

FILED

Pro Se 2 (Rev. 12/16) Complaint and Request for Injunction

MAY 14 2024

UNITED STATES DISTRICT COURT

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS

for the

BY IL  
DEPUTY CLERK

Western District of Texas



San Antonio Division

BroncBuster LLC

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

BroncoMondo  
Changzhou Desai Vehicle Parts Co., Ltd.  
Xomzema

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Case No.

(to be filled in by the Clerk's Office)

SA24CA0488 FB

COMPLAINT AND REQUEST FOR INJUNCTION

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	BroncBuster LLC
Street Address	511 Let's Roll Drive
City and County	Fischer, Comal County
State and Zip Code	Texas 78623
Telephone Number	830-837-0058
E-mail Address	info@bronc bustertx.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

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Defendant No. 1

Name BroncoMondo  
Job or Title *(if known)* \_\_\_\_\_  
Street Address 548 Market Street, Unit 14148  
City and County San Francisco, San Francisco County  
State and Zip Code California 94105  
Telephone Number 844-909-4899  
E-mail Address *(if known)* support@broncomondo.com

Defendant No. 2

Name Changzhou Desai Vehicle Parts Co., Ltd.  
Job or Title *(if known)* \_\_\_\_\_  
Street Address Hengsheng Technology Park Building 29, Room 509  
City and County \_\_\_\_\_  
State and Zip Code Changzhou, Jiangsu, China  
Telephone Number 0086-18706110586 (Whatsapp)  
E-mail Address *(if known)* jo.cai@cz-maofa.com

Defendant No. 3

Name Xomzena  
Job or Title *(if known)* Owner's Name: Liam Hu  
Street Address Not Available  
City and County \_\_\_\_\_  
State and Zip Code \_\_\_\_\_  
Telephone Number \_\_\_\_\_  
E-mail Address *(if known)* 740148731a@gmail.com

Defendant No. 4

Name \_\_\_\_\_  
Job or Title *(if known)* \_\_\_\_\_  
Street Address \_\_\_\_\_  
City and County \_\_\_\_\_  
State and Zip Code \_\_\_\_\_  
Telephone Number \_\_\_\_\_  
E-mail Address *(if known)* \_\_\_\_\_

**II. Basis for Jurisdiction**

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

- Federal question
- Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

**A. If the Basis for Jurisdiction Is a Federal Question**

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

35 US Code §271 Infringement of Patent which gives rise to remedies specified under 35 US Code §281 and 283-285

**B. If the Basis for Jurisdiction Is Diversity of Citizenship**

1. The Plaintiff(s)

a. If the plaintiff is an individual

The plaintiff, *(name)* \_\_\_\_\_, is a citizen of the State of *(name)* \_\_\_\_\_.

b. If the plaintiff is a corporation

The plaintiff, *(name)* \_\_\_\_\_, is incorporated under the laws of the State of *(name)* \_\_\_\_\_, and has its principal place of business in the State of *(name)* \_\_\_\_\_.

*(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)*

2. The Defendant(s)

a. If the defendant is an individual

The defendant, *(name)* \_\_\_\_\_, is a citizen of the State of *(name)* \_\_\_\_\_ . Or is a citizen of *(foreign nation)* \_\_\_\_\_.

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b. If the defendant is a corporation

The defendant, (name) \_\_\_\_\_, is incorporated under the laws of the State of (name) \_\_\_\_\_, and has its principal place of business in the State of (name) \_\_\_\_\_.

Or is incorporated under the laws of (foreign nation) \_\_\_\_\_, and has its principal place of business in (name) \_\_\_\_\_.

*(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)*

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

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**III. Statement of Claim**

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the injunction or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. Where did the events giving rise to your claim(s) occur?

The defendants have placed this infringing product on their website, online storefronts, and social media outlets and advertised them for sale.

B. What date and approximate time did the events giving rise to your claim(s) occur?

BroncBuster is unaware of the date each of the advertisements were first placed on the internet, though we became aware of the BroncoMondo advertisement on or around February 20, 2024.

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- C. What are the facts underlying your claim(s)? *(For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)*

BroncBuster has experienced a severe decline in sales due to listings of our patented product on various websites. At least one defendant then posted advertising on various social media outlets in order to drive traffic to their website. Social media viewers then began various discussions about the BroncBuster product and those of which the defendants were selling.

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#### IV. Irreparable Injury

Explain why monetary damages at a later time would not adequately compensate you for the injuries you sustained, are sustaining, or will sustain as a result of the events described above, or why such compensation could not be measured.

Market Share: Since there is a prestige to being the market leader in sales of a particular product, and since the market share of BroncBuster was diminished, the loss is irreparable and unmeasurable. BroncBuster was first to market with their patented product and as such had established a significant sales base which severally declined as the infringing product became not only readily available, but widely advertised.

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#### V. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

BroncBuster asks the court to order the removal of the infringing product from each and every website where it exists.

The offense still exists as one can easily find the infringing product for sale with a simple internet search using a variety of different keywords. Just one example is found at:  
<https://broncomondo.com/products/front-tie-rod-reinforcement-for-ford-bronco>

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**VI. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. For Parties Without an Attorney**

I agree to provide the Clerk’s Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk’s Office may result in the dismissal of my case.

Date of signing: 05/13/2024

Signature of Plaintiff   
Printed Name of Plaintiff Tyler Mason in Behalf of BroncBuster LLC

**B. For Attorneys**

Date of signing: 5/14/2024

Signature of Attorney \_\_\_\_\_  
Printed Name of Attorney \_\_\_\_\_  
Bar Number \_\_\_\_\_  
Name of Law Firm \_\_\_\_\_  
Street Address \_\_\_\_\_  
State and Zip Code \_\_\_\_\_  
Telephone Number \_\_\_\_\_  
E-mail Address \_\_\_\_\_