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10 Attorneys for Plaintiff  
11 AMERICAN HONDA MOTOR CO., INC.

12 UNITED STATES DISTRICT COURT  
13 CENTRAL DISTRICT OF CALIFORNIA  
14 WESTERN DIVISION

15 AMERICAN HONDA MOTOR  
16 CO., INC., a California  
17 Corporation,

18 Plaintiff,

19 v.

20 LKQ CORP.

21 Defendant.

Case No.: 2:21-cv-08210

22 **PLAINTIFF AMERICAN**  
23 **HONDA MOTOR CO., INC.'S**  
24 **COMPLAINT FOR PATENT**  
25 **INFRINGEMENT AND UNFAIR**  
26 **COMPETITION UNDER CAL.**  
27 **BUS. & PROF. CODE § 17200, *et.***  
28 ***seq.***

**DEMAND FOR JURY TRIAL**

1 Plaintiff American Honda Motor Co., Inc. (“Honda”) files this  
2 Complaint against Defendant LKQ Corporation (“Defendant”) and  
3 alleges as follows:

4 **NATURE OF THE ACTION**

5 1. This is an action for design patent infringement under the  
6 patent laws of the United States, 35 U.S.C. § 271, *et seq.*, and for unfair  
7 competition under California Bus. & Prof. Code § 17200, *et seq.*, arising  
8 from Defendant’s unauthorized importing, making, using, offering to  
9 sell, and/or sale of wheels having designs that infringe Honda’s design  
10 patents. Honda has suffered extensive and irreparable damages  
11 because of Defendant’s actions and seeks relief in this Court.

12 **PARTIES**

13 2. Honda is a corporation organized under the laws of the State  
14 of California, with principal place of business located at 1919 Torrance  
15 Boulevard, Torrance, CA 90501.

16 3. Upon information and belief, Defendant is a corporation  
17 organized under the laws of the State of Delaware, with principal place  
18 of business located at 500 W. Madison Street, Suite 2800, Chicago, IL,  
19 60661.

20 **JURISDICTION AND VENUE**

21 4. The Court has federal question subject matter jurisdiction  
22 pursuant to 28 U.S.C. §§ 1331, 1338(a), and 1338(b) because Honda  
23 asserts claims for damages pursuant to the Patent Act, 35 U.S.C. § 271,  
24 *et seq.* This Court has supplemental jurisdiction over the related state  
25 law claim pursuant to 28 U.S.C. §§ 1338(b) and/or 1367(a).

26 5. Defendant is subject to personal jurisdiction in this Court  
27 because Defendant maintains multiple business locations in this  
28 district, has purposefully availed itself of the privilege of transacting

1 extensive business in the State of California, and has committed acts of  
2 patent infringement in this district. Moreover, Defendant's actions  
3 have caused considerable harm to Honda, a California corporation.  
4 Thus, exercise of personal jurisdiction over Defendant here is  
5 reasonable and comports with principles of fair play and substantial  
6 justice.

7 6. Venue in this judicial district is proper under 28 U.S.C. §§  
8 1391(b), 1391(c), and/or 1400(b). Defendant maintains multiple regular  
9 and established places of business within this District, including in at  
10 least Sun Valley (Los Angeles County, CA) and Santa Fe Springs (Los  
11 Angeles County, CA), and, as set forth below, has committed acts of  
12 infringement in this District.

### 13 HONDA'S INTELLECTUAL PROPERTY

14 7. Honda is a well-known multi-national company and leading  
15 manufacturer of automotive vehicles. It also engages in the  
16 manufacture and sale of spare parts for its automotive vehicles through  
17 authorized dealers.

18 8. Honda has sought and received multiple forms of intellectual  
19 property protection for various aspects of its automobiles, including but  
20 not limited to design patents for the original ornamental designs of its  
21 wheels.

22 9. Honda is the valid owner by assignment of all right, title,  
23 and interest in each of the design patents identified in the list attached  
24 hereto as Exhibit 1 (collectively, the "patents-in-suit"), including all  
25 rights to sue and collect for past, present, and future damages.

26 10. By way of example only, Honda describes a subset of the  
27 patents-in-suit identified in Exhibit 1 in further detail below.

28 11. On August 28, 2018, the U.S. Patent and Trademark Office

1 (“USPTO”) duly and lawfully issued U.S. Patent No. D826,825S to  
 2 Kawaguchi entitled “Wheel for an automobile.” The ’825 patent claims  
 3 the ornamental design for a wheel of an automobile.

4 12. On January 15, 2013, the USPTO duly and lawfully issued  
 5 U.S. Patent No. D674,330S to Kito, entitled “Wheel for an automobile.”  
 6 The ’330 patent claims the ornamental design for a wheel of an  
 7 automobile.

8 13. On May 19, 2015, the USPTO duly and lawfully issued U.S.  
 9 Patent No. D729,720S to Chen et. al, entitled “Wheel.” The ’720 patent  
 10 claims the ornamental design for a wheel.

11 14. On December 11, 2018, the USPTO duly and lawfully issued  
 12 U.S. Patent No. D835,561S to Hayashi, entitled “Wheel for an  
 13 automobile.” The ’561 patent claims the ornamental design for a wheel  
 14 of an automobile.

15 15. On September 27, 2016, the USPTO duly and lawfully issued  
 16 U.S. Patent No. D767,467S to Davidson et. al, entitled “Wheel.” The  
 17 ’467 patent claims the ornamental design for a wheel.

18 16. On August 2, 2016, the USPTO duly and lawfully issued  
 19 U.S. Patent No. D762,543S to Hara, entitled “Wheel for automobile.”  
 20 The ’543 patent claims the ornamental design for a wheel of an  
 21 automobile.

22 17. On December 5, 2017, the USPTO duly and lawfully issued  
 23 U.S. Patent No. D804,391S to Ishii, entitled “Wheel for automobile.”  
 24 The ’391 patent claims the ornamental design for a wheel of an  
 25 automobile.

26 18. Honda practices each of the patents-in-suit.

### 27 **DEFENDANT’S INFRINGEMENT**

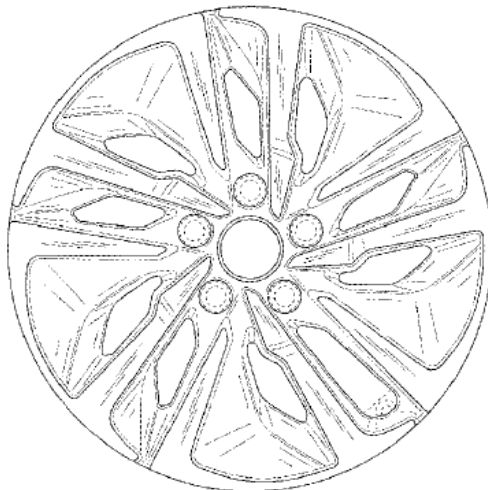
28 19. Non-exhaustive examples of Defendant’s infringement are

1 included in the paragraphs that follow. A full list identifying Honda's  
 2 intellectual property, on one hand, and the corresponding product  
 3 numbers of Defendant's infringing products, on the other, is attached  
 4 hereto as Exhibit 1.

5 20. Defendant imports, manufactures, uses, offers to sell, and/or  
 6 sells wheels with an infringing design, including but not limited to LQK  
 7 products bearing the part numbers identified in Exhibit 1 (collectively,  
 8 the "Accused Products"). At minimum, Defendant sells these products  
 9 on its own website, [www.lkqonline.com](http://www.lkqonline.com).

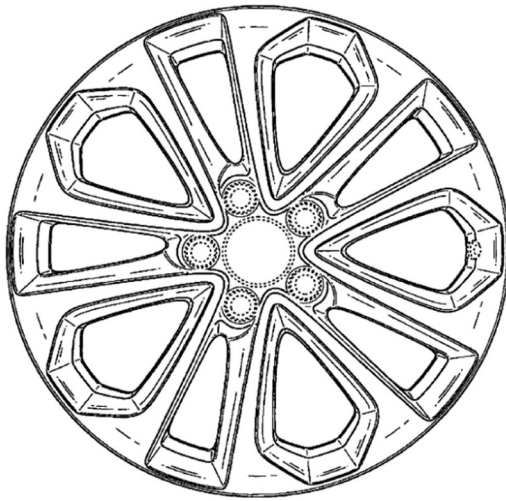
10 21. Such actions, including the exemplary acts of infringement  
 11 described below, constitute patent infringement by Defendant of  
 12 Honda's original designs. By misappropriating Honda's designs without  
 13 offering compensation, Defendant capitalizes on Honda's significant  
 14 financial and time investment into product design, its intellectual  
 15 property, and well-known reputation in the industry.

16 22. A side-by-side comparison of the design elements claimed by  
 17 Honda in its '825 patent (left) and Defendant's Accused Product  
 18 (ALY63141U30N for 2018 Honda Accord Hybrid) (right), shown below,  
 19 undeniably demonstrates Defendant has copied Honda's design.

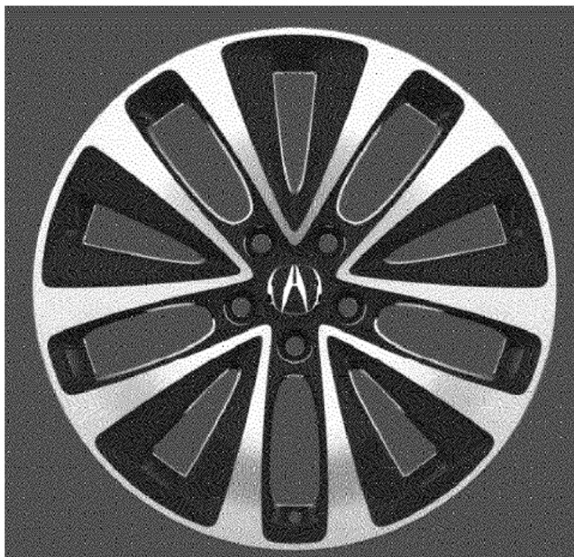




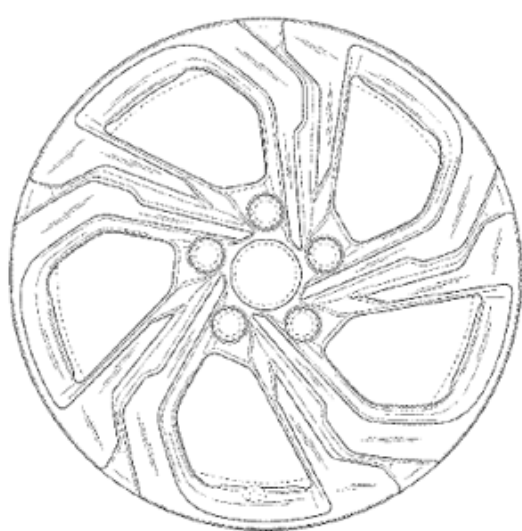
23. A side-by-side comparison of the design elements claimed by Honda in its '330 patent (left) and Defendant's Accused Product (ALY64048U35N for 2013 Honda Accord) (right), shown below, undeniably demonstrates Defendant has copied Honda's design.



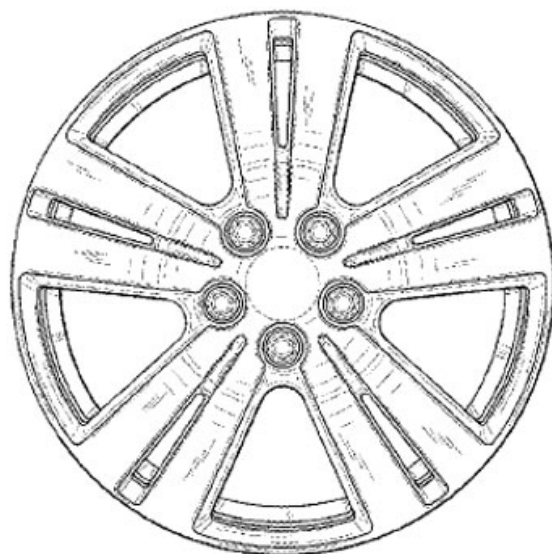
24. A side-by-side comparison of design elements claimed by Honda in its '720 patent (left) and Defendant's Accused Product (ALY71820U35N for 2016 Acura MDX) (right), shown below, undeniably demonstrates Defendant has copied Honda's design.



1           25. A side-by-side comparison of design elements claimed by  
2 Honda in its '561 patent (left) and Defendant's Accused Product  
3 (ALY64124U35N for 2018 Honda Accord) (right), shown below,  
4 undeniably demonstrates Defendant has copied Honda's design.

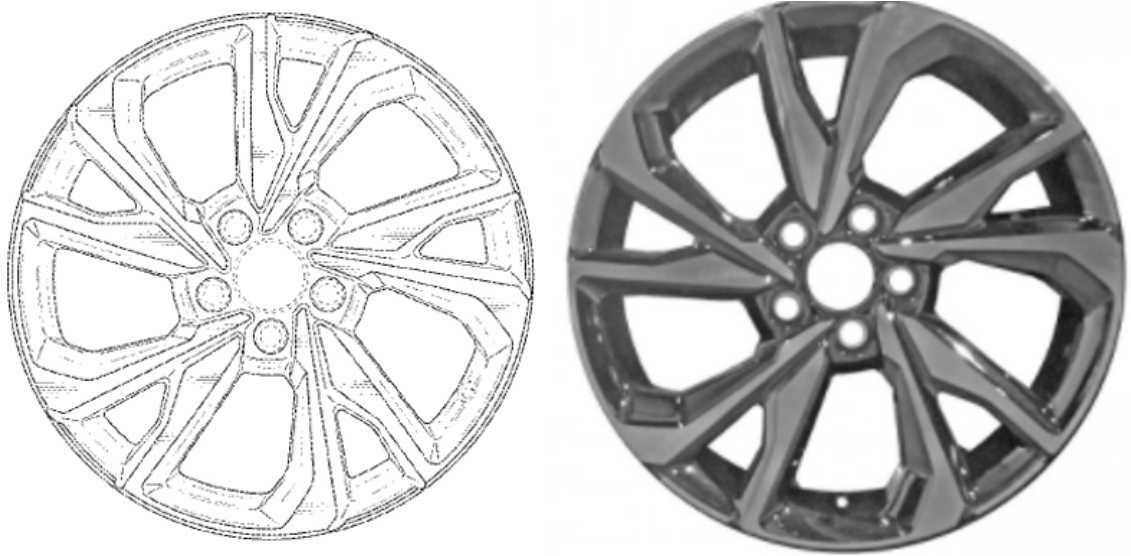


14           26. A side-by-side comparison of design elements claimed by  
15 Honda in its '467 patent (left) and Defendant's Accused Product  
16 (ALY64088U10N for 2018 Honda Pilot, for example) (right), shown  
17 below, undeniably demonstrates Defendant has copied Honda's design.





1           27. A side-by-side comparison of design elements claimed by  
2 Honda in its '543 patent (left) and Defendant's Accused Product  
3 (ALY64108U46N for 2017 Honda Civic) (right), shown below,  
4 undeniably demonstrates Defendant has copied Honda's design.



14           28. A side-by-side comparison of design elements claimed by  
15 Honda in its '391 patent (left) and Defendant's Accused Product  
16 (ALY64110U30N for 2017 Honda CR-V) (right), shown below,  
17 undeniably demonstrates Defendant has copied Honda's design.





1           29. As demonstrated by the examples above, the designs of the  
2 Accused Products are substantially the same as the ornamental designs  
3 claimed in the patents-in-suit, so as to deceive an ordinary observer and  
4 induce him or her to purchase the Accused Products, supposing them to  
5 be Honda's products.

6           30. Defendant's infringement was knowing and with intent to  
7 infringe. On April 1, 2021, Senior Counsel for Honda, Donald Stevens,  
8 sent Victor Casini, Senior Vice President and General Counsel for  
9 Defendant, a letter indicating LKQ was selling various aftermarket  
10 wheels that infringed Honda's design patents listed in Exhibit 1. In  
11 response, LKQ requested a list of the LKQ products at issue and  
12 Honda's design patents. Honda provided a detailed document that  
13 matched Defendant's infringing products, which were identified by both  
14 car model and LKQ part number, with the corresponding Honda design  
15 patent numbers. At Honda's request, the parties also participated in a  
16 teleconference, during which Honda expressed its deep concern  
17 regarding Defendant's infringement. Nevertheless, Defendant has  
18 persisted in continuing its infringement, and to date, has failed to  
19 provide any substantive response to the allegations, including that it  
20 has failed to provide any information relevant to a valid defense.

21           31. Moreover, Defendant is undoubtedly aware the Accused  
22 Products infringe Honda's designs, demonstrated by the fact that  
23 Defendant has itself marketed and/or referred to the Accused Products  
24 as "replicas" of Honda Products (as shown in an example below) when  
25 selling to retailers and/or customers. Nevertheless, Defendant has  
26 persisted in infringing Honda's patents. Further, given the uniqueness  
27 of Honda's designs and the extent to which the Accused Products are  
28 similar, it is clear Defendant willfully infringed the patents-in-suit.

New Part

**2013 Honda Accord New Wheel - ALY64048U35N**

ALUMINUM WHEEL; REPLICA; 18 x 8; 55MM OFFSET; 5  
DOUBLE SPOKE; 5 STUD/LUG; 115MM BP; MACHINED  
AND GRAY

Price: **\$307.00**

Free Shipping

Availability: Yes

**MORE INFO**

32. Defendant also distributes and/or sells additional infringing products by and through third-party vendors. Upon information and belief, Defendant provides such third-party vendors, who ultimately re-sell the infringing products, with support in the form of supplying infringing wheels, information from the manufacturer, and advertising and promotional materials. Defendant therefore also actively encourages, enables, contributes to, and induces the sale of the infringing products on these third-party platforms, despite Defendant's knowledge of infringement.

33. For example, third-party company Summit Racing Equipment offers on its website ([www.summitracing.com](http://www.summitracing.com)) a product bearing a "Manufacturer's Part Number" ALY64111U45N. This product, which has been re-branded as a "Jante" product, infringes at least U.S. Patent No. D803,131. This part-naming convention matches others of Defendant's part numbers, which similarly begin with the "ALY" prefix. Notably, no product bearing this ALY number currently appears on Defendant's own website. Upon information and belief, Defendant knows and may be affiliated with Jante, having previously employed Jante's current CEO as a District Manager. Summit Racing

1 also offers a “Jante” product bearing part number ALY64119U20N  
2 which infringes Honda’s U.S. Patent No. D798,216 and, upon  
3 information and belief, is sold by Defendant directly or indirectly to  
4 Summit Racing.

5 34. As another example of Defendant’s distribution and/or sale  
6 of infringing products through third parties, AutoZone offers on its  
7 website (autozone.com) at least the following Keystone Collision  
8 Wheels: ALY71845U30, ALY71836U20, and ALY71826U45. Each of  
9 these wheels is described as a “Keystone replacement wheel” having the  
10 “Same form fit and function as OE,” establishing that these are new  
11 copy wheels, not reconditioned factory wheels. These Keystone  
12 Collision Wheels, ALY71845U30, ALY71836U20, and ALY71826U45,  
13 infringe Honda design patents D806,629, D774,434, and D705,153,  
14 respectively.

15 35. Upon information and belief, Defendant has engaged in a  
16 pattern and practice of similarly re-branding infringing products and  
17 selling them through other third parties under other brand names.  
18 Honda is therefore unable to ascertain the full extent of Defendant’s  
19 infringement.

20 36. Upon information and belief, Defendant has made  
21 substantial profits from its unauthorized sales of the infringing Accused  
22 Products.

23 37. Moreover, Defendant often offers the Accused Products,  
24 which are virtually identical to Honda’s designs, at a lower price point  
25 than what is available through Honda’s authorized dealers. As a result  
26 of Defendant’s actions, Honda has suffered a loss of its goodwill and  
27 reputation and has lost sales of its own products.  
28

**FIRST CLAIM FOR RELIEF**

**(Infringement of the '825 Patent)**

38. Honda re-alleges and incorporates by reference the foregoing paragraphs.

39. Defendant, through its employees and/or agents, has and continues to directly infringe the '825 patent by importing, making, using, offering for sale, and/or selling one or more of the Accused Products, including at least the LKQ product bearing product number ALY63141U30N.

40. The Accused Products have a design that would appear to the ordinary observer to be substantially the same as the design claimed by the '825 patent.

41. Honda has been damaged in an amount to be determined as a direct and proximate result of Defendant's willful infringement.

42. Honda has been irreparably damaged by Defendant's infringing activities and will continue to be irreparably harmed unless those activities are enjoined by this Court, because, among other reasons, Honda and Defendant directly compete for the sales of wheels for Honda's automobiles.

**SECOND CLAIM FOR RELIEF**

**(Infringement of the '330 Patent)**

43. Honda re-alleges and incorporates by reference the foregoing paragraphs.

44. Defendant, through its employees and/or agents, has and continues to directly infringe the '330 patent by importing, making, using, offering for sale, and/or selling one or more of the Accused Products, including at least the LKQ product bearing product number ALY64048U35N.





1 for Honda's automobiles.

2 **FOURTH CLAIM FOR RELIEF**

3 **(Infringement of the '561 Patent)**

4 53. Honda re-alleges and incorporates by reference the foregoing  
5 paragraphs.

6 54. Defendant, through its employees and/or agents, has and  
7 continues to directly infringe the '561 patent by importing, making,  
8 using, offering for sale, and/or selling one or more of the Accused  
9 Products, including at least the LKQ product bearing product number  
10 ALY64124U35N.

11 55. The Accused Products have a design that would appear to  
12 the ordinary observer to be substantially the same as the design  
13 claimed by the '561 patent.

14 56. Honda has been damaged in an amount to be determined as  
15 a direct and proximate result of Defendant's willful infringement.

16 57. Honda has been irreparably damaged by Defendant's  
17 infringing activities and will continue to be irreparably harmed unless  
18 those activities are enjoined by this Court, because, among other  
19 reasons, Honda and Defendant directly compete for the sales of wheels  
20 for Honda's automobiles.

21 **FIFTH CLAIM FOR RELIEF**

22 **(Infringement of the '467 Patent)**

23 58. Honda re-alleges and incorporates by reference the foregoing  
24 paragraphs.

25 59. Defendant, through its employees and/or agents, has and  
26 continues to directly infringe the '467 patent by importing, making,  
27 using, offering for sale, and/or selling one or more of the Accused  
28 Products, including at least the LKQ product bearing product number

1 ALY64088U10N.

2 60. The Accused Products have a design that would appear to  
3 the ordinary observer to be substantially the same as the design  
4 claimed by the '467 patent.

5 61. Honda has been damaged in an amount to be determined as  
6 a direct and proximate result of Defendant's willful infringement.

7 62. Honda has been irreparably damaged by Defendant's  
8 infringing activities and will continue to be irreparably harmed unless  
9 those activities are enjoined by this Court, because, among other  
10 reasons, Honda and Defendant directly compete for the sales of wheels  
11 for Honda's automobiles.

12 **SIXTH CLAIM FOR RELIEF**

13 **(Infringement of the '543 Patent)**

14 63. Honda re-alleges and incorporates by reference the foregoing  
15 paragraphs.

16 64. Defendant, through its employees and/or agents, has and  
17 continues to directly infringe the '543 patent by importing, making,  
18 using, offering for sale, and/or selling one or more of the Accused  
19 Products, including at least the LKQ product bearing product number  
20 ALY64108U46N.

21 65. The Accused Products have a design that would appear to  
22 the ordinary observer to be substantially the same as the design  
23 claimed by the '543 patent.

24 66. Honda has been damaged in an amount to be determined as  
25 a direct and proximate result of Defendant's willful infringement.

26 67. Honda has been irreparably damaged by Defendant's  
27 infringing activities and will continue to be irreparably harmed unless  
28 those activities are enjoined by this Court, because, among other

1 reasons, Honda and Defendant directly compete for the sales of wheels  
2 for Honda's automobiles.

3 **SEVENTH CLAIM FOR RELIEF**

4 **(Infringement of the '391 Patent)**

5 68. Honda re-alleges and incorporates by reference the foregoing  
6 paragraphs.

7 69. Defendant, through its employees and/or agents, has and  
8 continues to directly infringe the '391 patent by importing, making,  
9 using, offering for sale, and/or selling one or more of the Accused  
10 Products, including at least the LKQ product bearing product number  
11 ALY64110U30N.

12 70. The Accused Products have a design that would appear to  
13 the ordinary observer to be substantially the same as the design  
14 claimed by the '391 patent.

15 71. Honda has been damaged in an amount to be determined as  
16 a direct and proximate result of Defendant's willful infringement.

17 72. Honda has been irreparably damaged by Defendant's  
18 infringing activities and will continue to be irreparably harmed unless  
19 those activities are enjoined by this Court, because, among other  
20 reasons, Honda and Defendant directly compete for the sales of wheels  
21 for Honda's automobiles.

22 **EIGHTH CLAIM FOR RELIEF**

23 **(Infringement of U.S. Patent No. D803,131)**

24 73. Honda re-alleges and incorporates by reference the foregoing  
25 paragraphs.

26 74. Defendant, through its employees and/or agents, has and  
27 continues to directly infringe the '131 patent by importing, making,  
28 using, offering for sale, and/or selling one or more of the Accused



1 Products, including at least the LKQ product bearing product number  
2 ALY64111U45N. On information and belief, Defendant sells infringing  
3 products to third-party vendors, such as Summit Racing Equipment,  
4 which then re-sell and distribute infringing products manufactured by  
5 Defendant at Defendant's behest.

6 75. The Accused Products have a design that would appear to  
7 the ordinary observer to be substantially the same as the design  
8 claimed by the '131 patent.

9 76. Honda has been damaged in an amount to be determined as  
10 a direct and proximate result of Defendant's willful infringement.

11 77. Honda has been irreparably damaged by Defendant's  
12 infringing activities and will continue to be irreparably harmed unless  
13 those activities are enjoined by this Court, because, among other  
14 reasons, Honda, Defendant, and the third-party vendors selling the  
15 infringing products directly compete for the sales of wheels for Honda's  
16 automobiles.

17 **NINTH CLAIM FOR RELIEF**

18 **(Infringement of U.S. Patent No. D768,553)**

19 78. Honda re-alleges and incorporates by reference the foregoing  
20 paragraphs.

21 79. Defendant, through its employees and/or agents, has and  
22 continues to directly infringe the '553 patent by importing, making,  
23 using, offering for sale, and/or selling one or more of the Accused  
24 Products, including at least the LKQ product bearing product number  
25 ALY64078U45N.

26 80. The Accused Products have a design that would appear to  
27 the ordinary observer to be substantially the same as the design  
28 claimed by the '553 patent.

1           81. Honda has been damaged in an amount to be determined as  
2 a direct and proximate result of Defendant's willful infringement.

3           82. Honda has been irreparably damaged by Defendant's  
4 infringing activities and will continue to be irreparably harmed unless  
5 those activities are enjoined by this Court, because, among other  
6 reasons, Honda and Defendant directly compete for the sales of wheels  
7 for Honda's automobiles.

8                                   **TENTH CLAIM FOR RELIEF**

9                           **(Infringement of U.S. Patent No. D769,165)**

10           83. Honda re-alleges and incorporates by reference the foregoing  
11 paragraphs.

12           84. Defendant, through its employees and/or agents, has and  
13 continues to directly infringe the '165 patent by importing, making,  
14 using, offering for sale, and/or selling one or more of the Accused  
15 Products, including at least the LKQ product bearing product number  
16 ALY64080U45N.

17           85. The Accused Products have a design that would appear to  
18 the ordinary observer to be substantially the same as the design  
19 claimed by the '165 patent.

20           86. Honda has been damaged in an amount to be determined as  
21 a direct and proximate result of Defendant's willful infringement.

22           87. Honda has been irreparably damaged by Defendant's  
23 infringing activities and will continue to be irreparably harmed unless  
24 those activities are enjoined by this Court, because, among other  
25 reasons, Honda and Defendant directly compete for the sales of wheels  
26 for Honda's automobiles.

**ELEVENTH CLAIM FOR RELIEF**

**(Infringement of U.S. Patent No. D770,351)**

88. Honda re-alleges and incorporates by reference the foregoing paragraphs.

89. Defendant, through its employees and/or agents, has and continues to directly infringe the '351 patent by importing, making, using, offering for sale, and/or selling one or more of the Accused Products, including at least the LKQ product bearing product number ALY64081U45N.

90. The Accused Products have a design that would appear to the ordinary observer to be substantially the same as the design claimed by the '351 patent.

91. Honda has been damaged in an amount to be determined as a direct and proximate result of Defendant's willful infringement.

92. Honda has been irreparably damaged by Defendant's infringing activities and will continue to be irreparably harmed unless those activities are enjoined by this Court, because, among other reasons, Honda and Defendant directly compete for the sales of wheels for Honda's automobiles.

**TWELFTH CLAIM FOR RELIEF**

**(Infringement of U.S. Patent No. D769,172)**

93. Honda re-alleges and incorporates by reference the foregoing paragraphs.

94. Defendant, through its employees and/or agents, has and continues to directly infringe the '172 patent by importing, making, using, offering for sale, and/or selling one or more of the Accused Products, including at least the LKQ product bearing product number ALY64083U45N.

1           95. The Accused Products have a design that would appear to  
2 the ordinary observer to be substantially the same as the design  
3 claimed by the '172 patent.

4           96. Honda has been damaged in an amount to be determined as  
5 a direct and proximate result of Defendant's willful infringement.

6           97. Honda has been irreparably damaged by Defendant's  
7 infringing activities and will continue to be irreparably harmed unless  
8 those activities are enjoined by this Court, because, among other  
9 reasons, Honda and Defendant directly compete for the sales of wheels  
10 for Honda's automobiles.

11                           **THIRTEENTH CLAIM FOR RELIEF**

12                           **(Infringement of U.S. Patent No. D826,826)**

13           98. Honda re-alleges and incorporates by reference the foregoing  
14 paragraphs.

15           99. Defendant, through its employees and/or agents, has and  
16 continues to directly infringe the '826 patent by importing, making,  
17 using, offering for sale, and/or selling one or more of the Accused  
18 Products, including at least the LKQ product bearing product number  
19 ALY64125U20N.

20           100. The Accused Products have a design that would appear to  
21 the ordinary observer to be substantially the same as the design  
22 claimed by the '826 patent.

23           101. Honda has been damaged in an amount to be determined as  
24 a direct and proximate result of Defendant's willful infringement.

25           102. Honda has been irreparably damaged by Defendant's  
26 infringing activities and will continue to be irreparably harmed unless  
27 those activities are enjoined by this Court, because, among other  
28 reasons, Honda and Defendant directly compete for the sales of wheels



1 for Honda's automobiles.

2 **FOURTEENTH CLAIM FOR RELIEF**

3 **(Infringement of U.S. Patent No. D827,545)**

4 103. Honda re-alleges and incorporates by reference the foregoing  
5 paragraphs.

6 104. Defendant, through its employees and/or agents, has and  
7 continues to directly infringe the '545 patent by importing, making,  
8 using, offering for sale, and/or selling one or more of the Accused  
9 Products, including at least the LKQ product bearing product number  
10 ALY64127U45N.

11 105. The Accused Products have a design that would appear to  
12 the ordinary observer to be substantially the same as the design  
13 claimed by the '545 patent.

14 106. Honda has been damaged in an amount to be determined as  
15 a direct and proximate result of Defendant's willful infringement.

16 107. Honda has been irreparably damaged by Defendant's  
17 infringing activities and will continue to be irreparably harmed unless  
18 those activities are enjoined by this Court, because, among other  
19 reasons, Honda and Defendant directly compete for the sales of wheels  
20 for Honda's automobiles.

21 **FIFTEENTH CLAIM FOR RELIEF**

22 **(Infringement of U.S. Patent No. D763,158)**

23 108. Honda re-alleges and incorporates by reference the foregoing  
24 paragraphs.

25 109. Defendant, through its employees and/or agents, has and  
26 continues to directly infringe the '158 patent by importing, making,  
27 using, offering for sale, and/or selling one or more of the Accused  
28 Products, including at least the LKQ product bearing product number

1 ALY64099U45N.

2 110. The Accused Products have a design that would appear to  
3 the ordinary observer to be substantially the same as the design  
4 claimed by the '158 patent.

5 111. Honda has been damaged in an amount to be determined as  
6 a direct and proximate result of Defendant's willful infringement.

7 112. Honda has been irreparably damaged by Defendant's  
8 infringing activities and will continue to be irreparably harmed unless  
9 those activities are enjoined by this Court, because, among other  
10 reasons, Honda and Defendant directly compete for the sales of wheels  
11 for Honda's automobiles.

12 **SIXTEENTH CLAIM FOR RELIEF**

13 **(Infringement of U.S. Patent No. D744,400)**

14 113. Honda re-alleges and incorporates by reference the foregoing  
15 paragraphs.

16 114. Defendant, through its employees and/or agents, has and  
17 continues to directly infringe the '400 patent by importing, making,  
18 using, offering for sale, and/or selling one or more of the Accused  
19 Products, including at least the LKQ products bearing product numbers  
20 ALY64095U30N and ALY64095U45N.

21 115. The Accused Products have a design that would appear to  
22 the ordinary observer to be substantially the same as the design  
23 claimed by the '158 patent.

24 116. Honda has been damaged in an amount to be determined as  
25 a direct and proximate result of Defendant's willful infringement.

26 117. Honda has been irreparably damaged by Defendant's  
27 infringing activities and will continue to be irreparably harmed unless  
28 those activities are enjoined by this Court, because, among other

1 reasons, Honda and Defendant directly compete for the sales of wheels  
2 for Honda's automobiles.

3 **SEVENTEENTH CLAIM FOR RELIEF**

4 **(Infringement of U.S. Patent No. D741,237)**

5 118. Honda re-alleges and incorporates by reference the foregoing  
6 paragraphs.

7 119. Defendant, through its employees and/or agents, has and  
8 continues to directly infringe the '237 patent by importing, making,  
9 using, offering for sale, and/or selling one or more of the Accused  
10 Products, including at least the LKQ product bearing product number  
11 ALY64057U15N.

12 120. The Accused Products have a design that would appear to  
13 the ordinary observer to be substantially the same as the design  
14 claimed by the '237 patent.

15 121. Honda has been damaged in an amount to be determined as  
16 a direct and proximate result of Defendant's willful infringement.

17 122. Honda has been irreparably damaged by Defendant's  
18 infringing activities and will continue to be irreparably harmed unless  
19 those activities are enjoined by this Court, because, among other  
20 reasons, Honda and Defendant directly compete for the sales of wheels  
21 for Honda's automobiles.

22 **EIGHTEENTH CLAIM FOR RELIEF**

23 **(Infringement of U.S. Patent No. D653,597)**

24 123. Honda re-alleges and incorporates by reference the foregoing  
25 paragraphs.

26 124. Defendant, through its employees and/or agents, has and  
27 continues to directly infringe the '597 patent by importing, making,  
28 using, offering for sale, and/or selling one or more of the Accused

1 Products, including at least the LKQ product bearing product number  
2 ALY64037U15N.

3 125. The Accused Products have a design that would appear to  
4 the ordinary observer to be substantially the same as the design  
5 claimed by the '597 patent.

6 126. Honda has been damaged in an amount to be determined as  
7 a direct and proximate result of Defendant's willful infringement.

8 127. Honda has been irreparably damaged by Defendant's  
9 infringing activities and will continue to be irreparably harmed unless  
10 those activities are enjoined by this Court, because, among other  
11 reasons, Honda and Defendant directly compete for the sales of wheels  
12 for Honda's automobiles.

13 **NINETEENTH CLAIM FOR RELIEF**

14 **(Infringement of U.S. Patent No. D748,034)**

15 128. Honda re-alleges and incorporates by reference the foregoing  
16 paragraphs.

17 129. Defendant, through its employees and/or agents, has and  
18 continues to directly infringe the '034 patent by importing, making,  
19 using, offering for sale, and/or selling one or more of the Accused  
20 Products, including at least the LKQ product bearing product number  
21 ALY71827U30N.

22 130. The Accused Products have a design that would appear to  
23 the ordinary observer to be substantially the same as the design  
24 claimed by the '034 patent.

25 131. Honda has been damaged in an amount to be determined as  
26 a direct and proximate result of Defendant's willful infringement.

27 132. Honda has been irreparably damaged by Defendant's  
28 infringing activities and will continue to be irreparably harmed unless



1 those activities are enjoined by this Court, because, among other  
2 reasons, Honda and Defendant directly compete for the sales of wheels  
3 for Honda's automobiles.

4 **TWENTIETH CLAIM FOR RELIEF**

5 **(Infringement of the '216 Patent)**

6 133. Honda re-alleges and incorporates by reference the foregoing  
7 paragraphs.

8 134. Defendant, through its employees and/or agents, has and  
9 continues to directly infringe the '216 patent importing, making, using,  
10 offering for sale, and/or selling one or more of the Accused Products,  
11 including at least the LKQ product bearing product number  
12 ALY64119U20N.

13 135. On information and belief, Defendant sells infringing  
14 products to third-party vendors, such as Summit Racing Equipment,  
15 which then re-sell and distribute infringing products manufactured by  
16 Defendant at Defendant's behest. Such Accused Products include but  
17 are not limited to the product bearing product number ALY64119U20N.

18 136. The Accused Products have a design that would appear to  
19 the ordinary observer to be substantially the same as the design  
20 claimed by the '216 patent.

21 137. Honda has been damaged in an amount to be determined as  
22 a direct and proximate result of Defendant's willful infringement.

23 138. Honda has been irreparably damaged by Defendant's  
24 infringing activities and will continue to be irreparably harmed unless  
25 those activities are enjoined by this Court, because, among other  
26 reasons, Honda, Defendant, and third-party vendors selling the  
27 infringing products directly compete for the sales of wheels for Honda's  
28 automobiles.

1 **TWENTY-FIRST CLAIM FOR RELIEF**

2 **(Infringement of the '629 Patent)**

3 139. Honda re-alleges and incorporates by reference the foregoing  
4 paragraphs.

5 140. Defendant, through its employees and/or agents, has and  
6 continues to directly infringe the '629 patent importing, making, using,  
7 offering for sale, and/or selling one or more of the Accused Products,  
8 including at least the LKQ product bearing product number  
9 ALY61845U30.

10 141. On information and belief, Defendant sells infringing  
11 products to third-party vendors, such as AutoZone, which then re-sell  
12 and distribute infringing products manufactured by Defendant at  
13 Defendant's behest. Such Accused Products include but are not limited  
14 to the product bearing product number ALY61845U30.

15 142. The Accused Products have a design that would appear to  
16 the ordinary observer to be substantially the same as the design  
17 claimed by the '629 patent.

18 143. Honda has been damaged in an amount to be determined as  
19 a direct and proximate result of Defendant's willful infringement.

20 144. Honda has been irreparably damaged by Defendant's  
21 infringing activities and will continue to be irreparably harmed unless  
22 those activities are enjoined by this Court, because, among other  
23 reasons, Honda, Defendant, and third-party vendors selling the  
24 infringing products directly compete for the sales of wheels for Honda's  
25 automobiles.

26 **TWENTY-SECOND CLAIM FOR RELIEF**

27 **(Infringement of the '434 Patent)**

28 145. Honda re-alleges and incorporates by reference the foregoing

1 paragraphs.

2 146. Defendant, through its employees and/or agents, has and  
3 continues to directly infringe the '434 patent importing, making, using,  
4 offering for sale, and/or selling one or more of the Accused Products,  
5 including at least the LKQ product bearing product number  
6 ALY71836U20.

7 147. On information and belief, Defendant sells infringing  
8 products to third-party vendors, such as AutoZone, which then re-sell  
9 and distribute infringing products manufactured by Defendant at  
10 Defendant's behest. Such Accused Products include but are not limited  
11 to the product bearing product number ALY71836U20.

12 148. The Accused Products have a design that would appear to  
13 the ordinary observer to be substantially the same as the design  
14 claimed by the '434 patent.

15 149. Honda has been damaged in an amount to be determined as  
16 a direct and proximate result of Defendant's willful infringement.

17 150. Honda has been irreparably damaged by Defendant's  
18 infringing activities and will continue to be irreparably harmed unless  
19 those activities are enjoined by this Court, because, among other  
20 reasons, Honda, Defendant, and third-party vendors selling the  
21 infringing products directly compete for the sales of wheels for Honda's  
22 automobiles.

23 **TWENTY-THIRD CLAIM FOR RELIEF**

24 **(Infringement of the '153 Patent)**

25 151. Honda re-alleges and incorporates by reference the foregoing  
26 paragraphs.

27 152. Defendant, through its employees and/or agents, has and  
28 continues to directly infringe the '153 patent importing, making, using,

1 offering for sale, and/or selling one or more of the Accused Products,  
2 including at least the LKQ product bearing product number  
3 ALY71826U45.

4 153. On information and belief, Defendant sells infringing  
5 products to third-party vendors, such as AutoZone, which then re-sell  
6 and distribute infringing products manufactured by Defendant at  
7 Defendant's behest. Such Accused Products include but are not limited  
8 to the product bearing product number ALY71826U45.

9 154. The Accused Products have a design that would appear to  
10 the ordinary observer to be substantially the same as the design  
11 claimed by the '153 patent.

12 155. Honda has been damaged in an amount to be determined as  
13 a direct and proximate result of Defendant's willful infringement.

14 156. Honda has been irreparably damaged by Defendant's  
15 infringing activities and will continue to be irreparably harmed unless  
16 those activities are enjoined by this Court, because, among other  
17 reasons, Honda, Defendant, and third-party vendors selling the  
18 infringing products directly compete for the sales of wheels for Honda's  
19 automobiles.

20 **TWENTY-FOURTH CLAIM FOR RELIEF**

21 (Violation of Cal. Bus. & Prof. Code § 17200 *et seq.*)

22 157. Honda re-alleges and incorporates by reference the foregoing  
23 paragraphs.

24 158. Defendant's actions in importing, making, using, offering to  
25 sell, and/or selling the Accused Products is causing confusion among the  
26 relevant public and created a false association between Defendant's  
27 knock-off products and Honda's goods, in violation of the Patent Act.  
28 Such actions constitute unlawful, unfair, and/or fraudulent business

1 practices prohibited by Cal. Bus. & Prof. Code § 17200 et seq.

2 159. Defendant committed these acts willfully, knowingly,  
3 maliciously, and in conscious disregard of Honda's rights.

4 160. As a result of Defendant's unfair competition, Honda has  
5 suffered damages, including to its goodwill and reputation and in the  
6 form of lost sales of its products.

7 161. Unless restrained by this Court, Honda will continue to  
8 suffer irreparable harm as a result of Defendant's actions.

9 **PRAYER FOR RELIEF**

10 WHEREFORE Honda prays for the following relief:

- 11 1. Judgment that Defendant has willfully infringed the patents-  
12 in-suit;
- 13 2. Judgment that Defendant has engaged in unfair competition  
14 in violation of Cal. Bus. & Prof. Code § 17200 *et seq.*;
- 15 3. A preliminary and permanent injunction enjoining  
16 Defendant, its officers, agents, servants, employees,  
17 distributors, resellers, service partners, suppliers, and all  
18 other persons acting in concert or participation with it from  
19 committing further acts of infringement of the patents-in-  
20 suit and unfairly competing with Honda in any manner  
21 whatsoever;
- 22 4. An award to Honda of all damages sustained as a result of  
23 Defendant's infringement, including a reasonable royalty,  
24 lost profits, price erosion, and/or any and all other forms of  
25 damages to which Honda is entitled;
- 26 5. An award to Honda of all restitutionary damages sustained  
27 as a result of Defendant's unfair competition, and/or any and  
28 all other forms of damages to which Honda is entitled;



7. Enhanced damages due to Defendant's willful infringement pursuant to 35 U.S.C. § 284;
8. A judgment declaring this case to be exceptional and awarding Honda its reasonable attorney's fees pursuant to 35 U.S.C. § 285;
9. Prejudgment and post-judgment interest at the maximum rate allowable by law;
10. All costs of suit; and
11. Such other and further relief as the Court may deem just and proper.

Respectfully submitted,

Dated: October 15, 2021      DTO LAW

/s/ William A. Delgado

William A. Delgado  
Shilpa A. Coorg  
Attorneys for Plaintiff  
AMERICAN HONDA MOTOR CO., INC.

**JURY TRIAL DEMAND**

Plaintiff hereby demands trial by jury on all issues so triable.

Respectfully submitted,

Dated: October 15, 2021      DTO LAW

/s/ William A. Delgado

William A. Delgado

Shilpa A. Coorg

Attorneys for Plaintiff

AMERICAN HONDA MOTOR CO., INC.

# EXHIBIT 1

**Exhibit 1****Honda's Patents-In-Suit and Defendant's Accused Products**

Honda Model	Patent-in-suit	Accused Products (LKQ Part No.)	Third-party Seller (if applicable)
Accord	D674330	ALY64048U35N	
	D768553	ALY64078U45N	
	D769165	ALY64080U45N	
	D770351	ALY64081U45N	
	D769172	ALY64083U45N	
	D835561	ALY64124U35N	
	D826826	ALY64125U20N	
	D827545	ALY64127U45N	
	D826825	ALY63141U30N	
Civic	D763158	ALY64099U45N	
	D744400	ALY64095U30N ALY64095U45N	
	D762543	ALY64108U46N	
CR-V	D804391	ALY64110U30N	
	D803131	ALY64111U45N	ALY64111U45N sold by Summit Racing Equipment under "Jante" brand.
Odyssey	D741237	ALY64057U15N	
	D798216	ALY64119U20	ALY64119U20N sold by Summit under Jante brand
Pilot	D653597	ALY64037U15N	
	D767467	ALY64088U10N	
Acura MDX	D729720	ALY71820U35N	
	D806629	ALY61845U30	Replacement wheel ALY61845U30 for sale on Autozone.com
Acura RDX	D774434	ALY71836U20	Replacement wheel ALY71836U20 for sale on Autozone.com
Acura TLX	D705153	ALY71826U45	Replacement wheel ALY71826U45 for sale on Autozone.com
	D748034	ALY71827U30N	