

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

WANG PENGFEI,

Plaintiff,

v.

THE PARTNERSHIPS and
UNINCORPORATED ASSOCIATIONS
IDENTIFIED ON SCHEDULE A,

Defendants.

Case No. 24-cv-11494

COMPLAINT

Plaintiff, Wang Pengfei (“Plaintiff” or “Pengfei”), by and through its attorneys, Aronberg Goldgehn Davis & Garmisa, for its Complaint against the Partnership and Unincorporated Associations identified on Schedule A (collectively referred to as “Defendants”) states as follows:

ALLEGATIONS COMMON TO ALL COUNTS

Nature of the Case

1. This is a civil action for infringement of United States Patent Nos. 12,090,678 (“678”), 12,091,276 (“276”), and D985,353 (“353”) (the “Pengfei Patents”) under the Patent Act, 35 U.S.C. §101 *et seq.*; trade dress infringement of Plaintiff’s wrapping paper cutting tool under the Lanham Act, 15 U.S.C. § 1125(a); and violation of the Illinois Uniform Deceptive Trade Practices Act, 815 ILCS § 510, *et seq.*; based on Defendants’ infringement through sales of wrapping paper cutting tools on various e-commerce websites. Copies of the Pengfei Patents are attached as Exhibits A-C.

2. Plaintiff sells wrapping paper cutting tools that attach to a roll of gift-wrapping paper and allow the user to make an easy cut of the necessary sheet the user requires to wrap the gift.

3. The tool is shaped to wrap around a roll of gift-wrapping paper and has a protected blade that seamlessly cuts through the wrapping paper in a straight line.

4. Plaintiff is the sole owner of all right title and interest in and to United States Patent Nos. 12,090,678, 12,091,276, and D985,353, used in connection with the product described in the aforementioned paragraphs. See Exhibit D.

5. This action has been filed by Plaintiff to combat e-commerce store operators who infringe upon Plaintiff's patented designs and valuable trade dress by selling and/or offering for sale products ("Unauthorized Pengfei Products") infringing upon the Pengfei Patents and distinctive trade dress (the "Pengfei Trade Dress") (collectively the "Pengfei IP").

6. Defendants use and operate fully interactive e-commerce stores¹ operating under the seller aliases identified in Schedule A attached hereto (the "Seller Aliases").

7. Defendants create e-commerce stores operating under one or more Seller Aliases that are advertising, offering for sale, and selling Unauthorized Pengfei Products to unknowing consumers.

8. E-commerce stores operating under the Seller Aliases share unique identifiers, establishing a logical relationship between them and that Defendants' counterfeiting operation arises out of the same transaction, occurrence, or series of transactions or occurrences.

¹ The e-commerce store URLs are listed on the Schedule A at Dkt 2.

9. Defendants attempt to avoid and mitigate liability by operating under one or more Seller Aliases to conceal both their identities and the full scope and interworking of their counterfeiting operation.

10. Plaintiff is forced to file this action to combat Defendants' counterfeiting of its Pengfei IP, as well as to protect unknowing consumers from purchasing Unauthorized Pengfei Products over the Internet.

11. Plaintiff has been and continues to be irreparably damaged through as a result of Defendants' actions and seeks injunctive and monetary relief.

The Parties

12. Plaintiff, Wang Pengfei, is an individual that resides in Guangdong, China.

13. 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 Seller Aliases identified on Schedule A and/or other seller aliases not yet known to Plaintiff.

14. 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.

15. Defendants have the capacity to be sued pursuant to Federal Rule of Civil Procedure 17(b).

16. On information and belief, Defendants, either individually or jointly, operate one or more e-commerce stores under the Seller Aliases listed in Schedule A attached hereto.

17. Tactics used by Defendants to conceal their identities and the full scope of their operation make it virtually impossible for Plaintiff to learn Defendants' true identities and the exact

interworking of their counterfeit network. If Defendants provide additional credible information regarding their identities, Plaintiff will take appropriate steps to amend the Complaint.

Jurisdiction

18. This court has subject matter jurisdiction over this patent and trademark infringement action pursuant to 28 U.S.C. §§ 1331 and 1338(a).

19. This Court has personal jurisdiction over Defendants because Defendants transacted business relative to the claims made within the State of Illinois and within this District and because Defendants purposefully availed themselves of the benefits and privileges of conducting business activities within the State of Illinois and within this District.

20. More particularly, Defendants utilize online retail accounts to promote and offer to sell the Unauthorized Pengfei Products in Illinois and to Illinois residents, and provide for the shipment of the Unauthorized Pengfei Products to customers in Illinois.

21. Venue is proper in this Court pursuant to 28 U.S.C. § 1391(b)(2) because a substantial part of the events or omissions giving rise to the claims occurred in this judicial district.

22. Venue is proper in this Court pursuant to 28 U.S.C. § 1391(b)(3) because Defendants are foreign defendants, subject to this Court's personal jurisdiction as alleged above.

Factual Background

Pengfei's Products

23. Plaintiff is the assignee, and the sole and exclusive owner of all right, title, and interest in the Pengfei Patents.

24. Patent No. 12,090,678 was duly and legally issued by the United States Patent and Trademark Office on September 17, 2024.

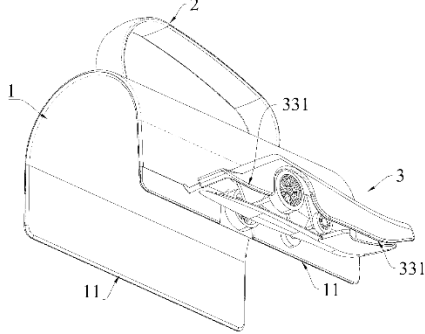
25. Patent No. 12,091,276 was duly and legally issued by the United States Patent and Trademark Office on September 17, 2024.

26. Patent No. D985,353 was duly and legally issued by the United States Patent and Trademark Office on May 9, 2023.

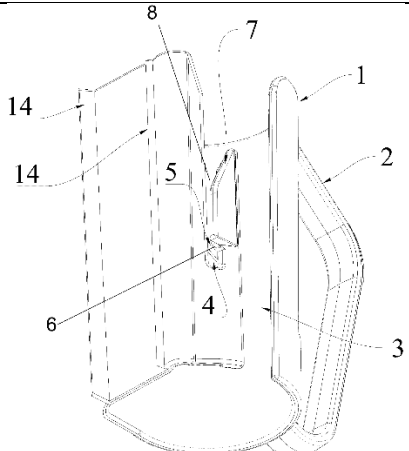
27. At all relevant times Pengfei has provided notice that its products are protected by the '678, '276, and '353 Patents.

28. The '678 Patent includes, but is not limited to, the following features set forth in claim 1: a paper cutter, comprising; a paper cutter housing which comprises an accommodating space for axially accommodating a roll of paper to be cut, wherein a side wall of the paper cutter housing further comprises two parallel guide rails arranged in an axial direction thereof, and the parallel guide rails can serve as contact planes for the paper cutter and a paper cutter placement surface and are applied to positioning, force bearing and supporting during paper cutting and configured to assist the paper cutter in linearly sliding; and a paper cutting device which is connected to the side wall of the paper cutter housing and comprises a paper cutting device housing and a cutter assembly which is connected to the paper cutting device housing, wherein the cutter assembly comprises an object picking member and a cutter, one end of the object picking member is provided with an object picking end, another end of the object picking member is connected to a cutter bearing member, the cutter is mounted in the cutter bearing member; the object picking member picks the paper to be cut away from a placement surface for the paper to be cut and feeds the paper towards a cutting edge of the cutter, and a direction corresponding to the cutting edge of the cutter is opposite to a paper feeding direction of the paper to be cut; and wherein the paper cutting device further comprises a paper guide member, the paper guide member is arranged close to a paper discharging end of the paper cutting device housing and is arranged above a paper

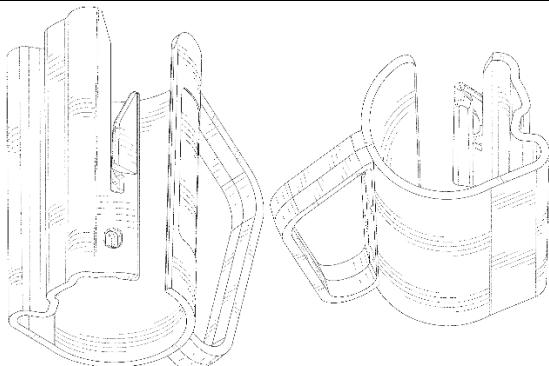
bottom layer contact surface, and the paper guide member is connected to the paper cutting device housing by means of a paper guide mounting member. See '678 Patent, col. 7 line 60 to col. 8 line 25. A representative figure of the '678 Patent follows:

Patent No.	Representative Figure	Issue Date
12,090,678		Sep. 17, 2024

29. The '276 Patent includes, but is not limited to, the following features set forth in claim 8: a shell having an axially penetrating hollow structure, wherein an open slot from one end to an other end is formed in a sidewall of the shell along an axial direction thereof, a notch extending along an axial direction is further formed in one side edge of the shell corresponding to the open slot, and a cutting knife is arranged fixedly on an inner bottom wall of the notch; and supporting protrusions are axially arranged on the sidewall of the shell, and are configured to position and support the wrapper cutter and assist the wrapper cutter to slide linearly; wherein the wrapper cutter further comprises a fixed plate arranged within the notch and on one side edge of the notch. See '276 Patent at col. 6, lines 53-67. A representative figure of the '276 Patent follows:

Patent No.	Representative Figure	Issue Date
12,091,276		Sep. 17, 2024

30. The ‘353 design patent is directed to a novel ornamental design for a paper cutter as shown and described in the patent. An exemplary figure is depicted below:

Patent No.	Representative Figure	Issue Date
D985,353		May 9, 2023

31. Plaintiff sells wrapping paper cutting tools bearing distinctive trade dress in the overall design (the “Pengfei Trade Dress”).

32. The Pengfei Trade Dress includes a horseshoe shaped wrapping paper cutter with a side mounted rolling cutter and decorative rolling wheel. Additional trade dress includes the overall black color with orange paper guide and cutting tool.

33. The Pengfei Trade Dress is distinctive and not functional. The design features embodied by the Pengfei Trade Dress are not essential to the function of the product. A paper cutter that cuts through a roll of wrapping paper can have many different forms, shapes, as well as different color schemes. The Pengfei Trade Dress is not in its particular shape because it works better in that shape. There are numerous alternative shapes and structures that allow a consumer to cut a roll of wrapping paper in a straight line. Examples of commercially available alternatives are depicted in the table below:

 <p>https://www.amazon.com/B0DD3CWK8M</p>	 <p>https://www.amazon.com/B0DG8DHGLP</p>
 <p>https://www.amazon.com/B07V738J4Y</p>	

34. The appearance of the Pengfei Trade Dress do not affect the quality of the product.
35. The appearance of the Pengfei Trade Dress is not a competitive necessity.

36. The Pengfei Trade Dress is an invaluable asset essential to Plaintiff's success and represents the design of its signature products.

37. Subsequent to Plaintiff's use and adoption of the Pengfei Trade Dress, Defendants developed, manufactured, imported, advertised, and/or sold cutting tools that use a design that is confusingly similar to the Pengfei Trade Dress.

Defendants' Wrongful Acts

38. The success of the Pengfei IP has resulted in its significant counterfeiting.

39. Plaintiff has launched a brand protection program to investigate suspicious e-commerce stores identified in proactive Internet sweeps and reported by consumers.

40. Recently, Plaintiff has identified numerous fully interactive e-commerce stores, including those operating under the Seller Aliases, which were offering for sale and/or selling Unauthorized Pengfei Products to consumers in this Judicial District and throughout the United States. E-commerce sales, including through e-commerce stores like those of Defendants, have resulted in an increase in the shipment and importation of unauthorized products into the United States.

41. Third party service providers like those used by Defendants do not adequately subject new sellers to verification and confirmation of their identities, allowing counterfeiters to use false or inaccurate names and addresses when registering with these e-commerce platforms.

42. Defendants have targeted sales to Illinois residents by setting up and operating e-commerce stores that target United States consumers using one or more Seller Aliases, offer shipping to the United States, including Illinois, accept payment in U.S. dollars and, on information and belief, have sold Unauthorized Pengfei Products to residents of Illinois.

43. Defendants concurrently employ and benefit from substantially similar advertising and marketing strategies. For example, Defendants facilitate sales by designing the e-commerce stores operating under the Seller Aliases so that they appear to unknowing consumers to be authorized online retailers, outlet stores, or wholesalers. E-commerce stores operating under the Seller Aliases appear sophisticated and accept payment in U.S. dollars via credit cards, Alipay, and/or PayPal. E-commerce stores operating under the Seller Aliases often include content and images that make it very difficult for consumers to distinguish such stores from an authorized retailer.

44. Plaintiff has not licensed or authorized Defendants to use the Pengfei IP and none of the Defendants are authorized retailers of genuine Pengfei products.

45. E-commerce store operators, like Defendants, commonly engage in fraudulent conduct when registering the Seller Aliases by providing false, misleading, and/or incomplete information to e-commerce platforms to prevent discovery of their true identities and the scope of their e-commerce operation.

46. E-commerce store operators like Defendants regularly register or acquire new seller aliases for the purpose of offering for sale and selling Unauthorized Pengfei Products. Such seller alias registration patterns are one of many common tactics used by e-commerce store operators, like Defendants, to conceal their identities and the full scope and interworking of their counterfeiting operation, and to avoid being shut down.

47. Even though Defendants operate under multiple fictitious aliases, the e-commerce stores operating under the Seller Aliases often share unique identifiers, such as templates with common design elements that intentionally omit any contact information or other information for identifying Defendants or other Seller Aliases they operate or use. E-commerce stores operating

under the Seller Aliases include other notable common features such as use of the same registration patterns, accepted payment methods, check-out methods, keywords, advertising tactics, similarities in price and quantities, the same incorrect grammar and misspellings, and/or the use of the same text and images. Additionally, Unauthorized Pengfei Products for sale by the Seller Aliases bear similar irregularities and indicia of being counterfeit to one another, suggesting that the Unauthorized Pengfei Products were manufactured by and come from a common source and that Defendants are interrelated.

48. On information and belief E-commerce store operators like Defendants are in regular communication with each other and regularly participate in QQ.com chat rooms and through websites such as sellerdefense.cn, kaidianyao.com, and kuajingvs.com regarding tactics for operating multiple accounts, evading detection, pending litigation, and potential new lawsuits.

49. Counterfeiters, such as Defendants, typically operate under multiple seller aliases and payment accounts so that they can continue operation in spite of Plaintiff's enforcement. E-commerce store operators, like Defendants, maintain off-shore bank accounts and regularly move funds from their financial accounts to off-shore accounts outside the jurisdiction of this Court to avoid payment of any monetary judgment awarded to Plaintiff. Indeed, it has been reported that financial transaction logs from previous cases involving claims similar to the present claims indicate that off-shore counterfeiters regularly move funds from U.S.-based financial accounts to off-shore accounts outside the jurisdiction of this Court.

50. On information and belief, Defendants are working in active concert to knowingly and willfully manufacture, import, distribute, offer for sale, and sell Unauthorized Pengfei Products in the same transaction, occurrence, or series of transactions or occurrences.

51. Defendants' wrongful acts and/or willful infringements have caused and will continue to cause irreparable harm to Plaintiff unless permanently enjoined, for which Plaintiff has no adequate remedy at law.

52. Defendants are profiting and will continue to profit from their unlawful actions.

COUNT I
INFRINGEMENT OF U.S. PATENT NO. 12,090,678

53. Plaintiff repeats and incorporates by reference the allegations contained in all preceding Paragraphs as if set forth fully herein.

54. 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.

55. 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 '678 Patent.

56. Defendants have infringed and/or are currently infringing, and unless enjoined will continue to infringe the '678 Patent.

57. Specifically, as set forth in the accompanying claim chart, Exhibit E, Defendants have infringed and continue to infringe at least claim 1 of the '678 Patent by making, using, importing, selling, and/or offering to sell their infringing products in the United States without authorization or license from Plaintiff.

58. Defendants have profited by their infringement of the '678 Patent, and Plaintiff has suffered actual harm as a result of Defendants' infringement.

59. Defendants have infringed the '678 Patent and will continue to do so unless enjoined by this Court. Defendants' wrongful conduct has caused Plaintiff 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. Plaintiff is entitled to injunctive relief pursuant to 35 U.S.C. § 283.

60. Plaintiff is entitled to recover damages adequate to compensate for the infringement as appropriate pursuant to 35 U.S.C. § 284.

COUNT II
INFRINGEMENT OF U.S. PATENT NO. 12,091,276

61. Plaintiff repeats and incorporates by reference the allegations contained in all preceding Paragraphs as if set forth fully herein.

62. 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.

63. 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 '276 Patent.

64. Defendants have infringed and/or are currently infringing, and unless enjoined will continue to infringe the '276 Patent.

65. Specifically, as set forth in the accompanying claim chart, Exhibit F, Defendants have infringed and continue to infringe at least claim 8 of the '276 Patent by making, using, importing, selling, and/or offering to sell their infringing products in the United States without authorization or license from Plaintiff.

66. Defendants have profited by their infringement of the '276 Patent, and Plaintiff has suffered actual harm as a result of Defendants' infringement.

67. Defendants have infringed the '276 Patent and will continue to do so unless enjoined by this Court. Defendants' wrongful conduct has caused Plaintiff 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. Plaintiff is entitled to injunctive relief pursuant to 35 U.S.C. § 283.

68. Plaintiff is entitled to recover damages adequate to compensate for the infringement as appropriate pursuant to 35 U.S.C. § 284.

COUNT III
INFRINGEMENT OF U.S. PATENT NO. D985,353

69. Plaintiff repeats and incorporates by reference the allegations contained in all preceding Paragraphs as if set forth fully herein.

70. Defendants have infringed and/or are currently infringing, and unless enjoined will continue to infringe the '353 Patent.

71. Defendants infringed the '353 Patent by importing, making, using, selling, and offering for sale identical or substantially similar versions of the protected the '353 Patent's design that would cause a customer to confuse the Defendants' product for the patented design.

72. Specifically, as shown in the accompanying claim chart, Exhibit G, an ordinary observer, giving such attention as a purchaser usually gives, would be so deceived by the resemblance between the design of the accused products and the '353 Patent as to be induced to purchase the accused products believing they embody the designs of the '353 Patent.

73. Defendants' deliberate and willful actions in infringing the design of the '353 Patent have caused and will continue to cause irreparable harm to Plaintiff unless preliminarily and permanently enjoined pursuant to 35 U.S.C. § 283.

74. Defendants have profited from their willful infringement of the '353 Patent and Plaintiff has suffered damages as a result of Defendants' infringement of the '353 Patent.

**COUNT IV
INFRINGEMENT OF PLAINTIFF'S TRADE DRESS**

75. Plaintiff repeats and incorporates by reference the allegations contained in all preceding Paragraphs as if set forth fully herein.

76. This is a claim for trade dress infringement under 15 U.S.C. § 11125(a).

77. Subsequent to Plaintiff's use and adoption of the Pengfei Trade Dress, and the development of secondary meaning in that trade dress, Defendants have developed, manufactured, imported, advertised, and/or sold products that use trade dress that is confusingly similar to the Pengfei Trade Dress.

78. Defendant's use of the Pengfei Trade Dress in connection with its products is likely to cause confusion, or to cause mistake, or to deceive as to the affiliation, connection, or association of Defendants with Plaintiff.

79. Plaintiff is informed and believes, and based thereon alleges, that Defendants infringed Plaintiff's trade dress rights with the intent to unfairly compete with Plaintiff, to trade upon Plaintiff's reputation and goodwill by causing confusion and mistake among customers and the public, and to deceive the public into believing that Defendants' products are associated with, sponsored by, originated from, or are approved by Plaintiff, when they are not, resulting in a loss of reputation in, and mischaracterization of, Plaintiff's products and its brand.

80. Defendant's activities constitute willful and intentional infringement of Plaintiff's trade dress rights in total disregard of Plaintiff's proprietary rights, and were done despite Defendants' knowledge that use of the Wrapper Cutter Dress was, and is, in direct contravention of Plaintiff's rights.

81. Plaintiff is informed and believes, and thereon alleges, that Defendants have derived and received, and will continue to derive and receive, gains, profits, and advantages from Defendants' trade dress infringement in an amount that is not presently known to Plaintiff. By reason of Defendant's actions, constituting trade dress infringement, Plaintiff has been damaged and is entitled to monetary relief in an amount to be determined at trial.

82. Due to Defendants' actions, constituting trade dress infringement, Plaintiff has suffered great and irreparable injury, for which Plaintiff has no adequate remedy at law.

83. Defendants will continue to infringe Plaintiff's trade dress rights to the great and irreparable injury of Plaintiff's, unless and until Defendants are enjoined by this Court.

COUNT V
INFRINGEMENT OF PLAINTIFF'S TRADE DRESS, COMMON LAW

84. Plaintiff repeats and incorporates by reference the allegations contained in all preceding Paragraphs as if set forth fully herein.

85. This is a claim for trade dress infringement under Illinois common law for false designation of origin.

86. Defendant's use of the Pengfei Trade Dress in connection with its products is likely to cause confusion, or to cause mistake, or to deceive as to the affiliation, connection, or association of Defendants with Plaintiff.

87. Defendant's activities constitute willful and intentional infringement of Plaintiff's common law trade dress rights in total disregard of Plaintiff's proprietary rights, and were done despite Defendants' knowledge that use of the Wrapper Cutter Dress was, and is, in direct contravention of Plaintiff's rights.

88. Plaintiff is informed and believes, and thereon alleges, that Defendants have derived and received, and will continue to derive and receive, gains, profits, and advantages from

Defendants' trade dress infringement in an amount that is not presently known to Plaintiff. By reason of Defendants' actions, constituting trade dress infringement, Plaintiff has been damaged and is entitled to monetary relief in an amount to be determined at trial, including but not limited to actual damages, disgorgement damages, and punitive damages.

89. Due to Defendants' actions constituting trade dress infringement, Plaintiff has suffered great and irreparable injury, for which Plaintiff has no adequate remedy at law.

90. Defendants will continue to infringe Plaintiff's trade dress rights to the great and irreparable injury of Plaintiff's, unless and until Defendants are enjoined by this Court.

COUNT VI
VIOLATION OF ILLINOIS UNIFORM DECEPTIVE TRADE PRACTICES ACT

91. Plaintiff repeats and incorporates by reference the allegations contained in all preceding Paragraphs as if set forth fully herein.

92. This is a claim for violation of Illinois Uniform Deceptive Trade Practices Act, 815 ILCS § 510, et seq.

93. Defendants have engaged in acts violating Illinois law including, but not limited to, trade dress infringement, false designation of origin, passing off, and federal unfair competition. Such acts cause a likelihood of confusion and/or misunderstanding as to an affiliation, connection, or association of Defendants' goods with Plaintiff.

94. Defendants' aforementioned acts constitute a willful violation of the Illinois Uniform Deceptive Trade Practices Act, 815 ILCS § 510, et seq.

95. Defendants' aforementioned acts have damaged Plaintiff in an amount to be determined at trial.

96. Defendants have irreparably injured Plaintiff. Such irreparable injury will continue unless Defendants are preliminarily and permanently enjoined by this Court from further violation of Plaintiff's rights, for which Plaintiff has no adequate remedy at law.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment against Defendants Identified on Schedule A as follows:

1. 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:
 - a. further infringement of the Pengfei IP, including, importing, making, using, selling, and offering for sale nearly identical versions of the protected Design;
 - b. committing any acts calculated to cause consumers to believe that Defendants' Unauthorized Pengfei Products are those sold under the authorization, control or supervision of Plaintiff, or are sponsored by, approved by, or otherwise connected with Plaintiff;
 - c. manufacturing, shipping, delivering, holding for sale, transferring or otherwise moving, storing, distributing, returning, or otherwise disposing of, in any manner, products or inventory not manufactured by or for Plaintiff, nor authorized by Plaintiff to be sold or offered for sale, and which infringe the Pengfei IP, or any reproductions, counterfeit copies or colorable imitations thereof;

- d. disposing of, destroying, moving, secreting, relocating, and/or transferring any and all of Defendants' Unauthorized Pengfei Products, without Court direction; and
- e. assisting, aiding, or abetting any other person or business entity in engaging in or performing any of the activities referred to in the above subparagraphs;

2. Enter an Order, upon Plaintiff's request, those with notice of the injunction, including without limitation, any online marketplace platforms such as eBay, AliExpress, Wish.com, and Walmart.com (collectively, the "Third Party Providers") shall disable and cease displaying any advertisements used by or associated with Defendants in connection with the sale of goods that infringe on the Pengfei IP;

3. Enter an Order that Defendants and any and all persons controlled by or acting in concert with Defendants to be required to deliver up to Plaintiff for destruction all goods that infringe the Pengfei IP or that are otherwise in violation of this Court's order issued pursuant hereto, and all means for making the same;

4. Enter an Order that Plaintiff be awarded monetary relief in an amount to be fixed by the Court in its discretion as it finds just as an equitable remedy and as a remedy under 15 U.S.C. § 1117, including all damages sustained by Plaintiff as a result of Defendants' acts of trade dress infringement and unfair competition, all profits received by Defendant from sales and revenues of any kind made as a result of its infringing actions, punitive damages, and the costs of this action;

5. Award Plaintiff for past and future damages, costs, expenses, together with prejudgment and post-judgment interest to compensate for Defendants' infringement of the Pengfei Patents provided under 35 U.S.C. § 284, and increase such award by up to three times the amount

found or assessed in accordance with 35 U.S.C. § 284; More specifically, award to Plaintiff each Defendant's total profits but not less than \$250 under 35 U.S.C. § 289.

6. An Order adjudging that this is an exceptional case under 15 U.S.C. § 1117 and/or 35 U.S.C. § 285;
7. Find that this is an exceptional case and award Plaintiff attorneys' fees;
8. Award any and all other relief that this Court deems just and proper.

JURY DEMAND

Plaintiff demands a trial by jury of all issues so triable.

Dated: November 7, 2024

Respectfully submitted,

/s/ Sofia Quezada Hastings

One of the Attorneys for Plaintiff, Wang Pengfei

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