

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

LOVEPOP, INC.,

Plaintiff,

v.

PAPER LOVE LLC,

Defendant.

Case No.

**JURY TRIAL DEMANDED**

**COMPLAINT**

Plaintiff Lovepop, Inc., by and through its undersigned counsel, brings this action against Paper Love LLC, and in doing so states and alleges as follows:

**The Parties**

1. Lovepop, Inc. (“Lovepop” or “Plaintiff”) is a Delaware corporation with its principal place of business located at 68 Harrison Ave #501, Boston, MA 02111.

2. Upon information and belief, Defendant Paper Love LLC, (“Defendant”) is a New York Limited Liability company with its principal place of business located at 37 S 10<sup>th</sup> St, Apt. 3B, Brooklyn, New York 11249.

**Jurisdiction and Venue**

3. This action arises under the patent laws of the United States, Title 35, United States Code, copyright laws of the United States, Title 17, United States Code, and the Lanham Act, 15 U.S.C. 1051, *et seq.* This Court has jurisdiction over the subject matter of this action under 28 U.S.C. §§ 1331 and 1338(a).

4. This Court also has original subject-matter jurisdiction of this action under 28 U.S.C. § 1332, in that it is a civil action between citizens of different states, or citizens or subjects of a foreign state, and the subject matter in controversy exceeds the sum or value of \$75,000, exclusive of interests and costs.

5. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391(b)-(c) and 1400(b) because the acts of infringement which form the basis of this action occurred within this District, including the marketing, making, using, selling, offering for sale, and/or importing the Accused Products within this District. Defendant resides in this District and has an office in this District located at 37 S 10<sup>th</sup> Street, Apartment 3B, Brooklyn, NY 11249, which serves as a regular and established place of business within this District. Plaintiff has been harmed by Defendant's conduct, business transactions, and sales in this District. Finally, this Court has personal jurisdiction over Defendant because, on information and belief, Defendant has made, used, sold and/or offered for sale its Accused Products and placed such infringing products in the stream of interstate commerce with the expectation that they would be made, used, sold and/or offered for sale within this District.

### **General Allegations**

#### ***A. Introduction***

6. Lovepop is a greeting card manufacturer located in Boston, Massachusetts. It was started by Wonbi Rose and John Wise.

7. In 2015, Messrs. Rose and Wise appeared on ABC's Shark Tank, earning an investment from Kevin "Mr. Wonderful" O'Leary. Since that time, Lovepop has created hundreds of unique designs to help people share their love with the special people in their lives.

8. Lovepop has had great success since its inception, and has been featured on CNN, CNBC, Forbes, and numerous other national programs. It has entered into numerous license agreements with companies like Disney, Marvel, and Lucasfilm.

9. Paper Love is a more recent entrant into the greeting card market. Rather than innovating its own designs and cards, Paper Love has focused on copying the intellectual property developed and owned by Lovepop. Therefore, Lovepop has had no choice but to pursue this action.

***B. The Patents-At-Issue***

10. On March 21, 2017, the United States Patent and Trademark Office (“USPTO”) issued a United States Patent, Patent No. 9,601,033 entitled “POP-UP GREETING CARD WITH TAB SUPPORT OF A LASER-CUT, SLICE-FORM POP-UP ELEMENT” (the “’033 Patent”).

A true and correct copy of the ‘033 Patent is attached hereto as **Exhibit A**.

11. Representative claim 1 of the ‘033 Patent covers the following:

1. An article comprising a pop-up card, the pop-up card comprising: a single sheet of paper including a single crease and separating the sheet of paper into a left panel and a right panel, wherein the sheet is in a closed position when folded along the crease, and wherein the sheet is in the open position when not folded along the crease; a pop-up sliceform element coupled to said sheet, wherein the sliceform includes a first plurality of sliceform elements perpendicular to a second plurality of slice-form elements when in the open position;

wherein the first plurality of sliceform elements comprises: a) a first sliceform element with a distal tab perpendicular to the first sliceform element when in the open position, wherein said tab is coupled to the left panel, and b) a last sliceform element with a distal tab perpendicular to the last sliceform element when in the open position, and wherein said tab is coupled to the right panel;

wherein the second plurality of sliceform elements comprises: a) a first sliceform element with a distal tab perpendicular to the first sliceform element when in the open position, wherein said tab is coupled to the right panel, and b) a last sliceform element with a distal tab perpendicular to the last sliceform element when in the

open position, and wherein said tab is coupled to the left panel;  
and  
wherein the open position the pop-up sliceform element is displayed  
as a three-dimensional configuration, and in the closed position  
said pop-up sliceform element folds together into a flat  
configuration.

12. The '033 Patent was invented by John Perry Wise and Robin Sebastian Koske Rose.
13. Lovepop is the assignee of the '033 Patent.
14. On July 18, 2023, the USPTO issued United States Design Patent, Patent No. 11,705,021 entitled "POP-UP GREETING CARD WITH TAB SUPPORT OF A LASER-CUT, SLICE-FORM POP-UP ELEMENT" (the "'021 Patent"). A true and correct copy of the '021 Patent is attached hereto as **Exhibit B**.

15. Representative claim 1 of the '021 Patent covers the following:

1. A pop-up card, comprising:
  - a card foldable along a crease line defining a first section and a second section;
  - a self-erecting pop-up display structure including a first set of slice-form elements and a second set of slice-form elements;
  - a first tab of the first set of slice-form elements securing the self-erecting pop-up display structure to the card at the first section;
  - a second tab of the first set of slice-form elements securing the self-erecting pop-up display structure to the card at the second section;
  - a third tab of the second set of slice-form elements securing the self-erecting pop-up display structure to the card at the first section; and
  - a fourth tab of the second set of slice-form elements securing the self-erecting pop-up display structure to the card at the second section, the self-erecting pop-up display structure being in a collapsed state when the card is in a folded position and in an erected state when the card is in an opened position.

16. The '021 Patent was invented by John Perry Wise and Robin Sebastian Koske Rose.
17. Lovepop is the assignee of the '021 Patent.

18. On April 23, 2024, the USPTO issued United States Patent, Patent No. 11,967,254 entitled “POP-UP DISPLAY STRUCTURE” (the “‘254 Patent”). A true and correct copy of the ‘254 Patent is attached hereto as **Exhibit C**.

19. Representative claim 1 of the ‘254 Patent covers the following:

1. A pop-up structure comprising:

- a foldable base including a top surface;
- a bottom surface opposite the top surface;
- a crease line defined in the foldable base, the crease line separating a first portion of the foldable base from a second portion of the foldable base, an unfolded position of the foldable base including the first portion and the second portion of the foldable base extending along a plane, a folded position of the foldable base including the first portion of the foldable base extending from the crease line adjacent to and in a same direction as the second portion of the foldable base;
- a pop-up display structure comprising a plurality of intersecting slice-form elements; a first portion of the pop-up display structure mounted to the first portion of the foldable base on the top surface;
- and a second portion of the pop-up display structure mounted to the second portion of the foldable base on the top surface, the pop-up display structure movable between a flattened state and an erected 3D state, the pop-up display structure being in the flattened state when the foldable base is in the folded position, the pop-up display structure being in the erected 3D state when the foldable base is in the unfolded position.

20. The ‘254 Patent was invented by Dariush Nejad, Jozef Karpiel, Robin Sebastian Koske Rose, and others.

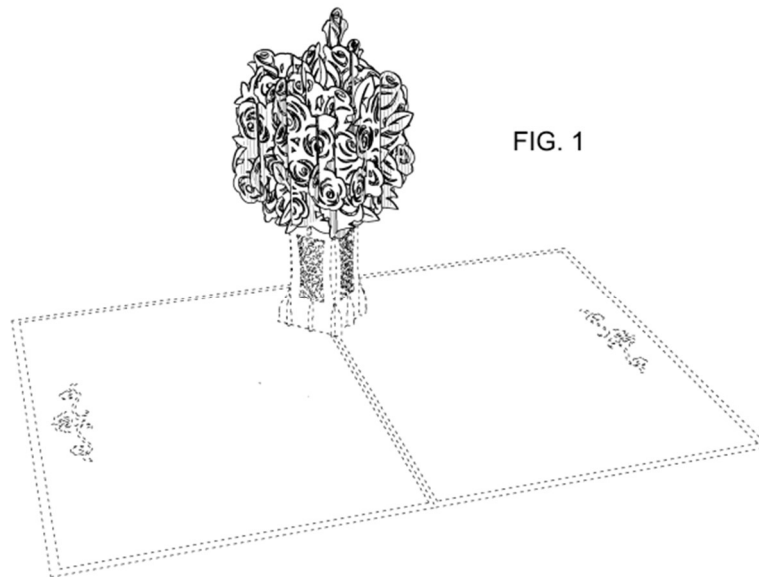
21. Lovepop is the assignee of the ‘254 Patent.

22. On November 19, 2019, the USPTO issued a United States Design Patent, Patent No. D867,448 entitled “ROSE BOUQUET POP-UP CARD” (the “‘448 Patent”).

23. A true and correct copy of the ‘448 Patent is attached hereto as **Exhibit D**.

24. The '448 Patent was invented by Norma Yue.
25. Lovepop is the assignee of the '448 Patent.
26. Figure 1 is representative of the claimed design of the '448 Patent and is reproduced

below:



27. The '033 Patent, the '021 Patent, the '254 Patent, and the '448 Patent (collectively the "Lovepop Patents") are valid and describe a new, novel and nonobvious design for unique greeting cards.

**C. *Lovepop's Copyrights***

28. The cards made by Lovepop (the "Lovepop Cards") are copyrightable subject matter under the copyright laws of the United States and are registered with the United States Copyright Office.

29. On November 18, 2016, Lovepop achieved registration for the copyright entitled "Santa Train", Copyright Registration No. VA0002047646 (the "Santa Train Copyright") for the design depicted below and attached hereto as **Exhibit E**:



30. On July 31, 2020, Lovepop achieved registration for the copyright entitled “Rose Bouquet Red”, Copyright Registration No. VA0002229126 (the “Rose Bouquet Copyright”) for the design depicted below and attached hereto as **Exhibit F**:



31. On April 4, 2019, Lovepop achieved registration for the copyright entitled “Lily Bloom”, Copyright Registration No. VA0002183009 (the “Lily Bloom Copyright”) for the design depicted below and attached hereto as **Exhibit G**:



32. Lovepop has complied with the Copyright Act of 1976, 17 U.S.C. §§ 410 & 411, and as owner of the Santa Train Copyright, Rose Bouquet Copyright, and Lily Bloom Copyright (collectively, the “Lovepop Copyrights”), has the right to reproduce, create derivative works, market, sell, and distribute its Lovepop Cards in commerce within the United States.

33. The copyright protected by the Lovepop Copyrights are original, unique designs that create a distinctive overall appearance that is recognizable and attributable to Lovepop by its many customers.

34. As a result of the marketing, sales, and success of the copyright-protected Lovepop Copyrights, and the public’s widespread recognition and use of the copyright-protected Lovepop Copyrights, such Lovepop Cards have come to represent not only Lovepop’s goods, but Lovepop’s reputation and standard of quality.

***D. LovePop’s Trademarks***

35. Since at least 2014, Lovepop has used its LOVEPOP trademarks in United States commerce with the sale of its greeting cards and related products (the “LOVEPOP common law trademark”).

36. Lovepop registered the LOVEPOP common law trademark with the USPTO, Registration Number 4,730,483, with an application filed on June 10, 2014 for “Paper goods, namely, greeting cards, stationery, promotional materials, namely, corporate holidays cards, event invitations, and corporate cards for company anniversaries and other special events and milestones, calendars, books in the field of children’s literature, history, architecture, sports, music, and art, and decorative paper sculptures” in International Class 016. Trademark Registration Number 4,730,483 has a date of first use of February 14, 2014.



37. Trademark Registration Number 4,730,483 for LOVEPOP has become incontestable pursuant to Section 15 of the Lanham Act (15 U.S.C. § 1065). Incontestability serves as conclusive evidence of Lovepop's ownership of this mark. Incontestability further serves as conclusive evidence of Lovepop's exclusive right to use this mark in commerce on or in connection with the goods identified in the registration as provided by Section 33(b) of the Lanham Act (15 U.S.C. § 1115(b)). A true and correct copy of Trademark Registration Number 4,730,483 for the mark "LOVEPOP" is attached hereto as **Exhibit H**.

38. Lovepop registered the trademark "LOVEPOP," USPTO Registration Number 5,961,804, with an application filed on May 9, 2016, for "Custom design of paper products, namely, corporate cards for company anniversaries and other special events and milestones, Custom design of paper products, namely, greeting cards, stationery, wedding stationery, corporate holiday cards, event invitations, wedding invitations, and decorative paper sculptures" in International Class 042. A true and correct copy of Trademark Registration Number 5,961,804 for the mark "LOVEPOP" is attached hereto as **Exhibit I**.

39. The LOVEPOP common law trademark, the trademark covered by Trademark Registration Number 4,730,483 for "LOVEPOP" in Class 16 and the trademark covered by Trademark Registration Number 5,961,804 for "LOVEPOP" in Class 42 (collectively the "LOVEPOP Marks") are so well-known that they have become famous in the greeting cards industry.

40. Lovepop is the sole owner of all right, title, and interest in and to the LOVEPOP Marks, including all goodwill associated therewith.

41. Because of Lovepop's exclusive and extensive use of the LOVEPOP Marks, the marks, individually and collectively, have acquired enormous value. The LOVEPOP Marks have become extremely well known to the consuming public and industry. The LOVEPOP Marks exclusively and uniquely identify Lovepop as the source of goods under each of the LOVEPOP Marks.

42. The LOVEPOP Marks are vital to Lovepop's business and commercial livelihood. The LOVEPOP Marks not only represent Lovepop's goods and services, but Lovepop's reputation and standard of quality. To preserve its business reputation, consumer goodwill, and to protect the value of the trademarks, Lovepop maintains strict standards in the delivery of its goods and services.

***E. The Defendant's Products***

43. Lovepop is informed, believes, and thereupon alleges that Defendant is intentionally and willfully making, selling, and offering for sale, and importing its own three-dimensional greeting cards that infringe at least claim 1 of the '033 Patent, claim 1 of the '021 Patent, claim 1 of the '254 Patent, the '448 Patent, and Lovepop Copyrights, and intentionally using marks that are confusingly similar to the LOVEPOP Marks (the "Accused Products").

44. Examples of the Accused Products are depicted below.

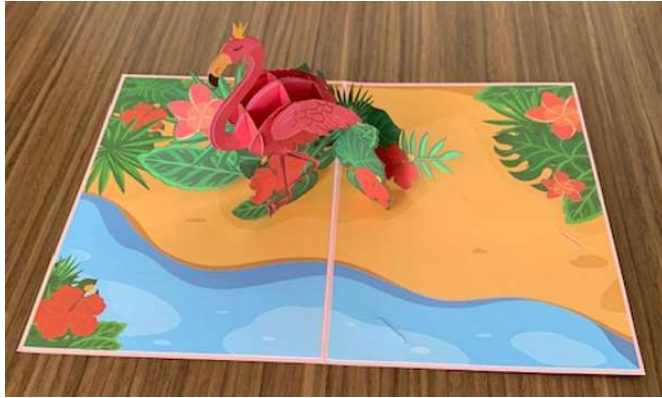
**Poppy Flowers** <https://paperlove.cards/products/poppy-flowers-pop-up-card-for-all-occasions-mothers-day-thank-you-fathers-day-anniversary>:



**Snow Tree Pop Up Card:** <https://paperlove.cards/products/snow-tree-pop-up-card>:



**Flamingo Pop Up Card:** [https://paperlove.cards/products/flamingo-pop-up-card?\\_pos=2&\\_psq=flaming&\\_ss=e&\\_v=1.0&variant=39332824055997](https://paperlove.cards/products/flamingo-pop-up-card?_pos=2&_psq=flaming&_ss=e&_v=1.0&variant=39332824055997):



**Mimosa Pop Up Card:** <https://paperlove.cards/products/mimosa-pop-up-card-for-any-occasion-thank-you-mothers-day-fathers-day-valentines-day-congrats>:



**Happy Mothers Day Pop Up Card:** <https://paperlove.cards/products/happy-mothers-day-pop-up-card>:



**Lovely Roses Valentines Day Pop Up Card:** <https://paperlove.cards/products/lovely-roses-valentines-day-pop-up-card>:



Holiday Bird Pop Up Christmas Card: <https://paperlove.cards/products/holiday-bird-pop-up-christmas-card>:



45. Other Accused Products include, but are not limited to, the following:

- Floral Love Heart Pop Up Card: <https://paperlove.cards/products/floral-heart-love-valentines-day-pop-up-card>
- Classic Truck Pop Up Card: <https://paperlove.cards/products/truck-pop-up-card? pos=1& psq=classic+& ss=e& v=1.0&variant=32168090665049>
- #1 Dad Trophy Pop Up Card: <https://paperlove.cards/products/1-dad-trophy-pop-up-fathers-day-card? pos=5& sid=d8cf0291d& ss=r&variant=39823855222973>
- Floral Flamingo Pop Up Card: <https://paperlove.cards/collections/all-cards/products/floral-flamingo-frndly-by-paper-love-pop-up-card-100-recycled-and-eco-friendly>
- Poinsettia Pop Up Christmas Card: <https://paperlove.cards/products/poinsettia-pop-up-christmas-card>
- Wisteria Frndly Pop Up Card: [paperlove.cards/collections/all-cards/products/frndly-3d-wisteria-valentines-pop-up-card-100-recycled-and-eco-friendly-8-x-6-cover-with-note-tag](https://paperlove.cards/collections/all-cards/products/frndly-3d-wisteria-valentines-pop-up-card-100-recycled-and-eco-friendly-8-x-6-cover-with-note-tag)
- Loads of Love Oversized Pop Up Card with Keepsake: <https://paperlove.cards/collections/all-cards/products/loads-of-love-with-detachable-popup-keepsake-oversized-10-x-7-cover-includes-envelope-and-note-card>
- Heart Tree Pop Up Card: <https://paperlove.cards/collections/all-cards/products/heart-tree-with-detachable-popup-keepsake-oversized-10x7-cover-includes-envelope-and-note-card>
- Purrfect Love Frndly Pop Up Card: <https://paperlove.cards/collections/all-cards/products/purrfect-love>
- FRNDLY Happy Valentines Day: <https://paperlove.cards/collections/all-cards/products/frndly-happy-valentines-day>

- Love Birds House Frndly Pop Up Card: <https://paperlove.cards/collections/all-cards/products/love-birds-house>
- Road to Love Pop Up Card: <https://paperlove.cards/collections/all-cards/products/road-to-love-pop-up-card-5-x-7-cover-includes-envelope-and-note-card>
- Birthday Panda: <https://paperlove.cards/collections/all-cards/products/birthday-panda>
- Tropical Birthday Cake Pop Up Card: <https://paperlove.cards/collections/all-cards/products/tropical-birthday-cake>
- Santa's Dwarfs Pop Up Card: <https://paperlove.cards/collections/all-cards/products/santas-dwarfs-pop-up-card>
- Christmas Dog House Pop Up Card: <https://paperlove.cards/collections/all-cards/products/christmas-dog-house-pop-up-card>
- Birthday Party Pop Up Card: <https://paperlove.cards/collections/all-cards/products/birthday-party>
- Christmas Dog Pop Up Card: <https://paperlove.cards/collections/all-cards/products/christmas-dog-pop-up-card>
- Christmas Cat Pop Up Card: <https://paperlove.cards/collections/all-cards/products/christmas-cat-pop-up-card>
- Happy Thanksgiving Frndly Pop Up Card 8x6 Cover: <https://paperlove.cards/collections/all-cards/products/happy-thanksgiving-frndly-pop-up-card-8x6-cover>
- Pumpkin Latte Pop Up Card Frndly 8x6 Cover: <https://paperlove.cards/collections/all-cards/products/pumpkin-latte-pop-up-card-frndly-8x6-cover>
- Fox In Mushroom House 100 Recycled: <https://paperlove.cards/collections/all-cards/products/fox-in-mushroom-house-100-recycled>
- Thinking of You Pop Up Card: <https://paperlove.cards/collections/all-cards/products/thinking-of-you-pop-up-card>
- Thanksgiving Turkey Pop Up Card: <https://paperlove.cards/collections/all-cards/products/thanksgiving-turkey-pop-up-card>
- Christmas Night Frndly Pop Up Card 8x6 Cover: <https://paperlove.cards/collections/all-cards/products/christmas-night-frndly-pop-up-card-8-x-6-cover>
- Merry Christmas Frndly Pop Up Card 8x6 Cover: <https://paperlove.cards/collections/all-cards/products/merry-christmas-frndly-pop-up-card-8x6-cover>
- Cozy Christmas Home Frndly Pop Up Card: <https://paperlove.cards/collections/all-cards/products/cozy-christmas-home-frndly-pop-up-card>
- Hugepop Winter Wonderland Flower Bouquet Pop Up Card: <https://paperlove.cards/collections/all-cards/products/hugepop-winter-wonderland-flower-bouquet-pop-up-card>

- Frndly Pop Up Card Love Tree Handmade Valentines Day Mothers Day 100 Recycled and Eco Friendly 8x6 Cover With Removable Note Tag: <https://paperlove.cards/collections/all-cards/products/frndly-pop-up-card-love-tree-handmade-valentines-day-mothers-day-100-recycled-and-eco-friendly-8-x-6-cover-with-removable-note-tag>
- Father Son Baseball Pop Up Card: <https://paperlove.cards/collections/all-cards/products/father-son-baseball-pop-up-card>
- HugePop Sunflower Pop Up Flower Bouquet With Detachable Flowers: <https://paperlove.cards/collections/hugepop-1/products/hugepop-sunflower-pop-up-flower-bouquet-with-detachable-flowers>
- Happy Birthday Cake Pop Up Card: <https://paperlove.cards/collections/birthday/products/happy-birthday-cake-pop-up-card>
- Truck Pop Up Card: <https://paperlove.cards/collections/birthday/products/truck-pop-up-card>
- Seal Pop Up Card For Mothers Day Fathers Day Congrats Graduation Birthday Just Because Any Occasion: <https://paperlove.cards/collections/birthday/products/seal-pop-up-card-for-mothers-day-fathers-day-congrats-graduation-birthday-just-because-any-occasion>
- Snow Tree Pop Up Card: [https://paperlove.cards/products/snow-tree-pop-up-card?\\_pos=1&\\_sid=8de4ba52c&\\_ss=r&variant=37565936304317](https://paperlove.cards/products/snow-tree-pop-up-card?_pos=1&_sid=8de4ba52c&_ss=r&variant=37565936304317)
- Mimosa Pop Up Card For Any Occasion Thank You Mothers Day Fathers Day Valentines Day Congrats: [https://paperlove.cards/products/mimosa-pop-up-card-for-any-occasion-thank-you-mothers-day-fathers-day-valentines-day-congrats?\\_pos=1&\\_sid=c1d474e5e&\\_ss=r](https://paperlove.cards/products/mimosa-pop-up-card-for-any-occasion-thank-you-mothers-day-fathers-day-valentines-day-congrats?_pos=1&_sid=c1d474e5e&_ss=r)
- Happy Mothers Day Pop Up Card 5x7: <https://paperlove.cards/collections/mothers-day/products/happy-mothers-day-pop-up-card-5-x-7>
- Kangaroo: <https://paperlove.cards/collections/mothers-day/products/kangaroo>
- Holiday Bird Pop Up Christmas Card: [https://paperlove.cards/products/holiday-bird-pop-up-christmas-card?\\_pos=1&\\_sid=ff0a105d4&\\_ss=r](https://paperlove.cards/products/holiday-bird-pop-up-christmas-card?_pos=1&_sid=ff0a105d4&_ss=r)
- Lovely Roses Valentines Day Pop Up Card: [https://paperlove.cards/products/lovely-roses-valentines-day-pop-up-card?\\_pos=21&\\_sid=3373560b9&\\_ss=r](https://paperlove.cards/products/lovely-roses-valentines-day-pop-up-card?_pos=21&_sid=3373560b9&_ss=r)

46. The Accused Products are advertised in connection with marks that are confusingly similar to the LOVEPOP Marks.



47. On April 11, 2018, Defendant filed United States Trademark Application Number 87/871,715 for “PAPER LOVE” for “Greeting cards” in International Class 016 (“Infringing Mark”). The mark was registered on January 1, 2019. While Defendant filed for registration of its Infringing Mark, the date of first use, April 8, 2018, comes almost four years after Lovepop’s first use of its marks.

48. Plaintiff is informed and believes and thereon alleges that Defendant is knowingly, intentionally, and willfully advertising in a matter meant to confuse the relevant public and create confusion with Lovepop, the Lovepop Cards, and the LOVEPOP Marks.

49. On May 12, 2021, Lovepop sent a letter, through counsel, to Defendant informing it that certain Accused Products infringe its ‘033 Patent, ‘448 Patent, the Lovepop Trade Dress, the Lovepop Copyrights, and the LOVEPOP Marks and demanding that it immediately cease and desist any making, using, selling, offering for sale, or importation of Accused Products in this country.

50. On June 10, 2021, Defendant provided a response wherein it refused to cease use of Accused Products.

51. On August 26, 2021, Lovepop sent another letter to Defendant regarding its continued use and sale of certain Accused Products in the United States. In that letter, Lovepop explained Defendant’s incorrect reading of the claims and reiterated its request that Defendant cease and desist making, using, selling, offering to sell, or importing its products that infringe Lovepop’s intellectual property and cease and desist using any mark confusingly similar to the LOVEPOP Marks.

52. On October 15, 2021, Defendant wrote Lovepop again refusing to cease and desist making, using, selling, offering to sell, or importing certain Accused Products. Defendant further asserted that it would not cease and desist using the Infringing Mark.

53. Defendant continues to market and sell its Accused Products under the Infringing Mark within the United States.

54. Defendant has willfully and in bad faith committed the foregoing acts. Said acts involving the Accused Products and the Infringing Mark has and will continue to cause irreparable harm to Lovepop. Consequently, Lovepop files this action seeking injunctive relief, an accounting of award of Defendant's profits flowing from their infringing activities, pre-judgement interest, attorneys' fees and costs of suit incurred herein, and any other relief this honorable Court deems just and proper.

**COUNT 1: Infringement of the '033 Patent**

55. Lovepop repeats the allegations in the preceding paragraphs as though fully set forth herein.

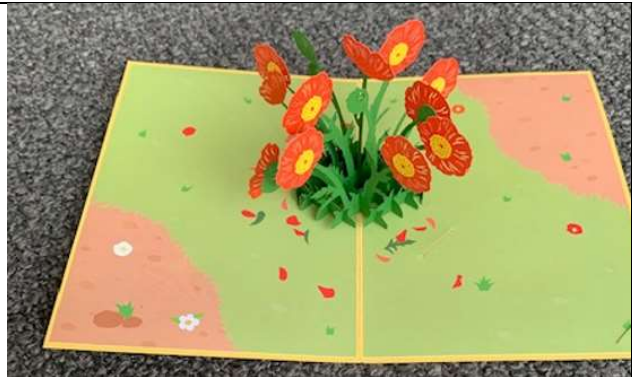
56. Lovepop is the rightful owner of the '033 Patent.

57. The '033 Patent is valid and was duly issued by the United States Patent and Trademark Office.

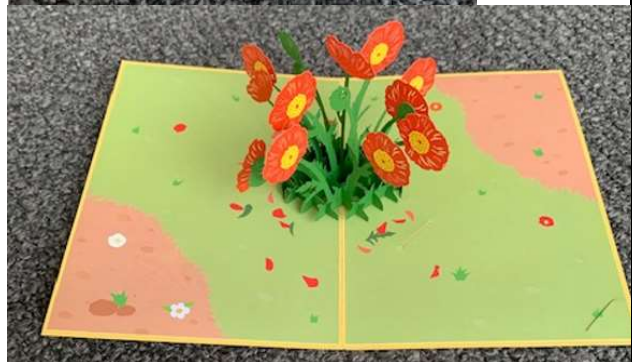
58. By making, using, offering for sale, selling, and/or importing the Accused Products, Defendant has infringed at least claim 1 of the '033 Patent.

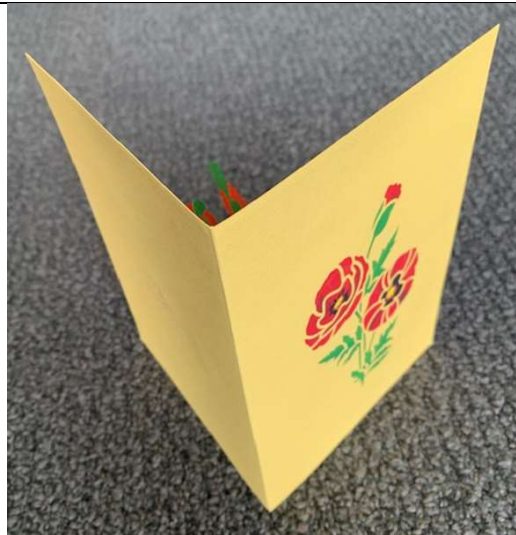
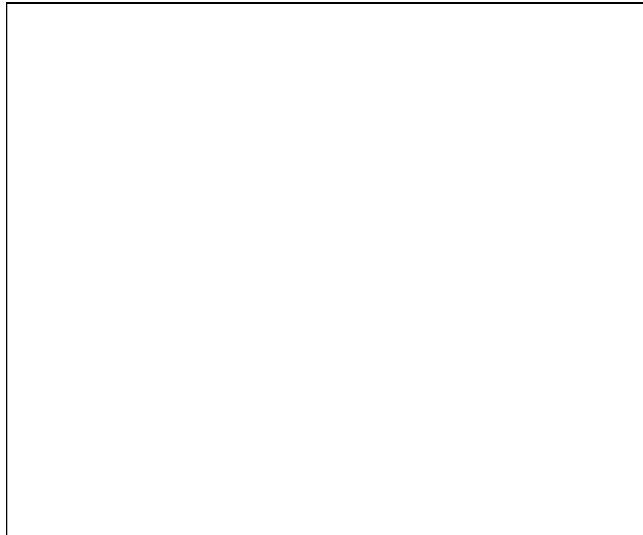
59. For example, the following limitations are found in the Poppy Flowers Popup Card, which constitutes a representative Paper Love card:

1. An article comprising a pop-up card, the pop-up card comprising:

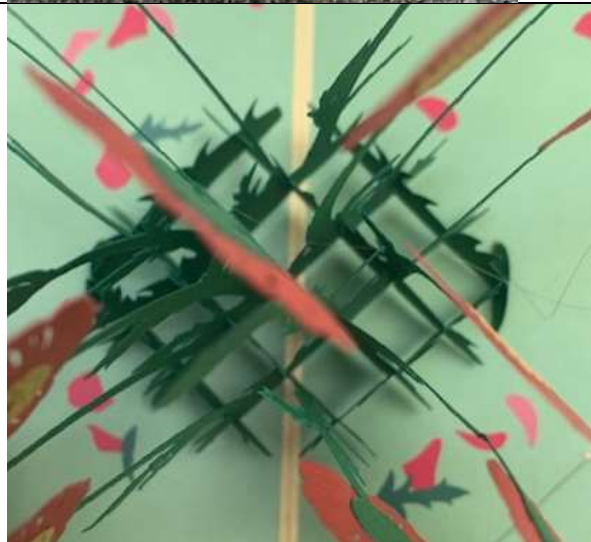


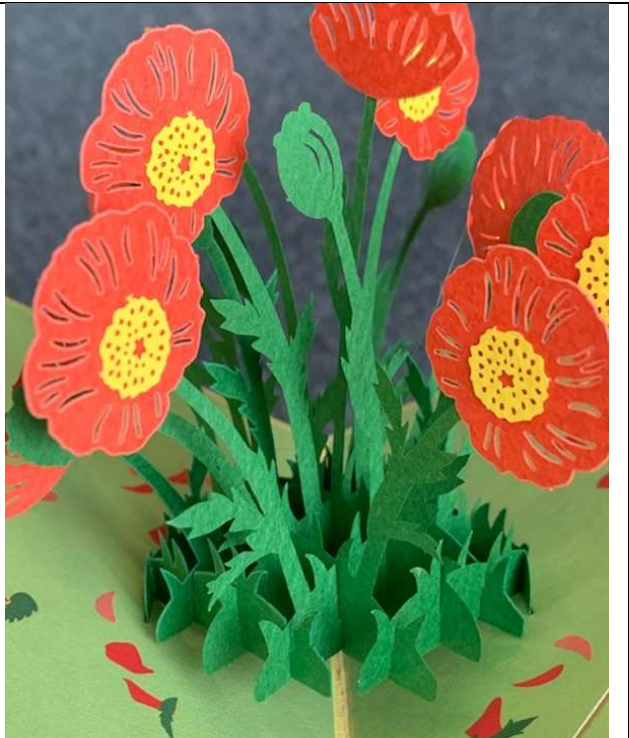
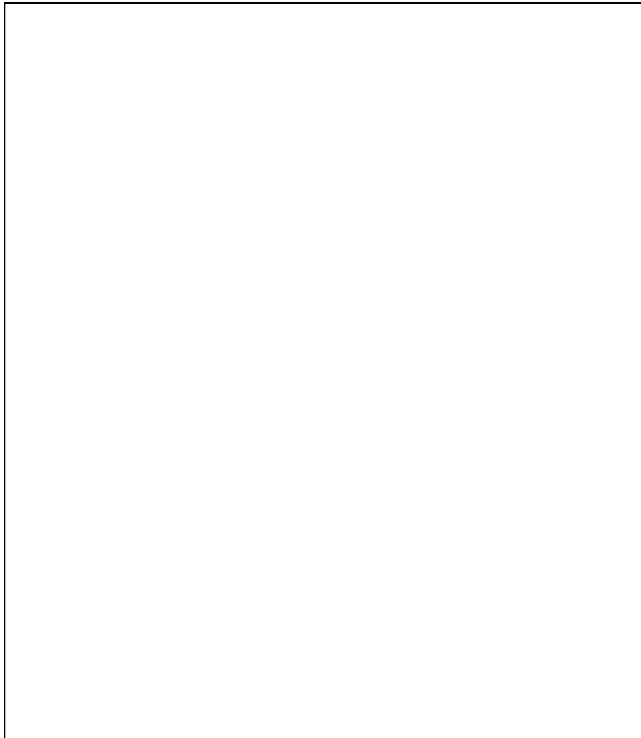
single sheet of paper including a single crease and separating the sheet of paper into a left panel and a right panel, wherein the sheet is in a closed position when folded along the crease, and wherein the sheet is in the open position when not folded along the crease;



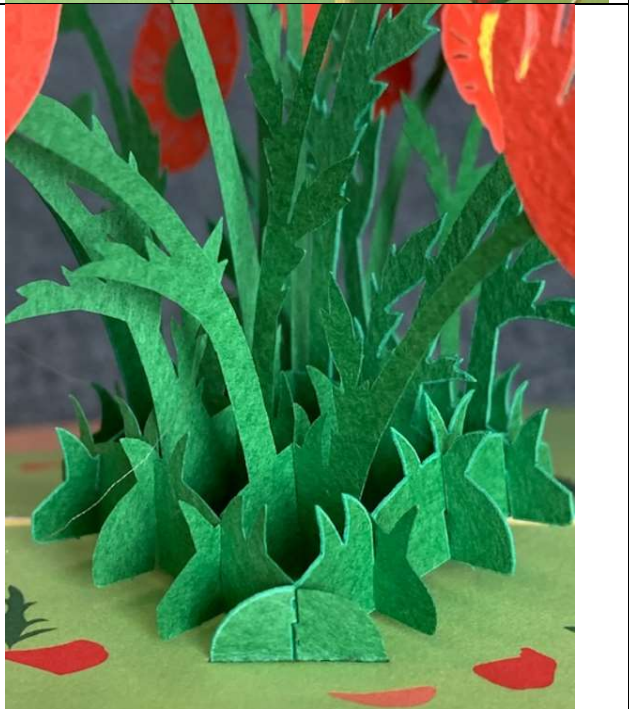


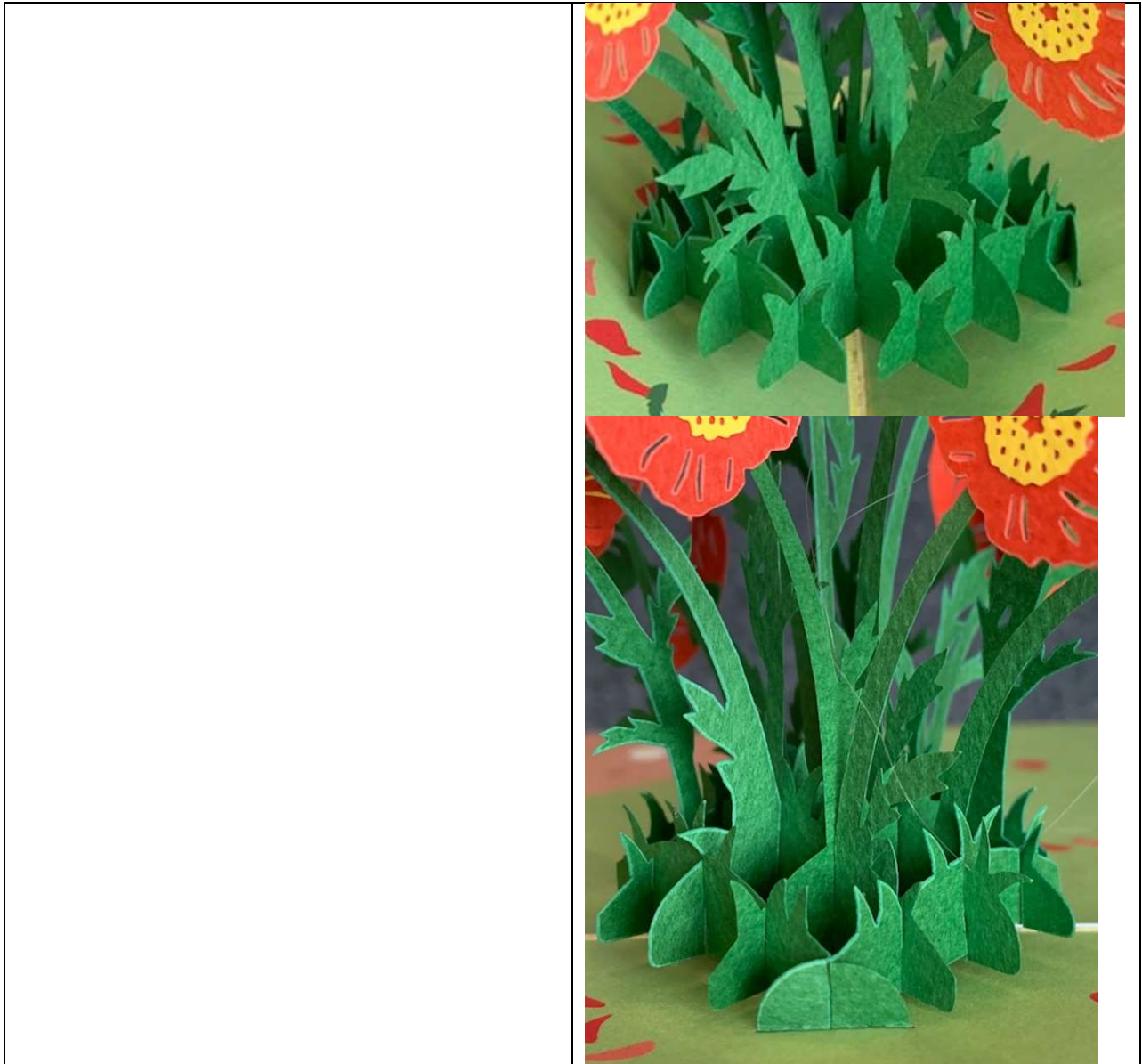
a pop-up sliceform element coupled to said sheet, wherein the sliceform includes a first plurality of sliceform elements perpendicular to a second plurality of slice-form elements when in the open position;



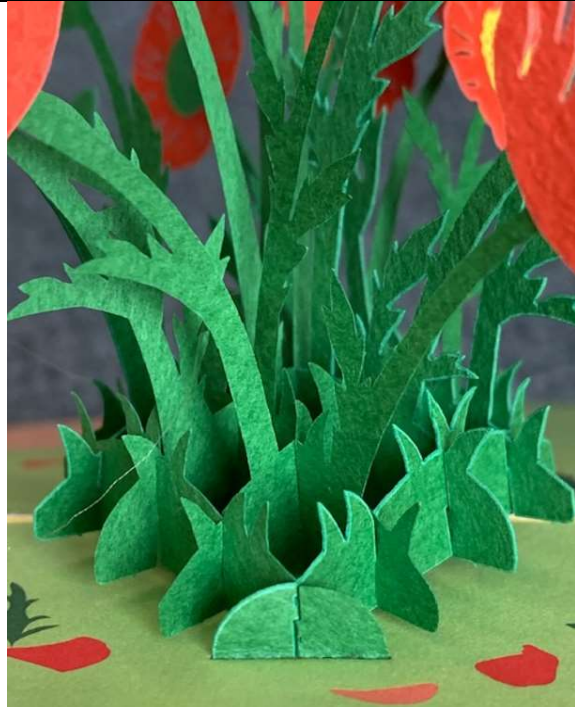


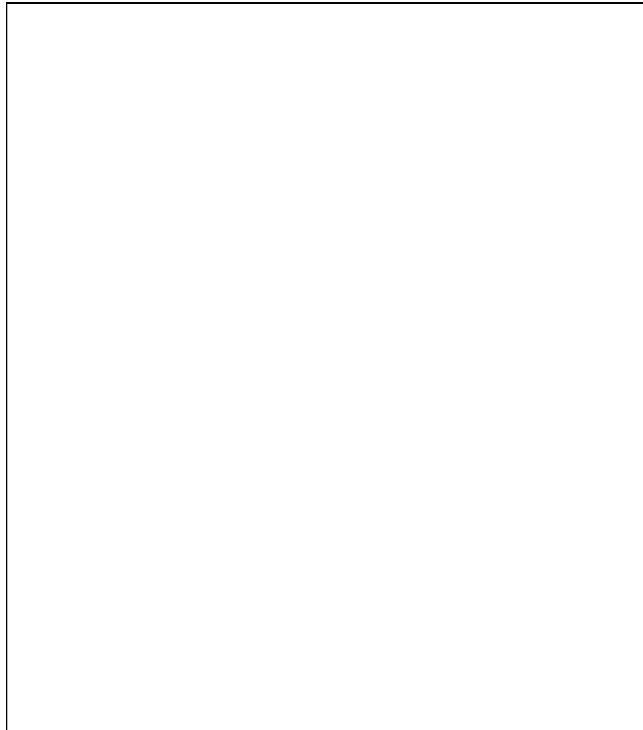
wherein the first plurality of sliceform elements comprises: a) a first sliceform element with a distal tab perpendicular to the first sliceform element when in the open position, wherein said tab is coupled to the left panel, and b) a last sliceform element with a distal tab perpendicular to the last sliceform element when in the open position, and wherein said tab is coupled to the right panel;





wherein the second plurality of sliceform elements comprises: a) a first sliceform element with a distal tab perpendicular to the first sliceform element when in the open position, wherein said tab is coupled to the right panel, and b) a last sliceform element with a distal tab perpendicular to the last sliceform element when in the open position, and wherein said tab is coupled to the left panel; and





wherein the open position the pop-up sliceform element is displayed as a three-dimensional configuration, and in the closed position said pop-up sliceform element folds together into a flat configuration.







60. Figure 3C of the '033 Patent is depicted on the left and an example of an Accused Product is depicted on the right.

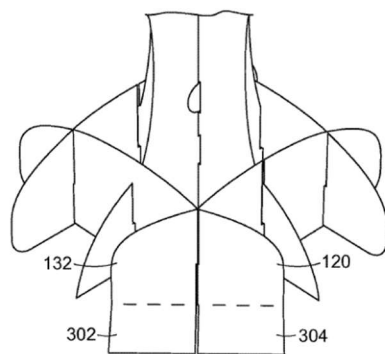
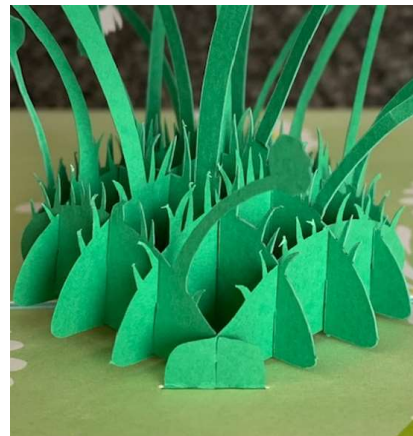


FIG. 3C



61. Other cards that infringe the '033 Patent include, but are not limited to, the following:

- **Floral Love Heart Pop Up Card:** <https://paperlove.cards/products/floral-heart-love-valentines-day-pop-up-card>
- **Classic Truck Pop Up Card:** <https://paperlove.cards/products/truck-pop-up-card? pos=1& psq=classic+& ss=e& v=1.0&variant=32168090665049>
- **#1 Dad Trophy Pop Up Card:** <https://paperlove.cards/products/1-dad-trophy-pop-up-fathers-day-card? pos=5& sid=d8cf0291d& ss=r&variant=39823855222973>
- **Floral Flamingo Pop Up Card:** <https://paperlove.cards/collections/all-cards/products/floral-flamingo-frndly-by-paper-love-pop-up-card-100-recycled-and-eco-friendly>
- **Poinsettia Pop Up Christmas Card:** <https://paperlove.cards/products/poinsettia-pop-up-christmas-card>

- **Wisteria Frndly Pop Up Card:** [paperlove.cards/collections/all-cards/products/frndly-3d-wisteria-valentines-pop-up-card-100-recycled-and-eco-friendly-8-x-6-cover-with-note-tag](https://paperlove.cards/collections/all-cards/products/frndly-3d-wisteria-valentines-pop-up-card-100-recycled-and-eco-friendly-8-x-6-cover-with-note-tag)
- **Loads of Love Oversized Pop Up Card with Keepsake:** <https://paperlove.cards/collections/all-cards/products/loads-of-love-with-detachable-popup-keepsake-oversized-10-x-7-cover-includes-envelope-and-note-card>
- **Heart Tree Pop Up Card:** <https://paperlove.cards/collections/all-cards/products/heart-tree-with-detachable-popup-keepsake-oversized-10x7-cover-includes-envelope-and-note-card>
- **Purrfect Love Frndly Pop Up Card:** <https://paperlove.cards/collections/all-cards/products/purrfect-love>
- **FRNDLY Happy Valentines Day:** <https://paperlove.cards/collections/all-cards/products/frndly-happy-valentines-day>
- **Love Birds House Frndly Pop Up Card:** <https://paperlove.cards/collections/all-cards/products/love-birds-house>
- **Road to Love Pop Up Card:** <https://paperlove.cards/collections/all-cards/products/road-to-love-pop-up-card-5-x-7-cover-includes-envelope-and-note-card>
- **Birthday Panda:** <https://paperlove.cards/collections/all-cards/products/birthday-panda>
- **Tropical Birthday Cake Pop Up Card:** <https://paperlove.cards/collections/all-cards/products/tropical-birthday-cake>
- **Santa's Dwarfs Pop Up Card:** <https://paperlove.cards/collections/all-cards/products/santas-dwarfs-pop-up-card>
- **Christmas Dog House Pop Up Card:** <https://paperlove.cards/collections/all-cards/products/christmas-dog-house-pop-up-card>
- **Birthday Party Pop Up Card:** <https://paperlove.cards/collections/all-cards/products/birthday-party>
- **Christmas Dog Pop Up Card:** <https://paperlove.cards/collections/all-cards/products/christmas-dog-pop-up-card>
- **Christmas Cat Pop Up Card:** <https://paperlove.cards/collections/all-cards/products/christmas-cat-pop-up-card>
- **Happy Thanksgiving Frndly Pop Up Card 8x6 Cover:** <https://paperlove.cards/collections/all-cards/products/happy-thanksgiving-frndly-pop-up-card-8x6-cover>
- **Pumpkin Latte Pop Up Card Frndly 8x6 Cover:** <https://paperlove.cards/collections/all-cards/products/pumpkin-latte-pop-up-card-frndly-8x6-cover>
- **Fox In Mushroom House 100 Recycled:** <https://paperlove.cards/collections/all-cards/products/fox-in-mushroom-house-100-recycled>
- **Thinking of You Pop Up Card:** <https://paperlove.cards/collections/all-cards/products/thinking-of-you-pop-up-card>

- Thanksgiving Turkey Pop Up Card: <https://paperlove.cards/collections/all-cards/products/thanksgiving-turkey-pop-up-card>
- Christmas Night Frndly Pop Up Card 8x6 Cover: <https://paperlove.cards/collections/all-cards/products/christmas-night-frndly-pop-up-card-8-x-6-cover>
- Merry Christmas Frndly Pop Up Card 8x6 Cover: <https://paperlove.cards/collections/all-cards/products/merry-christmas-frndly-pop-up-card-8x6-cover>
- Cozy Christmas Home Frndly Pop Up Card: <https://paperlove.cards/collections/all-cards/products/cozy-christmas-home-frndly-pop-up-card>
- Hugepop Winter Wonderland Flower Bouquet Pop Up Card: <https://paperlove.cards/collections/all-cards/products/hugepop-winter-wonderland-flower-bouquet-pop-up-card>
- Frndly Pop Up Card Love Tree Handmade Valentines Day Mothers Day 100 Recycled and Eco Friendly 8x6 Cover With Removable Note Tag: <https://paperlove.cards/collections/all-cards/products/frndly-pop-up-card-love-tree-handmade-valentines-day-mothers-day-100-recycled-and-eco-friendly-8-x-6-cover-with-removable-note-tag>
- Father Son Baseball Pop Up Card: <https://paperlove.cards/collections/all-cards/products/father-son-baseball-pop-up-card>
- HugePop Sunflower Pop Up Flower Bouquet With Detachable Flowers: <https://paperlove.cards/collections/hugepop-1/products/hugepop-sunflower-pop-up-flower-bouquet-with-detachable-flowers>
- Happy Birthday Cake Pop Up Card: <https://paperlove.cards/collections/birthday/products/happy-birthday-cake-pop-up-card>
- Truck Pop Up Card: <https://paperlove.cards/collections/birthday/products/truck-pop-up-card>
- Seal Pop Up Card For Mothers Day Fathers Day Congrats Graduation Birthday Just Because Any Occasion: <https://paperlove.cards/collections/birthday/products/seal-pop-up-card-for-mothers-day-fathers-day-congrats-graduation-birthday-just-because-any-occasion>
- Snow Tree Pop Up Card: <https://paperlove.cards/products/snow-tree-pop-up-card? pos=1& sid=8de4ba52c& ss=r&variant=37565936304317>
- Mimosa Pop Up Card For Any Occasion Thank You Mothers Day Fathers Day Valentines Day Congrats: <https://paperlove.cards/products/mimosa-pop-up-card-for-any-occasion-thank-you-mothers-day-fathers-day-valentines-day-congrats? pos=1& sid=c1d474e5e& ss=r>
- Happy Mothers Day Pop Up Card 5x7: <https://paperlove.cards/collections/mothers-day/products/happy-mothers-day-pop-up-card-5-x-7>

- **Kangaroo:** <https://paperlove.cards/collections/mothers-day/products/kangaroo>
- **Holiday Bird Pop Up Christmas Card:** <https://paperlove.cards/products/holiday-bird-pop-up-christmas-card? pos=1& sid=ff0a105d4& ss=r>
- **Lovely Roses Valentines Day Pop Up Card:** <https://paperlove.cards/products/lovely-roses-valentines-day-pop-up-card? pos=21& sid=3373560b9& ss=r>

62. There are no non-infringing uses for the Accused Products.

63. Defendant knows from its correspondence with counsel for Lovepop about the ‘033 Patent and its infringement of the same, and that anyone who uses, sells, offers for sale, makes, or imports the Accused Products also infringes the ‘033 Patent.

64. Defendant also infringes the ‘033 Patent by inducing others to directly infringe those patents. For example, Defendant actively encourages others to use and sell its Accused Products, which can only be used in an infringing manner by its customers.

65. Defendant’s customers directly infringe the ‘033 Patent, and Defendant knows of the direct infringement, knows that there are no substantial non-infringing uses, and knows its products are especially made to infringe. Therefore, Defendant contributorily infringes the ‘033 Patent.

66. Lovepop is being irreparably harmed by the Defendant’s continued infringement and, unless it and its agents, employees, representatives, affiliates and all others acting in concert with it are enjoined from infringing the ‘033 Patent, Lovepop will continue to be irreparably harmed.

67. Lovepop has no adequate remedy at law.

68. Lovepop has a substantial likelihood of success on the merits. If an injunction is not granted, it would likely suffer irreparable injury. Lovepop’s threatened injury from the

continued sale of the Accused Products outweighs any harm to Defendant under an injunction. An injunction would not be adverse to the public interest. Therefore, Lovepop seeks an injunction permanently restraining Defendant and its respective agents, employees, representatives, affiliates and all others acting in concert with it, from making, using, selling, offering for sale, importing, or marketing the Accused Products.

69. The Defendant's continued infringement of the '033 Patent is causing Lovepop injury, and Lovepop is entitled to recover damages in an amount to be proven at trial. Among other remedies, Lovepop is entitled to lost profits or, in the alternative, no less than a reasonable royalty.

70. Defendant's infringement constitutes willful infringement of the '033 Patent, and entitles Lovepop to treble damages and attorneys' fees, costs incurred in this action, and prejudgment interest under 35 U.S.C. §§ 284 and 285.

71. Any future use, sale, offer for sale, importation, or manufacture of infringing Accused Products will demonstrate objectively reckless conduct with respect to Lovepop's patent rights.

**COUNT 2: Infringement of the '021 Patent**



72. Lovepop repeats the allegations in the preceding paragraphs as though fully set forth herein.

73. Lovepop is the rightful owner of the '021 Patent.

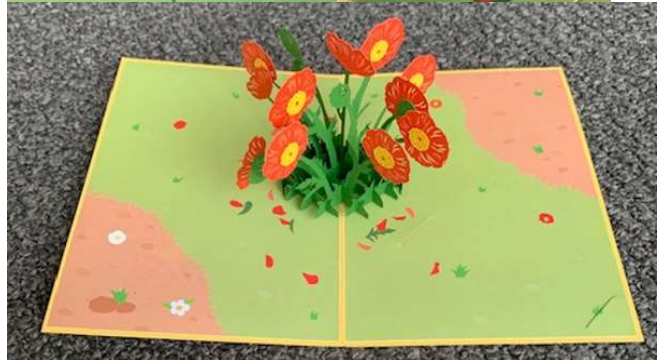
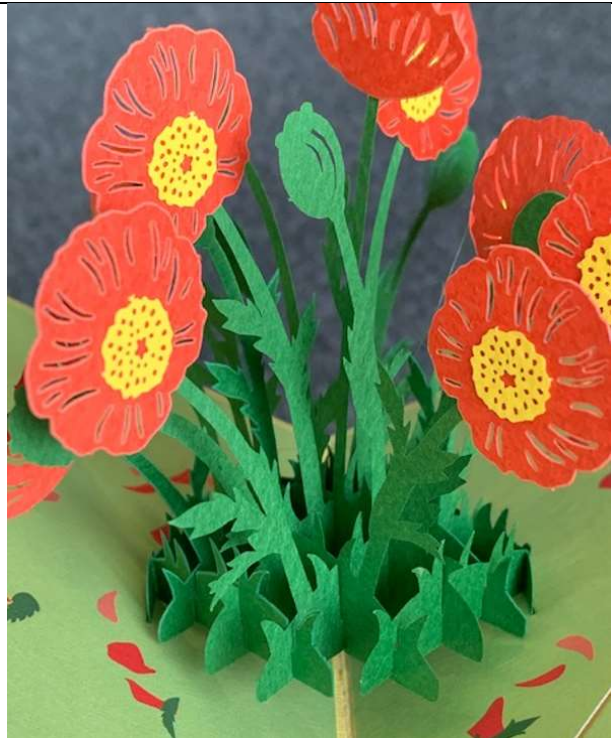
74. The '021 Patent is valid and valid and was duly issued by the United States Patent and Trademark Office.

75. By making, using, offering for sale, selling, and/or importing the Accused Products, Defendant has infringed at least claim 1 of the '021 Patent.

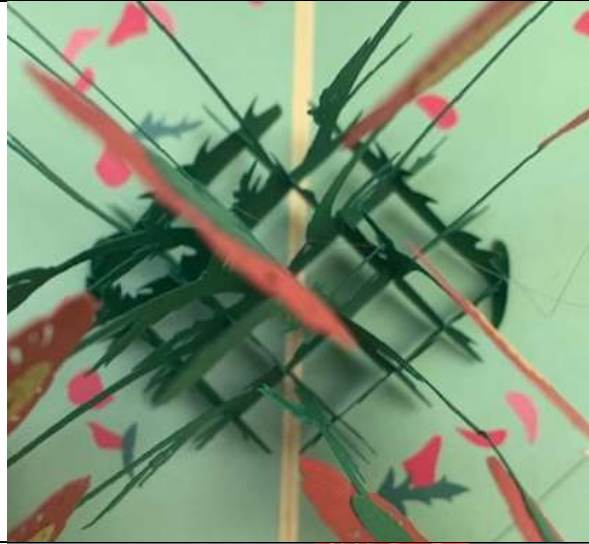
76. For example, the following limitations are found in the Poppy Flowers Popup Card, which constitutes a representative Paper Love card:

<p>1. A pop-up card, comprising</p>	
<p>a card foldable along a crease line defining a first section and a second section;</p>	

a self-erecting pop-up display structure including a first set of slice-form elements and a second set of slice-form elements;



a first tab of the first set of slice-form elements securing the self-erecting pop-up display structure to the card at the first section;



a second tab of the first set of slice-form elements securing the self-erecting pop-up display structure to the card at the second section;

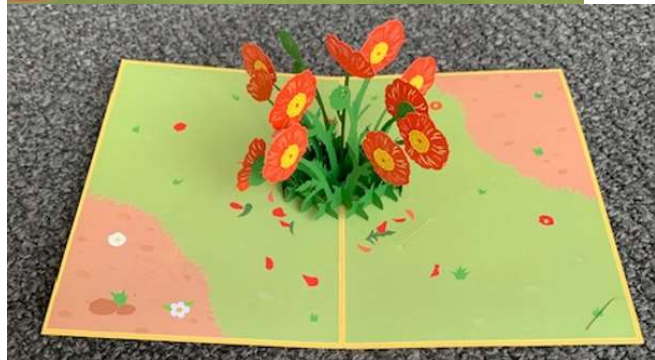


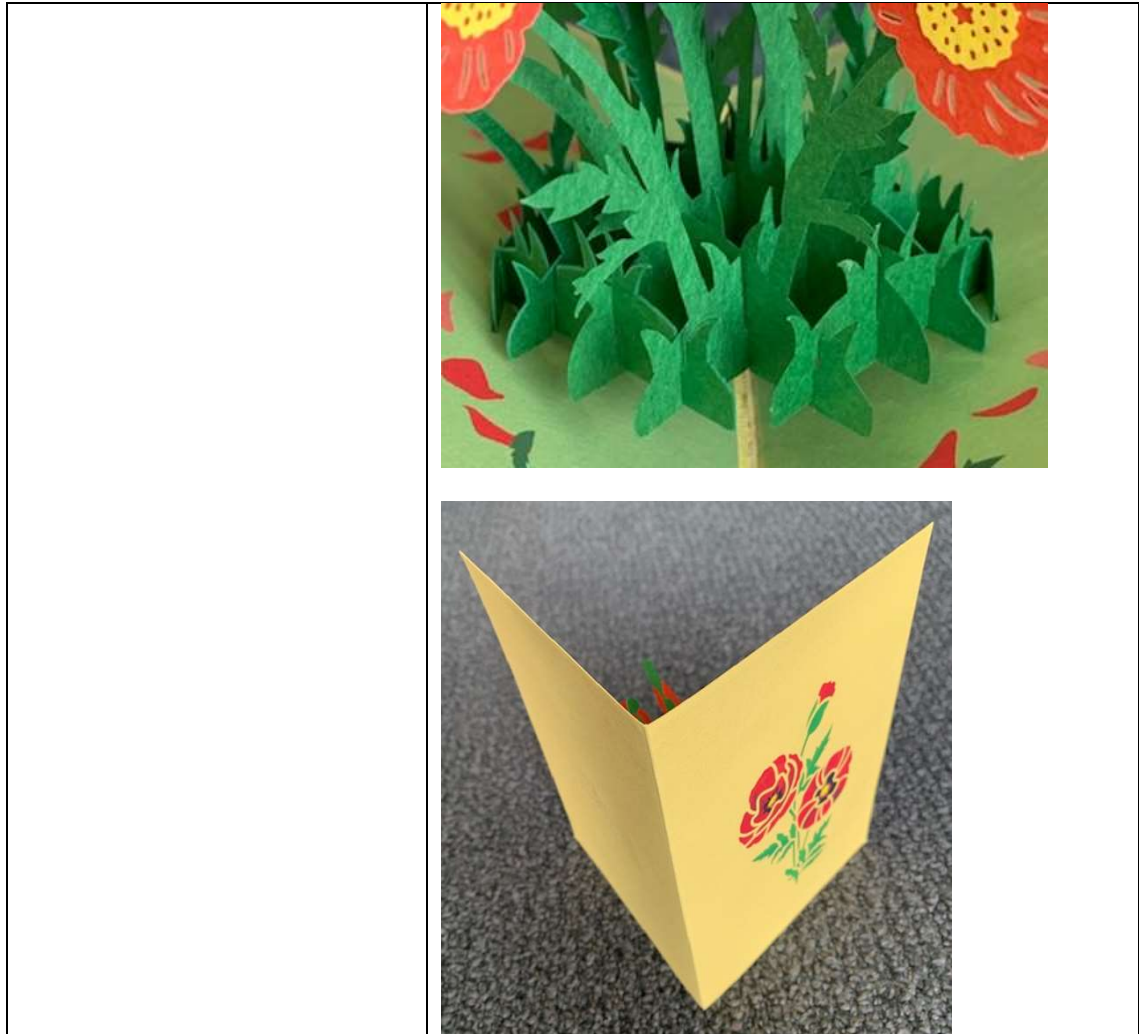


a third tab of the second set of slice-form elements securing the self-erecting pop-up display structure to the card at the first section; and



a fourth tab of the second set of slice-form elements securing the self-erecting pop-up display structure to the card at the second section, the self-erecting pop-up display structure being in a collapsed state when the card is in a folded position and in an erected state when the card is in an opened position.





77. Figure 3C of the '021 Patent is depicted on the left and an example of an Accused Product is depicted on the right.

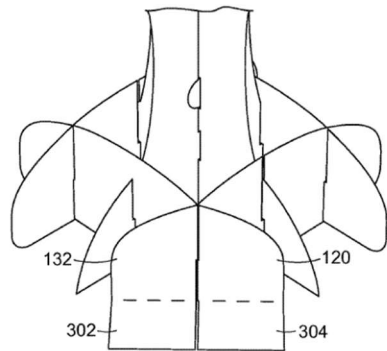
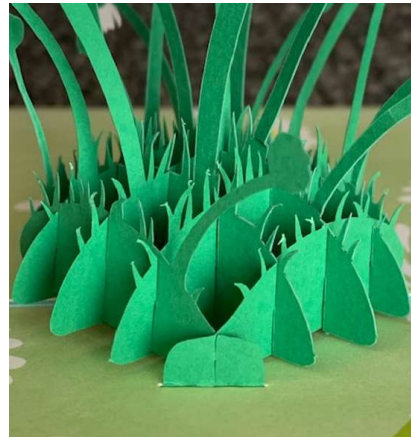


FIG. 3C



78. Other cards that infringe the '021 Patent include, but are not limited to, the following:

- **Floral Love Heart Pop Up Card:** <https://paperlove.cards/products/floral-heart-love-valentines-day-pop-up-card>
- **Classic Truck Pop Up Card:** [https://paperlove.cards/products/truck-pop-up-card?\\_pos=1&\\_psq=classic+&\\_ss=e&\\_v=1.0&variant=32168090665049](https://paperlove.cards/products/truck-pop-up-card?_pos=1&_psq=classic+&_ss=e&_v=1.0&variant=32168090665049)
- **#1 Dad Trophy Pop Up Card:** [https://paperlove.cards/products/1-dad-trophy-pop-up-fathers-day-card?\\_pos=5&\\_sid=d8cf0291d&\\_ss=r&variant=39823855222973](https://paperlove.cards/products/1-dad-trophy-pop-up-fathers-day-card?_pos=5&_sid=d8cf0291d&_ss=r&variant=39823855222973)
- **Floral Flamingo Pop Up Card:** <https://paperlove.cards/collections/all-cards/products/floral-flamingo-frndly-by-paper-love-pop-up-card-100-recycled-and-eco-friendly>
- **Poinsettia Pop Up Christmas Card:** <https://paperlove.cards/products/poinsettia-pop-up-christmas-card>
- **Wisteria Frndly Pop Up Card:** [paperlove.cards/collections/all-cards/products/frndly-3d-wisteria-valentines-pop-up-card-100-recycled-and-eco-friendly-8-x-6-cover-with-note-tag](https://paperlove.cards/collections/all-cards/products/frndly-3d-wisteria-valentines-pop-up-card-100-recycled-and-eco-friendly-8-x-6-cover-with-note-tag)
- **Loads of Love Oversized Pop Up Card with Keepsake:** <https://paperlove.cards/collections/all-cards/products/loads-of-love-with-detachable-popup-keepsake-oversized-10-x-7-cover-includes-envelope-and-note-card>
- **Heart Tree Pop Up Card:** <https://paperlove.cards/collections/all-cards/products/heart-tree-with-detachable-popup-keepsake-oversized-10x7-cover-includes-envelope-and-note-card>
- **Purrfect Love Frndly Pop Up Card:** <https://paperlove.cards/collections/all-cards/products/purrfect-love>
- **FRNDLY Happy Valentines Day:** <https://paperlove.cards/collections/all-cards/products/frndly-happy-valentines-day>

- Love Birds House Frndly Pop Up Card: <https://paperlove.cards/collections/all-cards/products/love-birds-house>
- Road to Love Pop Up Card: <https://paperlove.cards/collections/all-cards/products/road-to-love-pop-up-card-5-x-7-cover-includes-envelope-and-note-card>
- Birthday Panda: <https://paperlove.cards/collections/all-cards/products/birthday-panda>
- Tropical Birthday Cake Pop Up Card: <https://paperlove.cards/collections/all-cards/products/tropical-birthday-cake>
- Santa's Dwarfs Pop Up Card: <https://paperlove.cards/collections/all-cards/products/santas-dwarfs-pop-up-card>
- Christmas Dog House Pop Up Card: <https://paperlove.cards/collections/all-cards/products/christmas-dog-house-pop-up-card>
- Birthday Party Pop Up Card: <https://paperlove.cards/collections/all-cards/products/birthday-party>
- Christmas Dog Pop Up Card: <https://paperlove.cards/collections/all-cards/products/christmas-dog-pop-up-card>
- Christmas Cat Pop Up Card: <https://paperlove.cards/collections/all-cards/products/christmas-cat-pop-up-card>
- Happy Thanksgiving Frndly Pop Up Card 8x6 Cover: <https://paperlove.cards/collections/all-cards/products/happy-thanksgiving-frndly-pop-up-card-8x6-cover>
- Pumpkin Latte Pop Up Card Frndly 8x6 Cover: <https://paperlove.cards/collections/all-cards/products/pumpkin-latte-pop-up-card-frndly-8x6-cover>
- Fox In Mushroom House 100 Recycled: <https://paperlove.cards/collections/all-cards/products/fox-in-mushroom-house-100-recycled>
- Thinking of You Pop Up Card: <https://paperlove.cards/collections/all-cards/products/thinking-of-you-pop-up-card>
- Thanksgiving Turkey Pop Up Card: <https://paperlove.cards/collections/all-cards/products/thanksgiving-turkey-pop-up-card>
- Christmas Night Frndly Pop Up Card 8x6 Cover: <https://paperlove.cards/collections/all-cards/products/christmas-night-frndly-pop-up-card-8-x-6-cover>
- Merry Christmas Frndly Pop Up Card 8x6 Cover: <https://paperlove.cards/collections/all-cards/products/merry-christmas-frndly-pop-up-card-8x6-cover>
- Cozy Christmas Home Frndly Pop Up Card: <https://paperlove.cards/collections/all-cards/products/cozy-christmas-home-frndly-pop-up-card>
- Hugepop Winter Wonderland Flower Bouquet Pop Up Card: <https://paperlove.cards/collections/all-cards/products/hugepop-winter-wonderland-flower-bouquet-pop-up-card>

- Frndly Pop Up Card Love Tree Handmade Valentines Day Mothers Day 100 Recycled and Eco Friendly 8x6 Cover With Removable Note Tag: <https://paperlove.cards/collections/all-cards/products/frndly-pop-up-card-love-tree-handmade-valentines-day-mothers-day-100-recycled-and-eco-friendly-8-x-6-cover-with-removable-note-tag>
- Father Son Baseball Pop Up Card: <https://paperlove.cards/collections/all-cards/products/father-son-baseball-pop-up-card>
- HugePop Sunflower Pop Up Flower Bouquet With Detachable Flowers: <https://paperlove.cards/collections/hugepop-1/products/hugepop-sunflower-pop-up-flower-bouquet-with-detachable-flowers>
- Happy Birthday Cake Pop Up Card: <https://paperlove.cards/collections/birthday/products/happy-birthday-cake-pop-up-card>
- Truck Pop Up Card: <https://paperlove.cards/collections/birthday/products/truck-pop-up-card>
- Seal Pop Up Card For Mothers Day Fathers Day Congrats Graduation Birthday Just Because Any Occasion: <https://paperlove.cards/collections/birthday/products/seal-pop-up-card-for-mothers-day-fathers-day-congrats-graduation-birthday-just-because-any-occasion>
- Snow Tree Pop Up Card: [https://paperlove.cards/products/snow-tree-pop-up-card?\\_pos=1&\\_sid=8de4ba52c&\\_ss=r&variant=37565936304317](https://paperlove.cards/products/snow-tree-pop-up-card?_pos=1&_sid=8de4ba52c&_ss=r&variant=37565936304317)
- Mimosa Pop Up Card For Any Occasion Thank You Mothers Day Fathers Day Valentines Day Congrats: [https://paperlove.cards/products/mimosa-pop-up-card-for-any-occasion-thank-you-mothers-day-fathers-day-valentines-day-congrats?\\_pos=1&\\_sid=c1d474e5e&\\_ss=r](https://paperlove.cards/products/mimosa-pop-up-card-for-any-occasion-thank-you-mothers-day-fathers-day-valentines-day-congrats?_pos=1&_sid=c1d474e5e&_ss=r)
- Happy Mothers Day Pop Up Card 5x7: <https://paperlove.cards/collections/mothers-day/products/happy-mothers-day-pop-up-card-5-x-7>
- Kangaroo: <https://paperlove.cards/collections/mothers-day/products/kangaroo>
- Holiday Bird Pop Up Christmas Card: [https://paperlove.cards/products/holiday-bird-pop-up-christmas-card?\\_pos=1&\\_sid=ff0a105d4&\\_ss=r](https://paperlove.cards/products/holiday-bird-pop-up-christmas-card?_pos=1&_sid=ff0a105d4&_ss=r)
- Lovely Roses Valentines Day Pop Up Card: [https://paperlove.cards/products/lovely-roses-valentines-day-pop-up-card?\\_pos=21&\\_sid=3373560b9&\\_ss=r](https://paperlove.cards/products/lovely-roses-valentines-day-pop-up-card?_pos=21&_sid=3373560b9&_ss=r)

79. There are no non-infringing uses of the Accused Products.

80. Defendant knows from the filing of this lawsuit about the '021 Patent and its infringement of the same, and that anyone who uses, sells, offers for sale, makes, or imports the Accused Products also infringe the '021 Patent.

81. Defendant also infringes the '021 Patent by inducing others to directly infringe those patents. For example, Defendant actively encourages others to use and sell its Accused Products, which can only be used in an infringing manner by its customers.

82. Defendant's customers directly infringe the '021 Patent, and Defendant knows of the direct infringement, knows that there are no substantial non-infringing uses, and knows its products are especially made to infringe. Therefore, Defendant contributorily infringes the '021 Patent.

83. Lovepop is being irreparably harmed by the Defendant's continued infringement and, unless it and its agents, employees, representatives, affiliates and all others acting in concert with it are enjoined from infringing the '021 Patent, Lovepop will continue to be irreparably harmed.

84. Lovepop has no adequate remedy at law.

85. Lovepop has a substantial likelihood of success on the merits. If an injunction is not granted, it would likely suffer irreparable injury. Lovepop's threatened injury from the continued sale of the Accused Products outweighs any harm to Defendant under an injunction. An injunction would not be adverse to the public interest. Therefore, Lovepop seeks an injunction permanently restraining Defendant and its respective agents, employees, representatives, affiliates and all others acting in concert with it, from making, using, selling, offering for sale, importing, or marketing the Accused Products.

86. The Defendant's continued infringement of the '021 Patent is causing Lovepop injury, and Lovepop is entitled to recover damages in an amount to be proven at trial. Among other remedies, Lovepop is entitled to lost profits or, in the alternative, no less than a reasonable royalty.

87. Defendant's infringement constitutes willful infringement of the '021 Patent, and entitles Lovepop to treble damages and attorneys' fees, costs incurred in this action, and prejudgment interest under 35 U.S.C. §§ 284 and 285.

88. Any future use, sale, offer for sale, importation, or manufacture of infringing Accused Products will demonstrate objectively reckless conduct with respect to Lovepop's patent rights.

**COUNT 3: Infringement of the '254 Patent**

89. Lovepop repeats the allegations in the preceding paragraphs as though fully set forth herein.

90. Lovepop is the rightful owner of the '254 Patent.

91. The '254 Patent is valid and was duly issued by the United States Patent and Trademark Office.

92. By making, using, offering for sale, selling, and/or importing the Accused Products, Defendant has infringed at least claim 1 of the '254 Patent.

93. For example, the following limitations are found in the HugePop Happy Flower Bouquet Pop Up With Detachable Flowers, which constitutes a representative Paper Love card:

1. A pop-up structure comprising:



a foldable base including a top surface;



a bottom surface opposite the top surface;





a crease line defined in the foldable base, the crease line separating a first portion of the foldable base from a second portion of the foldable base, an unfolded position of the foldable base including the first portion and the second portion of the foldable base extending along a plane, a folded position of the foldable base including the first portion of the foldable base extending from the crease line adjacent to and in a same direction as the second portion of the foldable base;



a pop-up display structure comprising a plurality of intersecting slice-form elements; a first portion of the pop-up display structure mounted to the first portion of the foldable base on the top surface;



and a second portion of the pop-up display structure mounted to the second portion of the foldable base on the top surface, the pop-up display structure movable between a flattened state and an erected 3D state, the pop-up display structure being in the flattened state when the foldable base is in the folded position, the pop-up display structure being in the erected 3D state when the foldable base is in the unfolded position



94. Figure 10 of the '254 Patent is depicted on the left and an example of an Accused Product is depicted on the right.

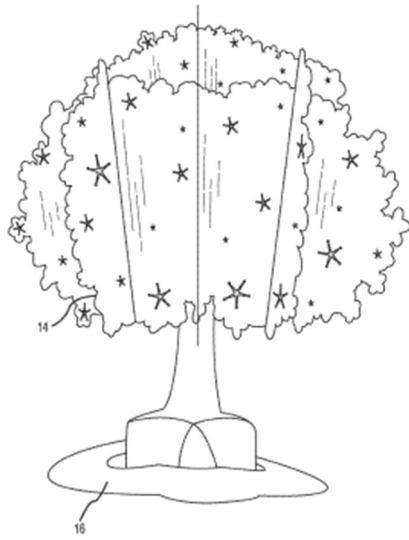


FIG. 10



95. Other cards that infringe the '254 Patent include, but are not limited to, the following:

- **Hugepop Sunflower Pop Up Flower Bouquet With Detachable Flowers:**  
<https://paperlove.cards/collections/hugepop-1/products/hugepop-sunflower-pop-up-flower-bouquet-with-detachable-flowers>
- **Hugepop Pop Up Harvest Bouquet:**  
<https://paperlove.cards/collections/hugepop-1/products/hugepop-pop-up-harvest-bouquet>
- **Hugepop Vibrance Flower Bouquet Pop Up With Detachable Flowers:**  
[https://paperlove.cards/products/hugepop-vibrance-flower-bouquet-pop-up-with-detachable-flowers?\\_pos=2&\\_sid=66d1e63f6&\\_ss=r](https://paperlove.cards/products/hugepop-vibrance-flower-bouquet-pop-up-with-detachable-flowers?_pos=2&_sid=66d1e63f6&_ss=r)
- **Hugepop Happy Flower Bouquet Pop Up With Detachable Flowers:**  
[https://paperlove.cards/products/hugepop-happy-flower-bouquet-pop-up-with-detachable-flowers?\\_pos=3&\\_sid=66d1e63f6&\\_ss=r](https://paperlove.cards/products/hugepop-happy-flower-bouquet-pop-up-with-detachable-flowers?_pos=3&_sid=66d1e63f6&_ss=r)
- **Hugepop Spring Flower Bouquet Pop Up With Detachable Flowers:**  
[https://paperlove.cards/products/hugepop-spring-flower-bouquet-pop-up-with-detachable-flowers?\\_pos=4&\\_sid=66d1e63f6&\\_ss=r](https://paperlove.cards/products/hugepop-spring-flower-bouquet-pop-up-with-detachable-flowers?_pos=4&_sid=66d1e63f6&_ss=r)
- **Hugepop Sunflower Pop Up Flower Bouquet With Detachable Flowers:**  
[https://paperlove.cards/products/hugepop-sunflower-pop-up-flower-bouquet-with-detachable-flowers?\\_pos=5&\\_sid=66d1e63f6&\\_ss=r](https://paperlove.cards/products/hugepop-sunflower-pop-up-flower-bouquet-with-detachable-flowers?_pos=5&_sid=66d1e63f6&_ss=r)
- **Hugepop Magical Flower Bouquet Pop Up Card With Detachable Flowers:**  
[https://paperlove.cards/products/hugepop-magical-flower-bouquet-pop-up-card-with-detachable-flowers?\\_pos=6&\\_sid=66d1e63f6&\\_ss=r](https://paperlove.cards/products/hugepop-magical-flower-bouquet-pop-up-card-with-detachable-flowers?_pos=6&_sid=66d1e63f6&_ss=r)

- **Hugepop Exotica Flower Bouquet Pop Up With Detachable Flowers:**  
<https://paperlove.cards/products/hugepop-exotica-flower-bouquet-pop-up-with-detachable-flowers? pos=7& sid=66d1e63f6& ss=r>
- **Hugepop Pop Up Maple Leaf Bouquet With Detachable Flowers:**  
<https://paperlove.cards/products/hugepop-pop-up-maple-leaf-bouquet-with-detachable-flowers-10x14? pos=8& sid=66d1e63f6& ss=r>
- **Hugepop Cherry Blossom Flower Bouquet Pop Up With Detachable Flowers Jumbo 10x14 Card:** <https://paperlove.cards/products/hugepop-cherry-blossom-flower-bouquet-pop-up-with-detachable-flowers-jumbo-10-x-14-card? pos=9& sid=66d1e63f6& ss=r>
- **Paper Love Hugepop Harmony Pop Up Flower Bouquet With Detachable Flowers Gift For Mothers Day Birthday Valentines Day Thank You Wedding Anniversary All Occasions Just Because Jumbo 10x14 Card:**  
<https://paperlove.cards/products/paper-love-hugepop-harmony-pop-up-flower-bouquet-with-detachable-flowers-gift-for-mothers-day-birthday-valentines-day-thank-you-wedding-anniversary-all-occasions-just-because-jumbo-10-x-14-card? pos=10& sid=66d1e63f6& ss=r>
- **HugePop:**  
<https://paperlove.cards/products/hugepop? pos=11& sid=66d1e63f6& ss=r>
- **DaisyDelight Forever Pop Up Flower Bouquet Card Oversized 10x7 Card:**  
<https://paperlove.cards/products/daisy-delight-forever-pop-up-flower-bouquet-card-oversized-10-x-7-card? pos=12& sid=66d1e63f6& ss=r>
- **Orchid Bouquet Pop Up Card With Detachable Popup Keepsake Oversized 10x7 Cover:** <https://paperlove.cards/products/orchid-bouquet-pop-up-card-with-detachable-popup-keepsake-oversized-10-x-7-cover? pos=13& sid=66d1e63f6& ss=r>
- **Cherry Blossom Tree Pop Up Card With Detachable Popup Keepsake Oversized 10x7 Cover:** <https://paperlove.cards/products/cherry-blossom-tree-pop-up-card-with-detachable-popup-keepsake-oversized-10-x-7-cover? pos=14& sid=66d1e63f6& ss=r>
- **Pups Love Cabin With Detachable Keepsake 5x7 Cover Includes Envelope and Note Card:** <https://paperlove.cards/products/pups-love-cabin-with-detachable-keepsake-5x7-cover-includes-envelope-and-note-card? pos=15& sid=66d1e63f6& ss=r>
- **Lovely Rose Bouquet:** <https://paperlove.cards/products/lovely-rose-bouquet? pos=16& sid=66d1e63f6& ss=r>
- **Roses and Succulent Forever Flowers Keepsake Mothers Day Gift for Mom Wife All Occasion Oversized 10x7 Cards Includes Envelope and Note:**  
<https://paperlove.cards/products/roses-and-succulent-forever-flowers-keepsake-mothers-day-gift-for-mom-wife-all-occasion-oversized-10-x-7-cards-includes-envelope-and-note? pos=17& sid=66d1e63f6& ss=r>
- **Loads of Love With Detachable Popup Keepsake Oversized 10x7 Cover Includes Envelope and Note Card:** <https://paperlove.cards/products/loads->

- [of-love-with-detachable-popup-keepsake-oversized-10-x-7-cover-includes-envelope-and-note-card? pos=18& sid=66d1e63f6& ss=r](https://paperlove.cards/products/cherry-blossom-flower-bouquet-pop-up-card-oversized-10-x-7-card? pos=18& sid=66d1e63f6& ss=r)
- Cherry Blossom Flower Bouquet Pop Up Card Oversized 10x7 Card: <https://paperlove.cards/products/cherry-blossom-flower-bouquet-pop-up-card-oversized-10-x-7-card? pos=19& sid=66d1e63f6& ss=r>
- Wisteria Tree Pop Up Card With Detachable Popup Keepsake Oversized 10x7 Cover Includes Envelope and Note Card: <https://paperlove.cards/products/wisteria-tree-pop-up-card-with-detachable-popup-keepsake-oversized-10-x-7-cover-includes-envelope-and-note-card? pos=20& sid=66d1e63f6& ss=r>
- Tropical Birthday Cake: <https://paperlove.cards/products/tropical-birthday-cake? pos=21& sid=66d1e63f6& ss=r>
- Heart Tree With Detachable Popup Keepsake Oversized 10x7 Cover Includes Envelope and Note Card: <https://paperlove.cards/products/heart-tree-with-detachable-popup-keepsake-oversized-10x7-cover-includes-envelope-and-note-card? pos=22& sid=66d1e63f6& ss=r>
- Elegance Pop Up Flower Bouquet Card Oversized 10x7 Card: <https://paperlove.cards/products/elegance-pop-up-flower-bouquet-card-oversized-10-x-7-card? pos=23& sid=66d1e63f6& ss=r>
- Hugepop Butterfly Pop Up Flower Bouquet: <https://paperlove.cards/products/hugepop-butterfly-pop-up-flower-bouquet? pos=24& sid=66d1e63f6& ss=r>
- Hugepop Blissful Flower Bouquet Pop Up: <https://paperlove.cards/products/hugepop-blissful-flower-bouquet-pop-up? pos=25& sid=66d1e63f6& ss=r>
- Hugepop Winter Wonderland Flower Bouquet Pop Up Card: <https://paperlove.cards/products/hugepop-winter-wonderland-flower-bouquet-pop-up-card? pos=26& sid=66d1e63f6& ss=r>
- Hugepop Christmas Spirit Flower Bouquet Pop Up: <https://paperlove.cards/products/hugepop-christmas-spirit-flower-bouquet-pop-up? pos=27& sid=66d1e63f6& ss=r>
- Hugepop Red Roses Jumbo 10x14 Cover: <https://paperlove.cards/products/hugepop-red-roses-jumbo-10-x-14-cover? pos=28& sid=66d1e63f6& ss=r>
- Hugepop Christmas Joyous Flower Bouquet Pop Up Card: <https://paperlove.cards/products/hugepop-christmas-joyous-flower-bouquet-pop-up-card? pos=29& sid=66d1e63f6& ss=r>
- Tulip Flower Pop Up Jumbo Card With Detachable Bouquet: <https://paperlove.cards/products/tulip-flower-pop-up-jumbo-card-with-detachable-bouquet? pos=30& sid=66d1e63f6& ss=r>

96. There are no non-infringing uses for the Accused Products.

97. Defendant knows from the filing of this lawsuit about the ‘254 Patent and its infringement of the same, and that anyone who uses, sells, offers for sale, makes, or imports the Accused Products also infringe the ‘254 Patent.

98. Defendant also infringes the ‘254 Patent by inducing others to directly infringe those patents. For example, Defendant actively encourages others to use and sell its Accused Products, which can only be used in an infringing manner by its customers.

99. Defendant’s customers directly infringe the ‘254 Patent, and Defendant knows of the direct infringement, knows that there are no substantial non-infringing uses, and knows its products are especially made to infringe. Therefore, Defendant contributorily infringes the ‘254 Patent.

100. Lovepop is being irreparably harmed by the Defendant’s continued infringement and, unless it and its agents, employees, representatives, affiliates and all others acting in concert with it are enjoined from infringing the ‘254 Patent, Lovepop will continue to be irreparably harmed.

101. Lovepop has no adequate remedy at law.

102. Lovepop has a substantial likelihood of success on the merits. If an injunction is not granted, it would likely suffer irreparable injury. Lovepop’s threatened injury from the continued sale of the Accused Products outweighs any harm to Defendant under an injunction. An injunction would not be adverse to the public interest. Therefore, Lovepop seeks an injunction permanently restraining Defendant and its respective agents, employees, representatives, affiliates and all others acting in concert with it, from making, using, selling, offering for sale, importing, or marketing the Accused Products.

103. The Defendant's continued infringement of the '254 Patent is causing Lovepop injury, and Lovepop is entitled to recover damages in an amount to be proven at trial. Among other remedies, Lovepop is entitled to lost profits or, in the alternative, no less than a reasonable royalty.

104. Defendant's infringement constitutes willful infringement of the '254 Patent, and entitles Lovepop to treble damages and attorneys' fees, costs incurred in this action, and prejudgment interest under 35 U.S.C. §§ 284 and 285.

105. Any future use, sale, offer for sale, importation, or manufacture of infringing Accused Products will demonstrate objectively reckless conduct with respect to Lovepop's patent rights.

**COUNT 4: Infringement of the '448 Patent**

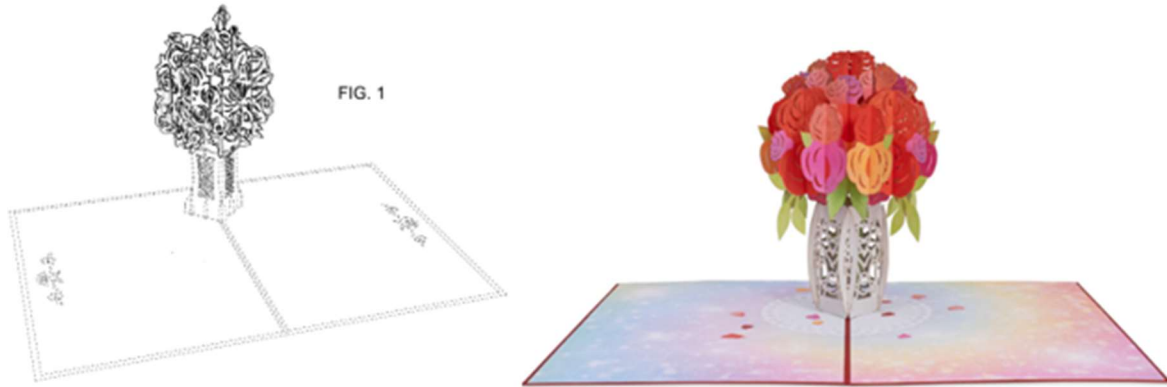
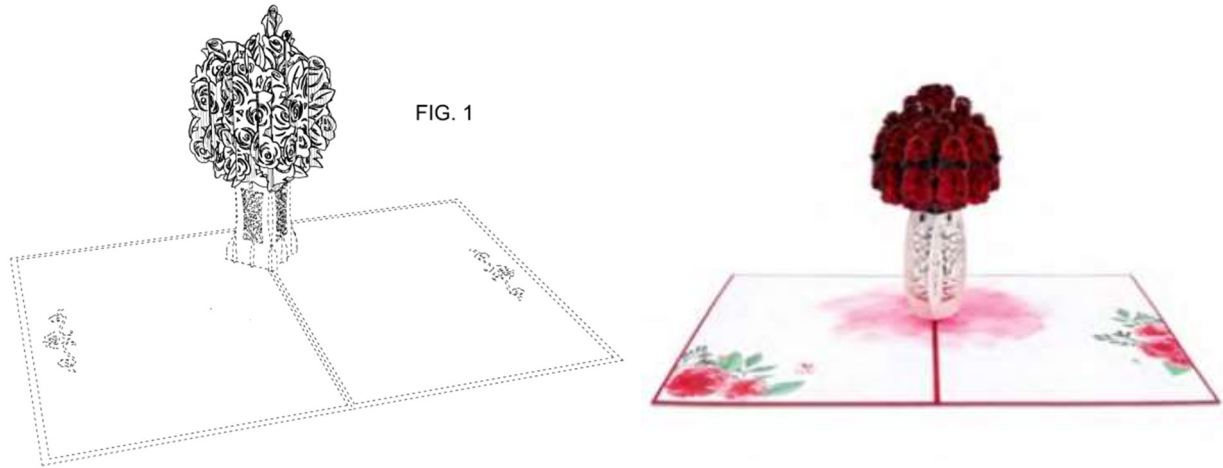
106. Lovepop repeats the allegations in the preceding paragraphs as though fully set forth herein.

107. Lovepop is the rightful owner of the '448 Patent.

108. The '448 Patent is valid and was duly issued by the United States Patent and Trademark Office.

109. By making, using, offering for sale, selling, and/or importing the Accused Products depicted below ("Infringing Designs"), Defendant has infringed the '448 Patent.

110. Additionally, the Accused Products below incorporate all of the features of the claimed design of the '448 Patent. Lovepop's claimed design of the '448 Patent is depicted on the left below, and the Defendant's Infringing Designs are depicted on the right.



111. The Infringing Designs are remarkably similar to the design of the Lovepop card, which is protected by the '448 Patent. *See* Lovepop card on the left, Infringing Designs on the right.





112. Lovepop is being irreparably harmed by the Defendant's continued infringement and, unless it and its agents, employees, representatives, affiliates and all others acting in concert with it are enjoined from infringing the '448 Patent, Lovepop will continue to be irreparably harmed.

113. There are no non-infringing uses for the Infringing Designs.

114. Defendant knows from its correspondence with counsel for Lovepop about the '448 Patent and its infringement of the same, and that anyone who uses, sells, offers for sale, makes, or imports the Infringing Designs also infringe the '448 Patent.

115. Defendant also infringes the '448 Patent by inducing others to directly infringe those patents. For example, Defendant actively encourages others to use and sell the Infringing Designs, which can only be used in an infringing manner by its customers.

116. Defendant's customers directly infringe the '448 Patent, and Defendant knows of the direct infringement, knows that there are no substantial non-infringing uses, and knows its products are especially made to infringe. Therefore, Defendant contributorily infringes the '448 Patent.

117. Lovepop has no adequate remedy at law.

118. Lovepop has a substantial likelihood of success on the merits. If an injunction is not granted, it would likely suffer irreparable injury. Lovepop's threatened injury from the continued sale of the Infringing Designs outweighs any harm to Defendant under an injunction. An injunction would not be adverse to the public interest. Therefore, Lovepop seeks an injunction permanently restraining Defendant and its respective agents, employees, representatives, affiliates

and all others acting in concert with it, from making, using, selling, offering for sale, importing, or marketing the Infringing Designs.

119. The Defendant's continued infringement of the '448 Patent is causing Lovepop injury, and Lovepop is entitled to recover damages in an amount to be proven at trial. Among other remedies, Lovepop is entitled to lost profits.

120. Defendant's infringement constitutes willful infringement of the '448 Patent, and entitles Lovepop to treble damages and attorneys' fees, costs incurred in this action, and prejudgment interest under 35 U.S.C. §§ 284 and 285.

121. Any future use, sale, offer for sale, importation, or manufacture of infringing the above-referenced Accused Products will demonstrate objectively reckless conduct with respect to Lovepop's patent rights.

**COUNT 5: Copyright Infringement**

122. Lovepop repeats the allegations in the preceding paragraphs as though fully set forth herein.

123. Lovepop is, and at all relevant times has been, the owner of the Santa Train Copyright and is entitled to bring an action for copyright infringement pursuant to 17 U.S.C. § 101 et. seq.

124. Lovepop is entitled to the exclusive rights granted by the Copyright Act, 17 U.S.C. § 106 for the Santa Train Copyright.

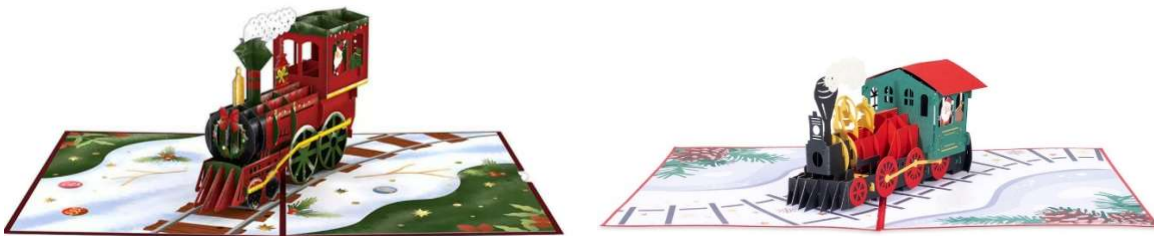
125. Defendant has willfully infringed the Santa Train Copyright by copying, creating derivative works therefrom, manufacturing, and selling copies and derivative works which were

unlawfully copied from the Lovepop Cards, and were sold and are being sold without the authority, permission, or consent of Lovepop.

126. Defendant infringes the Santa Train Copyright by copying that copyrighted design and by making, reproducing, and selling the following design entitled Christmas Train Pop Up card, which constitutes a copy of the copyright design:



127. A side-by-side comparison of the Santa Train Copyright and the Defendant's infringing card are shown with the copyrighted popup greeting card depicted on the left and the Accused Product on the right.



128. Lovepop is, and at all relevant times has been, the owner of the Rose Bouquet Copyright and is entitled to bring an action for copyright infringement pursuant to 17 U.S.C. § 101 et. seq.

129. Lovepop is entitled to the exclusive rights granted by the Copyright Act, 17 U.S.C. § 106 for the Rose Bouquet Copyright.

130. Defendant has willfully infringed the Rose Bouquet Copyright by copying, creating derivative works therefrom, manufacturing, and selling copies and derivative works which were unlawfully copied from the Lovepop Cards, and were sold and are being sold without the authority, permission, or consent of Lovepop.

131. Defendant infringes the Rose Bouquet Copyright by copying that copyrighted design and by making, reproducing, and selling the following design entitled Love Rose Bouquet Up card, which constitutes a copy of the copyright design:



132. A side-by-side comparison of the Rose Bouquet Copyright and the Defendant's infringing card are shown with the copyrighted popup greeting card depicted on the left and the Accused Product on the right.



133. Lovepop is, and at all relevant times has been, the owner of the Lily Bloom Copyright and is entitled to bring an action for copyright infringement pursuant to 17 U.S.C. § 101 et. seq.

134. Lovepop is entitled to the exclusive rights granted by the Copyright Act, 17 U.S.C. § 106 for the Lily Bloom Copyright.

135. Defendant has willfully infringed the Lily Bloom Copyright by copying, creating derivative works therefrom, manufacturing, and selling copies and derivative works which were unlawfully copied from the Lovepop Cards, and were sold and are being sold without the authority, permission, or consent of Lovepop.

136. Defendant infringes the Lily Bloom Copyright by copying that copyrighted design and by making, reproducing, and selling the following design entitled Lilies Pop Up card, which constitutes a copy of the copyright design:



137. A side-by-side comparison of the Lily Bloom Copyright and the Defendant's infringing card are shown with the copyrighted popup greeting card depicted on the left and the Accused Product on the right.



138. As a result of Defendant's infringement of the Lovepop Copyrights, Lovepop has suffered and will continue to suffer substantial damages, and Defendant has caused and will continue to cause Lovepop to suffer irreparable harm for which there is no adequate remedy at law.

**COUNT 6: Trademark Infringement**

139. Lovepop repeats the allegations in the preceding paragraphs as though fully set forth herein.

140. Defendant's unauthorized use of the Infringing Mark, which is confusingly similar to the LOVEPOP Marks, is likely to cause confusion, deception, and mistake by creating the false and misleading impression that Defendant's goods and services are offered by Lovepop or are otherwise associated or connected with Lovepop.

141. An example of Defendant's use of the Infringing Marks on a card is depicted below, with the Accused Product on the left and the genuine LOVEPOP Marks on a Lovepop card on the right:



142. Customers are likely to be misled into believing that Defendant is providing goods and services that are provided by or otherwise associated with Lovepop.

143. As such, Lovepop is informed, believes, and thereupon alleges that Defendant intentionally, knowingly, and in bad faith, used a confusingly similar mark.

144. Lovepop is the sole owner of all right, title, and interest in and to the LOVEPOP Marks and therefore has standing to initiate and maintain an action for trademark infringement pursuant to 15 U.S.C. § 1114(1)(a).

145. As a result of Defendant's infringement, Lovepop has suffered and will continue to suffer substantial damages, and Defendant has caused and will continue to cause Lovepop to suffer irreparable harm for which there is no adequate remedy at law.

146. Defendant had either actual notice or constructive notice of the LOVEPOP Marks pursuant to 15 U.S.C. § 1072 prior to the adoption, use, and sale of the infringing goods.

147. The similarity in the overall commercial impression between the LOVEPOP Marks and Defendant's adopted branding and Infringing Mark is unmistakable.

148. The goods offered by Defendant are covered by the LOVEPOP Marks and are advertised to the same consumers in the same channels of trade.

149. Lovepop has suffered and continues to suffer damages as a result of Defendant's actions, in an amount to be proven at trial.

**Prayer for Relief**

WHEREFORE, Lovepop requests that this Court enter judgment in its favor and against the Defendant on all claims as follows:

- A. Finding, declaring and adjudging that the Defendant has infringed the '033 Patent;
- B. Finding, declaring and adjudging that the Defendant has infringed the '021 Patent;
- C. Finding, declaring and adjudging that the Defendant has infringed the '254 Patent;
- D. Finding, declaring and adjudging that the Defendant has infringed the '448 Patent;



E. Finding, declaring, and adjudging that the Defendant has infringed the Lovepop Copyrights;

F. Finding, declaring, and adjudging that the Defendant has infringed the LOVEPOP Marks;

G. Awarding Lovepop damages against Defendant in an amount adequate to compensate Lovepop for the patent infringement that has occurred, but in no event less than a reasonable royalty as permitted by 35 U.S.C. §§ 284 and 289;

H. Awarding Lovepop damages in an amount adequate to compensate Lovepop for the copyright infringement that has occurred;

I. Awarding Lovepop damages in an amount adequate to compensate Lovepop for the trademark infringement that has occurred;

J. Enjoining Defendant, and its officers, directors, members, managers, agents, employees, shareholders and/or affiliates, and all others acting in concert with Defendant, from any further making, using, selling, offering for sale, importing, or marketing the Accused Products or any other product that infringes the '033 Patent, the '021 Patent, the '254 Patent, the '448 Patent, the Lovepop Copyrights, or the LOVEPOP Marks;

K. Finding the Defendant's infringement to be willful and awarding Lovepop three times the amount of the Defendant's actual damages pursuant to 35 U.S.C. § 284 and 15 U.S.C. § 1117, and awarding any enhanced or heightened damages;

L. Awarding Lovepop its attorneys' fees and costs;

M. Awarding Lovepop pre-judgment interest and post-judgment interest as allowed by law; and

N. Granting such other and further relief as this Court may deem just and proper.

**JURY DEMAND**

Lovepop demands a trial by jury on all claims and issues so triable.

Dated: April 30, 2024

*/s/ John C. Cleary*

John C. Cleary

Michael P. Dulin (*pro hac incoming*)

Clement A. Asante (*pro hac incoming*)

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