

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NEW YORK

ALLANSON LIGHTING TECHNOLOGIES, INC.

Case No.: 24-cv-1097

Plaintiff,

vs.

CHIKEE ELECTRICAL MOTOR & APPLIANCE
INDUSTRIAL CO., LTD

JURY TRIAL DEMANDED

Defendant.

COMPLAINT

Plaintiff Allanson Lighting Technologies, Inc. (“Allanson”) makes this Complaint, including a demand for a jury trial, against Defendant Chikee Electrical Motors (“Chikee”) and alleges as follows:

NATURE OF THE ACTION

1. This action seeks past and ongoing money damages and injunctive relief for Chikee’s acts of making, using, selling, offering for sale, and/or importing its accused recessed LED downlight products that infringe Allanson’s rights in five issued U.S. patents.

THE PARTIES

2. Allanson is incorporated under the laws of Canada, and its principal place of business is located at 83 Commerce Valley Dr. East, Markham, ON L3T 7T3, Canada.

3. Upon information and belief, Chikee is a corporation organized and existing under the laws of China, with its principal place of business in Xiaolan Town, China.

JURISDICTION AND VENUE

4. This action arises under the United States patent laws, 35 U.S.C. § 101, et seq., including 35 U.S.C. § 271, et seq. This Court has subject matter jurisdiction under 28 U.S.C. § 1331 and § 1338(a).

5. This Court has personal jurisdiction over Chikee because, upon information and belief, Chikee regularly conducts business related to the accused products in the state of New York. Upon information and belief, Defendant uses, offers for sale and/or sells its products at issue in this action within the Western District of New York or otherwise places such products within the stream of commerce with the expectation that they would be used in this District.

6. Venue is proper in this judicial district pursuant to 28 U.S.C. § 1391(c)(3) because Chikee is not resident in the United States.

INTRODUCTION

7. Allanson is a leading manufacturer of advanced lighting and electrical solutions. With a history dating back to its origins in the HVAC market, Allanson has grown to become one of the most respected electrics manufacturers in North America.

8. As demand for energy-efficient lighting has increased, facilities increasingly use LED lighting systems instead of traditional incandescent or fluorescent systems because of LED's energy efficiency and reduced maintenance. For example, facilities rely on LED downlight components to provide illumination in kitchens, laboratories, and other environments requiring bright, efficient lighting.

9. Recessed LED downlights are fixtures that are installed into an aperture in a ceiling, wall, or other surface. The fixture typically includes a housing that contains the LED light source and associated electronics, as well as heat-dissipation components to manage the heat generated by the LEDs. The housing is designed to be mounted into the aperture, with a flange or trim that covers the edge of the aperture.

10. Allanson's commitment to research and development has been a key driver of its growth and success. The company maintains a youthful spirit and vitality while thriving in the new age, driven by an innovative spirit and environmental consciousness. For many years, Allanson has spent significant time and resources developing a comprehensive product line of lighting solutions. These efforts have yielded important technological advancements in areas such as thermal management, optical design, and mechanical mounting systems. This commitment to innovation extends to its lighting products, including the recessed LED downlight fixtures that are the subject of this lawsuit.

11. Recognizing the importance of these innovations, Allanson has consistently sought patent protection for its inventions. Five of the resulting patents are the subject of this lawsuit.

FACTUAL BACKGROUND

12. On information and belief, Chikee has successfully offered its Infringing Products in direct competition with Allanson as part of bidding on at least one large-scale commercial project.

13. Specifically, since 2018, Allanson has been the primary supplier of North American built LED light fixtures for CaptiveAire Inc.'s ("CaptiveAire") kitchen exhaust hoods.

CaptiveAire was Allanson's top customer for this patented product, accounting for a significant portion of Allanson's sales in this product category.

14. Upon information and belief, in May 2023, a customer of Allanson, CaptiveAire, notified Allanson that they had decided to move on from using Allanson's light fixture and that they will be using a supplier from China instead. However, CaptiveAire did not provide the Chinese supplier's name.

15. Upon information and belief, in November and October 2023, and upon further investigation into the new Chinese supplier for CaptiveAire, Allanson discovered that CaptiveAire had imported light fixtures from a Chinese company named "Chikee Electrical Motors." This information was found through the use of a global trade data website, importgenius.com.

16. Upon information and belief, Allanson subsequently reached out to Chikee, asking for a spec sheet and a sample of the light fixture, but its request was denied.

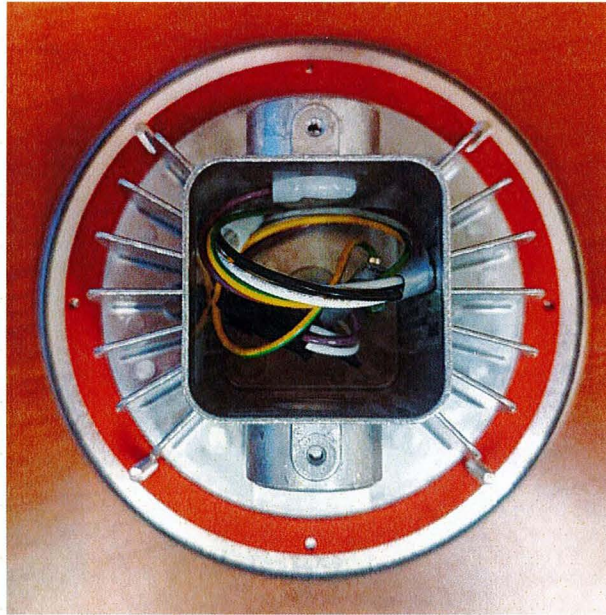
17. Allanson subsequently ordered two light fixtures (Model No. VRT380-16W-120V-WD) directly from CaptiveAire, which were delivered to Allanson on or around July 18, 2024.

18. The infringing product line is called the "Chikee Recessed LED Downlight" (Model No. VRT380-16W-120V-WD), which, upon information and belief, includes a recessed LED downlight fixture (Model No. VRT380-16W-120V-WD).

19. Upon information and belief, Chikee is selling or offering for sale, in direct competition with Allanson's patented products the following product:



20. Chikee's Recessed LED Downlight bears striking similarities to Allanson's patented design. It appears to incorporate Allanson's innovative heat dissipation system, specialized mounting mechanism, and proprietary optical design - the very features that set Allanson's product apart and made it CaptiveAire's preferred choice for years. These patented elements are not merely cosmetic; they are fundamental to the fixture's performance, efficiency, and suitability for kitchen exhaust hood applications.



21. Both the Allanson and Chikee recessed LED downlight products are generally not sold at retail to consumers. They are instead sold most often in bulk quantities to suppliers that specify these components in bids to supply equipment to commercial and industrial facilities.

22. Upon information and belief, Chikee is marketing and selling the accused products at significantly lower prices, undercutting Allanson in the market.

COCREATE:2024 | Join our award-winning flagship event with **FREE** hotel stay! [Get tickets](#)

Alibaba.com Deliver to: **US**

All categories Featured selections Trade Assurance Buyer Central Help Center Get the app Become a supplier

3500k Recessed Led Downlight 16w Round Cooking Hood Led Down Light

No reviews yet

Chikee Motor Industrial Co., Limited · 1 yr · CN

Minimum order quantity: 24 pieces
\$11.98 - \$32.11

Variations
Total options: 1 Color; 1 Lamp Po... [Select now](#)

1. Color(1): Light Grey

2. Lamp Power(W)(1): 16w

3. Emitting Color(1)

Shipping
Shipping solutions for currently unavailable

23. These market factors generally mean that for every bid in which a given facility chooses to buy Chikee’s infringing downlights, Allanson is shut out completely from making that sale—and often future sales—to that end customer and its vendors.

24. On December 13, 2023, in response to CaptiveAire’s decision to switch suppliers and to protect its intellectual property rights, Allanson sent a letter to Mr. Bob Luddy, President & CEO of CaptiveAire. The letter formally notified Mr. Luddy that Allanson holds the following U.S. patents covering its proprietary LED light fixture technology: U.S. Patent Nos. 10,801,680; 11,384,909; D 850,695; and D 921,268 (“Asserted Patents”). A copy of this letter is attached hereto as **Exhibit A**. Upon information and belief, Allanson’s letter offered to discuss and explore an appropriate license agreement with CaptiveAire if any or all of the above patents were of interest to them. To date, Allanson has not received a response to this letter. *Id.*

25. If Chiikee is allowed to continue marketing and promoting its infringing recessed LED downlight products at artificially low prices, Allanson will continue to suffer irreparable harm, including further loss of sales, market share, profit, and goodwill. Chiikee's infringing activity impacts not only Allanson's sale of its flagship LED light fixture product line, but also its overall market position and ability to recoup its substantial investment in research and development.

26. To eliminate further infringement and to recover appropriate legal and equitable remedies for past and ongoing infringement, Allanson brings this action for patent infringement.

THE ALLANSON ASSERTED PATENTS

27. Allanson has numerous issued U.S. patents and is actively seeking additional protection for its innovative products and product features relating to recessed LED downlight solutions. The claims in this Complaint are for infringement of the following Asserted Patents: U.S. Patent Nos. 10,801,680; 11,384,909; 11,644,162; D850,695; and D921,268. Allanson does not waive, and expressly reserves, all rights and claims for relief against Chiikee and others with regard to its patent rights beyond those set forth in this Complaint.

THE '680 PATENT

28. Allanson is the owner and assignee of U.S. Patent No. 10,801,680 (the "'680 patent") and possesses all rights of recovery under the '680 patent.

29. The '680 patent relates to a lighting fixture for mounting into an aperture in a fume hood. A copy of the '680 patent is attached to this Complaint as **Exhibit B**. The lighting fixture includes a mounting housing comprising a junction box, a first flange extending

from the exterior of the mounting housing, and a plurality of heat dissipation fins. The lighting fixture also includes a light housing comprising a second flange and supporting an emitter board. Further, the light housing is mountable to the mounting housing.

30. The '680 patent issued from an application filed on March 1, 2019. The '680 patent is a Continuation of Application No. 29/621,077, filed on October 4, 2017, now U.S. Patent No. D850,695, which is a Continuation of Application No. 12/696,614, filed on January 29, 2010, now U.S. Patent No. 9,797,562.

31. The '680 patent claims priority to Canadian Application No. 2,663,852.

32. The '680 patent is currently in force and is set to expire on April 23, 2029, 20 years from the filing date of Canadian Application No. 2,663,852.

33. The '680 patent has seventeen (17) total claims and two (2) independent claims. Independent Claim 1 is directed to a lighting fixture for mounting into an aperture in a fume hood, and Independent Claim 12 is directed to a mounting housing for a lighting fixture.

THE '909 PATENT

34. Allanson is the owner and assignee of the '909 patent (U.S. Patent No. 11,384,909 (the "'909 patent'")) and possesses all rights of recovery under the '909 patent. A copy of the '909 patent is attached to this Complaint as **Exhibit C** and incorporated herein by reference.

35. The '909 patent issued from an application filed on September 4, 2020.

36. The '909 patent is a Continuation of Application No. 16/290,429, filed on March 1, 2019, now U.S. Patent No. 10,801,680, which is a Continuation of Application No. 29/621,077, filed on October 4, 2017, now U.S. Patent No. D850,695.

37. The '909 patent is currently in force and is set to expire on April 23, 2029, 20 years from the filing date of Canadian Application No. 2,663,852.

38. The '909 patent has sixteen (16) total claims and two (2) independent claims. Independent Claim 1 is directed to a lighting fixture for mounting into an aperture in a panel, and Independent Claim 11 is directed to a mounting housing for a lighting fixture.

THE '162 PATENT

39. U.S. Patent No. 11,644,162 (the "'162 patent") issued from an application which was filed on June 20, 2022. The '162 patent is a Continuation of Application No. 17/013,021, filed on September 4, 2020, now U.S. Patent No. 11,384,909, which is a Continuation of Application No. 16/290,429, filed on March 1, 2019, now U.S. Patent No. 10,801,680. A copy of the '162 patent is attached to this Complaint as **Exhibit D** and incorporated herein by reference.

40. The '162 patent claims priority to Canadian Application No. 2,663,852.

41. Allanson is the owner and assignee of the '162 patent and possesses all rights of recovery under the '162 patent.

42. The '162 patent is currently in force and is set to expire on April 23, 2029, 20 years from the filing date of Canadian Application No. 2,663,852.

THE '695 PATENT

43. U.S. Patent No. D850,695 (the "'695 patent") is directed to the ornamental design for a lighting fixture. A copy of the '695 patent is attached to this Complaint as **Exhibit E** and incorporated herein by reference.

44. Allanson is the owner and assignee of the '695 patent and possesses all rights of recovery under the '695 patent.

45. The '695 patent issued from an application which was filed on October 4, 2017.

46. The '695 patent is a Continuation of Application No. 12/696,614, filed on January 29, 2010, now U.S. Patent No. 9,797,562.

47. The '695 patent is currently in force and is set to expire on June 4, 2034, 15 years from the date of patent grant.

THE '268 PATENT

48. U.S. Patent No. D921,268 (the "'268 patent'") is directed to the ornamental design for a lighting fixture. A copy of the '268 patent is attached to this Complaint as **Exhibit F** and incorporated herein by reference.

49. Allanson is the owner and assignee of the '268 patent and possesses all rights of recovery under the '268 patent.

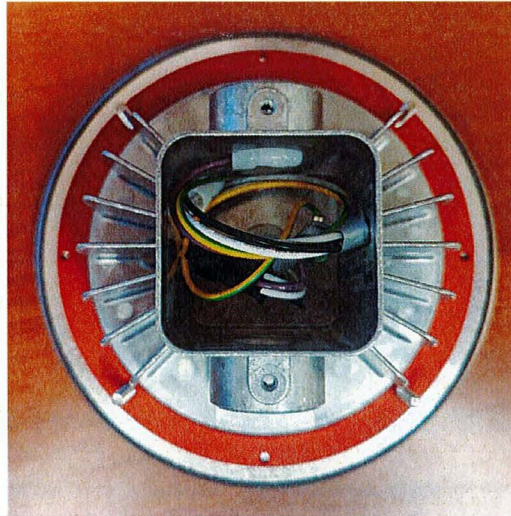
50. The '268 patent issued from an application which was filed on March 8, 2019.

51. The '268 patent is a Continuation of Application No. 29/621,077, filed on October 4, 2017, now U.S. Patent No. D850,695, which is a Continuation of Application No. 12/696,614, filed on January 29, 2010, now U.S. Patent No. 9,797,562.

52. The '268 patent is currently in force and is set to expire on June 1, 2036, 15 years from the date of patent grant.

THE ACCUSED PRODUCT

53. Chikee’s infringement of Allanson’s patent rights by making, using, offering for sale, selling and/or importing the Chikee Recessed LED Downlight product has been and is continuous and ongoing.



CLAIMS FOR RELIEF

54. Allanson’s averments of infringement against Chikee that follow in Counts One – Five and as further illustrated in the above infringement charts are exemplary of, and without prejudice to Allanson’s ultimate infringement contentions. In providing these averments, Allanson does not convey or imply any particular claim constructions or purport to describe the precise scope of the claims. Allanson’s claim constructions, as necessary, regarding any particularized meaning of the claim terms for the Asserted Patents’ claims will be provided in accordance with the Court’s scheduling order and any applicable local rules or standards.

COUNT ONE**(INFRINGEMENT OF U.S. PATENT 10,801,680)**

55. Allanson repeats, re-alleges, and incorporates by reference the averments of paragraphs 1-54 of this Complaint as though fully set forth herein.

56. Chikee, without license or authorization to do so, has directly infringed one or more claims of the '680 patent, currently infringes, and will continue to infringe, literally or under the doctrine of equivalents, one or more claims of the '680 patent by making, using, offering for sale and/or selling its light fixture products within this District and elsewhere in the United States, and/or importing into the United States its light fixture products, in violation of 35 U.S.C. § 271(a).

57. Chikee's accused light fixture products directly infringe the '680 patent.

By way of further illustrative infringement, Allanson provides an exemplary claim chart for claim 12 of the '680 patent:

Claim 12	Chikee Light Fixture
A mounting housing for a lighting fixture, the mounting housing comprising:	The Chikee light fixture includes a mounting housing for a lighting fixture.
a junction box having at least one opening for receiving conductors;	The Chikee light fixture includes a junction box having at least one opening for receiving conductors.
a flange extending from an exterior of the mounting housing, the flange for retaining the mounting housing against an exterior surface surrounding an aperture in a fume hood, the flange defining an inner perimeter and an outer perimeter, the flange comprising a first face for mating against a complementary flange of a light housing, and an opposing second face for abutting the exterior surface of the fume hood when the mounting housing is inserted into the aperture, and wherein the inner perimeter is narrower than the aperture and the outer perimeter is wider than the aperture; and	The Chikee light fixture includes a flange extending from an exterior of the mounting housing, the flange for retaining the mounting housing against an exterior surface surrounding an aperture in a fume hood, the flange defining an inner perimeter and an outer perimeter, the flange comprising a first face for mating against a complementary flange of a light housing, and an opposing second face for abutting the exterior surface of the fume hood when the mounting housing is inserted into the aperture, and wherein the inner perimeter is narrower than the aperture and the outer

	perimeter is wider than the aperture.
a plurality of heat dissipation fins each extending from an exterior of the junction box toward the inner perimeter of the flange of the mounting housing, the plurality of heat dissipation fins being disposed within the inner perimeter.	The Chikee light fixture includes a plurality of heat dissipation fins each extending from an exterior of the junction box toward the inner perimeter of the flange of the mounting housing, the plurality of heat dissipation fins being disposed within the inner perimeter.

58. Chikee's past and continuing infringement of the '680 patent by its sales and offers for sale of the accused products are causing significant economic harm to Allanson, for which Allanson is entitled to damages for past infringement up to and including the date of judgment in an amount to be determined by the Court but in no event less than a reasonable royalty.

59. Chikee's infringement of Allanson's rights in the '680 patent has caused, is causing, and will continue to cause irreparable harm to Allanson for which there is no adequate remedy at law, and such irreparable harm will continue unless Chikee is enjoined by this Court.

COUNT TWO

(INFRINGEMENT OF U.S. PATENT 11,384,909)

60. Allanson repeats, re-alleges, and incorporates by reference the averments of paragraphs 1-59 of this Complaint as though fully set forth herein.

61. Chikee, without license or authorization to do so, has directly infringed one or more claims of the '909 patent, currently infringes, and will continue to infringe, literally or under the doctrine of equivalents, one or more claims the '909 patent by making, using, offering for sale and/or selling its light fixture products within this District and elsewhere in the

United States, and/or importing into the United States its light fixture products, in violation of 35 U.S.C. § 271(a).

62. Chikee’s accused light fixture products directly infringe the ’909 patent.

The use, manufacture, sale or offer for sale of the Chikee light fixture infringes both Claim 1 and Claim 11. By way of further illustrative infringement, Allanson provides an exemplary claim chart for claim 1 and claim 11 of the ’909 patent:

Claim 1	Chikee Light Fixture
A lighting fixture for mounting into an aperture in a panel, the lighting fixture comprising:	The Chikee light fixture is a lighting fixture for mounting into an aperture in a panel.
a first housing, comprising:	The Chikee light fixture includes a first housing.
a junction box having at least one opening for receiving conductors;	The Chikee light fixture includes a junction box having at least one opening for receiving conductors.
a first flange extending from an exterior of the first housing, the first flange defining an inner perimeter and an outer perimeter, the first flange comprising a first face and an opposing second face, the second face for abutting an exterior surface of the panel, and wherein the inner perimeter is narrower than the aperture and the outer perimeter is wider than the aperture; and	The Chikee light fixture includes a first flange extending from an exterior of the first housing, the first flange defining an inner perimeter and an outer perimeter, the first flange comprising a first face and an opposing second face, the second face for abutting an exterior surface of the panel, and wherein the inner perimeter is narrower than the aperture and the outer perimeter is wider than the aperture.
a plurality of heat dissipation fins each extending from an exterior of the junction box toward the inner perimeter of the first flange, the plurality of heat dissipation fins being disposed within the inner perimeter; and	The Chikee light fixture includes a plurality of heat dissipation fins each extending from an exterior of the junction box toward the inner perimeter of the first flange, the plurality of heat dissipation fins being disposed within the inner perimeter.
a second housing comprising a second flange complementary to the first face of the first flange, the second housing being mountable to the first housing;	The Chikee light fixture includes a second housing comprising a second flange complementary to the first face of the first flange, the second housing being mountable to the first housing.

wherein the junction box, the first flange and the plurality of heat dissipation fins are integral within the first housing.	The junction box, the first flange and the plurality of heat dissipation fins of the Chikey light fixture are integral within the first housing.
--	--

<u>Claim 11</u>	<u>Chikey Light Fixture</u>
A mounting housing for a lighting fixture, the mounting housing comprising:	The Chikey light fixture includes a mounting housing for a lighting fixture.
a junction box having at least one opening for receiving conductors;	The Chikey light fixture includes a junction box having at least one opening for receiving conductors.
a flange extending from an exterior of the mounting housing, the flange for retaining the mounting housing against an exterior surface surrounding an aperture in a panel, the flange defining an inner perimeter and an outer perimeter, the flange comprising a first face for mating against a complementary flange of a second housing, and an opposing second face for abutting the exterior surface of the panel when the mounting housing is inserted into the aperture; and	The Chikey light fixture includes a flange extending from an exterior of the mounting housing, the flange for retaining the mounting housing against an exterior surface surrounding an aperture in a panel, the flange defining an inner perimeter and an outer perimeter, the flange comprising a first face for mating against a complementary flange of a second housing, and an opposing second face for abutting the exterior surface of the panel when the mounting housing is inserted into the aperture.
a plurality of heat dissipation fins each extending from an exterior of the junction box toward the inner perimeter of the flange of the mounting housing, the plurality of heat dissipation fins being disposed within the inner perimeter;	The Chikey light fixture includes a plurality of heat dissipation fins each extending from an exterior of the junction box toward the inner perimeter of the flange of the mounting housing, the plurality of heat dissipation fins being disposed within the inner perimeter.
wherein the junction box, the first flange and the plurality of heat dissipation fins are integral within the mounting housing.	The junction box, the first flange and the plurality of heat dissipation fins of the Chikey light fixture are integral within the mounting housing.

63. Chikey's past and continuing infringement of the '909 patent by its sales and offers for sale of the accused products are causing significant economic harm to Allanson, for which Allanson is entitled to damages for past infringement up to and including the date of judgment in an amount to be determined by the Court but in no event less than a reasonable royalty.

64. Chiikee's infringement of Allanson's rights in the '909 patent has caused, is causing, and will continue to cause irreparable harm to Allanson for which there is no adequate remedy at law, and such irreparable harm will continue unless Chiikee is enjoined by this Court.

COUNT THREE
(INFRINGEMENT OF U.S. PATENT 11,644,162)

65. Allanson repeats, re-alleges, and incorporates by reference the averments of paragraphs 1-64 of this Complaint as though fully set forth herein.

66. Chiikee, without license or authorization to do so, has directly infringed one or more claims of the '162 patent, currently infringes, and will continue to infringe, literally or under the doctrine of equivalents, one or more claims the '162 patent by making, using, offering for sale and/or selling its light fixture products within this District and elsewhere in the United States, and/or importing into the United States its light fixture products, in violation of 35 U.S.C. § 271(a).

67. Chiikee's accused light fixture products directly infringe the '162 patent. the use, manufacture, sale or offer for sale of the Chiikee light fixture also infringes Claim 1 and Claim 12 of the '162 patent. By way of further illustrative infringement, Allanson provides an exemplary claim chart for claim 1 of the '162 patent:

<u>Claim 1</u>	<u>Chikee Light Fixture</u>
A lighting fixture for mounting into an aperture in a panel, the lighting fixture comprising:	The Chikee light fixture is a lighting fixture for mounting into an aperture in a panel.
a first housing, comprising:	The Chikee light fixture includes a first housing.
a junction box having at least one opening for receiving at least one conductor;	The Chikee light fixture includes a junction box having at least one opening for receiving at least one conductor.
a first flange extending from an exterior of the first housing, the first flange for retaining the first housing against an exterior surface of the panel surrounding the aperture, the first flange defining an inner perimeter and an outer perimeter, the first flange comprising a first face and an opposing second face, the second face for abutting the exterior surface of the panel when the first housing is inserted into the aperture; and	The Chikee light fixture includes a first flange extending from an exterior of the first housing, the first flange for retaining the first housing against an exterior surface of the panel surrounding the aperture, the first flange defining an inner perimeter and an outer perimeter, the first flange comprising a first face and an opposing second face, the second face for abutting the exterior surface of the panel when the first housing is inserted into the aperture.
a plurality of heat dissipation fins each extending from an exterior of the junction box toward the inner perimeter of the first flange, the plurality of heat dissipation fins being disposed within the inner perimeter; and	The Chikee light fixture includes a plurality of heat dissipation fins each extending from an exterior of the junction box toward the inner perimeter of the first flange, the plurality of heat dissipation fins being disposed within the inner perimeter.
a second housing comprising a second flange complementary to the first face of the first flange, the second housing being mountable to the first housing;	The Chikee light fixture includes a second housing comprising a second flange complementary to the first face of the first flange, the second housing being mountable to the first housing.
wherein the junction box, the first flange and the plurality of heat dissipation fins are integral.	The junction box, the first flange and the plurality of heat dissipation fins of the Chikee light fixture are integral.

<u>Claim 12</u>	<u>Chikee Light Fixture</u>
A mounting housing for a lighting fixture, the mounting housing comprising:	The Chikee light fixture includes a mounting housing for a lighting fixture.
a junction box having at least one opening for receiving at least one conductor;	The Chikee light fixture includes a junction box having at least one opening for receiving at least one conductor.

<p>a flange extending from an exterior of the mounting housing, the flange for retaining the mounting housing against an exterior surface surrounding an aperture in a panel, the flange defining an inner perimeter and an outer perimeter, the flange comprising a first face for mating against a complementary flange of a second housing, and an opposing second face for abutting the exterior surface of the panel when the mounting housing is inserted into the aperture, and each of the aperture, the inner perimeter and the outer perimeter is circular and has a diameter; and</p>	<p>The Chikee light fixture includes a flange extending from an exterior of the mounting housing, the flange for retaining the mounting housing against an exterior surface surrounding an aperture in a panel, the flange defining an inner perimeter and an outer perimeter, the flange comprising a first face for mating against a complementary flange of a second housing, and an opposing second face for abutting the exterior surface of the panel when the mounting housing is inserted into the aperture, and each of the aperture, the inner perimeter and the outer perimeter is circular and has a diameter.</p>
<p>a plurality of heat dissipation fins each extending from an exterior of the junction box toward the inner perimeter of the flange of the mounting housing, the plurality of heat dissipation fins being disposed within the inner perimeter;</p>	<p>The Chikee light fixture includes a plurality of heat dissipation fins each extending from an exterior of the junction box toward the inner perimeter of the flange of the mounting housing, the plurality of heat dissipation fins being disposed within the inner perimeter.</p>
<p>wherein the junction box, the first flange and the plurality of heat dissipation fins are integral.</p>	<p>The junction box, the first flange and the plurality of heat dissipation fins of the Chikee light fixture are integral.</p>

68. Chikee’s past and continuing infringement of the ’162 patent by its sales and offers for sale of the accused products are causing significant economic harm to Allanson, for which Allanson is entitled to damages for past infringement up to and including the date of judgment in an amount to be determined by the Court but in no event less than a reasonable royalty.

69. Chikee’s infringement of Allanson’s rights in the ’162 patent has caused, is causing, and will continue to cause irreparable harm to Allanson for which there is no adequate remedy at law, and such irreparable harm will continue unless Chikee is enjoined by this Court.

COUNT FOUR

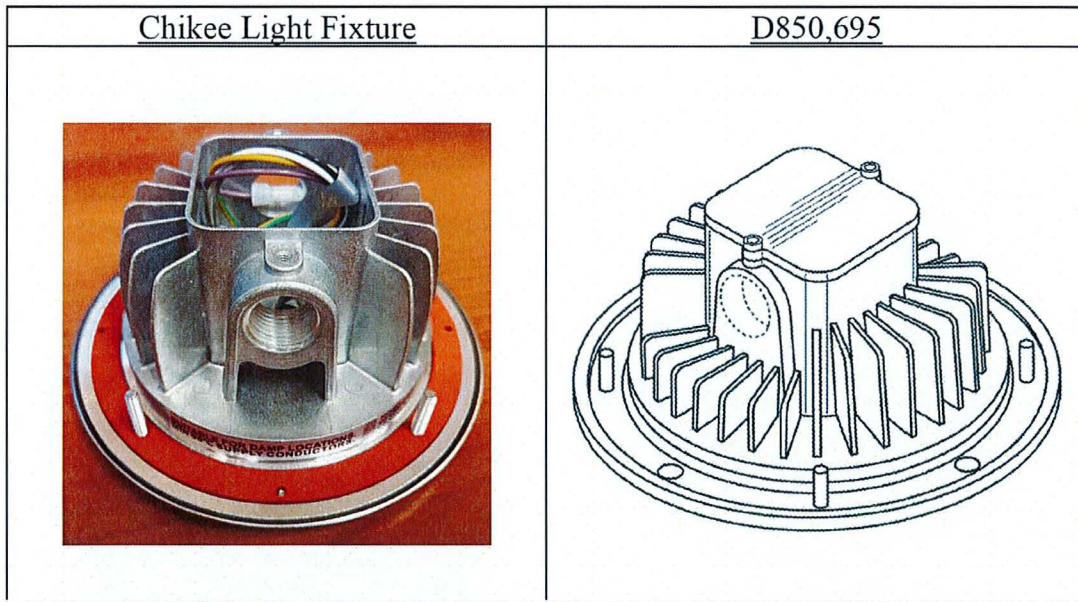
(INFRINGEMENT OF U.S. DESIGN PATENT D850,695)

70. Allanson repeats, re-alleges, and incorporates by reference the averments of paragraphs 1-69 of this Complaint as though fully set forth herein.

71. The sole test for design patent infringement is the “ordinary observer” test. The standards of the “ordinary observer” test are influenced by several precedential court cases. As stated in *Gorham Co. v. White*, 81 U.S. 511 (1871), the test for infringement is whether an “ordinary observer” would find the accused design substantially similar to the claimed design, such that they would be deceived into purchasing the accused design believing it to be the claimed design. More recently, in *Egyptian Goddess, Inc. v. Swisa, Inc.*, 543 F.3d 665 (CAFC 2008), the court held that when the claimed and accused designs are not plainly dissimilar, courts apply the “ordinary observer” test in light of the prior art.

72. Chikee, without license or authorization to do so, has directly infringed one or more claims of the '695 patent, currently infringes, and will continue to infringe, literally or under the doctrine of equivalents, the '695 patent by making, using, offering for sale and/or selling its light fixture products within this District and elsewhere in the United States, and/or importing into the United States its light fixture products, in violation of 35 U.S.C. § 271(a).

73. Chikee's accused light fixture products are substantially similar to the claimed designs as shown below:



74. Chikee's past and continuing infringement of the '695 patent by its sales and offers for sale of the accused products are causing significant economic harm to Allanson, for which Allanson is entitled to damages for past infringement up to and including the date of judgment in an amount to be determined by the Court but in no event less than a reasonable royalty.

75. Chikee's infringement of Allanson's rights in the '695 patent has caused, is causing, and will continue to cause irreparable harm to Allanson for which there is no adequate remedy at law, and such irreparable harm will continue unless Chikee is enjoined by this Court.

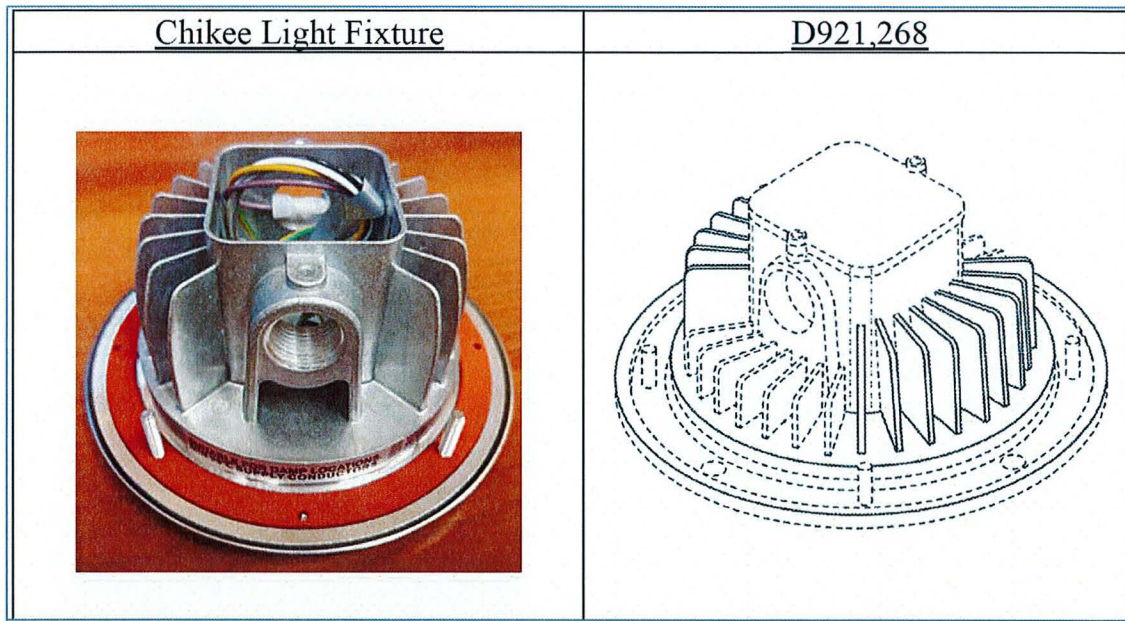
COUNT FIVE

(INFRINGEMENT OF U.S. DESIGN PATENT D921,268)

76. Allanson repeats, re-alleges, and incorporates by reference the averments of paragraphs 1-75 of this Complaint as though fully set forth herein.

77. The sole test for design patent infringement is the “ordinary observer” test. The standards of the “ordinary observer” test are influenced by several precedential court cases. As stated in *Gorham Co. v. White*, 81 U.S. 511 (1871), the test for infringement is whether an “ordinary observer” would find the accused design substantially similar to the claimed design, such that they would be deceived into purchasing the accused design believing it to be the claimed design. More recently, in *Egyptian Goddess, Inc. v. Swisa, Inc.*, 543 F.3d 665 (CAFC 2008), the court held that when the claimed and accused designs are not plainly dissimilar, courts apply the “ordinary observer” test in light of the prior art.

78. Chikee, without license or authorization to do so, has directly infringed one or more claims of the '268 patent, currently infringes, and will continue to infringe, literally or under the doctrine of equivalents, the '268 patent by making, using, offering for sale and/or selling its light fixture products within this District and elsewhere in the United States, and/or importing into the United States its light fixture products, in violation of 35 U.S.C. § 271(a).



79. Chikee's past and continuing infringement of the '268 patent by its sales and offers for sale of the accused products are causing significant economic harm to Allanson, for which Allanson is entitled to damages for past infringement up to and including the date of judgment in an amount to be determined by the Court but in no event less than a reasonable royalty.

80. Chikee's infringement of Allanson's rights in the '268 patent has caused, is causing, and will continue to cause irreparable harm to Allanson for which there is no adequate remedy at law, and such irreparable harm will continue unless Chikee is enjoined by this Court.

81. Upon information and belief, such infringement has been, and will continue to be, willful, and upon further belief, Chikee lacks any reasonable invalidity or non-infringement defense making this case exceptional and entitling Allanson to increased damages and reasonable attorneys' fees pursuant to 35 U.S.C. §§ 284 and 285.

PRAYER FOR RELIEF

WHEREFORE, Allanson respectfully requests that the Court find in its favor and grant the following relief:

- a. A judgment in favor of Allanson that Chikee has infringed one or more claims of the following Asserted Patents of Allanson: U.S. Patent Nos. 10,801,680; 11,384,909; 11,644,162; D850,695; and D921,268;
- b. An injunction pursuant to 35 U.S.C. § 283, enjoining Chikee and each of its officers, directors, agents, servants, affiliates, employees, divisions, branches, subsidiaries, parents, and all others acting in active concert therewith from continued acts of infringement, including, but not limited to, directly infringing or inducing the infringement of, or contributing to the infringement of the asserted patents, or such other equitable relief the Court determines is warranted;
- c. An accounting of and an award to Allanson of damages adequate to compensate Allanson for Chikee's acts of infringement, including lost profits and/or a reasonable royalty, and also including supplemental damages for any post-verdict infringement up until entry of final judgment with an accounting as needed, together with pre-judgment and post-judgment interest pursuant to 35 U.S.C. § 284;
- d. Finding Chikee's infringement to be willful and an award to Allanson of enhanced damages in an amount up to treble the amount of compensatory damages as justified under 35 U.S.C. § 284 for Chikee's willful infringement;
- e. A judgment and order finding that this is an exceptional case within the meaning of 35 U.S.C. § 285 and awarding to Allanson its reasonable attorneys' fees against Chikee;

- f. Costs and expenses in this action; and
- g. Such other and further relief as the Court may deem just and proper under the circumstances.

Respectfully submitted on this 14th day of November, 2024.

RUPP PFALZGRAF LLC
Attorneys for Plaintiff
Allanson Lighting Technologies

By: s/James J. Graber
James J. Graber, Esq.
Taylor L. Kent, Esq.
1600 Liberty Building
Buffalo, New York 14202
(716) 854-3400
graber@RuppPfalzgraf.com
kent@RuppPfalzgraf.com

CERTIFICATE OF SERVICE

I hereby certify that on November 14, 2024, a copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt, and parties may access this filing through the Court's system.

s/James Graber
James J. Graber, Esq.