

COZEN O'CONNOR  
601 S. FIGUEROA STREET, SUITE 3700  
LOS ANGELES, CA 90017

1 Nathan Dooley (CA Bar No. 224331)  
COZEN O'CONNOR  
2 601 S. Figueroa Street, Suite 3700  
Los Angeles, California 90017  
3 Tel: 213-892-7933  
Fax: 213-892-7999  
4 Email: ndooley@cozen.com

5 Barry P. Golob (*Pro Hac Vice* forthcoming)  
COZEN O'CONNOR  
6 1200 Nineteenth Street, N.W.  
Washington, D.C. 20036  
7 Tel: (202) 912-4800  
Email: bgolob@cozen.com

8 and

9 James A. Gale (*Pro Hac Vice* forthcoming)  
10 David M. Stahl (*Pro Hac Vice* forthcoming)  
COZEN O'CONNOR  
11 Southeast Financial Center  
200 South Biscayne Blvd, Suite 3000  
12 Miami, FL 33131  
Tel: (305) 704-5940  
13 Email: jgale@cozen.com  
Email: dstahl@cozen.com

14 Attorneys for Plaintiff  
15 *Group III International, Inc.*

16 UNITED STATES DISTRICT COURT  
17 CENTRAL DISTRICT OF CALIFORNIA

18 GROUP III INTERNATIONAL, INC.,  
19 Plaintiff,  
20 v.  
21 TRAVELERS CLUB LUGGAGE,  
22 INC.,  
23 Defendant.

Case No.

**COMPLAINT FOR PATENT  
INFRINGEMENT**

**DEMAND FOR JURY TRIAL**

1 Plaintiff Group III International, Inc. (“Group III”), by and through its  
2 undersigned counsel, brings this action for patent infringement against Defendant  
3 Travelers Club Luggage, Inc. (“TCL”) (“Defendant”) and alleges as follows:

4 **NATURE OF ACTION**

5 1. This is a civil action for patent infringement of U.S. Patent No.  
6 9,241,554 (“the ’554 patent”), arising under the United States patent laws, Title 35,  
7 United States Code §§ 1, *et seq.*

8 2. Defendant’s products, including but not limited to, the Wrangler El  
9 Dorado Smart Luggage set with the 3-in-1 Cup holder, the Wrangler 20” Astral Smart  
10 Hardside Carry-On Luggage, the Wrangler Smart Luggage Set with Cup Holder and  
11 USB Port, and the Wrangler 20” 3-in-1 Rolling Hardside Carry-On Luggage  
12 (collectively, the “TCL/Wrangler Luggage with 3-in-1 Cup Holder”), infringe claims  
13 1-6 of the ’554 patent.

14 3. With this lawsuit, Group III seeks to recover damages for Defendant’s  
15 willful infringement and to obtain injunctive relief to preclude Defendant’s further  
16 infringement of Group III’s patented technology.

17 **THE PARTIES, JURISDICTION, AND VENUE**

18 4. Group III is a corporation organized and existing under the laws of the  
19 State of Florida, having a principal place of business in Pompano Beach, Florida.

20 5. Defendant TCL is a California corporation with headquarters at 5911  
21 Fresca Drive, La Palma, CA 90623.

22 6. This action arises under the Patent Laws of the United States, Title 35  
23 of the United States Code, and this Court has subject matter jurisdiction over Group  
24 III’s patent infringement claims under 28 U.S.C. §§ 1331 and 1338(a).

25 7. This Court has personal jurisdiction over Defendant because it is  
26 incorporated in California. Personal jurisdiction is also proper because Defendant  
27 has committed and continues to commit acts of patent infringement within this  
28 District by, *inter alia*, selling, offering for sale, advertising, importing and/or

1 promoting products in this District that infringe one or more claims of the '554 patent.

2 8. Venue is proper in this District under 28 U.S.C. § 1400(b) because  
3 Defendant is incorporated in California. Defendant also has a regular and established  
4 place of business in this District and has committed acts of patent infringement in  
5 this District.

6 **THE '554 PATENT**

7 9. The '554 patent is entitled "Combination Luggage and Drink Holder  
8 Assembly," and was duly and legally issued by the United States Patent & Trademark  
9 Office ("PTO") on January 26, 2016. A true and correct copy of the '554 patent is  
10 attached hereto as Exhibit A.

11 10. Group III is the assignee of the entire right, title, and interest in the '554  
12 patent, including the right to sue for and collect past damages.

13 11. Pursuant to 35 U.S.C. § 282, the '554 patent is presumed valid and  
14 enforceable, and was duly issued in full compliance with Title 35 of the United States  
15 Code.

16 12. Certain of Group III's luggage practice the '554 patent with the  
17 inclusions of a foldable drink holder assembly attached to the exterior of the luggage  
18 that folds flat when not in use. Group III duly marks its patented luggage in  
19 compliance with 35 U.S.C. § 287(a).

20 13. Independent Claim 1 of the '554 patent recites the following:

21 1. A combination luggage and drink holder assembly, comprising a  
22 luggage, and a drink holder mounted at one side of the luggage, said drink  
holder comprising a base frame, a hoop, a tray and two links, wherein:

23 said base frame is a frame member joined to said luggage, comprising  
24 two first pivot-connection lugs bilaterally located at a top side  
thereof, two second pivot-connection lugs bilaterally located at an  
25 opposing bottom side thereof and at least one elastic member facing  
toward said hoop, each said first pivot-connection lug comprising a  
26 first pivot-connection portion, each said second pivot-connection lug  
comprising a second pivot-connection portion;

27 said hoop is a rack comprising a circular or rectangular locating hole  
28 located in the center thereof, a first stop wall located at a rear side  
thereof, a first peripheral wall extending around a border thereof, two

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third pivot-connection portions and two fourth pivot-connection portions respectively bilaterally located at said first peripheral wall and respectively disposed adjacent to said first stop wall, said third pivot-connection portions being respectively pivotally coupled to said first pivot-connection portions of said first pivot-connection lugs of said base frame so that said hoop is biasable upwards to an extended position and kept in a horizontal position in a perpendicular manner relative to said base frame where said first stop wall is abutted against said at least one elastic member and downwards to a received position where said hoop is closely attached to said base frame in a parallel manner and said base frame is hidden in said hoop and surrounded by said first peripheral wall of said hoop;

said tray is a dish-like plastic member, comprising a second peripheral wall extending around a border thereof and two fifth pivot-connection portions and two sixth pivot-connection portions respectively and bilaterally located at said second peripheral wall, said fifth pivot-connection portions being respectively pivotally connected to said second pivot-connection portions of said second pivot-connection lugs of said base frame such that said tray is biasable downwards to said extended position and kept in a horizontal position in a perpendicular manner relative to said base frame, and biasable upwards to said received position where said tray is kept between said base frame and said hoop and surrounded by said first peripheral wall of said hoop with a bottom wall thereof blocking said locating hole of said hoop;

said links are respectively pivotally connected between said fourth pivot-connection portions of said hoop and said sixth pivot-connection portions of said tray for enabling said hoop and said tray to be synchronously biased between said extended position and said received position.

(Exhibit A, '554 patent, 4:58-5:42).

14. Dependent Claim 2 of the '554 patent recites the following:

2. The combination luggage and drink holder assembly as claimed in claim 1, wherein said base frame comprises at least one stop block located at a front side thereof; said tray comprises a second stop wall located at a rear side thereof and adapted for stopping against said at least one stop block of said base frame when said tray is biased to said extended position.

15. Dependent Claim 3 of the '554 patent recites the following:

3. The combination luggage and drink holder assembly as claimed in claim 2, wherein said base frame further comprises two first protruding portions respectively located at two opposite lateral sides thereof; said hoop further comprises two second protruding portions respectively located at two opposite lateral sides thereof and adapted for engagement with said first protruding portions of said base frame to hold said hoop in said received position.

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1 16. Dependent Claim 4 of the '554 patent recites the following:

2 4. The combination luggage and drink holder assembly as claimed  
3 in claim 1, wherein each said third pivot-connection portion at said first  
peripheral wall of said hoop is a pivot hole;

4 said first pivot-connection portion at each said first pivot-connection lug  
5 of said base frame is a pivot pin pivotally coupled to the pivot hole of  
one respective said third pivot-connection portion of said hoop.

6 17. Dependent Claim 5 of the '554 patent recites the following:

7 5. The combination luggage and drink holder assembly as claimed  
8 in claim 4, wherein said second pivot-connection portion at each said second  
pivot-connection lug of said base frame is a pivot hole; each said fifth pivot-  
9 connection portion at said second peripheral wall of said tray is a pivot pin  
10 pivotally coupled to the respective said pivot hole of said second pivot-  
connection portion at one respective said second pivot-connection lug of said  
base frame.

11 18. Dependent Claim 6 of the '554 patent recites the following:

12 6. The combination luggage and drink holder assembly as claimed  
13 in claim 1, wherein said fourth pivot-connection portions of said hoop and said  
sixth pivot-connection portions of said tray each comprise a base and a pivot  
14 hole located in said base; said links each comprise a split pivot bolt located at  
each of two opposite ends thereof and respectively pivotally coupled to the  
15 pivot holes of said fourth pivot-connection portions of said hoop and said sixth  
pivot-connection portions of said tray to pivotally coupled said hoop and said  
16 tray together.

17 **DEFENDANT'S INFRINGING PRODUCTS**

18 19. Defendant has and continues to infringe the '554 patent by using, selling  
19 and offering for sale in the United States including in this judicial district, and  
20 importing into the United States, the TCL/Wrangler Luggage with 3-in-1 Cup  
21 Holder, that embody or use the invention claimed in the '554 patent.

22 20. At least the Wrangler El Dorado Smart Luggage set with the 3-in-1 Cup  
23 holder, the Wrangler 20" Astral Smart Hardside Carry-On Luggage, the Wrangler  
24 Smart Luggage Set with Cup Holder and USB Port, and the Wrangler 20" 3-in-1  
25 Rolling Hardside Carry-On Luggage infringe one or more claims of the '554 patent,  
26 as described in the Count below.

27 21. The TCL/Wrangler Luggage with 3-in-1 Cup Holder is luggage with a  
28 foldable drink holder assembly attached to the exterior of the luggage that folds flat

1 when not in use:



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10 **Defendant's Infringing Luggage**  
**Drink holder not in use**

11 **Defendant's Infringing Luggage**  
**Drink holder in use**

12 22. The drink holder assembly on the TCL/Wrangler Luggage with 3-in-1  
13 Cup Holder is mounted to one side of the luggage (as shown in the picture above)  
14 and comprises a base frame, a hoop and a tray respectively pivotally coupled to  
15 opposing top and bottom sides of the base frame, and two links coupled between the  
16 hoop and the tray such that the hoop and tray move together synchronously between  
17 the closed (not-in-use position) and the open/extended position (for holding objects  
18 such as a beverage can or drink cup).

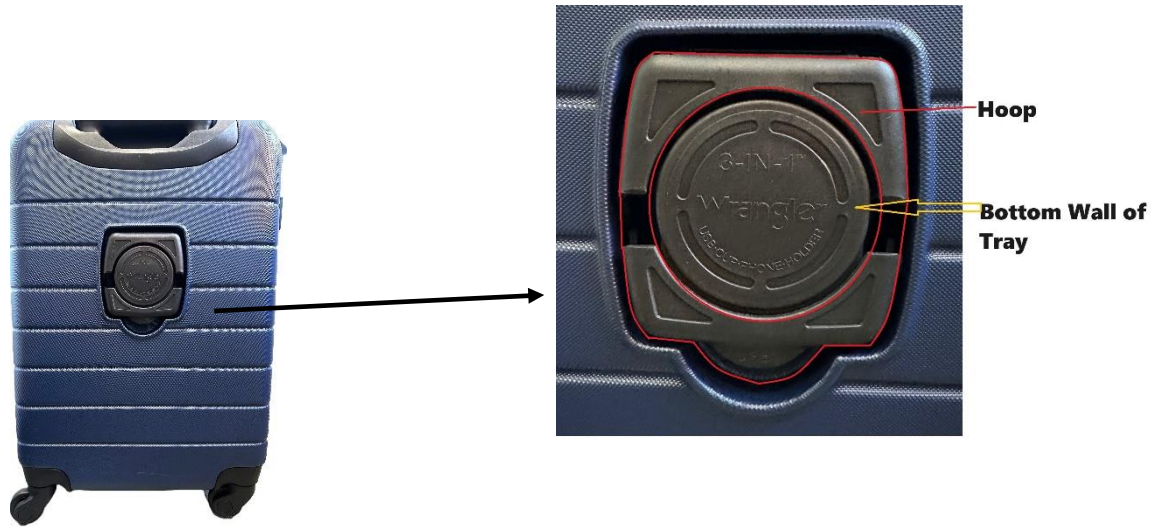


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28 **Defendant's Infringing Luggage Drink Holder Assembly**

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1 23. In the closed (received) position, the tray is kept between the base frame  
2 and the hoop, surrounded by the peripheral walls of the hoop, and has a bottom wall  
3 that blocks the locating hole of the hoop.



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15 24. The drink holder assembly on the TCL/Wrangler Luggage with 3-in-1  
16 Cup Holder meets each and every limitation of claims 1-6 of the '554 patent.

17 25. Upon information and belief, Defendant copied its design from either  
18 Group III's published patent application, from the '554 patent itself, or from Group  
19 III's luggage that practices the '554 patent and which Group III duly marks in  
20 compliance with 35 U.S.C. § 287(a).

21 26. Notably, not only does Defendant's TCL/Wrangler Luggage with 3-in-  
22 1 Cup Holder include all of the limitations of each of the six claims of the '554 patent,  
23 but Defendant's design of its luggage with the embedded drink holder assembly is  
24 strikingly similar to Group III's design and illustrated in the images and figures  
25 below:

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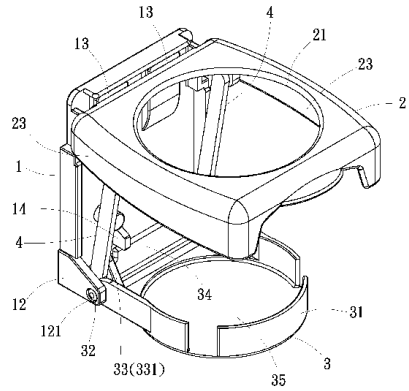
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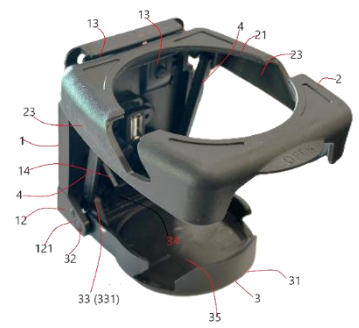
**Group III Luggage**



**Defendant's Infringing Luggage**



**FIG. 10**



**Figure 10 from the '554 patent**

**Defendant's Infringing Luggage  
Drink Holder**



27. Moreover, in or about February 22, 2017, Defendant filed a patent application for a “Cupholder (3 in 1)” that contains drawings that are strikingly similar to the drawings in the ’554 patent. Below is a comparison of Figure 10 from the ’554 patent and figure 1 from Defendant’s 2017 patent application:

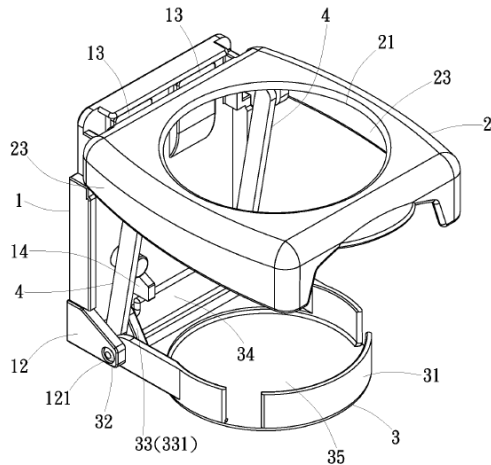


FIG. 10

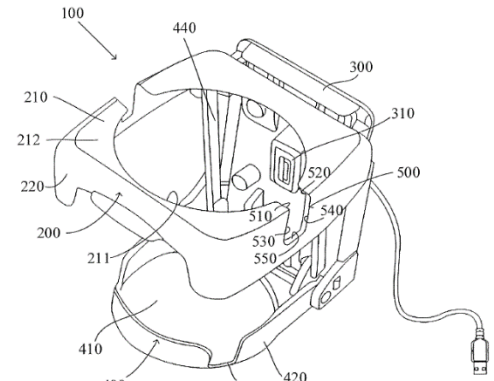


Figure 1

Figure 10 from the ’554 Patent

Figure 1 from Defendant’s application

28. Given this striking similarity, it is reasonable to infer that Defendant copied Group III’s patented technology when filing its own patent application. By the time that Defendant filed its own patent application, Group III’s patent had already been published and Group III was selling luggage that practiced Group III’s patent and which were duly marked with the ’554 patent in compliance with 35 U.S.C. § 287(a).

29. Thus, on information and belief, since at least February 2017, Defendant has had knowledge of Group III’s patent and knowledge that Defendant’s own luggage with cup holder infringes the ’554 patent. Yet, despite this knowledge, Defendant began and continues using, selling, or offering for sale in the United

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1 States, including within this judicial district, and importing into the United States,  
2 infringing luggage.

3 30. Additionally, even if Defendant was not aware of Group III's '554  
4 patent back in 2016 or 2017, Defendant at the very least has had knowledge of the  
5 '554 patent since shortly after Group III served Wrangler with a Complaint for patent  
6 infringement in February 2024. *See Group III International, Inc. v. Wrangler*  
7 *Apparel Corp.*, Case No. 1:24-cv-00247-JLH (D. Del.) (the "Delaware Action"),  
8 Doc. 10.

9 31. Shortly after Wrangler was served with the complaint in the Delaware  
10 Action, counsel for Wrangler represented to Group III's counsel that Defendant was  
11 the manufacturer of the TCL/Wrangler Luggage with 3-in-1 Cup Holder, and that  
12 Defendant was aware of Group III's complaint against Wrangler. Defendant's  
13 counsel sent an email to Group III's counsel on April 5, 2024 confirming that he had  
14 been in communication with Wrangler's counsel regarding the Delaware Action.

15 32. Fully aware of Group III's '554 patent, Defendant has acted and  
16 continues to act knowingly, willfully, with reckless disregard of those rights and  
17 laws, and in bad faith.

18 **COUNT I**  
19 **INFRINGEMENT OF U.S. PATENT NO. 9,241,554**

20 33. Group III realleges and incorporates by reference the allegations set  
21 forth in paragraphs 1-32 of this Complaint as if fully set forth herein.

22 34. Defendant has been and is directly infringing, literally or under the  
23 doctrine of equivalents, claims 1-6 of the '554 patent by using, selling, or offering  
24 for sale in the United States, including within this judicial district, and importing into  
25 the United States, luggage with foldable cup holder assemblies attached to the  
26 exterior of the luggage that fold flat when not in use, including those sold under the  
27 names: the Wrangler El Dorado Smart Luggage set with the 3-in-1 Cup holder, the  
28 Wrangler 20" Astral Smart Hardside Carry-On Luggage, the Wrangler Smart

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1 Luggage Set with Cup Holder and USB Port, and the Wrangler 20” 3-in-1 Rolling  
2 Hardside Carry-On Luggage (collectively, the “TCL/Wrangler Luggage with 3-in-1  
3 Cup Holder”) in violation of 35 U.S.C. § 271(a).

4 35. Upon information and belief, Defendant has had knowledge of the ’554  
5 patent since prior to the time it began selling the TCL/Wrangler Luggage with 3-in-  
6 1 Cup Holder as Defendant copied Group III’s design and patented technology to  
7 create the TCL/Wrangler Luggage with 3-in-1 Cup Holder. At the very least,  
8 Defendant has had knowledge of the ’554 patent through the filing of the complaint  
9 in the Delaware Action and subsequent communication between Defendant and  
10 Wrangler.

11 36. Defendant’s infringement has been and continues to be knowing,  
12 intentional, and willful.

13 37. Defendant’s acts of infringement of the ’554 patent have caused and will  
14 continue to cause Group III damages for which Group III is entitled to compensation  
15 pursuant to 35 U.S.C. § 284.

16 38. Defendant’s acts of infringement of the ’554 patent have caused Group  
17 III to suffer irreparable harm resulting from the loss of its lawful patent rights and the  
18 loss of its ability to exclude others from the market. Upon information and belief,  
19 Defendant will continue these infringing acts unless enjoined by this court.

20 **PRAYER FOR RELIEF**

21 WHEREFORE, Group III respectfully requests the Court to enter judgment in  
22 its favor and grant the following relief:

- 23 a) Entry of judgment under 35 U.S.C. § 271(a) that Defendant through the  
24 manufacture, importation, offer for sale, sale, and/or use of the  
25 TCL/Wrangler Luggage with 3-in-1 Cup Holder, whether literally or  
26 under the doctrine of equivalents, has infringed at least one claim of the  
27 ’554 patent;
- 28 b) Permanently enjoining Defendant and its officers, directors, agents,

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affiliates, employees, divisions, branches, subsidiaries, parents, and all others in active concert therewith from infringing, including inducing the infringement of, or contributing to the infringement of, the '554 patent;

- c) Ordering Defendant to account and pay damages adequate to compensate Group III for Defendant's infringement of the '554 patent, including pre-judgment and post-judgment interest and costs and supplement damages for any continuing post-verdict or post-judgment infringement;
- d) Ordering an accounting for any infringing sales not presented at trial and an award by the Court of additional damages for any such infringing sales, including a continuing royalty for post-trial infringing sales;
- e) Finding that Defendant has intentionally and willfully infringed the '554 patent and increasing the damages up to three times the amount found;
- f) Awarding Group III its costs and expenses incurred in this Action;
- g) Finding this case exceptional under 35 U.S.C. § 285 and awarding Group III its attorneys' fees in connection with this action;
- h) Granting Group III such other and further equitable relief which may be requested and to which Group III is entitled; and
- i) Granting such further relief as the Court deems appropriate.

Dated: May 1, 2024

COZEN O'CONNOR

By: s/Nathan Dooley  
Nathan Dooley  
Attorneys for Plaintiff  
*Group III International, Inc.*

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**DEMAND FOR JURY TRIAL**

Pursuant to Fed. R. Civ. P. 38, Group III hereby demands trial by jury in this Action for all issues and claims so triable.

Dated: May 1, 2024

COZEN O'CONNOR

By: s/Nathan Dooley  
Nathan Dooley  
Attorneys for Plaintiff  
*Group III International, Inc.*

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