

1 Plaintiff Snap Light, LLC, d.b.a., Snaplight (“Snaplight”) hereby complains of Defendants
2 Kimsaprincess Inc. (“Kimsaprincess”) and Urban Outfitters, Inc. (“Urban Outfitters”)
3 (collectively, “Defendants”), and alleges as follows:

4 **INTRODUCTION**

5 1. This is an action for patent infringement under the patent laws of the United States,
6 35 U.S.C. § 271, *et seq.*

7 2. Kim Kardashian West is the highest-paid reality television star; with an estimated
8 ability to earn more than \$50 million annually. In addition to her television viewers, Ms. West has
9 more than 165 million highly engaged social followers across Twitter, Facebook, and Instagram.
10 The sheer size of her audience appeals to business brands and translates to Ms. West’s company,
11 Kimsaprincess Inc., commanding hundreds of thousands of dollars, if not millions of dollars, per
12 product endorsement. Simply being endorsed by an influencer like Ms. West leads to numerous
13 sales regardless of whether or not the endorsed product infringes the intellectual property rights of
14 others.

15 3. At issue, here in this action are “selfies” (i.e., photographs that one has taken of
16 oneself) and Ms. West’s endorsement of LuMee branded selfie cases, which infringe United
17 States Patent No. 8,428,644. Selfie cases are smartphone cases that provide bright, even lighting
18 for capturing photos or video. Ms. West has been called the “queen of selfies” by The New York
19 Times; in fact, Ms. West has written a coffee table photobook, entitled *Selfish*, featuring various
20 selfies of herself. In addition to endorsing infringing LuMee cases (as shown below left), Ms.



1 West also uses them in her self-promotion (as shown above right). Much of her influential empire
2 has been built through selfies and infringing selfie cases. Based on Ms. West's endorsement and
3 social influence, LuMee distributors such as Urban Outfitters have benefitted financially through
4 increased sales of the LuMee selfie cases. And Ms. West's endorsement is not a skill; she is also
5 an "official" partner with LuMee and has designed cases for LuMee. Ms. West has made selfies a
6 pop culture phenomenon. LuMee's founder, Mr. Allan Shoemaker, with respect to Ms. West's
7 promotion in January of 2016, is quoted as saying "she certainly moves the needle" and "we
8 doubled the sales from 2015 in one month." *See* "Lumee's Founder on What Happens When
9 Your Product is Endorsed by Kim Kardashian," Fashionista, June 16, 2017.

10 4. However, Ms. West's endorsement and her (as well as Urban Outfitters' and
11 Lumee's) pecuniary gain have come at the expense of Plaintiffs – patent infringement. Mr.
12 Hooshmand Harooni, the inventor of the '644 patent, is the true pioneer and innovator of
13 illuminated selfie cases, not LuMee nor Mr. Shoemaker. Ms. West's infringing influence has
14 unfairly deterred competition from Harooni's licensee, Plaintiff Snaplight, which possesses
15 exclusive rights to enforce the '644 patent. Despite having superior, patented products, it has been
16 extremely difficult for Snaplight to compete in the selfie case market against Ms. West's product
17 influence and Defendants' ongoing infringement. Snaplight and Mr. Harooni have suffered
18 financially as a result. Accordingly, Snaplight requests the Court to level the playing field by,
19 among other things, enjoining Ms. West from further promoting and using, patent infringing
20 selfie cases and by compensating Snaplight, and hence Mr. Harooni, for the tens of millions of
21 dollars in damages incurred because of Ms. West's and Urban Outfitters' infringement.

22 **THE PARTIES**

23 5. Snaplight is a California limited liability corporation with its principal place of
24 business located at 1780 La Costa Meadows Drive 100, San Marcos, California 92078.

25 6. Involuntarily Plaintiff Mr. Hooshmand Harooni is an individual whose principle
26 place of business is located at 3010 E. Olympic Blvd., Los Angeles, California 90023. Mr.
27 Harooni is named as an involuntary plaintiff because he has expressed an unwillingness to
28 participate in litigation. Mr. Harooni is the owner of the '644 patent and may have an interest

1 therein.

2 7. Snaplight is informed and believes and based thereon alleges that Kimsaprincess is
3 a California corporation with its principal place of business located at 21731 Ventura Boulevard,
4 Suite 300, Woodland Hills, California 91364.

5 8. Snaplight is informed and believes and based thereon alleges that Urban Outfitters
6 is a Pennsylvania corporation with its principal executive office located at 5000 S. Broad Street,
7 Philadelphia, Pennsylvania 19112.

8 9. Snaplight is ignorant of the true names and capacities of the parties sued herein as
9 DOES 1 through 10, inclusive, whether individual, corporate or otherwise, and therefore sues
10 these defendants by such fictitious names. Snaplight will seek leave to amend the complaint to
11 assert their true names and capacities when they have been ascertained. Snaplight is informed
12 and believes and based thereon alleges that all defendants sued herein as DOES 1 through 10 are
13 in some manner responsible for the acts and omissions alleged herein.

14 **JURISDICTION AND VENUE**

15 10. This Court has original and exclusive subject matter jurisdiction over this action
16 under 28 U.S.C. §§ 1331 and 1338(a) because Snaplight's claim for patent infringement arises
17 under the laws of the United States, 35 U.S.C. § 271, *et seq.*

18 11. This Court has personal jurisdiction over Kimsaprincess because it resides in this
19 District and has a continuous, systematic and substantial presence in this District, because it
20 regularly conducts business and/or solicits business within this District, because it has committed
21 and continues to commit patent infringement in this District, including without limitation by
22 endorsing infringing products to consumers in this District and by purposefully directing
23 activities at residents of this District, and by placing endorsements of infringing products into the
24 stream of commerce with the knowledge that such infringing products would be sold in California
25 and this District, which acts form a substantial part of the events giving rise to Snaplight's claims.

26 12. This Court has personal jurisdiction over Urban Outfitters because it has a
27 continuous, systematic and substantial presence in this District, because it regularly conducts
28 business and/or solicits business within this District, because it has committed and continues to

1 commit patent infringement in this District, including without limitation by selling and offering
2 for sale infringing products to consumers in this District and by purposefully directing activities
3 at residents of this District, and by placing infringing products into the stream of commerce with
4 the knowledge that such products would be sold in California and this District, which acts form a
5 substantial part of the events giving rise to Snaplight’s claims.

6 13. Venue is proper in this District under 28 U.S.C. §§ 1391 and 1400(b) because
7 Kimsaprincess resides in this District and has a continuous, systematic and substantial presence in
8 this District, because it regularly conducts business and/or solicits business within this District,
9 because it has committed and continues to commit patent infringement in this District, including
10 without limitation by endorsing infringing products to consumers and/or retailers in this District
11 and by purposefully directing activities at residents of this District, and by endorsing products
12 into the stream of commerce with the knowledge that such products would be sold in California
13 and this District, which acts form a substantial part of the events giving rise to Snaplight’s claims;
14 because Urban Outfitters has a regular and established place of business within this District
15 through its many retail stores, because it has committed and continues to commit patent
16 infringement in this District, including without limitation by selling and offering for sale
17 infringing products to consumers in this District and by purposefully directing activities at
18 residents of this District, and by placing infringing products into the stream of commerce with the
19 knowledge that such products would be sold in California and this District, which acts form a
20 substantial part of the events giving rise to Snaplight’s claims.

21 **GENERAL ALLEGATIONS**

22 14. On April 23, 2013, the United States Patent and Trademark Office (PTO) duly and
23 lawfully issued United States Patent No. 8,428,644, entitled “Integrated Lighting Accessory and
24 Case for a Mobile Phone Device” (“the ‘644 patent”). Involuntary Plaintiff Harooni is the owner
25 of the ‘644 patent, a copy of which is attached hereto as Exhibit A and made part of this
26 Complaint.

27 15. By the terms of an agreement made effective as of January 31, 2017, between
28 Harooni and Snaplight, Snaplight obtained exclusive rights to the ‘644 patent including

1 enforcement of the '644 patent.

2 16. Defendants are and have been using, selling, offering for sale, and/or exporting
3 products that infringe the '644 patent, including without limitation LuMee branded cases such as
4 the LuMee Duo and LuMee Two (in various colors and smartphone types/sizes) (collectively, the
5 "Accused Products"). The Accused Products may be purchased directly from Urban Outfitters
6 stores in this District or online through its respective website (e.g.,
7 <http://www.urbanoutfitters.com/>). The Accused Products may also be purchased through online
8 retailers such as Amazon.com and LuMee.com.

9 17. Defendants are aware of the '644 patent. On information and belief, Defendants
10 became aware of the '644 patent prior to the filing of this lawsuit.

11 **FIRST CLAIM FOR RELIEF**

12 **(Infringement of U.S. Patent No. 8,428,644 by All Defendants)**

13 **(35 U.S.C. § 271)**

14 18. Snaplight repeats, realleges, and incorporates by reference the preceding
15 allegations above as though set forth fully herein.

16 19. Since January 31, 2017, Snaplight has marked its packaging of its cases with
17 "United States Patent No. 8,428,644" or the like.

18 20. Kimsaprincess, by and through Ms. West, has been and is currently infringing the
19 '644 patent by using and/or endorsing the Accused Products, which embody one or more claims
20 set forth in the '644 patent.

21 21. Ms. West promotes the Accused Products through her reality television series,
22 Keeping up With the Kardashians, and social media accounts including Instagram.

23 22. Ms. West uses the Accused Products to take selfies, many of which have generated
24 significant revenue for Kimsaprincess.

25 23. In addition to encouraging her audience, Ms. West has encouraged other
26 celebrities to use the Accused Products. Accordingly, Ms. West induces her followers, family,
27 and friends to purchase and/or use the Accused Products, and directly infringe the '644 patent.

28 24. Ms. West has stated on national television several times that "lighting is

1 everything” when taking the perfect selfie.

2 25. It has been reported that Ms. West employs an on-call professional Instagram
3 selfie editor at a rate of \$100,000 per year.

4 26. Urban Outfitters, by and through its agents, officers, directors, resellers, retailers,
5 employees and servants, has been and is currently infringing the ‘644 patent by using, offering to
6 sell, selling, exporting and importing into the United States the Accused Products, which embody
7 one or more claims set forth in the ‘644 patent.

8 27. For example, the accused LuMee Duo product meets all the limitations set forth in
9 claim 1 of the ‘644 patent. A chart identifying specifically where each limitation of claim 1 is
10 found in the LuMee Duo is attached hereto as Exhibit B. This infringement chart is based on
11 Snaplight’s current understanding of the LuMee Duo, which only considers publicly available
12 information. The chart does not set forth all of Snaplight’s infringement theories – the LuMee
13 Duo embodies other claims set forth in the ‘644 patent.

14 28. Snaplight reserves the right to amend or supplement its infringement theories upon
15 more information becoming available through formal discovery and/or this Court completing its
16 claim construction proceedings.

17 29. The LuMee Duo case is arguably most famous for its biggest proponent: Ms.
18 West. The case started popping up in Ms. West’s Instagrams in 2015 and she officially partnered
19 with LuMee in early 2016.

20 30. On information and belief, Ms. West shares in the profits of LuMee or receives a
21 royalty on the sales of the Accused Products.

22 31. Defendants’ acts of infringement were undertaken without permission or license
23 from Harooni and/or Snaplight.

24 32. Snaplight is informed and believes and based thereon alleges that Defendants’
25 infringement of the ‘644 patent will continue unless enjoined by this Court.

26 33. But for Defendants’ infringement, Snaplight would have sold its illuminated selfie
27 cases to all of Defendants’ customers or a substantial portion thereof, and Snaplight is entitled to
28 its lost profits.

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Dated: July 31, 2017

SAN DIEGO IP LAW GROUP LLP

By: /s/Trevor Coddington/

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DEMAND FOR JURY TRIAL

Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Snaplight hereby demands a trial by jury of all issues so triable.

Dated: July 31, 2017

SAN DIEGO IP LAW GROUP LLP

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