

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS**

GUANYI ZHANG)	
)	
)	
Plaintiff,)	Case No. 1:24-cv-3794
)	
v.)	
)	JURY TRIAL DEMANDED
THE PARTNERSHIPS AND)	
UNINCORPORATED ASSOCIATIONS)	
IDENTIFIED ON SCHEDULE A,)	
)	
Defendants.)	

COMPLAINT

Guanyi Zhang (“Plaintiff” or “Mr. Zhang”), by and through his attorney, hereby brings the present action against the Partnerships and Unincorporated Associations identified on Schedule A attached hereto (collectively, “Defendants”) and alleges as follows.

JURISDICTION AND VENUE

1. This Court has original jurisdiction over the subject matter of this action pursuant to 28 U.S.C. §§ 1331 and 1338(a).
2. Venue is proper in this Court pursuant to 28 U.S.C. § 1391, and this Court may properly exercise personal jurisdiction over Defendants since each of the Defendants directly targets business activities toward consumers in the United States, including Illinois, through at least the fully interactive, internet e-commerce stores¹ operating under the seller aliases identified in Schedule A attached hereto (collectively, the “Defendant Internet Stores”). Specifically,

¹ URL links of these e-commerce defendant internet stores are listed on Schedule A hereto.

Defendants have targeted sales to Illinois residents by setting up and operating e-commerce stores that target United States consumers, offer shipping to the United States, including Illinois, accept payment in U.S. dollars, and, on information and belief, have sold products featuring Plaintiff's patented design to residents of Illinois. Each of the Defendants is committing tortious acts in Illinois, is engaging in interstate commerce, and has wrongfully caused Plaintiff substantial injury in the State of Illinois.

3. Joinder of the Defendants is proper pursuant to 35 U.S.C. § 299 as the Defendants are all offering for sale the same or similar infringing product and this case will involve common questions of fact to all Defendants and the Defendants' infringing acts arise out of the same transaction, occurrence, or series of transactions or occurrences related to the making, using, importing into the United States, offering for sale, or selling of the same or similar accused product or process.

INTRODUCTION

4. This action has been filed by Mr. Zhang to combat online infringers who trade upon Mr. Zhang's patented design by making, using, offering for sale, selling, and/or importing into the United States for subsequent sale or use of the same unauthorized and unlicensed product, namely the table lamp products ("the Infringing Products"), that infringe Plaintiff's United States Patent D985,180 ("the '180 Patent").

5. Defendants create e-commerce stores that are making, using, offering for sale, selling, and/or importing into the United States for subsequent sale or use Infringing Products to unknowing consumers. E-commerce stores share unique identifiers establishing a logical relationship between them, suggesting that Defendants' operation arises out of the same

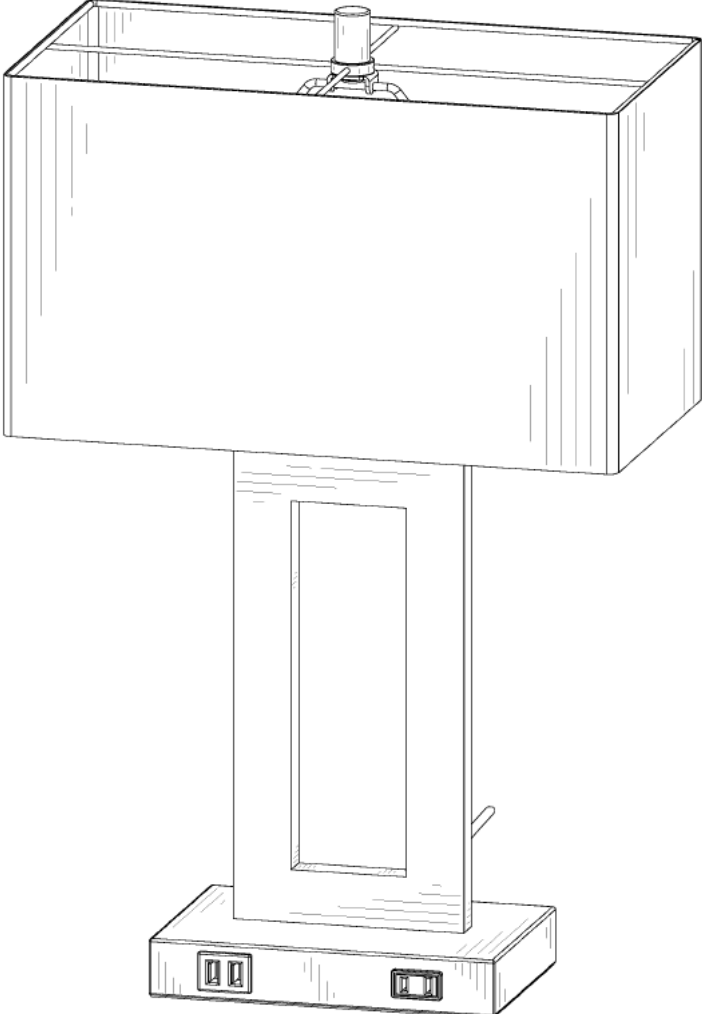
transaction, occurrence, or series of transactions or occurrences. Defendants attempt to avoid and mitigate liability by operating under one or more Defendant Internet Stores to conceal both their identities and the full scope and interworking of their operation. Mr. Zhang has filed this action to combat Defendants' infringement of his patented design, as well as to protect unknowing consumers from purchasing Infringing Products over the Internet. Mr. Zhang has been and continues to be irreparably damaged from the loss of his lawful patent rights to exclude others from making, using, selling, offering for sale, and importing his patented design as a result of Defendants' actions and seeks injunctive and monetary relief.

PARTIES

6. Plaintiff Guanyi Zhang is an individual residing at No. 52, South District, Miaoergang Village, Qinglonghu Town, Fangshan District, Beijing, China.

7. Mr. Zhang has been engaged in the business of designing, manufacturing, and marketing lighting products including, but not limited to, table lamp products ("Mr. Zhang's Products") for both lighting and for decoration. Mr. Zhang's Products can be purchased from e-commerce platforms, such as Alibaba.com, as well as from retailers, resellers, and/or importers selling Mr. Zhang's Products on Amazon, eBay, AliExpress, Temu, Alibaba, Walmart, Target, and/or other websites. Since at least 2020, Mr. Zhang, on his own and/or via retailers, resellers, and/or importers, has marketed, advertised, promoted, exported, and/or sold table lamp products to consumers in the United States.

8. Mr. Zhang's table lamp products are known for their distinctive designs and are loved by customers at least because of the unique patented design(s) as claimed in the '180 Patent. A representative figure of the '180 Patent is reproduced as follows.

Patent Number	Representative Figure	Issue Date
US D985,180		May 2, 2023

9. Mr. Zhang is the inventor and lawful owner of all right, title, and interest in and to United States Patent D985,180 (“the ’180 Patent”), entitled TABLE LAMP. The ’180 Patent was duly and legally issued on May 2, 2023. Attached as Exhibit 1 is a true and accurate copy of the ’180 Patent.

10. Defendants are individuals and business entities of unknown makeup who own and/or operate one or more of the e-commerce stores under at least the Defendant Internet Stores identified on Schedule A and/or other Defendant Internet Stores not yet known to Mr. Zhang. On

information and belief, Defendants reside and/or operate in the People's Republic of China or other foreign jurisdictions with lax intellectual property enforcement systems, or redistribute products from the same or similar sources in those locations. Defendants have the capacity to be sued pursuant to Federal Rule of Civil Procedure 17(b).

11. On information and belief, Defendants, either individually or jointly, operate one or more e-commerce stores under the Defendant Internet Stores listed in Schedule A attached hereto. Tactics used by Defendants to conceal their identities and the full scope of their operation make it virtually impossible for Mr. Zhang to discover Defendants' true identities and the exact interworking of their network. If Defendants provide additional credible information regarding their identities, Mr. Zhang will take appropriate steps to amend the Complaint.

DEFENDANTS' UNLAWFUL CONDUCT

12. Defendants have targeted sales to Illinois residents by setting up and operating e-commerce stores that target United States consumers using one or more Defendant Internet Stores, offer shipping to the United States, including Illinois, accept payment in U.S. dollars and/or funds from U.S. bank accounts, and, on information and belief, have sold Infringing Products to residents of Illinois.

13. Defendants go to great lengths to conceal their identities and often use multiple fictitious names and addresses to register and operate their network of online marketplaces and user accounts. On information and belief, Defendants regularly create new online marketplace accounts on various platforms using the identities listed in Schedule A to the Complaint, as well as other unknown fictitious names and addresses. Such Defendant Internet Store registration patterns are one of many common tactics used by the Defendants to conceal their identities, the

full scope and interworking of their operation, and to avoid being shut down.

14. Even though Defendants operate under multiple fictitious names, there are numerous similarities among the Defendant Internet Stores demonstrating a series of interrelated acts of infringement. The Defendant Internet Stores are believed to include notable common features beyond selling the exact same infringing products, including the same or similar product images, the accepted payment methods, check-out methods, meta data, illegitimate SEO tactics, lack of contact information, identically or similarly priced items and volume sales discounts, similar hosting services, and the use of the same text and images.

15. In addition to operating under multiple fictitious names, Defendants in this case and defendants in other similar cases against online infringers use a variety of other common tactics to evade enforcement efforts. For example, infringers like Defendants will often register new online marketplace accounts under new aliases once they receive notice of a lawsuit. Infringers also typically ship products in small quantities via international mail to minimize detection by U.S. Customs and Border Protection.

16. On information and belief, e-commerce store operators like Defendants are also in constant communication with each other and regularly participate in WeChat groups and through websites such as sellerdefense.cn and kuajingvs.com regarding tactics for operating multiple accounts, evading detection, pending litigation, and potential new lawsuits.

17. Further, infringers such as Defendants typically operate multiple credit card merchant accounts and PayPal accounts behind layers of payment gateways so that they can continue operation in spite of plaintiff's enforcement efforts, such as take down notices. On information and belief, Defendants maintain off-shore bank accounts and regularly move funds from their PayPal accounts or other financial accounts to off-shore bank accounts outside the

jurisdiction of this Court.

18. Defendants, without any authorization or license from Plaintiff, have knowingly and willfully offered for sale, sold, and/or imported into the United States for subsequent resale or use, products that infringe directly and/or indirectly the '180 Patent, and continue to do so via the Defendant Internet Stores. Each Defendant Internet Store offers shipping to the United States, including Illinois, and, on information and belief, each Defendant has sold Infringing Products into the United States, including Illinois.

19. Defendants' infringement of the '180 Patent in the offering to sell, selling, and/or importing of the Infringing Products is and has been willful.

20. Defendants' infringement of the '180 Patent in connection with the offering to sell, selling, and/or importing of the Infringing Products, including the offering for sale and sale of Infringing Products into Illinois, is irreparably harming Plaintiff.

COUNT I

(Infringement of the '180 Patent)

21. Mr. Zhang repeats and realleges each of the preceding paragraphs as though fully set forth herein.

22. Defendants are working in active concert to knowingly and willfully manufacture, import, distribute, offer for sale, and/or sell infringing products in the same transaction, occurrence, or series of transactions or occurrences.

23. Defendants, without any authorization or license from Plaintiff, have jointly and severally, knowingly and willfully, offered for sale, sold, and/or imported into the United States for subsequent resale or use the product that infringes directly and/or indirectly the '180 Patent.

24. Specifically, Defendants have infringed and continue to infringe at least the sole claim of the '180 Patent by making, using, importing, selling, and/or offering to sell their infringing products in the United States without authorization or license from Plaintiff.

25. Defendants have profited by their infringement of the '180 Patent, and Plaintiff has suffered actual harm as a result of Defendants' infringement.

26. Defendants have infringed the '180 Patent and will continue to do so unless enjoined by this Court. Defendants' wrongful conduct has caused Mr. Zhang to suffer irreparable harm resulting from the loss of his lawful patent rights to exclude others from making, using, selling, offering for sale, and importing the patented invention. Mr. Zhang is entitled to injunctive relief pursuant to 35 U.S.C. § 283.

27. Mr. Zhang is entitled to recover damages adequate to compensate for the infringement, including Defendants' profits pursuant to 35 U.S.C. § 289. Mr. Zhang is also entitled to recover damages adequate to compensate for the infringement as appropriate pursuant to 35 U.S.C. § 284.

PRAYER FOR RELIEF

WHEREFORE, Mr. Zhang requests judgement against Defendants as follows:

A. That Defendants, their affiliates, officers, agents, servants, employees, attorneys, confederates, and all persons acting for, with, by, through, under, or in active concert with them be temporarily, preliminarily, and permanently enjoined and restrained from: (1) making, using, offering for sale, selling, and/or importing into the United States for subsequent sale or use the Infringing Product; (2) aiding, abetting, contributing to, or otherwise assisting anyone in making, using, offering for sale, selling, and/or importing into the United States for subsequent sale or use

the Infringing Product; and (3) effecting assignment or transfer, forming new entities or associations, or utilizing any other device for the purpose of circumventing or otherwise avoiding prohibitions set forth in (1) and (2);

B. Entry of an Order that, upon Mr. Zhang's request, those with notice of the injunction, including, without limitation, any online marketplace platforms, including but not limited to Amazon, eBay, AliExpress, Alibaba, Temu, Walmart, Target, and other websites (collectively, the "Third Party Providers"), shall disable and cease displaying any advertisements used by or associated with Defendants in connection with the sale of the Infringing Product;

C. That Mr. Zhang be awarded such damages as he shall prove at trial against Defendants pursuant to 35 U.S.C. §§ 284, 289;

D. That the amount of damages awarded to Mr. Zhang to compensate Mr. Zhang for infringement of the '180 Patent be increased by three times the amount thereof, as provided by 35 U.S.C. § 284;

E. That Mr. Zhang be awarded his reasonable attorneys' fees and costs; and

F. Award any and all other relief that this Court deems just and proper.

Dated: May 9, 2024

Respectfully submitted,



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Attorneys for Plaintiff

VERIFICATION

I, Guanyi Zhang, hereby declare and state that:

1. I am the plaintiff named in this action. I make this verification for myself.
2. I am the inventor and lawful owner of all right, title, and interest in and to United States Patent D985,180 (“the ’180 Patent”), entitled TABLE LAMP. The ’180 Patent was issued on May 2, 2023.
3. I have read the forgoing verified complaint, and based on my personal knowledge and my knowledge of information reported to me by subordinates and colleagues who report to me, the factual allegations contained in the forgoing verified complaint are true.

I declare that all statements made herein are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under 18 U.S.C. §1001.

Guanyi Zhang
Guanyi Zhang

Signed this 8th day of May 2024

Guanyi Zhang v. The Partnerships And Unincorporated Associations Identified On Schedule A

Schedule A

Defendant Internet Stores

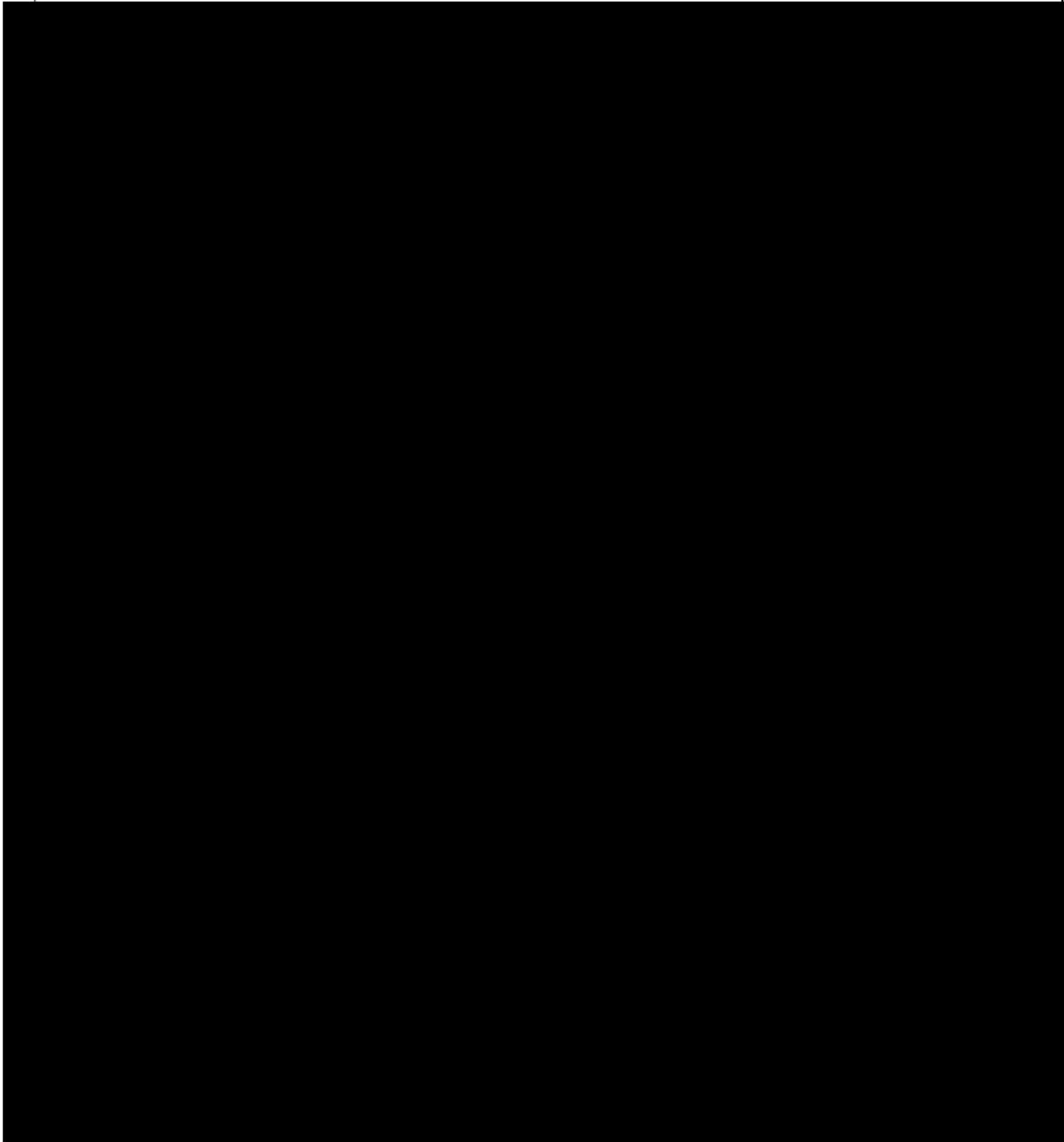




Exhibit 1



US00D985180S

(12) **United States Design Patent** (10) **Patent No.:** **US D985,180 S**
Zhang (45) **Date of Patent:** **** May 2, 2023**

(54) **TABLE LAMP**
 (71) Applicant: **Guanyi Zhang**, Beijing (CN)
 (72) Inventor: **Guanyi Zhang**, Beijing (CN)
 (**) Term: **15 Years**
 (21) Appl. No.: **29/807,061**
 (22) Filed: **Sep. 8, 2021**
 (51) **LOC (14) Cl.** **26-05**
 (52) **U.S. Cl.**
 USPC **D26/106; D26/93**
 (58) **Field of Classification Search**
 USPC D26/24, 93, 104, 106, 107, 108, 110,
 D26/112, 113, 118, 138
 CPC F21S 6/00; F21S 6/002; F21S 6/003; F21S
 6/004; F21S 6/005; F21S 6/006; F21S
 6/007; F21S 6/008; F21V 1/00; F21V
 1/02; F21V 1/14; F21V 3/00
 See application file for complete search history.

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(Continued)

Primary Examiner — Nathan M Johnston

(57) **CLAIM**

The ornamental design for a table lamp, as shown and described.

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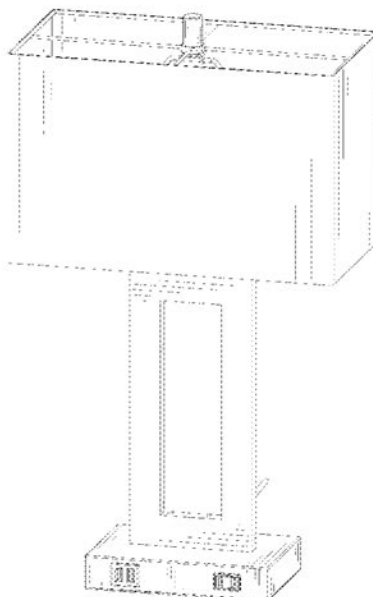
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DESCRIPTION

FIG. 1 is a perspective view of a table lamp showing my new design;
 FIG. 2 is a front elevational view thereof;
 FIG. 3 is a rear elevational view thereof;
 FIG. 4 is a left side elevational view thereof;
 FIG. 5 is a right side elevational view thereof;
 FIG. 6 is a top plan view thereof;
 FIG. 7 is a bottom plan view thereof;
 FIG. 8 is a perspective view of the table lamp without a lampshade, shown separately for ease of illustration; and,
 FIG. 9 is a right side elevational view thereof.

1 Claim, 9 Drawing Sheets



US D985,180 S

Page 2

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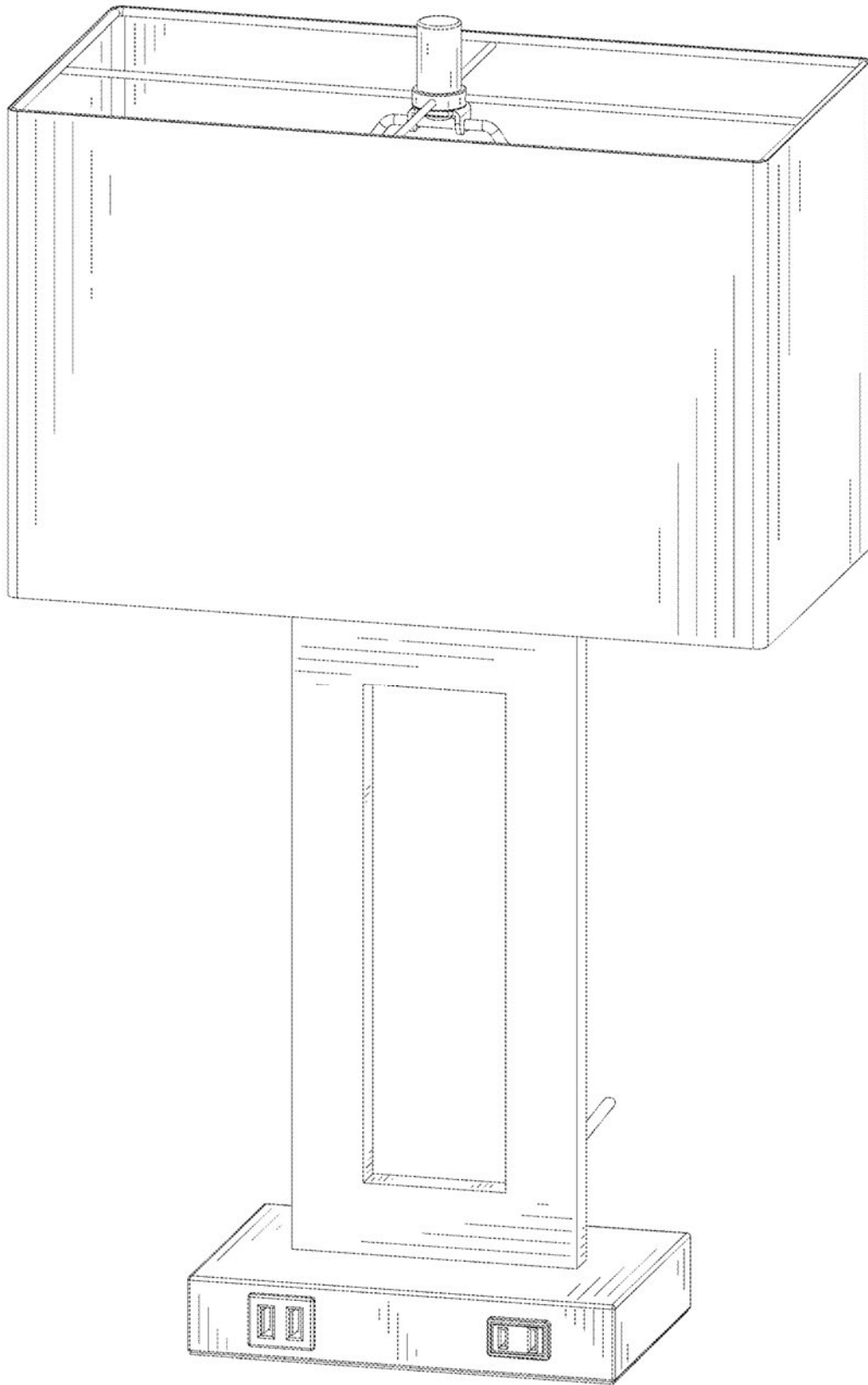


FIG. 1

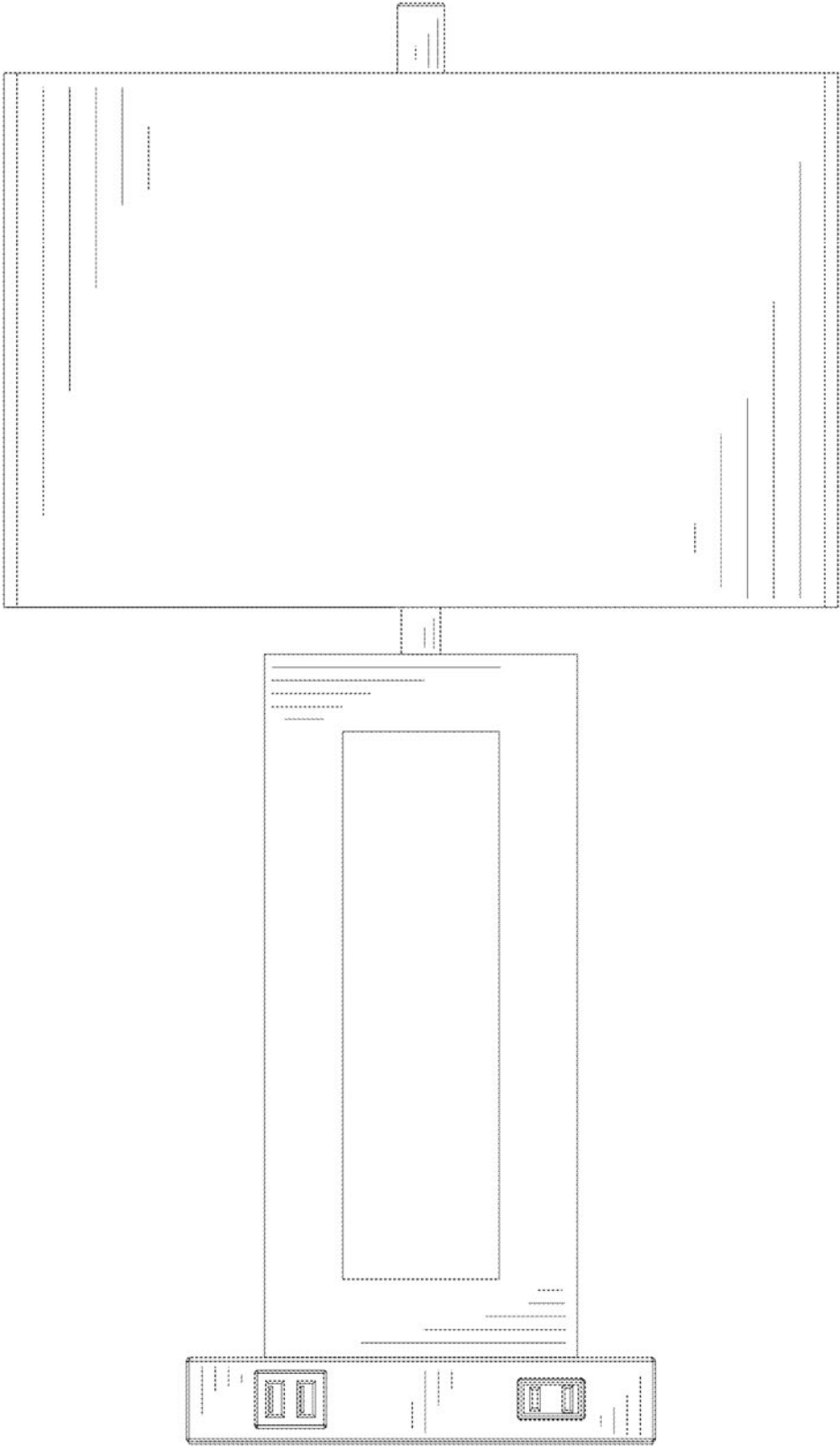


FIG. 2

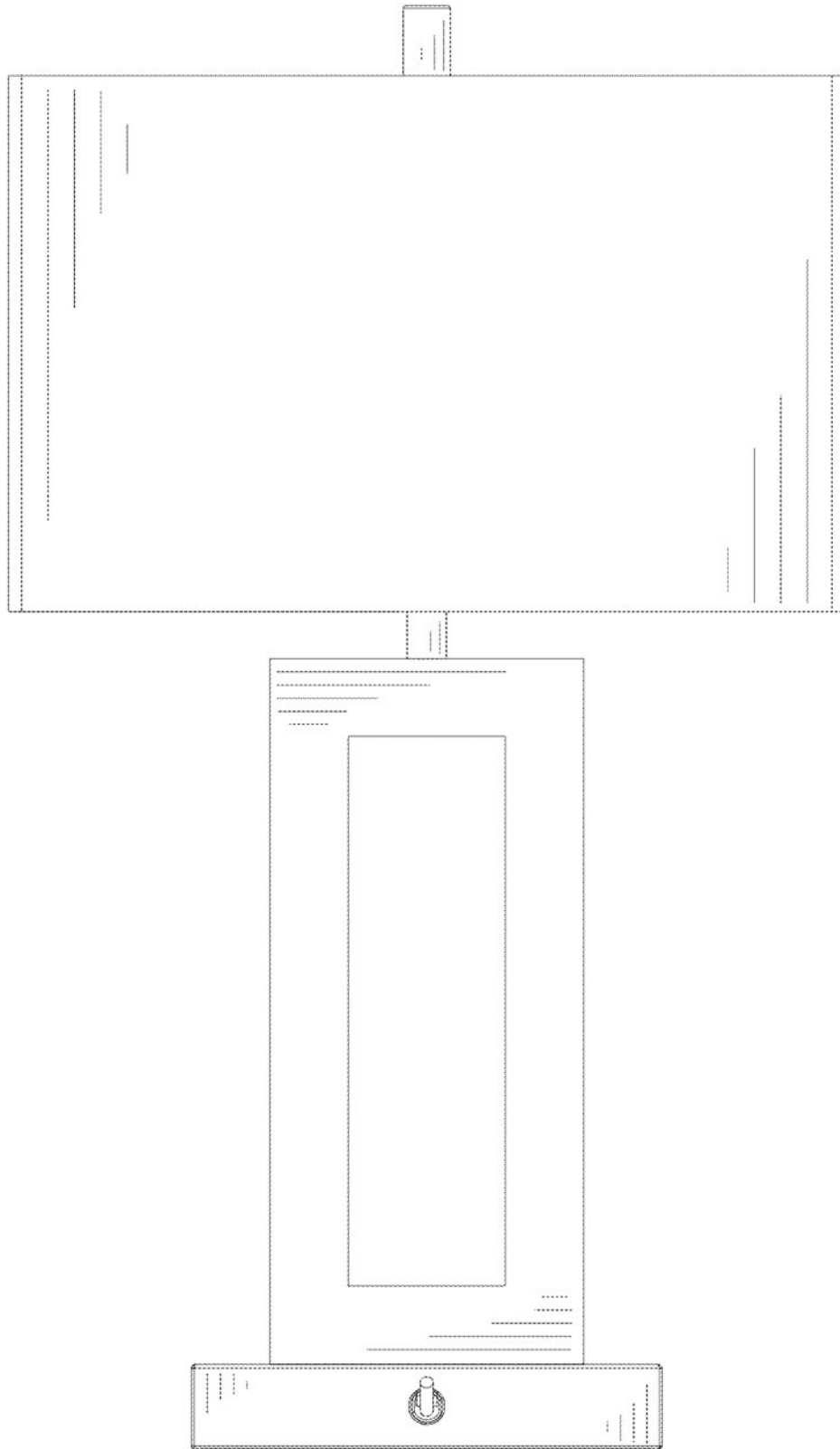


FIG. 3

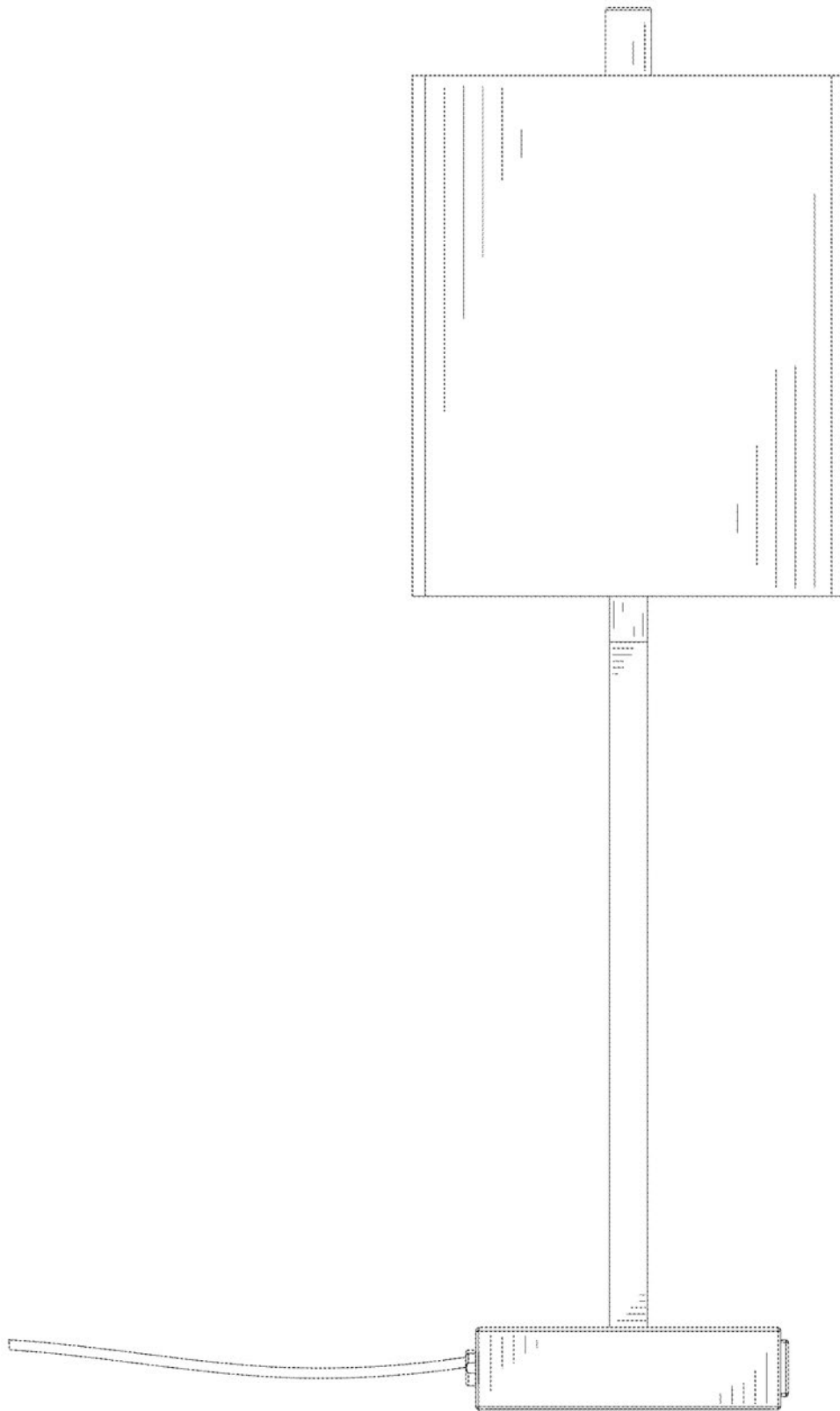


FIG. 4

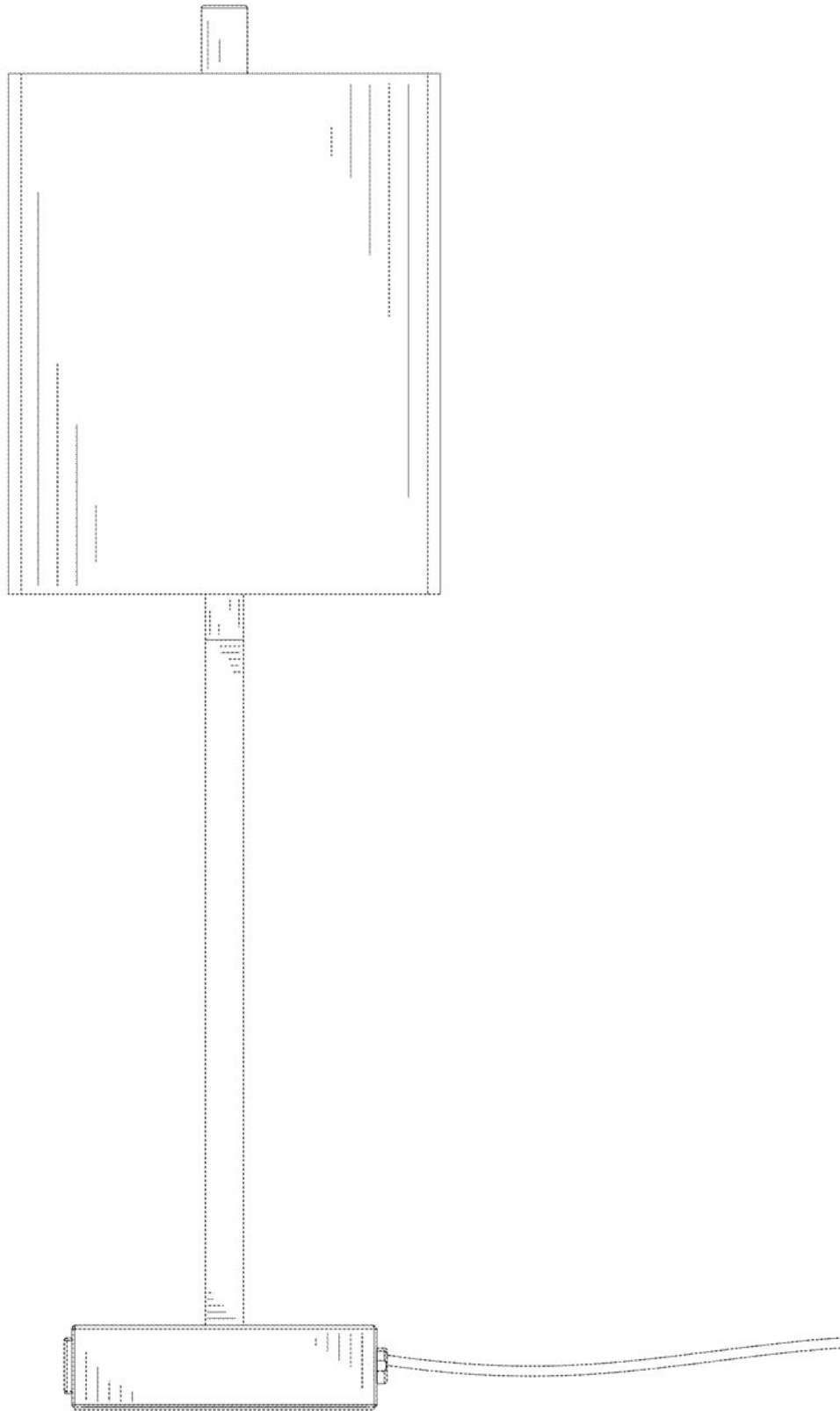


FIG. 5

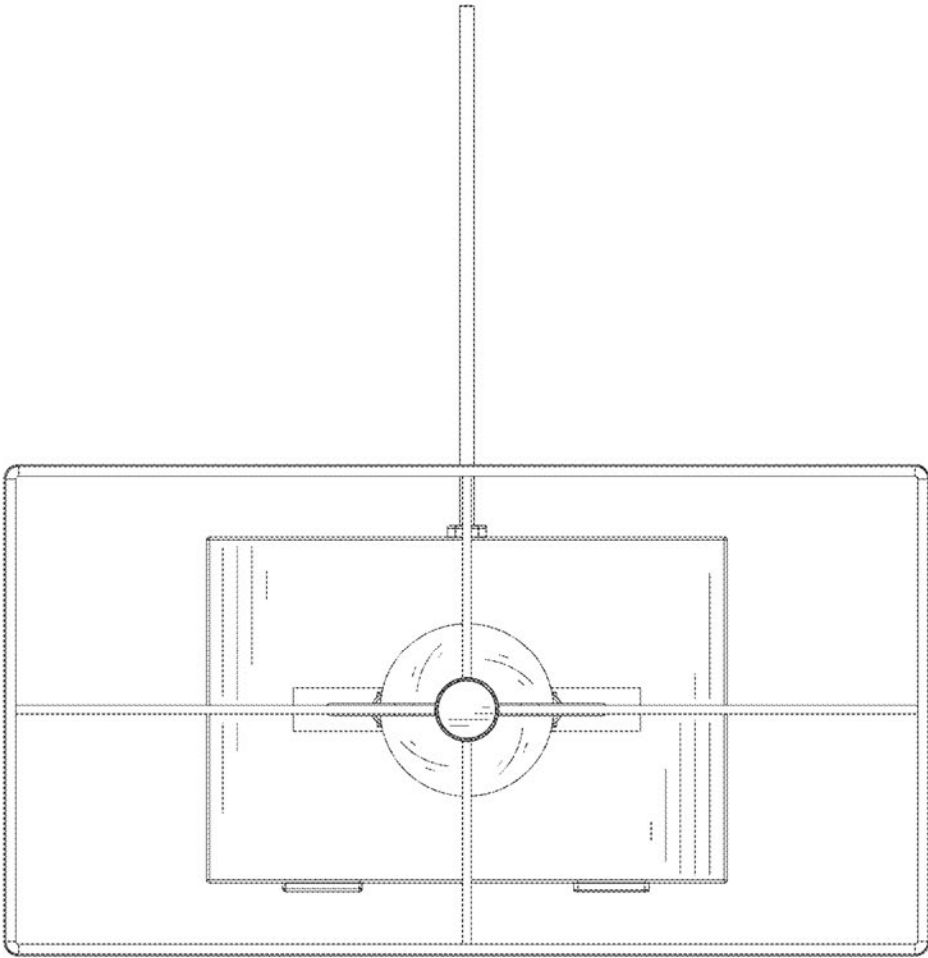


FIG. 6

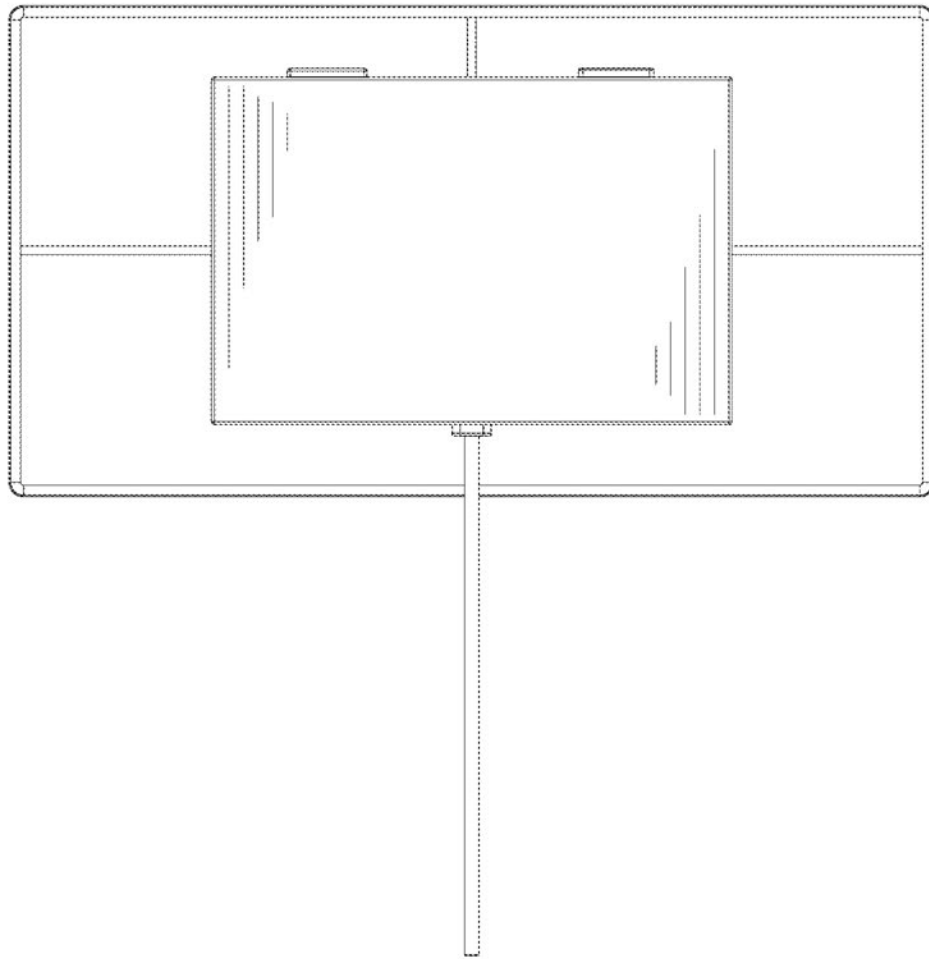


FIG. 7

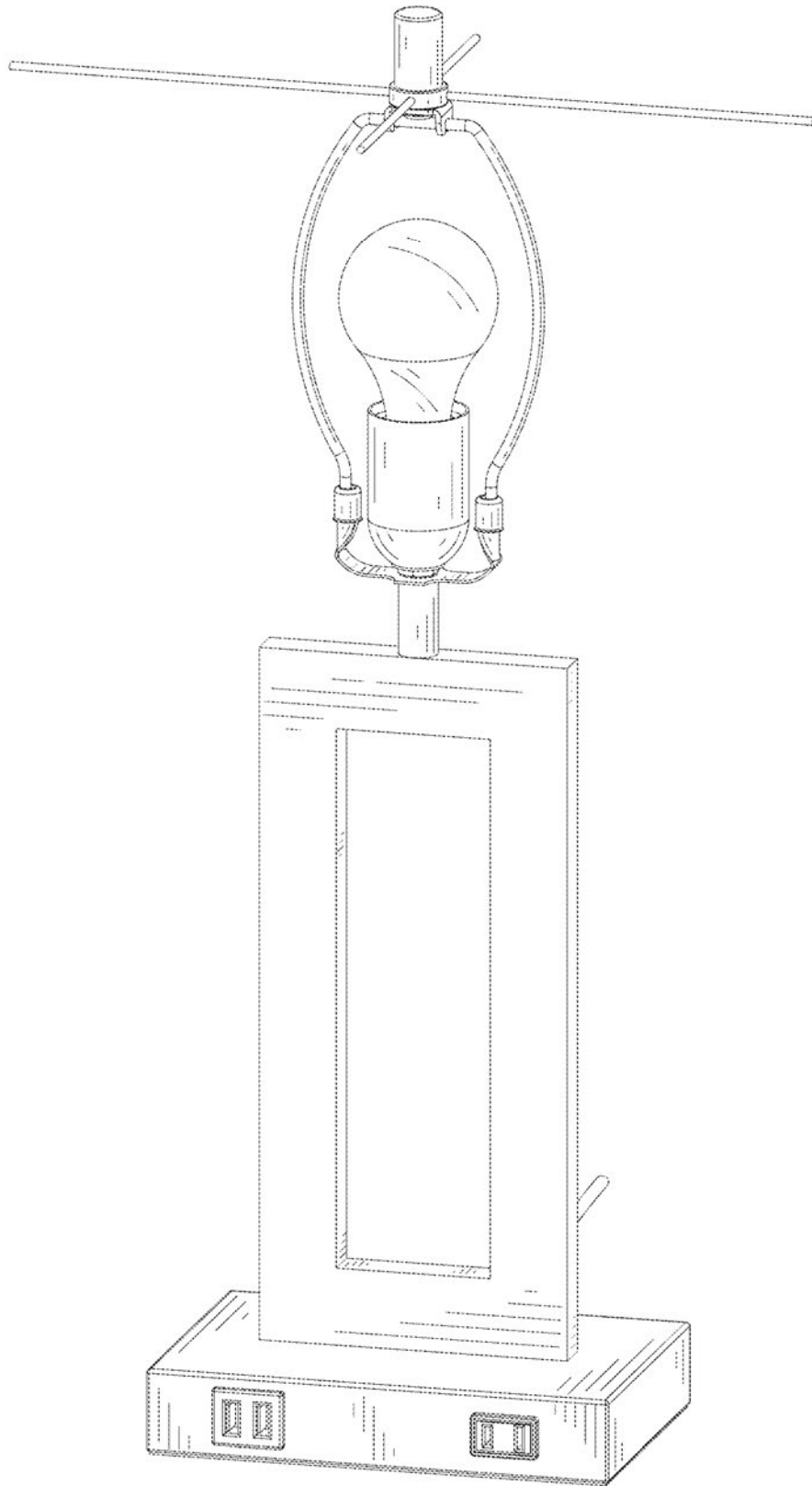


FIG. 8

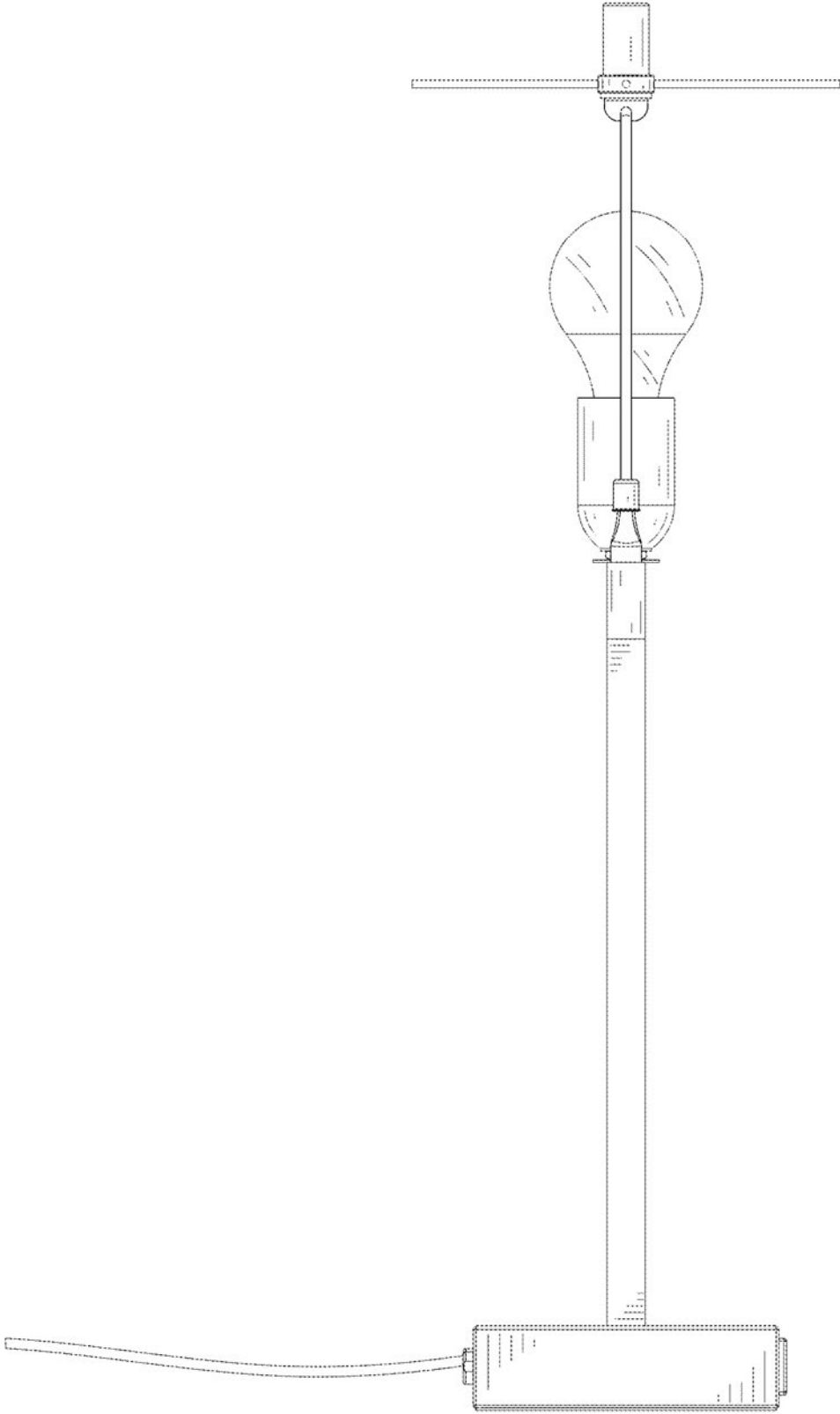


FIG. 9