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16 *Qianli-Beoka Medical Technology Inc.*
17 *and AnshiChuangyi-US*

18 **UNITED STATES DISTRICT COURT**
19 **CENTRAL DISTRICT OF CALIFORNIA**
20 **SOUTHERN DIVISION**

21 Qianli-Beoka Medical Technology Inc. and
22 AnshiChuangyi-US,

23 Plaintiffs,

24 vs.

25 Hyperice, Inc. and DataFeel, Inc.,

26 Defendants.

27 **Case No.: 25-cv-260**

28 **DECLARATORY JUDGMENT**
COMPLAINT

29 Plaintiffs Qianli-Beoka Medical Technology Inc. (“Beoka”) and
30 AnshiChuangyi-US (“HeyChy”)(collectively, “Plaintiffs”) for their Complaint
31 against Defendants Hyperice, Inc. (“Hyperice”) and DataFeel, Inc. (DataFeel)
32 (collectively, “Defendants”) allege:

33 **NATURE OF THE ACTION**

34 1. This is a civil action arising under the Declaratory Judgment Act, 28
35 U.S.C. § 2201 et seq. and the Patent Laws of the United States, 35 U.S.C. § 1 et seq.

1 for declaratory judgment of non-infringement and invalidity of U.S. Patent No.
2 12,193,840 (“the ‘840 Patent”—attached as Exhibit 1).

3 2. Plaintiffs bring this action in view of the actual controversy that
4 Hyperice has created under the ‘840 Patent by asserting a patent infringement claim
5 against HeyChy who sells Beoka’s massage gun products on Amazon.com.

6 3. Upon information and belief, DataFeel owns the ‘840 Patent and has
7 granted Hyperice an exclusive license to practice, sublicense, and enforce the
8 invention of the ‘840 Patent.

9 4. Hyperice’s actions to enforce the ‘840 Patent against HeyChy give rise
10 to a justiciable controversy between HeyChy and Beoka on the one hand and
11 Hyperice and DataFeel on the other.

12 **PARTIES**

13 5. Beoka is a Chinese company, with a principal place of business at
14 Longtan Industrial Park 2nd Sec., East 3rd Ring Road, Chenghua District, Chengdu,
15 China.

16 6. Beoka manufactures certain massage guns, which it sells to various
17 retailers, including HeyChy.

18 7. HeyChy is a company with a principal place of business in China.

19 8. Upon information and belief, DataFeel is a Nebraska corporation with
20 a principal place of business in Omaha, Nebraska. Upon information and belief,
21 DataFeel is a data experience company working to develop proprietary technologies
22 for enhancing person-to-computer interactions.

23 9. Upon information and belief, Hyperice is a corporation organized
24 under California law with its principal place of business at 525 Technology Drive,
25 Suite 100, Irvine, CA 92618.

1 **JURISDICTION AND VENUE**

2 10. The Court has subject matter jurisdiction over the patent claims in this
3 action under the Declaratory Judgment Act, 28 U.S.C. § 2201 et seq., and under 28
4 U.S.C. §§ 1331 and 1338(a) because the action arises under the patent laws of the
5 United States, Title 35 U.S.C. § 1 et seq.

6 11. The Court has personal jurisdiction over Hyperice because, upon
7 information and belief, Hyperice resides in California and in this judicial district.

8 12. The Court has personal jurisdiction over DataFeel because, upon
9 information and belief, DataFeel’s exclusive patent license agreement with
10 Hyperice establishes that DataFeel purposefully directed activities at residents of
11 California by granting a California corporation the exclusive rights to enforce and
12 defend the ‘840 Patent.

13 13. Upon information and belief, this exclusive license agreement imposes
14 both rights and obligations upon Hyperice, a California corporation residing in this
15 judicial district, to enforce and defend the ‘840 Patent.

16 14. Exercising jurisdiction over DataFeel would be reasonable and fair
17 because, on information and belief, the exclusive license agreement allows
18 Hyperice, a California corporation residing in this district, in effect to assume all of
19 DataFeel’s enforcement rights to the ‘840 Patent, which is the subject of this
20 lawsuit.

21 15. Venue is proper under 28 U.S.C. § 1391(b)(1) because Hyperice
22 resides in this district as residency is defined in 28 U.S.C. § 1391(c)(2).

23 **BACKGROUND**

24 16. Upon information and belief, on or around January 23, 2025, Hyperice
25 filed a patent infringement claim under Amazon.com’s intellectual property
26 infringement reporting procedures contending that certain Beoka massage guns sold
27 on Amazon.com by HeyChy infringe the ‘840 Patent.

1 17. On January 23, 2025, HeyChy received notice from Amazon.com that
2 Hyperice was asserting an infringement claim under the ‘840 Patent against various
3 Beoka massage guns that HeyChy was selling under the following Amazon
4 Standard Identification Numbers (“ASINs”): B0CST2LDS5, B0CJBPTQR3,
5 B0DK8YQ3PJ, B0DB7Q9LP4, B0CSPK9BVQ, B0CJBSD1N8 and
6 B0BGSGCYZV.

7 18. Amazon assigned this infringement claim an Amazon Patent
8 Evaluation Express Number 17035518201.

9 19. Amazon’s notice to HeyChy stated that if HeyChy did not take steps
10 to address this infringement claim, Amazon would remove HeyChy’s listings for
11 the accused ASINs.

12 20. Amazon.com is the primary sales channel through which HeyChy and
13 other Beoka customers sell Beoka’s massage gun products.

14 21. On January 14, 2025, the USPTO issued the ‘840 Patent, entitled
15 “Communication Devices, Methods, and Systems.”

16 22. The assignee identified on the face of the ‘840 Patent is DataFeel.

17 23. Upon information and belief, DataFeel granted Hyperice an exclusive
18 license to the ‘840 patent, including sublicense and enforcement rights.

19 24. The “Background” section of the ‘840 Patent addresses the problem of
20 “health problems” caused by the long period of time during which people look at
21 computer screens.

22 25. The “Background” section of the ‘840 Patent explains that: “Alternate
23 means for person-to-computer communications may reduce the negative effects of
24 excessive screen time.”

25 26. The “Background” section of the ‘840 Patent explains that the patent
26 discloses ways to communicate data through “non-optical nerves” in the human
27 body; in other words, to communicate through non-visual sensory means.

1 27. The '840 Patent does not refer to massagers.

2 28. The words "massage" and "massager" do not appear anywhere in the
3 '840 Patent.

4 29. The '840 Patent includes 3 independent claims: claims 1, 11 and 16.

5 30. Each independent claim contains claim language that requires, among
6 other things, a generator configured to attach to a body where the generator at least
7 partially comprises

8 a first energy generator element and a second energy generator
9 element, the first and second energy generator elements being
10 independently operable to convert electricity into a first energy type
and a second energy type, respectively, and to direct the first and
second energy types toward an area of skin.

11 31. Accordingly, all claims in the '840 Patent include a "generator"
12 limitation that requires "energy generator elements" that operate independently to
13 convert electricity to different energy types that can be transmitted to a person's
14 skin.

15 32. Beoka's massage gun products do not practice any claims of the '840
16 Patent because, at a minimum, they do not practice the generator limitation, as
17 properly construed.

18 **COUNT I**

19 **(DECLARATORY JUDGMENT OF NON-INFRINGEMENT)**

20 33. The allegations of each of the foregoing paragraphs are incorporated
21 by reference as if fully set forth herein.

22 34. An actual, justiciable, and continuing controversy exists between the
23 Plaintiffs and the Defendants concerning whether Beoka's massage gun products
24 infringe the '840 Patent.

25 35. Beoka's massage gun products do not infringe any claim of the '840
26 Patent.

1 36. Plaintiffs seek a declaration that Beoka’s massage gun products do not
2 infringe any ‘840 Patent claims.

3 **COUNT II**

4 **(DECLARATORY JUDGMENT OF INVALIDITY)**

5 37. The allegations of each of the foregoing paragraphs are incorporated
6 by reference as if fully set forth herein.

7 38. An actual, justiciable, and continuing controversy exists between the
8 Plaintiffs and the Defendants concerning whether the ‘840 Patent is valid.

9 39. If the ‘840 Patent claims are construed to read onto Beoka’s massage
10 gun products, those claims would be invalid under 35 U.S.C. § 102 and/or § 103 in
11 view of at least one or both of the following references, either alone or in
12 combination: U.S. Publication No. 2015/0305969.

13 40. If the ‘840 Patent claims are construed to read onto Beoka’s massage
14 gun products, those claims also would be invalid under 35 U.S.C. § 112.

15 41. Plaintiffs therefore seek a declaration that the ‘840 Patent claims are
16 invalid.

17 **REQUEST FOR RELIEF**

18 WHEREFORE, Plaintiffs ask this Court to:

19 a. Find that none of Beoka’s massage gun products infringes the ‘840
20 Patent;

21 b. Find that the ‘840 Patent claims are invalid;

22 c. Find that this case is an “exceptional case” under 35 U.S.C. § 285 and
23 that Plaintiffs are entitled to its attorney fees; and

24 d. Award Plaintiffs other and further relief as may be proper under the
25 circumstances.

DEMAND FOR JURY TRIAL

Plaintiffs Beoka and HeyChy request a trial by jury under Rule 38 of the Federal Rules of Civil Procedure of all issues that may be determined by a jury.

Dated: February 10, 2025

By: /s/ Martin J. Foley
Martin J. Foley

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