

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

CHERVON (HK) LIMITED,)	
CHERVON NORTH AMERICA INC.,)	
)	
<i>Plaintiffs,</i>)	Civil Action No.:
)	
v.)	Jury Trial Demanded
)	
ONE WORLD TECHNOLOGIES, INC.,)	
TECHTRONIC INDUSTRIES CO.)	
LTD.,)	
)	
<i>Defendants.</i>)	

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiffs Chervon (HK) Limited and Chervon North America Inc. (collectively “Plaintiffs” or “Chervon”), by their undersigned counsel, and for their Complaint against Defendants One World Technologies, Inc. and Techtronic Industries Co. Ltd. (collectively, “Defendants”) hereby allege as follows:

SUMMARY OF NATURE OF ACTION

1. This is a civil action for patent infringement arising under the patent laws of the United States, 35 U.S.C. § 1 *et seq.* Plaintiffs assert infringement of six patents relating to lawn mower technology embodied by their EGO brand of lawn mowers, including but not limited to the EGO Power+ Mower Model No. LM2100SP.

PARTIES

2. Plaintiff Chervon (HK) Limited (“Chervon HK”) is a Hong Kong company having a place of business at Room 803B, 8/F Allied Kajima Building, 138 Gloucester Road, Wan Chai, Hong Kong.

3. Plaintiff Chervon North America Inc. (“Chervon NA”) is a corporation organized under the laws of the State of Delaware with its principal place of business at 1203 East Warrenville Road, Naperville, Illinois 60563.

4. On information and belief, Defendant One World Technologies, Inc. (“One World”) is a corporation organized under the laws of the State of Delaware with its principal place of business at 1428 Pearman Dairy Road, Anderson, South Carolina 29625.

5. On information and belief, Defendant Techtronic Industries Co. Ltd. (“TTI”) is a Hong Kong corporation with its principal place of business located at 24/F CDW Building, 388 Castle Peak Road, Tsuen Wan, New Territories, Hong Kong.

6. Defendants make, sell, offer for sale in the United States, and/or import into the United States, lawn mowers under the brand name Ryobi.

JURISDICTION AND VENUE

7. This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338(a).

8. This Court has personal jurisdiction over Defendants because Defendants engage in business within this District, Defendants have committed acts of infringement in violation of 35 U.S.C. § 271 in this District, and Defendants have placed infringing products into the stream of commerce, through an established distribution channel, with the knowledge and/or understanding that such products are shipped into, sold, and/or used in this District. These acts have caused injury to Plaintiffs within this District and continue to cause injury to Plaintiffs within this District. Defendants derive substantial revenue from the sale of infringing products distributed within this District. Defendants expect or should reasonably expect their actions to have consequences within this District and Defendants derive substantial revenue from interstate commerce.

9. As to One World, venue is proper in this district under 28 U.S.C. §§ 1391 and 1400(b), because, among other reasons, One World resides in this district through its incorporation in this District and has committed acts of infringement in this District.

10. As to TTI, venue is proper in this district under 28 U.S.C. § 1391 because TTI is a foreign corporation and thus may be sued in any judicial district.

COUNT I
INFRINGEMENT OF U.S. PATENT NO. 9,060,463

11. Plaintiffs repeat and re-allege each and every allegation of the foregoing paragraphs as though fully set forth herein.

12. Plaintiff Chervon HK is the owner of all rights and interests in U.S. Patent No. 9,060,463, entitled “Lawnmower with Operation Protection and Safety Switch Mechanism Thereof” (“the ‘463 patent”), which was duly and lawfully issued by the United States Patent and Trademark Office on June 23, 2015. A true and correct copy of the ‘463 patent is attached as **Exhibit A** and made a part hereof.

13. Plaintiff Chervon NA is an exclusive licensee of the ‘463 patent with a right to enforce the patent.

14. The ‘463 patent lists Toshinari Yamaoka, Fangjie Nie, Haishen Xu, and Xiandian Shao as inventors.

15. Plaintiffs have complied with the statutory marking requirements of 35 U.S.C. § 287 and have marked their commercial embodiments of the ‘463 patent since 2016.

16. Defendants have at no time been licensed under the ‘463 patent.

17. Defendants have infringed and continue to infringe one or more claims of the ‘463 patent, literally and/or under the doctrine of equivalents, by their manufacture, use, sale, importation, and/or offer for sale of certain lawn mowers that embody one or more claims of the

'463 patent, including but not limited to the following lawn mower products: RY40108; RY40109; RY40LM03; RY40LM10-Y.

18. By way of example, Claim 1 of the '463 patent recites as follows:

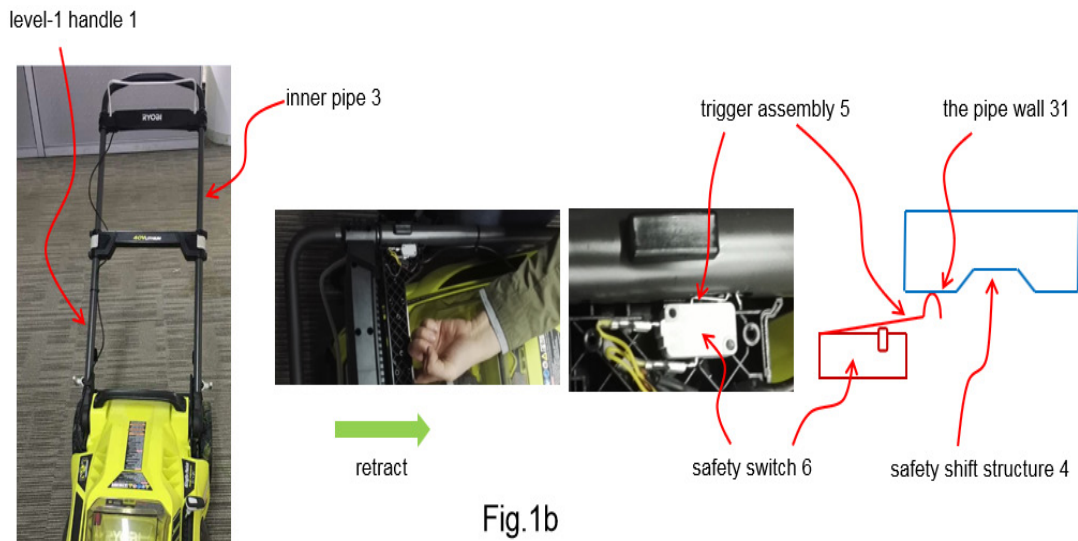
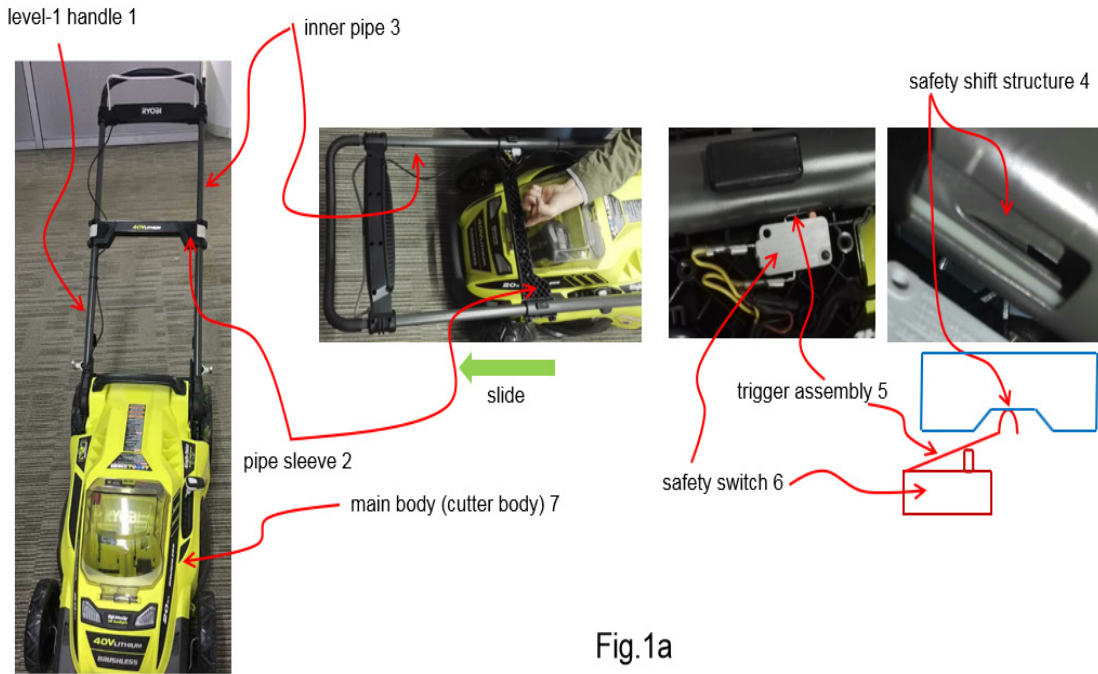
A slide-triggered safety switch mechanism, comprising:

an inner pipe and a pipe sleeve capable of movement relative to each other wherein the inner pipe is equipped with a safety shift structure; and
a safety switch assembly mounted inside the pipe sleeve wherein the safety switch assembly comprises a safety switch and a trigger assembly configured to trigger the safety switch when the safety shift structure of the inner pipe is moved relative to the pipe sleeve from a safety location and to reset the safety switch when the safety shift structure returns to the safety location.

19. Defendants' RY40108; RY40109; RY40LM03; and RY40LM10-Y lawn mower products include each and every limitation of one or more claims of the '463 patent, including at least Claim 1.

20. By way of example, Defendants' RY40108 and RY40109 lawn mowers meet each and every limitation of Claim 1 of the '463 patent as shown below:

RY40108 and RY40109 – '463 Patent, Claim 1



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