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5 *Attorney for Plaintiff*

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8 **UNITED STATES DISTRICT COURT**
9 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**

10 Guangzhou Nuolin Electronic
11 Technology Co., Ltd. d/b/a Norline,

12 *Plaintiff,*

13 v.

14 Laltitude LLC d/b/a PicassoTiles,
Howard Wang

15 *Defendants.*

Case No. 24-cv-3539

**COMPLAINT FOR
DECLARATORY JUDGMENT**

DEMAND FOR JURY TRIAL

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17 Plaintiff Guangzhou Nuolin Electronic Technology Co., Ltd. d/b/a Norline
18 (“Plaintiff” or “Norline”) hereby brings this Complaint for Declaratory Judgment
19 against Defendants Laltitude LLC d/b/a PicassoTiles (“Laltitude”) and Howard
20 Wang (collectively, “Defendants”). Upon actual knowledge with respect to itself and
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1 its acts, and upon information and belief as to all other matters, Plaintiff alleges as
2 follows:

3 **THE PARTIES**

4 1. Plaintiff is a company organized and existing under the laws of China with
5 its principal place of business at No. 106, Fengze East Road (Self-compiled Building
6 1) X1301-G025619, Guangzhou, Guangdong Province, P. R. China.

7 2. On information and belief, Defendant Laltitude is a California Limited
8 Liability company having a place of business at 17128 Colima Rd Ste # 209
9 Hacienda Height, CA, 91745.

10 3. On information and belief, Defendant Howard Wang is an individual who
11 resides in Hacienda Height, CA, and his mailing address is 17128 Colima Rd Ste #
12 209 Hacienda Height, CA, 91745.

13 4. On information and belief, Defendant Laltitude distributes and sells
14 magnetic tiles blocks building set toys for kids, including through Amazon.com.

15 **JURISDICTION AND VENUE**

16 5. This Court has subject matter jurisdiction under 28 U.S.C. §§ 2201, 2202,
17 1331, 1338 (a), because this action arises under the laws of the United States, in
18 particular the Patent Act of the United States, 35 U.S.C. § 100 *et seq.*

19 6. Plaintiff seeks relief under the Federal Declaratory Judgment Act. Plaintiff
20 has standing because Defendant Laltitude filed in the past claims of patent
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1 infringement to Amazon, which resulted in the removal of Plaintiff's Amazon
2 product listings. *See Exhibit A.* Product delisting from Amazon has stopped
3 Plaintiff's product sales on Amazon and caused significant financial loss.
4 Defendants' actions thereby give rise to an actual controversy under 28 U.S.C. §§
5 2201 *et. seq.*

6 7. This Court has personal jurisdiction over Defendant Laltitude because it is
7 incorporated in California, has a principal place of business in California, and
8 maintains substantial and continuous business operations in California.

9 8. This Court has personal jurisdiction over Defendant Howard Wang because
10 he is an individual who resides in Hacienda Height, CA.

11 9. Venue is proper in this district pursuant to at least 28 U.S.C. § 1391,
12 because a substantial part of the events giving rise to the claim occurred in this
13 District. At issue in this action is whether Plaintiff commits acts of infringement in
14 the United States and whether products made, sold, offered for sale, used and/or
15 imported into the United Sates by Plaintiff infringe U.S. Patent No. D929,505 S.
16 Defendant Laltitude has its principal place of business in this District, Defendant
17 Howard Wang is an individual who resides in this District, and the allegedly
18 infringing activities have occurred in this District.

1 NATURE OF THE CASE

2 10. This court has original jurisdiction over the subject matter of this action
3 pursuant to the Patent Act, 35 U.S.C. §§ 101, 102, 103 *et seq.*, pursuant to 28
4 U.S.C. §§ 1331, 1332(a) and (c), 1338(a), and pursuant to the Declaratory Judgment
5 Act, 28 U.S.C. §§ 2201 and 2202.

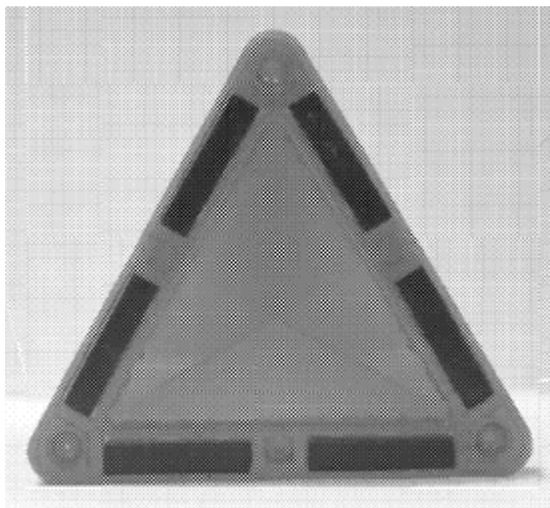
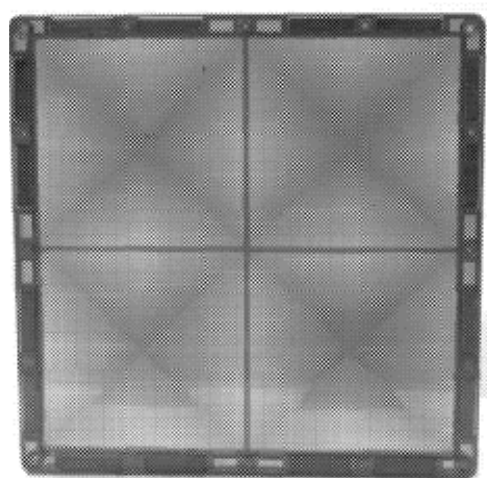
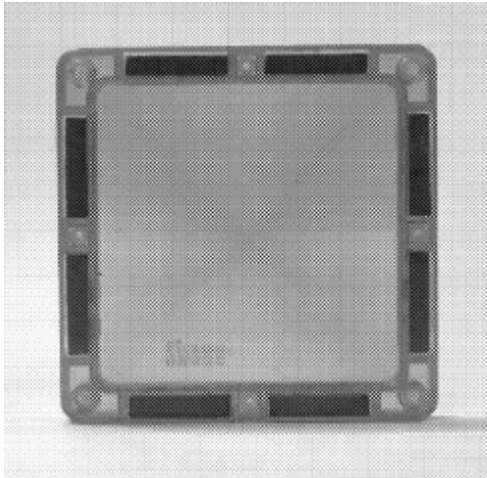
6 11. This is an action under the Declaratory Judgment Act, 28 U.S.C. §§ 2201
7 and 2202, seeking a declaratory judgment that Plaintiff has not infringed any alleged
8 Patent of Defendants (including any of Defendants’ predecessors and/or successors
9 in interest), directly, contributorily, or vicariously.

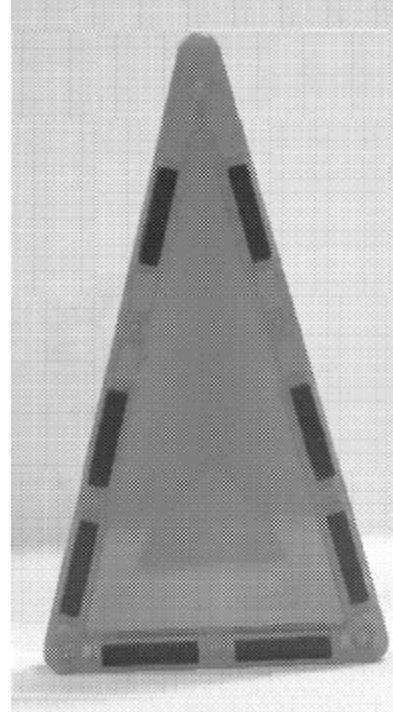
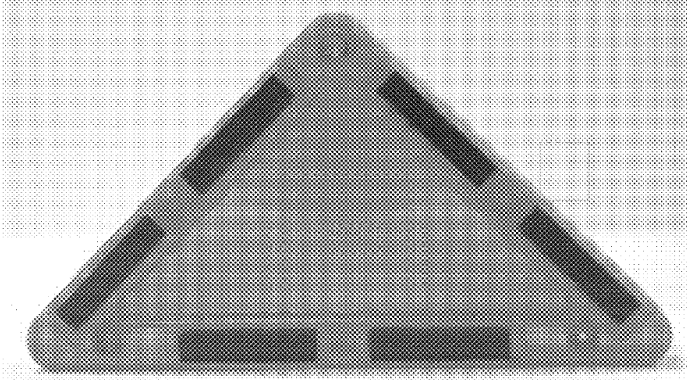
10 12. This is an action for declaratory judgment that certain United States
11 patents are unenforceable and invalid pursuant to the Declaratory Judgment Act, 28
12 U.S.C. §§ 2201-02, and the Patent Laws of the United States, 35 U.S.C. § 100 *et seq.*,
13 and for such other relief as the Court deems just and proper. A true and correct copy
14 of the ’505 Patent is attached as **Exhibit B**.

15 13. This action arises from Defendants’ filing of fraudulent Patent
16 infringement complaint to Amazon (the “Accused Products”), causing Amazon to
17 de-list Plaintiff’s top selling products from the market, which could lead to the total
18 annihilation of Plaintiff’s business.

19 14. Defendant Howard Wang applied for a Design Patent Registration of the
20 ornamental design for a toy brick set on June 17, 2019 (Appl. No.: 29/695,193).

1 Defendant's patent application was granted on August 31, 2021 (Patent No.
2 D929,505 S). The main parts of the 35 Drawing Sheets of the '505 Design patent
3 can be seen below.





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15. However, the '505 Patent was already patented, in public use, on sale or otherwise available to the public before the '505 Patent's filing date.

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COUNT I
(Declaratory Judgment of Non-Infringement)

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16. Plaintiff repeats and realleges the allegations of Paragraphs 1–17 as if fully set forth herein.

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17. Upon information and belief, Defendant Howard Wang is the inventor of the '505 Patent.

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18. Upon information and belief, Defendant Howard Wang assigned and transferred the '505 Patent to Defendant Laltitude on January 10, 2022.

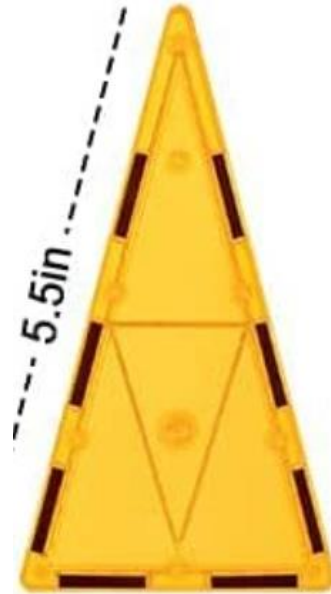
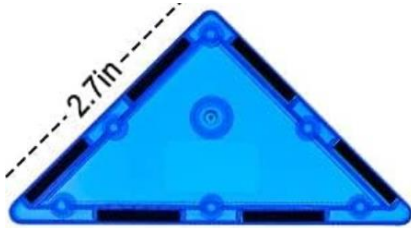
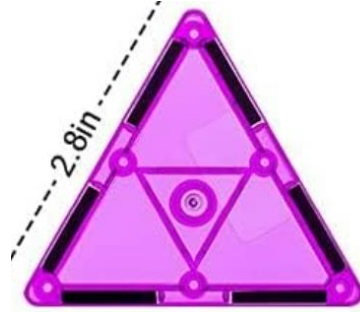
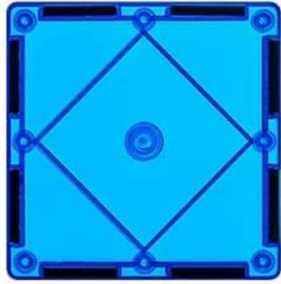
1 19. As described previously, Defendants allege that the Accused Products and
2 the manufacture, sale, offer for sale, use and/or importation into the United States of
3 the Accused Products directly or indirectly infringe the '505 Patent.

4 20. There is an actual, substantial, continuing, and justiciable controversy
5 between Plaintiff and Defendants regarding whether the Accused Products and
6 Plaintiff infringe, directly or indirectly, literally or under the doctrine of equivalents,
7 any claim of the '505 Patent.

8 21. The Accused Products do not directly or indirectly infringe any claim of
9 the '505 Patent and Plaintiff, through its making, using, selling, offering to sell,
10 and/or importing the Accused Products into the United States, does not infringe and
11 has not infringed, directly or indirectly, any claim of the '505 Patent.

12 22. The Accused Products and the '505 Patent exhibit notable differences. For
13 instance, the Accused Products, associated with ASIN B087FBDL6P as shown
14 below, incorporates geometric shape blocks featuring a central point or embedded
15 shape. Specifically, the square block contains a smaller square shape embedded at
16 its center; the equilateral triangle block features a triangular shape embedded in its
17 middle; and the isosceles triangle block similarly contains a triangular shape
18 embedded at its center.

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23. Accordingly, Plaintiff is entitled to a declaratory judgment that the Accused Products and Plaintiff do not infringe, directly or indirectly, literally or under the doctrine of equivalents, any claim of the '505 Patent.

COUNT II
(Declaratory Judgment of Invalidity of the U.S. Patent D929,505 S)

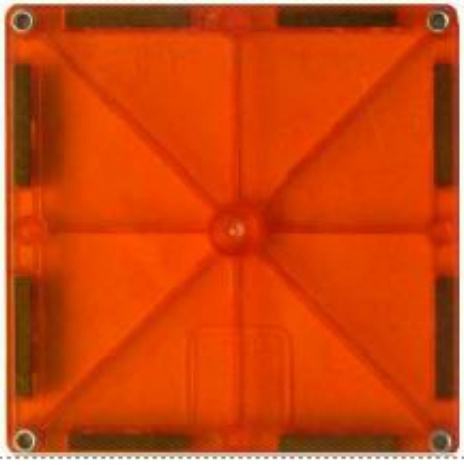
24. Plaintiff repeats and realleges the allegations of Paragraphs 1–23 as if fully set forth herein.

1 25. This claim arises under the patent laws of the United States, Title 35
 2 United States Code, and the Federal Declaratory Judgment Act, 28 U.S.C. § 2201,
 3 *et seq.*

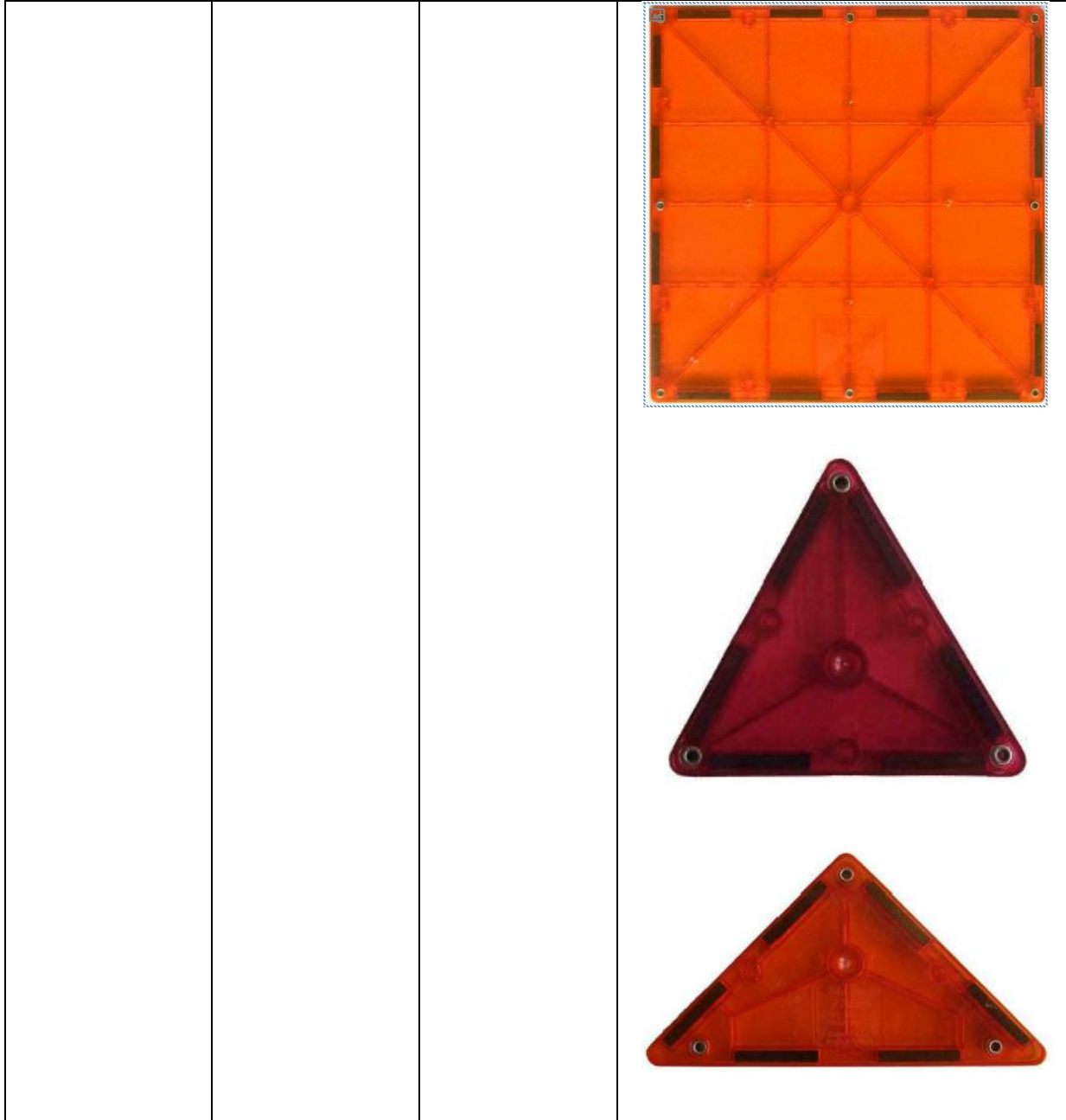
4 26. There exists an actual and justiciable controversy between Plaintiff and
 5 Defendants with respect to the alleged validity of the '505 Patent due to the assertion
 6 of the '505 Patent against the Accused Products.

7 27. The '505 Patent is invalid for failing to meet one or more of the requisite
 8 statutory and decisional requirements and/or conditions for patentability under Title
 9 35 of the United States Code, including without limitation, §§ 101, 102, 103, and
 10 112.



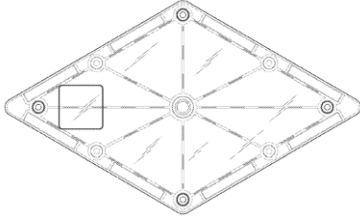
11 28. For invalidating the '505 Patent, the following prior arts have been located
 12 by the Plaintiff.

Patent No.	Title	Publication Date	Pictures
CN 303050982 S	Magnetic building blocks toy (Splicing Joy Transparent Set)	December 24, 2014	

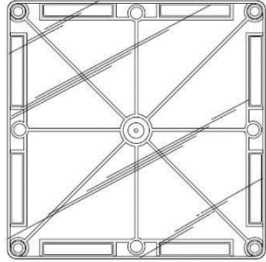
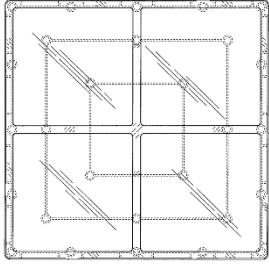
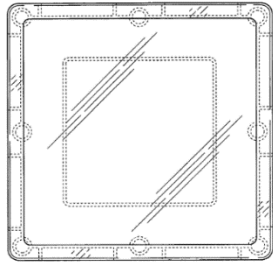
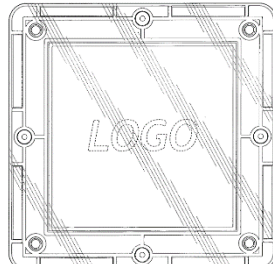
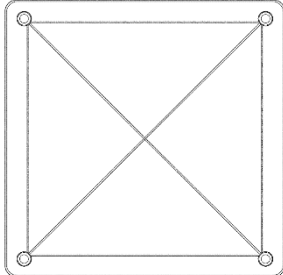
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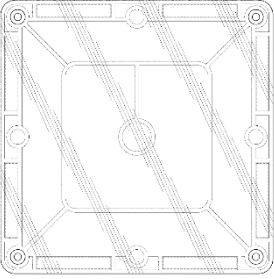
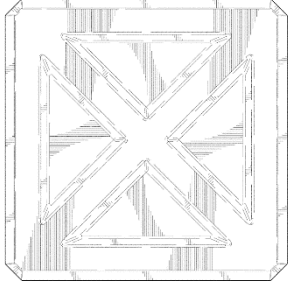
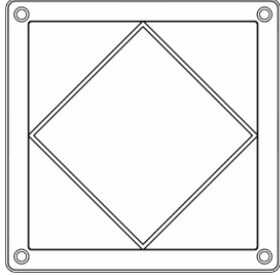
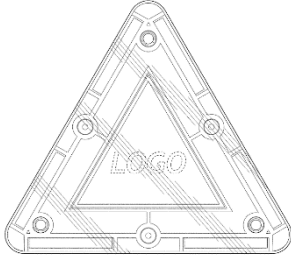
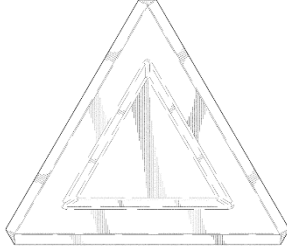
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<p>CN304822065S</p>	<p>Magnetic construction piece shape combination</p>	<p>September 18, 2018</p>	
<p>USD773562S1</p>	<p>An Assembling Game Plate</p>	<p>December 06, 2016</p>	

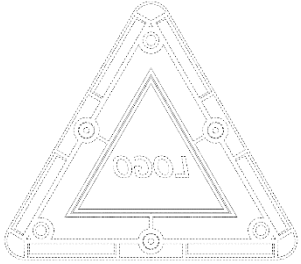
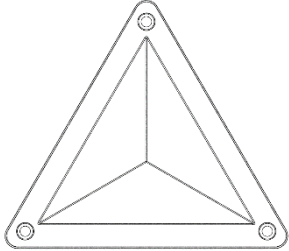
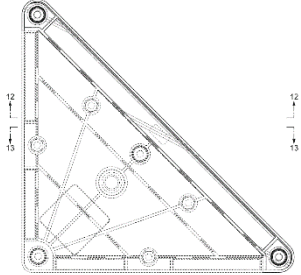
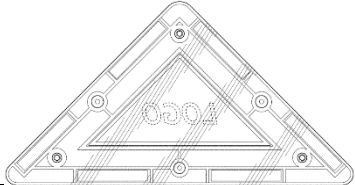
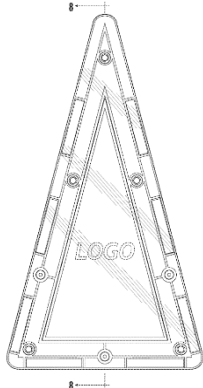
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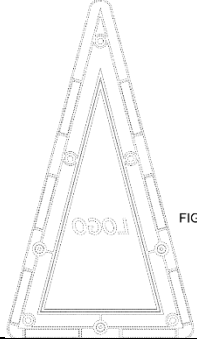
<p>EU0025826680 002S</p>	<p>Construction sets for children</p>	<p>November 25, 2014</p>	
<p>USD784938S1</p>	<p>Magnetic brick</p>	<p>April 25, 2017</p>	
<p>USD789312S1</p>	<p>Single magnetic brick</p>	<p>June 13, 2017</p>	
<p>USD771752S1</p>	<p>Magnetic toy</p>	<p>November 15, 2016</p>	
<p>USD922501S1</p>	<p>Magnetic block toy</p>	<p>June 15, 2021</p>	

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USD965689S1	Magnetic toy	October 04, 2022	
USD827720S1	Rectangular tile magnetic toy	September 04, 2018	
CN304477498S	Magnetic construction piece shape combination	January 26, 2018	
USD813955S1	Magnetic toy	March 27, 2018	
USD827721S1	Triangular tile magnetic toy	September 04, 2018	

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USD894289S1	Magnetic toy	August 25, 2020	
USD922495S1	Magnetic block toy	June 15, 2021	
USD894284S1	Assembling game plate	August 25, 2020	
USD829825S1	Magnetic toy	October 02, 2018	
USD823946S1	Magnetic toy	July 24, 2018	

USD893635S1	Magnetic toy	August 18, 2020	
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29. For instance, the '505 Patent is invalid for lack of novelty under 35 U.S.C. § 102 because the prior art discussed above discloses the limitations of the claims of the '505 patent as asserted by Defendants.

30. As another example, the '505 patent is invalid as obvious under 35 U.S.C. § 103 because the claims of the '505 patent, as asserted by Defendants, would have been obvious to one of ordinary skill in the art in view of the above discussed prior art, either alone or in combination with other prior art.

31. To resolve the legal and factual questions raised by Defendants and to afford relief from the uncertainty and controversy that Defendants' allegations have created, Plaintiff is entitled to a declaratory judgment that the '505 Patent is invalid.

RESERVATION OF RIGHTS

32. Plaintiff hereby reserves its rights to supplement with additional claims or defenses as discovery proceeds in this matter.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff demands judgment as follows:

- 1 A. For judgment in favor of Plaintiff against Defendants;
- 2 B. Entry of judgment declaring that Plaintiff has not infringed the '505 Patent;
- 3 C. Entry of judgment declaring that the '505 Patent is invalid;
- 4 D. A declaration that this case is exceptional and that Defendants be ordered
- 5 to pay Plaintiff its reasonable attorneys' fees and costs, pursuant to 35
- 6 U.S.C. § 285; and
- 7 E. Granting such other and further relief as the Court deems just and proper.

8 **DEMAND FOR JURY TRIAL**

9 The Plaintiff hereby requests a jury trial for all issues triable by jury.

10 Respectfully submitted,
11 Glacier Law LLP

11 Date: April 30, 2024

12 By: /s/ Tianyu Ju

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18 Telephone: 312.448.7772

19 *Attorney for Plaintiff*