

1 Nathaniel L. Dilger (SBN 196203)  
ndilger@onellp.com  
2 Peter R. Afrasiabi (SBN 193336)  
pafrasiabi@onellp.com  
3 Joseph K. Liu (SBN 216227)  
jliu@onellp.com  
4 Taylor C. Foss (SBN 253486)  
tfoss@onellp.com  
5

6 **ONE LLP**  
7 23 Corporate Plaza  
Suite 150-105  
8 Newport Beach, CA 92660  
9 Telephone: (949) 502-2780  
Facsimile: (949) 258-5081  
10

11 *Attorneys for Plaintiff,*  
*Zhejiang Zhengte Co. Ltd.*

12 **UNITED STATES DISTRICT COURT**  
13 **CENTRAL DISTRICT OF CALIFORNIA**  
14 **WESTERN DIVISION**

15 ZHEJIANG ZHENGTE CO. LTD., a  
16 Chinese limited company,  
17 Plaintiff,

18 v.

19 SHENZHEN LANBIAOYI  
20 TECHNOLOGY CO., LTD., a Chinese  
limited company; AUKEY GROUP  
21 HOLDING LIMITED, a California  
22 corporation; and AUKEY TRADING  
CORPORATION, a California  
23 corporation,

24 Defendants.  
25

Case No. 2:24-cv-9277

**COMPLAINT FOR PATENT  
INFRINGEMENT**

**DEMAND FOR JURY TRIAL**

1 Plaintiff Zhengte Industrial Co. Ltd., (“Zhengte” or “Plaintiff”) hereby complains  
2 as follows against Shenzhen Lanbiaoyi Technology Co., Ltd. (“Shenzhen”), Aukey  
3 Group Holding Limited (“Aukey Group”), and Aukey Trading Corporation (“Aukey  
4 Trading”) (collectively, “Defendants”).

5 **NATURE OF THE ACTION**

6 1. This is an action for patent infringement of United States Patent No.  
7 US11,624,187B2 (“the ’187 Patent” or “the Asserted Patent”), arising under the Patent  
8 Laws of the United States, 35 U.S.C. §1, *et seq.*, seeking damages and other relief under  
9 35 U.S.C. § 281, *et seq.* A copy of the ’187 Patent is attached as **Exhibit A**.

10 **THE PARTIES**

11 2. Plaintiff Zhengte is a limited company organized and existing under the laws  
12 of China with a principal place of business located at No. 811, Oriental Avenue, Linhai,  
13 Zhejiang, China, 317004. Plaintiff makes products covered by the Asserted Patent and  
14 which compete directly with the Accused Products described below.

15 3. Upon information and belief, Defendant Shenzhen is a limited company  
16 organized under the laws of China with principal places of business located at Rm.1438F,  
17 Anjier Bldg., No.52 Bagua 4th St., Yuanling Ave., Futian, Shenzhen, China 518000. On  
18 information and belief, Defendant Shenzhen manufactures, offers for sale, sells, and/or  
19 imports into the United States the Accused Products described below. Defendant  
20 Shenzhen is also the owner of the CECAROL trademarks pursuant to U.S. Trademark  
21 Registration No. 6865287 for CECAROL in Class 020 and U.S. Trademark Registration  
22 No. 7299039 in Classes 011 and 022.

23 4. Upon information and belief, Defendant Aukey Group is a corporation  
24 organized under the laws of California with a principal place of business located at 4515  
25 Loma Vista Avenue, Vernon, CA 90058. On information and belief, Defendant Aukey  
26 Group manufactures, offers for sale, sells, and/or imports into the United States the  
27 Accused Products described below.

1 5. Upon information and belief, Defendant Aukey Trading is a corporation  
2 organized under the laws of California with a principal place of business located at 4515  
3 Loma Vista Avenue, Vernon, CA 90058. On information and belief, Defendant Aukey  
4 Group manufactures, offers for sale, sells, and/or imports into the United States the  
5 Accused Products described below.

6 6. On information and belief, Defendants together manufacture, offer for sale,  
7 sell, and/or import into the United States the Accused Products described below through  
8 online retailers such as Amazon, Wayfair, and Pinterest.

9 7. Upon information and belief, Defendants sell and offer to sell products and  
10 services throughout the United States, including in this District, and introduce products  
11 and services into the stream of commerce, which include the Accused Products described  
12 below. Defendants perform these acts knowing that the Accused Products will be sold in  
13 this District and elsewhere in the United States, resulting in infringement of Plaintiff's  
14 Asserted Patent identified below.

15 8. Upon information and belief, Defendants conduct significant, persistent and  
16 regular amount of business in this District through product sales by its distributors,  
17 customers, and resellers and through online marketing, and Defendants derive substantial  
18 revenue from such business.

19 **JURISDICTION AND VENUE**

20 8. This is an action for patent infringement arising under the Patent Laws of the  
21 United States, Title 35 of the United States Code.

22 9. This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and  
23 1338(a).

24 10. Venue is proper in this District because Defendant Shenzhen is a foreign  
25 company and venue against them is therefore governed by the general venue statute,  
26 which provides that "a defendant not resident in the United States may be sued in any  
27 judicial district." 28 U.S.C. § 1391(c)(3); *see also In re HTC Corp.*, 889 F.3d 1349, 1358  
28 (Fed. Cir. 2018).

1 11. Upon information and belief, this Court has personal jurisdiction over  
2 Defendants because both have purposefully availed themselves of the privileges and  
3 benefits of the laws of the State of California. Further, Defendants are subject to this  
4 Court’s general and specific personal jurisdiction because Defendants have sufficient  
5 minimum contacts within the State of California, pursuant to due process and/or the  
6 California Long Arm Statute, because Defendants purposefully availed themselves of the  
7 privileges of conducting business in the State of California, and because Plaintiff’s causes  
8 of action arise directly from Defendants’ business contacts and other activities in the  
9 State of California, including Defendants regularly doing or soliciting business and  
10 deriving substantial revenue from providing products and services to individuals in this  
11 District, including the Accused Product described below, which is accused of infringing  
12 the Asserted Patents. The exercise of jurisdiction over Defendants would not offend  
13 traditional notions of fair play and substantial justice.

14 **BACKGROUND**

15 12. Plaintiff is a global provider of high-quality outdoor products. Over the past  
16 25 plus years, Plaintiff has grown from a small factory into a now major and highly-  
17 respected supplier of outdoor leisure furniture and supplies. One of Plaintiff’s most  
18 successful products is an innovative louvered pergola, which can be easily and quickly  
19 assembled by purchasers using only simple tools. This pergola further includes an  
20 internal gutter system that allows for easy drainage of rainwater and other moisture from  
21 the pergola.

22  
23  
24  
25  
26 //

27 //

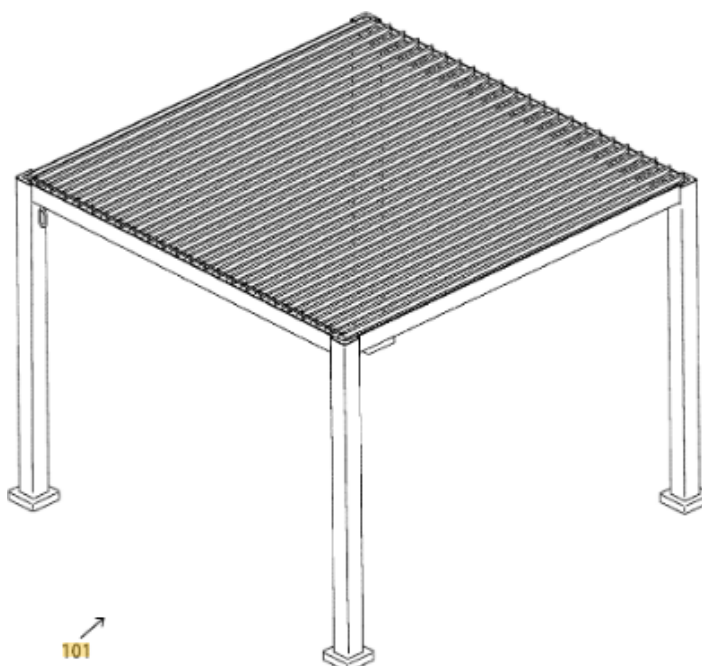
28 //

1 13. Below is a photo of Plaintiff's patented pergola:



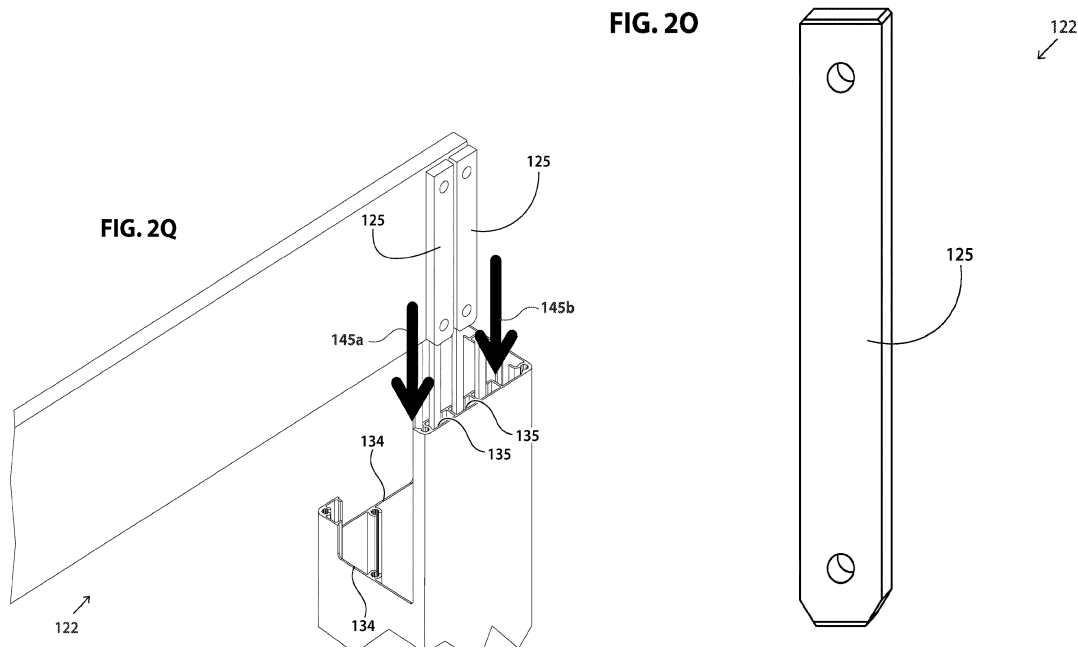
12 See <https://www.youtube.com/watch?v=mlv3pvE1lh0>

13 14. Plaintiff sought patent protection from the United States Patent Office  
14 ("USPTO") for its louvered pergola. In response, Plaintiff was granted United States  
15 Patent No. US11624187B2 ("the '187 Patent" or "the Asserted Patent"), which describes  
16 and claims various innovative aspects of Plaintiff's louvered pergola. Below is a  
17 representative figure from the '187 Patent:



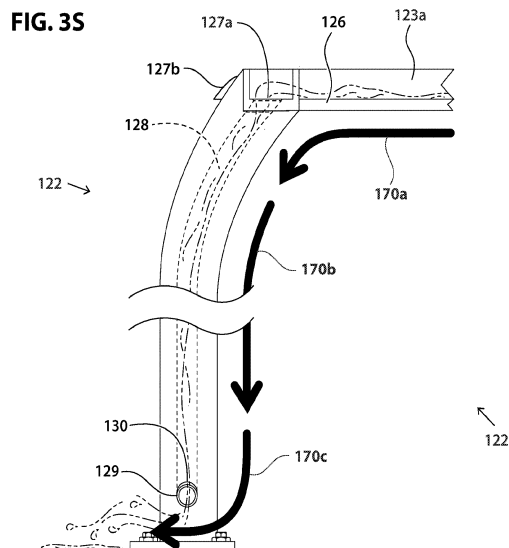
1 See <https://patents.google.com/patent/US11624187B2/en?q=US11624187B2>

2 15. Among other innovations, the '187 Patent describes and claims a unique  
 3 system for assembling the pergola that utilizes securing bars at the ends of each cross  
 4 beam, which correspond with internal beam securing slots provided on the upper end of  
 5 each corner post. To assemble the patented pergola, the cross beams are attached to  
 6 corner posts by slidably inserting the at least one securing bar of each beam end into the  
 7 at least one internal beam securing slot provided at the top end of the corner post. When  
 8 assembled in this manner, the patented pergola includes both a clean and fastener-free  
 9 outer surface as well as an offset between the outer surface of the cross beam as  
 10 compared to the outer surface of the corner posts. Examples of one embodiment of this  
 11 attachment system and the resultant cross beam/post offset can be seen in the '187 Patent  
 12 figures reproduced below:



24 16. Plaintiff's patented pergola further includes an internal gutter system that  
 25 allows for rainwater to drain from the louvered pergola roof into internal gutters provided  
 26 along the length each cross beam. Rainwater runs in these internal gutters and thereafter  
 27 drains into an internal conduit provided in each corner post. After draining into this  
 28 internal conduit, rainwater thereafter passes through an aperture provided in a lower

1 portion of the respective corner post. One embodiment of this gutter system can be seen  
 2 in the '187 Patent figure reproduced below:



12 17. Defendants manufacture and export into the United States Cekarol-branded  
 13 pergolas and other outdoor leisure furniture and supplies. As shown in the attached claim  
 14 chart (**Exhibit B**), at least Defendant’s Cekarol No-Corrosion Louvered Pergola infringes  
 15 one or more claims of the '187 Patent, as well as any other louvered pergola made, used,  
 16 sold, offered for sale, and/or imported by Defendants having substantially the same  
 17 construction as the exemplary pergola shown in Exhibit B (collectively, “Accused  
 18 Product” or “Accused Products”).

19 18. Defendants’ Accused Product is knock-off of Plaintiff’s patented pergola.  
 20 Pictured below is the Accused Product (left), compared to Plaintiff’s pergola (right).



1 See <https://cecarol.com/products/cecarol-10x10-no-corrosion-louvered-pergola>

2 19. Defendants' Accused Product is plainly no more than a blatant knock-off of  
3 Plaintiff's patented pergola and – more importantly – infringes the patented features  
4 described and claimed in the '187 Patent.

5 **COUNT I**

6 **INFRINGEMENT OF THE '187 PATENT**

7 20. Plaintiff hereby restates the allegations contained in the preceding  
8 paragraphs above as if fully set forth herein.

9 21. The '187 Patent was duly and legally issued to Plaintiff by the United States  
10 Patent and Trademark Office.

11 22. Dee Volin and Zhou Jian are the listed inventors and Plaintiff owns all right,  
12 title, and interest in and to the '187 Patent, including the right to assert all causes of  
13 action arising under the '187 Patent, the right to pursue all remedies for infringement of  
14 the '187 Patent, and the right to recover any and all available damages for infringement  
15 of the '187 Patent.

16 23. Defendants have infringed and continue to infringe the '187 Patent under 35  
17 U.S.C. § 271, literally or under the doctrine of equivalents, by making, using, selling,  
18 and/or offering for sale in the United States, and/or importing into the United States  
19 without authorization, at least the Accused Product. For example, as shown in the  
20 attached claim chart (**Exhibit B**), the Accused Products infringe at least Claim 1 of '187  
21 Patent.

22 24. Moreover, Defendants have infringed the '187 Patent with full knowledge  
23 that their making, using, selling, offering for sale, and/or importing of the Accused  
24 Product constitutes infringement of the '187 Patent. In particular, Plaintiff has properly  
25 marked all commercial embodiments of Plaintiff's patented pergola with the '187 Patent  
26 number in accordance with the requirements of 35 U.S.C. Sec. 287. On information and  
27 belief, Defendants nonetheless secured a commercial copy of Plaintiff's patented pergola  
28 and thereafter directly copied this pergola. Defendants were thus well aware of the '187



1 Patent and the fact that Defendants were copying a patent-protected product. But despite  
2 having full knowledge of the '187 Patent and their infringement thereof, Defendants  
3 copied the Plaintiff's patented pergola and since then have continued to manufacture, use,  
4 sell, offer for sale, and/or import into the United States the Accused Product.

5 Defendants' infringement thus has been willful, subjecting it to treble damages in  
6 accordance with 35 U.S.C. § 284 as well as an award to Plaintiff of its attorneys' fees in  
7 accordance with 35 U.S.C. § 285.

8 25. Further, on information and belief,

9 26. Defendants actions constitute direct infringement, contributory infringement,  
10 and/or active inducement of infringement of at least Claim 10 of the '187 Patent in  
11 violation of 35 U.S.C. § 271.

12 27. Plaintiff has sustained damages and will continue to sustain damages as a  
13 result of Defendants' aforesaid acts of infringement.

14 28. Plaintiff is entitled to recover damages sustained as a result of Defendants'  
15 wrongful acts in an amount to be proven at trial.

16 29. Defendants' infringement of Plaintiff's rights under the '187 Patent will  
17 continue to damage Plaintiff's business, causing irreparable harm, for which there is no  
18 adequate remedy at law, unless it is enjoined by this Court.

19 30. In addition, Defendants' have infringed the '187 Patent – directly,  
20 contributorily, and by inducement – with full knowledge of the '187 Patent and despite  
21 having full knowledge that its actions constituted infringement of that patent. For at least  
22 this reason, Defendants have willfully infringed the '187 Patent, entitling Plaintiff to  
23 increased damages under 35 U.S.C. § 284 and to attorney fees and costs incurred in  
24 prosecuting this action under 35 U.S.C. § 285.

25 **PRAYER FOR RELIEF**

26 WHEREFORE, Plaintiff prays for judgment as follows:

27 a. Declaring that Defendants have infringed the '187 Patent and that such  
28 infringement was willful.

1           b.     Awarding to Plaintiff damages arising out of Defendants’ infringement of  
2 the ’187 Patent, together with prejudgment and post-judgment interest, in an amount  
3 according to proof.

4           c.     As a consequence of Defendants’ willful infringement, trebling the  
5 foregoing damages award in accordance with 35 U.S.C. § 284.

6           d.     Awarding attorneys’ fees to Plaintiff pursuant to 35 U.S.C. § 285 or as  
7 otherwise permitted by law.

8           e.     Awarding such other costs and further relief as the Court may deem just and  
9 proper.

10  
11 Dated: October 28, 2024

**ONE LLP**

12  
13 By: /s/ Taylor C. Foss

Nathaniel L. Dilger

Peter R. Afrasiabi

14 Joseph K. Liu

15 Taylor C. Foss

16  
17 *Attorneys for Plaintiff,*

18 *Zhejiang Zhengte Co. Ltd.*  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**DEMAND FOR JURY TRIAL**

Plaintiffs hereby demand trial by jury of all issues so triable under the law.

Dated: October 28, 2024

**ONE LLP**

By: /s/ Taylor C. Foss

Nathaniel L. Dilger

Peter R. Afrasiabi

Joseph K. Liu

Taylor C. Foss

*Attorneys for Plaintiff,  
Zhejiang Zhengte Co. Ltd.*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28