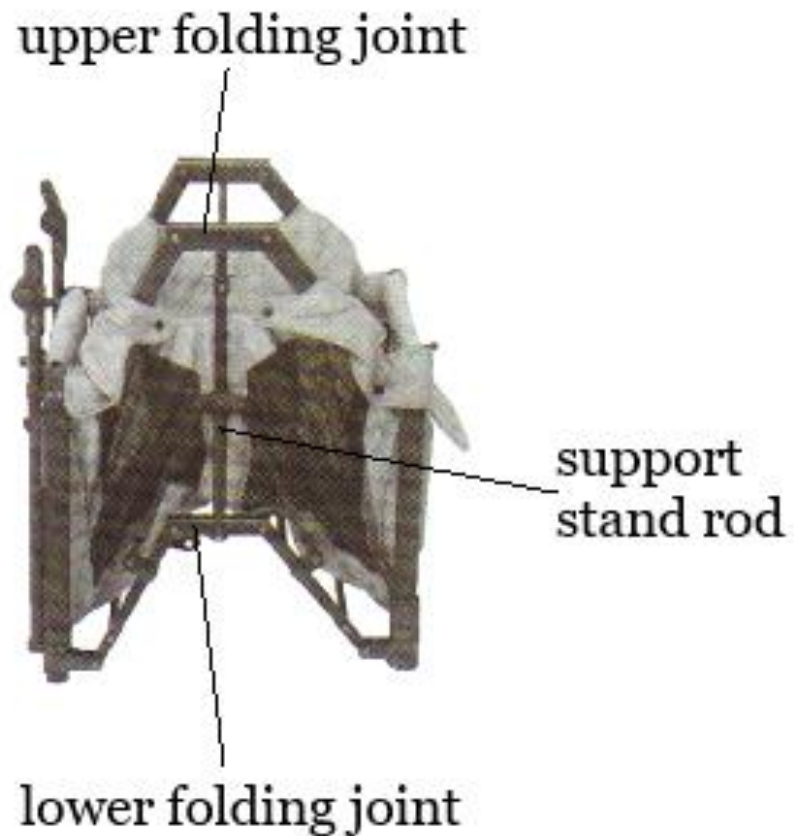
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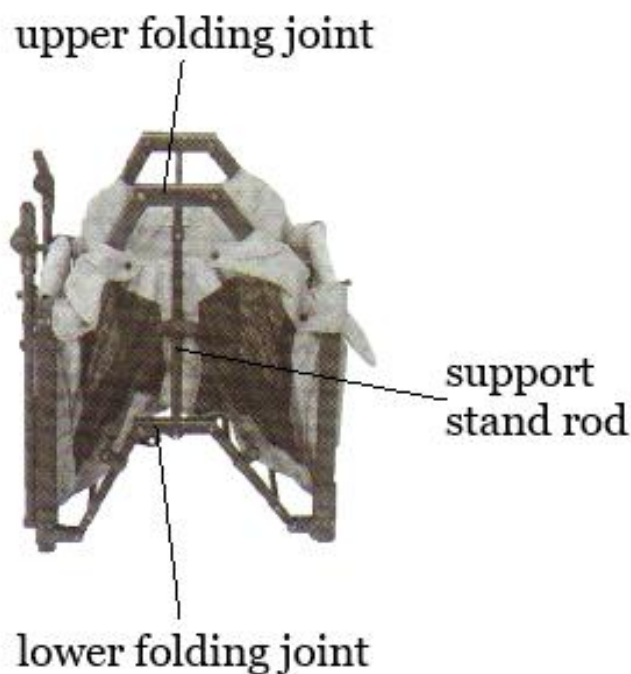
27 //

1 /  
2 1(e) *the middle holder comprises an upper folding joint, a lower folding*  
3 *joint and a support stand rod disposed therebetween and connecting the upper*  
4 *folding joint to the lower folding joint;* The Joymor stroller's upper middle  
5 holder comprises an upper folding joint, a lower folding joint and a support stand  
6 rod disposed therebetween and connecting the upper folding joint to the lower  
7 folding joint as indicated below and using photographs from the manual for the  
8 Joymor stroller:  
9





1           1 (f) *the upper folding joint is disposed in front of and adjacent to the*  
2 *lower folding joint*; The upper folding joint of the Joymor stroller is disposed in  
3 front of and adjacent to the lower folding joint as indicated below and using  
4 photographs from the manual for the Joymor stroller:  
5

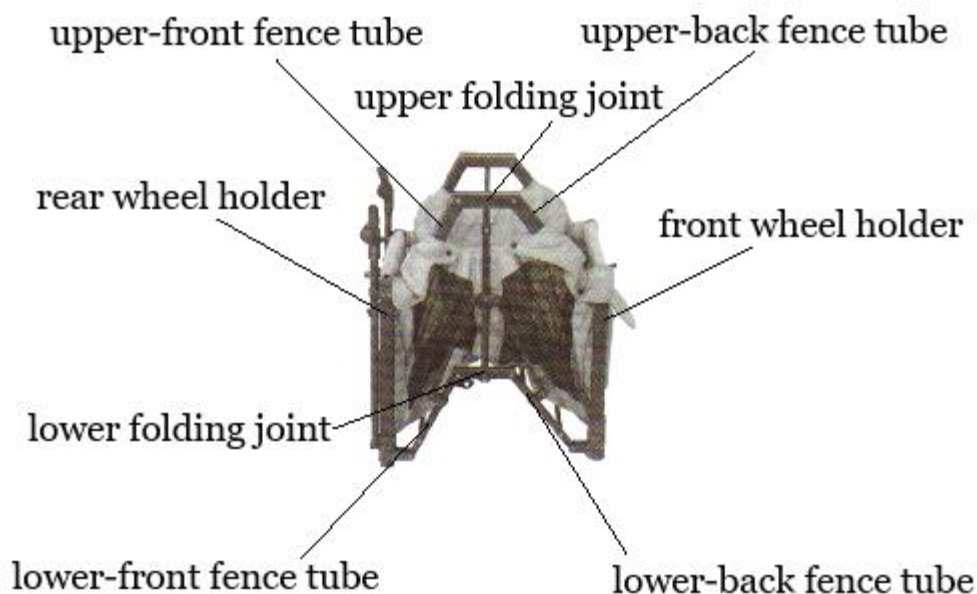


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19

20           1 (g) *front ends of the upper-front fence tube and the lower-front fence*  
21 *tube are pivotally connected to the front wheel holder respectively, rear ends of*  
22 *the upper-front fence tube and the lower-front fence tube are pivotally*  
23 *connected to front ends of the upper folding joint and the lower folding joint*  
24 *corresponding thereto respectively, the rear ends of the upper-back fence tube*  
25 *and the lower-back fence tube are pivotally connected to the rear wheel holder*  
26 *respectively, and the front ends of the upper-back fence tube and the lower-back*  
27 *fence tube are pivotally connected to the rear ends of the upper folding joint and*  
28 *the lower folding joint corresponding thereto respectively*; The front ends of the

1 upper-front fence tube and the lower-front fence tube of the Joymor stroller are  
2 pivotally connected to the front-wheel holder respectively, and the rear ends of  
3 the upper-front fence tube and the lower-front fence tube are pivotally connected  
4 to the front ends of the upper folding joint and the lower folding joint  
5 correspondent respectively, and the rear ends of the upper-back fence tube and  
6 lower-back fence tube are pivotally connected to the rear-wheel holder  
7 respectively, and the front ends of the upper back fence tube and the lower back  
8 fence tube are pivotally connected to the rear ends of the upper folding joint and  
9 the lower folding joint corresponding thereto respectively of the Joymor stroller  
10 as indicated below and using photographs from the manual for the Joymor  
11 stroller:  
12



25 65. At least as early as the filing and service of this Complaint,  
26 Defendants are also indirectly infringing the '588 patent.  
27  
28

1           66. Defendants have actual knowledge of Wonderfold’s rights in the ‘588  
2 patent and details of Defendants’ infringement of the ‘588 patent based on at  
3 least the filing and service of this Complaint.

4           67. Defendants manufacture, use, import, offer for sale, and/or sell the  
5 Joymor stroller with knowledge of or willful blindness to the fact that its actions  
6 will induce Defendants’ retail partners and end users to infringe the ‘588 patent  
7 by at least using and/or selling the Joymor stroller in violation of 35 U.S.C. § 271.

8           68. Defendants’ infringement has caused, and is continuing to cause,  
9 damage and irreparable injury to Wonderfold, and Wonderfold will continue to  
10 suffer damage and irreparable injury unless and until that infringement is  
11 enjoined by this Court.

12           69. Wonderfold is entitled to injunctive relief and damages in accordance  
13 with 35 U.S.C. §§ 271, 281, 283, and 284.

14           **COUNT 2: INFRINGEMENT OF U.S. PATENT NO. D955,301**

15           70. Wonderfold incorporates by reference and re-alleges all the foregoing  
16 paragraphs of this Complaint as if fully set forth herein.

17           71. Defendants have engaged in a pattern of conduct demonstrating: the  
18 objectively high likelihood that Defendants’ actions constitute infringement of the  
19 ‘301 patent and that the ‘301 patent is valid and enforceable; and that this  
20 objectively-defined risk was so obvious that Defendants knew or should have  
21 known it.

22           72. Defendants have infringed and continues to infringe the ‘301 patent  
23 by, *inter alia*, making, using, offering to sell, or selling in the United States,  
24 including in the State of California and within this District, products infringing  
25 the ornamental design covered by the ‘301 patent in violation of 35 U.S.C. § 271,  
26 including, but not limited to Defendants’ Joymor products.  
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1           80. paragraphs of this Complaint as if fully set forth herein. Wonderfold's  
2 strollers have acquired distinction and secondary meaning in the marketplace  
3 that is not functional.

4           81. Wonderfold's promotion of its strollers have resulted in Wonderfold  
5 acquiring significant goodwill and legally protected rights in the Wonderfold  
6 stroller's trade dress.

7           82. As described above, Defendants, manufacture, market, and/or sell  
8 strollers that are substantially or confusingly similar to the Wonderfold strollers,  
9 incorporating the Two side-by-side vertical rectangle-shaped designs on the left  
10 and right side of the stroller separated by a thin solid upright rectangle design,  
11 see through paneling on the vertical rectangle-shaped designs on the left and  
12 right side of the stroller, a flap with a vertical rectangular shape with rounded  
13 corners on the lower portion of the flap that hangs over the side of the stroller, a  
14 design with three panels of vertical rectangles with the outer two vertical  
15 rectangles in see through material and the middle pattern in solid fabric on the  
16 lower portion of a removable basket on the back of the stroller, a crescent shaped  
17 flap over the front pocket of the stroller, an overhead canopy with distinctive  
18 rounded edges, a distinctive three-ridge design on the clips for accessories, a  
19 distinctive shape when the stroller is folded and with the center flap with a  
20 distinctive rectangular design positioned to hang over the edge of the uppermost  
21 portion of the stroller, a distinctive shape of the side view of a diamond ring on  
22 the fastener clip for the five point harness of the child safety belt, and a  
23 distinctive design containing a multiplicity of interconnecting boat-shapes on the  
24 tread of the wheels, two distinctive curves near the insertion point on the folding  
25 latch, handlebar button where the outer facing cover over the button is shaped in  
26 a distinctive square where the lines of the square curve outward and the button is  
27 on the inside of the handlebar.  
28



1 83. Pursuant to 15 U.S.C. § 1125(a), a non-registered trademark owner  
2 may be granted injunctive relief to prevent or restrain infringement of its well-  
3 known mark and may also seek an award of damages, disgorgement of profits,  
4 and attorney's fees as a result of trademark infringement.

5 84. Defendants' actions, including their use in commerce of marks and  
6 trade dress that are substantially similar or identical to Wonderfold's mark and  
7 trade dress, has caused or is likely to cause confusion, mistake, deception of  
8 consumers, or misunderstanding as to the source, origin, approval or  
9 sponsorship of Defendants' goods.

10 85. Defendants' actions, therefore, constitute trade dress and unfair  
11 competition in violation of the Lanham Act, § 1125(a).

12 86. Defendants knew of Wonderfold's trade dress prior to marketing and  
13 selling the infringing Joymor stroller. Accordingly, Defendants' conduct is  
14 intentional and willful.

15 87. Defendants continue to use confusingly similar marks and trade dress  
16 in commerce. Upon information and belief, Defendants are willfully offering for  
17 sale and selling products that infringe upon Wonderfold's mark and trade dress  
18 in order to benefit from Wonderfold's goodwill and reputation, and to falsely  
19 create an association between Defendants' and Wonderfold's products.

20 88. Wonderfold has been and will continue to be irreparably harmed and  
21 injured by Defendants' actions, and Wonderfold lack an adequate remedy at law.  
22 Defendants therefore should be enjoined from using Wonderfold's mark and  
23 trade dress.

24 89. Wonderfold is also entitled to recover Defendants' profits in  
25 providing its goods using Wonderfold's mark and trade dress, as well as all other  
26 damages sustained by Wonderfold due to Defendants' use of goods using marks  
27  
28

1 and trade dress identical or confusingly similar to Wonderfold's mark and trade  
2 dress, and costs of suit.

3 90. Because this is an exceptional case, involving willful misconduct by  
4 Defendants, Wonderfold is entitled to recover treble damages or Defendants'  
5 profits, whichever is greater, and reasonable attorney's fees.

6 **COUNT 4: UNFAIR COMPETITION – Cal. Bus. & Prof. Code § 17200,**  
7 **et seq.**

8 91. Wonderfold repeats and realleges the foregoing allegations as if set  
9 forth in full herein.

10 92. As described herein, the actions of Defendants constitute unlawful  
11 business practices under California Business & Professions Code 17200, et seq.

12 93. Wonderfold has a valid and legally protectible right in the  
13 Wonderfold stroller, whose trade dress is inherently distinctive and through  
14 Wonderfold's continuous use and efforts has become associated with  
15 Wonderfold.  
16

17 94. The above-described acts further constitute business acts that violate  
18 15 U.S.C. § 1125(a) and 35 U.S.C. § 271, and are therefore unlawful.

19 95. Furthermore, the above-described acts and practices by Defendants  
20 have and are likely to continue to confuse, mislead or deceive the general public  
21 and therefore constitute unfair and fraudulent business practices in violation of  
22 California Business & Professions Code §§ 17200, et seq.

23 96. As a direct and proximate result of Defendants' wrongful conduct,  
24 Wonderfold has suffered actual injury and has lost money and profits, as well as  
25 suffered injury to its reputation and goodwill.

26 97. Such harm will continue unless Defendants' acts are enjoined by the  
27 Court. Wonderfold has no adequate remedy at law. Defendants, therefore,  
28 should be enjoined from continuing the practices described above.



1 C. That judgment be entered in favor of Wonderfold on its claim that  
2 Defendants have committed trade dress infringement and unfair competition  
3 under the Lanham Act.

4 D. That judgment be entered in favor of Wonderfold on its claim that  
5 Defendants have committed unfair competition or business practices under  
6 California Business & Professions Act § 1700, et seq.

7 E. That judgment be entered in favor of Wonderfold on its claim that  
8 Defendants have committed common law unfair competition.

9 F. Entering judgment that Defendants account for and pay to  
10 Wonderfold all damages to and costs incurred because of Defendants' infringing  
11 activities and other conduct complained of herein.

12 G. That, in accordance with 35 U.S.C. § 283, Defendants and all  
13 affiliates, employees, agents, officers, directors, attorneys, successors and assigns,  
14 and all those acting on behalf of or in active concert or participation with any of  
15 them, be preliminarily and permanently enjoined from:

16 1. making, importing, using, selling, and offering to sell infringing  
17 products practicing the '588 patent and from otherwise infringing,  
18 contributing to infringement, and actively inducing infringement of the  
19 '588 patent;

20 2. making, importing, using, selling, and offering to sell infringing  
21 products practicing the '301 patent and from otherwise infringing,  
22 contributing to infringement, and actively inducing infringement of the '301  
23 patent;

24 3. making, importing, using, selling, and offering to sell products  
25 infringing upon Wonderfold's mark or trade dress, or otherwise unfairly  
26 competing with Wonderfold, or, in the alternative, awarding Wonderfold  
27 post-judgment royalties for future infringement or unfair competition.  
28

1           4. holding out in any manner whatsoever that Defendants or  
2 Defendants' products or services such as the Joymor strollers, are in any  
3 way sponsored, approved, sourced, certified, affiliated, connected, or  
4 associated with Wonderfold, or Wonderfold's products and services; and

5           5. making, importing, using, selling, and offering to sell the  
6 Joymor stroller;

7           H. A judgment and order that Defendants deliver to Wonderfold for  
8 destruction all Joymor strollers, molds, sales literature, customer literature, and  
9 other trade pieces used in the infringement of the '588 patent and/or the '301  
10 patent, and/or the Wonderfold mark and/or trade dress;

11           I. A judgment and order that Defendants make an accounting to  
12 Wonderfold and pay over to Wonderfold:

13           1. the extent of Defendants' total profit and revenue realized and  
14 derived from its infringement of the '588 patent, '301 patent, and/or  
15 Wonderfold's mark and/or trade dress, and actual damage to Wonderfold  
16 in an amount not less than a reasonable royalty for Defendants'  
17 infringement;

18           J. An award of damages sufficient to compensate Wonderfold for  
19 Defendants' infringement under 35 U.S.C. § 284, and the Lanham Act;

20           K. Awarding Wonderfold actual damages, in an amount to be proven at  
21 trial, and in no event less than a reasonable royalty.

22           L. Awarding treble damages, as allowed by law.

23           M. Awarding punitive damages, as allowed by law.

24           N. That the case be found exceptional under 35 U.S.C. § 285 and that  
25 Wonderfold be awarded its attorney's fees;

26           O. Costs and expenses in this action;

27           P. An award of prejudgment and post-judgment interest; and  
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Q. Such other and further relief as the Court may deem just and proper.

