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3 **SHM LAW FIRM**

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6 *Attorneys for Plaintiffs*

Shandong Yunxiang Century Intelligent Technology Co., Ltd.

7 Shandong Jihui Information Technology Co., Ltd.

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UNITED STATES DISTRICT COURT

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NORTHERN DISTRICT OF CALIFORNIA

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Shandong Yunxiang Century Intelligent
12 Technology Co., Ltd. and Shandong
Jihui Information Technology Co.,
13 Ltd.,

Plaintiffs,

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v.

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Yannan Huang,

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Defendant.

**COMPLAINT FOR DECLARATORY
JUDGMENT AND OTHER RELIEF**

DEMAND FOR JURY TRIAL

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1 Plaintiffs Shandong Yunxiang Century Intelligent Technology Co., Ltd.
2 (a.k.a. shandongyunxiangshijizhinengkejiyouxiangongsi, herein after “Yunxiang”)
3 and Shandong Jiuhui Information Technology Co., Ltd. (a.k.a.
4 shandongjiuhuixinxikejiyouxiangongsi, herein after “Jiuhui”) (collectively,
5 “Plaintiffs”) file this Complaint for Declaratory Judgment of Noninfringement
6 against Defendant Yannan Huang (“Defendant”). In support of their complaint,
7 Plaintiffs allege as follows:

8 **NATURE OF THE ACTION**

9 1. This action arises under the Declaratory Judgment Act, 28 U.S.C. §
10 2201 et seq., and the United States Patent Act, 35 U.S.C. § 1 et seq.

11 2. Plaintiffs seek declaratory judgments that U.S. Patent No. D962,680S
12 (“the D’680 Patent”) is not infringed by Plaintiffs’ seat cushion products, including
13 but not limited to all products among Plaintiffs’ seat cushion offerings (collectively
14 referred to as “the Non-Infringing Seat Cushions”). A true and correct copy of the
15 D’680 Patent is attached hereto as Exhibit 1.

16 3. Plaintiffs bring this action in view of the actual controversy created by
17 Defendant under the D’680 Patent. Defendant has asserted a patent infringement
18 claim against the Non-Infringing Seat Cushions with Amazon, causing Amazon to
19 remove Plaintiffs’ listings for the Non-Infringing Seat Cushions on Amazon.com.

20 **PARTIES**

1 4. Plaintiff Shandong Yunxiang Century Intelligent Technology Co., Ltd.
2 is a Chinese corporation with its principal place of business at Building 12, Room 3-
3 1204, Huaxia Di Yuan, No. 1899 Weizishan Road, Licheng District, Jinan City,
4 Shandong Province, China.

5 5. Plaintiff Shandong Jiu Hui Information Technology Co., Ltd. is a
6 Chinese corporation with its principal place of business at Room 1232, 12th Floor,
7 Building 11, Longhu Aodong, High-Tech Zone, Jinan City, Shandong Province,
8 China.

9 6. Upon information and belief, Yanna Huang is an individual residing
10 in China, with an address at No. 40, North Yong'an Avenue, Jiutian Neighborhood
11 Committee, Zijin County, Guangdong, China.

12 **JURISDICTION AND VENUE**

13 7. This Court has subject matter jurisdiction under 28 U.S.C. §§ 2201,
14 2202, 1331, and 1338(a) because this action arises under the laws of the United
15 States, including the Patent Act, 35 U.S.C. § 100 et seq.

16 8. An actual case or controversy exists between the parties. Defendant
17 filed a patent infringement complaint with Amazon, which resulted in the removal
18 of Plaintiffs' Non-Infringing Seat Cushions from Amazon and caused significant
19 financial loss. Defendant's actions thereby give rise to an actual controversy under
20 28 U.S.C. §§ 2201 et seq.

1 9. Venue is proper in this Court pursuant to 28 U.S.C. § 1391, and this
2 Court has personal jurisdiction over Defendant because Defendant purposefully
3 directed enforcement activities toward California. Specifically, Defendant submitted
4 complaints to Amazon alleging that Plaintiffs' products infringed its intellectual
5 property rights, leading to the removal of Plaintiffs' product listings and the
6 cessation of sales, including in California. Given that Plaintiffs' products are sold
7 nationwide, including in this judicial district, Defendant's actions have directly
8 harmed Plaintiffs' business in California, thereby establishing specific personal
9 jurisdiction under Federal Circuit precedent. Furthermore, to the extent Defendant
10 argues it is not subject to personal jurisdiction in any individual state, jurisdiction is
11 proper under Federal Rule of Civil Procedure 4(k)(2), as Defendant purposefully
12 directed enforcement activities at the United States as a whole, causing harm within
13 this forum.

FACTUAL BACKGROUND

A. The Non-Infringing Seat Cushions

16 10. Plaintiffs conduct business through storefronts on Amazon.com under
17 the names "Hvllyan US" and "KYSMOTIC-US," respectively offering a variety of
18 seat cushions for sale.

19 11. Plaintiff Shandong Yunxiang Century Intelligent Technology Co.,
20 Ltd. operates the Amazon storefront Hvllyan US, which sells seat cushions

1 identified by Amazon Standard Identification Numbers (ASINs), including but not
2 limited to B0BGKQC3JH.

3 12. Plaintiff Shandong Jiuhei Information Technology Co., Ltd. operates
4 the Amazon storefront KYSMOTIC-US, which sells seat cushions identified by
5 Amazon Standard Identification Numbers (ASINs), including but not limited to
6 B08YRRNCKK and B08YRVZ8Z1.

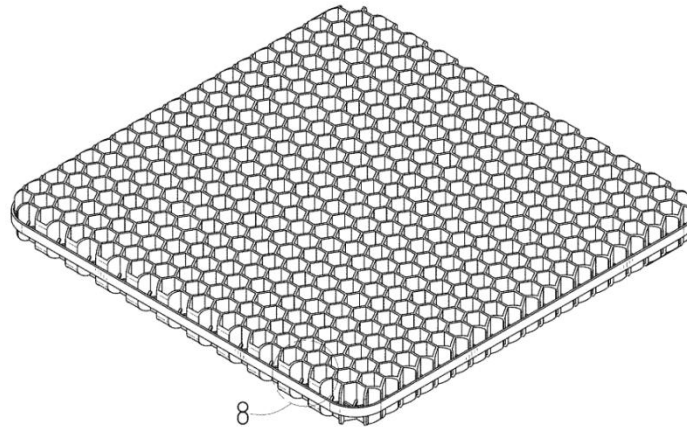
7 13. On or about January 29, 2025, Plaintiff Yunxiang received
8 notifications from Amazon stating that the listing for ASIN B0BGKQC3JH was
9 removed due to alleged infringement of the D'680 Patent.

10 14. As of the date of filing this Complaint, ASIN B0BGKQC3JH remains
11 unavailable on Amazon's platform due to Defendant's infringement complaint.

12 15. The Amazon marketplace constitutes Plaintiffs' primary sales channel
13 into the United States. To remain competitive in the United States market for seat
14 cushions, Plaintiffs need the Non-Infringing Seat Cushions listed in the Amazon
15 marketplace. Amazon has removed the Non-Infringing Seat Cushion from the
16 marketplace, preventing Plaintiffs from accessing their largest channel of trade
17 because of Defendant's alleged infringement complaint to Amazon. Thus,
18 Defendant's submission of an Amazon infringement complaint has caused
19 immediate and irreparable harm to Plaintiffs.

20 **B. U.S. Patent NO. D962,680**

1 16. The D'680 Patent, entitled "GEL SEAT CUSHION," was filed with
2 the USPTO on June 21, 2021. *See* Exhibit 1. The D'680 Patent issued on September
3 6, 2022, and claims "[t]he ornamental design for a gel seat cushion, as shown and
4 described." The perspective view of the D'680 Patent is shown as below:



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11 17. The D'680 Patent lists Yannan Huang as the applicant and Inventor.
12 *See* Exhibit 1.

13 **COUNT I**

14 **Declaratory Judgment of Non-Infringement of U.S. Patent No. D962,680S**

15 18. Plaintiffs repeat and reallege each of the preceding paragraphs as if
16 they were restated here and incorporate them by reference.

17 19. Plaintiffs' Non-Infringing Seat Cushions do not infringe the D'680
18 Patent because an ordinary observer, familiar with the prior art designs, would not
19 be deceived into believing that the Non-Infringing Seat Cushions are the same as the
20 design claimed in the D'680 Patent, as the following chart illustrates:

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Plaintiffs' Non-Infringing Seat Cushions

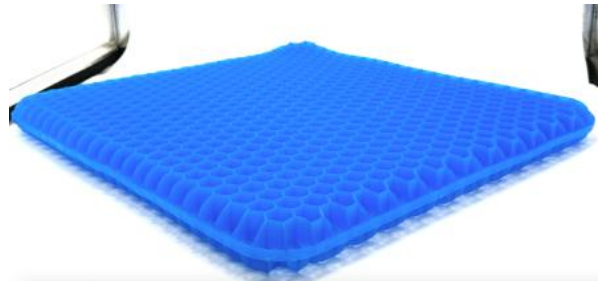
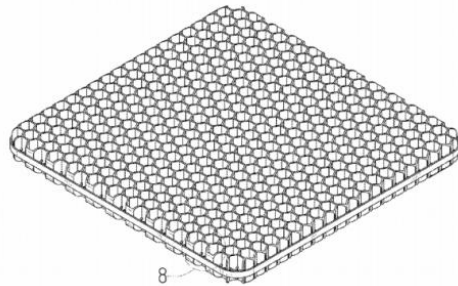


Fig 1 Perspective View

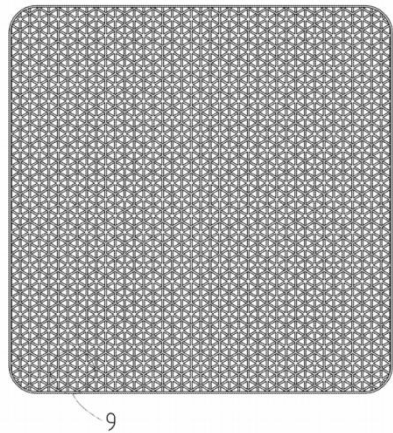


Fig 2 Front View

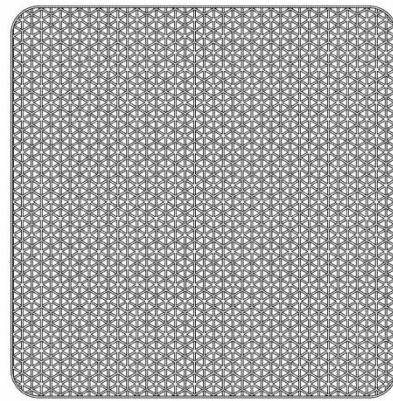


Fig 3 Back View

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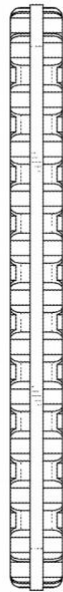


Fig 4 Left Side View

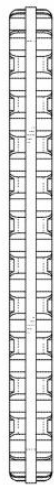


Fig 5 Right Side View



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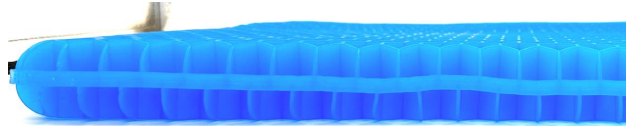
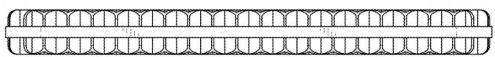


Fig 6 Top View

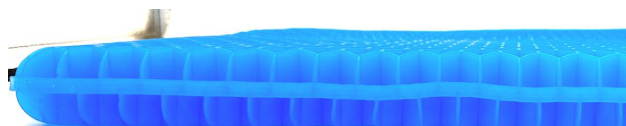
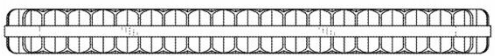


Fig 7 Bottom View

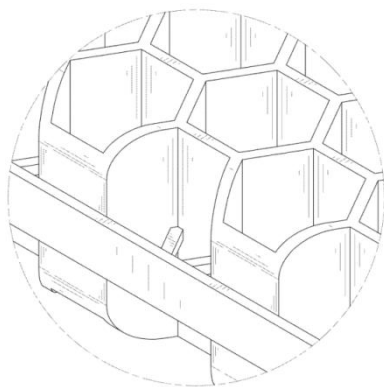


Fig 8 enlarged view of the selected portion in FIG. 1

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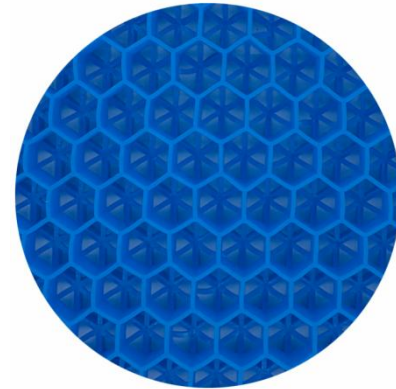
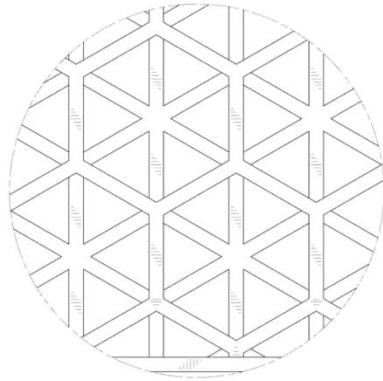


Fig 9 an enlarged view of the selected portion in FIG. 2.

20. Specifically, Plaintiffs’ Non-Infringing Seat Cushions are substantially different from the D’680 Patent in at least the following respects, by way of example only and without limitation:

- The edges of the claimed design in the D’680 Patent and the Non-Infringing Seat Cushions consist of completely different irregular structures.
- In the claimed design, the edges are symmetrical, with the honeycomb structure aligned in a continuous and uniform pattern. In contrast, the Non-Infringing Seat Cushions exhibit distinct asymmetry, with the honeycomb structure offset from each other, creating a staggered, stepped appearance.
- The claimed design shows a left-side view with square ends, whereas

1 the Non-Infringing Seat Cushions' left-side view features rounded and
2 convex ends. This distinction in the curvature of the ends creates a clear
3 difference in the overall shape between the claimed design and the Non-
4 Infringing Seat Cushions.

5 21. For at least these reasons, Non-Infringing Seat Cushions do not
6 infringe the D'680 Patent.

7 22. An actual and justiciable case or controversy therefore exists between
8 Plaintiffs and Defendant regarding whether the Non-Infringing Seat Cushions have
9 infringed the claims of the D'680 Patent. Declaratory relief is thus appropriate and
10 necessary to establish that the making, using, importation, sale, or offer of sale of
11 the Non-Infringing Seat Cushions does not infringe, directly or indirectly, literally
12 or under the doctrine of equivalents, any valid and enforceable claim of the D'680
13 Patent. Plaintiffs are entitled to a judgment declaring that they have not infringed
14 and will not infringe any claim of the D'680 Patent.

15 **COUNT II**

16 **Declaratory Judgment of Invalidity of U.S. Patent No. D962,680S**

17 23. Plaintiffs repeat and reallege each of the preceding paragraphs as if
18 they were restated here and incorporate them by reference.

19 24. An actual case or controversy exists between Plaintiffs and Defendant
20 as to whether the D'680 Patent is invalid.

1 25. A judicial declaration is necessary and appropriate so that Plaintiffs
2 may ascertain their rights as to whether the D'680 Patent is invalid.

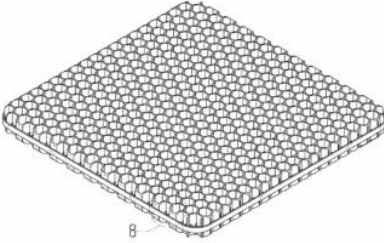
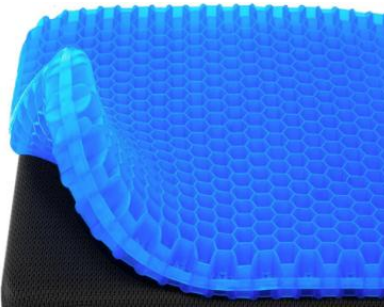
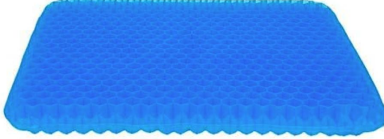
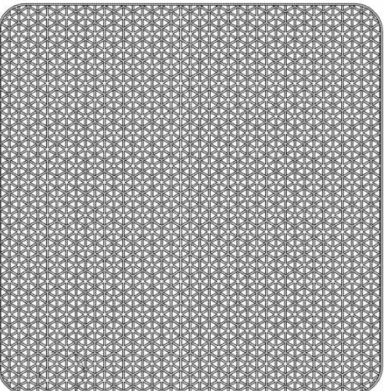

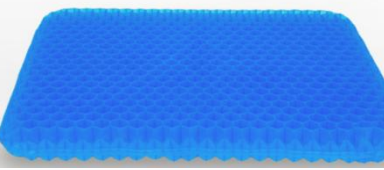
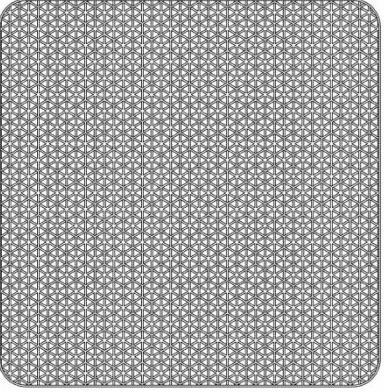

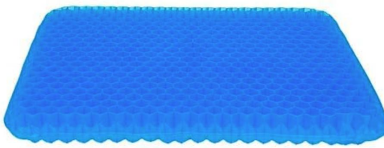
3 26. The D'680 Patent is invalid as anticipated by prior art. The prior art
4 references that render the D'680 Patent anticipated include, by way of example only
5 and without limitation, seat cushion products publicly available before the priority
6 date of the D'680 Patent: (i) OMCOZY (accessible at
7 <https://www.amazon.com/dp/B08XX3W5KR?th=1>, last visited Feb. 7, 2025); (ii)
8 ADUKEN (accessible at <https://www.amazon.com/dp/B07TMF3J8R?th=1>, last
9 visited Feb. 7, 2025); (iii) KYSMOTIC (accessible at
10 <https://www.amazon.com/dp/B08YRRNCKK?th=1>, last visited Feb. 7, 2025).

11 27. One such prior art reference, the OMCOZY Gel Seat Cushion,
12 identified by Amazon using ASIN B08XX3W5KR, has been available on Amazon
13 since at least March 3, 2021—more than three months before the filing date of the
14 D'680 Patent.

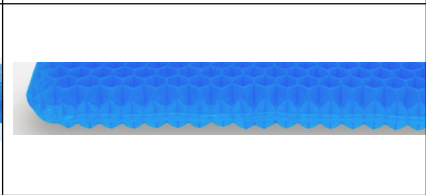
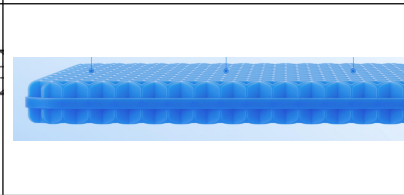
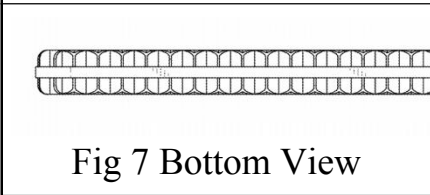
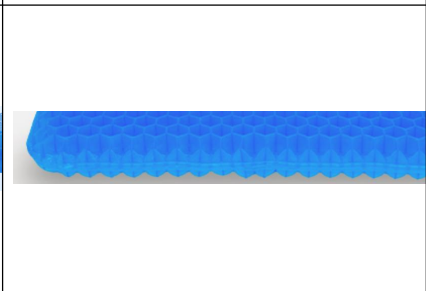
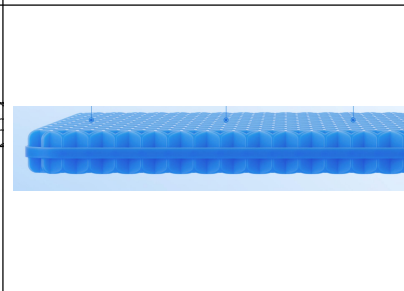
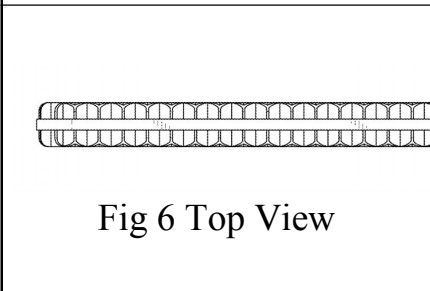
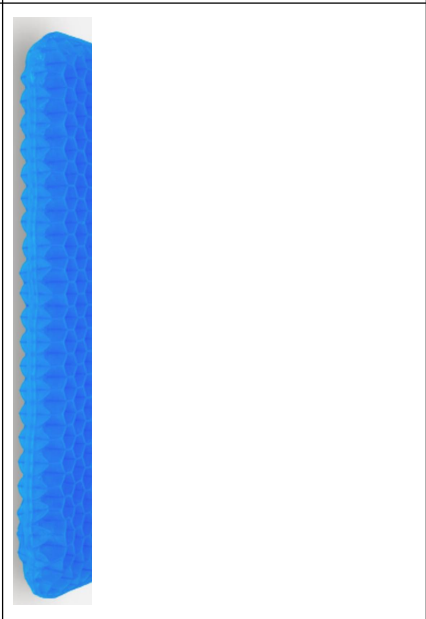
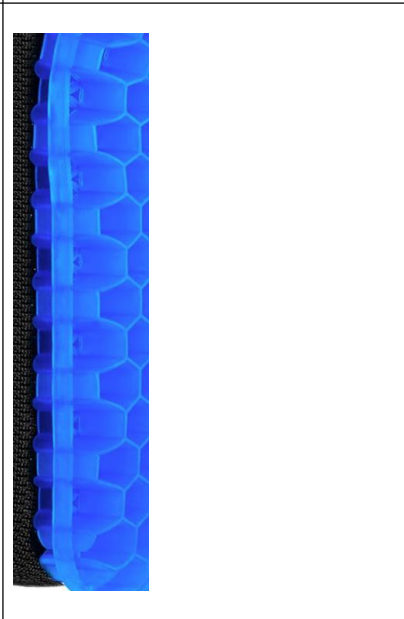
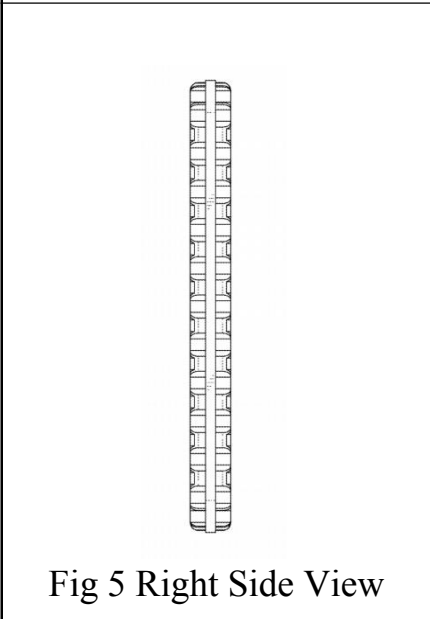
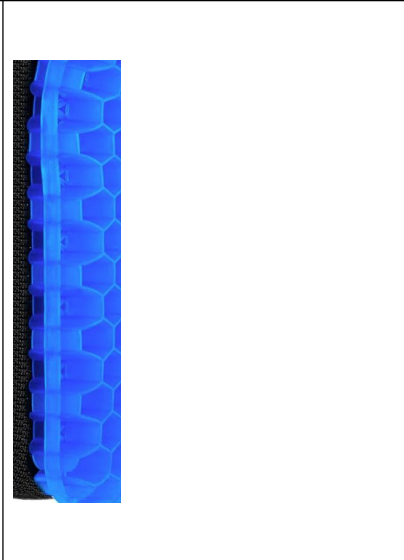
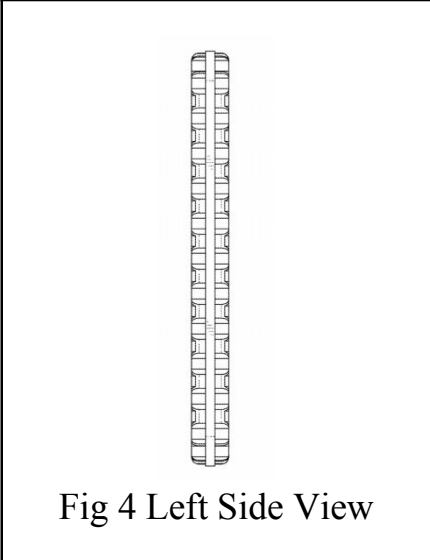
15 28. The below chart compares exemplary images of those prior art seat
16 cushions to the claimed design of the D'680 Patent:

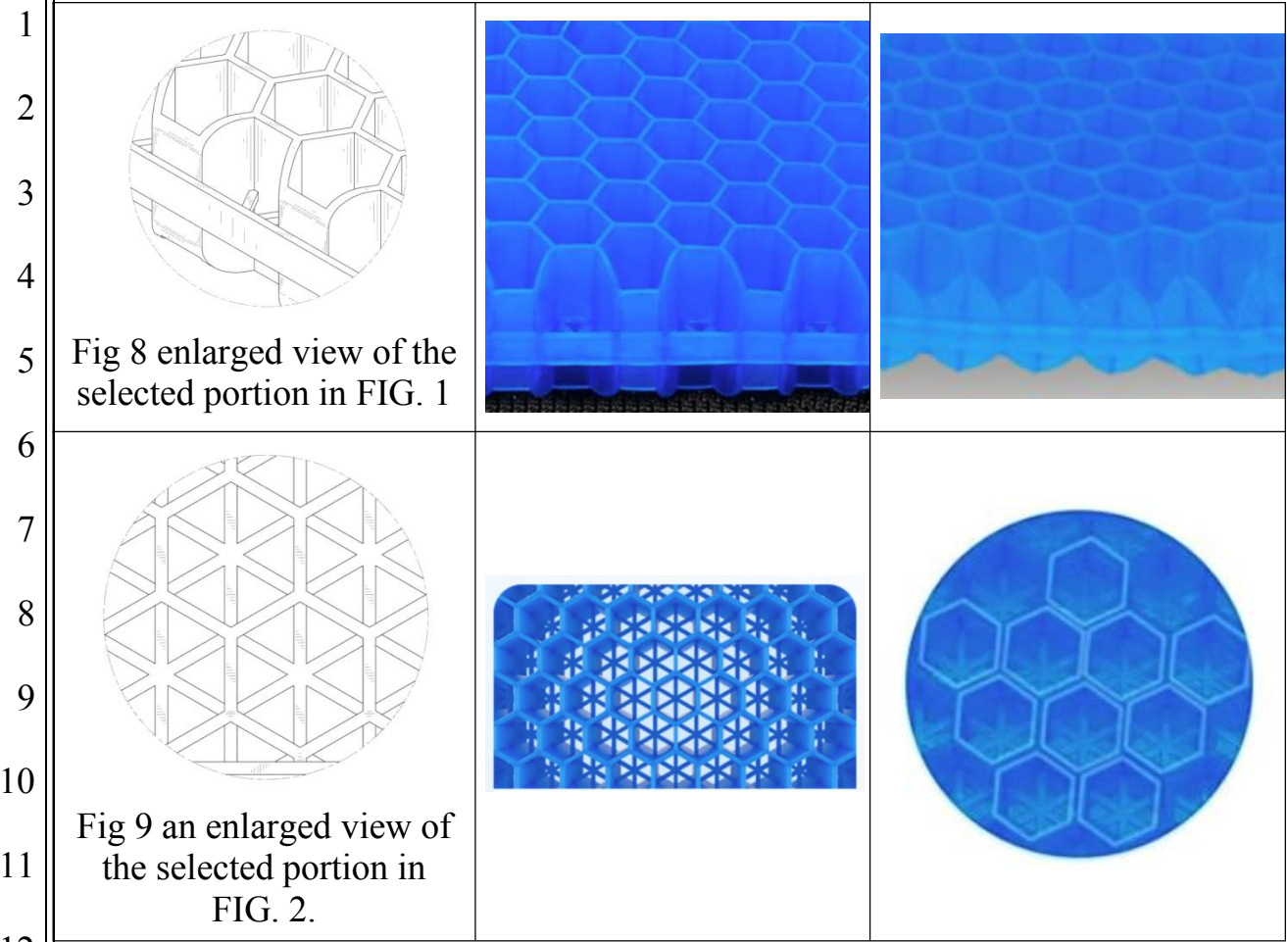
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USD962680S1	OMCOZY	ADUKEN
 <p data-bbox="292 630 641 672">Fig 1 Perspective View</p>		
 <p data-bbox="332 1239 592 1281">Fig 2 Front View</p>		
 <p data-bbox="332 1753 592 1795">Fig 3 Back View</p>		

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13 29. These prior art references, especially the OMCOZY, are substantially
 14 identical to the D'680 Patent.

15 30. Therefore, the D'680 Patent is invalid for failure to meet the
 16 conditions of patentability and/or otherwise comply with one or more of 35 U.S.C.
 17 §§ 100 et seq., 101, 102, 103, and 112.

COUNT III

Declaratory Judgment of Unenforceability of U.S. Patent No. D962,680

19 31. Plaintiffs repeat and reallege each of the preceding paragraphs as if
 20 they were restated here and incorporate them by reference.

1 32. As demonstrated above, the claimed design of the D'680 Patent is
2 disclosed by several prior art references, including products that were publicly
3 available for sale on Amazon before the filing date of the D'680 Patent. Specifically,
4 the OMCOZY Gel Seat Cushion (ASIN B08XX3W5KR) has been available on
5 Amazon since at least March 3, 2021, approximately three months before the filing
6 date of the D'680 Patent. The ADUKEN Gel Seat Cushion (ASIN B07TMF3J8R)
7 has been available on Amazon since at least June 26, 2019, more than two years
8 before the filing date of the D'680 Patent. The KYSMOTIC Gel Seat Cushion
9 (B08YRRNCKK) has been available on Amazon since at least March 12, 2021,
10 approximately three months before the filing date of the D'680 Patent.

11 33. Defendant was aware of the relevant prior art before filing the
12 application for the D'680 Patent. However, Defendant knowingly withheld material
13 information and prior art during the prosecution of the patent application. Had
14 Defendant disclosed this information to the USPTO, the D'680 Patent would not
15 have been granted. Therefore, the D'680 Patent is unenforceable due to Defendant'
16 s inequitable conduct in failing to disclose material prior art during prosecution.

17 34. Plaintiffs therefore seek and are entitled to a judgment that U.S.
18 Patent No. D962,680 is unenforceable.

19 **COUNT IV**

20 **Unfair Competition**

35. Plaintiffs repeat and reallege each of the preceding paragraphs as if

1 fully set forth herein and incorporate them by reference.

2 36. Defendant's conduct constitutes unfair competition under the
3 common law of the State of California.

4 37. Defendant has acted unlawfully and unfairly by submitting baseless
5 intellectual property complaints to Amazon, which resulted in the wrongful removal
6 of Plaintiff Yunxiang's Non-Infringing Seat Cushions from Amazon.com.

7 38. By abusing Amazon's intellectual property enforcement procedures,
8 Defendant caused significant disruption to Plaintiff Yunxiang's business operations,
9 including the removal of Non-Infringing Seat Cushions that do not infringe any
10 valid intellectual property rights.

11 39. As a direct and proximate result of Defendant's unfair competition,
12 Plaintiff Yunxiang has suffered, and continues to suffer, material harm in an amount
13 to be proven at trial, including loss of sales and damage to its competitive standing.
14 Furthermore, Plaintiff Yunxiang has suffered irreparable harm that cannot be fully
15 measured or compensated in monetary terms alone. Such harm will continue unless
16 Defendant's wrongful actions are restrained and enjoined both during and after this
17 litigation..

18 **COUNT V**

19 **Tortious Interference**

20 40. Plaintiffs repeat and reallege each of the preceding paragraphs as if
fully set forth herein and incorporate them by reference.

1 41. Defendant knowingly and intentionally interfered with Plaintiff
2 Yunxiang's valid and existing business relationships and expectancy of sales of its
3 products, including the Non-Infringing Seat Cushions, via Amazon.com. Defendant
4 engaged in this interference for an improper purpose and by improper means,
5 causing Amazon to remove the ASINs for the Non-Infringing Seat Cushions. This
6 interference resulted in damages due to Plaintiff Yunxiang's lost sales of the Non-
7 Infringing Seat Cushions and related products.

8 42. As a direct and proximate result of Defendant's tortious interference,
9 Plaintiff Yunxiang has suffered damages, including significant losses in sales of the
10 Non-Infringing Seat Cushions and other products, resulting in lost revenue and
11 profits directly attributable to those lost sales.

12 43. Defendant's actions have significantly harmed Plaintiff Yunxiang's
13 business operations by substantially reducing the rankings of Plaintiff Yunxiang's
14 products on Amazon, which negatively impacts product visibility, reviews, and
15 ratings. This reduced visibility in consumer searches has directly diminished
16 Plaintiff Yunxiang's market presence and sales performance.

17 44. The decline in product rankings and visibility has caused substantial
18 financial harm to Plaintiff Yunxiang, including lost sales and profits, as well as
19 increased warehousing and inventory holding costs due to reduced product turnover.

20 45. These damages extend beyond lost revenue, inflicting harm on

1 Plaintiff Yunxiang's goodwill and brand reputation, which are essential to
2 maintaining competitive standing in the market. The exact amount of these damages
3 will be proven at trial and cannot be fully measured or compensated in monetary
4 terms alone.

5 **PRAYER FOR RELIEF**

6 WHEREFORE, Plaintiffs pray for the following relief:

7 A. A judgment declaring that the manufacture, use, offer for sale, sale,
8 and/or importation of the Non-Infringing Seat Cushions have not infringed and will
9 not infringe, directly or indirectly, literally or under the doctrine of equivalents, any
10 valid claim of the D'680 Patent;

11 B. A judgment declaring that the claim of the D'680 Patent is invalid;

12 C. A judgment declaring that Defendant interfered with Plaintiff Yunxiang
13 economic relationship with Amazon.com;

14 D. A judgment declaring that Defendant unfairly competed with Plaintiff
15 Yunxiang;

16 E. A permanent injunction enjoining Defendant from asserting the D'680
17 Patent against Plaintiffs' Non-Infringing Seat Cushions;

18 F. An order enjoining Defendant from further enforcement of the D'680
19 Patent and requiring Defendant to retract its takedown request from Amazon;

20 G. An award of monetary damages sufficient to compensate Plaintiff

1 Yunxiang for Defendant’s tortious conduct and unfair competition;

2 H. An award of punitive damages in an amount to be determined at trial;

3 I. An order awarding Plaintiffs’ costs and reasonable attorney’s fees as
4 permitted by law; and

5 J. Such other and further relief as this Court may deem just and equitable.

6 **DEMAND FOR JURY TRIAL**

7 Pursuant to Federal Rule of Civil Procedure 38(b), Plaintiff demands a trial
8 by jury on all claims and issues so triable.

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10 DATED: February 7, 2025

SHM LAW FIRM

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By: */s/ Qianwu Yang*
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yang@shm.law
YI YI (Cal. Bar No. 353482)
yi.yi@shm.law

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Attorneys for Plaintiffs

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Shandong Yunxiang Century Intelligent
Technology Co., Ltd.

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Shandong Jiuwei Information Technology
Co., Ltd.

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