

1 Martin J. Foley
2 Martin J. Foley, a PLC
3 601 S. Figueroa Street, Suite 2050
4 Los Angeles, California 90017
5 (213) 248-0577
6 martin@mjfoleylaw.com

7 Edward H. Rice (*pro hac vice* forthcoming)
8 Marina N. Saito(*pro hac vice* forthcoming)
9 Law Office of Edward H. Rice, LLC
10 555 Skokie Blvd., Suite 500
11 Northbrook, Illinois 60062
12 ed@edwardricelaw.com
13 marina@edwardricelaw.com
14 (312) 953-4566

15 Counsel for Plaintiff,
16 Dongguan Ingleby Mechanical Equipment Co., Ltd.

17 **UNITED STATES DISTRICT COURT**
18 **CENTRAL DISTRICT OF CALIFORNIA**
19 **SOUTHERN DIVISION**

20 Dongguan Ingleby
21 Mechanical Equipment Co., Ltd.,
22 Plaintiff,
23 vs.
24 Aaron Chien, Te-Ju Chien, Hsin-Yi
25 Wang, and Jasco Products Company,
26 LLC,
27 Defendant.

Case No.: 2:24-cv-5409__

COMPLAINT

JURY TRIAL DEMANDED

28 Plaintiff Dongguan Ingleby Mechanical Equipment Co., Ltd. (“Ingleby”) for
its Complaint against Defendants Aaron Chien, Te-Ju Chien, Hsin-Yi Wang, and
Jasco Products Company, LLC (“Jasco”), alleges:

1 **NATURE OF THE ACTION**

2 1. This is a civil action arising under the Declaratory Judgment Act, 28
3 U.S.C. § 2201 et seq. and the Patent Laws of the United States, 35 U.S.C. § 1 et
4 seq. for declaratory judgment of non-infringement and invalidity of U.S. Patent
5 Number 9,719,654 (the ‘654 Patent) (attached as Exhibit 1).

6 2. This case also is a civil action for tortious interference with
7 prospective economic advantage under California common law.

8 3. Ingleby brings the declaratory judgment action in view of the actual
9 controversy that Defendants have created under the ‘654 Patent by asserting a
10 groundless patent infringement claim against a retailer (Ingleby’s customer) who
11 sells Ingleby’s star light projector products on Amazon.com.

12 **THE PARTIES**

13 4. Ingleby is a Chinese corporation with a principal place of business in
14 Dongguan City, Guangdong, China.

15 5. Ingleby manufactures star light projectors, which it sells to various
16 retailers.

17 6. Upon information and belief, Aaron Chien is an individual residing at
18 151 Blue Crystal Drive, Walnut, CA 91789.

19 7. Upon information and belief, Te-Ju Chien is an individual residing at
20 151 Blue Crystal Drive, Walnut, CA 91789.

21 8. Upon information and belief, Hsin-Yi Wang is an individual residing
22 at 151 Blue Crystal Drive, Walnut, CA 91789.

23 9. Upon information and belief, Jasco is a limited liability company
24 organized and existing under the laws of the State of Oklahoma with a principal
25 place of business at 10 E. Memorial Road, Oklahoma City, OK 73114.
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1 **JURISDICTION AND VENUE**

2 10. The Court has subject matter jurisdiction over the patent claims in this
3 action under the Declaratory Judgment Act, 28 U.S.C. § 2201 et seq., and under 28
4 U.S.C. §§ 1331 and 1338(a) because the action arises under the patent laws of the
5 United States, Title 35 U.S.C. § 1 et seq.

6 11. The Court has supplemental subject matter jurisdiction over the state
7 law claim for tortious interference with prospective business relations under 28
8 U.S.C. § 1367 because that claim arises under the same common nucleus of facts
9 as the declaratory judgment patent claims.

10 12. The Court has personal jurisdiction over Aaron Chien, Te-Ju Chien,
11 and Hsin-Yi Wang (the Patent Owners) because, upon information and belief,
12 these individuals reside in California and in this district.

13 13. Upon information and belief, Jasco is the exclusive licensee of the
14 ‘654 Patent.

15 14. Upon information and belief, Jasco sells a substantial share of its
16 products into California and this district.

17 15. Upon information and belief, Jasco has taken substantial actions to
18 enforce the ‘654 Patent on behalf of the Patent Owners.

19 16. The Court has personal jurisdiction over Jasco because Jasco has
20 purposefully directed its licensing, enforcement, sales and other business activities
21 in California and in this district.

22 17. Venue is proper in this Court under 28 U.S.C. § 1391(b)(1) and
23 because the Patent Owners reside in this district.

1 **BACKGROUND**

2 **The ‘654 Patent**

3 18. Upon information and belief, the Patent Owners own the ‘654 Patent,
4 which is a utility patent for a light projector technology for projecting moving
5 images on a surface.

6 19. The application for the ‘654 Patent was filed on October 1, 2014. The
7 ‘654 Patent issued on August 1, 2017.

8 20. The ‘654 Patent is directed to a lighting device that projects images
9 onto a surface, such as a ceiling, wall or floor. See ‘654 Patent at column 7, rows
10 25-26.

11 21. The ‘654 Patent does not specifically address a “star projector” but
12 describes more generally a light projector that uses multiple lighting components,
13 for example LEDs, that it projects onto a surface.

14 22. In the ‘654 Patent, the light projector depicts moving light images in
15 which the movement effect is created by turning on and off individual lighting
16 elements in various patterns.

17 23. For example, the specification states:

18 a big improvement provided by the current invention is to
19 have all moving or motion effects made by a plurality of
20 LEDs’ sequential flashing, fade-in and fade-out, color
21 changing, sequential, random, or other LED light
22 performances or effects by turning individual LEDs on
and off with a time difference, duration, or duty cycle and
cause the resulting image to appear as if it were moving.

23 ‘654 Patent at column 1, row 65 – column 2, row 5.

24 24. The lighting effect (created by turning individual lighting elements on
25 and off) is an essential part of the claimed ‘654 invention, as reflected in the ‘654
26 claims.

27 25. Claims 1, 9 and 10 are the only independent claims in the ‘654 Patent.
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1 26. Claim 1 requires:

2 wherein said at least one LED and/or laser light is
3 connected to a power source by conductors and circuitry
4 including **means that cause said at least one LED and/or**
5 **laser light to turn on and off for a predetermined**
6 **period to provide predetermined functions, colors, and**
7 **effects. . . .**

8 *See* ‘654 Patent at column 12, lines 21-26 (emphasis added).

9 27. Claim 9 requires:

10 wherein said plurality of LEDs and/or laser light sources
11 are connected to a power source by conductors and
12 circuitry including **means for causing said plurality of**
13 **LEDs and/or laser light sources to turn on and off for**
14 **a predetermined period to provide predetermined**
15 **functions, colors, and effects. . . .**

16 *See* ‘654 Patent at column 13, lines 60-65 (emphasis added).

17 28. Claim 10 requires:

18 wherein said at least one LED and/or laser light connected
19 to a power source by **conductors and circuitry that cause**
20 **said at least one LED or laser light to turn on and off**
21 **for a predetermined period to provide predetermined**
22 **functions, colors, and effects. . . .**

23 *See* ‘654 Patent at column 14, lines 41-45 (emphasis added).

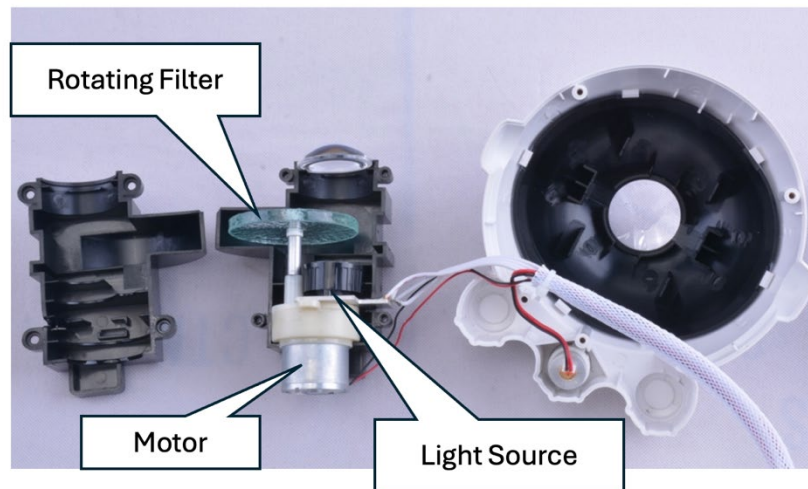
24 29. Accordingly, all claims of the ‘654 Patent require “means for” causing
25 individual lighting elements to turn on and off in specific ways to create the
26 lighting display function of the device, which is governed by 35 U.S.C. § 112(f).

27 **Ingleby’s Star light projector Products**

28 30. Ingleby’s star light projector products use a laser light source to create
a starry sky effect, which includes stars and nebulae, as depicted below:



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9 31. To perform lighting effects, the Accused Product includes a light
10 source that projects light through a rotating filter that is powered by a motor. The
11 lighting effects are created by patterns on the filter which do not require the device
12 to manipulate the light source, as depicted in the images below:



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21 32. The lighting elements of the Accused Product do not turn on and off
22 in order to create lighting effects or simulate moving images, in the manner
23 required by the '654 claims.

24 33. Thus, the Accused Product does not include means for causing the
25 LED/laser light to turn on and off to provide predetermined functions, colors, and
26 effects, in the manner required by the '654 claims.

Amazon Infringement Proceedings

34. Upon information and belief, on or around April 29, 2024, Jasco filed a patent infringement claim under Amazon.com’s intellectual property infringement reporting procedures, contending that certain Ingleby star light projector products sold by Ingleby’s customer (MOLEKSDAL, Seller ID A1O1KRJL88HGIU) on Amazon.com infringed the ‘654 Patent.

35. Jasco’s patent infringement claim was asserted against ASIN B0CB4TH87C under Complaint ID 15136493641

36. Upon information and belief, Jasco has purchased Ingleby’s star light projector product from Amazon.com.

37. Amazon.com is the primary sales channel through which Ingleby customers sell Ingleby’s star light projector products.

38. As a result of Defendants’ Amazon Infringement Claim, Amazon removed the product listing for Ingleby’s customer.

Count I

Declaratory Judgment

Non-Infringement of the ‘654 Patent

39. The allegations of each of the foregoing paragraphs are incorporated by reference as if fully set forth herein.

40. Ingleby’s star light projector products do not infringe any claim of the ‘654 Patent.

41. Ingleby seeks a declaration that its Ingleby’s star light projector products do not infringe the ‘654 Patent.

Count II
Declaratory Judgment
Invalidity of the ‘654 Patent

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4 42. The allegations of each of the foregoing paragraphs are incorporated
5 by reference as if fully set forth herein.

6 43. If Defendants construe the ‘654 claims broadly enough to read onto
7 Ingleby’s star light projector products, the ‘654 Patent is invalid as anticipated or
8 obvious under sections 35 U.S.C. §§ 102 and/or 103 based at least on U.S. Patent
9 No. 8,057,045.

10 44. The ‘654 claims include limitations that require a given structure to
11 perform multiple functions.

12 45. The ‘654 claims are drafted using the conjunctive and disjunctive
13 (“and/or”) to identify which functions are performed by the claimed structure.

14 46. The conjunctive form in this context is illogical and was not described
15 in the specification in such a way as to reasonably convey to one skilled in the art
16 that the inventor had possession of the claimed invention. Accordingly, the ‘654
17 claims fail to comply with the written description requirement.

18 47. The conjunctive form is also indefinite for failing to particularly point
19 out and distinctly claim the subject matter which the inventor regards as the
20 invention.

21 48. The conjunctive form was not described in the specification in such a
22 way as to enable one skilled in the art to which it pertains or with which it is most
23 nearly connected, to make and/or use the invention.

24 49. Accordingly, the ‘654 claims are invalid under section 35 U.S.C.
25 § 112.

REQUEST FOR RELIEF

WHEREFORE, Ingleby asks this Court to:

- a. Find that Ingleby’s star light projector product does not infringe the ‘654 Patent;
- b. Find that the ‘654 Patent is invalid;
- c. Find that this case is an “exceptional case” under 35 U.S.C. § 285 and that Ingleby is entitled to its attorney fees;
- d. Award Ingleby a permanent injunction enjoining Defendants from asserting the ‘654 Patent against the Accused Products;
- e. Award Ingleby damages sufficient to compensate it for Defendants’ tortious interference with Ingleby’s prospective business relations, together with costs and pre-judgment interest; and
- f. Award Ingleby other and further relief as may be proper under the circumstances.

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DEMAND FOR JURY TRIAL

Ingleby requests a trial by jury under Rule 38 of the Federal Rules of Civil Procedure of all issues that may be determined by a jury.

Dated: June 26, 2024

Martin J. Foley

By: Martin J. Foley