

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

TIT INTERNATIONAL LIMITED,

Plaintiff,

v.

SUN PLEASURE CO. LIMITED,

Defendant.

C.A. No. \_\_\_\_\_

JURY TRIAL DEMANDED

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**COMPLAINT FOR DECLARATORY JUDGMENT OF NONINFRINGEMENT**

Plaintiff TIT International Limited (“Plaintiff” or “TIT International”) hereby brings this Complaint against Defendant Sun Pleasure Co. Limited (“Defendant” or “Sun Pleasure”) and alleges as follows:

**NATURE OF THE ACTION**

1. This is an action for declaratory judgment of noninfringement of U.S. Patent No. 7,353,555, entitled “Inflatable Mattress Assembly” (the “’555 patent”). A copy of the ’555 patent is attached as **Exhibit A**.

**THE PARTIES**

2. Plaintiff TIT International is a limited liability company organized under the laws of Hong Kong with a place of business at Flat/Rm U19, Fitfort, 560 King’s Road, North Point, Hong Kong.

3. On information and belief, Defendant Sun Pleasure is a limited liability company organized under the laws of Hong Kong with a principal place of business at 698 Prince Edward Road East, Units 2501-3, 25th Floor, Stelux House, San Po Kong, Kowloon, Hong Kong.

4. On information and belief, Sun Pleasure is the assignee of all rights, title, and interest in the '555 patent.

### **BACKGROUND**

5. Plaintiff TIT International sells air mattresses under the “Airefina,” “NatraCalm,” and “iDOO” brands. TIT International only sells its air mattresses through Amazon.com. The Amazon Standard Identification Number (“ASIN”) of its (i) Airefina Air Mattress Queen with Built in Pump, (ii) NatraCalm Queen Air Mattress with Built in Pump, (iii) iDOO Luxury Air Mattress with Built in Pump, and (iv) iDOO Queen Air Mattress with Built in Pump, are B0CSPG7YD9, B0CMZ57P9S, B0C4TT3953, and B0C8TF4VK8, respectively (the “Accused Products”).

6. On October 22, 2024, TIT International received an email from Amazon (sent via patent-evaluation@amazon.com) advising that Defendant Sun Pleasure is the owner of the '555 patent and believes ASINs B0CSPG7YD9, B0CMZ57P9S, B0C4TT3953, and B0C8TF4VK8 infringe the '555 patent. The email advises that the Accused Products will be removed from Amazon.com within three weeks unless certain action is taken, including: (i) “file a lawsuit against the patent owner for declaratory judgment of non-infringement of the asserted patent,” or (ii) participate in “Amazon Patent Evaluation Procedure” (“APEX”). Amazon assigned the infringement complaint ID 16498112741.

7. Plaintiff TIT International, therefore, has a reasonable apprehension, and there exists a reasonable potential, that Defendant Sun Pleasure will file an action against TIT International and allege that TIT International infringes the '555 patent by making, using, selling, offering for sale, and/or importing into the United States the Accused Products.

8. Plaintiff TIT International also has a reasonable apprehension, and there exists a

reasonable potential, that Defendant Sun Pleasure will file an action against TIT International and allege that TIT International infringes the '555 patent by making, using, selling, offering for sale, and/or importing into the United States air mattresses that are similar to the Accused Products. For example, TIT International sells other air mattresses on Amazon.com that are similar to the Accused Products except that they are of different size, height, and brand. Such similar air mattresses include (i) iDOO Luxury Twin Air Mattress with Built in Pump with ASIN B0C1H1X77G, (ii) iDOO Twin Air Mattress with Built in Pump with ASIN B0CVVV6V37, (iii) iDOO Air Mattress Full with Built in Pump with ASIN B0CQ4NYJBX, (iv) iDOO Air Mattress Full with Built in Pump with ASIN B0CVVW9S8D, (v) iDOO King Air Mattress with Built in Pump with ASIN B0CQYFM7QN, (vi) iDOO Air Mattress Queen with Built in Pump with ASIN B0CWG6BV4N, (vii) iDOO Air Mattress Full with Built in Pump with ASIN B0CWGJW8B5, (viii) iDOO Twin Air Mattress with Built in Pump with ASIN B0CW5VQVCK, (ix) Airefina Air Mattress Full with Built in Pump with ASIN B0CQ769XTQ, (x) Airefina Twin Air Mattress with Built-in Pump Raised for Guests Home with ASIN B0CZ43BZ2S, (xi) Airefina King Size Air Mattress With Built in Pump Raised with ASIN B0CKZ6J38M, and (xii) Twin Air Mattress with Built in Pump with ASIN B0CMZ56NNY (collectively, the "Similar Products").

9. Plaintiff TIT International offers the Accused Products and Similar Products for sale to customers in the United States, including Delaware, and has sold the Accused Products and Similar Products to customers in Delaware.

10. Plaintiff TIT International only sells Accused Products and Similar Products on Amazon.com.

11. As a result of the foregoing, a justiciable controversy exists between Plaintiff and

Defendant as to whether the Accused Products and Similar Products infringe the '555 patent.

**JURISDICTION AND VENUE**

12. The Court has original subject matter jurisdiction under 28 U.S.C. §§ 2201, 2202, 1331, and 1338(a) because this action arises under the laws of the United States, in particular the Patent Act of the United States, 35 U.S.C. §§ 100 et seq., and seeks relief under the Federal Declaratory Judgment Act.

13. Sun Pleasure is subject to specific personal jurisdiction in this District because of its submission of infringement complaint ID 16498112741 on Amazon.com. By submitting complaint ID 16498112741, Sun Pleasure sought to remove the Accused Products from Amazon.com, which would deprive customers in this District of the ability to purchase the Accused Products from Amazon.com as they have before. TIT International only sells and offers to sell the Accused Products on Amazon.com and has sold the Accused Products in this District.

14. In the alternative, and as additional support for personal jurisdiction over Sun Pleasure in Delaware, personal jurisdiction is proper under Fed. R. Civ. P. 4(k)(2). This case relates to Sun Pleasure's assertions of infringement of the '555 patent and therefore arises under federal law. On information and belief, Sun Pleasure is a limited liability company organized under the laws of Hong Kong with a principal place of business at 698 Prince Edward Road East, Units 2501-3, 25th Floor, Stelux House, San Po Kong, Kowloon, Hong Kong. Public records and public searches do not indicate any presence or business activity in any state in the United States except for Sun Pleasure's assertion of the '555 patent through Amazon's patent infringement notification procedures. On information and belief, based on the foregoing facts, Sun Pleasure is not subject to personal jurisdiction in any state court such that Plaintiffs could have brought suit there at the time of filing, regardless of consent. Sun Pleasure does, however,

have sufficient minimal contacts with the United States as a whole because its '555 patent assertions through Amazon.com have been directed towards various U.S. entities.

15. Venue is proper in this Court under 28 U.S.C. § 1391(b)(3) because Sun Pleasure is subject to personal jurisdiction in this District. Venue is also proper under 28 U.S.C. § 1391(c)(3) because Sun Pleasure is not a resident of the United States and therefore may be sued in any judicial district.

### **FIRST CLAIM FOR RELIEF**

#### **(Declaratory Judgment of Noninfringement of U.S. Patent No. 7,353,555)**

16. Plaintiffs repeat, reallege, and incorporate each and every allegation contained in all previous paragraphs as if fully set forth herein.

17. Sun Pleasure purports to be the owner by assignment of the '555 patent with all right, title, and interest thereto.

18. The '555 patent has 13 claims, two of which are independent: claims 1 and 6.

19. The Accused Products and Similar Products do not include every claimed feature of any independent claim in the '555 patent.

20. By way of nonlimiting example only, both independent claims 1 and 6 recite the following limitation: “said internal wall of said peripheral frame includes a fluid passage therethrough, said internal wall is in substantial pressure equilibrium within said interior volume, and said internal wall has a substantially linear cross-section between said first and second seams.”

21. Neither the Accused Products nor the Similar Products have, *inter alia*, an “internal wall” with a “fluid passage” as claimed in the '555 patent.

22. Therefore, the Accused Products and the Similar Products have not infringed and

do not infringe the '555 patent, either literally or under the doctrine of equivalents.

23. An actual and justiciable controversy therefore exists between Plaintiff and Defendant regarding whether Plaintiff has infringed any claim of the '555 patent.

24. Plaintiff seeks and is entitled to a judgment declaring that they have not infringed and do not infringe, directly or indirectly, any claim of the '555 patent either literally or under the doctrine of equivalents.

25. This is an exceptional case under 35 U.S.C. § 285, entitling Plaintiff to reimbursement of their attorneys' fees, costs, and expenses from Defendant. For example, Defendant has participated in APEX, accusing similar air mattresses of infringing the '555 patent. In at least APEX No. 12731355371, the APEX evaluator concluded that Sun Pleasure "is unlikely to be able to prove that [the accused air mattresses] fall[] within the scope of claim 1 of U.S. patent number 7,353,555 because the following limitation(s) of the asserted patent claim are not met: 'said internal wall of said peripheral frame includes a fluid passage therethrough' and 'said internal wall is in substantial pressure equilibrium within said interior volume.'" *See Exhibit B* (APEX Decision Form). Therefore, Defendant is on notice that its infringement allegations against Plaintiff lack merit.

### **RELIEF REQUESTED**

WHEREFORE, Plaintiff respectfully requests the Court to enter judgment in its favor and against Defendant as follows:

- a. Ordering Defendant to withdraw Amazon complaint ID 16498112741 and to make no further complaints of infringement to Amazon against Plaintiff based on the '555 patent;
- b. An order enjoining Defendant and those in privity with Defendant from asserting

the '555 patent against Plaintiff and Plaintiff's representatives, agents, affiliates, subsidiaries, vendors, and customers;

- c. Declaring that Plaintiff has not and does not directly or indirectly infringe any claim of the '555 patent, either literally or under the doctrine of equivalents;
- d. An order declaring that this is an exceptional case under 35 U.S.C. § 285 and awarding Plaintiff its attorneys' fees, costs, and expenses incurred in this action;
- e. An award to Plaintiff of its costs and disbursements; and
- f. Such other relief to which Plaintiff is entitled under the law and any other further relief as the Court deems just and proper.

**DEMAND FOR JURY TRIAL**

Plaintiff demands a trial by jury on all claims and issues so triable.

Dated: November 8, 2024

RIMON, P.C.

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