

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

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Wenyong Yue, Huizhoushi Huifangyuan Nongye	:	
Keji Youxian Gongsi a/k/a Botail, and yidiandian	:	
Shenzhen wenhuachuanmeiyouxiangongsi a/k/a	:	
Cool Essential,	:	
	:	
Plaintiffs,	:	Civil Action No.: 2:24-cv-04579
	:	
-against-	:	
	:	
John Nashed Hanna, Reaction Labs LLC a/k/a	:	
Lup, and Amazon.com, Inc.,	:	
	:	
Defendants.	:	
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COMPLAINT

Plaintiffs Wenyong Yue, Huizhoushi Huifangyuan Nongye Keji Youxian Gongsi a/k/a Botail, and yidiandian Shenzhen wenhuachuanmeiyouxiangongsi a/k/a Cool-Essential, (hereinafter “Yue,” “Botail” and “Cool-Essential,” respectively and "Plaintiffs" collectively), by and through their undersigned attorney, hereby submit this Complaint against Defendants John Nashed Hanna, Reaction Labs LLC a/k/a Lup, and Amazon.com, Inc. (“Hanna,” “Lup” and “Amazon” respectively or “Defendants” collectively) and allege as follows:

**I. THE PARTIES**

1. Yue is the owner of record of U.S. Patent No. 11,756,703 (“the ‘703 Patent” Exhibit A) entitled “Magnetic Data Cable,” issued to Plaintiff on September 12, 2023, from U.S. Patent Application No. 18/302,164 (“the ‘164 Application”), filed on April 18, 2023.

2. Botail is based in Jiangbei 14 Xiaoqu Guangyaocaifugongyu Xizuo Fifth Floor, Room 506, Huicheng District, Huizhoushi, Guangdong 516000, P.R. China and operates an

online internet store on Amazon under ID No. A1MTJUOTZL4B7Y. Botail sells magnetic data cables to consumers in the U.S. and those in the State of New York under a license to the ‘703 Patent from Yue.

3. Cool-Essential is based in Baoanqu Xixiangjiedao Laodongshequ Baoshenggongyequ D Dong Huanyuankeji Chuangxinyuan D Zuo 128, Shenzhenshi, Guangdong 518100, P.R. China and operates an online internet store on Amazon under ID No. AQ892Q9QNAQYU. Cool-Essential sells magnetic data cables to consumers in the U.S. and those in the State of New York under a license to the ‘703 Patent from Yue.


4. Hanna has a business address at 5606 Shoalwood Ave., Austin, TX 78756 and is the owner of U.S. Patent No. 11,972,881 (“the ‘881 Patent” Exhibit B) entitled “Magnetized Cable for Improved Cable Management,” issued on April 30, 2024, from U.S. Patent Application No. 18/339,272 (“the ‘272 Application”) filed on June 22, 2023, which claims the priority of U.S. Provisional Application No. 63/482,006 (“the ‘006 Application” Exhibit C) filed on January 27, 2023.

5. Lup is a business located at 5606 Shoalwood Ave., Austin, TX 78756 and upon information and belief, Lup is owned and operated by Hanna. Lup operates an online internet store on Amazon under ID No. A3CZS8418196AK and offers to sell magnetic data cables to consumers in the U.S. and those in the State of New York (see Exhibit D), presumably under a license to the ‘881 Patent from Hanna.

6. Amazon has a business address at 424-434 Fifth Avenue, New York City, NY 10018 with its stocks traded on the NASDAQ stock market within this judicial district. Upon information and belief, Amazon also operates several distribution warehouses within the State of New York. Upon information and belief, Amazon has warehouses located at 1860 Cross Bronx

Expy, Bronx, NY 10472, at 500 Hudson Valley Ave, New Windsor, NY 12553, and at 4221 Walden Ave., Lancaster, NY 14086.

7. Amazon extrajudicially enforced the ‘881 Patent against Botail and Cool-Essential by locking down their e-commerce stores. At the same time, Amazon allowed Lup to sell its competing magnetic data cables which infringed at least claims 1, 2 and 4 of the ‘703 Patent (see table below):

Lup’s Magnetic Data Cable	Claimed Magnetic Data Cable in the ‘703 Patent
	<p>Claim 1. (1) A magnetic data cable, comprising:</p> <ul style="list-style-type: none"> <li>(2) a cable body and data connectors;</li> <li>(3) the data connectors are respectively connected to two ends of the cable body;</li> <li>(4) the cable body comprises a cable core and a wrapping material layer wrapped around the cable core;</li> <li>(5) at least one layer of the wrapping material layer is a magnetic material layer;</li> <li>(6) wherein the magnetic material layer is directly wrapped around an outer side of the cable core;</li> <li>(7) the magnetic material layer is formed by extruding and molding of a mixture of plastic and magnetic powder;</li> <li>(8) the wrapping material layer further comprises an outer protective layer wrapped around an outer side of the magnetic material layer.</li> </ul>
	<p>Claim 2. The magnetic data cable according to claim 1, wherein the outer protective layer is a woven mesh layer formed by weaving a braided fabric.</p>

	Claim 4. The magnetic data cable according to claim 1, wherein one of the data connectors is a USB Type-C data connector.
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8. Amazon does not have the authority to accurately assess the effective filing dates of the ‘881 Patent and the ‘703 Patent and also does not have the authority or the capability to assess whether the magnetic data cables from Botail and Cool-Essential infringed the ‘881 Patent or the magnetic data cables from Hanna and Lup infringed the ‘703 Patent.

9. Amazon recklessly locked down more than eighty e-commerce store links of Botail and Cool-Essential for allegedly infringing the ‘881 Patent solely based on five falsely filed complaints from Hanna and/or Lup (Exhibit E), while ignoring the infringement of the ‘703 Patent by the magnetic data cables from Hanna and Lup.

Store Name	Botail	Cool-Essential
Amazon Infringement Complaint Number	15359308721	15359144171; 15365441441; 15359207621; 15208567441.
ASINs Being Locked Down	B0CHMKRQ2Q; B0CG5CPJCY; B0CCYLWV53; B0CD3CN9TB; B0CG5BZRBL; B0CHNTNPTH; B0CG5TJ4K1; B0CG5VYLSB.	B0CWCXCYHG; B0CWCSMF6T; B0CWCW3TPM; B0CWDBGQG9; B0CWD2BQD5; B0CWCVXW1P; B0CWDBVB6X; B0CKZ6ZF9G; B0CWCSF1N5; B0CWD3M2VK; B0CWDBVRTD; B0CWDFJ4N4; B0CWD6BXS2; B0CWD3M2VZ; B0CWDH2T4V; B0CXPLQPCC; B0D3PZXN3F; B0D1XJYSTL; B0CWTLT5DR; B0D1XN794D; B0CXP5NGZ; B0CWSMTVZW; B0CQXJ9ZJ6; B0CH9ML49B; B0CQXLCSPJ; B0CPBQ8FXL; B0CKZKCN3Q; B0CWD1HZ3X; B0CKZ842G6; B0CT8GXKNL; B0CPBPZVP4; B0CKZJB1GK; B0CKYVRX15; B0CH9LKM5B; B0CKZWFMTS; B0CKZKYPKT;

		B0CKZKD2BR; B0CQXFV27N; B0CW9PJ1W7; B0CWD3CTW2; B0CKZKHHTJ; B0CKR6TQ8J; B0CQXDYXLR; B0CQXF6JX6; B0CKZ9LXXB; B0CKYWJRHD; B0CL6H5MKM; B0CKZKYT62; B0CQXFYGYM; B0CQXKLN6; B0CKZ7T7NQ; B0CW9TJB5C; B0CKZKWSQP; B0CQXDH4ZL; B0CQXFYC3C; B0CKZ9D9JD; B0CQXDQMSL; B0CKZJ7ZY7; B0CKZK51BR; B0CWCTW9KV; B0CQXKTH4R; B0CWCWC3L2; B0CPP9SY9T; B0CQXFBVV8; B0CKZHTGZF; B0CKZ9652X; B0CQXDZWTP; B0CM5R13WB; B0CFDX5XJ1; B0CKZ6RRLH; B0CKR7PHQ3; B0CQXHZZTQ; B0CKYVXFY9; B0CH9LQB72; B0CD1FKSFJ; B0CQXL2Z5Q; B0CKYXQS5C; B0CKYXCKDF; B0CQXKWC6J; B0CQXDTS2C; B0CPBQ661L; B0CQXLJD4X; B0CM5R17V4; B0CQXFR4VT; B0CQXLBQ1C; B0CH9KTV3X; B0CFDY51M3; B0CKYWSBFD.
Date of Amazon Infringement Complaints	May 30, 2024.	May 30, 2024, May 31, 2024, May 30, 2024, and May 29, 2024.
Filing Party Alias	Lup and/or Hanna	Lup and/or Hanna
Alleged IP Infringed	The'881 Patent	The'881 Patent
Email for Filing Amazon Infringement Complaint	<a href="mailto:john.n.hanna@gmail.com">john.n.hanna@gmail.com</a>	<a href="mailto:john.n.hanna@gmail.com">john.n.hanna@gmail.com</a> , <a href="mailto:john@reactionlabs.com">john@reactionlabs.com</a>

10. Defendants' extrajudicial enforcement of the '881 Patent against Botail and Cool-Essential caused substantial damages and affected their sales of magnetic data cables to consumers in the U.S. and those in the State of New York.

## **II. JURISDICTION AND VENUE**

11. This Court has original subject matter jurisdiction over this action pursuant to the provisions of 35 U.S.C. § 1, et seq., and 28 U.S.C. § 1331

12. The Court has supplemental jurisdiction over State Claims pursuant to the provisions of 28 U.S.C. §1367.

13. This Court has personal jurisdiction over Amazon with its distribution centers in the State of New York and with its stocks traded on NASDAQ within this judicial district. Amazon also offer for sale of magnetic data cables to consumers in the State of New York, which infringe the ‘703 Patent.

14. Venue is proper in this Court pursuant to 28 U.S.C. §1391. Lup and Amazon not only offered for sale magnetic data cables which infringe the ‘703 Patent, but also blocked Botail’s and Cool-Essential’s sales of magnetic data cables to consumers in the State of New York. The Defendants’ acts caused substantial injury to Plaintiffs and to consumers in the State of New York.

## **III. INTRODUCTION**

15. The main issue in this controversy is whether the ‘703 Patent has the priority over the ‘881 Patent or vice versa. The timelines of these two patents are compared in the table below:

	The ‘703 Patent	The ‘881 Patent
Claim of Priority	None	The ‘006 Application (filed on January 27, 2023)
Filing Dates	Filed on April 18, 2023 as the ‘164 Application	Filed on June 22, 2023 as the ‘272 Application
Issue Dates	Issued on September 12, 2023	Issued on April 30, 2024

16. Even though the '881 Patent claims the priority to the '006 Application of January 27, 2023, the '703 Patent has a filing date of April 18, 2023, two months earlier than the June 22, 2023 filing date of the '881 Patent.

17. The '006 Application does not disclose any of the claimed novel features in the '881 Patent and does not support or enable the claims of the '881 Patent.

18. 35 U.S.C. 119 defines the right of priority or benefit of earlier filing date. 35 U.S.C. 119(e)(1) states that “An application for patent filed under [section 111\(a\)](#) or [section 363](#) for an invention disclosed in the manner provided by [section 112\(a\)](#) (other than the requirement to disclose the best mode) in a provisional application filed under [section 111\(b\)](#) , by an inventor or inventors named in the provisional application, shall have the same effect, as to such invention, as though filed on the date of the provisional application filed under [section 111\(b\)](#) , if the application for patent filed under [section 111\(a\)](#) or [section 363](#) is filed not later than 12 months after the date on which the provisional application was filed and if it contains or is amended to contain a specific reference to the provisional application.”

19. The claimed subject matter in the '881 Patent are not “for an invention disclosed in the manner provided by [section 112\(a\)](#) (other than the requirement to disclose the best mode) in a provisional application filed under [section 111\(b\)](#)” because Section 112(a) requires the specification of the provisional application to “... contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor or joint inventor of carrying out the invention.”

20. The '006 Application does not “contain a written description of the magnetic data cable claimed in the '881 Patent,” does not describe “the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same.” 21.

21. Therefore, the '881 Patent cannot legally claim the priority of the '006 Application. Accordingly, the '881 Patent has an effective filing date of June 22, 2023, two months after the effective filing date of the '703 Patent on April 18, 2023.

22. Moreover, the content of the '006 Application has been publicly disclosed by others in U.S. Patent Application Publication No. 2015/0171798 A1, published on June 18, 2015 (“the '798 Publication” Exhibit F); in CN 106711725 (“the 'CN725 Patent,” Exhibit G) and in CN 203673868 (“the 'CN868 Patent,” Exhibit H).

23. The '006 Application cannot serve as a proper priority document for the '881 Patent because it does not disclose any claimed novel subject matter in the '881 Patent, which satisfy the requirements of 35 U.S.C. Section 102 and/or 35 U.S.C. Section 103.

24. Amazon knew or should have known that the '703 Patent has an effective earlier filing date than the '881 Patent and yet, Amazon colluded with Hanna and Lup to locked down the e-commerce stores of Botail and Cool Essential while allowing Lup to continue selling their magnetic data cables which infringe the '703 Patent.

**COUNT I. DECLARATORY JUDGMENT THAT PLAINTIFF'S MAGNETIC DATA CABLES DO NOT INFRINGE ANY VALID CLAIM OF THE '881 PATENT**

25. Plaintiffs hereby re-allege and incorporate by reference each of the allegations set forth in the foregoing paragraphs.

26. As the '881 Patent is not entitled to the filing date of the '006 Application for noncompliance to 25 U.S.C. Section 112(a), the '881 Patent cannot properly claim the priority of



the '006 Application and as a result, the '703 Patent has an earlier priority date of April 18, 2023, two months before the June 22, 2023 filing date of the '881 Patent.

27. The magnetic data cables of Botail and Cool-Essential were made under a license to the '703 Patent and upon information and belief, the Lup magnetic data cables were made under a license to the '881 Patent.

28. Applying the *canon of construing-for-validity as in MedCo v. Mylan* (Fed. Cir. April 17, 2017) to the interpretation of the claims of the '881 Patent, none of claims 1-18 of the '881 Patent can be interpreted to read on the magnetic data cables from Botail and Coll Essential because doing so would also allow these claims to read on the '703 Patent so as to render these claims invalid.

WHEREFORE, Plaintiffs demand a declaratory judgment that (i) the magnetic data cables from Botail and Cool Essential do not infringe any valid claims of the '881 Patent; (ii) Amazon is ordered to release the restraints on all e-commerce store links owned by Botail and Cool Essential, (iii) Hanna and Lup are enjoined from harassing Botail and Cool Essential with allegation of infringement of the '881 Patent; and (iv) Defendants pay damages for their wrongful restraints of the e-commerce store links, together with the costs, including attorney's fees, for this action, and any other remedies which the Court deems necessary and just.

**COUNT II. DECLARATORY JUDGMENT THAT THE '881 PATENT IS INVALID OVER PRIOR ARTS**

29. Plaintiffs hereby re-allege and incorporate by reference each of the allegations set forth in the foregoing paragraphs.

30. "A person shall be entitled to a patent unless— the claimed invention was described in a patent issued under section 151, or in an application for patent published or deemed published under section 122(b), in which the patent or application, as the case may be,

names another inventor and was effectively filed before the effective filing date of the claimed invention.” 25 U.S.C. §102(a)(2).

31. The ‘881 Patent is invalid as being anticipated under 35 U.S.C. U.S.C. §102(a)(2) and/or rendered obvious under 35 U.S.C. §103 by the disclosures in the prior art references.

WHEREFORE, Plaintiffs demand a declaratory judgment that (i) the ‘881 Patent is invalid as being anticipated by the ‘703 Patent and/or other references cited herein under 35 U.S.C. U.S.C. §102(a)(2) and/or rendered obvious under 35 U.S.C. §103 by these prior art references; (ii) Amazon is ordered to release the restraints on the accounts and e-commerce store links of Botail and Cool Essential, (iii) Defendants are enjoined from harassing Plaintiffs with allegation of infringement of the ‘881 Patent; and (iv) Defendants pay Plaintiffs’ damages for their wrongful restraints of the accounts and e-commerce store links, together with the costs, including attorney’s fees, for this action, and any other remedies which the Court deems necessary and just.

**COUNT III. INFRINGEMENT OF UNITED STATES PATENT (35 U.S.C. § 271)**

32. Plaintiffs hereby re-allege and incorporate by reference each of the allegations set forth in the foregoing paragraphs.

33. Defendants are making, using, offering for sale, selling, and/or importing into the United States for subsequent sale or use magnetic data cables that infringe directly and/or indirectly one or more claims of the ‘703 Patent.

34. The magnetic data cables sold by Hanna and Lup on Amazon infringed at least claims 1, 2 and 4 of the ‘703 Patent.

35. All three defendants participated in the infringement activities and benefited from from infringement of the ‘703 Patent.

36. Defendants have infringed the '703 Patent through the aforesaid acts and will continue to do so unless enjoined by this Court. Defendants' wrongful conduct has caused Plaintiffs to suffer irreparable harm resulting from the loss of its lawful patent rights to exclude others from making, using, selling, offering for sale, and importing the patented invention. Plaintiffs are entitled to injunctive relief pursuant to 35 U.S.C. § 283.

37. Plaintiffs are entitled to treble damages against Defendants, jointly and severally, for willful infringement pursuant to 35 U.S.C. § 284

WHEREFORE, Plaintiffs pray for judgment against Defendants that (i) Defendants be enjoined and restrained from infringing any of the claims of the '703 Patent; (ii) Defendants be enjoined and restrained from operating and/or hosting websites that are involved with the distribution, marketing, advertising, offering for sale, or sale of any product infringing the '703 Patent; (iii) that the amount of damages awarded to Plaintiffs to compensate Plaintiff for Defendants' willful infringement of the '703 Patent be increased by three times the amount thereof, as provided by 35 U.S.C. § 284; (iv) that Plaintiffs be awarded its reasonable attorneys' fees and costs; and (v) award any and all other relief that this Court deems just and proper.

**COUNT IV. TORTIOUS INTERFERENCE WITH BUSINESS RELATIONSHIP**

38. Plaintiffs hereby re-allege and incorporate by reference each of the allegations set forth in the foregoing paragraphs.

39. Hanna and Lup knew that Plaintiffs have been doing business on Amazon.com through its e-commerce store under standard agreement between Amazon and its e-commerce stores.

40. Hanna and Lup is not a party to the Noahcam-Amazon agreement.

41. Hanna and Lup knew or should have known that the '881 Patent is not entitled to the priority of the '006 Application and that Plaintiffs' magnetic data cables cannot infringe any valid claims of the '881 Patent as a matter of law.

42. Hanna and Lup fraudulently filed a complaint to Amazon to stop Plaintiffs' sale of their magnetic data cables for an extended period of time.

43. Hanna and Lup had no justification to stop Plaintiffs' sale of their magnetic data cables.

44. Hanna and Lup tortiously interfered with Plaintiffs' business relationship with Amazon through its wrongful and malicious conducts, causing substantial damages to Plaintiffs.

WHEREFORE, Plaintiffs demand:

Money damages against Hanna and Lup, jointly and severally, for tortiously interfere with the business relationships between the Plaintiffs and Amazon, including lost sales, the costs for this action; Punitive and exemplary damages; and any other relief the Court deems just and equitable.

Dated: June 15, 2024

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