**IN THE UNITED STATES DISTRICT COURT**
**FOR THE DISTRICT OF NEW JERSEY**

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| SHARKNINJA OPERATING LLC and SHARKNINJA SALES COMPANY,<br><br>Plaintiffs,<br><br>v.<br><br>RJ BRANDS, LLC *d/b/a* CHEFMAN,<br><br>Defendant. | Case No. _____<br><br>**COMPLAINT**<br><br>**JURY TRIAL DEMANDED** |

**COMPLAINT FOR PATENT INFRINGEMENT**

## I. INTRODUCTION AND NATURE OF THE ACTION

1. Plaintiffs SharkNinja Operating LLC and SharkNinja Sales Company (collectively, SharkNinja") bring this action for patent infringement against Defendant RJ Brands, LLC, *d/b/a* Chefman ("Chefman").

2. SharkNinja began three decades ago with the mission of providing more efficient, user-friendly, and affordable household appliances. From its start as a one-person company, SharkNinja has grown into a market leader. SharkNinja is now a global brand with more than 20 categories of home appliance products, including floorcare products, environmental products such as fans and purifiers, kitchen appliances, and, relevant to this case, indoor cooking systems. SharkNinja has eight offices and thousands of employees in the United States. SharkNinja's headquarters, located in Massachusetts, are shown below:

3. SharkNinja has a particular history as a pioneer and innovator. SharkNinja has devoted significant resources to research and development, including a team of more than 800 design engineers who focus on developing new products and features to improve and revolutionize household appliances. This work has been overwhelmingly successful: SharkNinja has been awarded more than 4,500 patents on its home appliance innovations.

4. The SharkNinja patents at issue in this action ("the Asserted SharkNinja Patents") are part of SharkNinja's history of innovation. The Asserted SharkNinja Patents relate to novel innovations in indoor cooking systems—a growing market throughout the country and the world. SharkNinja has been in the kitchen appliance market for more than 15 years, since 2008, and has been granted dozens of patents in this area, including the Asserted SharkNinja Patents.

5. The Asserted SharkNinja Patents are U.S. Patent Nos. 11,033,146 ("the '146 patent") (Ex. A); 11,766,152 (the "'152 patent") (Ex. B); D918,654 ("the '654 patent") (Ex. C); 11,389,026 (the "'026 patent") (Ex. D), 11,672,377 (the "'377 patent") (Ex. E); and D986,669 (the "'669 patent") (Ex. F). The '146, '152, and '654 patents relate to novel indoor cooking systems such as grills and air fryers. The patents involve, among other claimed inventions, a

unique grill plate that changed the way air moves through the system to better heat the food being cooked. The inventions of these patents have achieved considerable market success: SharkNinja uses the ’146 and ’152 technology in its Ninja® Indoor Grill & Air Fryers, including the Ninja® Foodi® XL 6-in-1 Indoor Grill & Air Fryer (DG500 Series), Ninja® Foodi® 6-in-1 Indoor Grill & Air Fryer (EG200 Series), Ninja® Foodi® 5-in-1 Indoor Grill & Air Fryer (AG300 Series), Ninja® Foodi® 5-in-1 Indoor Grill & Air Fryer with Integrated Smart Probe (AG400 Series), Ninja® Foodi® XL 6-in-1 Indoor Grill & Air Fryer (BG500 Series), and Ninja® Foodi® 4-in-1 Indoor Grill & Air Fryer (FG500 Series). SharkNinja uses the ’654 design in its Ninja® Foodi® 5-in-1 Indoor Grill & Air Fryer (AG300 Series) and Ninja® Foodi® 5-in-1 Indoor Grill & Air Fryer with Integrated Smart Probe (AG400 Series).

6. The ’026, ’377, and ’669 patents relate to a novel dual cooking zone home cooking system. The patents involve, among other claimed inventions, a single device with two cooking containers, each with their own heating element, independently controllable from each other. The inventions allow an indoor cooking system to cook food at two different temperatures at the same time. These inventions also have been extremely successful in the marketplace: SharkNinja uses this technology and design in its Ninja® Foodi® 2-Basket Air Fryer with DualZone™ Technology, including the 6-in-1 10-Qt DZ550 Series, the 6-in-1 8-Qt DZ201 Series, the 6-in-1 10-Qt DZ401 Series, the 4-in-1 8-Qt DZ100 Series, and the 5-in-1 6-Qt DZ090 Series.

7. SharkNinja brings this suit because Chefman has infringed and continues to infringe the Asserted SharkNinja Patents. As described in detail below, after SharkNinja released products that use the inventions of the Asserted SharkNinja Patents, Chefman released copycat products that include the same functionality and design that SharkNinja invented and

patented. In doing so, Chefman infringed each of the Asserted SharkNinja Patents, and it continues to infringe today.

8. Chefman's infringement of the Asserted SharkNinja Patents has caused SharkNinja significant, irreparable, and ongoing harm, including because Chefman is using SharkNinja's patents to directly compete with and take sales from SharkNinja. Chefman's Electric Indoor Air Fryer + Grill product, which infringes the '146, '152, and '654 patents, competes directly with SharkNinja's Ninja® Indoor Grill & Air Fryers, including the Ninja® Foodi® XL 6-in-1 Indoor Grill & Air Fryer (DG500 Series), Ninja® Foodi® 6-in-1 Indoor Grill & Air Fryer (EG200 Series), Ninja® Foodi® 5-in-1 Indoor Grill & Air Fryer (AG300 Series), Ninja® Foodi® 5-in-1 Indoor Grill & Air Fryer with Integrated Smart Probe (AG400 Series), Ninja® Foodi® XL 6-in-1 Indoor Grill & Air Fryer (BG500 Series), and Ninja® Foodi® 4-in-1 Indoor Grill & Air Fryer (FG500 Series). Chefman's Dual Air Fryer product, which infringes the '026, '377, and '669 patents, competes directly with SharkNinja's Ninja® Foodi® 2-Basket Air Fryer with DualZone™ Technology, including the 6-in-1 10-Qt DZ550 Series, the 6-in-1 8-Qt DZ201 Series, the 6-in-1 10-Qt DZ401 Series, the 4-in-1 8-Qt DZ100 Series, and the 5-in-1 6-Qt DZ090 Series. SharkNinja would prefer to compete in the marketplace—but because Chefman is using SharkNinja's inventions without permission to unfairly compete, take sales from, and irreparably harm SharkNinja, SharkNinja must act to protect its innovations and patents.

9. SharkNinja thus brings this action under the patent laws of the United States, Title 35 United States Code, including 35 U.S.C. §§ 271, 284–285, and 289 to remedy Chefman's continued infringement and the damages SharkNinja has suffered and continues to suffer as a result of Chefman's infringement.

## II. PARTIES, JURISDICTION, AND VENUE

10. Plaintiff SharkNinja Operating LLC is a limited liability company organized and existing under the laws of Delaware, having a principal place of business at 89 A Street, Suite 100, Needham, Massachusetts 02494.

11. Plaintiff SharkNinja Sales Company is a Delaware Corporation organized and existing under the laws of Delaware, having a principal place of business at 89 A Street, Suite 100, Needham, Massachusetts 02494. SharkNinja Sales Company is a wholly owned subsidiary of SharkNinja Operating LLC.

12. On information and belief, defendant Chefman is a corporation organized and existing under the laws of the State of New Jersey and having its principal place of business at 200 Performance Drive, Mahwah, NJ 07495.

13. This is an action arising under the patent laws of the United States, 35 U.S.C. § 1 et seq. Accordingly, this Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

14. This Court has personal jurisdiction over Chefman because Chefman is incorporated in and maintains its principal place of business in the State of New Jersey and this District. Further, Chefman conducts business in New Jersey and in this District, including, upon information and belief, designing, importing, selling, offering for sale, and shipping the products that infringe the Asserted SharkNinja Patents: Chefman's Electric Indoor Air Fryer + Grill and Chefman's Dual Air Fryer (collectively, the "Infringing Chefman Products"). Chefman further offers to place and/or places the Infringing Chefman Products into the stream of commerce in this District with the knowledge or understanding that the Infringing Chefman Products would be

used or sold in this District. As such, Chefman expects its actions to have consequences within this District. Chefman's infringing acts have caused injury to SharkNinja within this District.

15. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391(b)–(d) and 1400(b). As set forth above, Chefman is incorporated in this District and has its principal place of business in this District. Chefman therefore resides in the state of New Jersey. As also explained above, Chefman has committed and continues to commit acts of infringement in this District because Chefman offers to provide and/or provides the Infringing Chefman Products to customers in this District.

## III. FACTUAL ALLEGATIONS

### A. The Asserted SharkNinja Patents

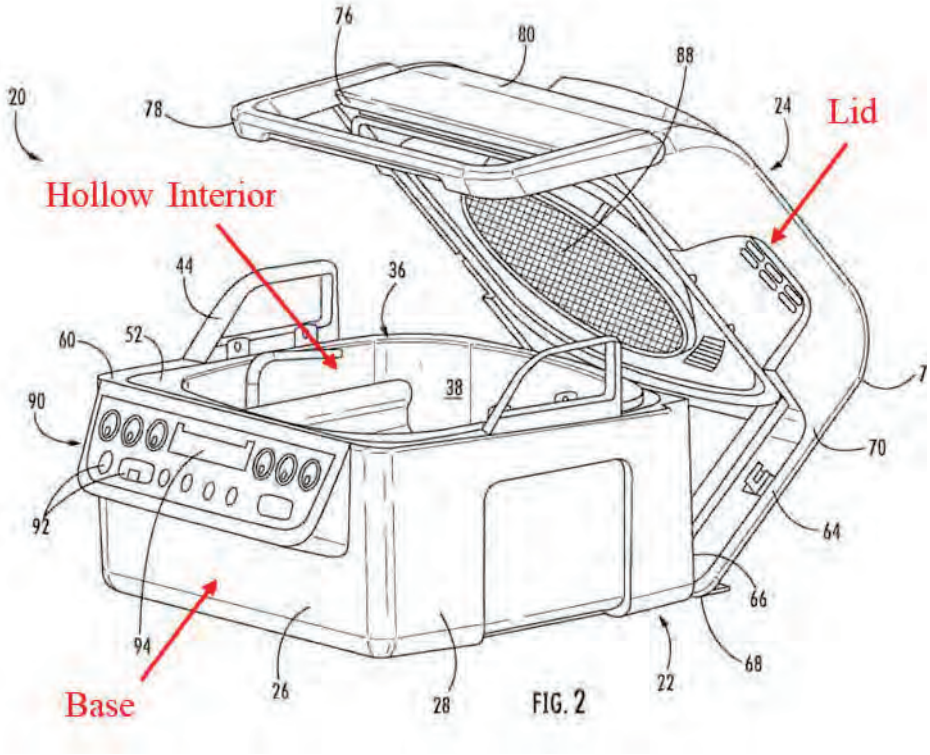
16. The home cooking appliance market has seen rapid growth in recent years. Home cooking systems can be more efficient, cost effective, and convenient—and the number of home cooking systems sold each year in America continues to increase.[1] SharkNinja saw this trend years ago and, before many others in the industry, began investing in new developments in home cooking systems to make home cooking more effective. SharkNinja's team of engineers developed dozens of inventions to make home cooking faster, more affordable, and more effective. The Asserted SharkNinja Patents came out of this development work.

**<u>The '146, '152, and '654 Patents</u>**

17. The '146 patent (attached hereto as Exhibit A) and the '152 patent (attached hereto as Exhibit B) relate to an improved countertop air grilling system. *E.g.*, Ex. A at 1:13–15. The '654 patent (attached hereto as Exhibit C) relates to the ornamental design for a grill plate.

[1] https://www.fortune businessinsights.com/kitchen-appliances-market-104504; https://gembah.com/wp-content/uploads/2024/02/Market-Trends-Innovation-Report-Home-Kitchen.pdf.

The ’146 and ’152 patents relate to an indoor air fryer and grill system that, among other features, includes a base and a lid and has a hollow interior (*id.*, 3:33–37), as shown in the example system below:

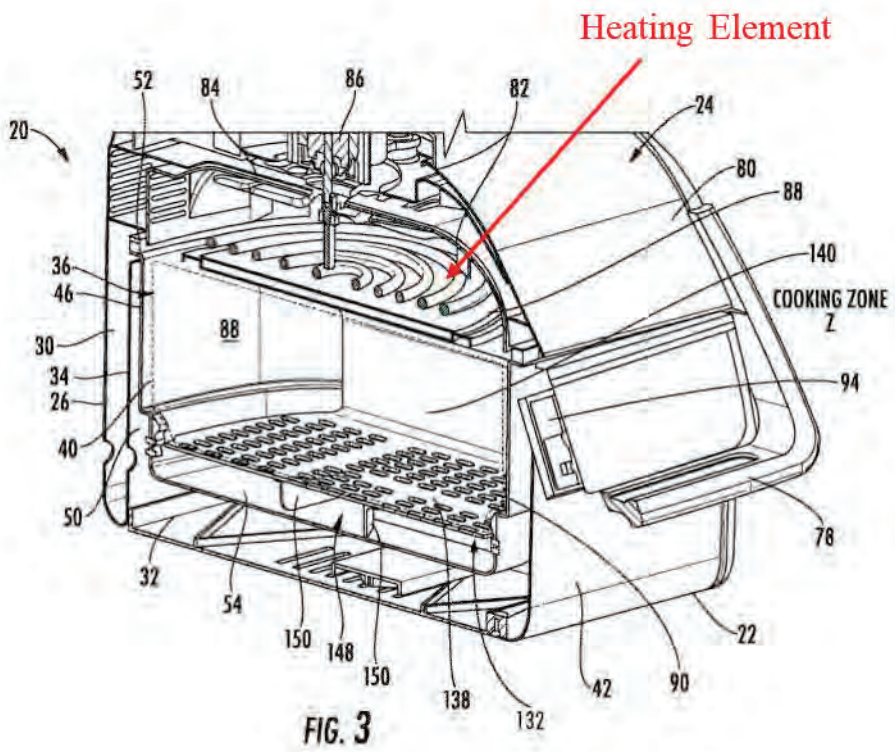



*Id.* at Figure 2 (annotations added).

18. A cooking container, which holds food to be cooked, is receivable inside the hollow interior. *Id.* 3:50–51.

19. In a conventional indoor grill, the system would then heat food from the bottom of the cooking container or from both the bottom of the grill and the lid of the grill. But the ’146 and ’152 patents do not describe a conventional indoor grill. Instead, the patents involve, among other inventions, novel functionality in which the heating element is above the cooking container and air is diffused using a unique grill plate.

20. Figure 3 of the patents shows an example of a system in which the heating element is above the cooking container:




*Id.* Figure 3 (annotations added).

21. The patents state that an air movement device, such as a fan, can be above the cooking container. *E.g.*, *id.* Fig.3, 6:64–7:1. Air is heated as it flows along its path of circulation, such as by flowing over a portion of the heating element. *Id.* 7:1–3. The heated air can then flow downwardly into the cooking volume along the interior surface of the cooking container. *Id.* 12:60–65. The air then can contact the grill plate. One example of the ’146 and ’152 grill plate is shown below:

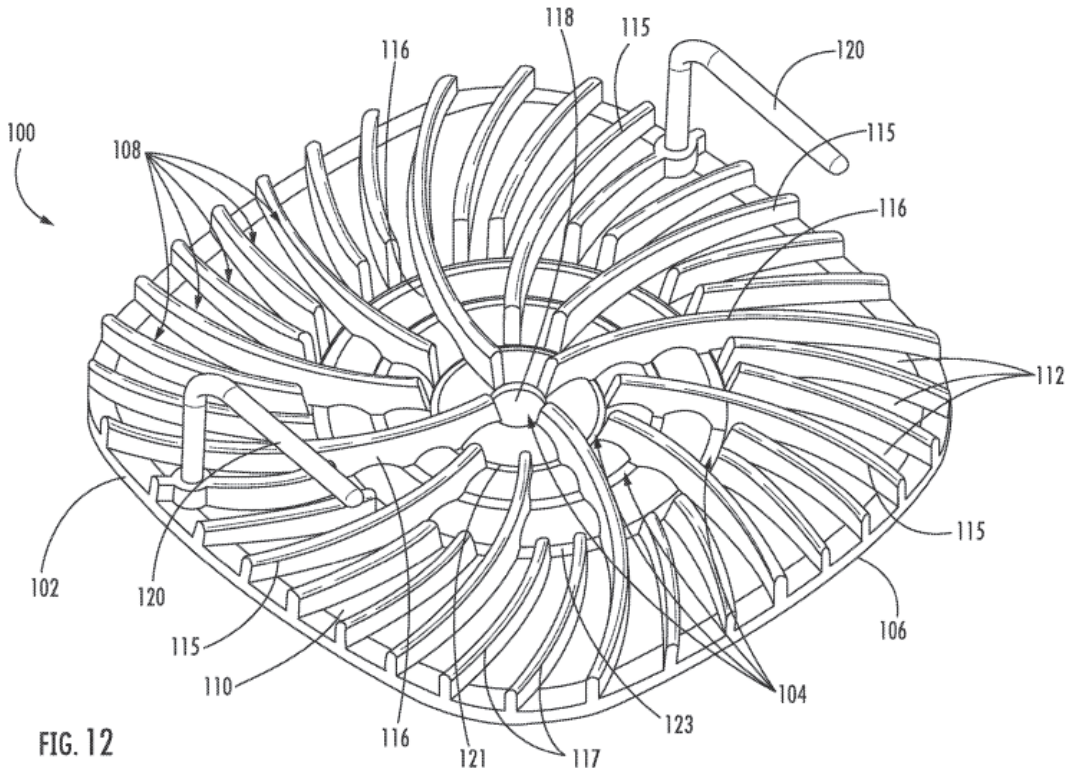


FIG. 12

*E.g.*, *id.* Fig. 12.

22. The grill plate can contain ribs, labeled 108 in the example shown above. *Id.* 12:17–19. The ribs on the grill plate can create a diffusing structure that can diffuse air flow, such as the air flow from the heating element. *Id.* 12:17–22. The configuration of the ribs and channels between the ribs can direct the air flow towards the center of the grill plate. *Id.* 13:5–13. The flow of air that exits the channels can then flow upwardly from beneath a food item and around an exterior of the food item. *Id.* 13:18–26. Because the air can flow upwardly in this manner and heated air can flow downwardly into the cooking volume, the system heats not just the bottom of the food but the entire exterior of the food. *Id.* The other requirements of the claims of the ’146 and ’152 patents are described in more detail below.

23. SharkNinja's '146 and '152 patents improve the performance and effectiveness, and SharkNinja's '654 patent improves the ornamental appearance of indoor grills. Instead of simply heating food from below, or requiring one heating element above the food and another heating element below the food, the '146 and '152 patents provide heat that surrounds the food item. This allowed more even and uniform heating. Further, the use of the '146 and '152 inventions allows the grill plate to better diffuse heat—for example, the inventions can allow grill or sear marks on the food, which was typically not possible with indoor cooking systems. *E.g.*, *id*. 14:14-15:5. The unconventional solution of the '146 and '152 patents thus provided significant improvements to the performance of indoor grills.

24. SharkNinja recognized the importance and market value of the '146, '152, and '654 patents and has used the inventions of these patents in its products. For example, SharkNinja has used various of the patents in its Ninja® Indoor Grill & Air Fryers, including the Ninja® Foodi® XL 6-in-1 Indoor Grill & Air Fryer (DG500 Series), Ninja® Foodi® 6-in-1 Indoor Grill & Air Fryer (EG200 Series), Ninja® Foodi® 5-in-1 Indoor Grill & Air Fryer (AG300 Series), Ninja® Foodi® 5-in-1 Indoor Grill & Air Fryer with Integrated Smart Probe (AG400 Series), Ninja® Foodi® XL 6-in-1 Indoor Grill & Air Fryer (BG500 Series), and Ninja® Foodi® 4-in-1 Indoor Grill & Air Fryer (FG500 Series).

25. SharkNinja markets the use of the inventions of the '146, '152, and '654 patents in its products. For example, as shown below, SharkNinja highlights the ornamental appearance of the grill plate, as well as that the use of the patented grill plate allows improve air flow and heating around the food item:[2]

[2] https://www.ninjakitchen.com/products/ninja-foodi-6-in-1-indoor-grill-4-quart-air-fryer-zidEG201.

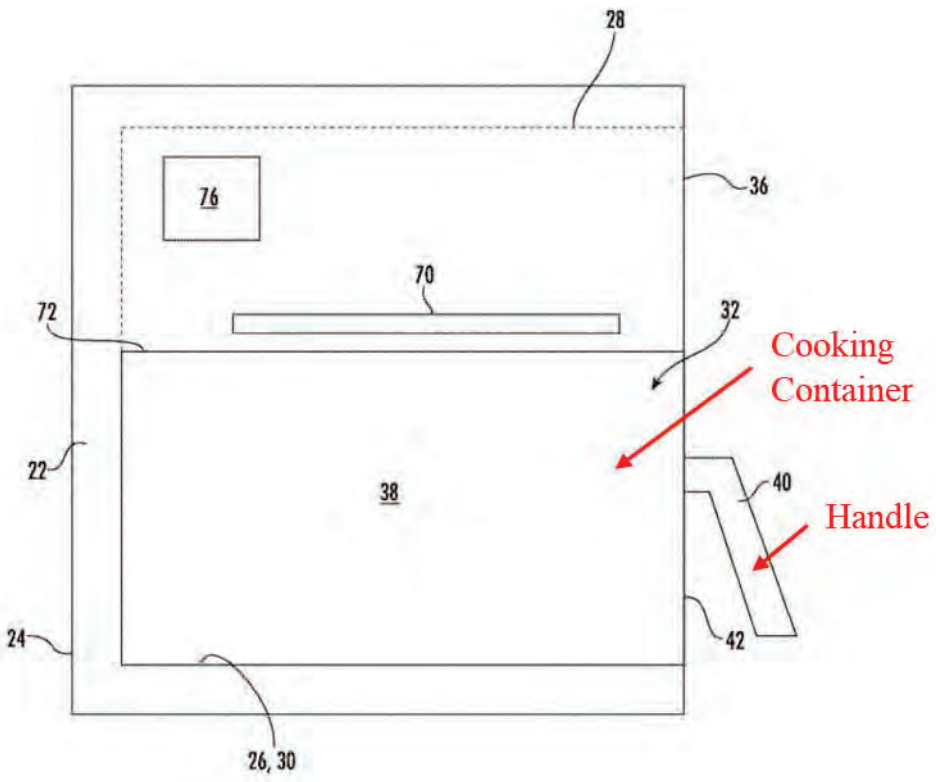
26. SharkNinja has marked various of its Ninja® Indoor Grill & Air Fryers with the ’146, ’152, and ’654 patent numbers.[3]

**The ’026, ’377, and ’669 Patents**

27. The ’026 patent (attached hereto as Exhibit D), ’377 patent (attached hereto as Exhibit E), and ’669 patent (attached hereto as Exhibit F) relate to a dual zone cooking system and its design. *E.g.*, Ex. D at Figs. 8, 13–15, 13:1–5; Ex. F at Figs. 1–7.

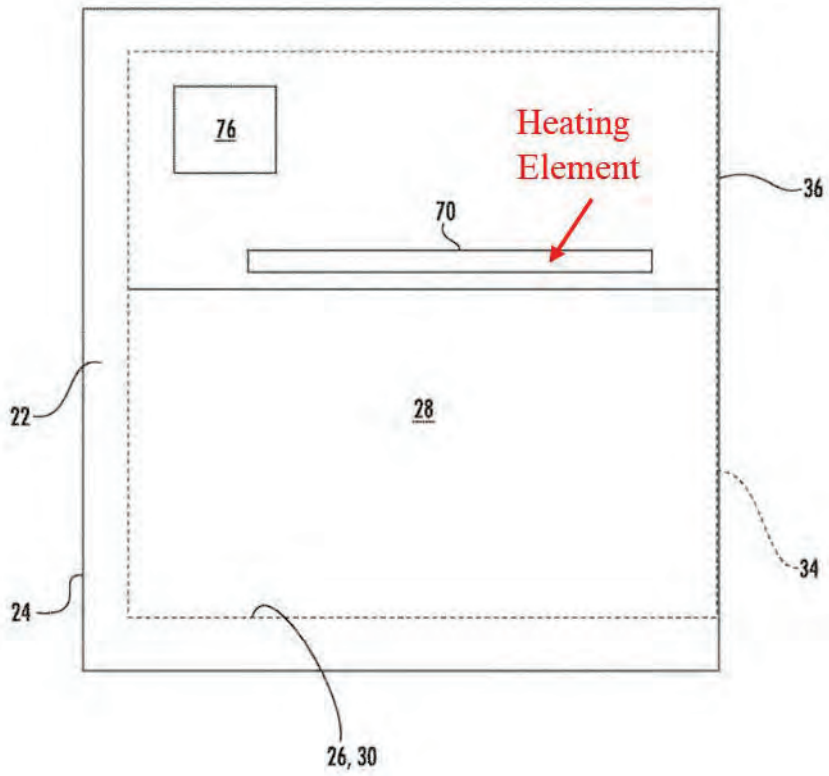
28. The patents describe an example cooking system that, among other requirements, has a housing, an internal compartment, a cooking container receivable within a portion of an internal compartment of the housing, and a handle associated within the cooking container to allow the cooking container to be grasped and manipulated relative to the housing. *E.g.*, Ex. D at 7:34–8:27. An example side view is shown below:

[3] https://www.sharkninja.com/wp-content/uploads/2024/02/Ninja-Patent-Marking-2-2-2024.pdf?_gl=1*15304ff*_ga*MTQ4NTg3OTYyMC4xNzI0OTI0NjMx*_ga_L3KTXLYN9K*MTcyNDkyNDYzMC4xLjEuMTcyNDkyNDYzNi4wLjAuMA.




*Id.* Fig. 1 (annotations added).

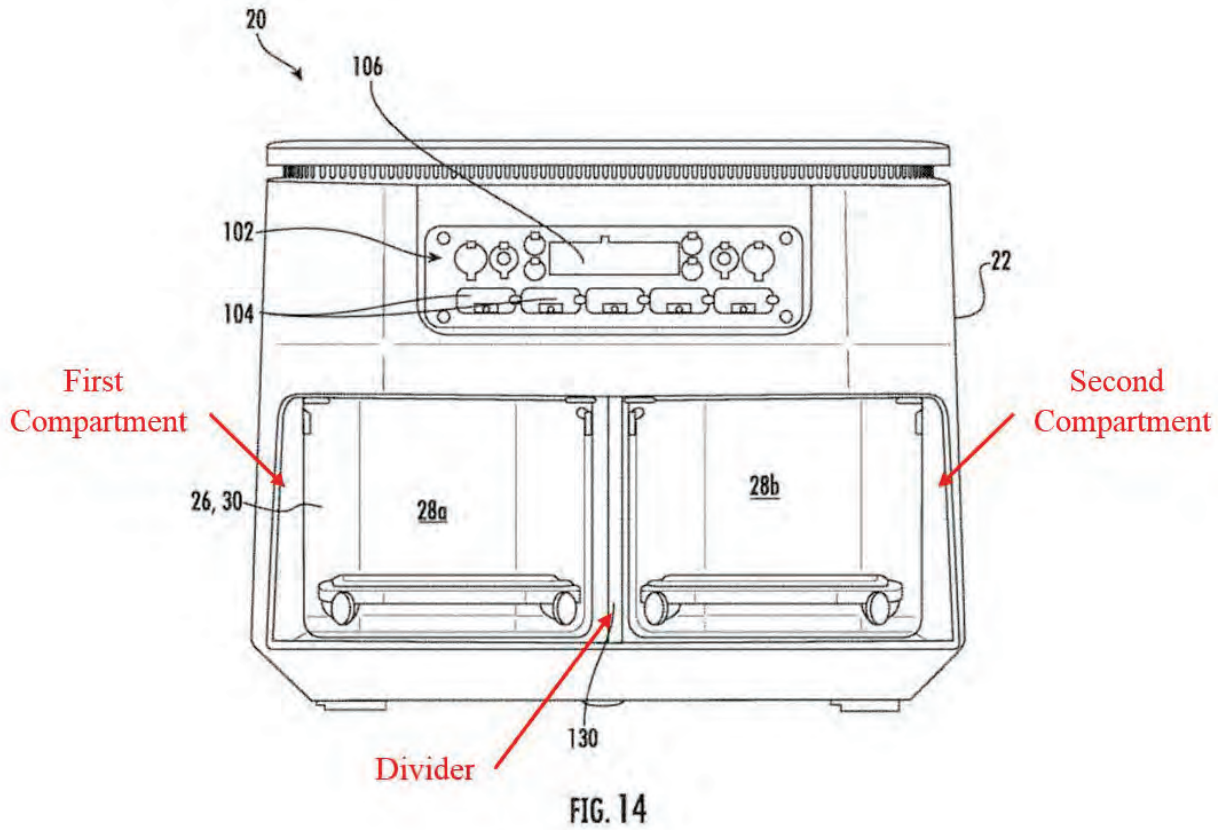
29. Like the ’146 and ’152 patents, the ’026, ’377, and ’669 patents describe an example cooking system that can include a heating element at or above an upper extent or surface of the cooking container (*e.g.*, *id.* 9:24–27) as shown in the example below:




*Id.* Fig. 2 (annotations added)

30. An air movement mechanism, such as a fan, can circulate air through the cooking volume and the air is heated as it flows, such as by flowing over a portion of the heating element. *Id.* 9:51–58. The heated air can be directed downwardly into the cooking container. *Id.* 12:34–52.

31. But unlike a typical indoor cooking system, which has one cooking compartment and can cook food at one temperature at a time, the ’026, ’377, and ’669 patents involve a system with two cooking zones—each of which can cook food at different temperatures. The patents depict a system with a housing that includes two compartments, each of which contains a cooking container. *E.g.*, *id.* 12:65–13:5. An example of the two compartments, which can be separated by a divider, is shown below:




*Id.* Fig. 14 (annotations added).

32. Each internal compartment can include a heating element and air movement mechanism. *Id.* 13:25–32. As a result, the two compartments can be independently operable from one another. *Id.* 13:32–36. The system can heat food to one temperature in the first compartment and, at the same time, heat different food to a different temperature in the second compartment. The other requirements of the claims of the ’026, ’377, and ’669 patent are described in more detail below.

33. The ’026 and ’377 patents claim a cooking system that uses the dual zone cooking invention. The ’669 patent claims the design of the dual zone cooking invention:

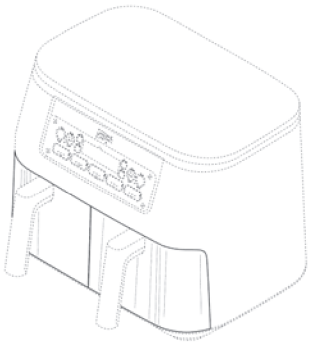


FIG. 1

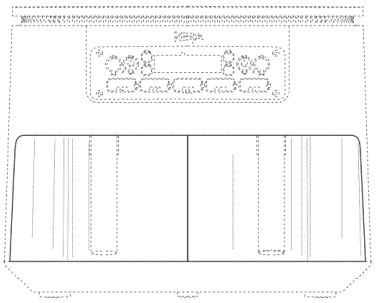


FIG. 2

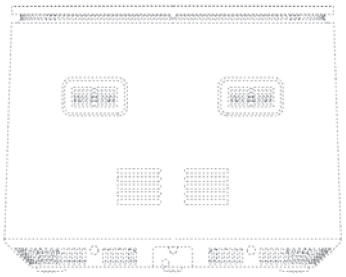


FIG. 3

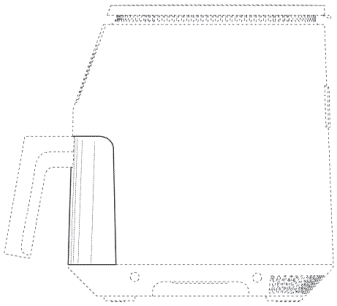


FIG. 4

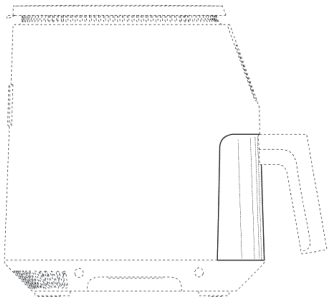


FIG. 5

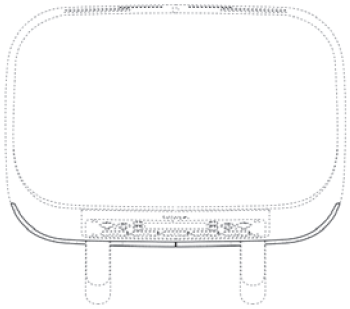


FIG. 6

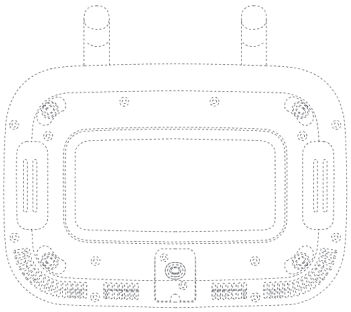


FIG. 7

34. SharkNinja's '026 and '377 patents improve the performance, and the '669 patent improves the ornamental appearance, of indoor cooking systems. Instead of simply heating food all together at one temperature, or having to cook food that requires different temperatures one at a time, the inventions of the '026 and '377 patents allow simultaneous cooking of different food at different temperatures. This made indoor cooking more efficient and effective.

35. SharkNinja recognized the importance and value of the ’026, ’377, and ’669 patents and has used the inventions of these patents in its products. For example, SharkNinja has used various of the patents in its Ninja® Foodi® 2-Basket Air Fryer with DualZone™ Technology, including the 6-in-1 10-Qt DZ550 Series, the 6-in-1 8-Qt DZ201 Series, the 6-in-1 10-Qt DZ401 Series, the 4-in-1 8-Qt DZ100 Series, and the 5-in-1 6-Qt DZ090 Series.

36. SharkNinja markets the use of the inventions of the ’026, ’377, and ’669 patents in these products. For example, as shown below, SharkNinja highlights the use of the patented dual cooking zones that allow simultaneous cooking at different temperatures:[4]

[4] https://www.ninjakitchen.com/products/ninja-foodi-6-in-1-smart-10-qt.-2-basket-air-fryer-zidDZ550.

37. SharkNinja has marked various of its Ninja® Foodi® 2-Basket Air Fryer with DualZone™ Technology products with the ’026, ’377, and ’669 patent numbers.[5]

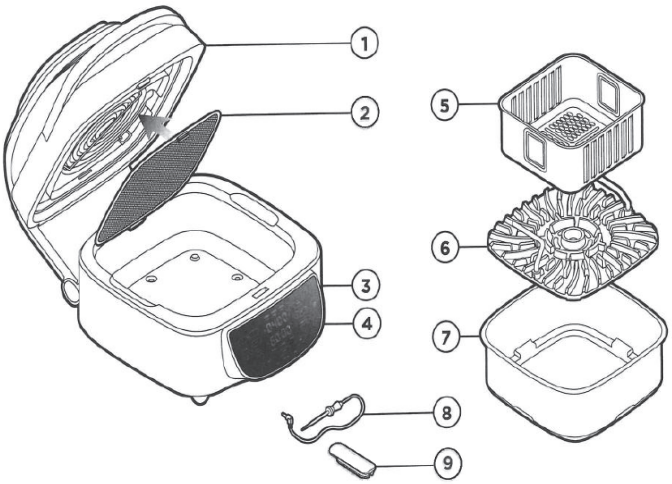
**B. Chefman’s Infringing Products**

38. As is evident from the Asserted SharkNinja Patents, and SharkNinja’s 4,500 other patents, SharkNinja has a long history of independent development and innovation. Chefman, however, has taken a different path. Time and again, SharkNinja has developed a new product and released it to market only for Chefman to shortly thereafter release a copycat product. The Chefman Infringing Products are examples. SharkNinja released its Ninja® Indoor Grill & Air Fryers that use the grill plate inventions and designs of the ’146, ’152, and ’654 patents in July 2019:[6]

[5] https://www.sharkninja.com/wp-content/uploads/2024/02/Ninja-Patent-Marking-2-2-2024.pdf?_gl=1*15304ff*_ga*MTQ4NTg3OTYyMC4xNzI0OTI0NjMx*_ga_L3KTXLYN9K*MTcyNDkyNDYzMC4xLjEuMTcyNDkyNDYzNi4wLjAuMA.

[6] https://www.ninjakitchen.ca/products/ninja-foodi-5-in-1-indoor-grill-zidAG301C; https://www.prnewswire.com/news-releases/ninja-unveils-new-fall-kitchen-products-300894554.html.

39. After these products were on the market, Chefman released its Electric Indoor Air Fryer + Grill with the same grill plate feature:[7]




[7] Chefman Electric Indoor Air Fryer + Grill User Guide (attached hereto as Exhibit G), at 8; https://chefman.com/products/rj38-afg-7tp-v2?srsltid=AfmBOorK4BkCXl0DvBI2sbegyYXREVRzz7LQFcMb52KjxI6JVMWWLum0.

40. Similarly, SharkNinja released its Ninja® 2-Basket Air Fryer with DualZone™ Technology that uses the dual cooking zone invention of the ’026, ’377, and ’669 patents in the summer of 2020:[8]

41. After these products were on the market, Chefman released its Dual Air Fryer with the same functionality:[9]

[8] https://www.ninjakitchen.com/products/ninja-foodi-6-in-1-8-qt.-2-basket-air-fryer-with-dualzone-technology-zidDZ201?srsltid=AfmBOorWJQ4M0wRdzWQoRHsU1eXWASuPoS2pyI23r8bqH_42HmguROQ1; https://markrosenzweigsn.medium.com/shark-ninja-introduces-foodi-2-basket-air-fryer-4632fc39a4bd.
[9] https://chefman.com/products/rj38-sqpf-45tdb; http://web.archive.org/web/20230208131609/https://chefman.com/products/rj38-sqpf-45tdb.

42. By making, using, selling, and offering for sale the Infringing Chefman Products, Chefman has infringed and continues to infringe the Asserted SharkNinja Patents and has benefited from doing so.

43. First, Chefman's Electric Indoor Air Fryer + Grill infringes the '146, '152, and '654 patents. Just as is described in the '146 and '152 patents, Chefman's Electric Indoor Air Fryer + Grill includes a base, a lid with a hollow interior, and a cooking container receivable inside the hollow interior:[10]

[10] Ex. G at 12 (annotations added).

44. The heating element of the Chefman Electric Indoor Air Fryer + Grill is above the cooking container, just as shown in the ’146 and ’152 patents:

45. Also like the ’146 and ’152 patents, the Chefman Electric Indoor Air Fryer + Grill has a grill plate that contains ribs and diffuses air flow, and also embodies the ornamental design of the ’654 patent:

46. Just as described in the ’146 and ’152 patents, the configuration of the ribs and channels between the ribs of the grill plate of the Chefman Electric Indoor Air Fryer + Grill directs the air flow towards the center of the grill plate. The flow of air that exits the channels flows upwardly and heats the exterior of the food item. As described in more detail below, the Chefman Electric Indoor Air Fryer + Grill also meets the other requirements of the claims ’146 and ’152 patents. As explained in the ’146 and ’152 patents, Chefman’s use of this technology allows more even and uniform heating.

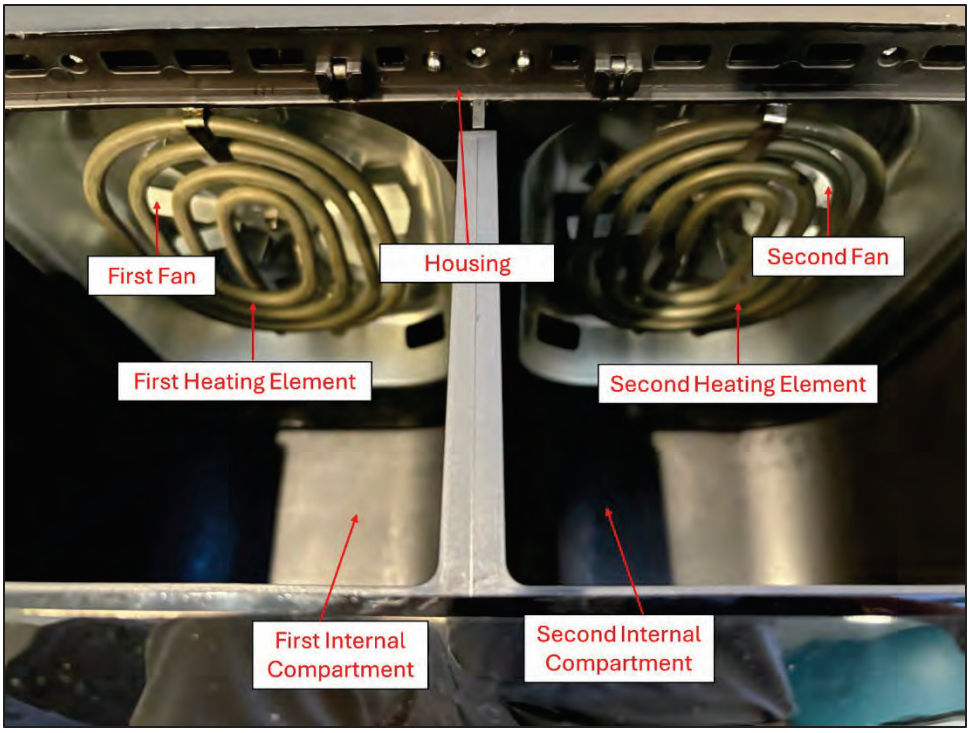
47. Second, Chefman’s Dual Air Fryer product infringes the ’026, ’377, and ’669 patents. Just as is described in the ’026 and ’377 patents, the Chefman Dual Air Fryer has a housing that includes two compartments separated by a divider, each of which contains a cooking container:[11]

Cook two foods at once with different time and temperature settings.

Ensures differently timed dishes finish together.

48. Each of the Chefman Dual Air Fryer compartments includes a heating element and air movement mechanism, just as is described in the ’026 and ’377 patents:

[11] https://chefman.com/products/rj38-sqpf-45tdb.




49. Also like the ’026 and ’377 patents, the Chefman Dual Air Fryer can heat food to one temperature in one compartment while simultaneously heating food at a different temperature in the second compartment:[12]

[12] https://chefman.com/products/rj38-sqpf-45tdb.

50. As described in more detail below, the Chefman Dual Air Fryer also meets the other requirements of the claims of the ’026 and ’377 patents, and embodies the ornamental design of the ’669 patent. Chefman uses SharkNinja’s technology and designs to obtain the benefits of the ’026, ’377, and ’669 patents. Its Dual Air Fryer allows simultaneous cooking of different food at different temperatures to make indoor cooking more efficient and effective—the same benefits provided by the ’026 and ’377 patents.

## IV. COUNT I: INFRINGEMENT OF THE ’146 PATENT

51. SharkNinja incorporates by reference and realleges the allegations in paragraphs 1–50.

52. U.S. Patent No. 11,033,146 (Exhibit A), entitled “Cooking Device and Components Thereof,” was duly and properly issued by the United States Patent and Trademark Office (“USPTO”) on June 15, 2021.

53. SharkNinja owns all rights, title, and interest in the ’146 patent.

54. The application for the ’146 patent was filed on May 2, 2019 and claims priority to an application filed on February 25, 2019.

55. Chefman has infringed, and continues to infringe, one or more claims of the ’146 patent, including at least claim 1, in violation of 35 U.S.C. § 271 by, among other things, making, using, offering to sell, and/or selling within the United States, supplying or causing to be supplied in or from the United States, and/or importing into the United States, without authority or license, the Chefman Electric Indoor Air Fryer + Grill.

56. The claim chart below details examples of Chefman’s infringement, using the Chefman Electric Indoor Air Fryer + Grill, 5-in-1, Removable Integrated Probe Thermometer version of the Chefman Electric Indoor Air Fryer + Grill.

| **U.S. Patent No. 11,033,146** | **Evidence of Infringement: Chefman Indoor Air Fryer + Grill** |
|---|---|
| 1[pre]<br><br>A cooking system, comprising: | The Chefman Indoor Air Fryer + Grill is a cooking system.<br><br>For example, the Chefman Indoor Air Fryer + Grill is a system that cooks foods using one of five cooking “functions,” including “Grill,” “Air Fry,” “Roast,” “Bake,” and “Broil:”<br><br>• Ex. G at 11: |

| U.S. Patent No. 11,033,146 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|

## FEATURES

### COOKING FUNCTIONS AT A GLANCE

All five functions require the cooking pan to be inserted and can all be used with the probe. They differ in their temperature range, inserts used, and whether they include a Flip/Stir notification. (Note that you can ignore or amend the notification as desired.)

| Function | Pan/Insert(s) Used | Temperature Range (°F) | Flip/Stir Notification? | Can You Use with Probe? |
|---|---|---|---|---|
| Grill | Cooking Pan + Grill Plate | 200-500 | Yes. Flip halfway through cooking time. | Yes |
| Air Fry | Cooking Pan + Air Fry Basket | 200-450 | Yes. Stir halfway through cooking time or every 15 minutes for longer cycles. | Yes |
| Roast | Cooking Pan | 200-450 | Yes. Stir halfway through cooking time. | Yes |
| Bake | Cooking Pan (can add an 8-inch cake pan or loaf pan, not included) | 200-450 | No | Yes |
| Broil | Cooking Pan | Two settings: Low (450) and High (500) | No | Yes |

The Chefman Indoor Air Fryer + Grill cooking system includes different pans or inserts that can be used to cook food in the different cooking functions. For example, the "Grill Plate" is used when cooking food with the "Grill" function:

- Ex. G at 11 (annotations added):

| U.S. Patent No. 11,033,146 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|

## FEATURES

### COOKING FUNCTIONS AT A GLANCE

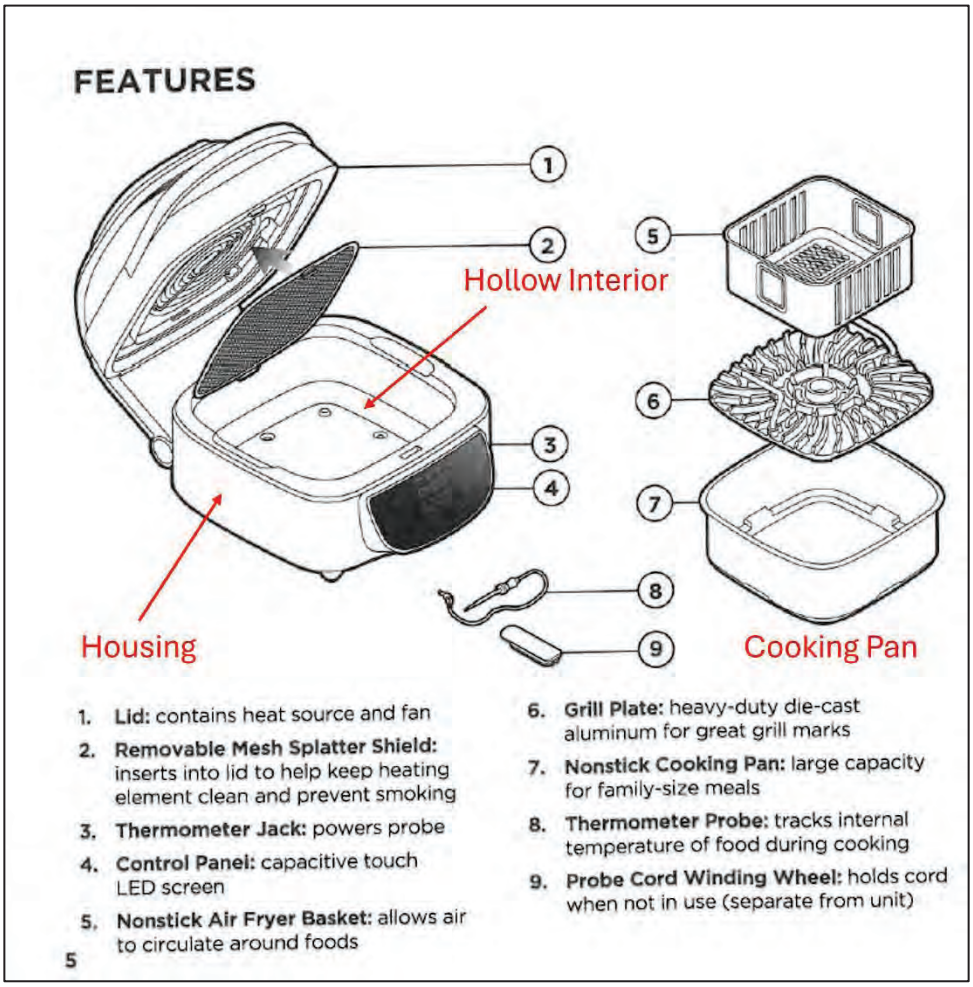
All five functions require the cooking pan to be inserted and can all be used with the probe. They differ in their temperature range, inserts used, and whether they include a Flip/Stir notification. (Note that you can ignore or amend the notification as desired.)

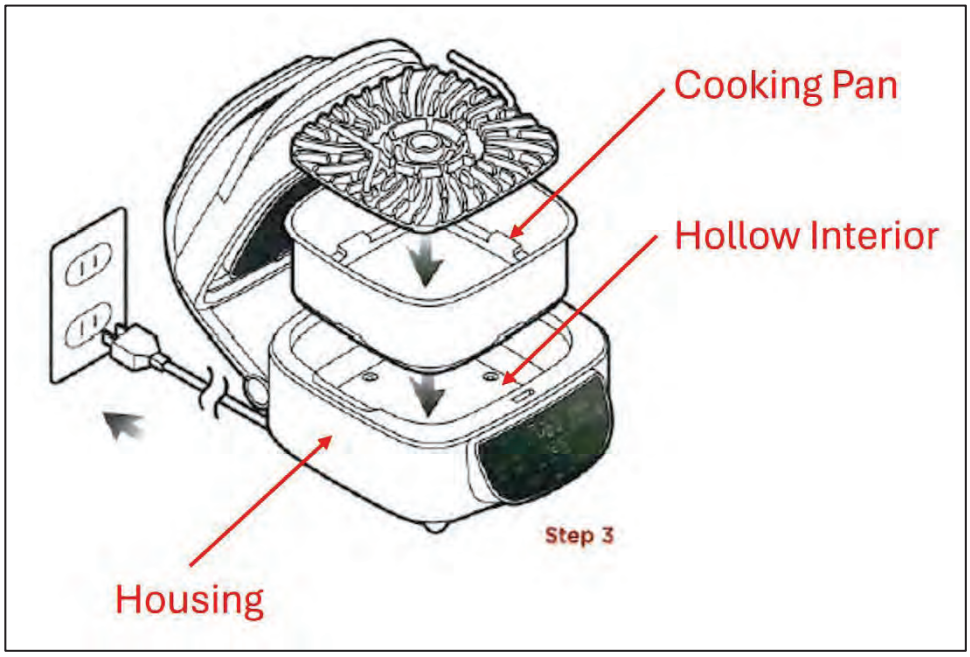
| Function | Pan/Insert(s) Used | Temperature Range (°F) | Flip/Stir Notification? | Can You Use with Probe? |
|---|---|---|---|---|
| Grill | Cooking Pan + Grill Plate | 200-500 | Yes. Flip halfway through cooking time. | Yes |
| Air Fry | Cooking Pan + Air Fry Basket | 200-450 | Yes. Stir halfway through cooking time or every 15 minutes for longer cycles. | Yes |
| Roast | Cooking Pan | 200-450 | Yes. Stir halfway through cooking time. | Yes |
| Bake | Cooking Pan (can add an 8-inch cake pan or loaf pan, not included) | 200-450 | No | Yes |
| Broil | Cooking Pan | Two settings: Low (450) and High (500) | No | Yes |

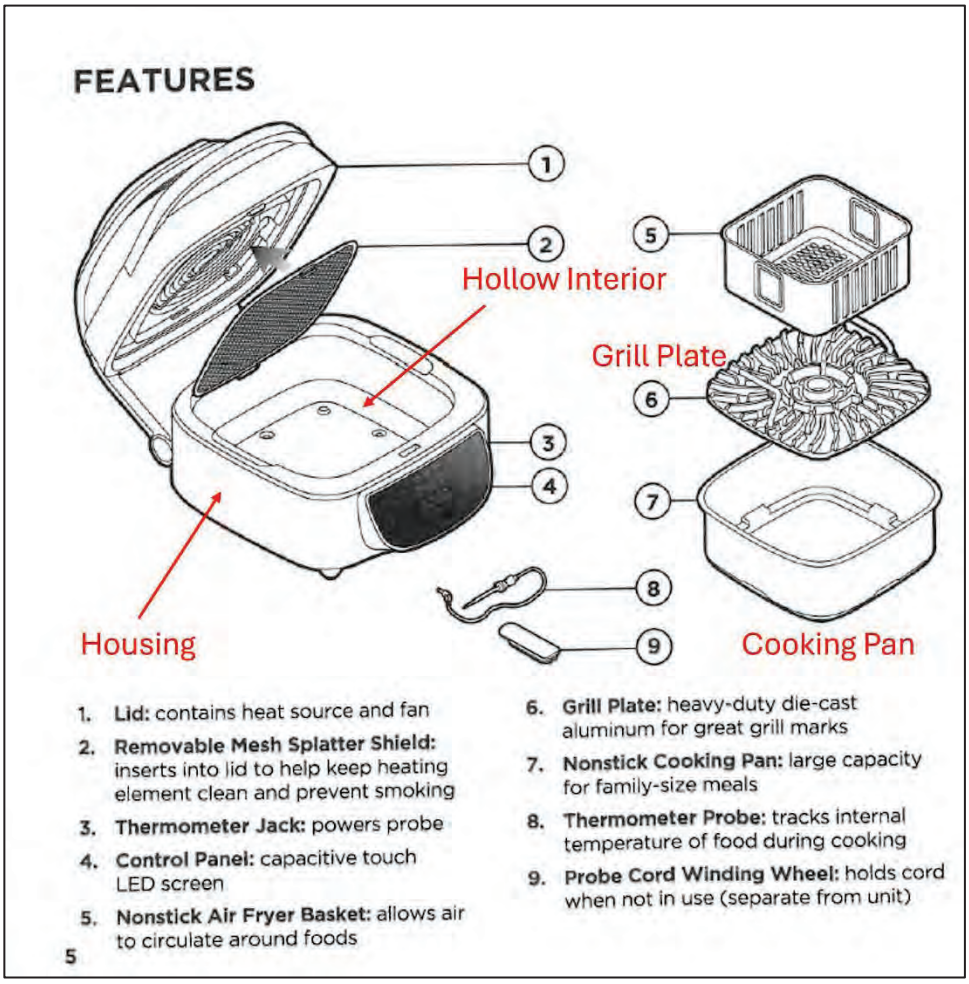
- Ex. G at 19 (annotations added):

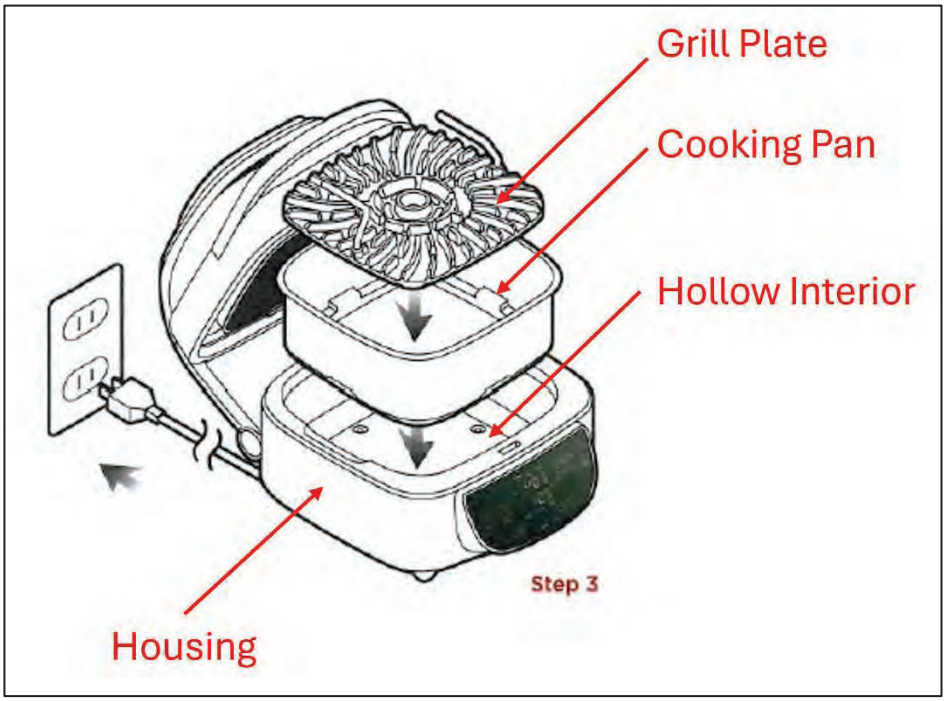
| U.S. Patent No. 11,033,146 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| | **OPERATING INSTRUCTIONS**<br><br>**HOW TO GRILL**<br>The heavy-duty grill plate is excellent at absorbing and retaining heat, so it gives your food the same gorgeous grill marks you'd get on an outdoor grill, while the closed environment cooks it to juicy perfection. The directions below are for cooking without the probe; if you would rather grill to a specific internal temperature, see How to Cook Using the Probe Thermometer on p. 9.<br>1. Set the unit on a hard, flat surface with at least 6 inches of clearance on the top and sides. Put the cooking pan in the unit and set the grill plate inside. Ensure the splatter shield is firmly in place and close the lid. Plug in the unit.<br>2. Prepare your food as specified in your recipe.<br>3. Press Grill on the control panel. The Grill button will illuminate in blue, and the default temperature of 450˚F will appear on the panel, with the bar above Med lit up (medium grill temperature).<br>4. Set the temperature and time. Press + or – on the Temp button to adjust the temperature from 200˚F to 500˚F in increments of 5˚F (the bar may move to the High or Low setting). Press + or – on the Time button to adjust the time from 1 to 60 minutes (20 minutes max if grilling at 500˚F) in increments of 1 minute.<br>5. Press Start/Stop. This will begin the unit's automatic preheat.<br>6. When the preheat is done, the unit will beep, and Add Food will display on the panel. Place food on the grill plate. **CAUTION:** The grill plate and grill plate handles will be hot.<br>7. Close the lid. The timer will begin counting down.<br>8. When the timer is halfway done, the unit will beep, and Flip will display on the panel. Flip foods as needed. Cooking will continue and the timer will resume counting down once the lid is closed.<br>9. When time is up, the unit will beep, and End will display on the panel. Carefully remove the food. **CAUTION:** Grill plate handles are hot. Check food for doneness, and enjoy.<br>15<br><br>• An image of the Chefman Indoor Air Fryer + Grill cooking system with a grill plate is shown below: |

| U.S. Patent No. 11,033,146 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| | |
| 1[a]<br><br>a housing having a hollow interior, food being receivable within said hollow interior; | The Chefman Indoor Air Fryer + Grill cooking system includes a housing having a hollow interior, food being receivable within said hollow interior.<br><br>First, the Chefman Indoor Air Fryer + Grill cooking system includes a housing having a hollow interior. A cooking pan or other inserts can be placed within the hollow interior.<br><br>• Ex. G at 9 (annotations added): |

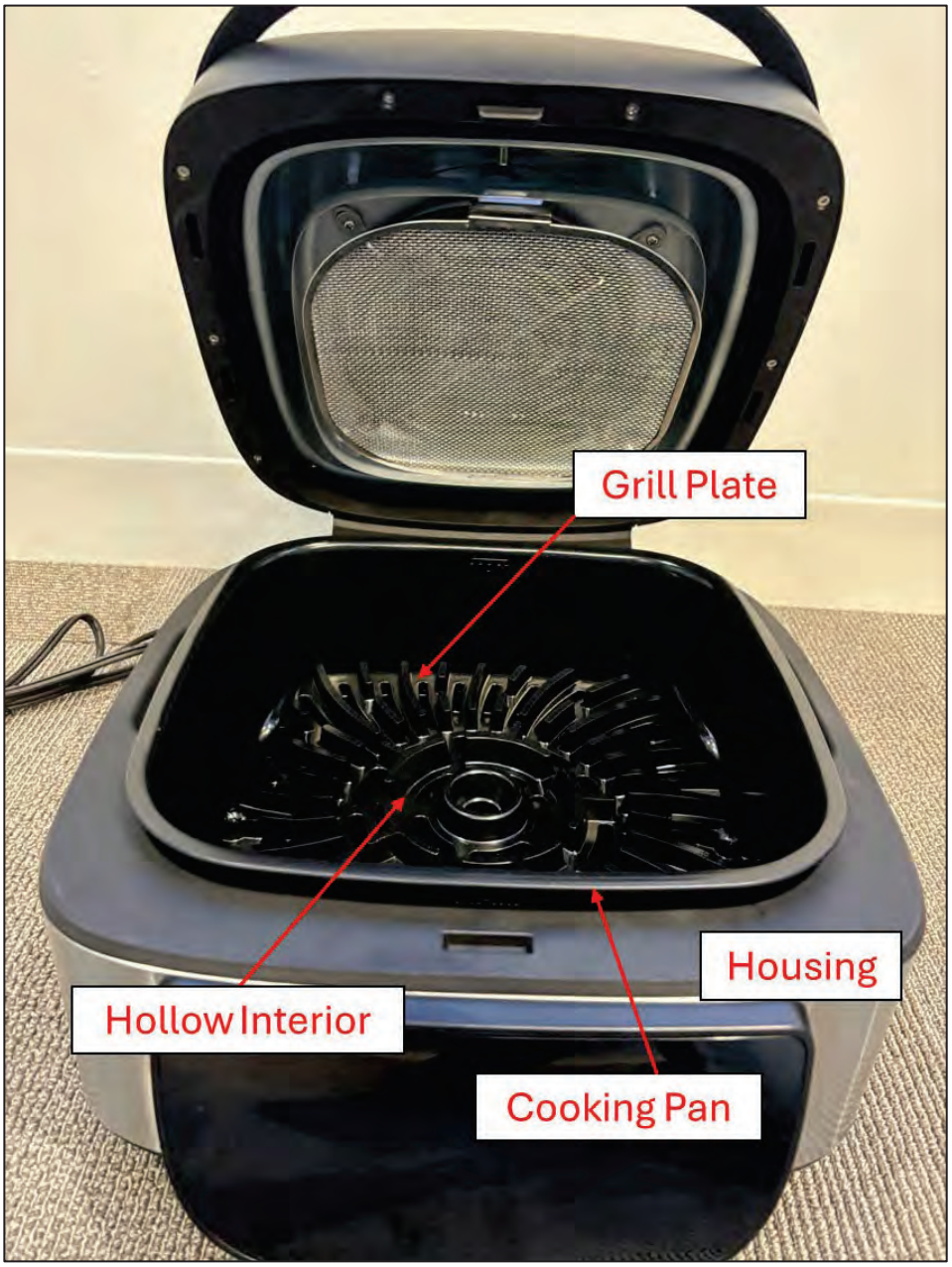
| U.S. Patent No. 11,033,146 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| |  <br>• Ex. G at 14 (annotations added): |

| U.S. Patent No. 11,033,146 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| |  <br>Second, food is receivable within said hollow interior. For example, the cooking pan placed inside the hollow interior holds food or an additional component such as a grill plate. The food is placed in the cooking pan or on the grill plate for cooking.<br>• Ex. G at 9 (annotations added): |

| U.S. Patent No. 11,033,146 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| |  <br>• Ex. G at 14 (annotations added): |

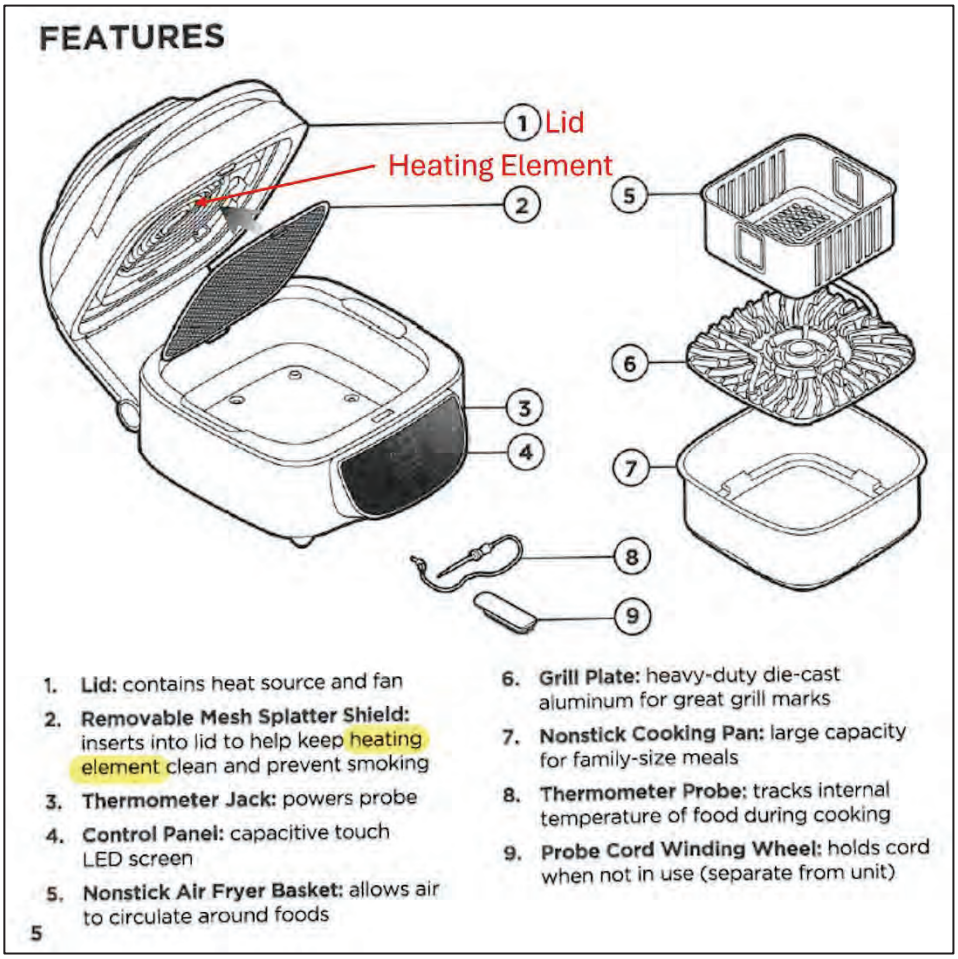
| U.S. Patent No. 11,033,146 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| |  <br>• Ex. G at 19 (annotations added): |

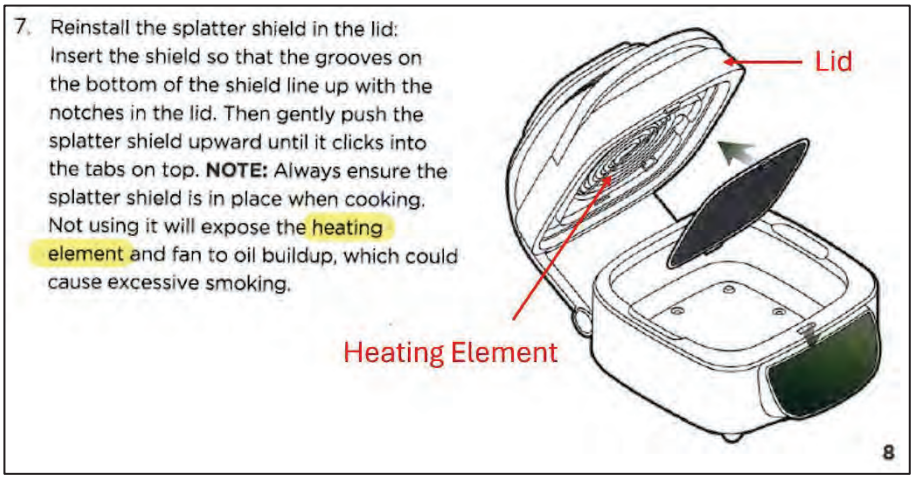
| U.S. Patent No. 11,033,146 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| | **OPERATING INSTRUCTIONS**<br><br>**HOW TO GRILL**<br>The heavy-duty grill plate is excellent at absorbing and retaining heat, so it gives your food the same gorgeous grill marks you'd get on an outdoor grill, while the closed environment cooks it to juicy perfection. The directions below are for cooking without the probe; if you would rather grill to a specific internal temperature, see How to Cook Using the Probe Thermometer on p. 9.<br>1. Set the unit on a hard, flat surface with at least 6 inches of clearance on the top and sides. Put the cooking pan in the unit and set the grill plate inside. Ensure the splatter shield is firmly in place and close the lid. Plug in the unit.<br>2. Prepare your food as specified in your recipe.<br>3. Press Grill on the control panel. The Grill button will illuminate in blue, and the default temperature of 450˚F will appear on the panel, with the bar above Med lit up (medium grill temperature).<br>4. Set the temperature and time. Press + or – on the Temp button to adjust the temperature from 200˚F to 500˚F in increments of 5˚F (the bar may move to the High or Low setting). Press + or – on the Time button to adjust the time from 1 to 60 minutes (20 minutes max if grilling at 500˚F) in increments of 1 minute.<br>5. Press Start/Stop. This will begin the unit's automatic preheat.<br>6. When the preheat is done, the unit will beep, and Add Food will display on the panel. Place food on the grill plate. **CAUTION:** The grill plate and grill plate handles will be hot.<br>7. Close the lid. The timer will begin counting down.<br>8. When the timer is halfway done, the unit will beep, and Flip will display on the panel. Flip foods as needed. Cooking will continue and the timer will resume counting down once the lid is closed.<br>9. When time is up, the unit will beep, and End will display on the panel. Carefully remove the food. **CAUTION:** Grill plate handles are hot. Check food for doneness, and enjoy.<br>15<br><br>• As shown in the image below of the Chefman Indoor Air Fryer + Grill, when the grill plate and cooking pan are placed within the housing, food placed on the grill plate is within the hollow interior of the housing: |

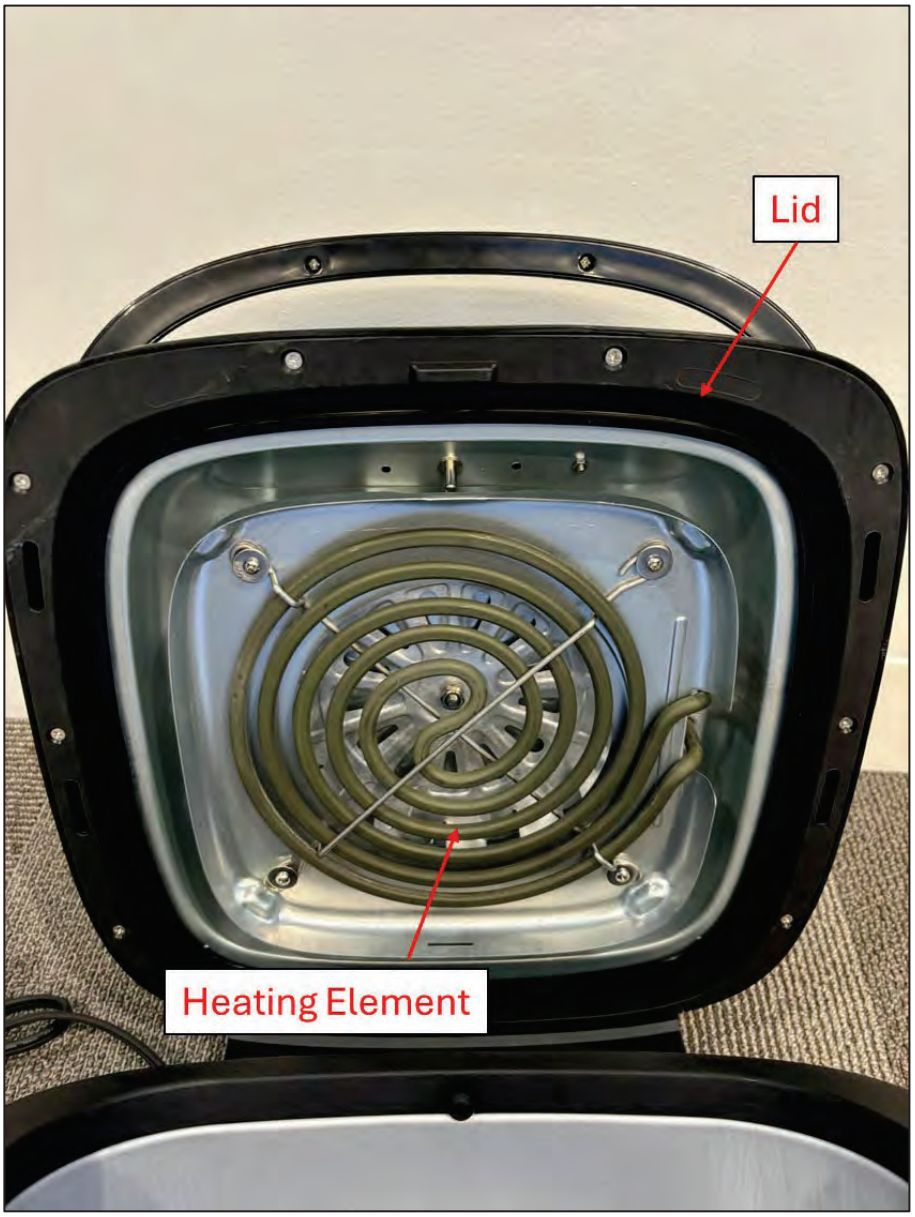
| U.S. Patent No. 11,033,146 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| |  <br>• Chefman Indoor Air Fryer + Grill product website (Available at: https://chefman.com/products/rj38-afg-7tp-v2?srsltid=AfmBOoqZtjnGGJe2q60MlLCNur8NPBLZsxlg-KKyc5sDhyUz50WkOWjQ): |

| U.S. Patent No. 11,033,146 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| | <br>• Chefman Indoor Air Fryer + Grill product website (Available at: https://chefman.com/products/rj38-afg-7tp-v2?srsltid=AfmBOoqZtjnGGJe2q60MlLCNur8NPBLZsxlg-KKyc5sDhyUz50WkOWjQ): |

| U.S. Patent No. 11,033,146 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| | |
| 1[b]<br><br>a heating element associated with said housing; and | The Chefman Indoor Air Fryer + Grill cooking system includes a heating element associated with said housing.<br><br>The ’152 patent explains that a heating element is associated with the housing at least when the heating element is mounted within the lid of the housing. *See, e.g.*, ’152 patent, Fig. 3, 6:54–55 (“the at least one heating element 82 is mounted within the lid 24”). The Chefman Indoor Air Fryer + Grill cooking system includes the same feature: an electric heating element is mounted to the lid of the housing.<br><br>• Ex. G at 9 (annotations added): |

| U.S. Patent No. 11,033,146 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| |  <br>• Ex. G at 12 (annotations added): |

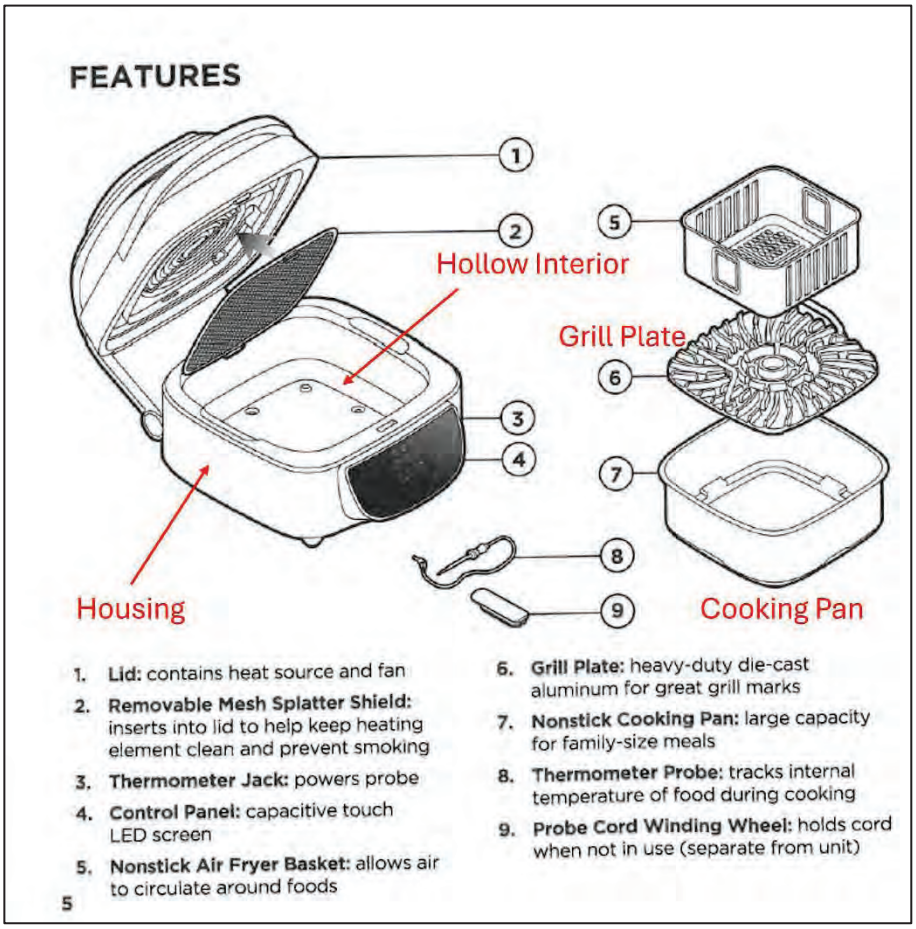
| U.S. Patent No. 11,033,146 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| |  <br>7. Reinstall the splatter shield in the lid: Insert the shield so that the grooves on the bottom of the shield line up with the notches in the lid. Then gently push the splatter shield upward until it clicks into the tabs on top. **NOTE:** Always ensure the splatter shield is in place when cooking. Not using it will expose the heating element and fan to oil buildup, which could cause excessive smoking.<br><br>• The image below of the Chefman Indoor Air Fryer + Grill shows the heating element mounted to the lid of the housing: |

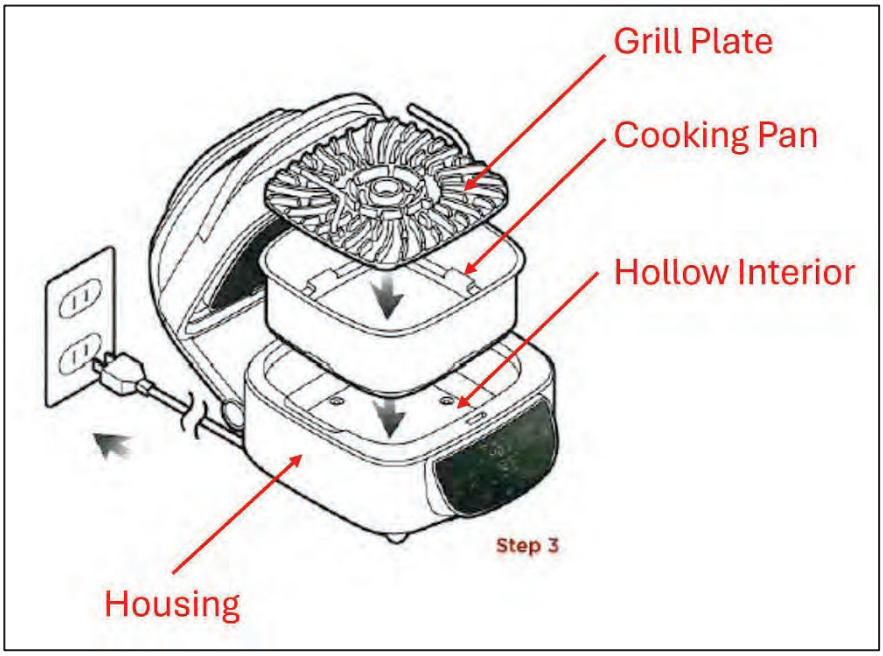
| U.S. Patent No. 11,033,146 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| |  |
| 1[c]<br><br>a support body for supporting food within said hollow interior, | The Chefman Indoor Air Fryer + Grill cooking system includes a support body for supporting food within said hollow interior, said support body including a support surface, wherein said support surface includes a plurality of ribs. |

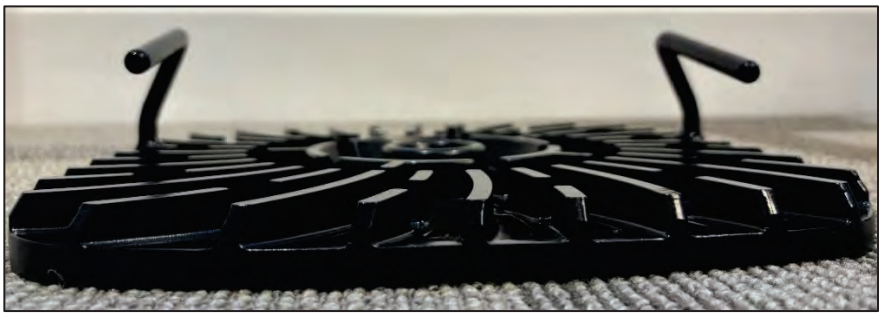
| U.S. Patent No. 11,033,146 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| said support body including a support surface, wherein said support surface includes a plurality of ribs; | First, the Chefman Indoor Air Fryer + Grill cooking system includes a support body for supporting food within said hollow interior. Specifically, the Chefman Indoor Air Fryer + Grill cooking system includes a grill plate that is a support body and supports food within the hollow interior.<br><br>• Ex. G at 19 (annotations added):<br><br>**OPERATING INSTRUCTIONS**<br><br>**HOW TO GRILL**<br>The heavy-duty grill plate is excellent at absorbing and retaining heat, so it gives your food the same gorgeous grill marks you'd get on an outdoor grill, while the closed environment cooks it to juicy perfection. The directions below are for cooking without the probe; if you would rather grill to a specific internal temperature, see How to Cook Using the Probe Thermometer on p. 9.<br>1. Set the unit on a hard, flat surface with at least 6 inches of clearance on the top and sides. Put the cooking pan in the unit and set the grill plate inside. Ensure the splatter shield is firmly in place and close the lid. Plug in the unit.<br>2. Prepare your food as specified in your recipe.<br>3. Press Grill on the control panel. The Grill button will illuminate in blue, and the default temperature of 450˚F will appear on the panel, with the bar above Med lit up (medium grill temperature).<br>4. Set the temperature and time. Press + or – on the Temp button to adjust the temperature from 200˚F to 500˚F in increments of 5˚F (the bar may move to the High or Low setting). Press + or – on the Time button to adjust the time from 1 to 60 minutes (20 minutes max if grilling at 500˚F) in increments of 1 minute.<br>5. Press Start/Stop. This will begin the unit's automatic preheat.<br>6. When the preheat is done, the unit will beep, and Add Food will display on the panel. Place food on the grill plate. **CAUTION:** The grill plate and grill plate handles will be hot.<br>7. Close the lid. The timer will begin counting down.<br>8. When the timer is halfway done, the unit will beep, and Flip will display on the panel. Flip foods as needed. Cooking will continue and the timer will resume counting down once the lid is closed.<br>9. When time is up, the unit will beep, and End will display on the panel. Carefully remove the food. **CAUTION:** Grill plate handles are hot. Check food for doneness, and enjoy.<br>15<br><br>• Chefman Indoor Air Fryer + Grill product website (Available at: https://chefman.com/products/rj38-afg-7tp-v2?srsltid=AfmBOoqZtjnGGJe2q60MlLCNur8NPBLZsxlg-KKyc5sDhyUz50WkOWjQ): |

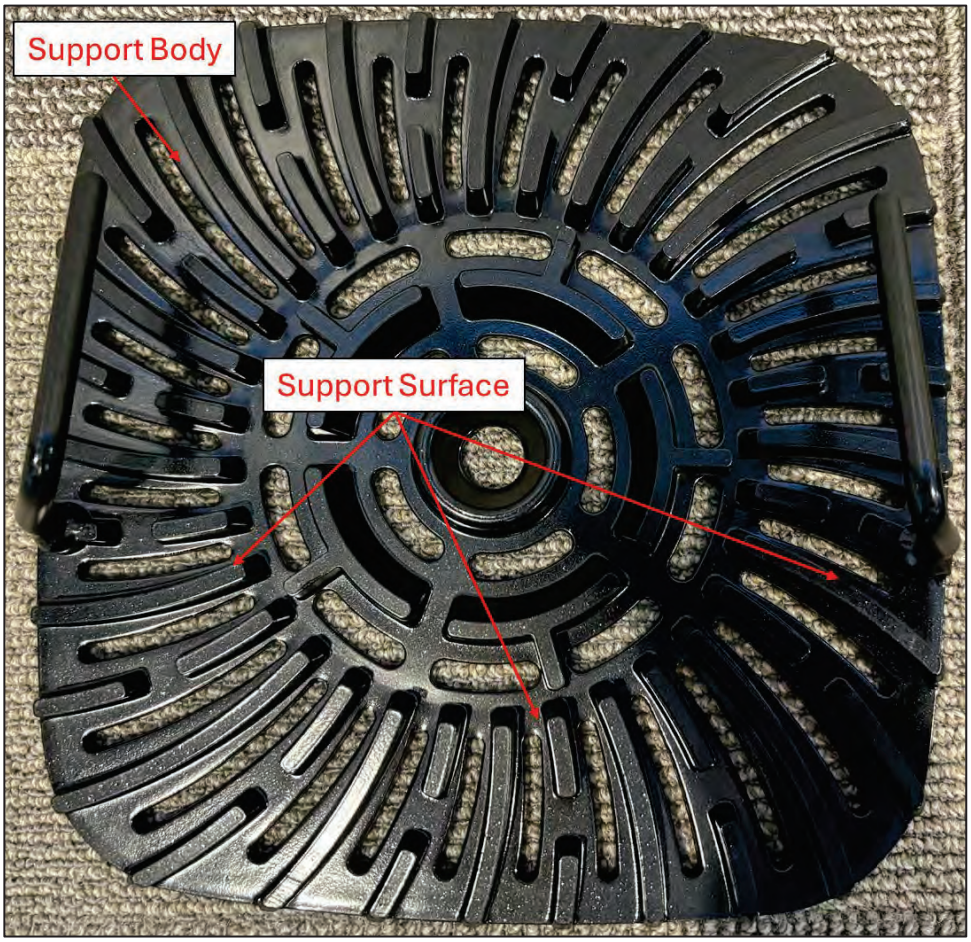
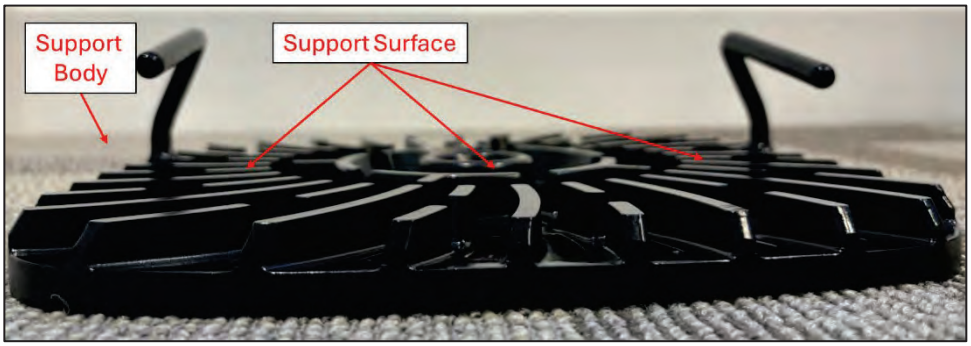
| U.S. Patent No. 11,033,146 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| | <br>• Chefman Indoor Air Fryer + Grill product website (Available at: https://chefman.com/products/rj38-afg-7tp-v2?srsltid=AfmBOoqZtjnGGJe2q60MlLCNur8NPBLZsxlg-KKyc5sDhyUz50WkOWjQ): |

| U.S. Patent No. 11,033,146 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| | <br>• Ex. G at 9 (annotations added): |

| U.S. Patent No. 11,033,146 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| |  <br>• Ex. G at 14 (annotations added: |

| U.S. Patent No. 11,033,146 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| |  <br>• The top and side views of the grill plate (i.e., support body) are shown in the images below of the Chefman Indoor Air Fryer + Grill: |

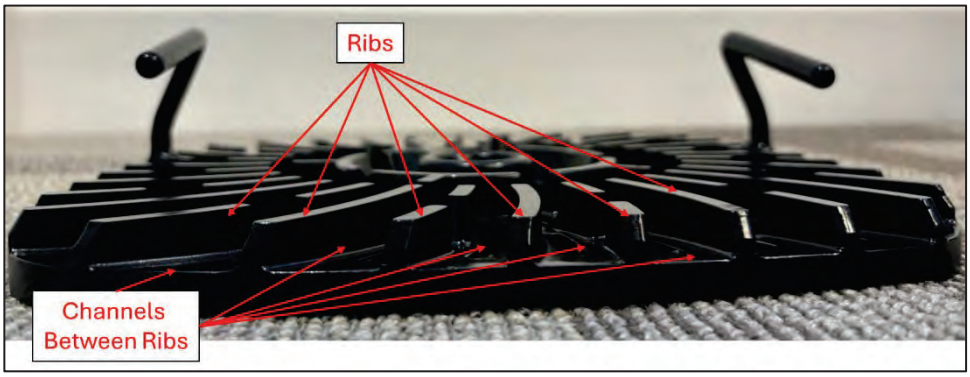
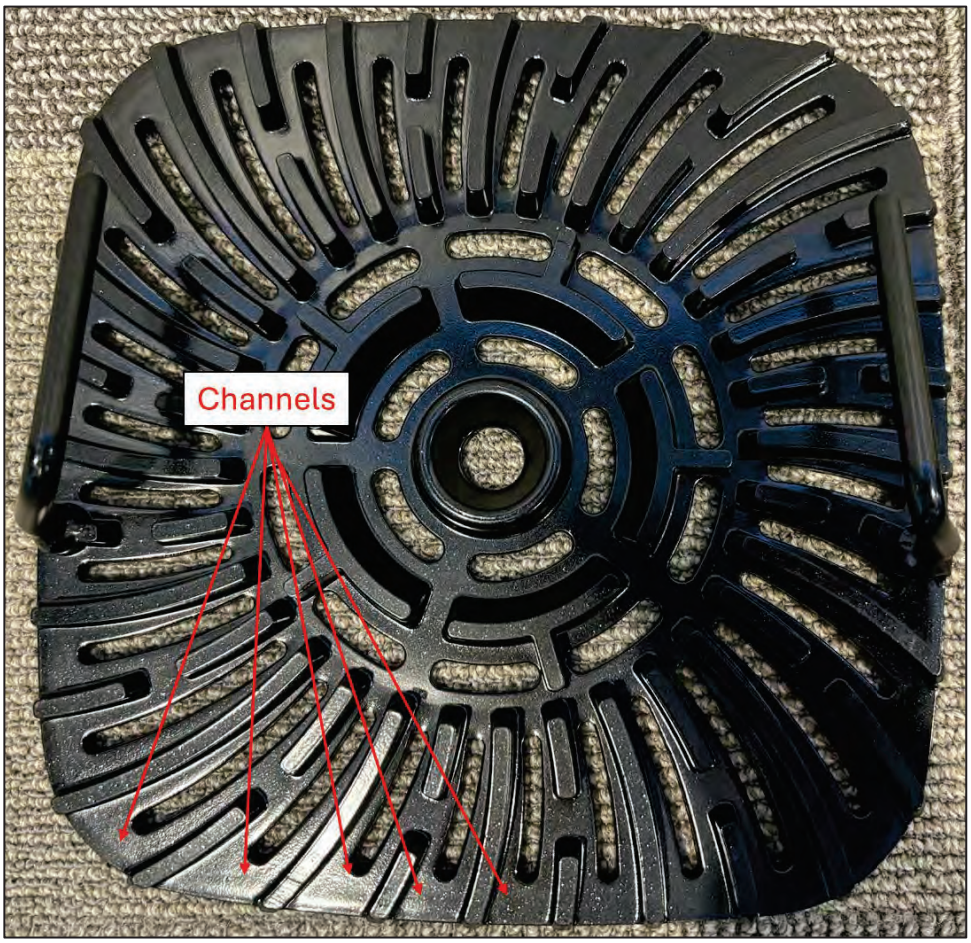
| U.S. Patent No. 11,033,146 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| | <br>  <br>Second, the support body of the Chefman Indoor Air Fryer + Grill cooking system (grill plate) includes a support body including a support surface, as shown in the image below of the grill plate of the Chefman Indoor Air Fryer + Grill: |

| U.S. Patent No. 11,033,146 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| |  <br>  <br>As shown below, the top of the grill plate is a support surface that holds food:<br>• Chefman Indoor Air Fryer + Grill product website (Available at: https://chefman.com/products/rj38-afg-7tp- |

| U.S. Patent No. 11,033,146 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| | v2?srsltid=AfmBOoqZtjnGGJe2q60MlLCNur8NPBLZsxlg-KKyc5sDhyUz50WkOWjQ):<br> <br><br>• Chefman Indoor Air Fryer + Grill product website (Available at: https://chefman.com/products/rj38-afg-7tp-v2?srsltid=AfmBOoqZtjnGGJe2q60MlLCNur8NPBLZsxlg-KKyc5sDhyUz50WkOWjQ): |

| U.S. Patent No. 11,033,146 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| | <br>Third, the support surface of the Chefman Indoor Air Fryer + Grill cooking system (grill plate) includes a plurality of ribs. The ribs of the grill plate are shown below: |

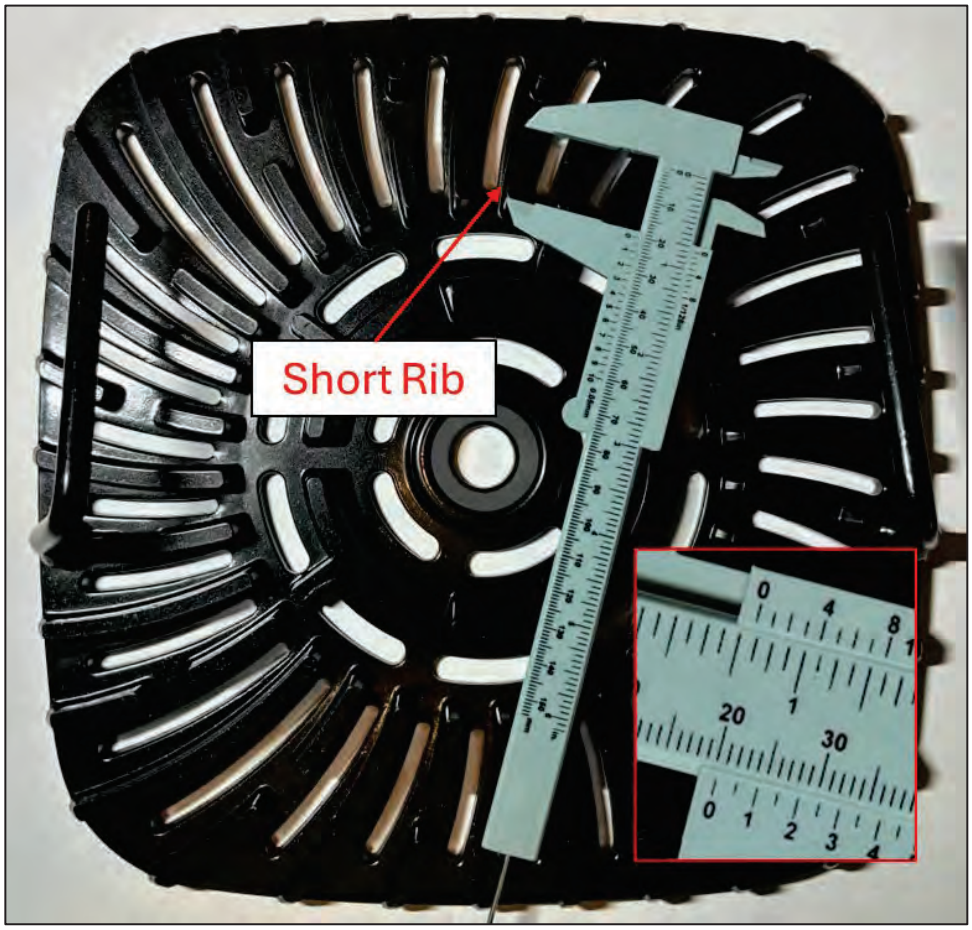
| U.S. Patent No. 11,033,146 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| | |
| 1[d]<br><br>wherein said support surface includes a plurality of channels between said plurality of ribs, | In the Chefman Indoor Air Fryer + Grill cooking system, said support surface includes a plurality of channels between said plurality of ribs.<br><br>As shown in the image below of the Chefman Indoor Air Fryer + Grill, the plurality of ribs on the grill plate form a plurality of channels between said plurality of ribs: |

| U.S. Patent No. 11,033,146 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| |  <br>  |

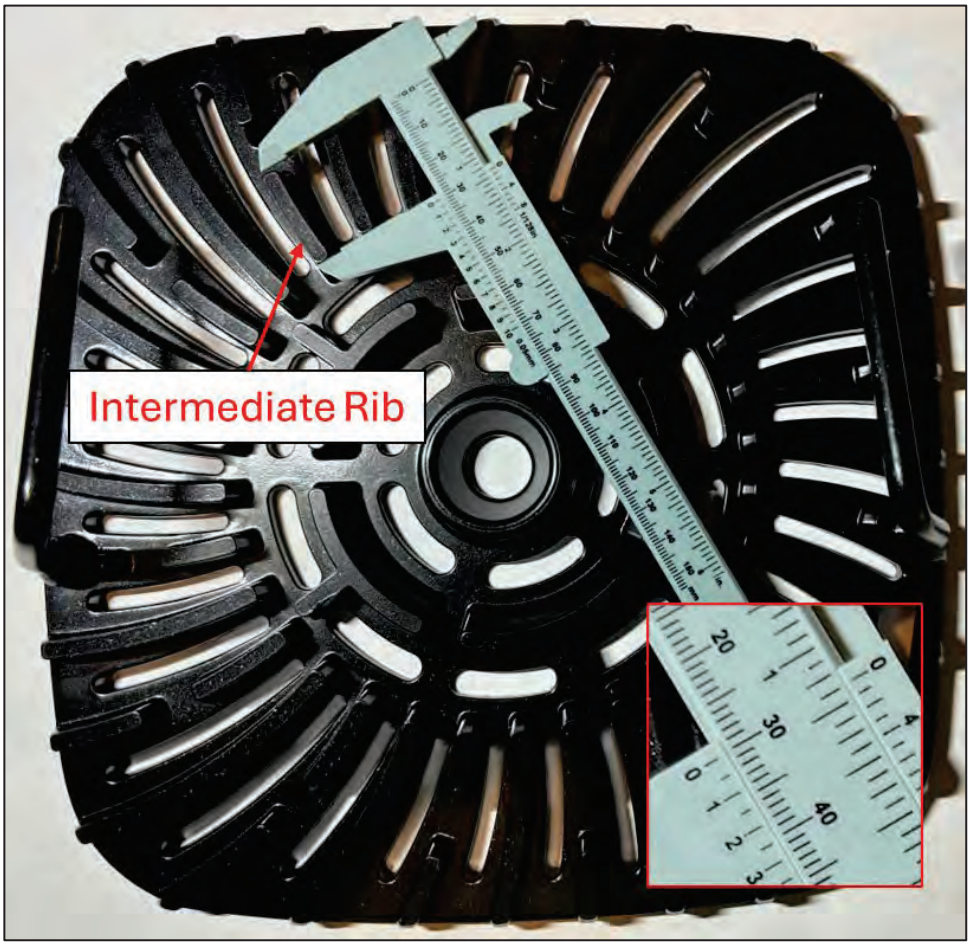
| U.S. Patent No. 11,033,146 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| 1[e]<br><br>wherein said plurality of ribs includes diffuser ribs, said plurality of diffuser ribs including short ribs, intermediate ribs, and long ribs, and | In the Chefman Indoor Air Fryer + Grill cooking system, said plurality of ribs includes diffuser ribs, said plurality of diffuser ribs including short ribs, intermediate ribs, and long ribs.<br><br>First, the Chefman Indoor Air Fryer + Grill cooking system includes diffuser ribs. The grill plate of the Chefman Indoor Air Fryer + Grill leaves grill marks on the underside of food and heats up to 500˚F. This shows that the ribs diffuse hot air along the plate to heat up the ribs:<br><br>o Chefman Indoor Air Fryer + Grill product website (Available at: https://chefman.com/products/rj38-afg-7tp-v2?srsltid=AfmBOoqZtjnGGJe2q60MlLCNur8NPBLZsxlg-KKyc5sDhyUz50WkOWjQ) ("BRING THE BBQ INSIDE!: Virtually smokeless indoor grill features **heavy-duty aluminum grill plate for great grill marks**. Heats up to 500˚F with one-touch presets for perfectly cooked chicken, meat, and fish and a flip indicator so you can multitask while your food cooks.") (emphasis added).<br><br>o Ex. G at 9 ("Grill Plate: heavy-duty die-cast aluminum for great grill marks").<br><br>o The diffuser ribs of the Chefman Indoor Air Fryer + Grill are shown in the image below of the Chefman Indoor Air Fryer + Grill: |

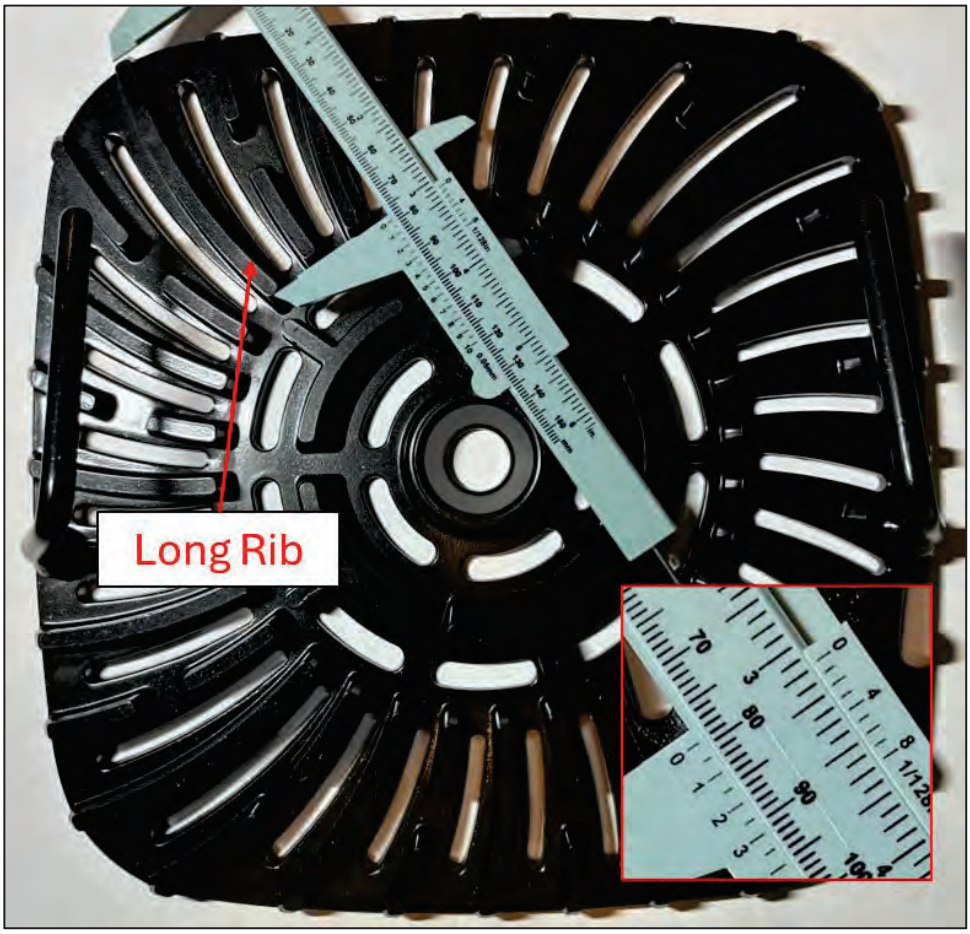
| U.S. Patent No. 11,033,146 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| | <br>Second, the plurality of diffuser ribs include short ribs, intermediate ribs, and long ribs. The short ribs have a length of 20mm, as shown in the image below of Chefman Indoor Air Fryer + Grill: |

| U.S. Patent No. 11,033,146 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| | |

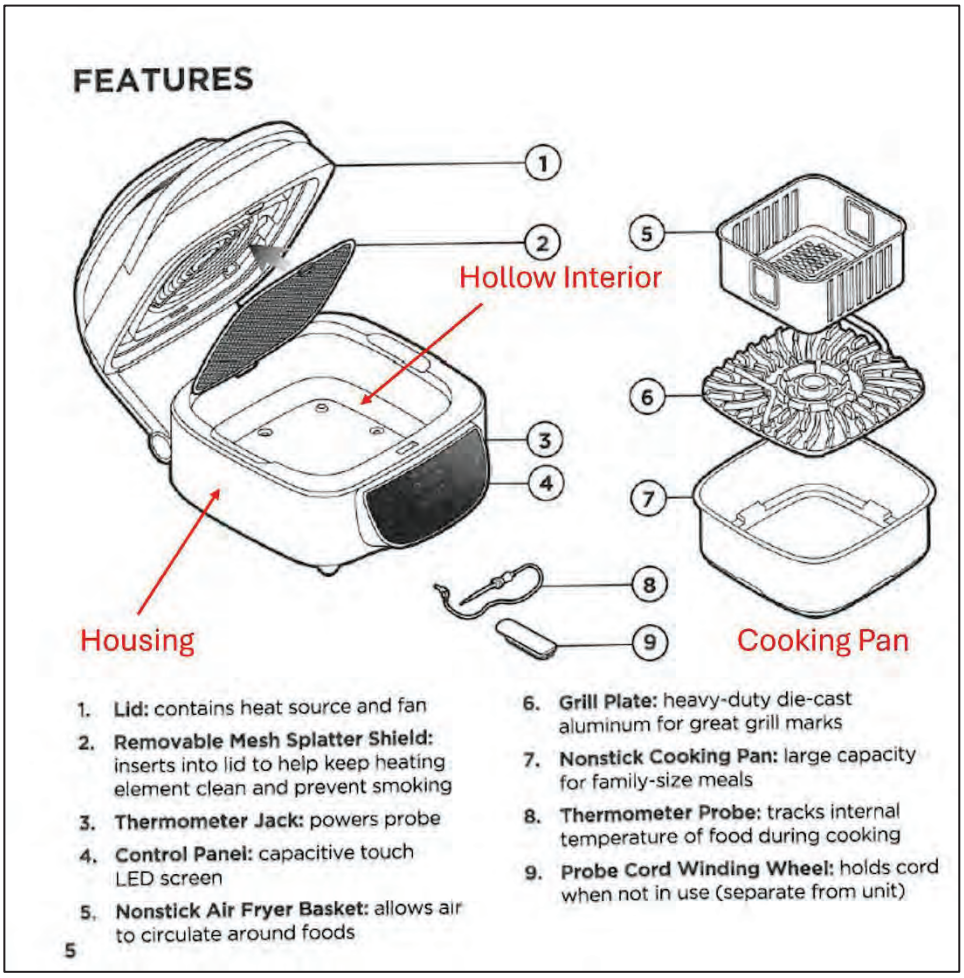
| U.S. Patent No. 11,033,146 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| |  <br>The intermediate ribs have length of approximately 30mm as shown in the image below of the Chefman Indoor Air Fryer + Grill: |

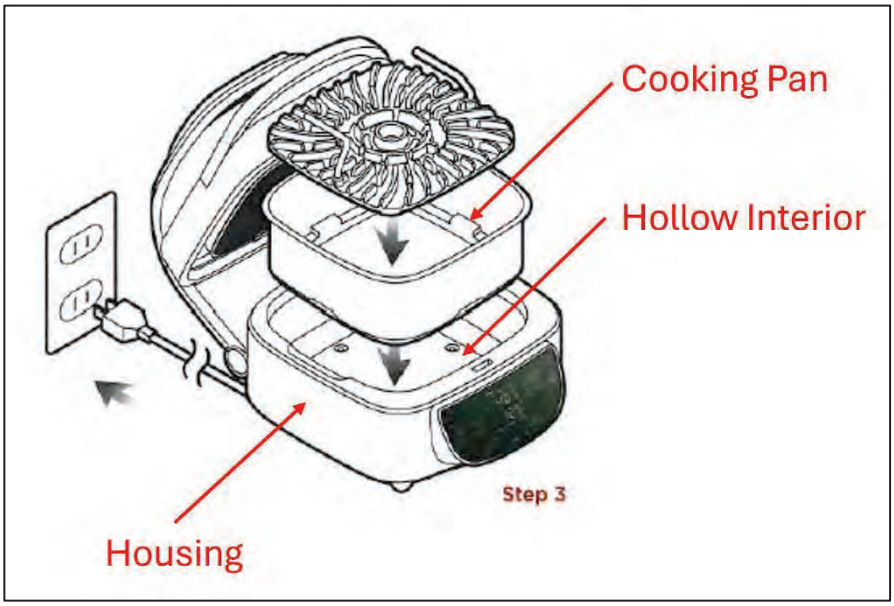
| U.S. Patent No. 11,033,146 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| | |

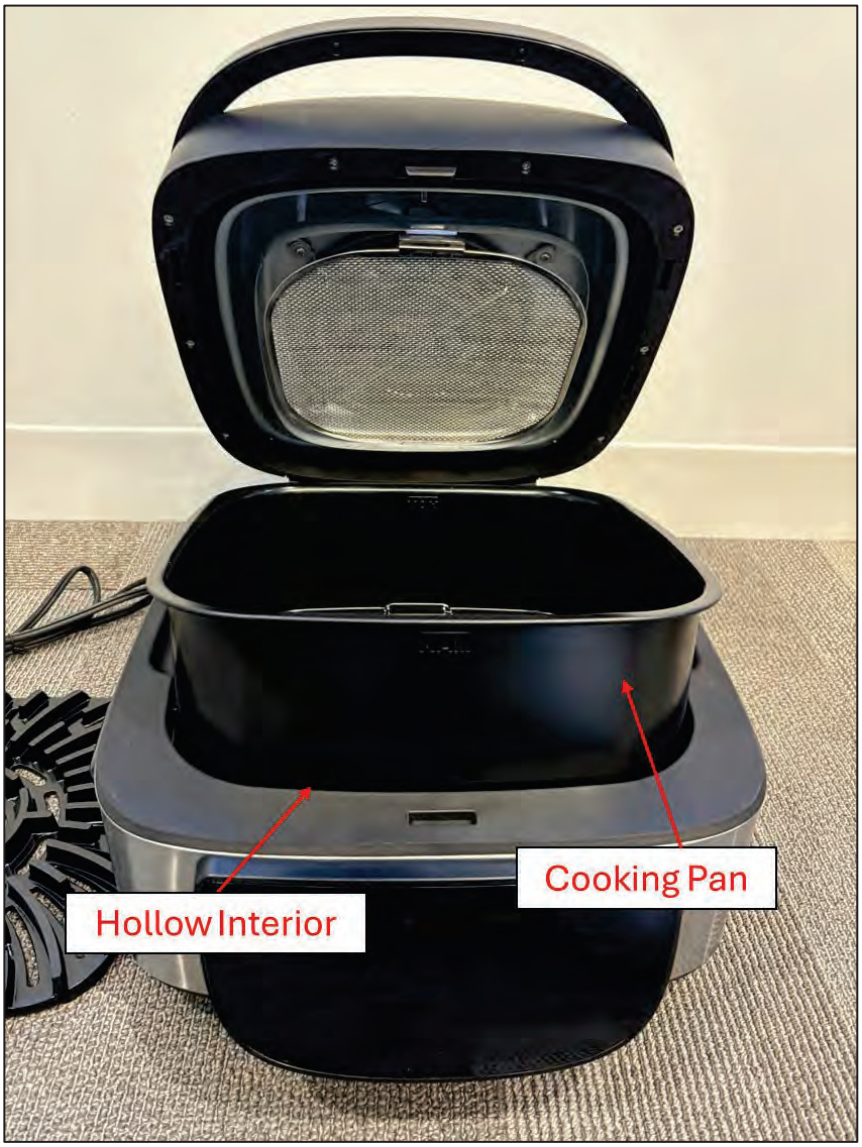
| U.S. Patent No. 11,033,146 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| |  <br>The long ribs have a length of approximately 79mm as shown in the image below of the Chefman Indoor Air Fryer + Grill: |

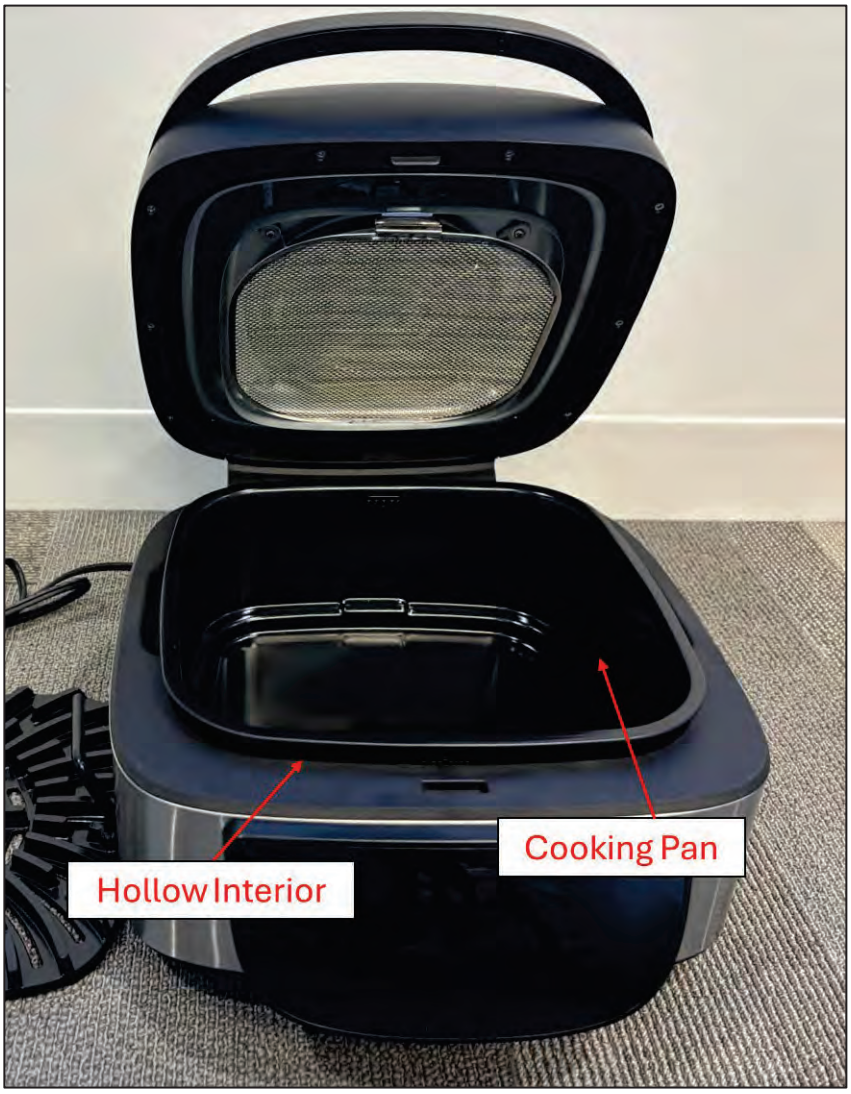
| U.S. Patent No. 11,033,146 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| |  |
| 1[f]<br><br>further comprising a food container receivable in said hollow interior, said support body being removably mounted within an interior of | The Chefman Indoor Air Fryer + Grill cooking system further comprises a food container receivable in said hollow interior, said support body being removably mounted within an interior of said food container.<br><br>First, the Chefman Indoor Air Fryer + Grill cooking system's cooking pan is a food container that is receivable in the hollow interior of the housing.<br><br>• Ex. G at 21 ("When the preheat is done, the unit will beep, and Add Food will display on the panel. Place food in the unit and close the lid. Small items, such as cookies, can be **baked directly in the cooking pan**. For larger items, you can set a bread pan or cake pan inside the cooking pan. The timer will begin counting down once the lid is closed.") (emphasis added). |

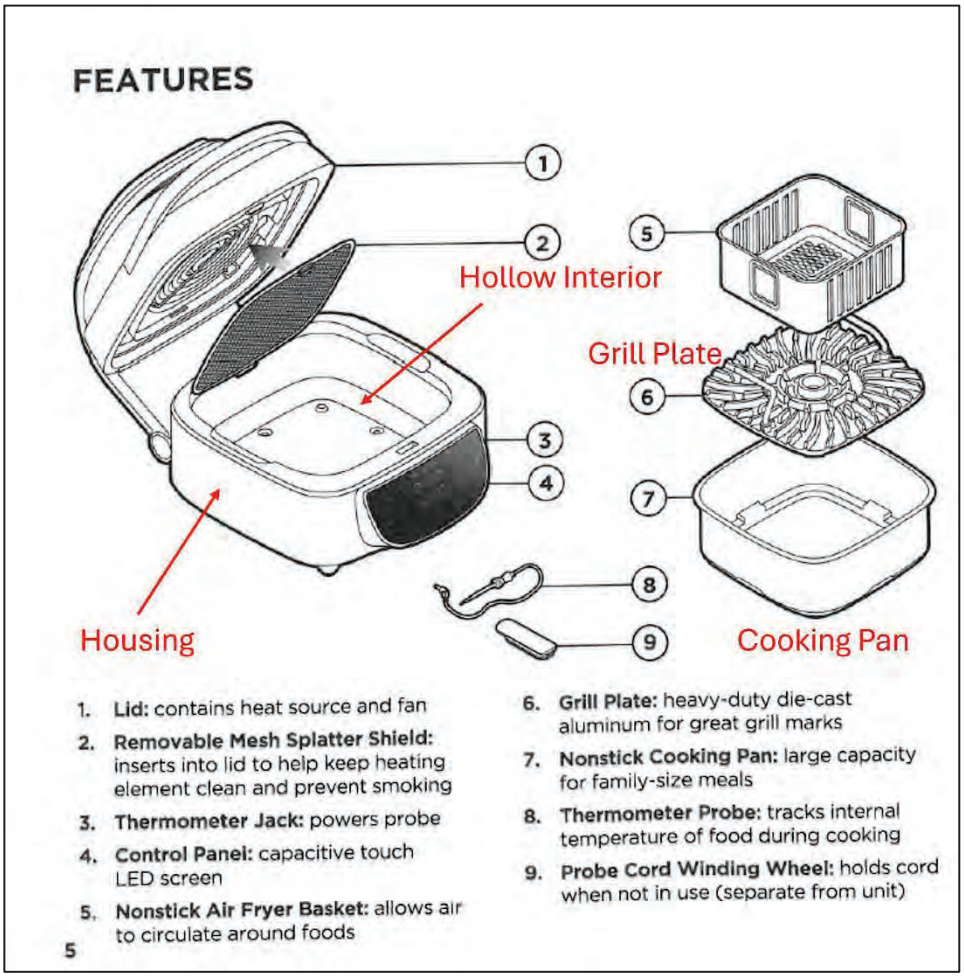
| U.S. Patent No. 11,033,146 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| said food container. | • Chefman Indoor Air Fryer + Grill product website (Available at: https://chefman.com/products/rj38-afg-7tp-v2?srsltid=AfmBOoqZtjnGGJe2q60MlLCNur8NPBLZsxlg-KKyc5sDhyUz50WkOWjQ) (showing food in the cooking pan):<br> <br><br>• Ex. G at 9 (annotations added): |

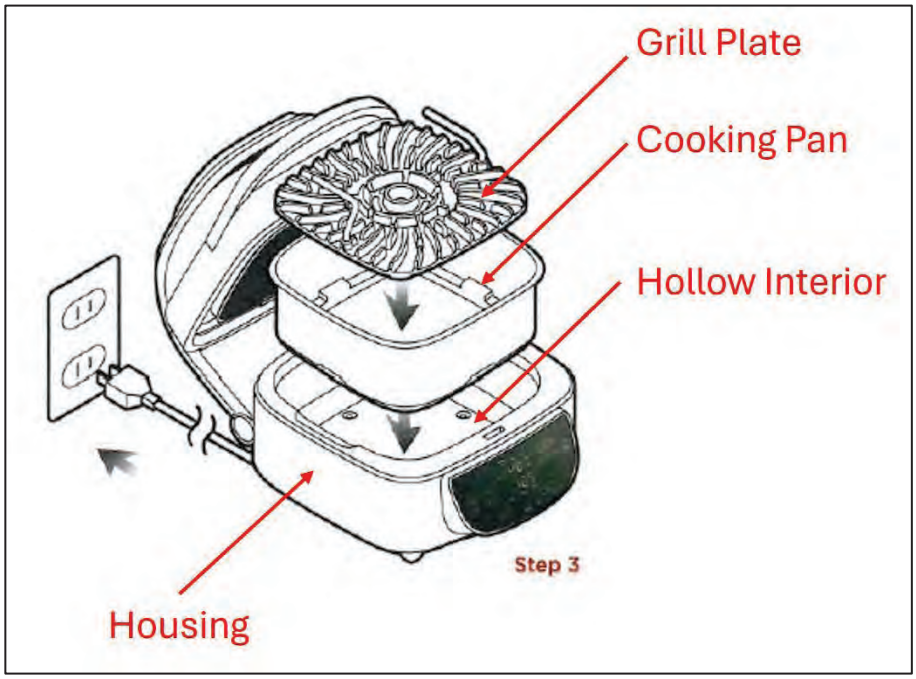
| U.S. Patent No. 11,033,146 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| |  <br>• Ex. G at 14 (annotations added): |

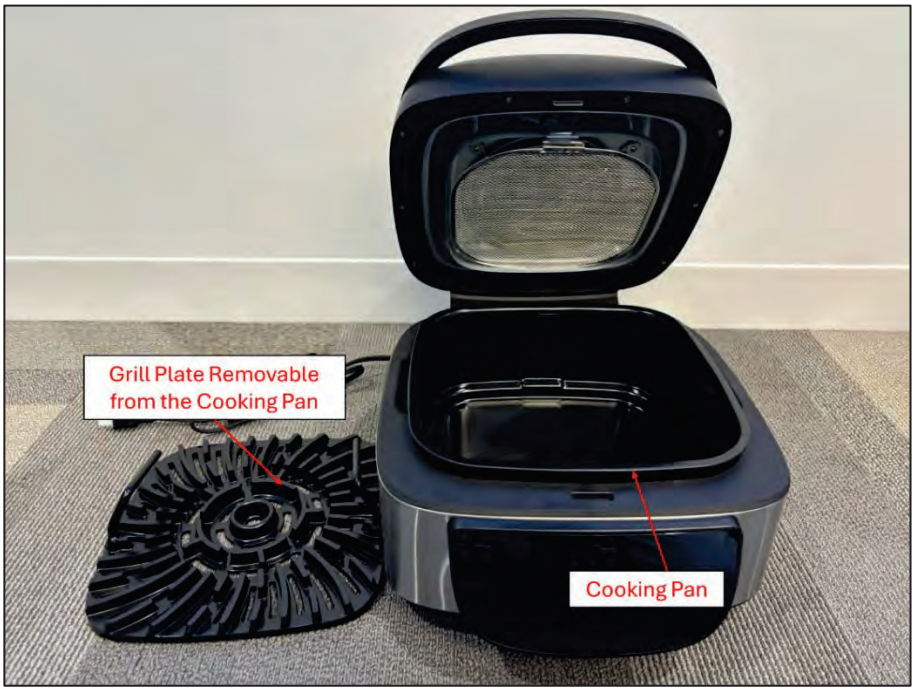
| U.S. Patent No. 11,033,146 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| |  <br>• As shown in the image below of the Chefman Indoor Air Fryer + Grill, the cooking pan is inserted into the hollow interior: |

| U.S. Patent No. 11,033,146 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| |  |

| U.S. Patent No. 11,033,146 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| |  <br>Second, the Chefman Indoor Air Fryer + Grill cooking system's grill plate ("support structure") is removably mounted within the cooking pan ("food container").<br>• Ex. G at 9 (annotations added): |

| U.S. Patent No. 11,033,146 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| |  <br>• Ex. G at 14 (annotations added): |

| U.S. Patent No. 11,033,146 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| |  <br>• The images below of the Chefman Indoor Air Fryer + Grill show that the grill plate is removable from the cooking pan and can be mounted within it: |

| U.S. Patent No. 11,033,146 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| |  |

| U.S. Patent No. 11,033,146 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| | |

57. On information and belief, Chefman has benefited from its infringement of the ’146 patent. Chefman’s use of the ’146 patent has made its Electric Indoor Air Fryer + Grill more effective and better able to uniformly and evenly heat food.

58. SharkNinja has sustained damages as a direct and proximate result of Chefman's infringement of the '146 patent. Chefman has used the invention of the '146 patent to directly compete with SharkNinja and its Ninja® Indoor Grill & Air Fryers, including the Ninja® Foodi® XL 6-in-1 Indoor Grill & Air Fryer (DG500 Series), Ninja® Foodi® 6-in-1 Indoor Grill & Air Fryer (EG200 Series), Ninja® Foodi® 5-in-1 Indoor Grill & Air Fryer (AG300 Series), Ninja® Foodi® 5-in-1 Indoor Grill & Air Fryer with Integrated Smart Probe (AG400 Series), Ninja® Foodi® XL 6-in-1 Indoor Grill & Air Fryer (BG500 Series), and Ninja® Foodi® 4-in-1 Indoor Grill & Air Fryer (FG500 Series). Chefman's infringement of the '146 patent has caused irreparable harm to SharkNinja and will continue to do so unless enjoined. As a result, SharkNinja is entitled to injunctive relief pursuant to 35 U.S.C. § 283. SharkNinja also is entitled to recover damages for Chefman's infringement under 35 U.S.C. § 284. The amount of damages will be proven at trial.

59. Chefman was put on notice of its infringement of the '146 patent at least as early as August 29, 2024, when it received a letter (the "Notice Letter") from SharkNinja regarding its infringement of the '146 patent.

60. Chefman was further put on notice of its infringement of the '146 patent at least as early as the filing of the Complaint in this action.

61. Chefman's continued infringement of the '146 patent after it has received notice of the '146 patent and its infringement of the patent is intentional, knowing, and willful.

## V. COUNT II: INFRINGEMENT OF THE '152 PATENT

62. SharkNinja incorporates by reference and realleges the allegations in paragraphs 1–61.

63. U.S. Patent No. 11,766,152 (Exhibit B), entitled "Cooking Device and Components Thereof," was duly and properly issued by the United States Patent and Trademark Office ("USPTO") on September 26, 2023.

64. SharkNinja owns all rights, title, and interest in the '152 patent.

65. The application for the '152 patent was filed on May 26, 2021 and claims priority to an application filed on February 25, 2019.

66. Chefman has infringed, and continues to infringe, one or more claims of the '152 patent, including at least claim 1, in violation of 35 U.S.C. § 271 by, among other things, making, using, offering to sell, and/or selling within the United States, supplying or causing to be supplied in or from the United States, and/or importing into the United States, without authority or license, the Chefman Electric Indoor Air Fryer + Grill.

67. The claim chart below details examples of Chefman's infringement, using the Chefman Electric Indoor Air Fryer + Grill, 5-in-1, Removable Integrated Probe Thermometer version of the Chefman Electric Indoor Air Fryer + Grill.

| **U.S. Patent No. 11,766,152** | **Evidence of Infringement: Chefman Indoor Air Fryer + Grill** |
|---|---|
| 1[pre]<br><br>A cooking system, comprising: | The Chefman Indoor Air Fryer + Grill is a cooking system.<br><br>For example, the Chefman Indoor Air Fryer + Grill is a system that cooks foods using one of five cooking "functions," including "Grill," "Air Fry," "Roast," "Bake," and "Broil:"<br><br>• Ex. G at 11: |

| U.S. Patent No. 11,766,152 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|

## FEATURES

### COOKING FUNCTIONS AT A GLANCE

All five functions require the cooking pan to be inserted and can all be used with the probe. They differ in their temperature range, inserts used, and whether they include a Flip/Stir notification. (Note that you can ignore or amend the notification as desired.)

| Function | Pan/Insert(s) Used | Temperature Range (°F) | Flip/Stir Notification? | Can You Use with Probe? |
|---|---|---|---|---|
| Grill | Cooking Pan + Grill Plate | 200-500 | Yes. Flip halfway through cooking time. | Yes |
| Air Fry | Cooking Pan + Air Fry Basket | 200-450 | Yes. Stir halfway through cooking time or every 15 minutes for longer cycles. | Yes |
| Roast | Cooking Pan | 200-450 | Yes. Stir halfway through cooking time. | Yes |
| Bake | Cooking Pan (can add an 8-inch cake pan or loaf pan, not included) | 200-450 | No | Yes |
| Broil | Cooking Pan | Two settings: Low (450) and High (500) | No | Yes |

The Chefman Indoor Air Fryer + Grill cooking system includes different pans or inserts that can be used to cook food in the different cooking functions. For example, the "Grill Plate" is used when cooking food with the "Grill" function:

- Ex. G at 11 (annotations added):

| U.S. Patent No. 11,766,152 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|

## FEATURES

### COOKING FUNCTIONS AT A GLANCE

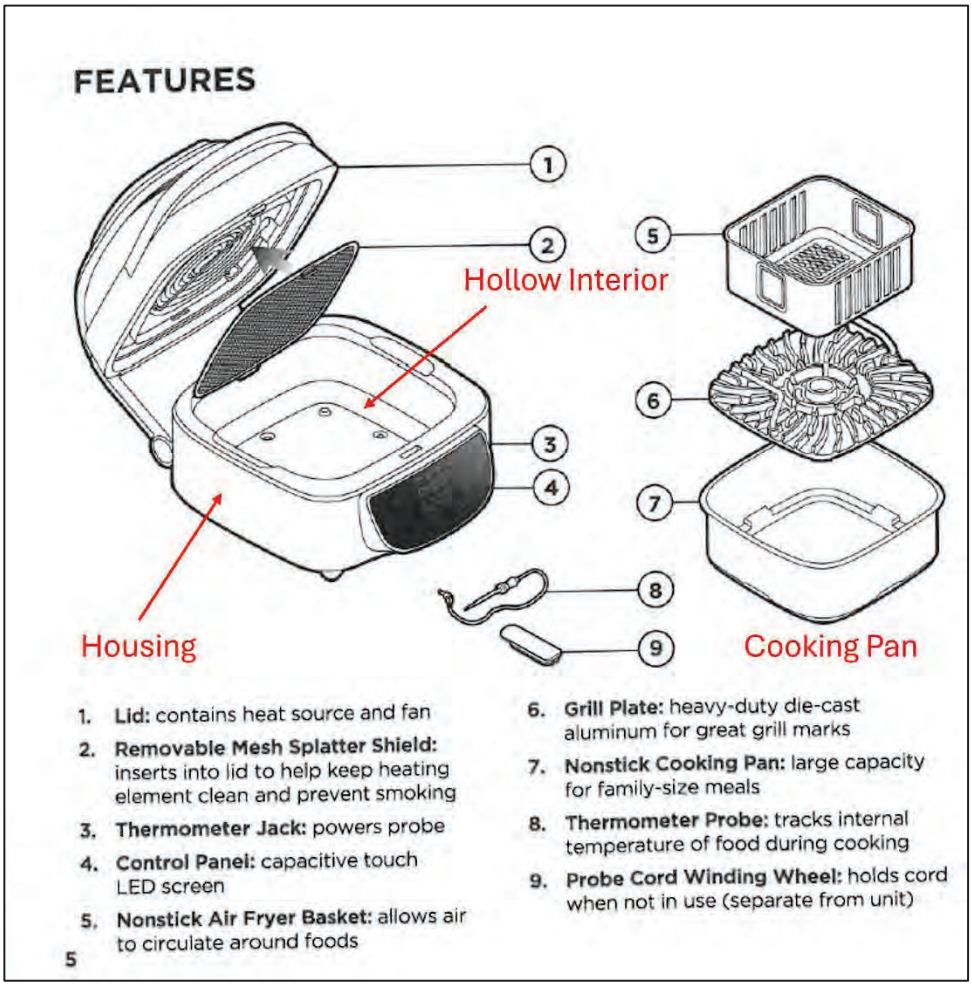
All five functions require the cooking pan to be inserted and can all be used with the probe. They differ in their temperature range, inserts used, and whether they include a Flip/Stir notification. (Note that you can ignore or amend the notification as desired.)

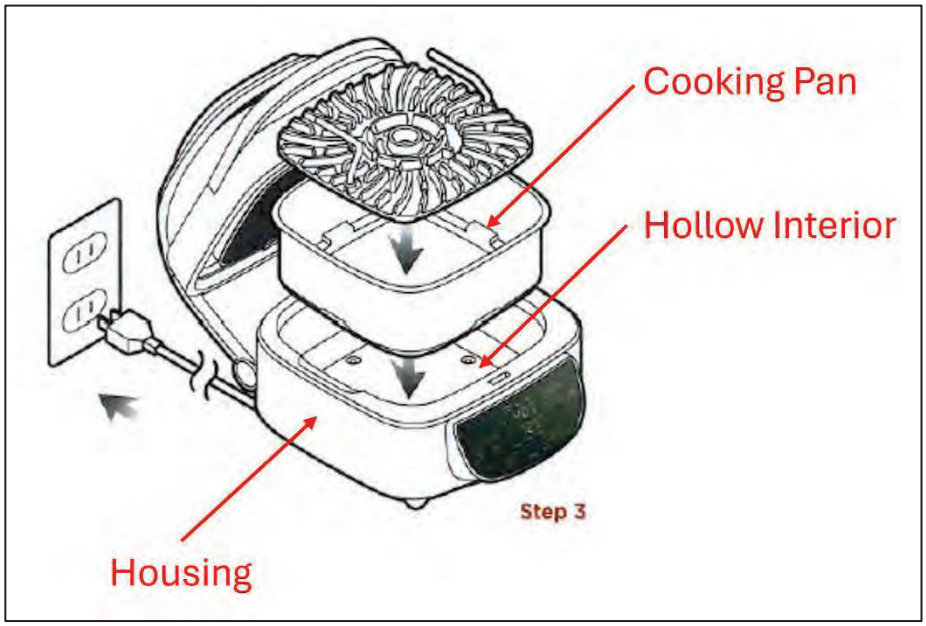
| Function | Pan/Insert(s) Used | Temperature Range (°F) | Flip/Stir Notification? | Can You Use with Probe? |
|---|---|---|---|---|
| Grill | Cooking Pan + Grill Plate | 200-500 | Yes. Flip halfway through cooking time. | Yes |
| Air Fry | Cooking Pan + Air Fry Basket | 200-450 | Yes. Stir halfway through cooking time or every 15 minutes for longer cycles. | Yes |
| Roast | Cooking Pan | 200-450 | Yes. Stir halfway through cooking time. | Yes |
| Bake | Cooking Pan (can add an 8-inch cake pan or loaf pan, not included) | 200-450 | No | Yes |
| Broil | Cooking Pan | Two settings: Low (450) and High (500) | No | Yes |

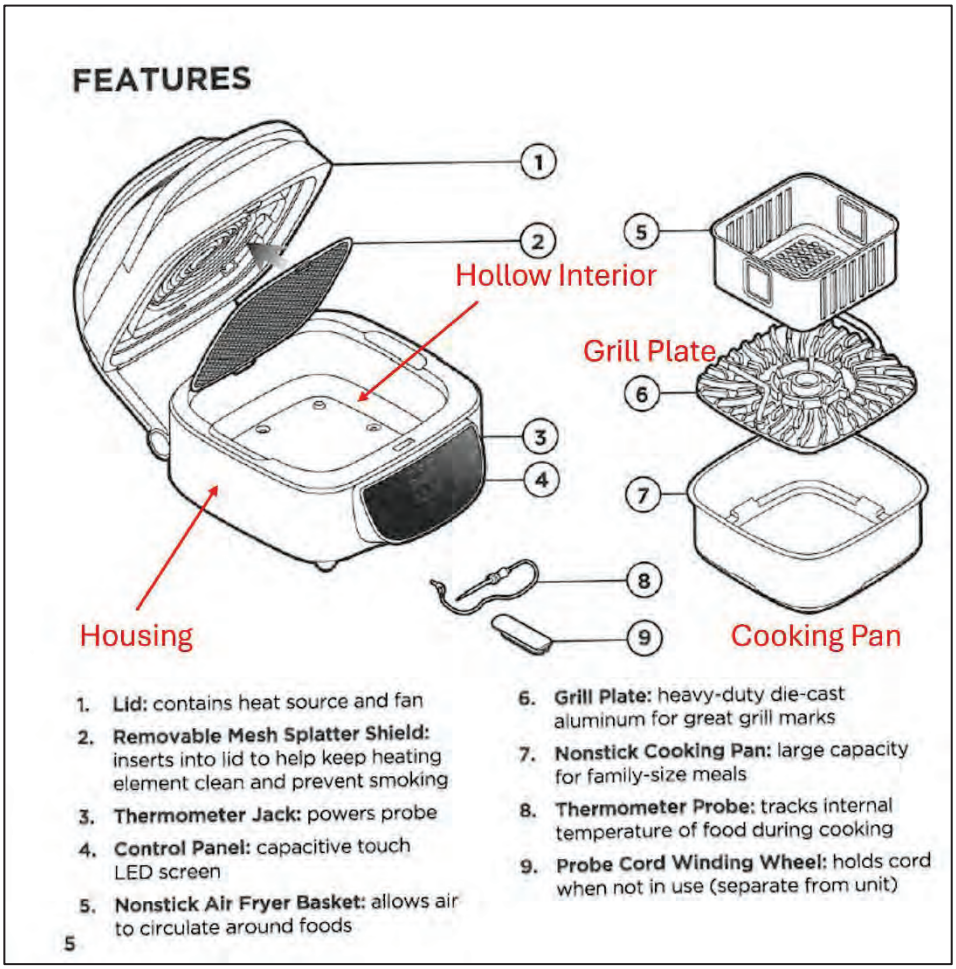
- Ex. G at 19 (annotations added):

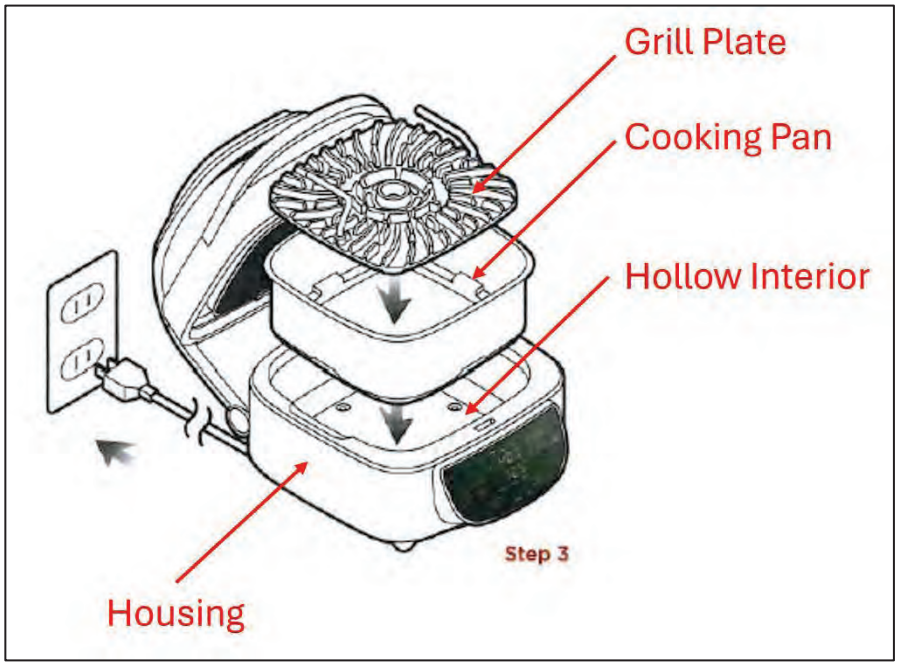
| U.S. Patent No. 11,766,152 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| | **OPERATING INSTRUCTIONS**<br><br>**HOW TO GRILL**<br>The heavy-duty grill plate is excellent at absorbing and retaining heat, so it gives your food the same gorgeous grill marks you'd get on an outdoor grill, while the closed environment cooks it to juicy perfection. The directions below are for cooking without the probe; if you would rather grill to a specific internal temperature, see How to Cook Using the Probe Thermometer on p. 9.<br>1. Set the unit on a hard, flat surface with at least 6 inches of clearance on the top and sides. Put the cooking pan in the unit and set the grill plate inside. Ensure the splatter shield is firmly in place and close the lid. Plug in the unit.<br>2. Prepare your food as specified in your recipe.<br>3. Press Grill on the control panel. The Grill button will illuminate in blue, and the default temperature of 450˚F will appear on the panel, with the bar above Med lit up (medium grill temperature).<br>4. Set the temperature and time. Press + or – on the Temp button to adjust the temperature from 200˚F to 500˚F in increments of 5˚F (the bar may move to the High or Low setting). Press + or – on the Time button to adjust the time from 1 to 60 minutes (20 minutes max if grilling at 500˚F) in increments of 1 minute.<br>5. Press Start/Stop. This will begin the unit's automatic preheat.<br>6. When the preheat is done, the unit will beep, and Add Food will display on the panel. Place food on the grill plate. **CAUTION:** The grill plate and grill plate handles will be hot.<br>7. Close the lid. The timer will begin counting down.<br>8. When the timer is halfway done, the unit will beep, and Flip will display on the panel. Flip foods as needed. Cooking will continue and the timer will resume counting down once the lid is closed.<br>9. When time is up, the unit will beep, and End will display on the panel. Carefully remove the food. **CAUTION:** Grill plate handles are hot. Check food for doneness, and enjoy.<br>15<br><br>• An image of the Chefman Indoor Air Fryer + Grill cooking system with a grill plate is shown below: |

| U.S. Patent No. 11,766,152 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| | |
| 1[a]<br><br>a housing having a hollow interior configured to receive food therein; | The Chefman Indoor Air Fryer + Grill cooking system includes a housing having a hollow interior configured to receive food therein.<br><br>First, the Chefman Indoor Air Fryer + Grill cooking system includes a housing having a hollow interior. A cooking pan or other inserts can be placed within the hollow interior.<br><br>• Ex. G at 9 (annotations added): |

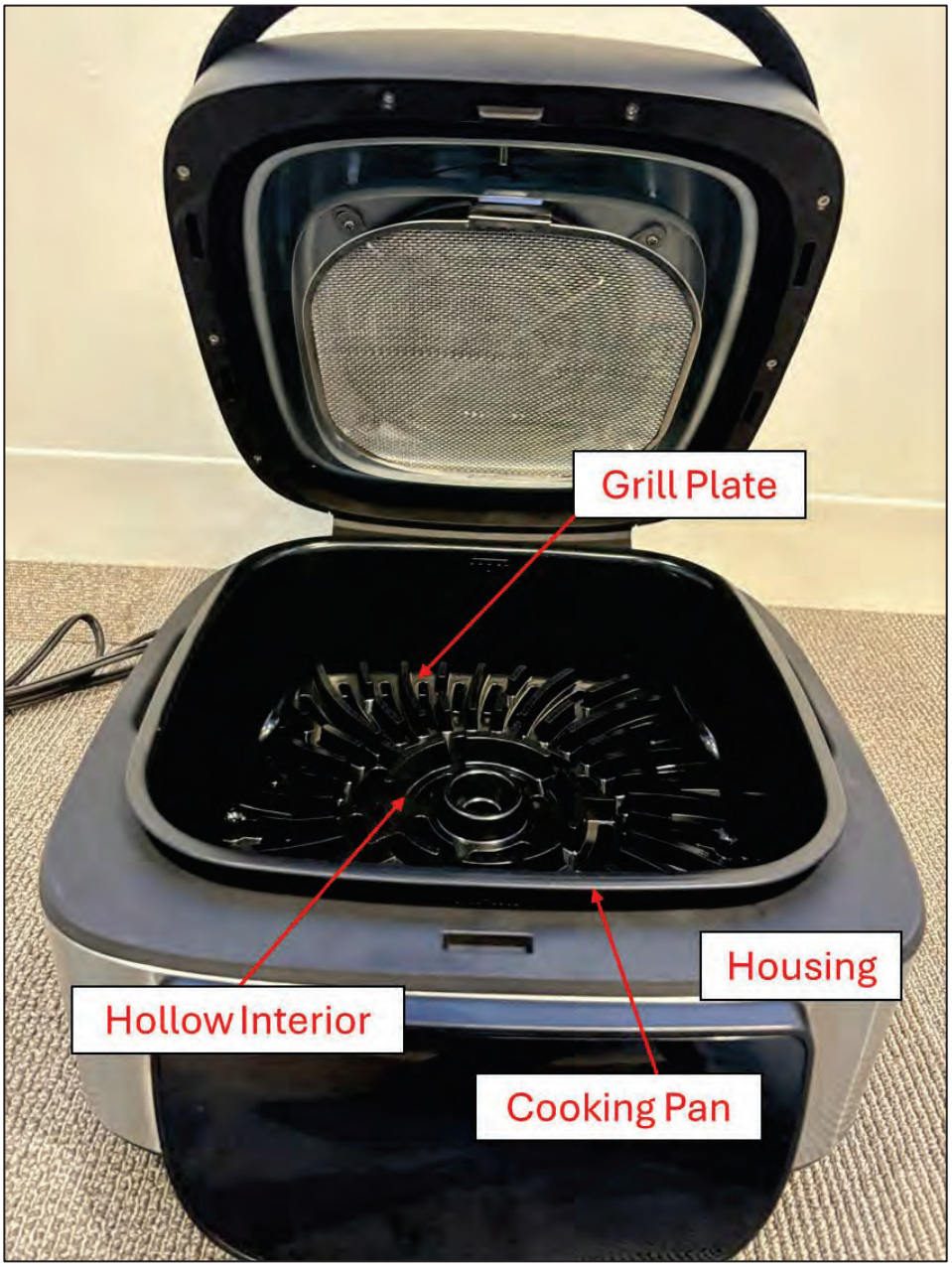
| U.S. Patent No. 11,766,152 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| |  <br>• Ex. G at 14 (annotations added): |

| U.S. Patent No. 11,766,152 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| |  <br>Second, the housing with the hollow interior is configured to receive food. For example, the cooking pan placed inside the hollow interior is configured to hold food or an additional component such as a grill plate. The food is placed in the cooking pan or on the grill plate for cooking.<br>• Ex. G at 9 (annotations added): |

| U.S. Patent No. 11,766,152 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| |  <br>• Ex. G at 14 (annotations added): |

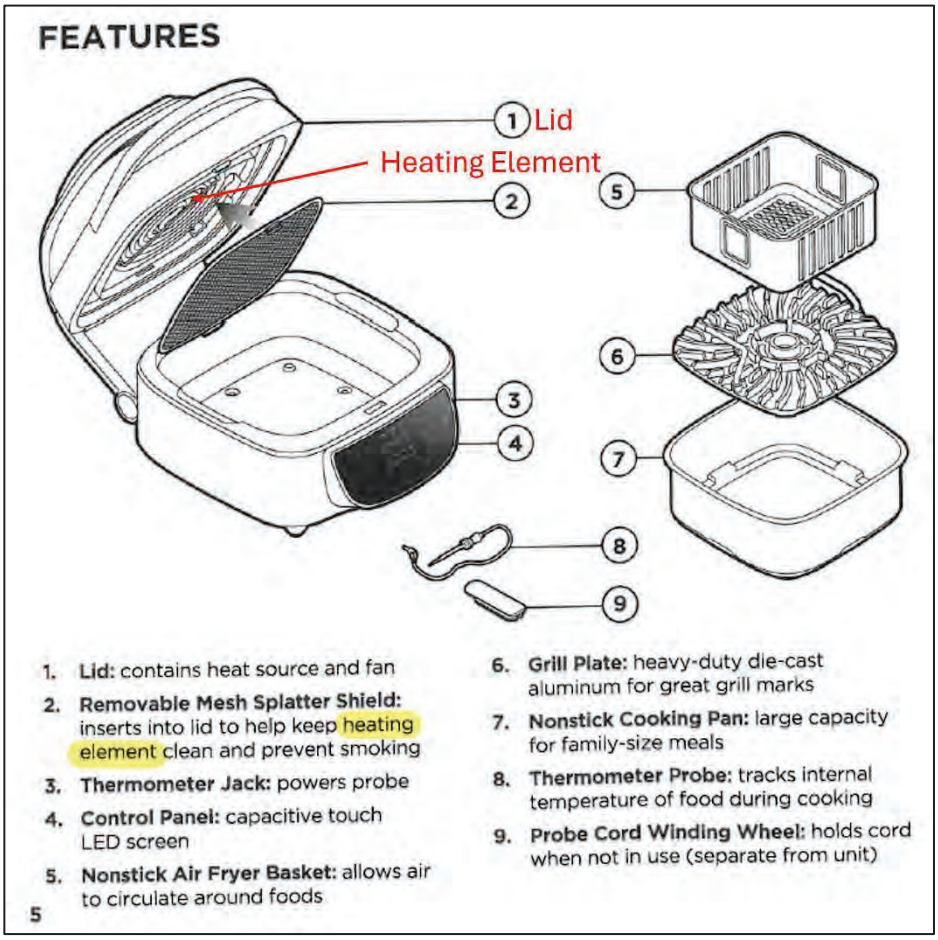
| U.S. Patent No. 11,766,152 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| |  <br>• Ex. G at 19 (annotations added): |

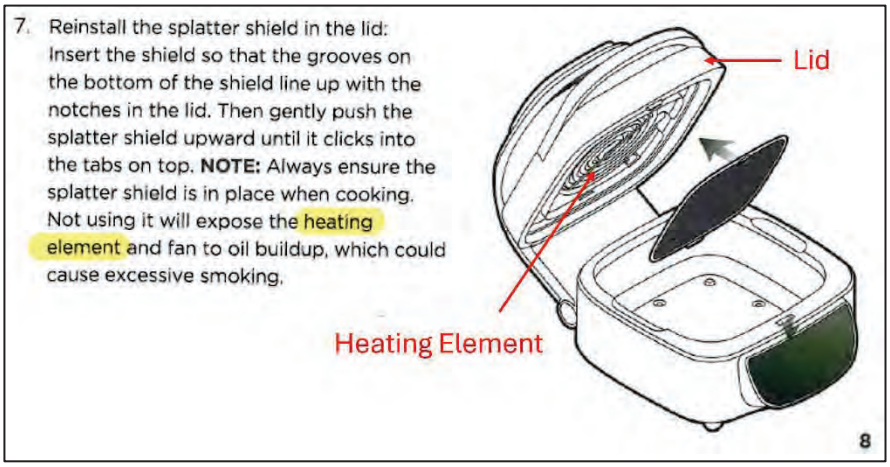
| U.S. Patent No. 11,766,152 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| | **OPERATING INSTRUCTIONS**<br><br>**HOW TO GRILL**<br>The heavy-duty grill plate is excellent at absorbing and retaining heat, so it gives your food the same gorgeous grill marks you'd get on an outdoor grill, while the closed environment cooks it to juicy perfection. The directions below are for cooking without the probe; if you would rather grill to a specific internal temperature, see How to Cook Using the Probe Thermometer on p. 9.<br>1. Set the unit on a hard, flat surface with at least 6 inches of clearance on the top and sides. Put the cooking pan in the unit and set the grill plate inside. Ensure the splatter shield is firmly in place and close the lid. Plug in the unit.<br>2. Prepare your food as specified in your recipe.<br>3. Press Grill on the control panel. The Grill button will illuminate in blue, and the default temperature of 450˚F will appear on the panel, with the bar above Med lit up (medium grill temperature).<br>4. Set the temperature and time. Press + or – on the Temp button to adjust the temperature from 200˚F to 500˚F in increments of 5˚F (the bar may move to the High or Low setting). Press + or – on the Time button to adjust the time from 1 to 60 minutes (20 minutes max if grilling at 500˚F) in increments of 1 minute.<br>5. Press Start/Stop. This will begin the unit's automatic preheat.<br>6. When the preheat is done, the unit will beep, and Add Food will display on the panel. Place food on the grill plate. **CAUTION:** The grill plate and grill plate handles will be hot.<br>7. Close the lid. The timer will begin counting down.<br>8. When the timer is halfway done, the unit will beep, and Flip will display on the panel. Flip foods as needed. Cooking will continue and the timer will resume counting down once the lid is closed.<br>9. When time is up, the unit will beep, and End will display on the panel. Carefully remove the food. **CAUTION:** Grill plate handles are hot. Check food for doneness, and enjoy.<br>15<br><br>• As shown in the image below of the Chefman Indoor Air Fryer + Grill, when the grill plate and cooking pan are placed within the housing, food placed on the grill plate is within the hollow interior of the housing: |

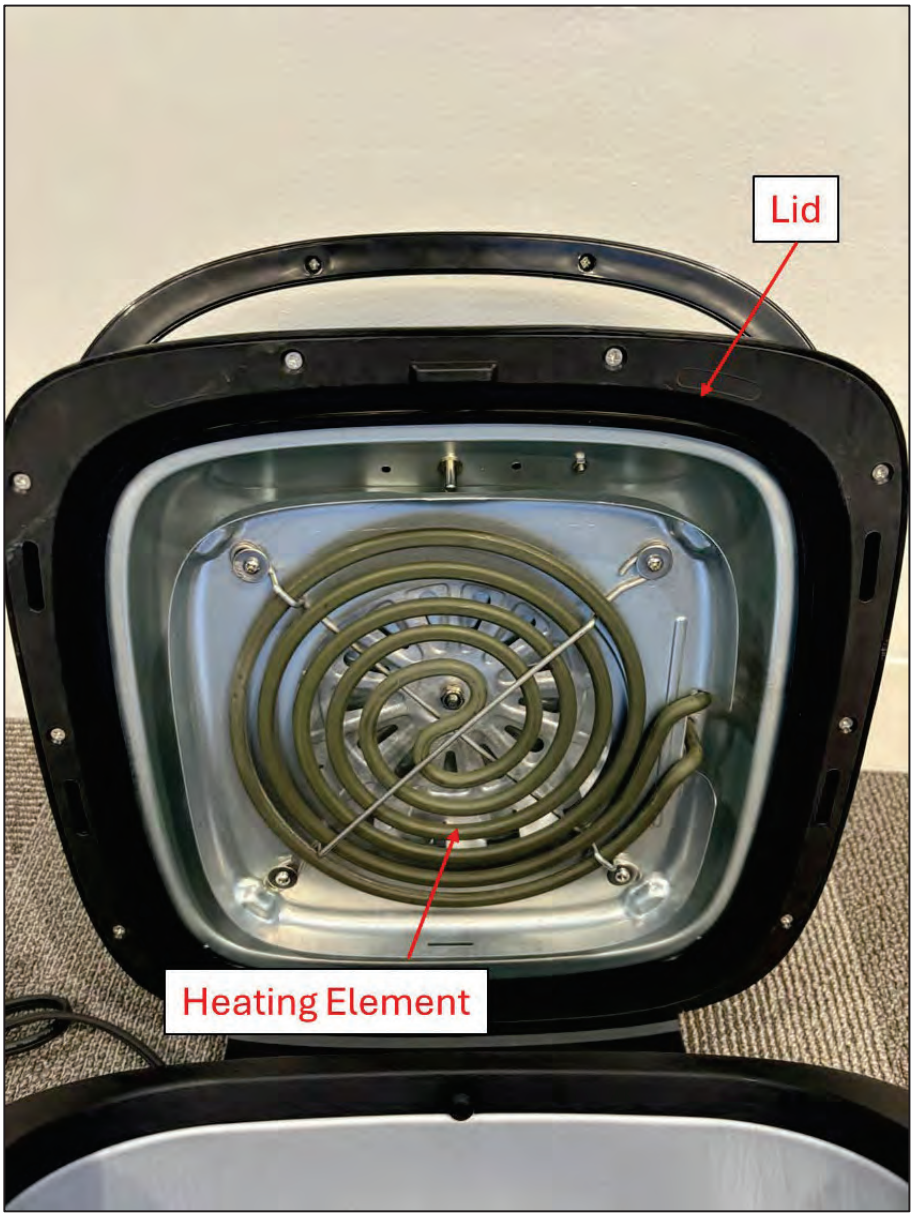
| U.S. Patent No. 11,766,152 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| |  <br>• Chefman Indoor Air Fryer + Grill product website (Available at: https://chefman.com/products/rj38-afg-7tp-v2?srsltid=AfmBOoqZtjnGGJe2q60MlLCNur8NPBLZsxlg-KKyc5sDhyUz50WkOWjQ): |

| U.S. Patent No. 11,766,152 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| | <br>• Chefman Indoor Air Fryer + Grill product website (Available at: https://chefman.com/products/rj38-afg-7tp-v2?srsltid=AfmBOoqZtjnGGJe2q60MlLCNur8NPBLZsxlg-KKyc5sDhyUz50WkOWjQ): |

| U.S. Patent No. 11,766,152 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| | |
| 1[b]<br><br>a heating element associated with the housing; and | The Chefman Indoor Air Fryer + Grill cooking system includes a heating element associated with the housing.<br><br>The ’152 patent explains that a heating element is associated with the housing at least when the heating element is mounted within the lid of the housing. *See, e.g.*, ’152 patent, Fig. 3, 6:54-55 (“the at least one heating element 82 is mounted within the lid 24”). The Chefman Indoor Air Fryer + Grill cooking system includes the same feature: an electric heating element is mounted to the lid of the housing.<br><br>• Ex. G at 9 (annotations added): |

| U.S. Patent No. 11,766,152 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| |  <br>• Ex. G at 12 (annotations added): |

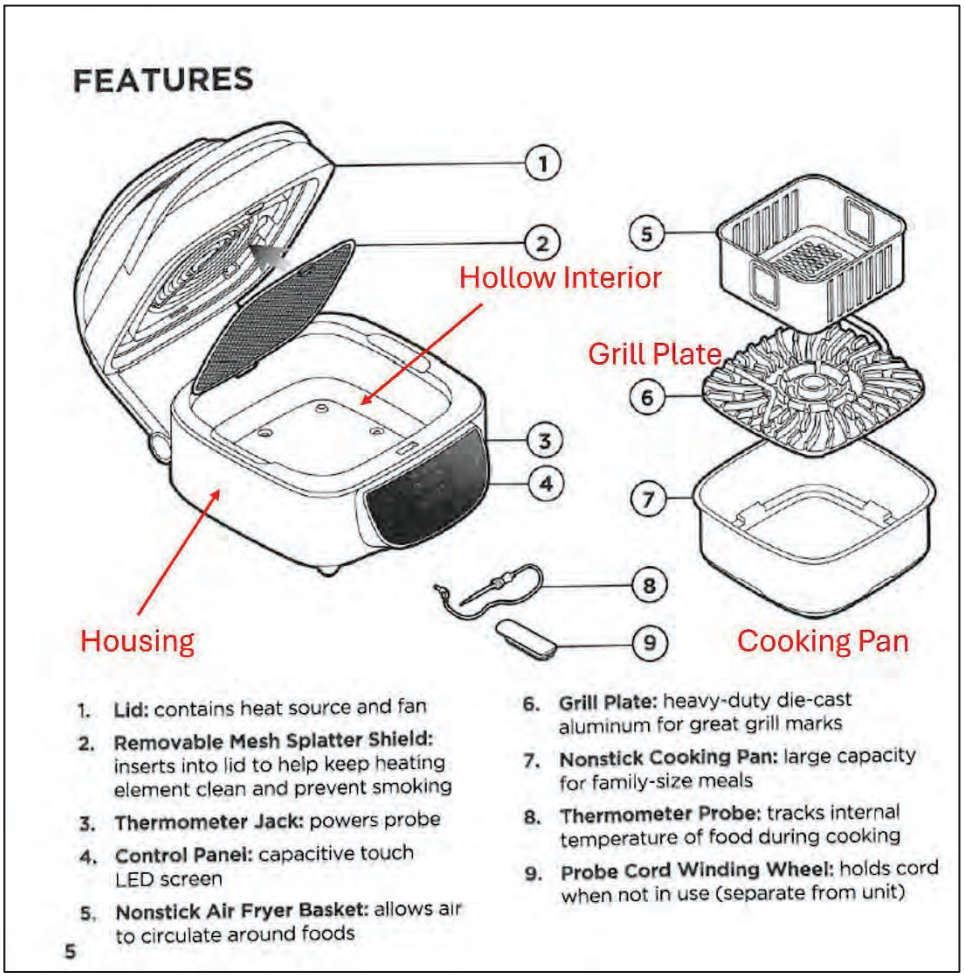
| U.S. Patent No. 11,766,152 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| |  <br>7. Reinstall the splatter shield in the lid: Insert the shield so that the grooves on the bottom of the shield line up with the notches in the lid. Then gently push the splatter shield upward until it clicks into the tabs on top. **NOTE:** Always ensure the splatter shield is in place when cooking. Not using it will expose the heating element and fan to oil buildup, which could cause excessive smoking.<br><br>• The image below of the Chefman Indoor Air Fryer + Grill shows the heating element mounted to the lid of the housing: |

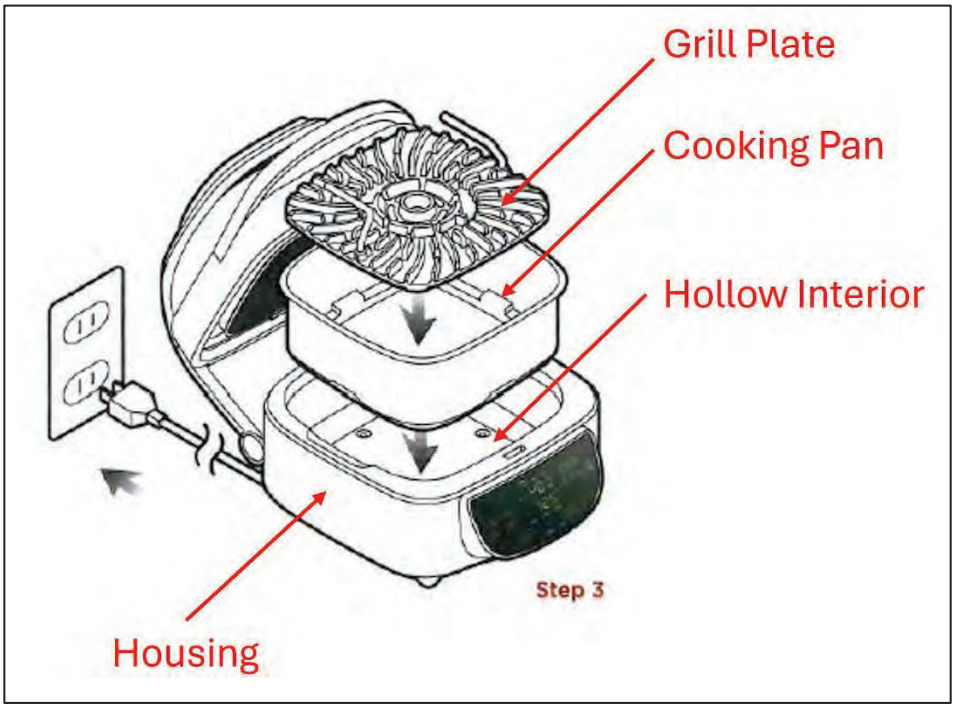
| U.S. Patent No. 11,766,152 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| |  |
| 1[c]<br><br>a support body configured to support food within the | The Chefman Indoor Air Fryer + Grill cooking system includes a support body configured to support food within the hollow interior, the support body including a support surface and an outer edge, wherein the support surface includes a plurality of diffuser ribs, the plurality of diffuser ribs being curved and including first ribs, second ribs, and third ribs, the first ribs extending radially inward between the outer edge to a first radial position on the |

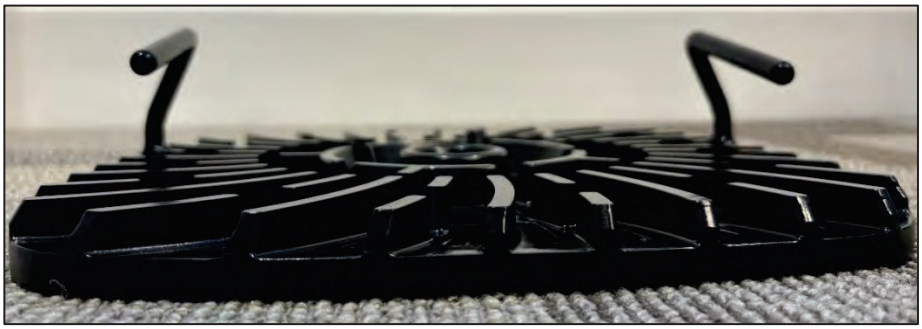
| U.S. Patent No. 11,766,152 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| hollow interior, the support body including a support surface and an outer edge, wherein the support surface includes a plurality of diffuser ribs, the plurality of diffuser ribs being curved and including first ribs, second ribs, and third ribs, the first ribs extending radially inward between the outer edge to a first radial position on the support surface, the second ribs extending radially inward between the outer edge to a second radial position, and the third ribs extending radially inward between the outer edge to a third radial position, the first, second, and third radial positions being | support surface, the second ribs extending radially inward between the outer edge to a second radial position, and the third ribs extending radially inward between the outer edge to a third radial position, the first, second, and third radial positions being different from one another.<br><br>First, the Chefman Indoor Air Fryer + Grill cooking system includes a support body configured to support food within the hollow interior. Specifically, the Chefman Indoor Air Fryer + Grill cooking system includes a grill plate that is a support body and supports food within the hollow interior.<br><br>• Ex. G at 19 (annotations added):<br><br>**OPERATING INSTRUCTIONS**<br><br>**HOW TO GRILL**<br>The heavy-duty grill plate is excellent at absorbing and retaining heat, so it gives your food the same gorgeous grill marks you'd get on an outdoor grill, while the closed environment cooks it to juicy perfection. The directions below are for cooking without the probe; if you would rather grill to a specific internal temperature, see How to Cook Using the Probe Thermometer on p. 9.<br>1. Set the unit on a hard, flat surface with at least 6 inches of clearance on the top and sides. Put the cooking pan in the unit and set the grill plate inside. Ensure the splatter shield is firmly in place and close the lid. Plug in the unit.<br>2. Prepare your food as specified in your recipe.<br>3. Press Grill on the control panel. The Grill button will illuminate in blue, and the default temperature of 450˚F will appear on the panel, with the bar above Med lit up (medium grill temperature).<br>4. Set the temperature and time. Press + or – on the Temp button to adjust the temperature from 200˚F to 500˚F in increments of 5˚F (the bar may move to the High or Low setting). Press + or – on the Time button to adjust the time from 1 to 60 minutes (20 minutes max if grilling at 500˚F) in increments of 1 minute.<br>5. Press Start/Stop. This will begin the unit's automatic preheat.<br>6. When the preheat is done, the unit will beep, and Add Food will display on the panel. Place food on the grill plate. **CAUTION:** The grill plate and grill plate handles will be hot.<br>7. Close the lid. The timer will begin counting down.<br>8. When the timer is halfway done, the unit will beep, and Flip will display on the panel. Flip foods as needed. Cooking will continue and the timer will resume counting down once the lid is closed.<br>9. When time is up, the unit will beep, and End will display on the panel. Carefully remove the food. **CAUTION:** Grill plate handles are hot. Check food for doneness, and enjoy.<br>15<br><br>• Chefman Indoor Air Fryer + Grill product website (Available at: https://chefman.com/products/rj38-afg-7tp-v2?srsltid=AfmBOoqZtjnGGJe2q60MlLCNur8NPBLZsxlg- |

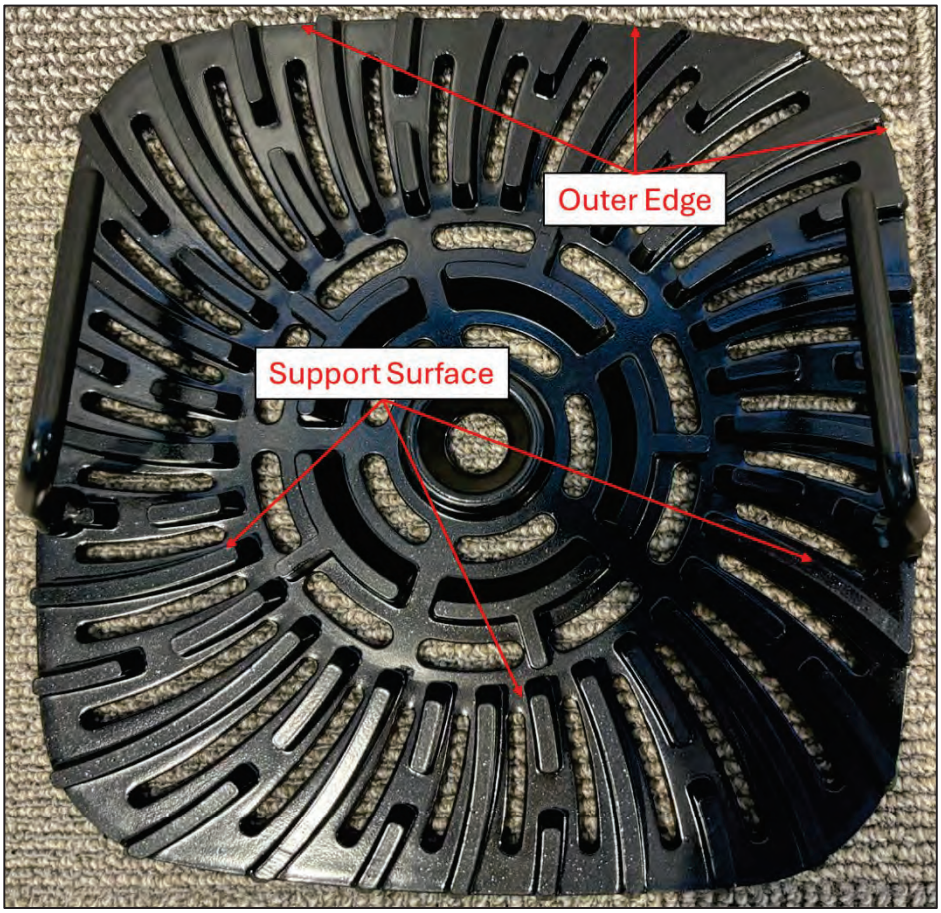
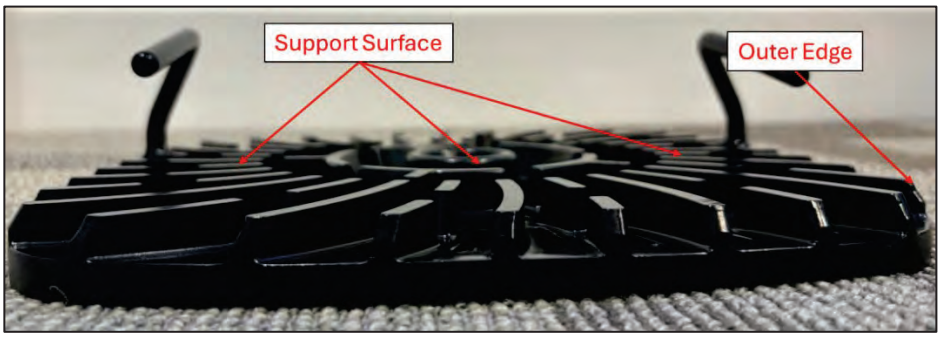
| U.S. Patent No. 11,766,152 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| different from one another. | KKyc5sDhyUz50WkOWjQ):<br> <br><br>• Chefman Indoor Air Fryer + Grill product website (Available at: https://chefman.com/products/rj38-afg-7tp-v2?srsltid=AfmBOoqZtjnGGJe2q60MlLCNur8NPBLZsxlg-KKyc5sDhyUz50WkOWjQ): |

| U.S. Patent No. 11,766,152 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| | <br>• Ex. G at 9 (annotations added): |

| U.S. Patent No. 11,766,152 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| |  <br>• Ex. G at 14 (annotations added): |

| U.S. Patent No. 11,766,152 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| |  <br>• The top and side views of the grill plate (i.e., support body) are shown in the images below of the Chefman Indoor Air Fryer + Grill: |

| U.S. Patent No. 11,766,152 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| | <br>  <br>Second, the support body of the Chefman Indoor Air Fryer + Grill cooking system (grill plate) includes a support surface and an outer edge, as shown in the image below of the grill plate of the Chefman Indoor Air Fryer + Grill: |

| U.S. Patent No. 11,766,152 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| |  <br>  <br>As shown below, the top of the grill plate supports food:<br>o Chefman Indoor Air Fryer + Grill product website (Available at: https://chefman.com/products/rj38-afg-7tp-v2?srsltid=AfmBOoqZtjnGGJe2q60MlLCNur8NPBLZsxlg- |

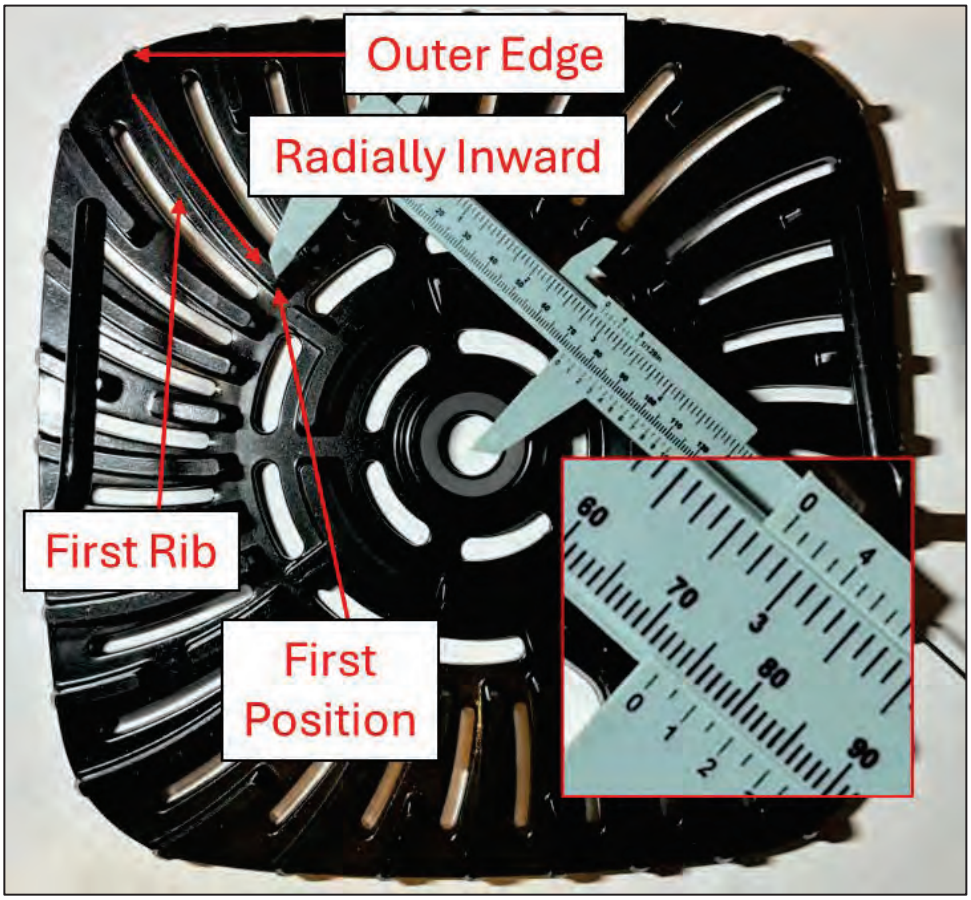
| U.S. Patent No. 11,766,152 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| | KKyc5sDhyUz50WkOWjQ):<br> <br><br>• Chefman Indoor Air Fryer + Grill product website (Available at: https://chefman.com/products/rj38-afg-7tp-v2?srsltid=AfmBOoqZtjnGGJe2q60MlLCNur8NPBLZsxlg-KKyc5sDhyUz50WkOWjQ): |

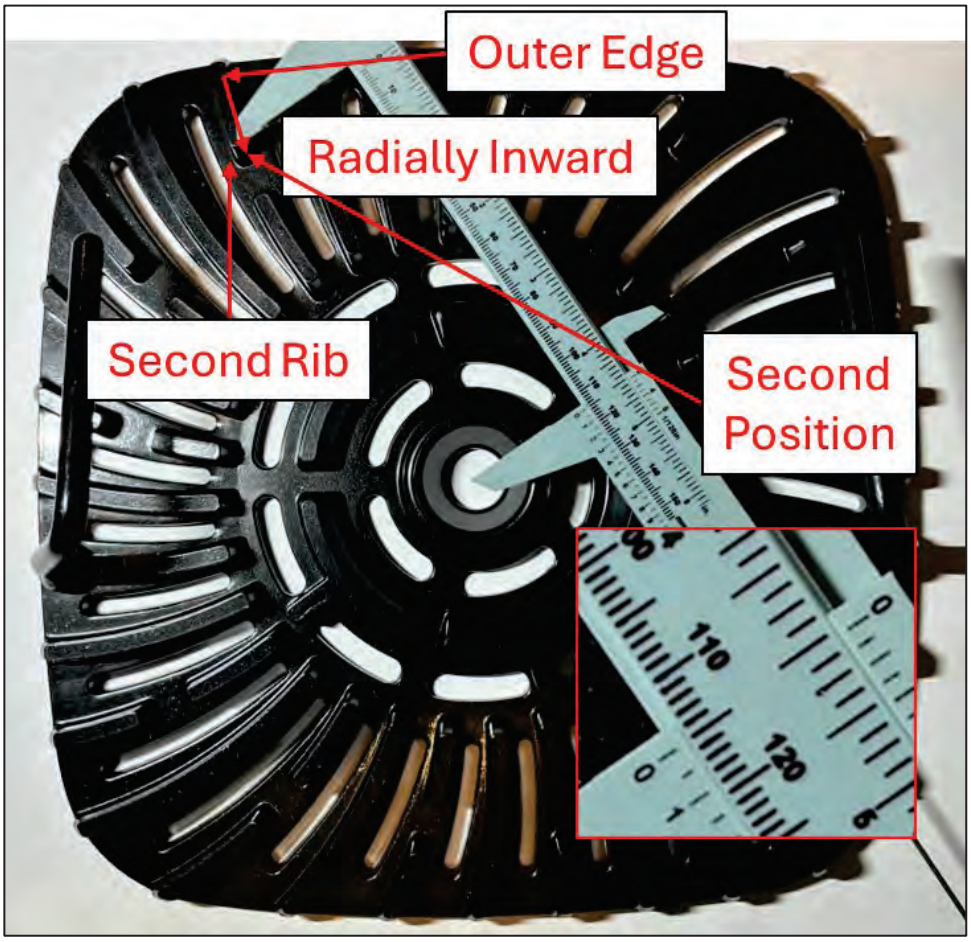
| U.S. Patent No. 11,766,152 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| | <br><br><br>Third, the support surface of the Chefman Indoor Air Fryer + Grill cooking system (grill plate) includes a plurality of diffuser ribs, the plurality of diffuser ribs being curved and including first ribs, second ribs, and third ribs.<br><br>• The grill plate of the Chefman Indoor Air Fryer + Grill leaves grill marks on the underside of food and heats up to 500˚F. This shows that the ribs diffuse hot air along the plate to heat up the ribs:<br><br>o Chefman Indoor Air Fryer + Grill product website (Available at: https://chefman.com/products/rj38-afg-7tp-v2?srsltid=AfmBOoqZtjnGGJe2q60MlLCNur8NPBLZsxlg-KKyc5sDhyUz50WkOWjQ) (“BRING THE BBQ INSIDE!: Virtually smokeless indoor grill features **heavy-duty aluminum grill plate for great grill marks**. Heats up to 500˚F with one-touch presets for perfectly cooked chicken, meat, and fish and a flip indicator so you can multitask while your food cooks.”) (emphasis added).<br><br>o Ex. G at 19 (“Grill Plate: heavy-duty die-cast aluminum for great grill marks”)<br><br>• The curved first, second, and third diffuser ribs of the grill plate are shown below: |

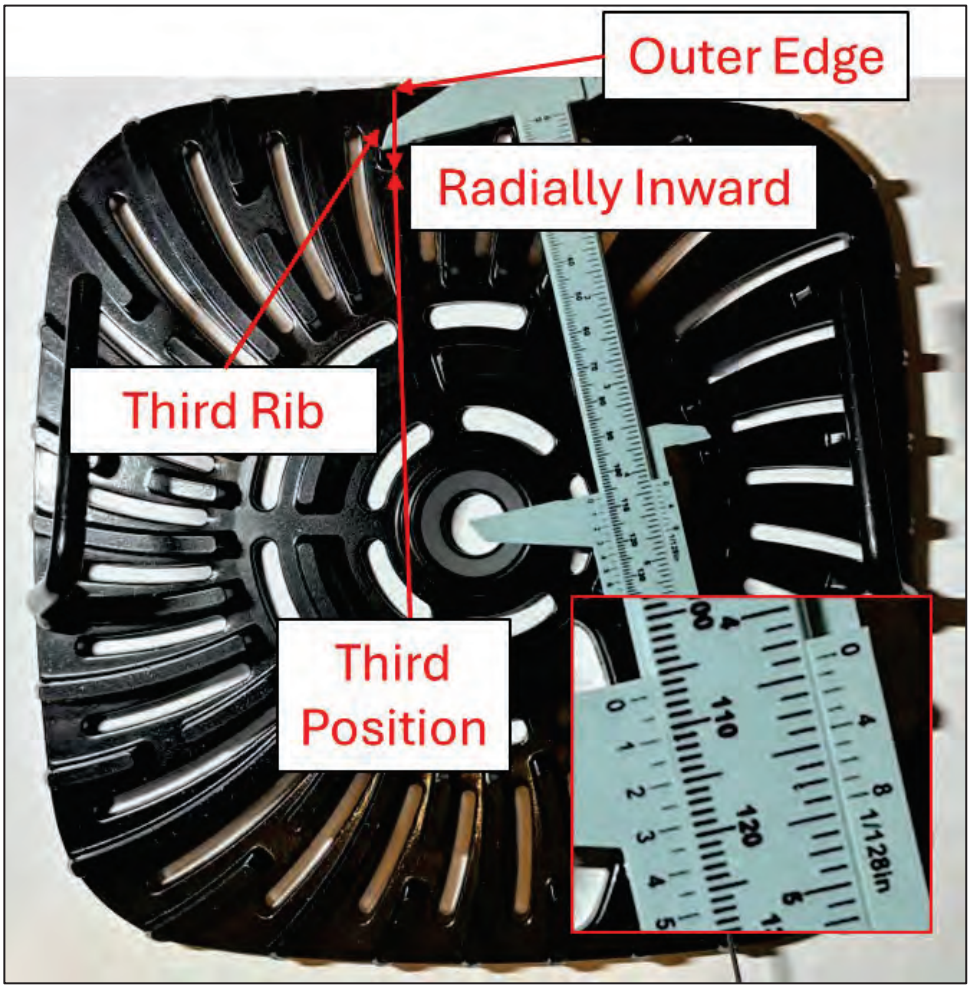
| U.S. Patent No. 11,766,152 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| | |

| U.S. Patent No. 11,766,152 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| | |

| U.S. Patent No. 11,766,152 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| | <br>Finally, the first ribs of the Chefman Indoor Air Fryer + Grill cooking system extend radially inward between the outer edge to a first radial position on the support surface, the second ribs extend radially inward between the outer edge to a second radial position, and the third ribs extend radially inward between the outer edge to a third radial position, with the first, second, and third radial positions being different from one another.<br><br>As shown in the image of the Chefman Indoor Air Fryer + Grill below, the first ribs extend radially inward between the outer edge to a first radial position 73mm from the inner radius: |

| U.S. Patent No. 11,766,152 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| |  <br>As shown in the image of the Chefman Indoor Air Fryer + Grill below, the second ribs extend radially inward between the outer edge to a second radial position 115mm from the inner radius: |

| U.S. Patent No. 11,766,152 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| |  <br>As shown in the image of the Chefman Indoor Air Fryer + Grill below, the third ribs extend radially inward between the outer edge to a third radial position 109mm from the inner radius: |

| U.S. Patent No. 11,766,152 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| |  |

68. On information and belief, Chefman has benefited from its infringement of the ’152 patent. Chefman’s use of the ’152 patent has made its Electric Indoor Air Fryer + Grill more effective and better able to uniformly and evenly heat food.

69. SharkNinja has sustained damages as a direct and proximate result of Chefman’s infringement of the ’152 patent. Chefman has used the invention of the ’152 patent to directly compete with SharkNinja and its Ninja® Indoor Grill & Air Fryers, including Ninja® Foodi® XL

6-in-1 Indoor Grill & Air Fryer (DG500 Series), Ninja® Foodi® 6-in-1 Indoor Grill & Air Fryer (EG200 Series), Ninja® Foodi® 5-in-1 Indoor Grill & Air Fryer (AG300 Series), Ninja® Foodi® 5-in-1 Indoor Grill & Air Fryer with Integrated Smart Probe (AG400 Series), Ninja® Foodi® XL 6-in-1 Indoor Grill & Air Fryer (BG500 Series), and Ninja® Foodi® 4-in-1 Indoor Grill & Air Fryer (FG500 Series). Chefman's infringement of the '152 patent has caused irreparable harm to SharkNinja and will continue to do so unless enjoined. As a result, SharkNinja is entitled to injunctive relief pursuant to 35 U.S.C. § 283. SharkNinja also is entitled to recover damages for Chefman's infringement under 35 U.S.C. § 284. The amount of damages will be proven at trial.

70. Chefman was put on notice of its infringement of the '152 patent at least as early as August 29, 2024, when it received the Notice Letter from SharkNinja regarding its infringement of the '152 patent.

71. Chefman was further put on notice of its infringement of the '152 patent at least as early as the filing of the Complaint in this action.

72. Chefman's continued infringement of the '152 patent after it has received notice of the '152 patent and its infringement of the patent is intentional, knowing, and willful.

## VI. COUNT III: INFRINGEMENT OF THE '654 PATENT

73. SharkNinja incorporates by reference and realleges the allegations in paragraphs 1–72.

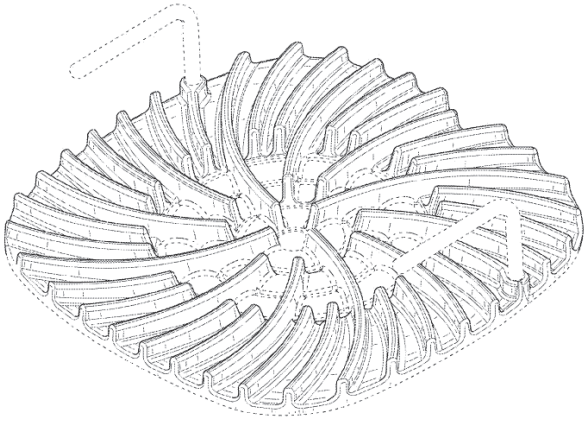
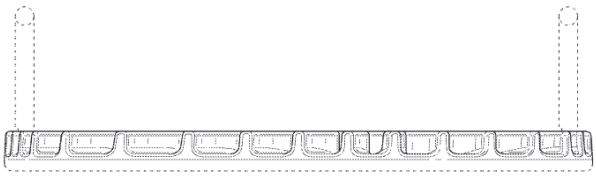
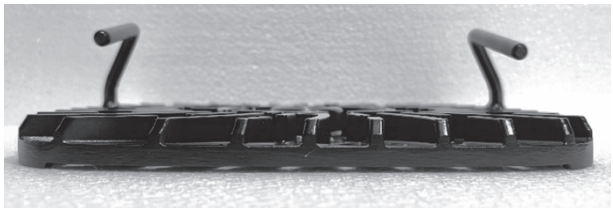
74. U.S. Patent No. D918,654 (Exhibit C), entitled "Grill Plate," was duly and properly issued by the United States Patent and Trademark Office ("USPTO") on May 11, 2021.

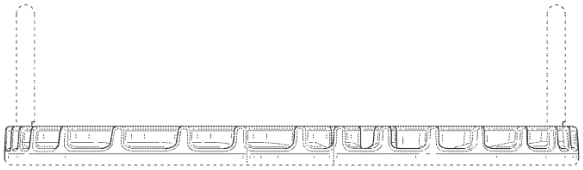
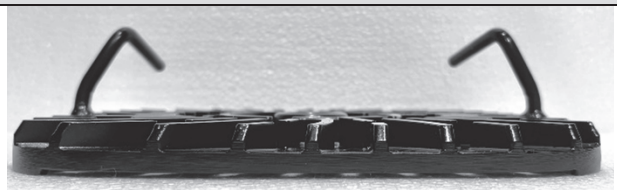
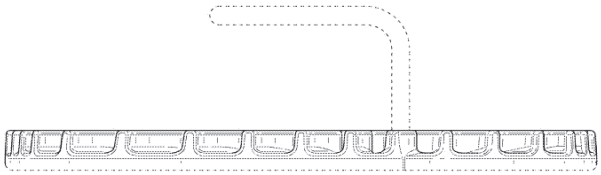
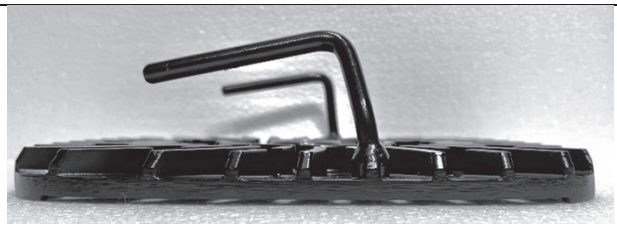
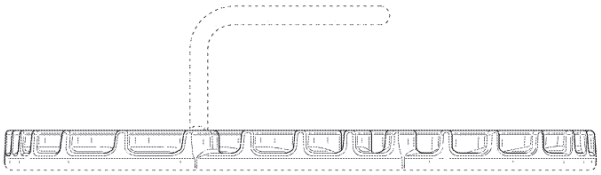
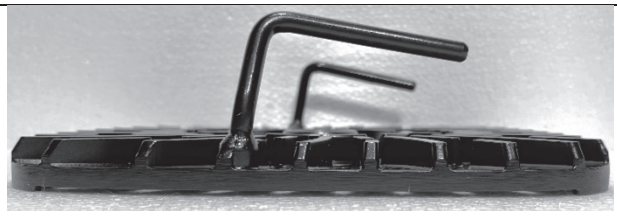
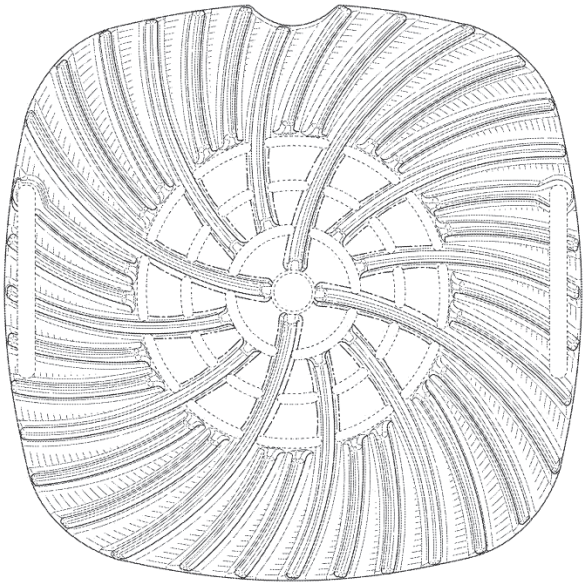
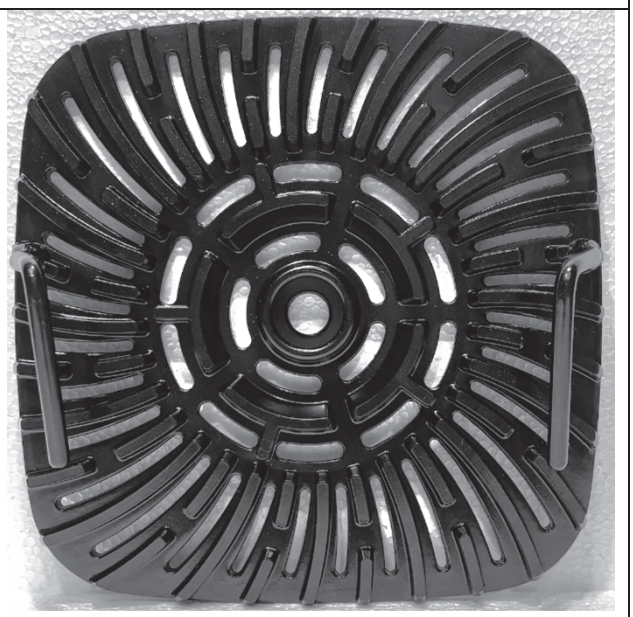
75. SharkNinja owns all rights, title, and interest in the '654 patent.

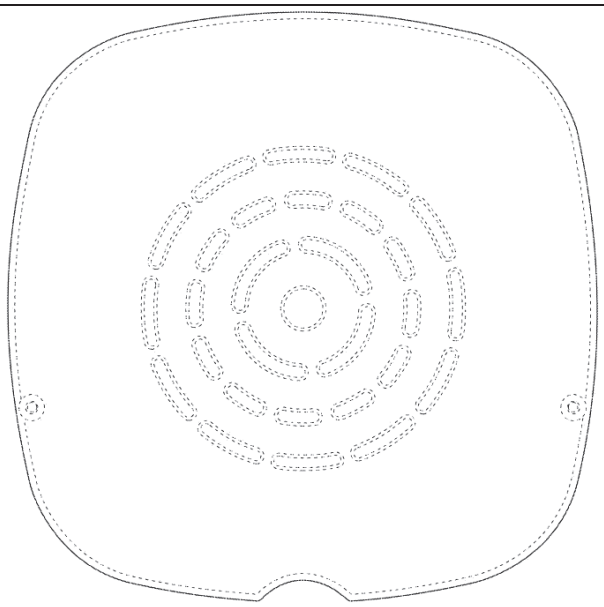
76. The application for the '654 patent was filed on June 6, 2019.

77. Chefman has infringed, and continues to infringe, the claim of the ’654 patent, in violation of 35 U.S.C. § 271 by, among other things, making, using, offering to sell, and/or selling within the United States, supplying or causing to be supplied in or from the United States, and/or importing into the United States, without authority or license, the Chefman Indoor Air Fryer + Grill product.

78. The claim chart below details examples of Chefman’s infringement, using the Chefman Electric Indoor Air Fryer + Grill, 5-in-1, Removable Integrated Probe Thermometer version of the Chefman Electric Indoor Air Fryer + Grill.

| **U.S. Patent No. D918,654** | **Evidence of Infringement: Chefman Indoor Air Fryer + Grill** |
|---|---|
|  <br>FIG. 1 | |
|  <br>FIG. 2 |  |

| U.S. Patent No. D918,654 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
|  FIG. 3 |  |
|  FIG. 4 |  |
|  FIG. 5 |  |
|  |  |

| U.S. Patent No. D918,654 | Evidence of Infringement: Chefman Indoor Air Fryer + Grill |
|---|---|
| FIG. 6 | |
|  FIG. 7 | |

79. On information and belief, Chefman has benefited from its infringement of the ’654 patent. Chefman’s use of the design of ’654 patent has enhanced the ornamental appearance of its Electric Indoor Air Fryer + Grill product.

80. SharkNinja has sustained damages as a direct and proximate result of Chefman’s infringement of the ’654 patent. Chefman has used the invention of the ’654 patent to directly compete with SharkNinja and its Ninja® Foodi® 5-in-1 Indoor Grill & Air Fryer (AG300 Series) and Ninja® Foodi® 5-in-1 Indoor Grill & Air Fryer with Integrated Smart Probe (AG400 Series). Chefman’s infringement of the ’654 patent has caused irreparable harm to SharkNinja and will continue to do so unless enjoined. As a result, SharkNinja is entitled to injunctive relief pursuant to 35 U.S.C. § 283. SharkNinja also is entitled to recover damages for Chefman’s infringement under 35 U.S.C. §§ 284 and 289, including an award of any and all profits received or derived by Chefman from the manufacture, marketing, sale, offering for sale and/or distribution of products

or services bearing or using any copy or colorable limitation of the ’654 patent. The amount of damages will be proven at trial.

81. Chefman was put on notice of its infringement of the ’654 patent at least as early as the filing of the Complaint in this action.

82. Chefman’s continued infringement of the ’654 patent after it has received notice of the ’654 patent and its infringement of the patent is intentional, knowing, and willful.

## VII. COUNT IV: INFRINGEMENT OF THE ’026 PATENT

83. SharkNinja incorporates by reference and realleges the allegations in paragraphs 1–82.

84. U.S. Patent No. 11,389,026 (Exhibit D), entitled “Cooking Device and Components Thereof,” was duly and properly issued by the United States Patent and Trademark Office (“USPTO”) on July 19, 2022.

85. SharkNinja owns all rights, title, and interest in the ’026 patent.

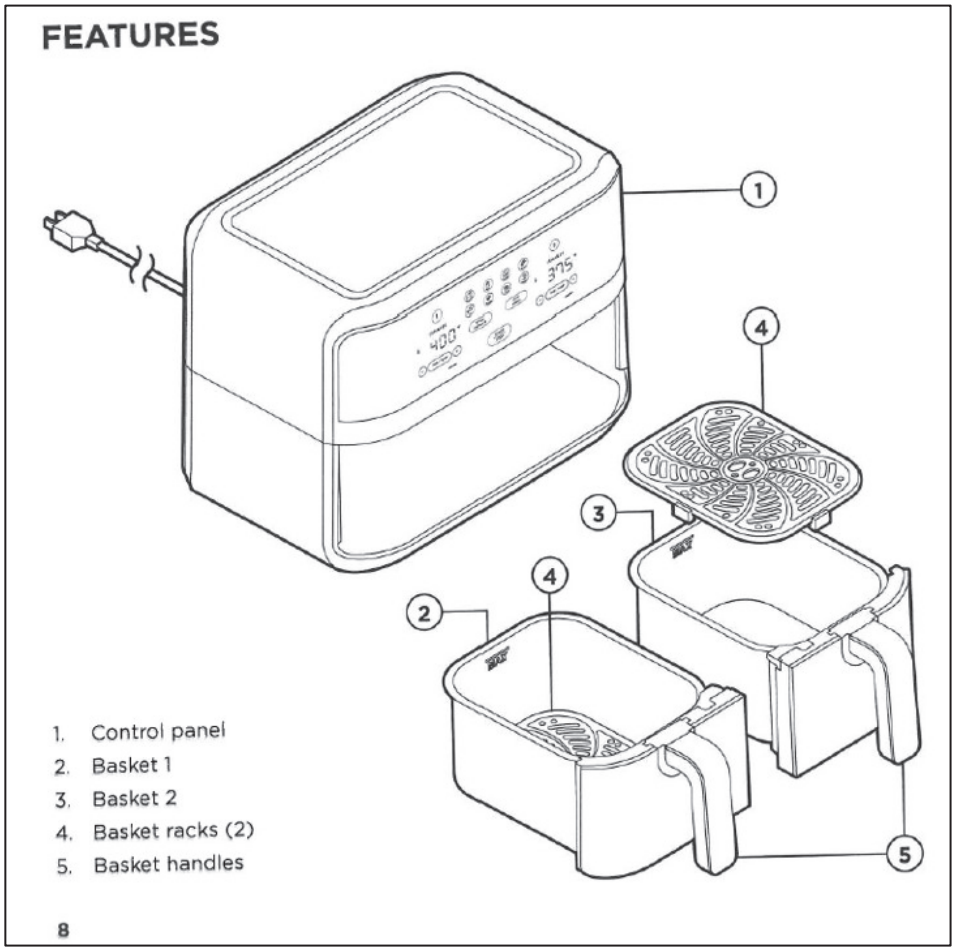
86. The application for the ’026 patent was filed on March 31, 2021 and claims priority to an application filed on July 15, 2019.

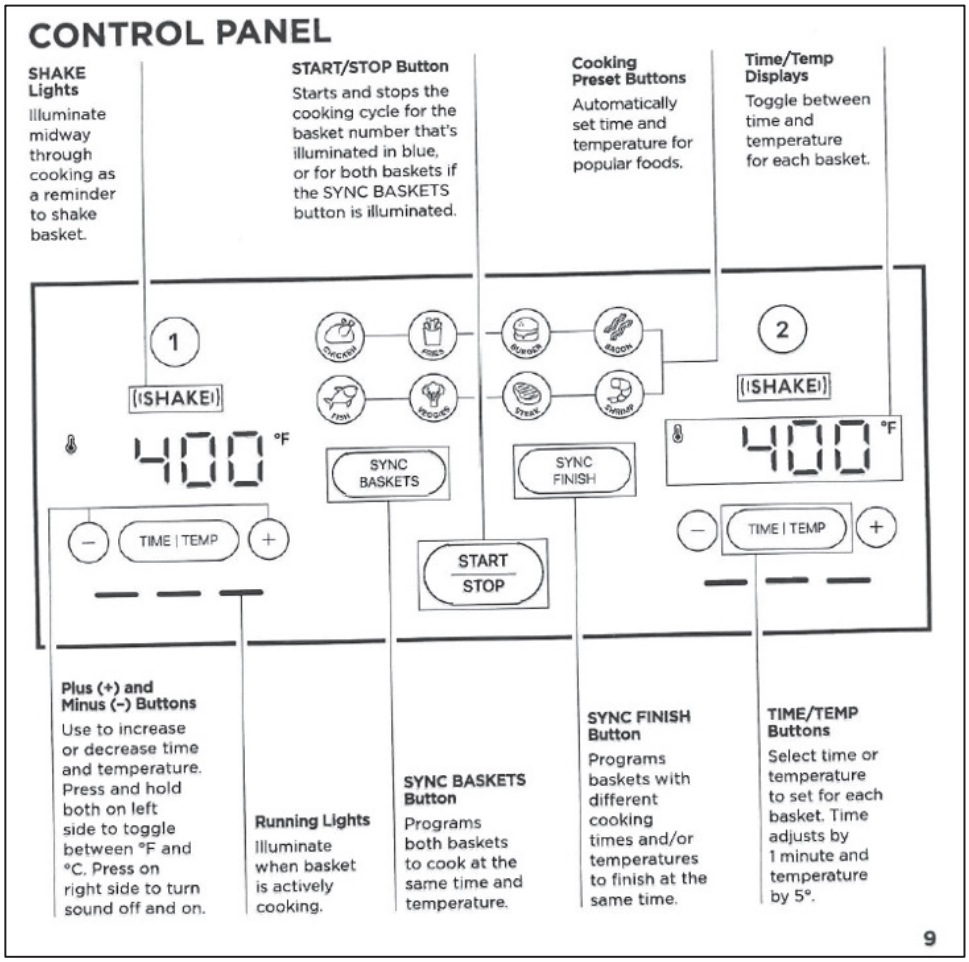
87. Chefman has infringed, and continues to infringe, one or more claims of the ’026 patent, including at least claim 1, in violation of 35 U.S.C. § 271 by, among other things, making, using, offering to sell, and/or selling within the United States, supplying or causing to be supplied in or from the United States, and/or importing into the United States, without authority or license, the Chefman Dual Air Fryer product.

88. The claim chart below details examples of Chefman’s infringement, using the Chefman TurboFry® Touch Dual Air Fryer version of the Chefman Dual Air Fryer.

| U.S. Patent No. 11,389,026 | Evidence of Infringement: Chefman Dual Air Fryer |
|---|---|
| 1[pre]<br><br>1. A cooking system comprising: | The Chefman Dual Air Fryer is a cooking system.<br><br>For example, the Chefman Dual Air Fryer is a system that cooks foods such as "Fries, chicken, fish, bacon, hamburgers, steak, vegetables, [and] shrimp" using time and temperature controls or one of eight "Preset Function[s]:"<br><br>• Chefman Website, Double Basket Air Fryer (9-Qt.) (Available at: https://chefman.com/products/rj38-sqpf-45tdb?srsltid=AfmBOorxi9JxUJiKEVHhuiltcjMJSKEHIf_vVHNub5ZAeqFGVTKaqdBO) ("Introducing the Chefman TurboFry Touch Dual Air Fryer, your key to enjoying double the delicious, crispy **meals**! With two spacious 4.5-quart baskets, you can effortlessly air **fry meals** for the whole family. **Prepare two different foods** with different time and temperature settings using the independent touchscreen control panels; **air fry the main course** in one basket, and the side in the other! Enjoy crispy **chicken, fish, steak, and more** with **eight built-in cooking presets** and an adjustable temperature range of 200–400°F. A convenient LED reminder alerts you to shake halfway through **cooking** time, and the Sync Finish button ensures both baskets finish **cooking** simultaneously. Cleanup is a breeze with dishwasher-safe accessories and easy-to-clean nonstick baskets. Make **mealtimes** easier with this sleek and versatile **air fryer**!") (emphasis added): |

| U.S. Patent No. 11,389,026 | Evidence of Infringement: Chefman Dual Air Fryer |
|---|---|
| | <br>• Chefman TurboFry® Touch Dual Air Fryer User Guide (attached hereto as Exhibit H), at 9: |

| U.S. Patent No. 11,389,026 | Evidence of Infringement: Chefman Dual Air Fryer |
|---|---|
| |  <br>• Ex. H at 10 (showing control buttons "to increase or decrease time and temperature"): |

| U.S. Patent No. 11,389,026 | Evidence of Infringement: Chefman Dual Air Fryer |
|---|---|
| |  <br>• Ex. H at 11: |

| U.S. Patent No. 11,389,026 | Evidence of Infringement: Chefman Dual Air Fryer |
|---|---|
| | **OPERATING INSTRUCTIONS**<br>**PRESET FUNCTION CHART**<br>FOOD \| Default Time \| Default Temp \| Shake/Flip Reminder?<br>Fries \| 20 minutes \| 400°F \| Comes on halfway through cook time<br>Chicken \| 30 minutes \| 375°F \| Comes on halfway through cook time<br>Fish \| 10 minutes \| 350°F \| None<br>Bacon \| 12 minutes \| 400°F \| Comes on halfway through cook time<br>Burgers \| 10 minutes \| 350°F \| Comes on halfway through cook time<br>Steak \| 15 minutes \| 400°F \| Comes on halfway through cook time<br>Vegetables \| 15 minutes \| 350°F \| Comes on halfway through cook time<br>Shrimp \| 7 minutes \| 400°F \| Comes on halfway through cook time |
| 1[a]<br><br>a housing having a first internal compartment and a second internal compartment; | The Chefman Dual Air Fryer cooking system includes a housing having a first internal compartment and a second internal compartment.<br><br>The Chefman Dual Air Fryer cooking system includes a housing with a first internal compartment (cooking basket) and a second internal compartment (cooking basket):<br><br>• Chefman Website, Double Basket Air Fryer (9-Qt.) (Available at: https://chefman.com/products/rj38-sqpf-45tdb?srsltid=AfmBOorxi9JxUJiKEVHhuiltcjMJSKEHIf_vVHNub5ZAeqFGVTKaqdBO) (annotations added): |

| U.S. Patent No. 11,389,026 | Evidence of Infringement: Chefman Dual Air Fryer |
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| | <br>• The images below of the Chefman Dual Air Fryer cooking system show the housing with a first internal compartment (cooking basket) and a second internal compartment (cooking basket): |

| U.S. Patent No. 11,389,026 | Evidence of Infringement: Chefman Dual Air Fryer |
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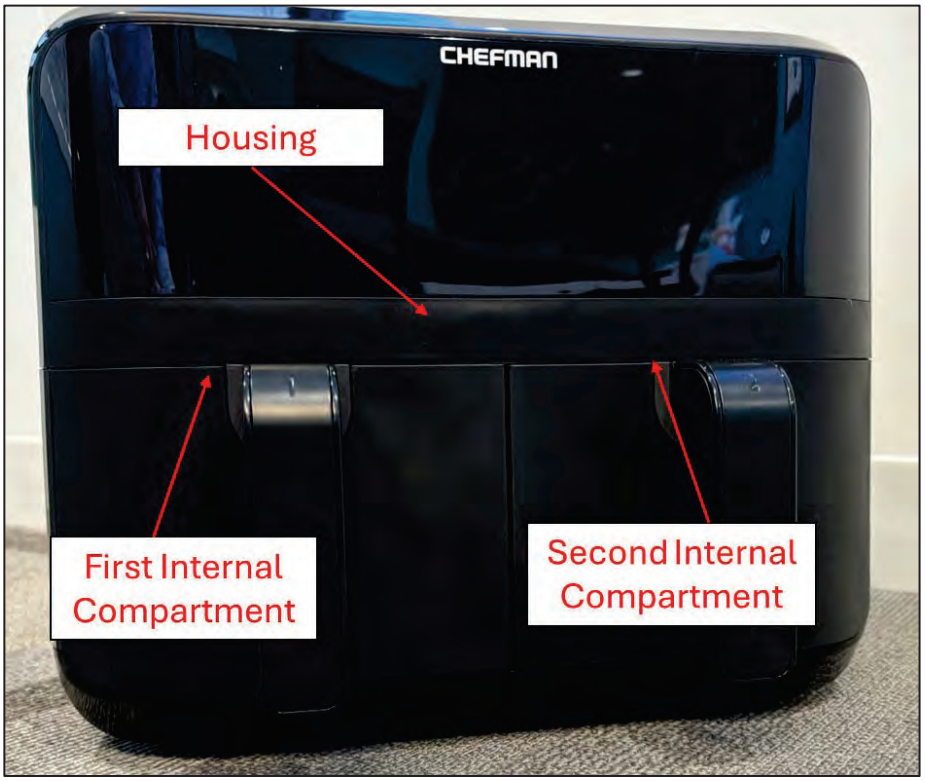
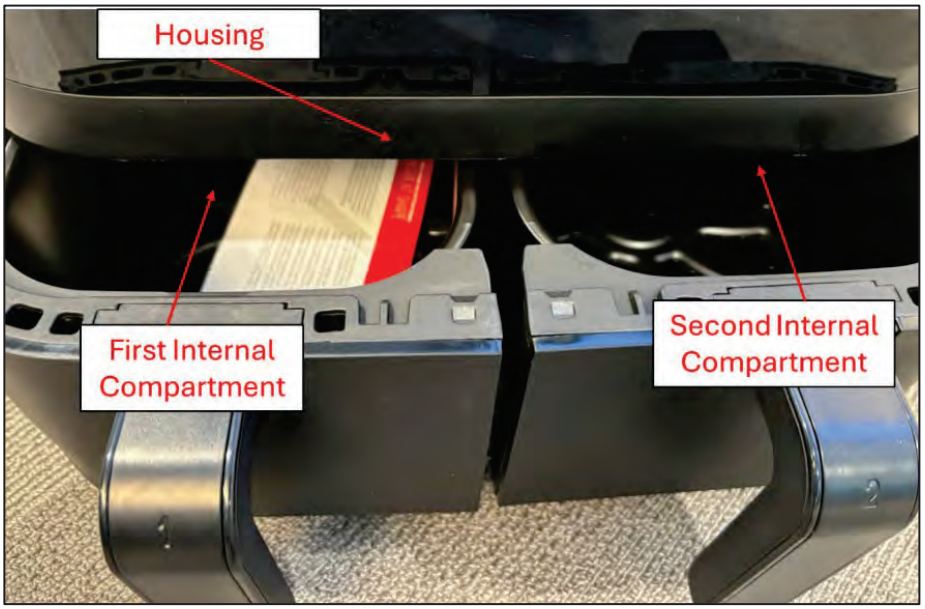
| |  <br>  |

| U.S. Patent No. 11,389,026 | Evidence of Infringement: Chefman Dual Air Fryer |
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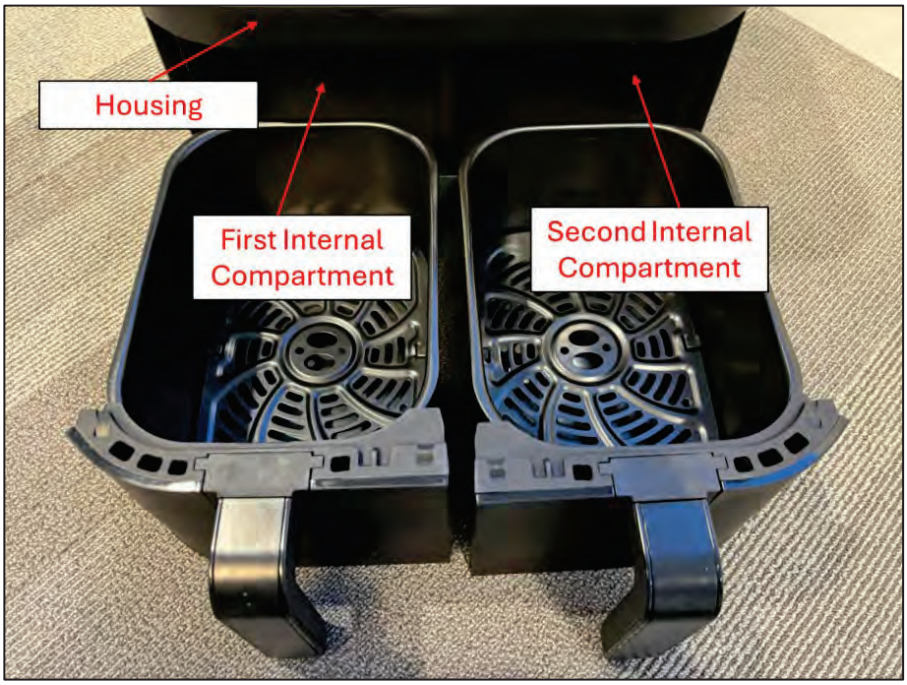
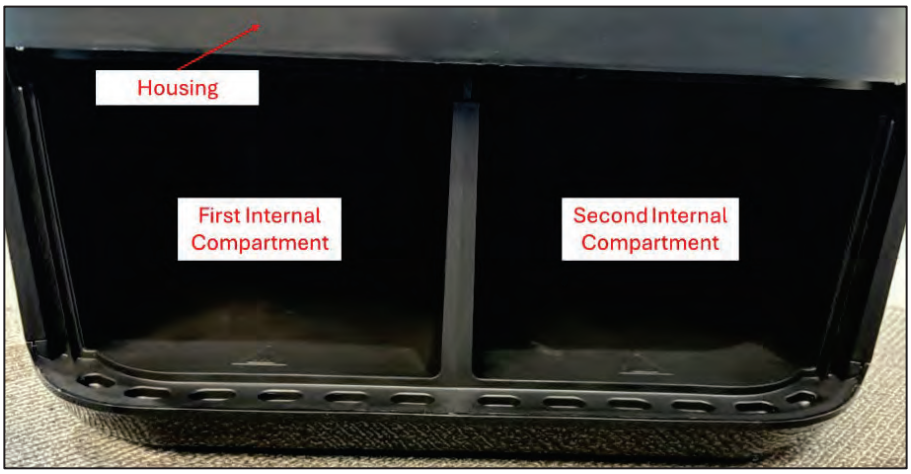
| |  <br>  |
| 1[b]<br><br>a first cooking container defining a first cooking volume, said first | The Chefman Dual Air Fryer cooking system includes a first cooking container defining a first cooking volume, said first cooking container being removably receivable within said first internal compartment to close off an opening to said first internal compartment when inserted therein, and a second cooking container defining a second cooking volume, said second cooking container being removably receivable within said second internal compartment to close off an opening to said second internal compartment |

| U.S. Patent No. 11,389,026 | Evidence of Infringement: Chefman Dual Air Fryer |
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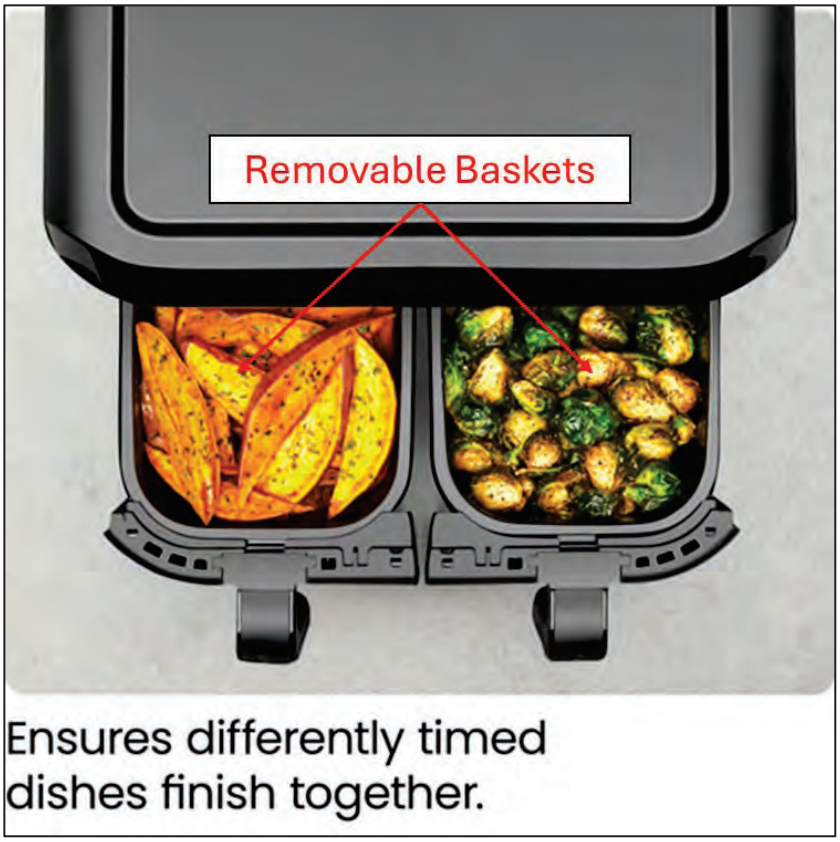
| cooking container being removably receivable within said first internal compartment to close off an opening to said first internal compartment when inserted therein, and a second cooking container defining a second cooking volume, said second cooking container being removably receivable within said second internal compartment to close off an opening to said second internal compartment when inserted therein, the first and second cooking containers each forming a continuous outer surface with the housing when the first and second cooking containers are | when inserted therein, the first and second cooking containers each forming a continuous outer surface with the housing when the first and second cooking containers are inserted into the first and second internal compartments respectively.<br><br>First, the Chefman Dual Air Fryer cooking system has two baskets (first and second "cooking container[s]") that are removably receivable within said first internal compartment and said second internal compartment:<br><br>• Ex. H at 6 ("If you choose to use oil, toss food with oil in a separate bowl, and then transfer food to the **removable** racks or baskets") (emphasis added).<br><br>• Chefman Website, Double Basket Air Fryer (9-Qt.) (Available at: https://chefman.com/products/rj38-sqpf-45tdb?srsltid=AfmBOorxi9JxUJiKEVHhuiltcjMJSKEHIf_vVHNub5ZAeqFGVTKaqdBO) (annotations added):<br><br>  <br> |

| U.S. Patent No. 11,389,026 | Evidence of Infringement: Chefman Dual Air Fryer |
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| inserted into the first and second internal compartments respectively; | <br>4.5-quart baskets are top-rack dishwasher safe.<br><br>• The removable baskets of the Chefman Dual Air Fryer are shown below: |

| U.S. Patent No. 11,389,026 | Evidence of Infringement: Chefman Dual Air Fryer |
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| | <br><br>Second, the first cooking container (basket) defines a first cooking volume and the second cooking container (basket) defines a second cooking volume. Specifically, each basket contains a hollow volume to hold food that can be cooked up to a "Max line" that defines the limit of the cooking volume:<br><br>• Ex. H at 3 ("**Cooking Forward**™ Whether this is your first Chefman® appliance or you're already part of our family, we're happy to be **cooking** with you! With your new TurboFry® Touch Dual Air Fryer, you can **air fry foods** to crisp perfection with little to no oil for healthier eating. With **two 4.5-quart baskets**, you can make a main dish and sides, or heat up two crispy snacks for a game-night spread. The Sync Finish feature allows **foods with different cook times** to finish at the same time.") (emphasis added).<br><br>• The images below show the "Max line[s]" and cooking volumes of the baskets of the Chefman Dual Air Fryer system: |

| U.S. Patent No. 11,389,026 | Evidence of Infringement: Chefman Dual Air Fryer |
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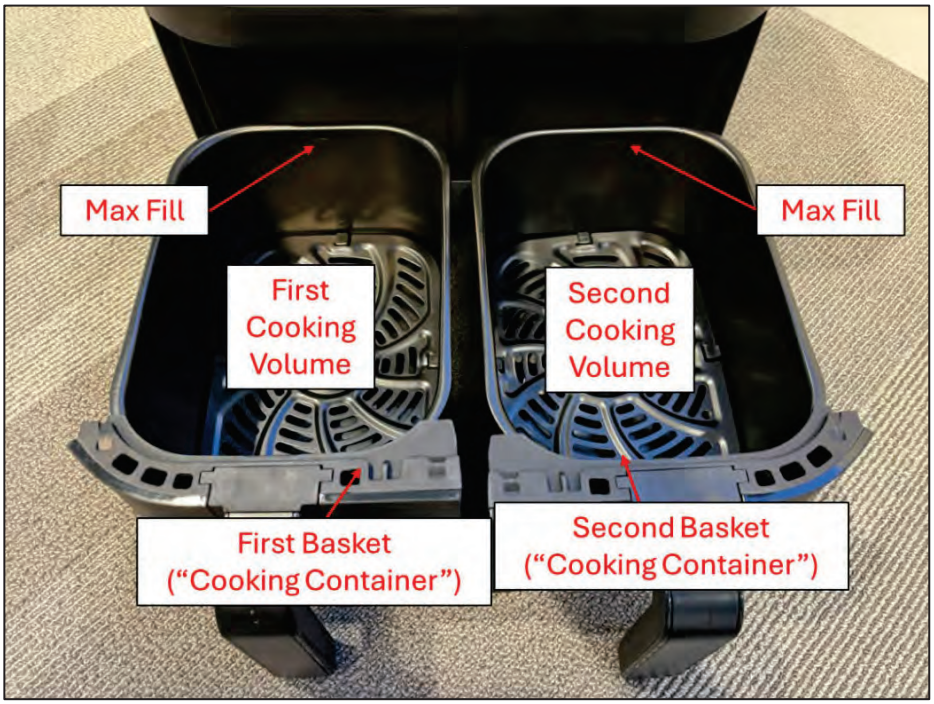
| |  |

| U.S. Patent No. 11,389,026 | Evidence of Infringement: Chefman Dual Air Fryer |
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| | <br>Third, as shown in the images below of the Chefman Dual Air Fryer, the first cooking container and second cooking container (the baskets) close off an opening to the first internal compartment and second internal compartment, respectively, when inserted in the compartments: |

| U.S. Patent No. 11,389,026 | Evidence of Infringement: Chefman Dual Air Fryer |
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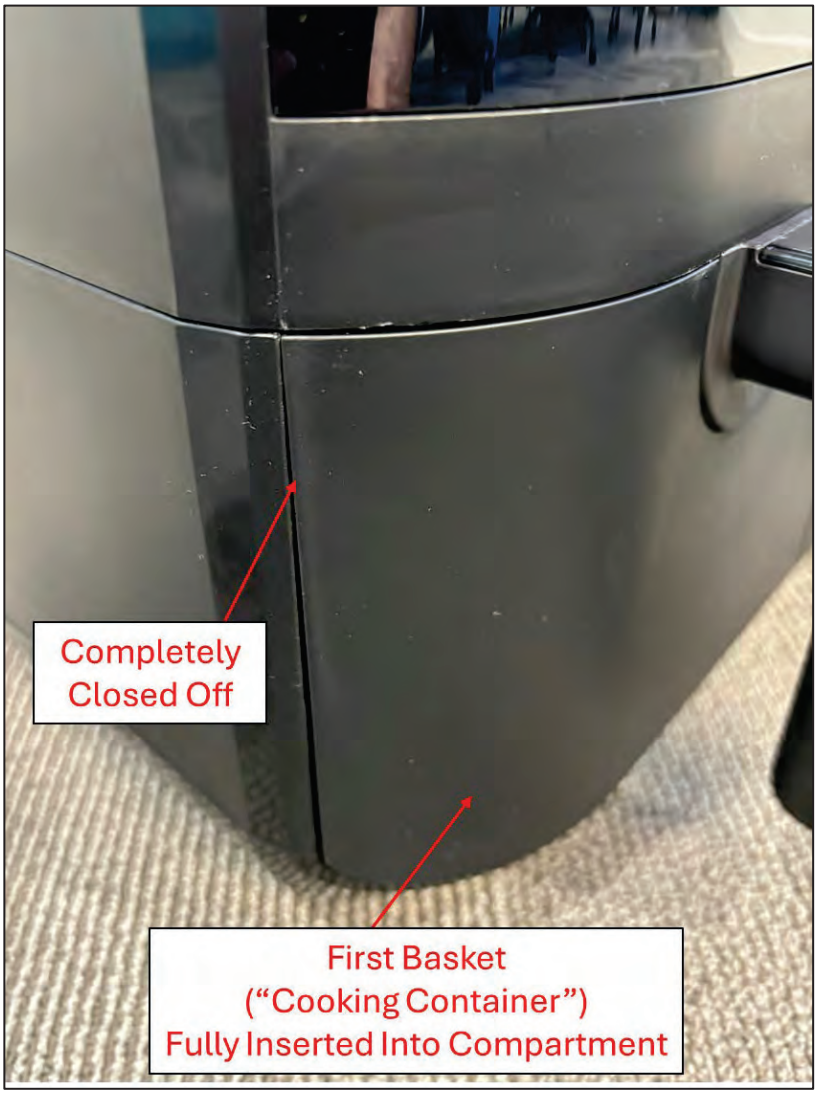
| |  |

| U.S. Patent No. 11,389,026 | Evidence of Infringement: Chefman Dual Air Fryer |
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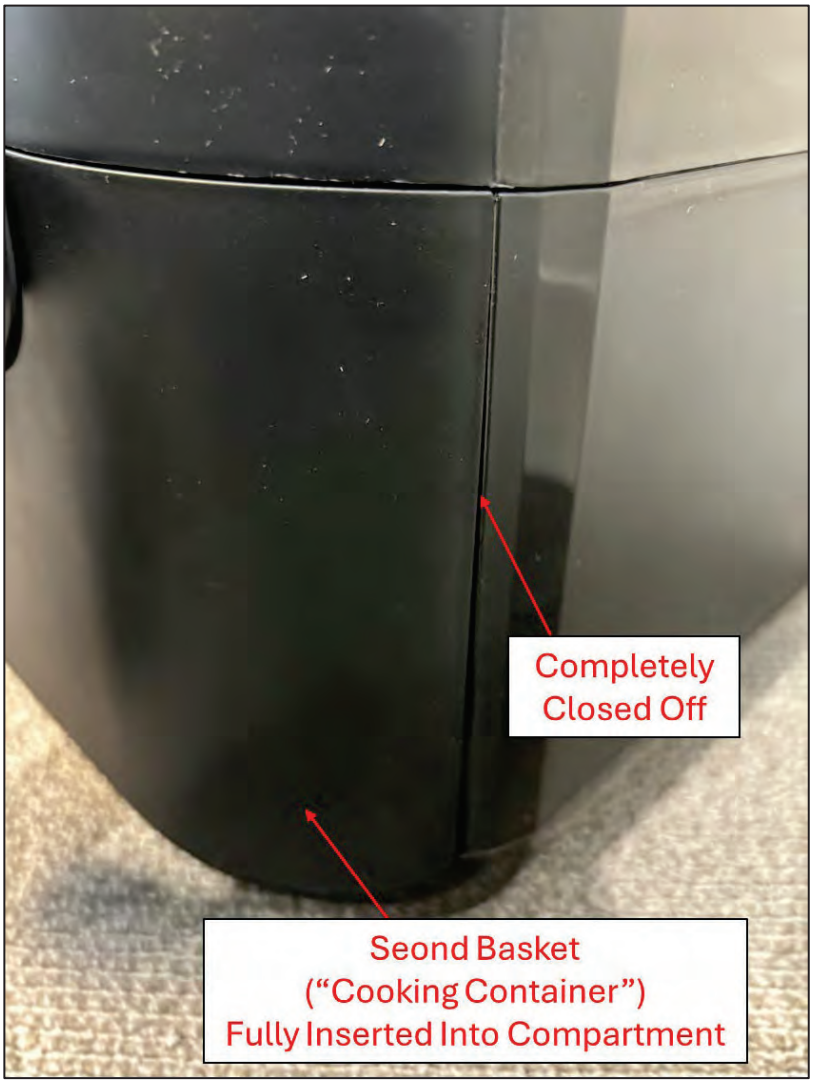
| |  |

| U.S. Patent No. 11,389,026 | Evidence of Infringement: Chefman Dual Air Fryer |
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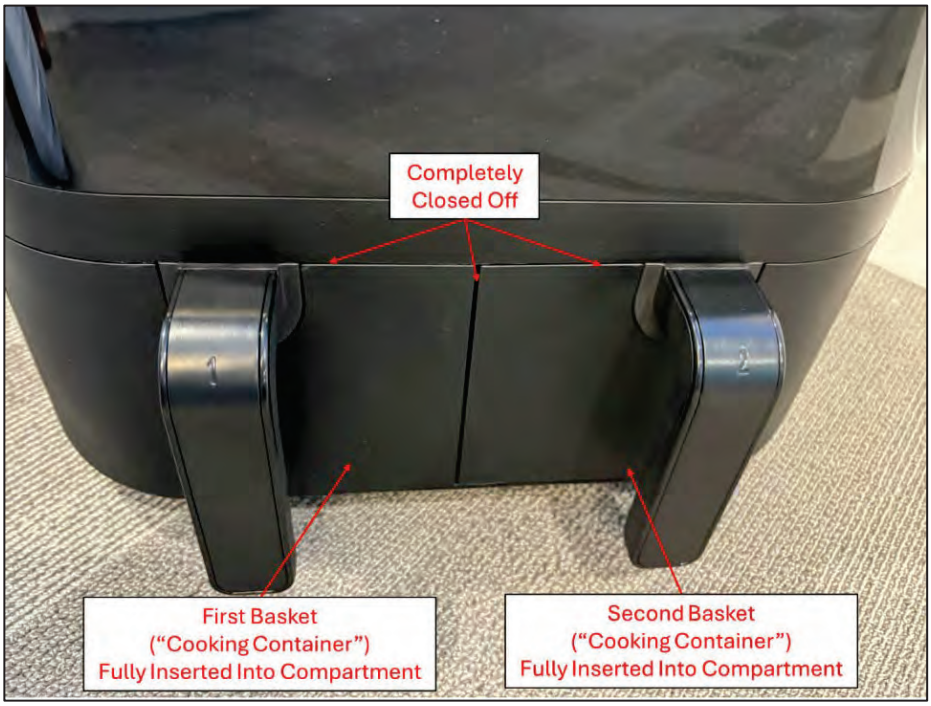
| |  <br>Fourth, the first and second cooking containers each form a continuous outer surface with the housing when the first and second cooking containers are inserted into the first and second internal compartments respectively. As shown in the images below of the Chefman Dual Air Fryer, the two baskets ("cooking containers") form a continuous outer surface when inserted into their respective first and second internal compartments: |

| U.S. Patent No. 11,389,026 | Evidence of Infringement: Chefman Dual Air Fryer |
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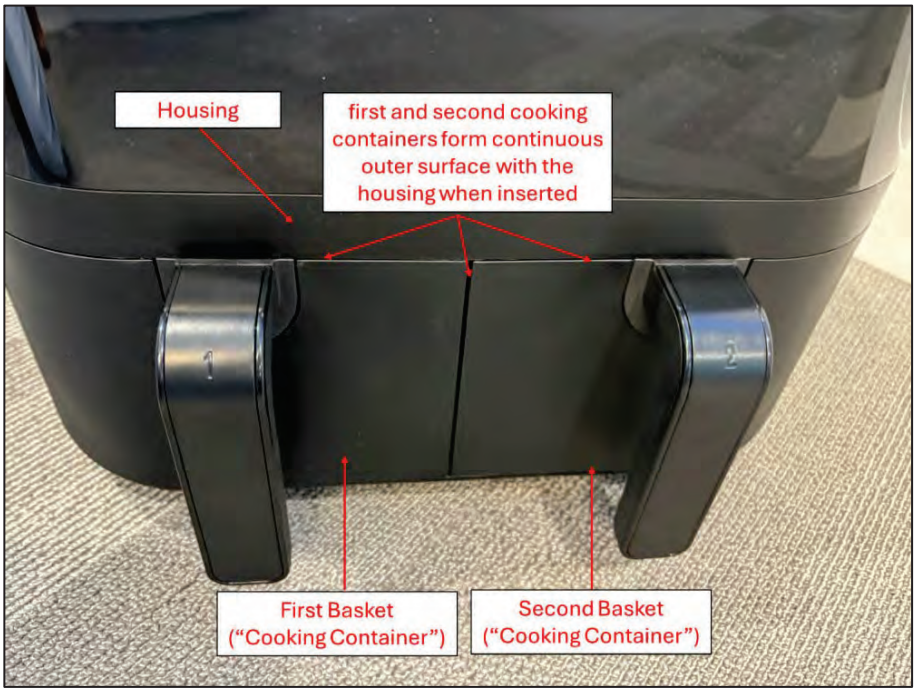
| |  |

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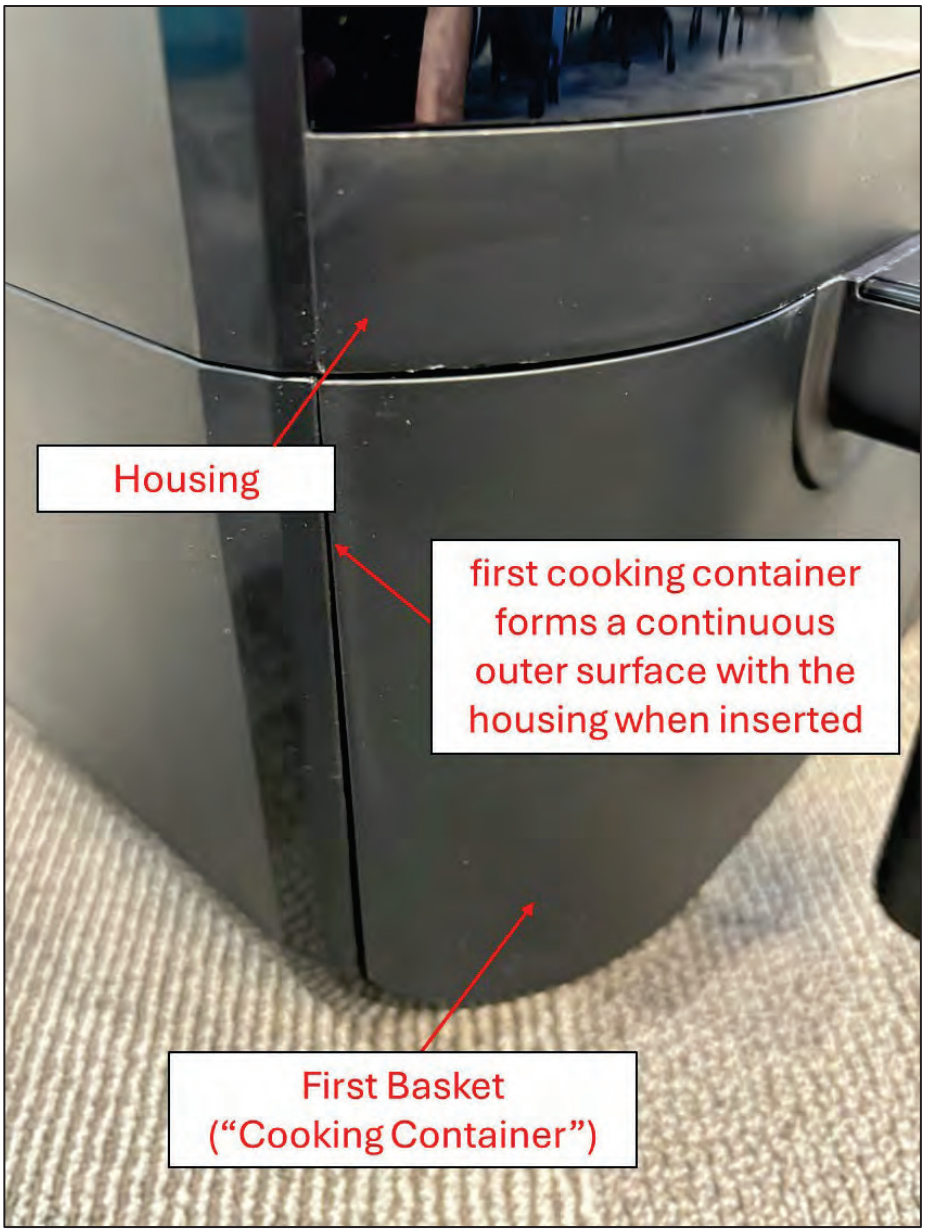
| |  Housing<br>first cooking container forms a continuous outer surface with the housing when inserted<br>First Basket ("Cooking Container") |

| U.S. Patent No. 11,389,026 | Evidence of Infringement: Chefman Dual Air Fryer |
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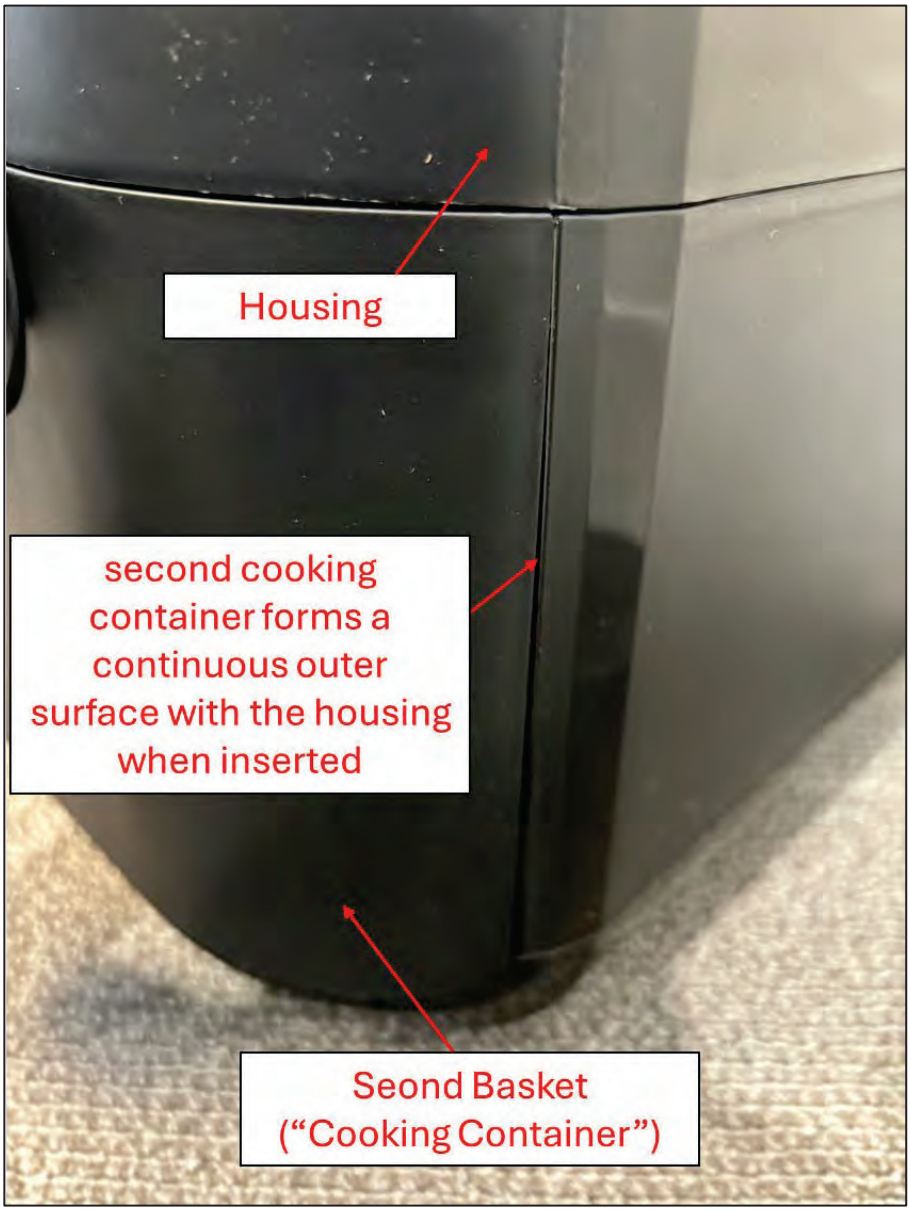
| |  <br>• Chefman Website, Double Basket Air Fryer (9-Qt.) (Available at: https://chefman.com/products/rj38-sqpf-45tdb?srsltid=AfmBOorxi9JxUJiKEVHhuiltcjMJSKEHIf_vVHNub5ZAeqFGVTKaqdBO) (showing continuous outer surface when first and second cooking containers are inserted): |

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| | |
| 1[c]<br><br>a first heating element and a second heating element disposed in said housing, said first heating element being in thermal communication with said first cooking volume | The Chefman Dual Air Fryer cooking system includes a first heating element and a second heating element disposed in said housing, said first heating element being in thermal communication with said first cooking volume and said second heating element being in thermal communication with said second cooking volume, the first and second heating elements being independently operable to independently cook food contained within the first and second cooking containers.<br><br>First, each of the baskets of the Chefman Dual Air Fryer cooking system has its own heating element that is directly above and heats the cooking volume of the basket.<br><br>• Ex. H at 6 ("Some areas do get HOT during use, and the touch screen may get warm. Do not touch the **heating elements**. Do not place hands |

| U.S. Patent No. 11,389,026 | Evidence of Infringement: Chefman Dual Air Fryer |
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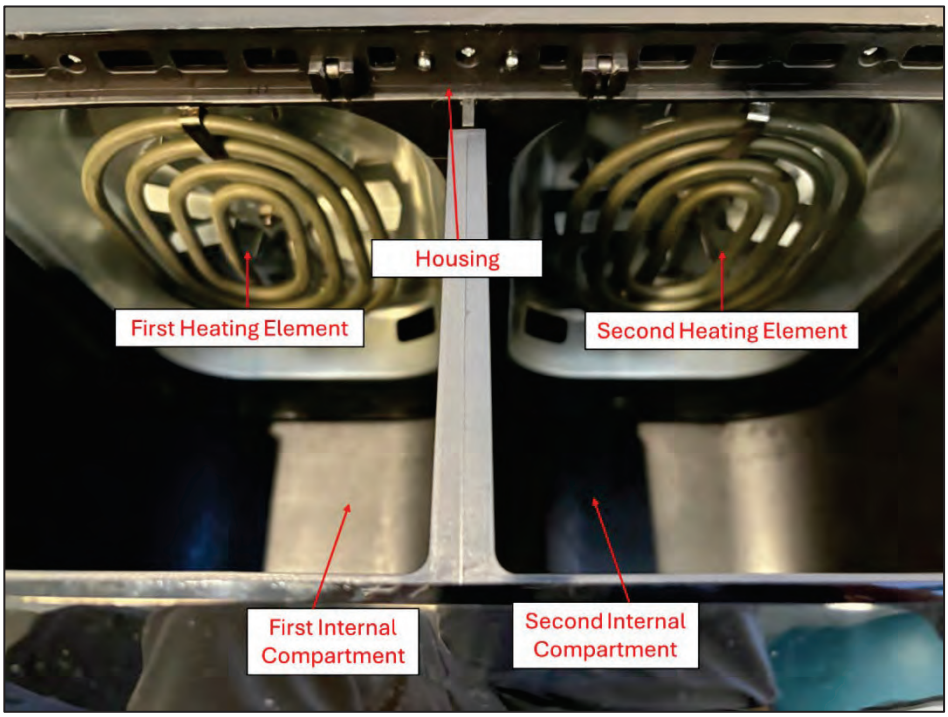
| and said second heating element being in thermal communication with said second cooking volume, the first and second heating elements being independently operable to independently cook food contained within the first and second cooking containers; and | or other body parts near the air vents while the air fryer is in use; burns may result. Take caution when handling the hot air fryer rack and all removable parts.") (emphasis added).<br><br>• The image below of the Chefman Dual Air Fryer shows first and second electric coil heaters (heating elements) that are within the housing of the Chefman Dual Air Fryer and are above the first and second internal compartments:<br><br>  <br><br><br>Second, the first and second heating elements are in thermal communication with said first cooking volume and second cooking volume, respectively. As the images of the Chefman Dual Air Fryer shown below illustrate, the two electric coil heaters (heating elements) heat the internal compartments into which each basket is placed. Because the baskets contain the first and second cooking volume, the first and second heating elements are in thermal communication with the first and second cooking volumes. |

| U.S. Patent No. 11,389,026 | Evidence of Infringement: Chefman Dual Air Fryer |
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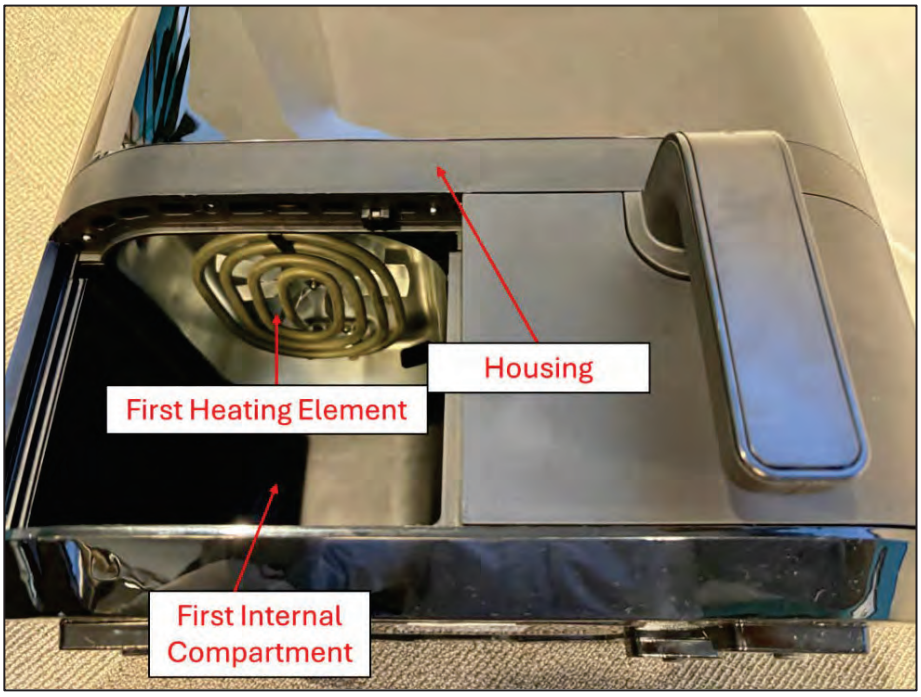
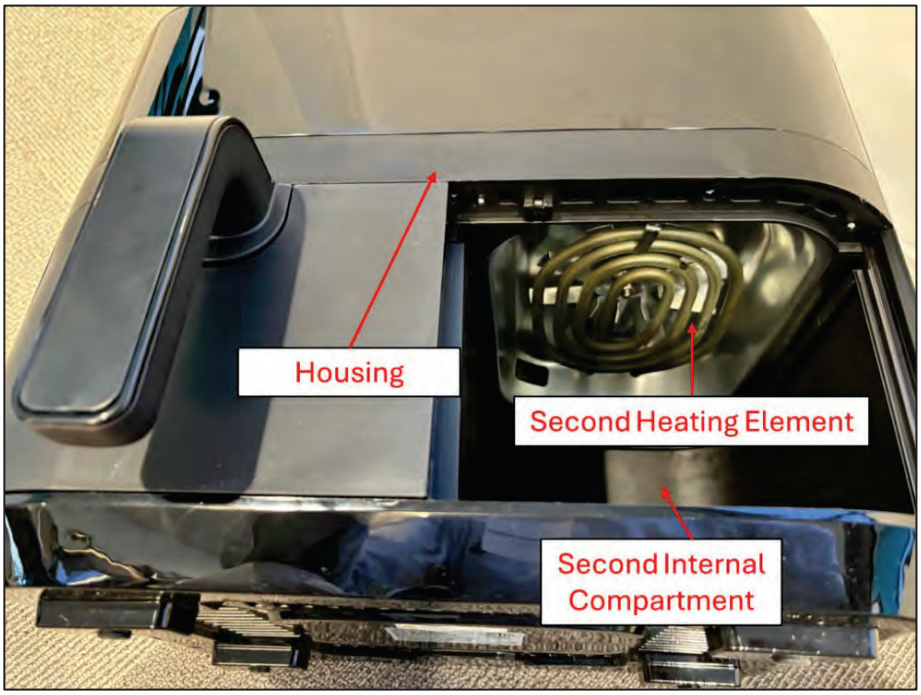
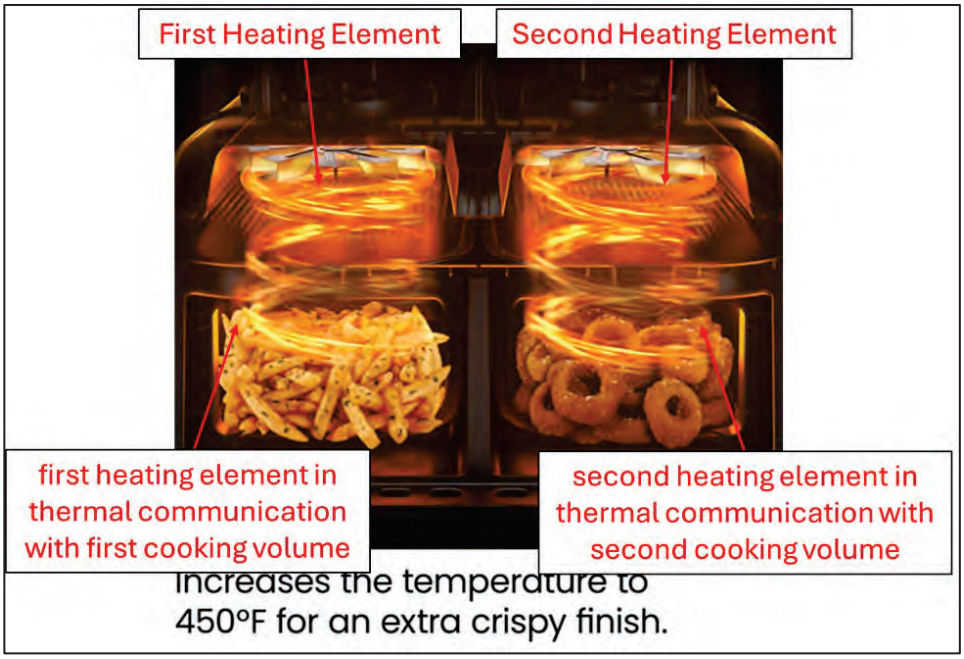
| |  <br>  <br>• Chefman Website, Double Basket Air Fryer (9-Qt.) (Available at: |

| U.S. Patent No. 11,389,026 | Evidence of Infringement: Chefman Dual Air Fryer |
|---|---|
| | https://chefman.com/products/rj38-sqpf-45tdb?srsltid=AfmBOorxi9JxUJiKEVHhuiltcjMJSKEHIf_vVHNub5ZAeqFGVTKaqdBO) (annotations added):<br>  <br><br>Third, the heating elements of the Chefman Dual Air Fryer are independently operable to independently cook food contained within the first and second baskets ("cooking container[s]"), respectively.<br>• For example, the control panel includes separate temperature and time controls and displays for the first and second basket and requires the user to press a "Sync Baskets" button in order to prevent the baskets from being controlled independently:<br>  o Ex. H at 10 (annotations added): |

| U.S. Patent No. 11,389,026 | Evidence of Infringement: Chefman Dual Air Fryer |
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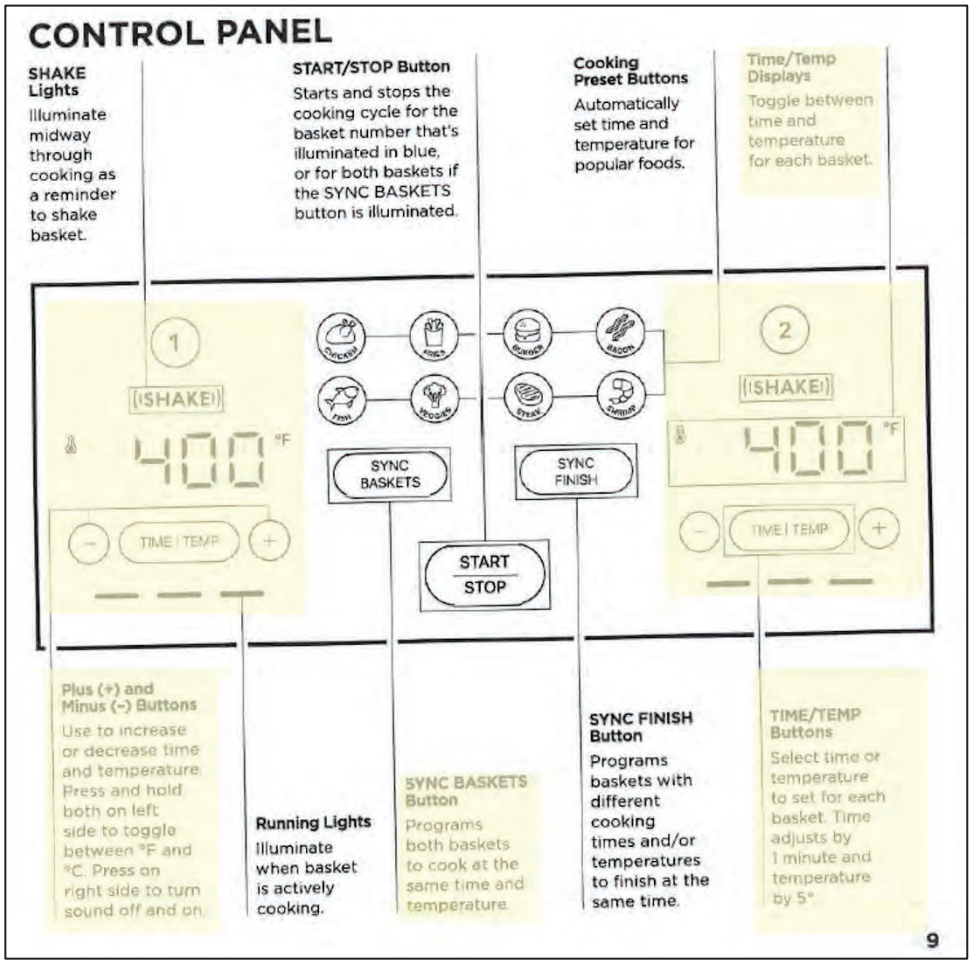
| |  <br>• The Chefman Dual Air Fryer User Guide includes instructions on how to "cook in one basket" and independently operate one heating element to cook food in the cooking volume beneath it. Independent control is the system's "default mode," and the system permits a user to begin cooking on the second side with different time and temperature settings.<br>o Ex. H at 13–14 (annotations added): |

| U.S. Patent No. 11,389,026 | Evidence of Infringement: Chefman Dual Air Fryer |
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| | **HOW TO COOK IN ONE BASKET**<br>Though the beauty of this air fryer is its double-basket capacity and sync functions, you can easily cook in just one basket, which is the default mode. (The other basket can be removed or left in the unit on standby.)<br>1. Prepare for air fryer cooking as directed starting on p. 11.<br>2. Set the time and temperature for basket 1: To set the temperature, press the TIME/TEMP button until the temperature displays, then press the plus (+) or minus (−) sign. To set the time, press the TIME/TEMP button until the time displays, and then press the plus or minus sign. If cooking with a preset function, choose the icon that best represents the food you're cooking and press the icon. This will set the preprogrammed time and temperature. (See chart on p. 10 for details).<br>3. Press START.<br>4. During cooking, the SHAKE light on the control panel will turn on, and the air fryer will beep as a reminder to shake (or flip) food, as necessary. (See chart starting on p. 16 for more details on timing.) The light will turn off immediately when the basket is removed and will go off automatically after about 10 seconds if the basket is not pulled out. (If your food does not need to be shaken, flipped, or turned, simply ignore the warning.)<br>12<br>5. When the timer is done, the air fryer will turn off automatically. Remove the basket from the unit. Check food for doneness, then carefully transfer the food to plates or a platter and serve.<br>**NOTE:** While the unit is cooking on one side, you can begin cooking in the other basket at any time. (The Sync Baskets and Sync Finish functions will not be available, however.) Simply press the other basket's button on the display and set the time and temperature for that side. Do NOT press START. The running lights for that basket will come on to show that it's cooking.<br>• Chefman Website, Double Basket Air Fryer (9-Qt.) (Available at: https://chefman.com/products/rj38-sqpf-45tdb?srsltid=AfmBOorxi9JxUJiKEVHhuiltcjMJSKEHIf_vVHNub5ZAeqFGVTKaqdBO): |

| U.S. Patent No. 11,389,026 | Evidence of Infringement: Chefman Dual Air Fryer |
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| | <br>• Chefman Website, Double Basket Air Fryer (9-Qt.) (Available at: https://chefman.com/products/rj38-sqpf-45tdb?srsltid=AfmBOorxi9JxUJiKEVHhuiltcjMJSKEHIf_vVHNub5ZAeqFGVTKaqdBO) ("Introducing the Chefman TurboFry Touch Dual Air Fryer, your key to enjoying double the delicious, crispy meals! With two spacious 4.5-quart baskets, you can effortlessly air fry meals for the whole family. **Prepare two different foods with different time and temperature settings using the independent touchscreen control panels**; air fry the main course in one basket, and the side in the other! Enjoy crispy chicken, fish, steak, and more with eight built-in cooking presets and an adjustable temperature range of 200–400°F. A convenient LED reminder alerts you to shake halfway through cooking time, and the Sync Finish button ensures both baskets finish cooking simultaneously. Cleanup is a breeze with dishwasher-safe accessories and easy-to-clean nonstick baskets. Make mealtimes easier with this |

| U.S. Patent No. 11,389,026 | Evidence of Infringement: Chefman Dual Air Fryer |
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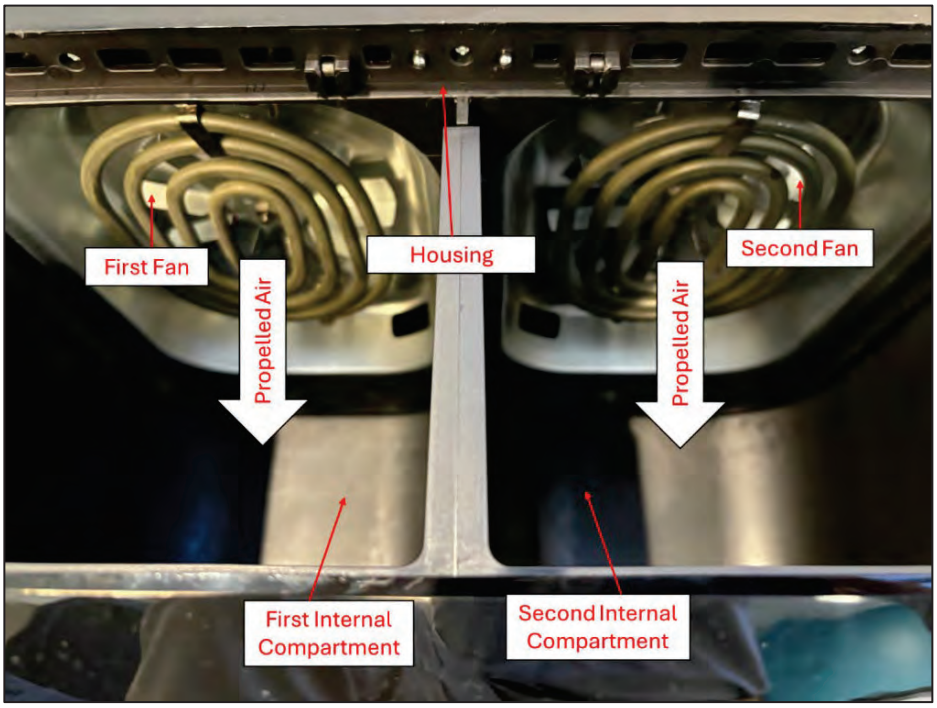
| | sleek and versatile air fryer!") (emphasis added). |
| 1[d]<br><br>a first fan and a second fan disposed in said housing, said first fan being in fluid communication with said first cooking volume and said second fan being in fluid communication with said second cooking volume. | The Chefman Dual Air Fryer cooking system includes a first fan and a second fan disposed in said housing, said first fan being in fluid communication with said first cooking volume and said second fan being in fluid communication with said second cooking volume.<br><br>The '026 patent describes air movement mechanisms that "circulate air through the internal compartment[s]." The Chefman Dual Air Fryer contains the same functionality. The Chefman Dual Air Fryer cooking system includes a fan in the housing above each electric coil heater that circulates air through the respective cooking volume underneath.<br><br>• Ex. H at 12 ("The air fryer's **high-speed fans** cook your favorite foods quickly.") (emphasis added).<br><br>• The image below of the Chefman Dual Air Fryer shows first and second fans in the housing above the electric coil heaters. The fans are in fluid communication with the first and second cooking volumes when they circulate air through the cooking compartments and their respective cooking volumes below: |

| U.S. Patent No. 11,389,026 | Evidence of Infringement: Chefman Dual Air Fryer |
|---|---|
| |  <br>• The images below of the Chefman Dual Air Fryer show the fans above the internal compartments into which each basket is placed. The fans are in fluid communication with the respective cooking volumes contained within each basked such that each fan propels heated air into the respective cooking volume: |

| U.S. Patent No. 11,389,026 | Evidence of Infringement: Chefman Dual Air Fryer |
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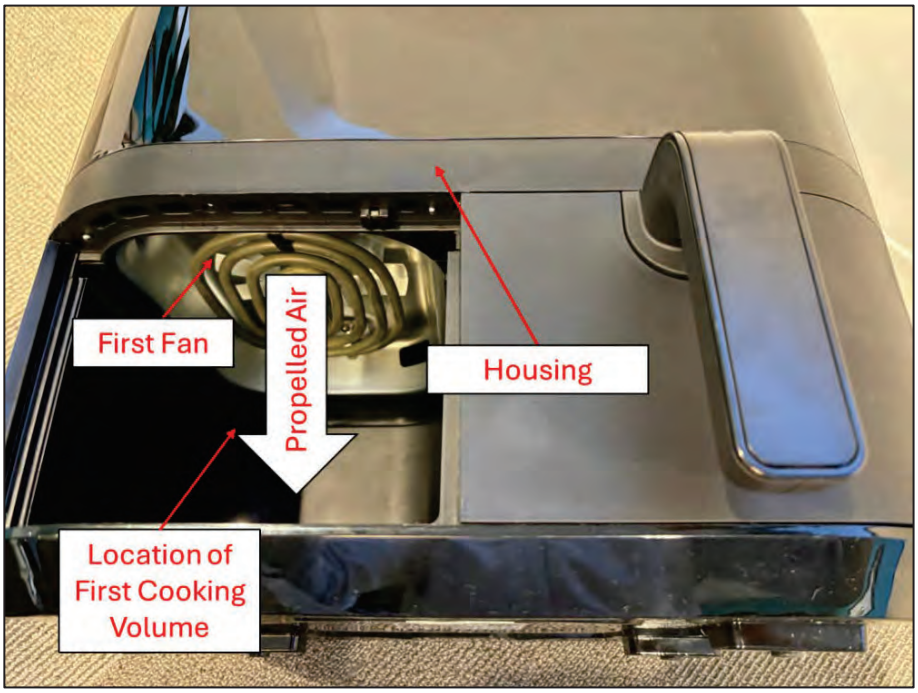
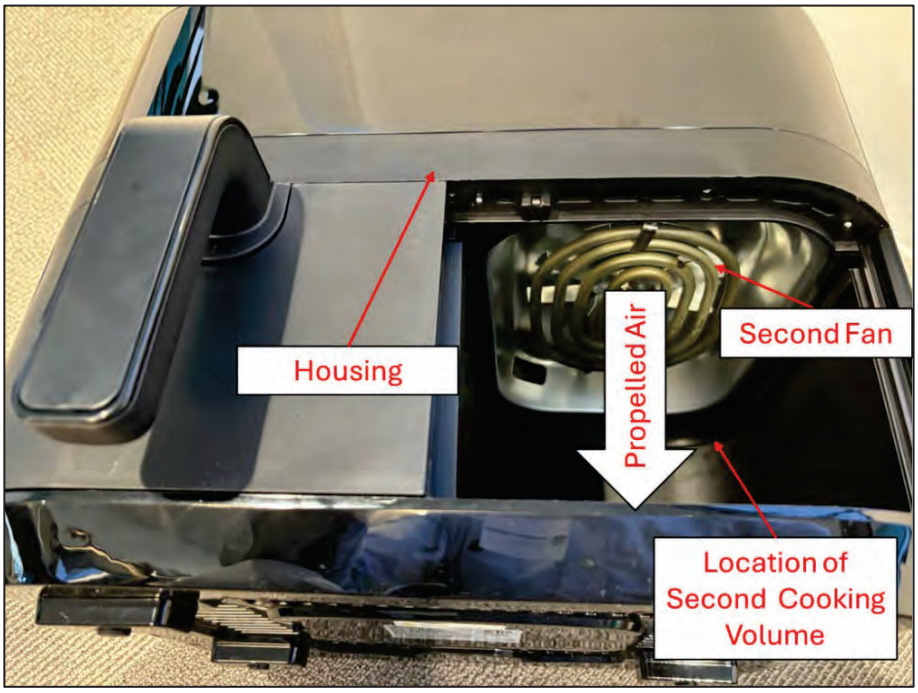
| |  <br>  <br>• Chefman Website, Double Basket Air Fryer (9-Qt.) (Available at: https://chefman.com/products/rj38-sqpf- |

| U.S. Patent No. 11,389,026 | Evidence of Infringement: Chefman Dual Air Fryer |
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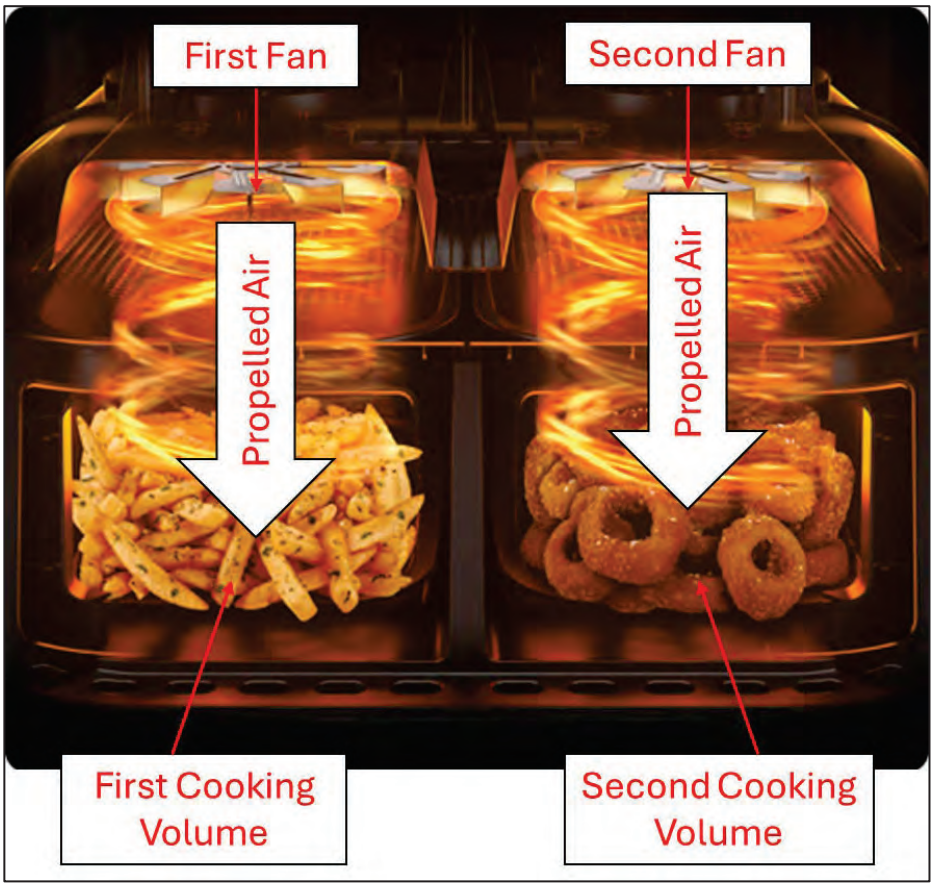
| | 45tdb?srsltid=AfmBOorxi9JxUJiKEVHhuiltcjMJSKEHIf_vVHNub5ZAeqFGVTKaqdBO) (annotations added):   |

89. On information and belief, Chefman has benefited from its infringement of the ’026 patent. Chefman’s use of the ’026 patent has made its Dual Air Fryer product more effective and able to heat food at two different temperatures simultaneously.

90. SharkNinja has sustained damages as a direct and proximate result of Chefman’s infringement of the ’026 patent. Chefman has used the invention of the ’026 patent to directly compete with SharkNinja and its Ninja® Foodi® 2-Basket Air Fryer with DualZone™

Technology, including the 6-in-1 10-Qt DZ550 Series, the 6-in-1 8-Qt DZ201 Series, the 6-in-1 10-Qt DZ401 Series, the 4-in-1 8-Qt DZ100 Series, and the 5-in-1 6-Qt DZ090 Series. Chefman's infringement of the '026 patent has caused irreparable harm to SharkNinja and will continue to do so unless enjoined. As a result, SharkNinja is entitled to injunctive relief pursuant to 35 U.S.C. § 283. SharkNinja also is entitled to recover damages for Chefman's infringement under 35 U.S.C. § 284. The amount of damages will be proven at trial.

91. Chefman was put on notice of its infringement of the '026 patent at least as early as August 29, 2024, when it received the Notice Letter from SharkNinja regarding its infringement of the '026 patent.

92. Chefman was further put on notice of its infringement of the '026 patent at least as early as the filing of the Complaint in this action.

93. Chefman's continued infringement of the '026 patent after it has received notice of the '026 patent and its infringement of the patent is intentional, knowing, and willful.

## VIII. COUNT V: INFRINGEMENT OF THE '377 PATENT

94. SharkNinja incorporates by reference and realleges the allegations in paragraphs 1–93.

95. U.S. Patent No. 11,672,377 (Exhibit E), entitled "Cooking Device and Components Thereof," was duly and properly issued by the United States Patent and Trademark Office ("USPTO") on June 13, 2023.

96. SharkNinja owns all rights, title, and interest in the '377 patent.

97. The application for the '377 patent was filed on June 10, 2022 and claims priority to an application filed on July 15, 2019.

98. Chefman has infringed, and continues to infringe, one or more claims of the ’377 patent, including at least claim 1, in violation of 35 U.S.C. § 271 by, among other things, making, using, offering to sell, and/or selling within the United States, supplying or causing to be supplied in or from the United States, and/or importing into the United States, without authority or license, the Chefman Dual Air Fryer product.

99. The claim chart below details examples of Chefman’s infringement using the Chefman TurboFry® Touch Dual Air Fryer version of the Chefman Dual Air Fryer.

| **U.S. Patent No. 11,672,377** | **Evidence of Infringement: Chefman Dual Air Fryer** |
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| 1[pre]<br><br>A cooking system comprising: | The Chefman Dual Air Fryer is a cooking system.<br><br>For example, the Chefman Dual Air Fryer is a system that cooks foods such as “Fries, chicken, fish, bacon, hamburgers, steak, vegetables, [and] shrimp” using time and temperature controls or one of eight “Preset Function[s]:”<br><br>• Chefman Website, Double Basket Air Fryer (9-Qt.) (Available at: https://chefman.com/products/rj38-sqpf-45tdb?srsltid=AfmBOorxi9JxUJiKEVHhuiltcjMJSKEHIf_vVHNub5ZAeqFGVTKaqdBO) (“Introducing the Chefman TurboFry Touch Dual Air Fryer, your key to enjoying double the delicious, crispy **meals**! With two spacious 4.5-quart baskets, you can effortlessly air **fry meals** for the whole family. **Prepare two different foods** with different time and temperature settings using the independent touchscreen control panels; **air fry the main course** in one basket, and the side in the other! Enjoy crispy **chicken, fish, steak, and more** with **eight built-in cooking presets** and an adjustable temperature range of 200–400°F. A convenient LED reminder alerts you to shake halfway through **cooking** time, and the Sync Finish button ensures both baskets finish **cooking** simultaneously. Cleanup is a breeze with dishwasher-safe accessories and easy-to-clean nonstick baskets. Make **mealtimes** easier with this sleek and versatile **air fryer**!”) (emphasis added): |

| U.S. Patent No. 11,672,377 | Evidence of Infringement: Chefman Dual Air Fryer |
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| | <br>o Ex. H at 9: |

| U.S. Patent No. 11,672,377 | Evidence of Infringement: Chefman Dual Air Fryer |
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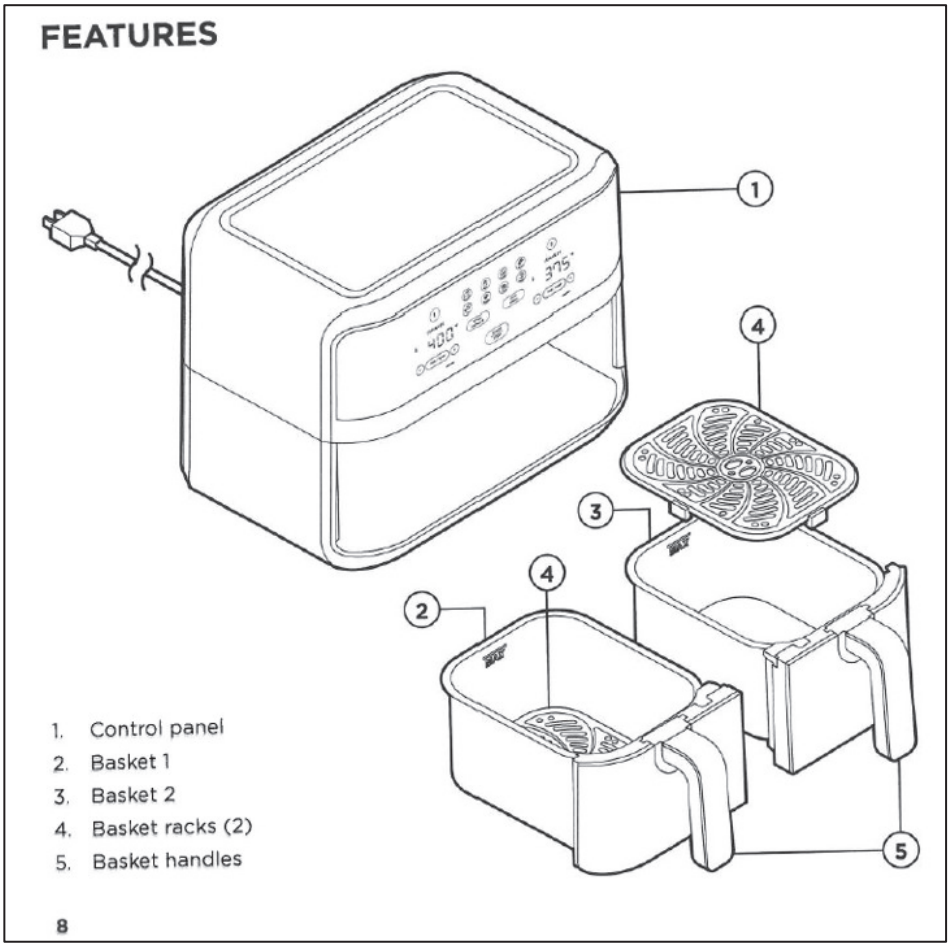
| |  <br>• Ex. H at 10 (showing control buttons "to increase or decrease time and temperature"): |

| U.S. Patent No. 11,672,377 | Evidence of Infringement: Chefman Dual Air Fryer |
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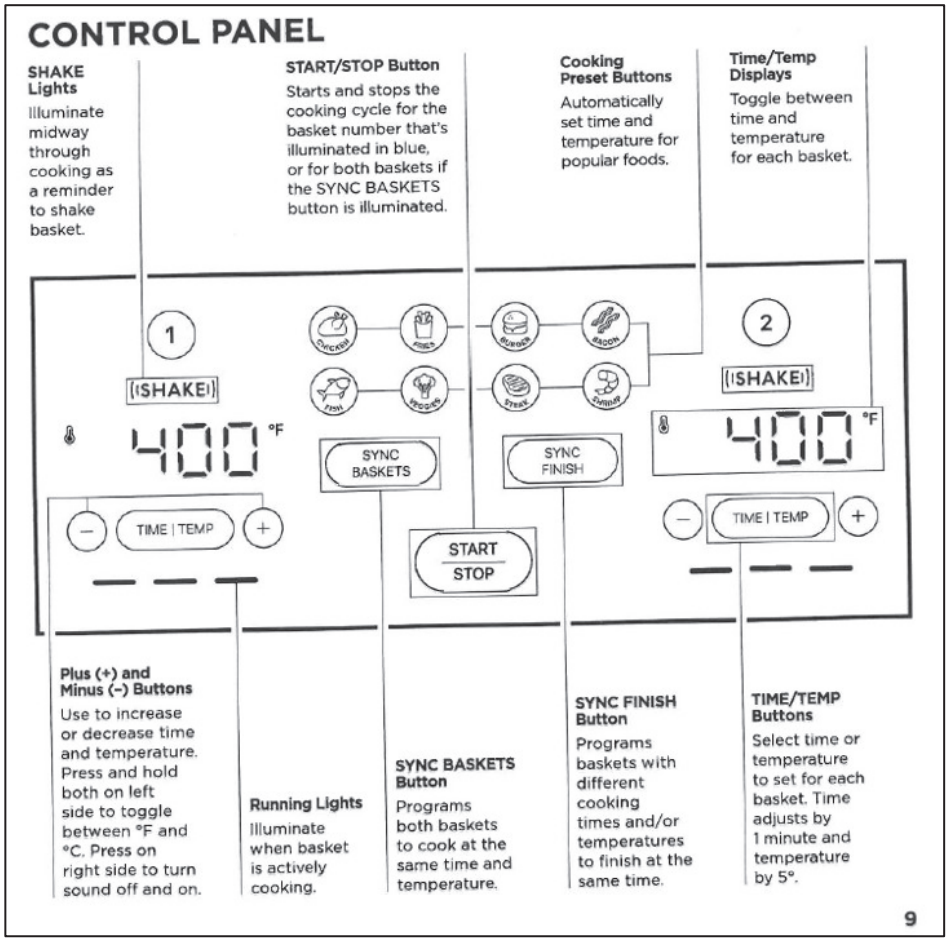
| |  <br>• Ex. H at 11: |

| U.S. Patent No. 11,672,377 | Evidence of Infringement: Chefman Dual Air Fryer |
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| | **OPERATING INSTRUCTIONS**<br>**PRESET FUNCTION CHART**<br>FOOD \| Default Time \| Default Temp \| Shake/Flip Reminder?<br>Fries \| 20 minutes \| 400°F \| Comes on halfway through cook time<br>Chicken \| 30 minutes \| 375°F \| Comes on halfway through cook time<br>Fish \| 10 minutes \| 350°F \| None<br>Bacon \| 12 minutes \| 400°F \| Comes on halfway through cook time<br>Burgers \| 10 minutes \| 350°F \| Comes on halfway through cook time<br>Steak \| 15 minutes \| 400°F \| Comes on halfway through cook time<br>Vegetables \| 15 minutes \| 350°F \| Comes on halfway through cook time<br>Shrimp \| 7 minutes \| 400°F \| Comes on halfway through cook time |
| 1[a]<br><br>a housing having a first internal compartment and a second internal compartment, the first internal compartment and the second internal compartment being separated by a dividing wall extending upward from a base of the housing; | The Chefman Dual Air Fryer cooking system includes a housing having a first internal compartment and a second internal compartment, the first internal compartment and the second internal compartment being separated by a dividing wall extending upward from a base of the housing.<br><br>First, the Chefman Dual Air Fryer cooking system includes a housing with a first internal compartment (cooking basket) and a second internal compartment (cooking basket):<br><br>• Chefman Website, Double Basket Air Fryer (9-Qt.) (Available at: https://chefman.com/products/rj38-sqpf-45tdb?srsltid=AfmBOorxi9JxUJiKEVHhuiltcjMJSKEHIf_vVHNub5ZAeqFGVTKaqdBO) (annotations added): |

| U.S. Patent No. 11,672,377 | Evidence of Infringement: Chefman Dual Air Fryer |
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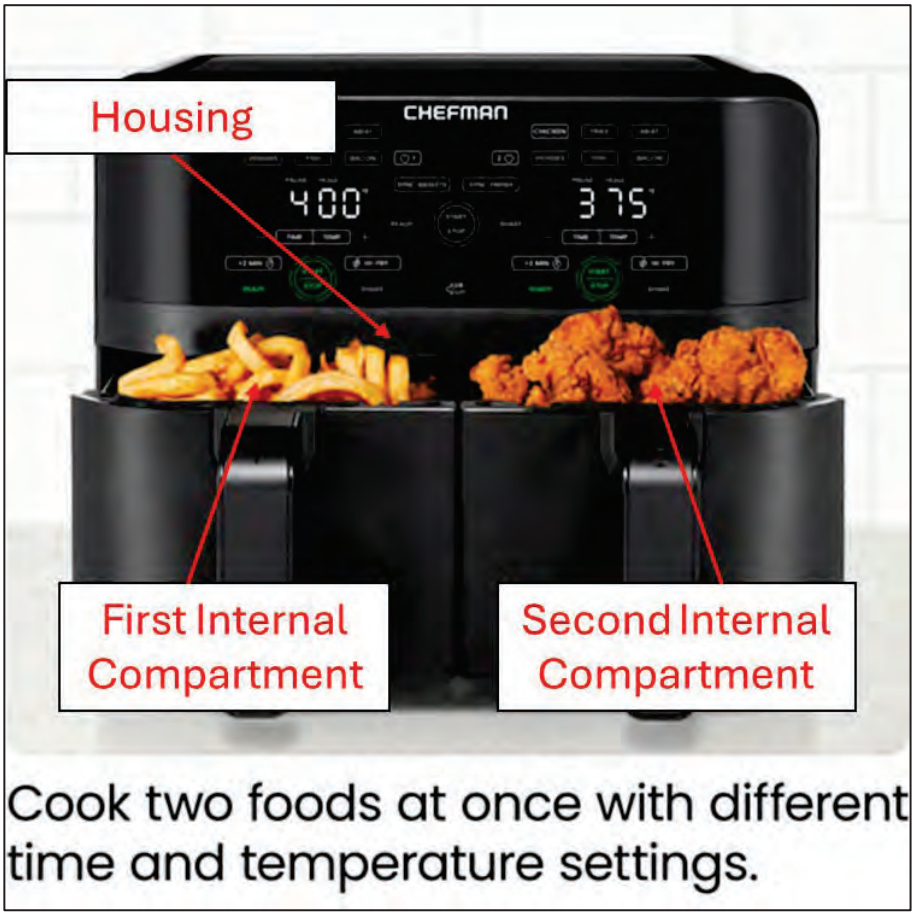
| |  <br>• The images below of the Chefman Dual Air Fryer cooking system show that the system includes a housing with a first internal compartment (cooking basket) and a second internal compartment (cooking basket): |

| U.S. Patent No. 11,672,377 | Evidence of Infringement: Chefman Dual Air Fryer |
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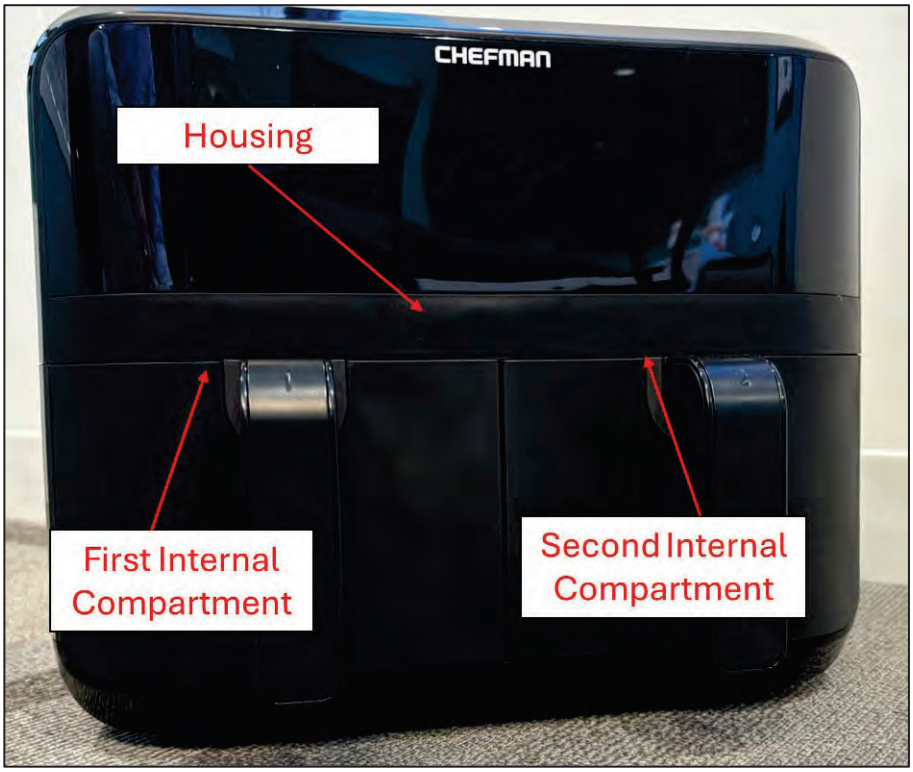
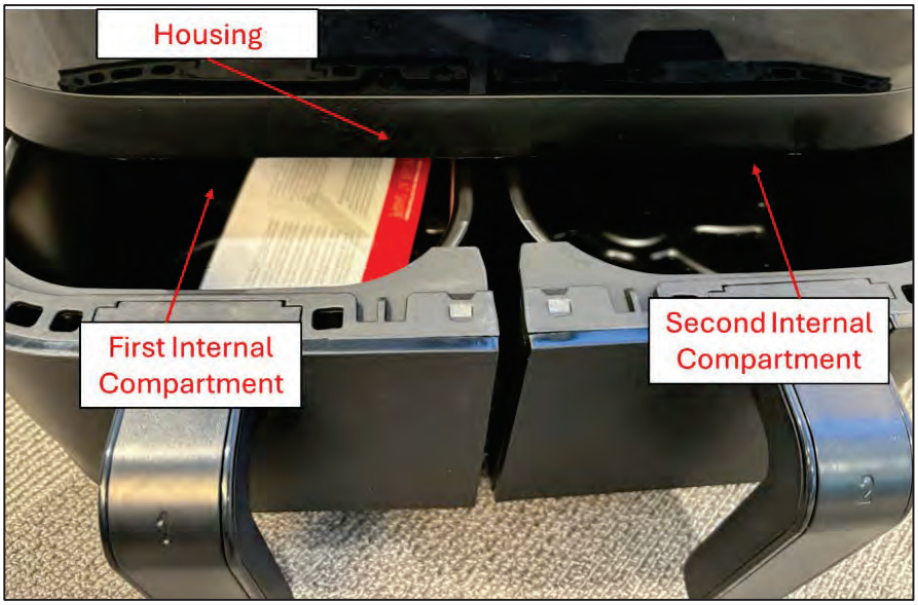
| |  <br>  |

| U.S. Patent No. 11,672,377 | Evidence of Infringement: Chefman Dual Air Fryer |
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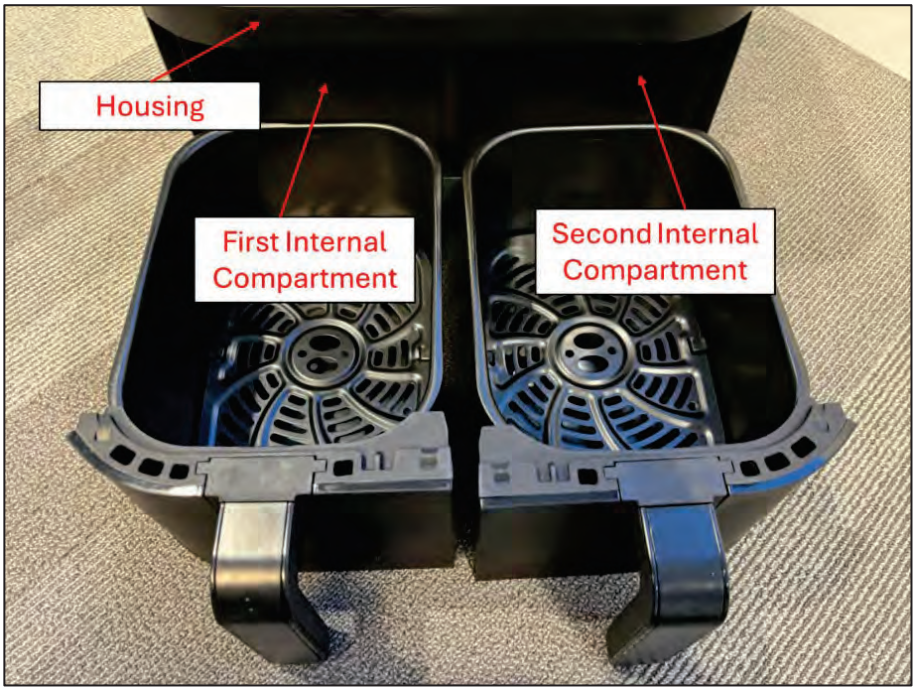
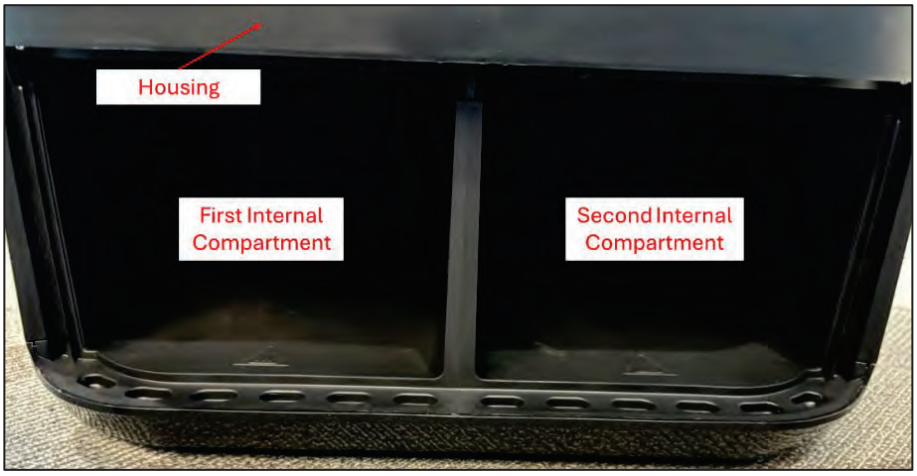
| |  <br>  <br>Second, as shown by the images below of the Chefman Dual Air Fryer cooking system, the system's two internal compartments are separated by a dividing wall that extends upward from the base of the housing to the ceiling of each compartment: |

| U.S. Patent No. 11,672,377 | Evidence of Infringement: Chefman Dual Air Fryer |
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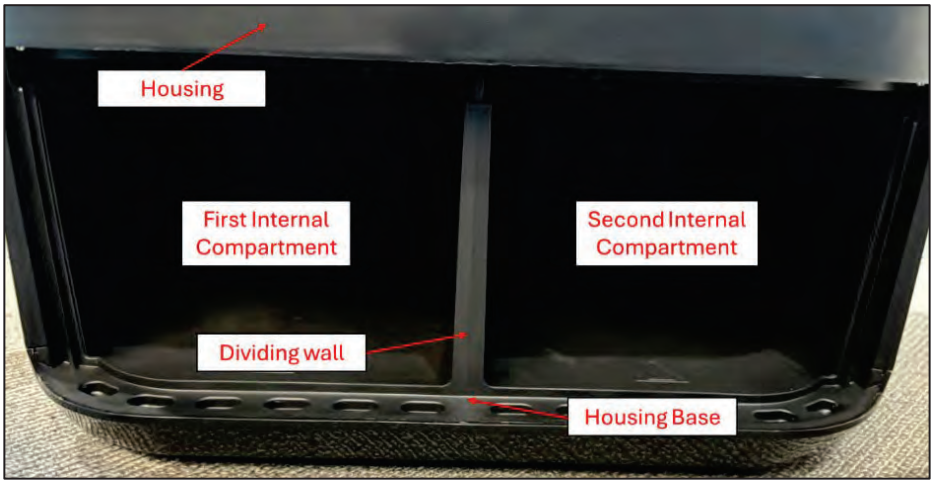
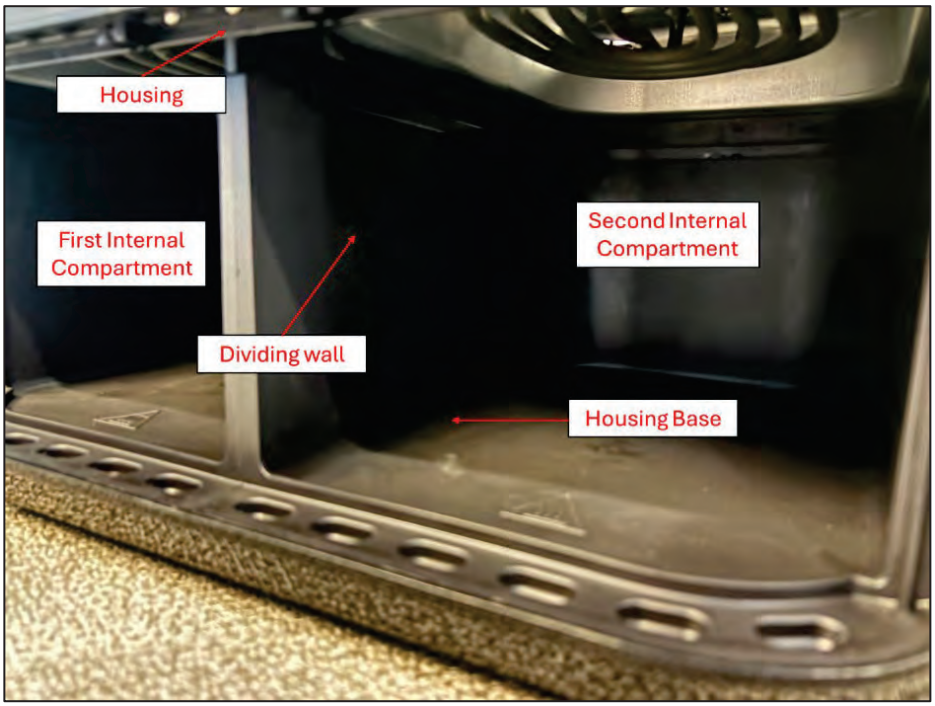
| |  <br>  <br>• Chefman Website, Double Basket Air Fryer (9-Qt.) (Available at: https://chefman.com/products/rj38-sqpf-45tdb?srsltid=AfmBOorxi9JxUJiKEVHhuiltcjMJSKEHIf_vVHNub5ZAeqFGVTKaqdBO) (annotations added): |

| U.S. Patent No. 11,672,377 | Evidence of Infringement: Chefman Dual Air Fryer |
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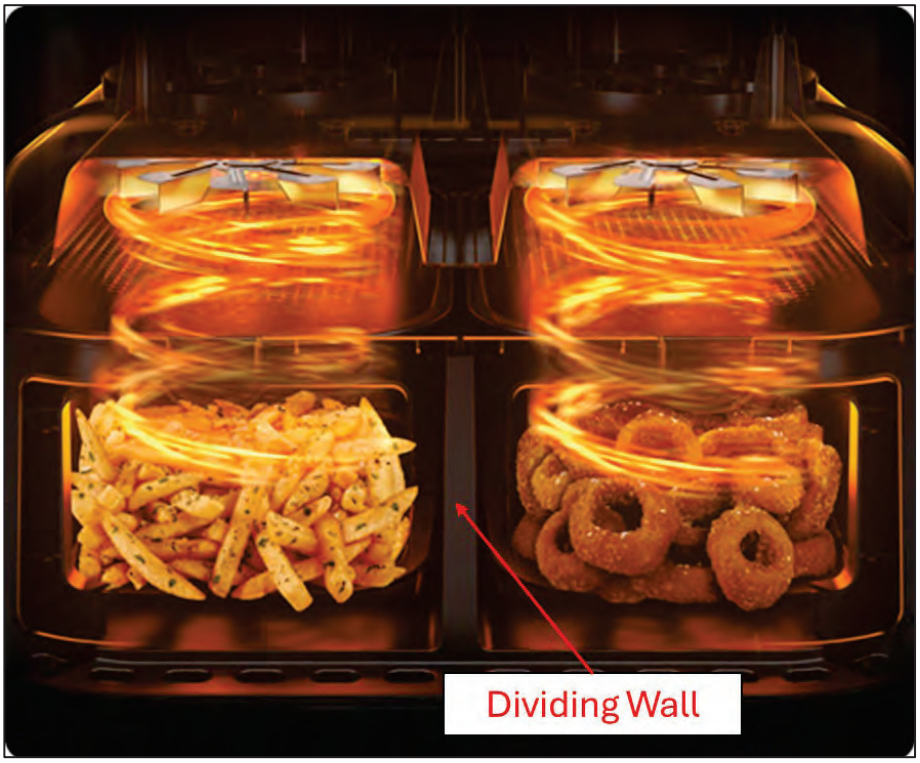
| |  |
| 1[b]<br><br>a first cooking container defining a first cooking volume, said first cooking container being removably receivable within said first internal compartment to completely close off an opening to said first internal compartment when fully | The Chefman Dual Air Fryer cooking system includes a first cooking container defining a first cooking volume, said first cooking container being removably receivable within said first internal compartment to completely close off an opening to said first internal compartment when fully inserted therein, and a second cooking container defining a second cooking volume, said second cooking container being removably receivable within said second internal compartment to completely close off an opening to said second internal compartment when fully inserted therein.<br><br>First, the Chefman Dual Air Fryer cooking system has two baskets (first and second "cooking container[s]") that are removably receivable within said first internal compartment and said second internal compartment:<br><br>• Ex. H at 6 ("If you choose to use oil, toss food with oil in a separate bowl, and then transfer food to the **removable** racks or baskets") (emphasis added).<br><br>• Chefman Website, Double Basket Air Fryer (9-Qt.) (Available at: https://chefman.com/products/rj38-sqpf- |

| U.S. Patent No. 11,672,377 | Evidence of Infringement: Chefman Dual Air Fryer |
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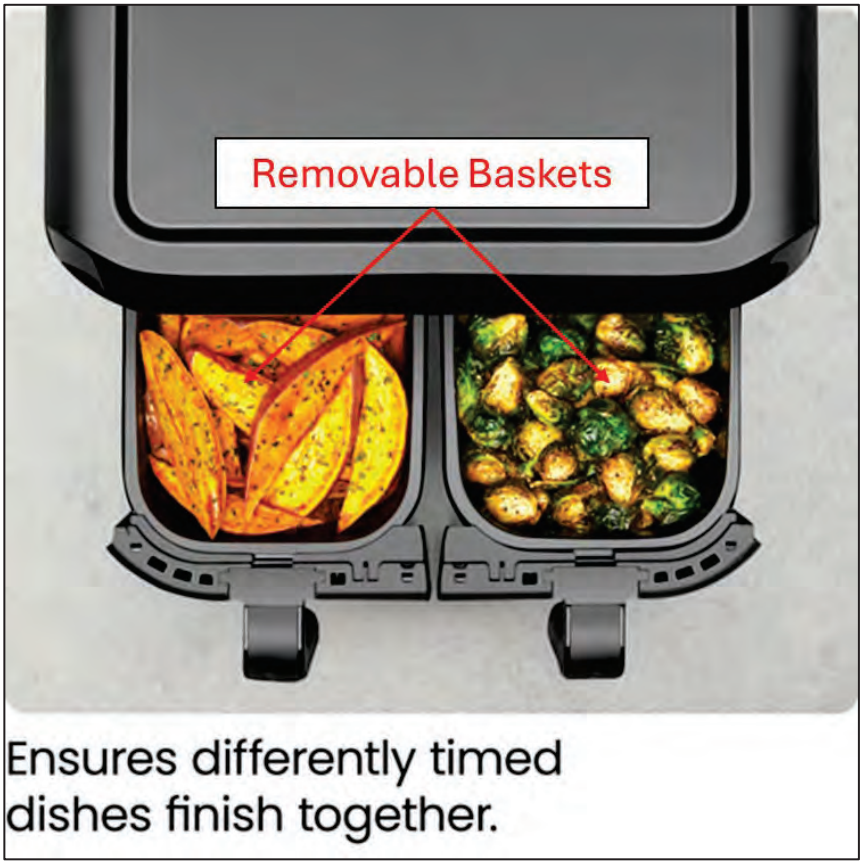
| inserted therein, and a second cooking container defining a second cooking volume, said second cooking container being removably receivable within said second internal compartment to completely close off an opening to said second internal compartment when fully inserted therein; | 45tdb?srsltid=AfmBOorxi9JxUJiKEVHhuiltcjMJSKEHIf_vVHNub5ZAeqFGVTKaqdBO) (annotations added):   Ensures differently timed dishes finish together. |

| U.S. Patent No. 11,672,377 | Evidence of Infringement: Chefman Dual Air Fryer |
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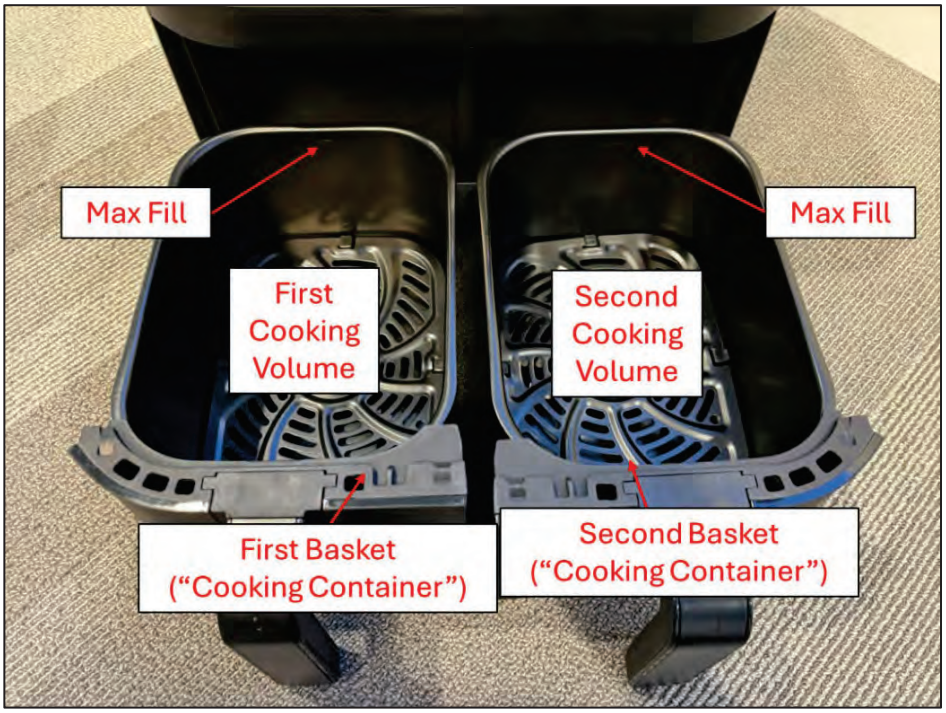
| | <br>• The removable baskets are shown in the below images of the Chefman Dual Air Fryer: |

| U.S. Patent No. 11,672,377 | Evidence of Infringement: Chefman Dual Air Fryer |
|---|---|
| | <br><br>Second, the first cooking container (basket) defines a first cooking volume and the second cooking container (basket) defines a second cooking volume. Specifically, each basket contains a hollow volume to hold food that can be cooked up to a "Max line" that defines the limit of the cooking volume:<br><br>• Ex. H at 3 ("**Cooking Forward**™ Whether this is your first Chefman® appliance or you're already part of our family, we're happy to be **cooking** with you! With your new TurboFry® Touch Dual Air Fryer, you can **air fry foods** to crisp perfection with little to no oil for healthier eating. With **two 4.5-quart baskets**, you can make a main dish and sides, or heat up two crispy snacks for a game-night spread. The Sync Finish feature allows **foods with different cook times** to finish at the same time.") (emphasis added).<br><br>• The images below of the Chefman Dual Air Fryer show the "Max line[s]" and cooking volumes of the baskets of the Chefman Dual Air Fryer system: |

| U.S. Patent No. 11,672,377 | Evidence of Infringement: Chefman Dual Air Fryer |
|---|---|
| |  |

| U.S. Patent No. 11,672,377 | Evidence of Infringement: Chefman Dual Air Fryer |
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| | <br>Third, as shown in the images below of the Chefman Dual Air Fryer, the first cooking container and second cooking container (the baskets) completely close off an opening to the first internal compartment and second internal compartment, respectively, when fully inserted in the compartments: |

| U.S. Patent No. 11,672,377 | Evidence of Infringement: Chefman Dual Air Fryer |
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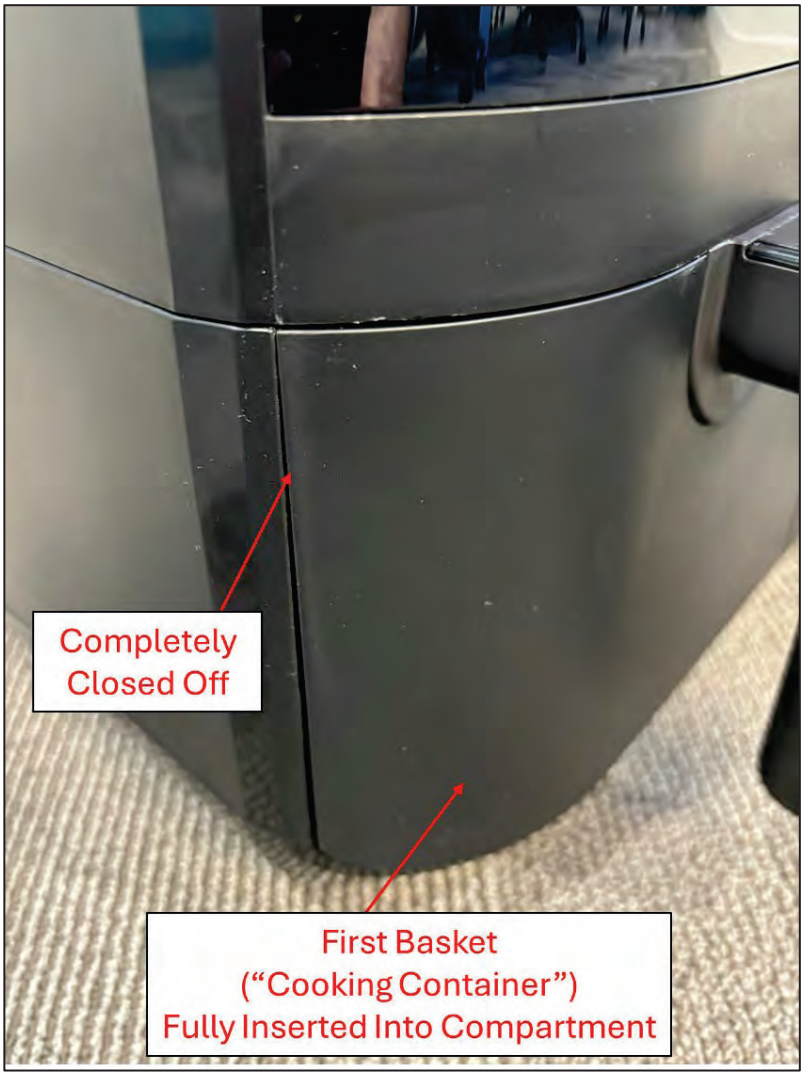
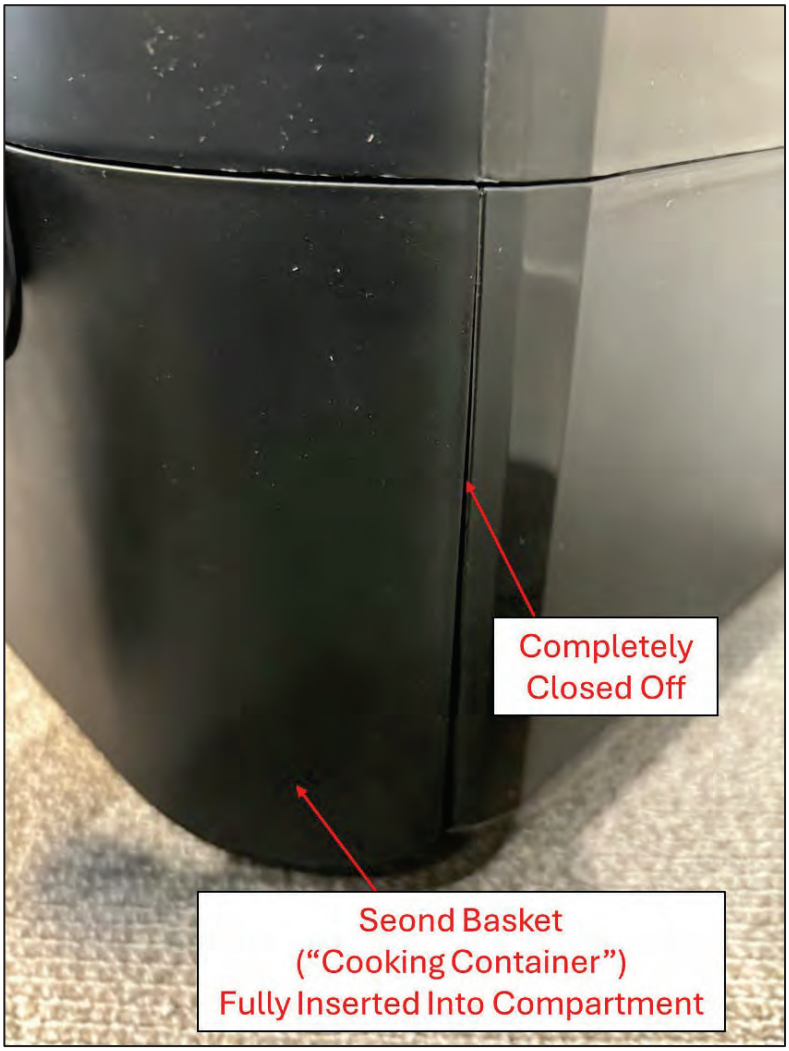
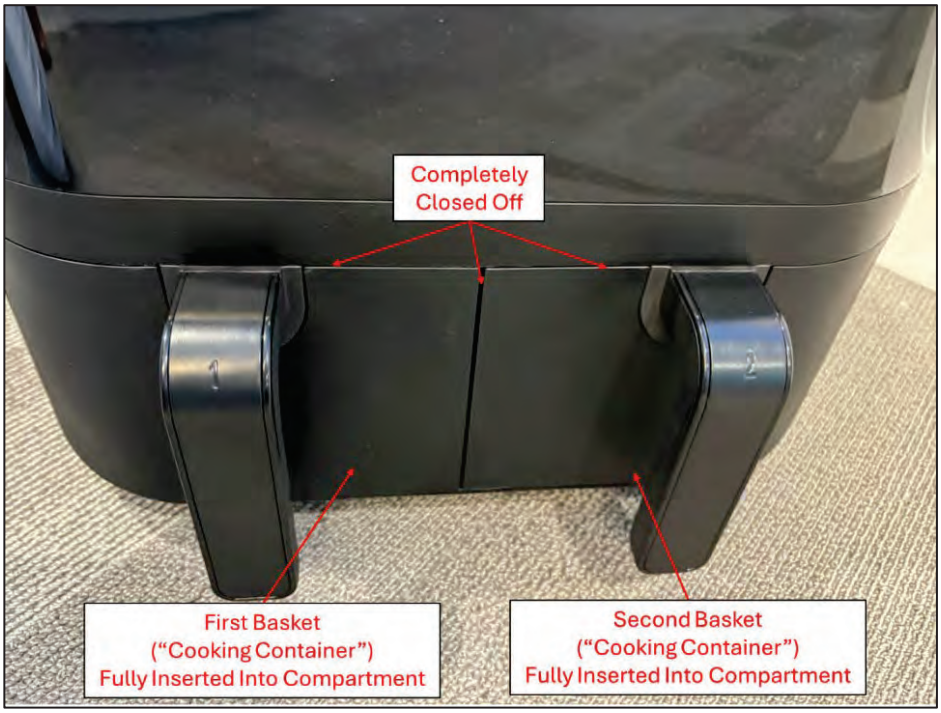
| |  |

| U.S. Patent No. 11,672,377 | Evidence of Infringement: Chefman Dual Air Fryer |
|---|---|
| |  |

| U.S. Patent No. 11,672,377 | Evidence of Infringement: Chefman Dual Air Fryer |
|---|---|
| |  |
| 1[c]<br><br>a first heating element and a second heating element disposed in said housing, said first heating element being in thermal communication with said first cooking volume and said second heating element being in thermal communication with said second cooking volume, the first and | The Chefman Dual Air Fryer cooking system includes a first heating element and a second heating element disposed in said housing, said first heating element being in thermal communication with said first cooking volume and said second heating element being in thermal communication with said second cooking volume, the first and second heating elements being independently operable to independently cook food contained within the first and second cooking containers.<br><br>First, each of the baskets of the Chefman Dual Air Fryer cooking system has its own heating element that is directly above and heats the cooking volume of the basket.<br><br>• Ex. H at 6 ("Some areas do get HOT during use, and the touch screen may get warm. Do not touch the **heating elements**. Do not place hands or other body parts near the air vents while the air fryer is in use; burns may result. Take caution when handling the hot air fryer rack and all removable parts.") (emphasis added).<br>• The image below of the Chefman Dual Air Fryer shows first and second electric coil heaters (heating elements) that are within the housing of the Chefman Dual Air Fryer and are above the first and second internal |

| U.S. Patent No. 11,672,377 | Evidence of Infringement: Chefman Dual Air Fryer |
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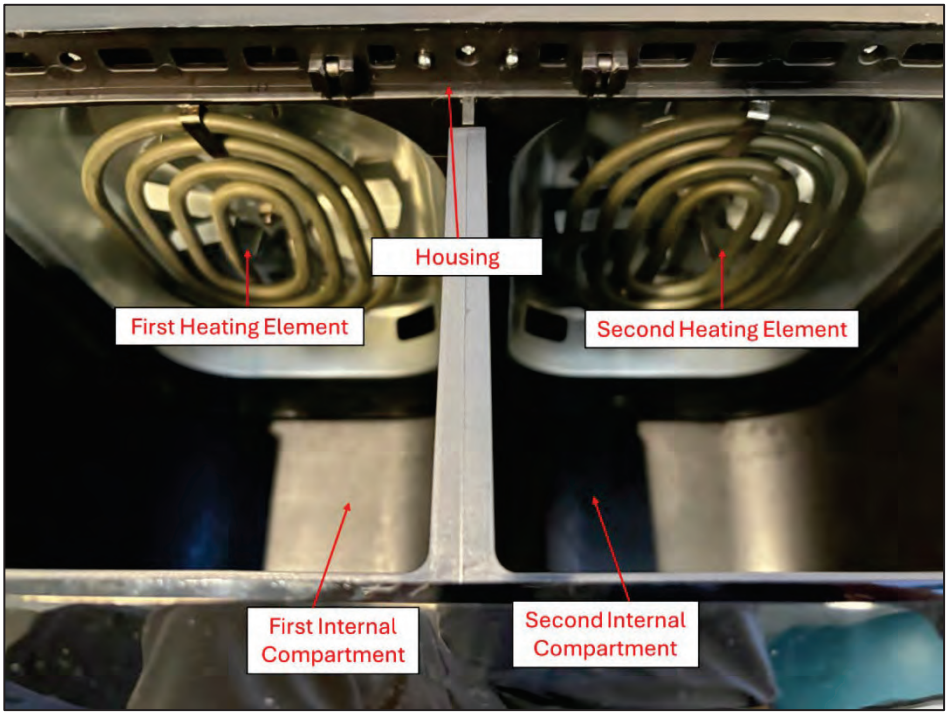
| second heating elements being independently operable to independently cook food contained within the first and second cooking containers; and | compartments:<br>  <br><br>Second, the first and second heating elements are in thermal communication with said first cooking volume and second cooking volume, respectively. As the images of the Chefman Dual Air Fryer shown below illustrate, the two electric coil heaters (heating elements) heat the internal compartments into which each basket is placed. Because the baskets contain the first and second cooking volume, the first and second heating elements are in thermal communication with the first and second cooking volumes: |

| U.S. Patent No. 11,672,377 | Evidence of Infringement: Chefman Dual Air Fryer |
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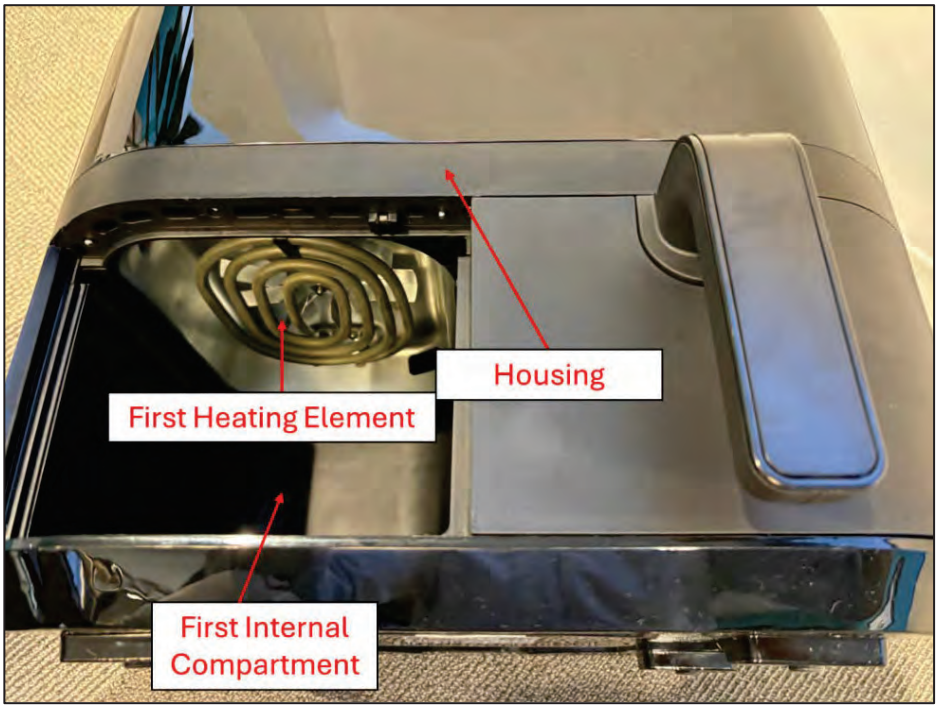
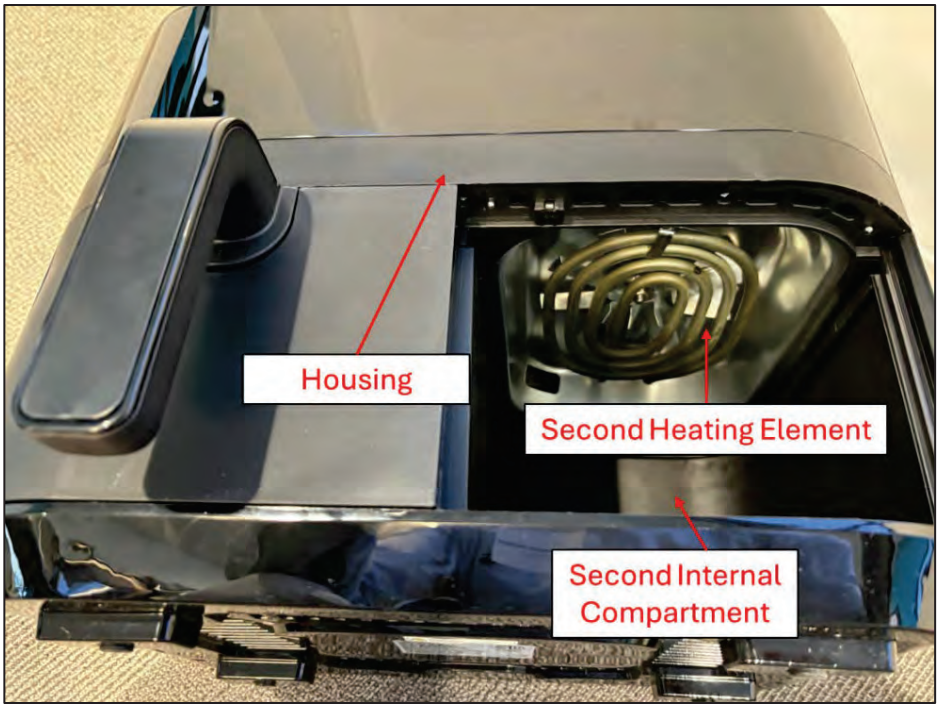
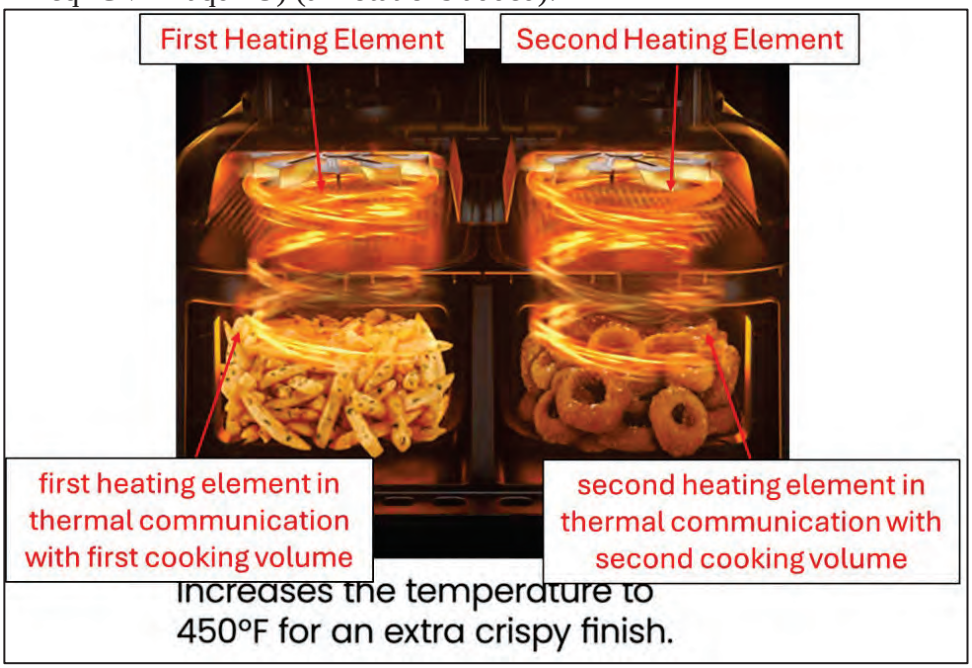
| |  <br>  <br>• Chefman Website, Double Basket Air Fryer (9-Qt.) (Available at: |

| U.S. Patent No. 11,672,377 | Evidence of Infringement: Chefman Dual Air Fryer |
|---|---|
| | https://chefman.com/products/rj38-sqpf-45tdb?srsltid=AfmBOorxi9JxUJiKEVHhuiltcjMJSKEHIf_vVHNub5ZAeqFGVTKaqdBO) (annotations added):<br>  <br><br>Third, the heating elements of the Chefman Dual Air Fryer are independently operable to independently cook food contained within the first and second baskets ("cooking container[s]"), respectively.<br>• For example, the control panel includes separate temperature and time controls and displays for the first and second basket and requires the user to press a "Sync Baskets" button in order to prevent the baskets from being controlled independently:<br>o Ex. H at 10 (annotations added): |

| U.S. Patent No. 11,672,377 | Evidence of Infringement: Chefman Dual Air Fryer |
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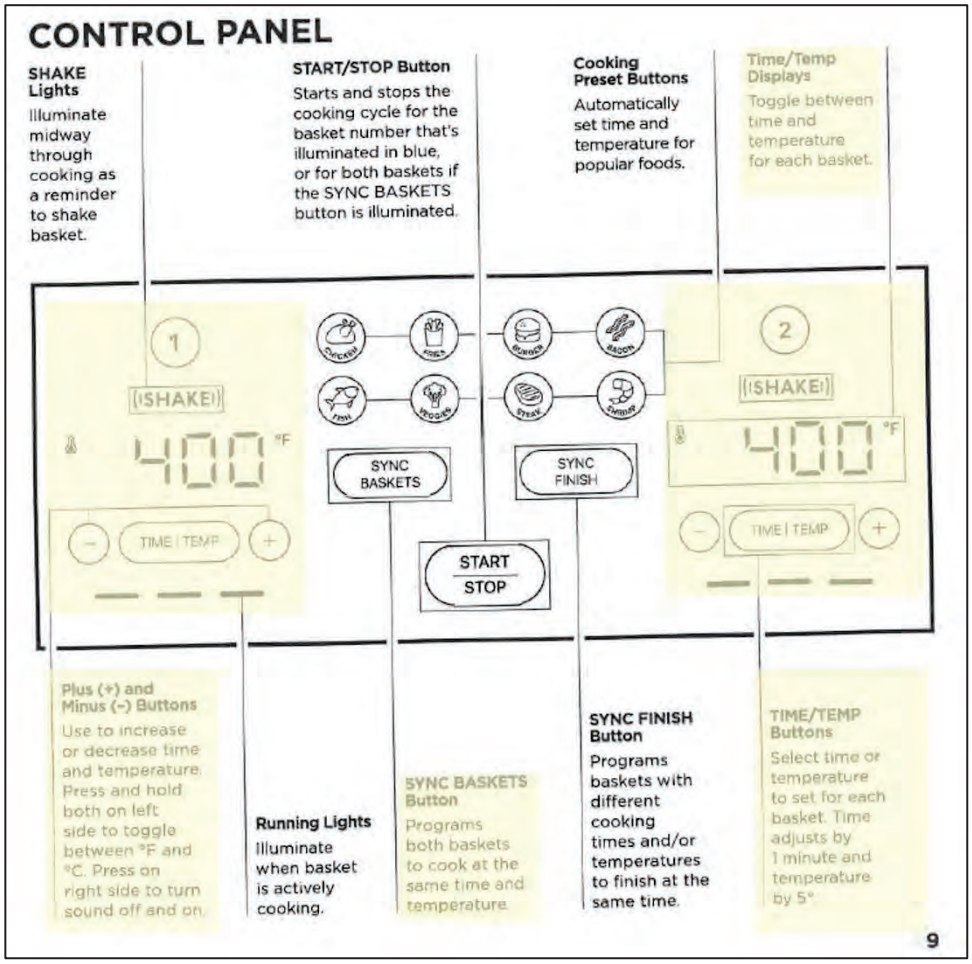
| |  <br>• The Chefman Dual Air Fryer User Guide includes instructions on how to "cook in one basket" and independently operate one heating element to cook food in the cooking volume beneath it. Independent control is the system's "default mode," and the system permits a user to begin cooking on the second side with different time and temperature settings.<br>o Ex. H at 13–14 (annotations added): |

| U.S. Patent No. 11,672,377 | Evidence of Infringement: Chefman Dual Air Fryer |
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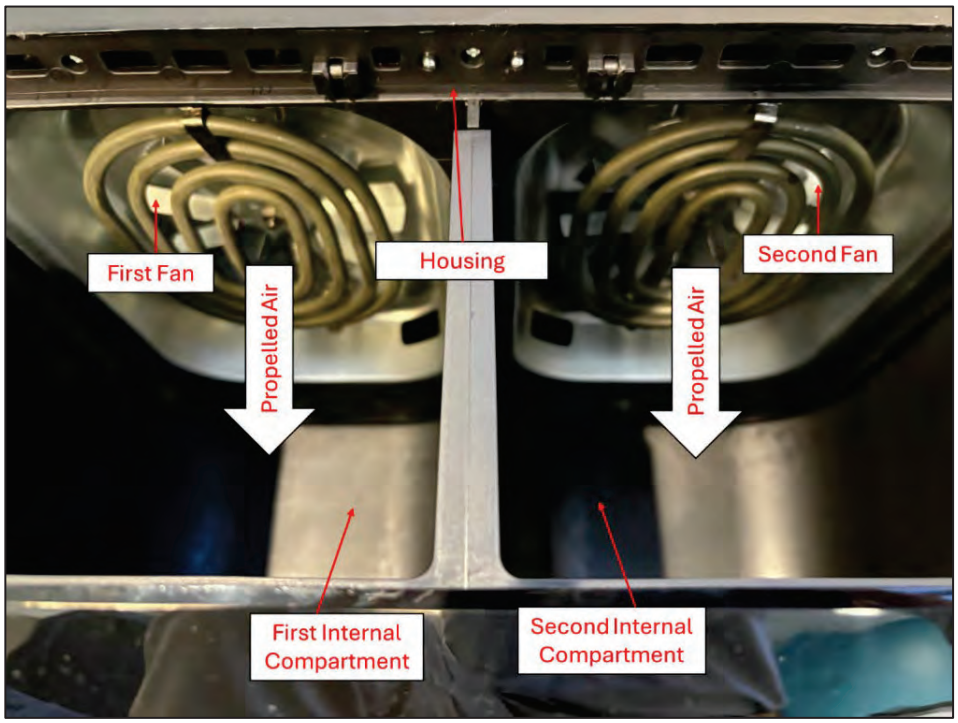
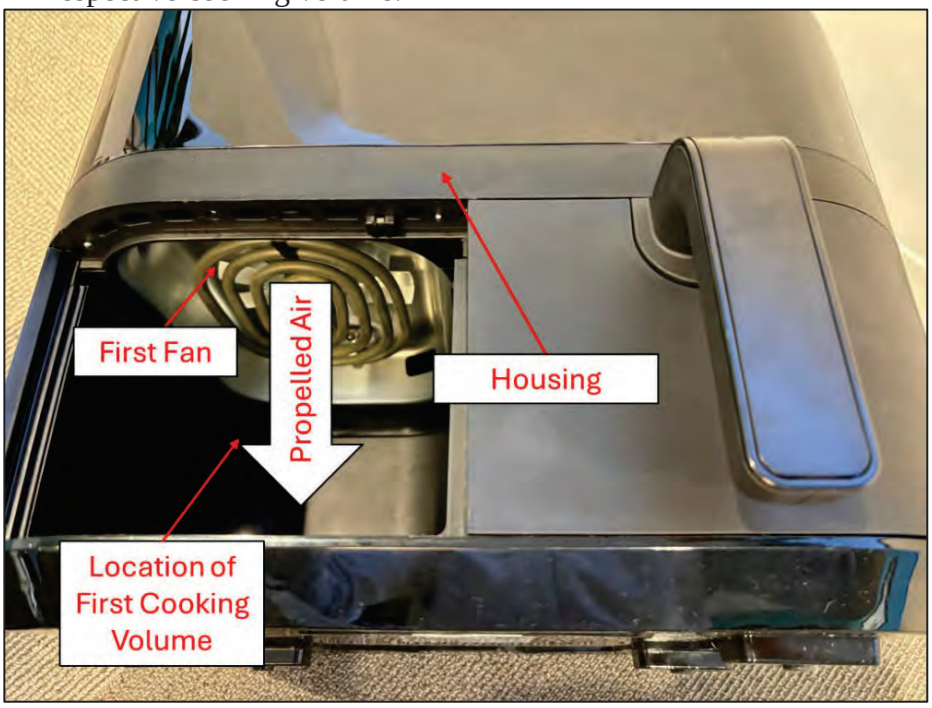
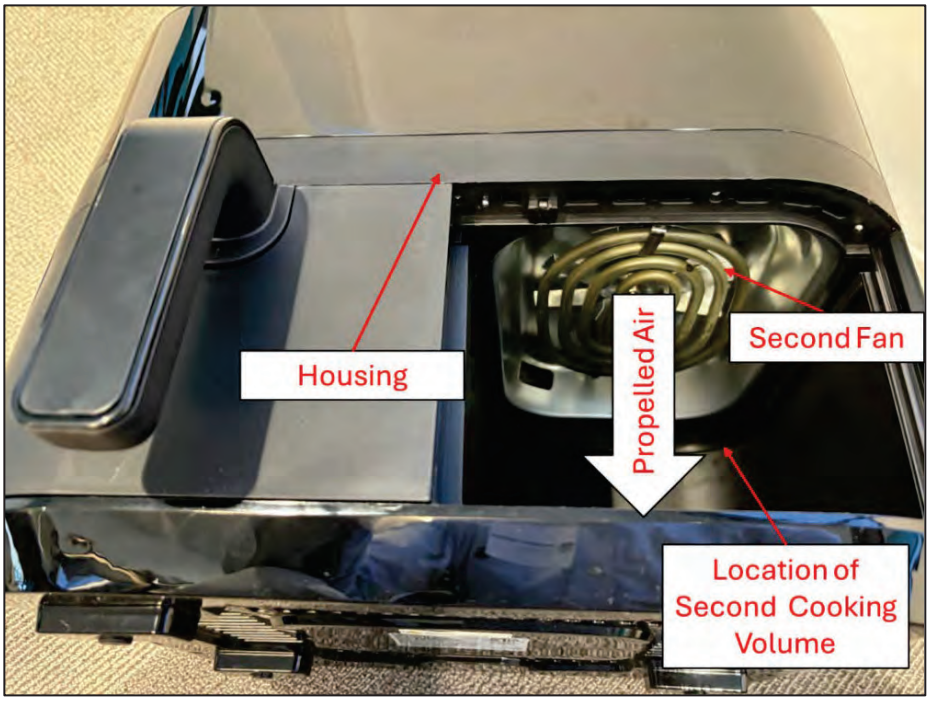
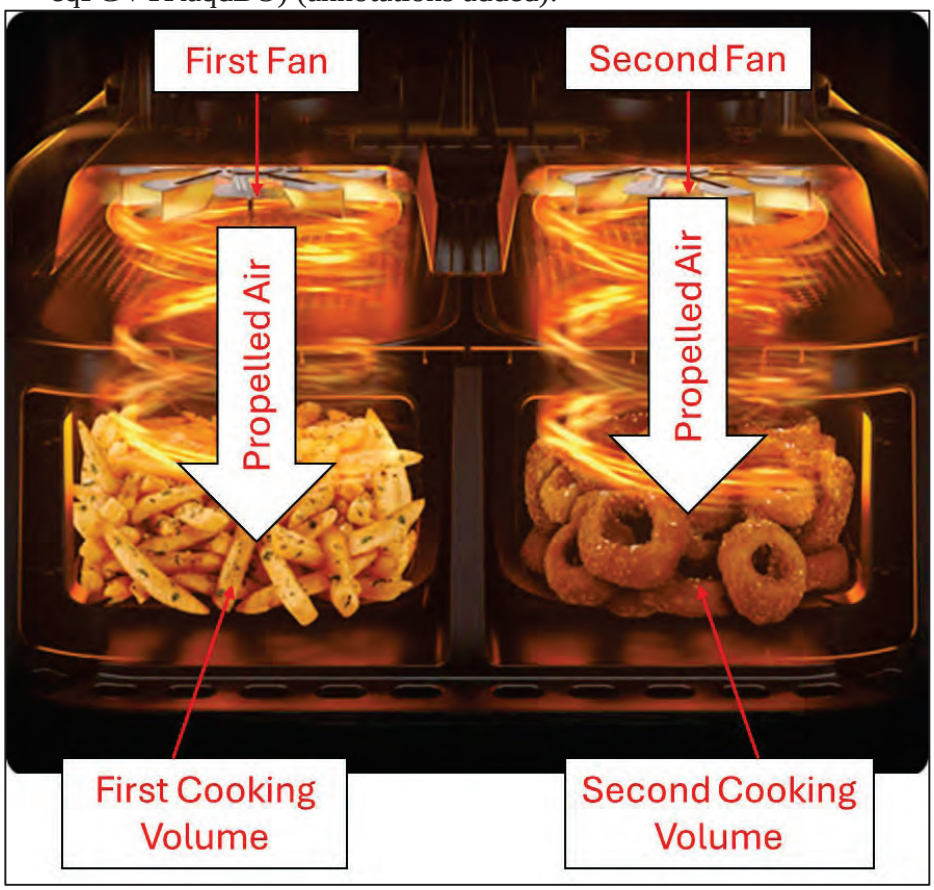
| | **HOW TO COOK IN ONE BASKET**<br>Though the beauty of this air fryer is its double-basket capacity and sync functions, you can easily cook in just one basket, which is the default mode. (The other basket can be removed or left in the unit on standby.)<br>1. Prepare for air fryer cooking as directed starting on p. 11.<br>2. Set the time and temperature for basket 1: To set the temperature, press the TIME/TEMP button until the temperature displays, then press the plus (+) or minus (–) sign. To set the time, press the TIME/TEMP button until the time displays, and then press the plus or minus sign. If cooking with a preset function, choose the icon that best represents the food you're cooking and press the icon. This will set the preprogrammed time and temperature. (See chart on p. 10 for details).<br>3. Press START.<br>4. During cooking, the SHAKE light on the control panel will turn on, and the air fryer will beep as a reminder to shake (or flip) food, as necessary. (See chart starting on p. 16 for more details on timing.) The light will turn off immediately when the basket is removed and will go off automatically after about 10 seconds if the basket is not pulled out. (If your food does not need to be shaken, flipped, or turned, simply ignore the warning.)<br>12<br>5. When the timer is done, the air fryer will turn off automatically. Remove the basket from the unit. Check food for doneness, then carefully transfer the food to plates or a platter and serve.<br>**NOTE:** While the unit is cooking on one side, you can begin cooking in the other basket at any time. (The Sync Baskets and Sync Finish functions will not be available, however.) Simply press the other basket's button on the display and set the time and temperature for that side. Do NOT press START. The running lights for that basket will come on to show that it's cooking.<br><br>• Chefman Website, Double Basket Air Fryer (9-Qt.) (Available at: https://chefman.com/products/rj38-sqpf-45tdb?srsltid=AfmBOorxi9JxUJiKEVHhuiltcjMJSKEHIf_vVHNub5ZAeqFGVTKaqdBO): |

| U.S. Patent No. 11,672,377 | Evidence of Infringement: Chefman Dual Air Fryer |
|---|---|
| | <br>• Chefman Website, Double Basket Air Fryer (9-Qt.) (Available at: https://chefman.com/products/rj38-sqpf-45tdb?srsltid=AfmBOorxi9JxUJiKEVHhuiltcjMJSKEHIf_vVHNub5ZAeqFGVTKaqdBO) ("Introducing the Chefman TurboFry Touch Dual Air Fryer, your key to enjoying double the delicious, crispy meals! With two spacious 4.5-quart baskets, you can effortlessly air fry meals for the whole family. **Prepare two different foods with different time and temperature settings using the independent touchscreen control panels**; air fry the main course in one basket, and the side in the other! Enjoy crispy chicken, fish, steak, and more with eight built-in cooking presets and an adjustable temperature range of 200–400°F. A convenient LED reminder alerts you to shake halfway through cooking time, and the Sync Finish button ensures both baskets finish cooking simultaneously. Cleanup is a breeze with dishwasher-safe accessories and easy-to-clean nonstick baskets. Make mealtimes easier with this sleek and versatile air fryer!") (emphasis added). |

| U.S. Patent No. 11,672,377 | Evidence of Infringement: Chefman Dual Air Fryer |
|---|---|
| 1[d]<br><br>a first fan and a second fan disposed in said housing, said first fan being in fluid communication with said first cooking volume and said second fan being in fluid communication with said second cooking volume. | The Chefman Dual Air Fryer cooking system includes a first fan and a second fan disposed in said housing, said first fan being in fluid communication with said first cooking volume and said second fan being in fluid communication with said second cooking volume.<br><br>The ’377 patent describes fans that “circulate air through the internal compartment[s].” The Chefman Dual Air Fryer contains the same functionality. The Chefman Dual Air Fryer cooking system includes a fan in the housing above each electric coil heater that circulates air through the respective cooking volume underneath.<br><br>• Ex. H at 12 (“The air fryer’s **high-speed fans** cook your favorite foods quickly.”) (emphasis added).<br><br>• The image below of the Chefman Dual Air Fryer shows first and second fans in the housing above the electric coil heaters. The fans are in fluid communication with the first and second cooking volumes when they circulate air through the cooking compartments and their respective cooking volumes below:<br><br>  <br><br><br>• The images below of the Chefman Dual Air Fryer show the fans above the internal compartments into which each basket is placed. The fans are |

| U.S. Patent No. 11,672,377 | Evidence of Infringement: Chefman Dual Air Fryer |
|---|---|
| | in fluid communication with the respective cooking volumes contained within each basked such that each fan propels heated air into the respective cooking volume:     |

| U.S. Patent No. 11,672,377 | Evidence of Infringement: Chefman Dual Air Fryer |
|---|---|
| | • Chefman Website, Double Basket Air Fryer (9-Qt.) (Available at: https://chefman.com/products/rj38-sqpf-45tdb?srsltid=AfmBOorxi9JxUJiKEVHhuiltcjMJSKEHIf_vVHNub5ZAeqFGVTKaqdBO) (annotations added):   |

100. On information and belief, Chefman has benefited from its infringement of the ’026 patent. Chefman’s use of the ’377 patent has made its Dual Air Fryer product more effective and able to heat food at two different temperatures simultaneously.

101. SharkNinja has sustained damages as a direct and proximate result of Chefman’s infringement of the ’377 patent. Chefman has used the invention of the ’377 patent to directly compete with SharkNinja and its Ninja® Foodi® 2-Basket Air Fryer with DualZone™ Technology, including the 6-in-1 10-Qt DZ550 Series, the 6-in-1 8-Qt DZ201 Series, the 6-in-1

10-Qt DZ401 Series, the 4-in-1 8-Qt DZ100 Series, and the 5-in-1 6-Qt DZ090 Series. Chefman's infringement of the '377 patent has caused irreparable harm to SharkNinja and will continue to do so unless enjoined. As a result, SharkNinja is entitled to injunctive relief pursuant to 35 U.S.C. § 283. SharkNinja also is entitled to recover damages for Chefman's infringement under 35 U.S.C. § 284. The amount of damages will be proven at trial.

102. Chefman was put on notice of its infringement of the '377 patent at least as early as August 29, 2024, when it received the Notice Letter from SharkNinja regarding its infringement of the '377 patent.

103. Chefman was further put on notice of its infringement of the '377 patent at least as early as the filing of the Complaint in this action.

104. Chefman's continued infringement of the '377 patent after it has received notice of the '377 patent and its infringement of the patent is intentional, knowing, and willful.

## IX. COUNT VI: INFRINGEMENT OF THE '669 PATENT

105. SharkNinja incorporates by reference and realleges the allegations in paragraphs 1–104.

106. U.S. Patent No. D986,669 (Exhibit F), entitled "Food Preparation Device," was duly and properly issued by the United States Patent and Trademark Office ("USPTO") on May 23, 2023.

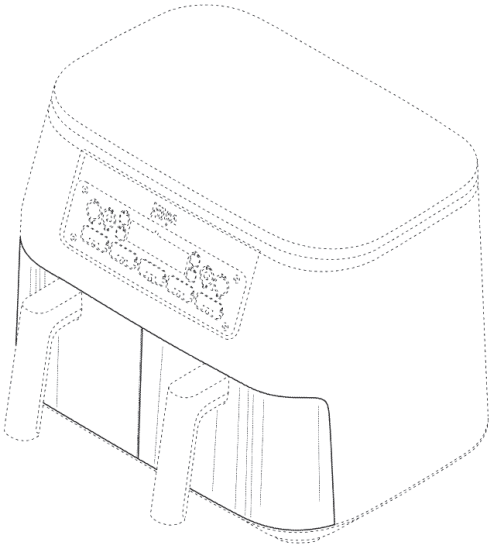
107. SharkNinja owns all rights, title, and interest in the '669 patent.

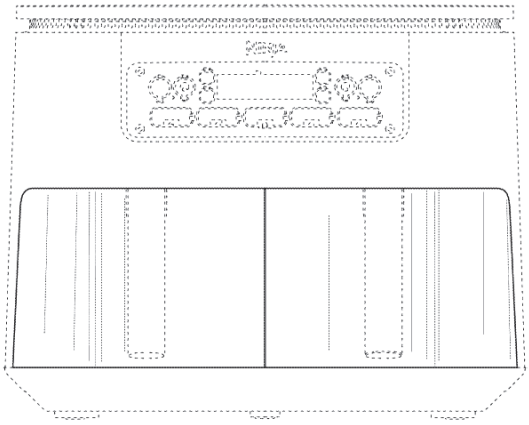
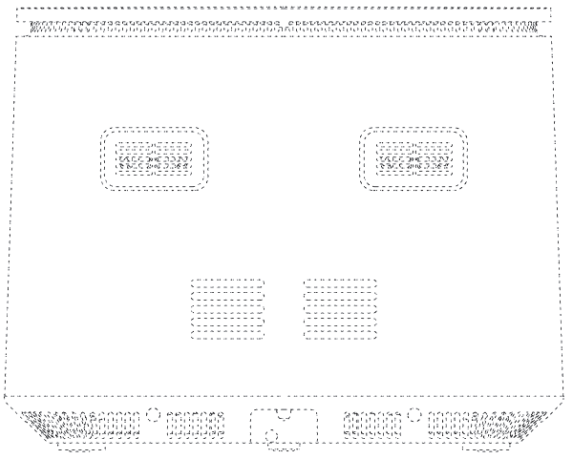
108. The application for the '669 patent was filed on December 15, 2021 and claims priority to an application filed on June 20, 2020.

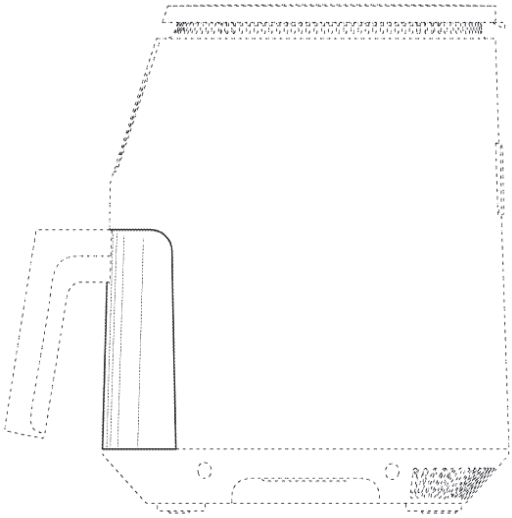
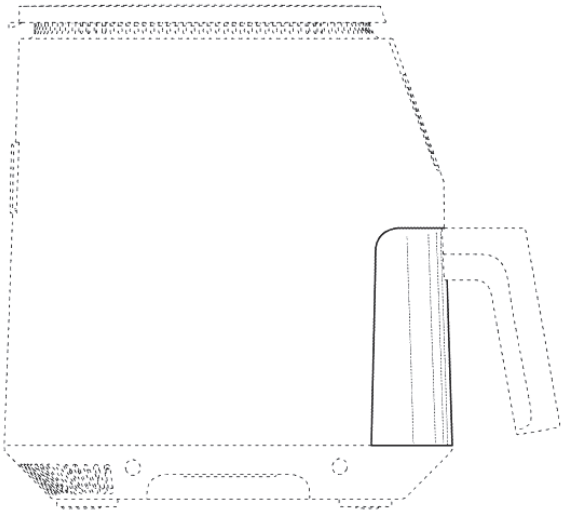
109. Chefman has infringed, and continues to infringe, the claim of the '669 patent in violation of 35 U.S.C. § 271 by, among other things, making, using, offering to sell, and/or

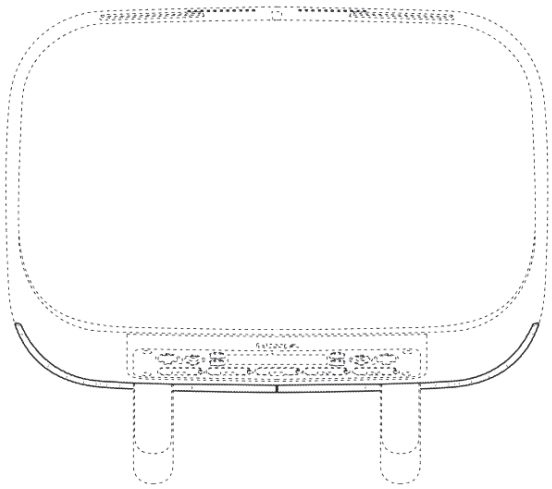
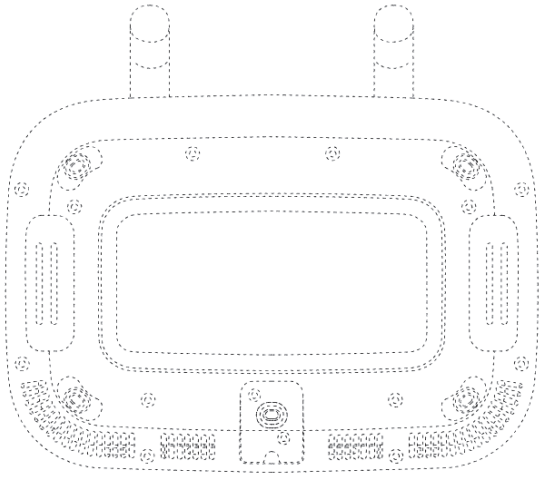
selling within the United States, supplying or causing to be supplied in or from the United States, and/or importing into the United States, without authority or license, the Chefman Dual Air Fryer product.

110. The claim chart below details examples of Chefman's infringement, using the using the Chefman TurboFry® Touch Dual Air Fryer version of the Chefman Dual Air Fryer.

| U.S. Patent No. D986,669 | Evidence of Infringement: Chefman Dual Air Fryer |
|---|---|
|  FIG. 1 | |

| U.S. Patent No. D986,669 | Evidence of Infringement: Chefman Dual Air Fryer |
|---|---|
|  FIG. 2 | |
|  FIG. 3 | |

| U.S. Patent No. D986,669 | Evidence of Infringement: Chefman Dual Air Fryer |
|---|---|
|  FIG. 4 | |
|  FIG. 5 | |

| U.S. Patent No. D986,669 | Evidence of Infringement: Chefman Dual Air Fryer |
|---|---|
|  FIG. 6 | |
|  FIG. 7 | |

111. On information and belief, Chefman has benefited from its infringement of the ’669 patent. Chefman’s use of the design of ’669 patent has enhanced the ornamental appearance of its Dual Air Fryer product.

112. SharkNinja has sustained damages as a direct and proximate result of Chefman’s infringement of the ’669 patent. Chefman has used the invention of the ’669 patent to directly compete with SharkNinja and its Ninja® Foodi® 2-Basket Air Fryer with DualZone™

Technology, including the 6-in-1 10-Qt DZ550 Series, the 6-in-1 8-Qt DZ201 Series, the 6-in-1 10-Qt DZ401 Series, the 4-in-1 8-Qt DZ100 Series, and the 5-in-1 6-Qt DZ090 Series. Chefman's infringement of the '669 patent has caused irreparable harm to SharkNinja and will continue to do so unless enjoined. As a result, SharkNinja is entitled to injunctive relief pursuant to 35 U.S.C. § 283. SharkNinja also is entitled to recover damages for Chefman's infringement under 35 U.S.C. §§ 284 and 289, including an award of any and all profits received or derived by Chefman from the manufacture, marketing, sale, offering for sale and/or distribution of products or services bearing or using any copy or colorable limitation of the '669 patent. The amount of damages will be proven at trial.

113. Chefman was put on notice of its infringement of the '669 patent at least as early as August 29, 2024, when it received the Notice Letter from SharkNinja regarding its infringement of the '669 patent.

114. Chefman was further put on notice of its infringement of the '669 patent at least as early as the filing of the Complaint in this action.

115. Chefman's continued infringement of the '669 patent after it has received notice of the '669 patent and its infringement of the patent is intentional, knowing, and willful.

## X. PRAYER FOR RELIEF

WHEREFORE, SharkNinja prays for relief, as follows:

a. A judgment that each of the Asserted SharkNinja Patents is valid and enforceable.

b. A judgment that Chefman has infringed one or more claims of each of the Asserted SharkNinja Patents.

c. A judgment awarding SharkNinja all damages adequate to compensate for Chefman's infringement of SharkNinja's asserted patents, including all pre-judgment and post-judgment interest at the maximum rate permitted by law.

d. A preliminary and permanent injunction restraining Chefman, its officers, agents, servants, employees, attorneys, and those persons acting in concert with Chefman, from making, using, offering to sell, selling, distributing, and/or importing the Infringing Chefman Products.

e. A judgment that Chefman's infringement of the Asserted SharkNinja Patents has been willful.

f. A judgment that damages should be trebled pursuant to 35 U.S.C. § 284 because of Chefman's willful infringement of the Asserted SharkNinja Patents.

g. A judgment that this is an exceptional case and an award to SharkNinja of its costs and reasonable attorneys' fees incurred in this action as provided by 35 U.S.C. § 285; and

h. Such other relief as this Court deems just and proper.

## XI. DEMAND FOR JURY TRIAL

Pursuant to Federal Rule of Civil Procedure 38(b), SharkNinja hereby demands trial by jury on all issues raised in this Complaint.

Dated: September 5, 2024

OF COUNSEL:

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*Attorneys for Plaintiffs SharkNinja Operating LLC and SharkNinja Sales Company*

**LOCAL RULE 11.2 CERTIFICATION**

I hereby certify that, to the best of my knowledge, the matter in controversy is not the subject of any other pending litigation in any court, administrative proceeding, or arbitration proceeding, nor are there any non-parties known to Plaintiffs that should be joined to this action.

*/s/ Liza M. Walsh*
Liza M. Walsh

**LOCAL RULE 201.1 CERTIFICATION**

I hereby certify that the above-captioned matter is not subject to compulsory arbitration in that the Plaintiffs seek, inter alia, injunctive relief.

*/s/ Liza M. Walsh*
Liza M. Walsh