

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

SHARKNINJA OPERATING LLC,
SHARKNINJA SALES COMPANY, and
SHARKNINJA (HONG KONG)
COMPANY, LTD.

Plaintiffs,

v.

RJ BRANDS, LLC
d/b/a CHEFMAN,

Defendant.

Case No. 1:24-cv-08984-CPO-MJS

FIRST AMENDED COMPLAINT

JURY TRIAL DEMANDED

FILED UNDER SEAL

**FIRST AMENDED COMPLAINT FOR
TRADE SECRET MISAPPROPRIATION, TORTIOUS
INTERFERENCE AND PATENT INFRINGEMENT**

I. INTRODUCTION AND NATURE OF THE ACTION

1. Plaintiffs SharkNinja Operating LLC, SharkNinja Sales Company, and SharkNinja (Hong Kong) Company, Ltd. (collectively, “SharkNinja”) bring this action for trade secret misappropriation, tortious interference, and 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, and frozen drink makers and systems. SharkNinja has eight offices and thousands of employees in the United States. SharkNinja’s headquarters is located in Massachusetts.

3. SharkNinja has a particular history as a pioneer and innovator. SharkNinja devotes 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 approach has been overwhelmingly successful: SharkNinja has been awarded more than 4,500 patents on its home appliance innovations. The SharkNinja trade secrets and patents at issue in this action are a testament to SharkNinja's history of innovation.

4. This action concerns SharkNinja's intellectual property rights and business relationships related to its hugely successful "i" class of home appliances, which focuses on bringing innovative solutions to home kitchens. SharkNinja began the "i" class with the Ninja "FOODi" line of air fryers. SharkNinja's innovation continued with the Ninja "CREAMi," an ice cream maker launched in August 2021 that attracted significant consumer and press attention by allowing users to make ice cream-style desserts out of almost anything. SharkNinja later expanded to the Ninja "SPEEDi," a 10-in-1 rapid cooker launched in March 2023, and then to the "THIRSTi," a carbonated beverage maker released in July 2023. SharkNinja's most recent offering in this lineup is the Ninja SLUSHi Professional Frozen Drink Maker (the "SLUSHi"), a countertop professional-grade slush machine for home-use.

5. Chefman has violated SharkNinja's intellectual property rights and interfered with its business in at least three ways: misappropriation of the trade secrets associated with the SLUSHi, tortious interference with SharkNinja's SLUSHi manufacturer, and infringement of several SharkNinja patents, which are used in the FOODi line of appliances, and in other novel indoor cooking systems.

6. The first violation concerns SharkNinja's latest groundbreaking and viral product, the SLUSHi. Launched this past summer, on July 11, 2024, the SLUSHi created a new frozen appliance category for home consumers. Unlike prior frozen beverage appliances targeted to home consumers, such as Margaritaville frozen drink machines (Fig. 1, which are essentially blenders and need ice), or Nostalgia frozen drink machines (Fig. 2, which use a chilled ice and salt chamber similar to conventional at-home ice cream machines), the SLUSHi (Fig. 3) reimagines the classic slush machine entirely, permitting consumers to make frozen slush drinks safely and quickly at home without ice. Previously, such devices were available predominately in retail environments due to their large size, high-price point, and complicated operation.



Figure 1: Margaritaville
Frozen Concoction Maker



Figure 2: Nostalgia
Slush Drink Maker



Figure 3: SharkNinja
SLUSHi

7. The SLUSHi is designed with at-home users in mind. At the press of a button, it can turn almost any liquid into slush quickly—in as little as 15 minutes—with no ice needed. Following its launch, the SLUSHi gained a passionate following, including numerous positive

reviews.¹ The SLUSHi's smash success was the result of [REDACTED] significant consumer research, engineering, and development work by SharkNinja. SharkNinja has significant intellectual property rights and interests relating to the innovations in the SLUSHi, including trade secrets, know how, and/or confidential business information.

8. To bring the SLUSHi to market, SharkNinja contracted with a manufacturer in China, Zhongshan Donlim Weili Electrical Appliances Co. Ltd. ("Weili").² SharkNinja negotiated an agreement with Weili that included provisions [REDACTED]

[REDACTED]
[REDACTED].

9. However, SharkNinja learned that slush machines for Defendant Chefman were being made in the *same* facility where the SLUSHi is made. The Chefman slush machine—called the Iceman Slush-Ease ("Slush-Ease")—looks nothing like the consumer and home-use devices that were on the market before SLUSHi, looks nearly identical to the SLUSHi (Fig. 4), and includes many of the SLUSHi's groundbreaking features such as its vessel design, dasher, and preset drink options.

¹ See, e.g., <https://nymag.com/strategist/article/ninja-slushi-review.html> (describing the SLUSHi as "like magic"); <https://www.cnn.com/cnn-underscored/reviews/ninja-slushi> (citing the SLUSHi's "endless" options, "very user friendly" design and convenience for entertaining and cleaning); <https://mashable.com/review/ninja-slushi> (describing "chef's kiss chilled consistency").

² Upon information and belief, Weili is also referred to by the name "Guangdong Welly Electrical Appliances Co., Ltd." and uses the short names "Weili" or "Welly." See <https://www.weiliglobal.com/overview/>; <https://www.weiliglobal.com/contact-us/>.



Figure 4: Side-by-Side of the Ninja SLUSHi and Chefman Slush-Ease

10. The Chefman Slush-Ease was also ready for market in an implausibly short period of time—on information and belief, less than **30-40 days** after the launch of the SLUSHi—and then it became available to consumers in Canada. Recently, it became available for purchase in the United States.

11. Given the marked similarities between the SharkNinja SLUSHi and the Chefman Slush-Ease—and their marked differences from the other products on the market—consumers were quick to draw parallels between the products, calling the Slush-Ease “a Ninja clone,” but because Chefman took advantage of SharkNinja’s research and development, the Slush-Ease was listed for \$100 cheaper, leading to some consumers to say the Slush-Ease was “the Ninja SLUSHi maker...for less.”

12. Upon information and belief, Chefman has been directing and working with SharkNinja’s manufacturer since before the SLUSHi launched. Upon information and belief, Chefman was also (1) aware of the details of SharkNinja’s SLUSHi product before the SLUSHi

launched and/or at least as of the time of its launch; (2) aware of SharkNinja's contractual and business relationship with Weili prior to the launch of the SLUSHi and/or at least as of the time of its launch; (3) aware that the Chefman Slush-Ease looks nothing like the consumer and home-use slush machines on the market prior to the SLUSHi; and (4) aware that the Slush-Ease looks nearly identical to the SLUSHi and includes many of the SLUSHi's groundbreaking features.

13. Given the significant harm associated with Chefman's misappropriation of SharkNinja's trade secrets, including to unjustly gain a head start in the marketplace and directly compete with and take sales from SharkNinja, SharkNinja brings these claims for, *inter alia*, trade secret misappropriation under the Defend Trade Secrets Act of 2016 (18 U.S.C. § 1836 *et seq.*), the New Jersey Trade Secrets Act (NJTSA § 56:15-1 *et seq.*), and for tortious interference to remedy Chefman's interference with its manufacturer, in order to remedy the damages SharkNinja has suffered as a result. Discovery in this case may reveal that such and other harm(s) to SharkNinja is ongoing and irreparable.

14. Chefman has also violated SharkNinja's intellectual property by infringing the Asserted SharkNinja Patents. 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).

15. 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.

16. 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.

17. 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.

18. 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.

19. 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

20. 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.

21. 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.

22. Plaintiff SharkNinja (Hong Kong) Company Ltd. is a privately held company organized and existing under the laws of Hong Kong, with a principal place of business at 21/F, 238 DES Voeux Road Central, Sheung Wan, Hong Kong.

23. On information and belief, 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.

24. On information and belief, Chefman's employees and documents are principally located in New Jersey.

25. This is an action arising under the intellectual property laws of the United States, 18 U.S.C. § 1836 *et seq* and 35 U.S.C. § 1 *et seq*. Accordingly, this Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

26. This Court has supplemental jurisdiction over the state statutory and common law claims in this Complaint pursuant to 28 U.S.C. § 1367(a).

27. 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 misappropriate SharkNinja's trade secrets (the Slush-Ease) and infringe the Asserted SharkNinja Patents (the Chefman Electric Indoor Air Fryer + Grill and Chefman Dual Air Fryer,

together the “Infringing Chefman Products”). Chefman further offers to place and/or places the Slush-Ease and Infringing Chefman Products into the stream of commerce in this District with the knowledge or understanding that these products would be used or sold in this District.

28. 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 misappropriation and infringement in this District because Chefman offers to provide and/or provides the Slush-Ease and the Infringing Chefman Products to customers in this District.

29. It is in New Jersey’s interest to ensure its businesses, including Chefman, can have controversies decided in their home forum. Moreover, it is in New Jersey’s interest as a hub of commerce to ensure that intellectual property rights are respected in this forum.

III. FACTUAL ALLEGATIONS

A. The SLUSHi

30. The SLUSHi is a first-of-its-kind, professional-grade, countertop frozen drink making appliance designed for a household consumer. Before the SLUSHi there was *no* at-home, counter-top slush maker available on the market. Consumers craving soda, juice, or cocktail slush drinks either had to purchase individual beverages from commercial vendors, commit to the lengthy process of using an ice cream maker-style device to produce small batches, or settle for diluted drinks made using shaved ice. The SLUSHi changed the game. It allows consumers to quickly transform juice, soda, dairy, or alcohol beverages into frozen slush drinks without adding ice. Designed with the home consumer in mind, it works in just a few steps—consumers fill the vessel with sugar-containing liquid, select a preset program, and have a frozen drink in as little as 15 minutes.

31. The SLUSHi was conceived in an effort to build upon the runaway success of SharkNinja's innovative "i" class of products starting with the "Ninja FOODi." In particular, the SLUSHi builds upon the "Ninja CREAMi" home ice cream machine, which was released in August 2021.

32. Leveraging the extensive consumer insights, research, and development expertise gained in connection with the CREAMi, which already gave SharkNinja a significant lead over other competitors, a cross-functional team of SharkNinja industrial designers, engineers, food scientists, culinary experts, and market research professionals began developing the SLUSHi [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]. Instead, home consumers either had to use ice-based blending machines, such as Margaritaville frozen drink machines, or devices with chambers similar to conventional at-home ice cream machines, such as Nostalgia frozen drink machines. *See supra* ¶¶ 6-7.

33. SharkNinja's vision was for the SLUSHi to be the next evolution in frozen desserts, offering consumers the ability to enjoy the nostalgic charm of a frozen slush beverage in their home without dilution from ice.

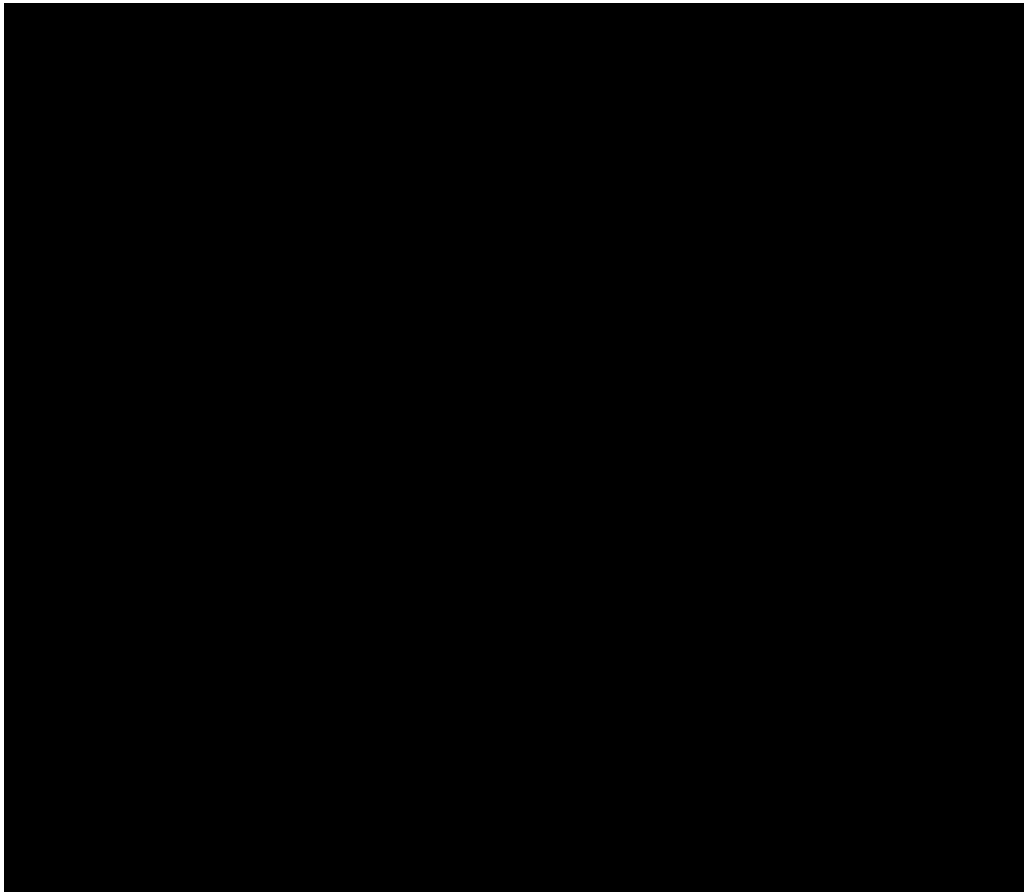
34. To make this vision a reality, SharkNinja's engineering team created the first physical prototype of the SLUSHi [REDACTED]. This initial prototype built on SharkNinja's knowledge of ice cream makers and implemented [REDACTED]

[REDACTED]. The prototype also included [REDACTED].

SharkNinja's engineering team iterated on this first prototype [REDACTED]

[REDACTED]

[REDACTED]:



35. As part of its early development process, SharkNinja investigated and rejected numerous ideas for the SLUSHi, [REDACTED]

[REDACTED] Ultimately, by combining the parallel work of the engineering team and market research team's investigation of consumer preferences, SharkNinja determined the SLUSHi device should implement rapid cooling to get to "slush" as quickly as possible for a peak consumer experience. This led the SLUSHi development team to [REDACTED]

[REDACTED]

[REDACTED]

36. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

37. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

38. SharkNinja and Weili entered into an agreement, [REDACTED]

[REDACTED].

39. Pursuant to the agreement, [REDACTED]

[REDACTED].

40. Weili further agreed that [REDACTED]

[REDACTED]

[REDACTED].

41.

[REDACTED]

42.

[REDACTED]

43. These iterations each bore refinements designed to overcome known difficulties associated with commercial slush machines, [REDACTED]

[REDACTED]

44. As one example, SharkNinja discovered after significant testing during this phase that a [REDACTED]

[REDACTED] SharkNinja began to implement changes [REDACTED]

[REDACTED]

[REDACTED]

45. As a second example, the SLUSHi was intended to provide consistent results regardless of the type of liquid used, and in order to be more accessible to at-home users, [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
SharkNinja sought to create an incredibly user-friendly device, and this [REDACTED]

[REDACTED] so
that consumers would be able to prepare an ideal slush drink with the push of a single button.

46. As a third example, the SLUSHi was designed to be easy to assemble and
disassemble for operation and cleaning. SharkNinja's engineering [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED].

47. As a fourth example, the SLUSHi's dasher design [REDACTED]
[REDACTED] Through extensive testing, SharkNinja discovered the ideal dasher
[REDACTED]. SharkNinja also iterated on
this design [REDACTED].

48. SharkNinja's extensive engineering efforts paid off. The SLUSHi launched on
July 11, 2024 and is SharkNinja's most successful product launch to date. With strong
popularity through the 2024 holiday season, SharkNinja expects the SLUSHi to continue to be a
flagship product.

B. SharkNinja's Secrets and Maintenance of Secrecy

SharkNinja's Secrets

49. To resolve the challenges associated with achieving the performance of a large, commercial device with a smaller compact device for home-use, SharkNinja developed its numerous trade secrets, including the SharkNinja Trade Secrets, which integrate numerous machine design elements to uniquely resolve challenges. The SharkNinja Trade Secrets are the trade secrets SharkNinja believes are at issue here, without the benefit of discovery, and they consist of at least the following, either separately or together in combination (hereinafter "SharkNinja Trade Secrets"):

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[illegible]

50. The unified process, design, and operation of the SharkNinja Trade Secrets, separately and together, derive independent economic value from not being known, particularly during the period when SharkNinja was developing the SharkNinja Trade Secrets and prior to the launch of the SLUSHi product. The SharkNinja Trade Secrets are SharkNinja's solutions to longstanding challenges in the frozen drink space and allow SharkNinja to offer a first-of-its-kind at-home device that avoids many of the inconveniences, complications, and dangers of commercial-grade machines. The SharkNinja Trade Secrets therefore afford SharkNinja a

significant competitive advantage, and permitted SharkNinja to be the first and only like-product on the market.

SharkNinja's Maintenance of Secrecy

51. Prior to the release of the SLUSHi, SharkNinja took numerous steps to preserve and maintain the secrecy of the SharkNinja Trade Secrets. SharkNinja's efforts to maintain secrecy include: requiring its employees to sign an employment agreement containing a confidentiality provision; requiring its manufacturer Weili to maintain confidentiality; using passwords and secure servers/FTP sites when transferring information to SharkNinja's manufacturing partner; requiring consumer testers to sign non-disclosure agreements; and maintaining internal secrecy around new product categories.

52. For instance, the confidentiality provision in SharkNinja's employment agreement defines "Confidential Information" to include, *inter alia*, [REDACTED]

[REDACTED] Each employee [REDACTED]

[REDACTED]

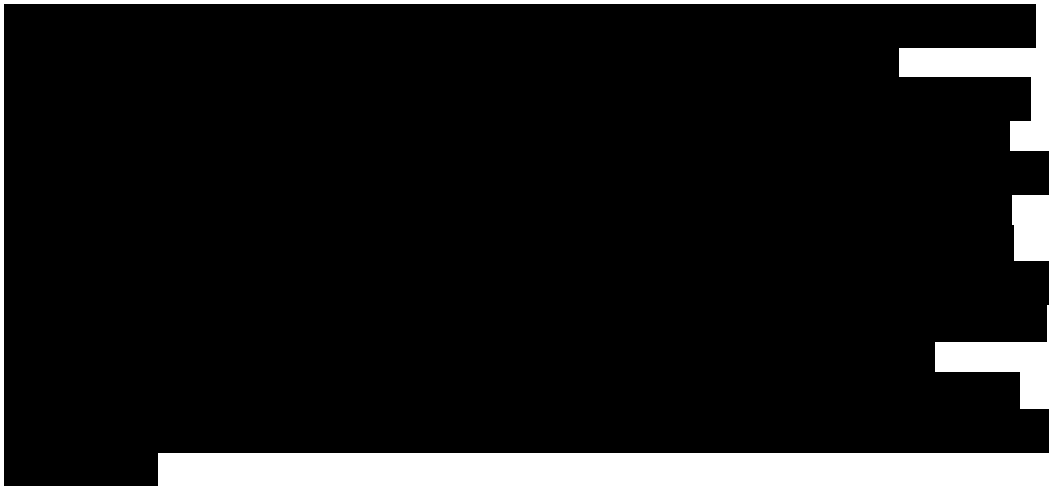
[REDACTED]

[REDACTED]

[REDACTED] or in certain limited exceptions

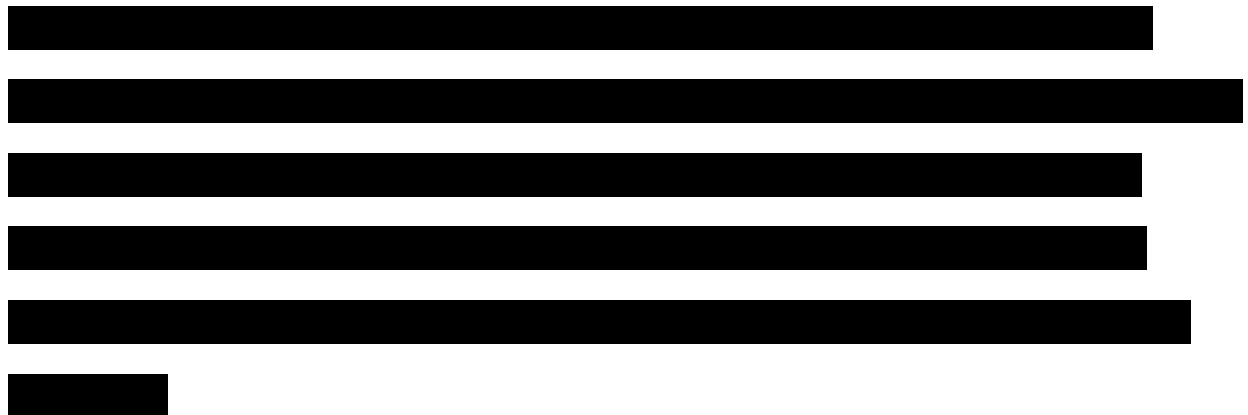
(such as pursuant to a court order). In addition, SharkNinja employees are subject to a Code of Conduct, which reads, in part:

[REDACTED]



53. SharkNinja also requires its manufacturer, Weili, to adhere to strict confidentiality requirements as part of their agreement.

54. In furtherance of and pursuant to their agreement, and to enable Weili to manufacture the SLUSHi, SharkNinja provided Weili with its highly confidential information, including certain SharkNinja Trade Secrets. SharkNinja also provided Weili with its highly confidential CAD drawings, tooling, and machine code. Pursuant to the agreement, SharkNinja



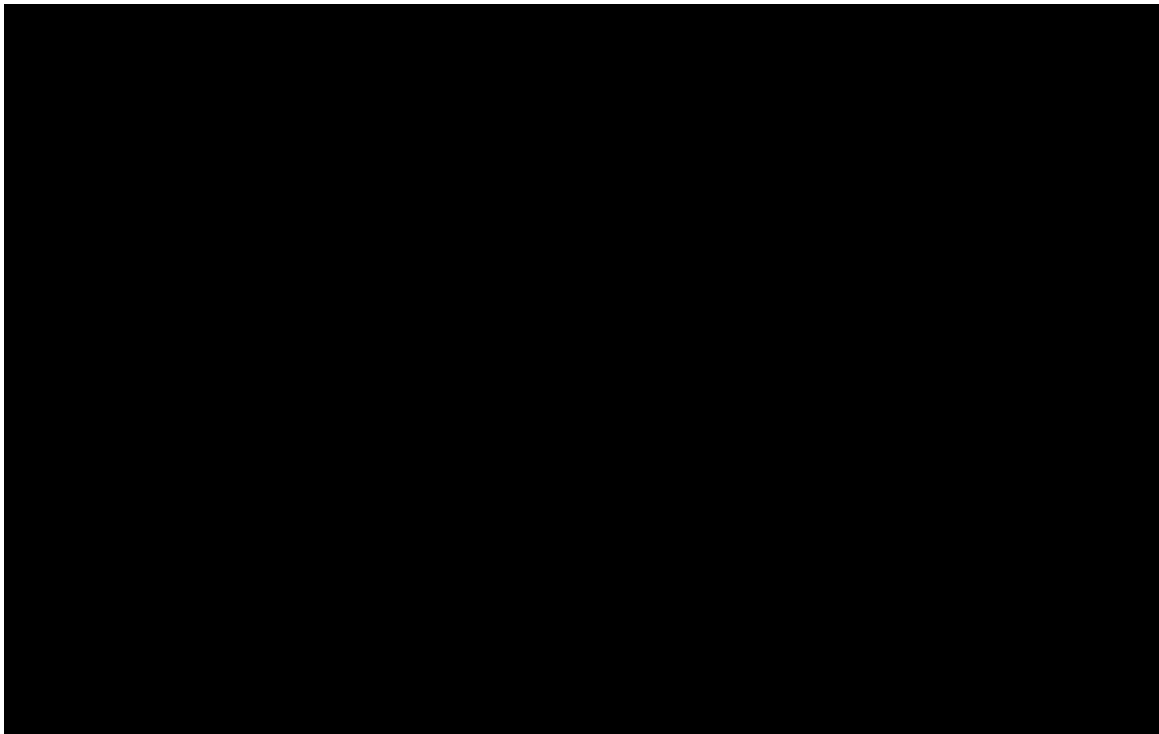
55. SharkNinja also took care to shield all prototype SLUSHi devices from view when visitors not employed by SharkNinja and/or not bound by non-disclosure/confidentiality agreements were on SharkNinja's premises.

56. Thus, until at least July 11, 2024, SharkNinja anticipated that the Trade Secrets would remain secret. After July 11, 2024, when the SLUSHi was publicly launched, certain of

the SharkNinja Trade Secrets could possibly be discerned from the publicly launched product, but not without significant investment in engineering, which would still give SharkNinja a competitive advantage.

C. Chefman's Misappropriation

57. Iceman Slush-Ease branded countertop slush makers are, upon information and belief, manufactured in the same Weili facility as SharkNinja's SLUSHi devices.



58. Upon information and belief, Iceman is an established Chefman brand.

59. The Chefman Slush-Ease device closely resembles SharkNinja's SLUSHi device.

See Fig. 4.



Figure 4: Side-by-Side of the Ninja SLUSHi and Chefman Slush-Ease

60. In particular, the Chefman Slush-Ease device [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] Upon information and belief, these features alone and/or in combination embody several SharkNinja Trade Secrets.

61. Chefman Slush-Ease devices only recently became available for purchase in the United States at stores such as Costco and Walmart.³

³ See, e.g., <https://www.costco.com/iceman-slush-ease-1.5l-slushy-maker-with-customizable-thickness.product.4000323735.html>; <https://www.walmart.com/ip/ICEMAN-Slush-Ease-1-5L-1-59-QT-Slushy-Frozen-Drink-Maker/13913714635>.

62. Upon information and belief, the accelerated, rapid speed at which Chefman was able to ready the Slush-Ease for the market could not have been achieved absent misappropriation of the SharkNinja Trade Secrets. SharkNinja invested [REDACTED] [REDACTED] to develop the SLUSHi. The SLUSHi was the first product in this category to be available on the market. Accordingly, upon information and belief, it would take an entity with the same resources as SharkNinja many months more than it took Chefman to replicate and have a ready-to-market competing device. For the same reasons, upon information and belief, it would take an entity with the same resources as SharkNinja many months more than it took Chefman to bring to market a competing device in the United States.

63. Upon information and belief, Chefman does not have the same resources as SharkNinja. Upon information and belief, rather than developing its own unique product categories like the SLUSHi, Chefman has focused its limited development efforts into user interface (“UI”) and “display technology.” Upon information and belief, Chefman employs a very limited engineering team in New Jersey and does not typically invest significant resources [REDACTED] to produce the products it sells, rendering it implausible that Chefman could have developed the Slush-Ease as quickly as (or, quicker than) a company with SharkNinja’s resources, absent misappropriation.

64. Upon information and belief, prior to the Slush-Ease, Chefman also lacked experience in the specialized area of consumer slush machines or similar consumer kitchen devices, as Chefman’s only prior refrigeration or freezer products were countertop ice makers and mini-fridges.⁴ Yet Chefman was able to obtain a ready-for-market Slush-Ease product

⁴ See https://www.amazon.com/stores/page/1281B72F-E382-4B11-8181-316FB2B34669?ingress=2&visitId=97b2f751-bade-45ac-b05e-99857aaadaed&ref_=ast_bln.

incorporating many of the same features as the SharkNinja SLUSHi—and embodying the SharkNinja Trade Secrets—within—at most—**30-40 days** of the SLUSHi’s launch using the same manufacturer as SharkNinja. This rapid and accelerated launch time frame is implausible absent misappropriation, and allowed Chefman to gain an improper head start on honest competitors.

65. Chefman was therefore able to save significant research and development costs by misappropriating the SharkNinja Trade Secrets. Upon information and belief, Chefman is also aware that innovative, first-to-market products like the SLUSHi require significant investments in product research and development, including investments of time, money, and personnel; therefore, Chefman *knew* it could save research and development costs by misappropriating.

66. As explained *infra* in §§ D-E, Chefman has a history of launching copycat kitchen appliance products on the heels of SharkNinja’s innovations. Given at least (1) Chefman’s history of copycat tactics, as discussed throughout this Amended Complaint; (2) Chefman’s knowing use of SharkNinja’s manufacturer; (3) the speed with which Chefman was able to create a ready-for-market device closely resembling the SLUSHi, a mere 30-40 days after the launch of the SLUSHi; and (4) the presence of SharkNinja Trade Secrets in the Chefman Slush-Ease, on information and belief, Chefman has knowingly and unlawfully misappropriated SharkNinja’s trade secret information by knowingly obtaining confidential trade secret information from Weili which Weili was contractually obligated to keep secret.

67. On information and belief, Chefman has knowingly and unlawfully misappropriated SharkNinja’s trade secret information by obtaining confidential trade secret information from Weili which Weili was contractually obligated to keep secret. Upon information and belief, Chefman knew or had reason to know that the SharkNinja Trade Secrets

originated from SharkNinja, that Weili was obligated to keep this information confidential, and that Chefman's interactions with Weili were interfering with SharkNinja and Weili's contractual relationship.

68. Upon information and belief, Chefman was knowingly working with Weili before the SLUSHi launched and did so knowing that Weili was SharkNinja's manufacturer for SLUSHi.

69. Consistent with Chefman's history of copying SharkNinja's advances, out of the numerous potential manufacturers *worldwide* Chefman could have sought out to manufacture an at-home slush device, Chefman deliberately and intentionally selected and engaged the same Chinese manufacturer as for SharkNinja's SLUSHi. Upon information and belief, Chefman then directed and controlled Weili's efforts to manufacture the Iceman Slush-Ease for Chefman to compete with SharkNinja's groundbreaking consumer product. Upon information and belief, before engaging Weili, Chefman was aware that Weili was SharkNinja's manufacturer for the SLUSHi and, then, knowingly engaged and continues to engage Weili.

70. Upon information and belief, as a company in the same market as SharkNinja (consumer/home appliances), Chefman is aware of SharkNinja's long history of innovation and aware that SharkNinja invests in and frequently obtains intellectual property including patents, trade secrets, trademarks and copyrights for its products. Likewise, upon information and belief, Chefman knew or should have known that SharkNinja would have developed intellectual property for its first-to-market SLUSHi product and would likewise have taken steps to protect that intellectual property from misappropriation and/or infringement.

71. Chefman cannot deny that the SLUSHi—and the nearly identical Slush-Ease—are markedly different from prior home-use slush device options. For example, unlike those prior

devices, neither the SLUSHi nor the Slush-Ease require the use of ice or salt and both have preset user interface options unavailable in prior slush devices. Thus, upon information and belief, given its experience in the home appliance market, it is implausible that Chefman did not know that the slush machine it directed Weili to market and package with its Iceman brand name—which does not resemble any slush machine on the market prior to the SLUSHi—was designed pursuant to Weili’s contractual relationship with SharkNinja. This is especially true given that Weili did not have a home-use slush machine product on offer prior to its relationship with SharkNinja.⁵ Moreover, upon information and belief, Chefman’s experience in the small appliance manufacturing space means Chefman knew or should have known that standard manufacturing practices and agreement provisions would have vested any intellectual property rights stemming from development work to SharkNinja, and Chefman also knew or should have known for the same reasons, that any design, manufacturing information, or tooling provided to Weili by SharkNinja would be subject to strict contractual confidentiality clauses in order to, *inter alia*, protect SharkNinja’s trade secrets, proprietary confidential information, and intellectual property.

72. There also can be no mistake that the SLUSHi—which prominently displays SharkNinja’s “Ninja” logo—was designed and sold by SharkNinja, a fact that Chefman knew or should have known at least from the time the SLUSHi launched on July 11, 2024. Accordingly, upon information and belief, at least by July 11, 2024, Chefman knew or should have known that the almost simultaneous availability of a nearly identical device with many of the SLUSHi’s groundbreaking features could only have been possible through the misappropriation of SharkNinja’s trade secrets.

⁵ See <https://www.weiliglobal.com/wp-content/uploads/2023/11/2019-Cooling.pdf> (Weili cooling appliance catalog).

73. Further, upon information and belief, Chefman is aware that Weili has attempted to obtain certain patents in China purportedly related to slush machines. Upon information and belief, Chefman knew or should have known that the designs within these Weili patent applications were *SharkNinja's*. For example, at least one slush-related patent filed by Weili included a diagram of SharkNinja's SLUSHi device, with SharkNinja's "Ninja" logo visible.

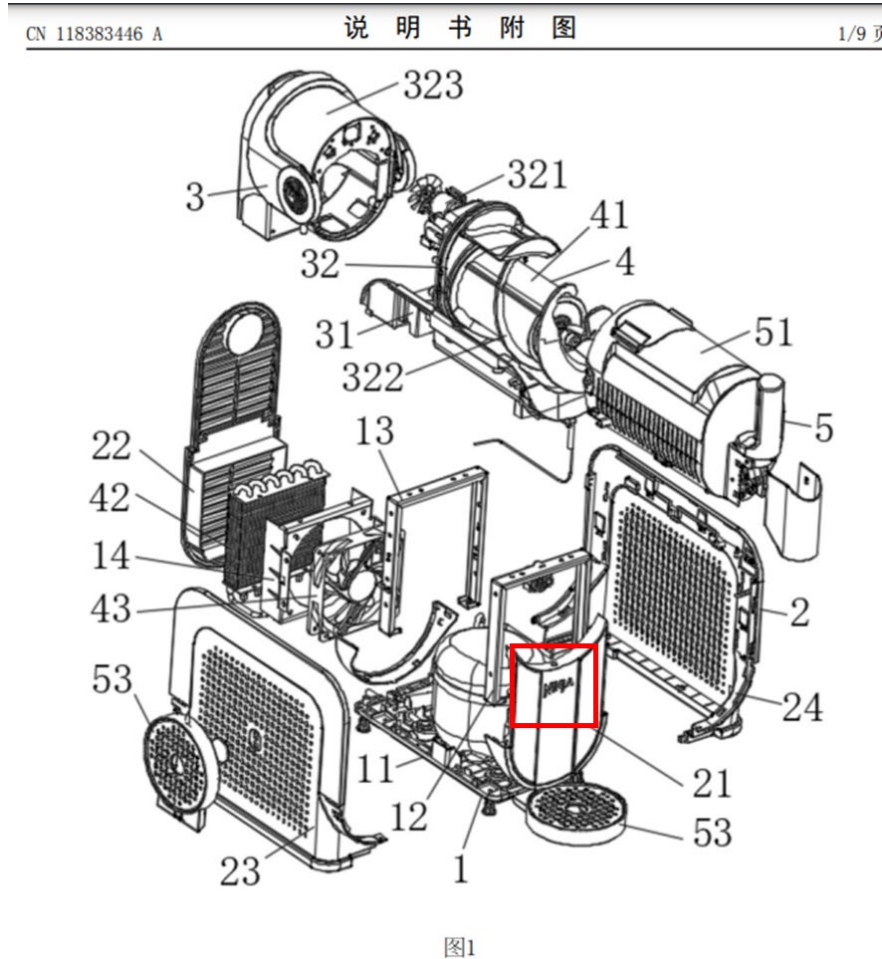


Figure 12: Fig. 1 of CN118383446A

D. The Asserted SharkNinja Patents

74. 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.⁶

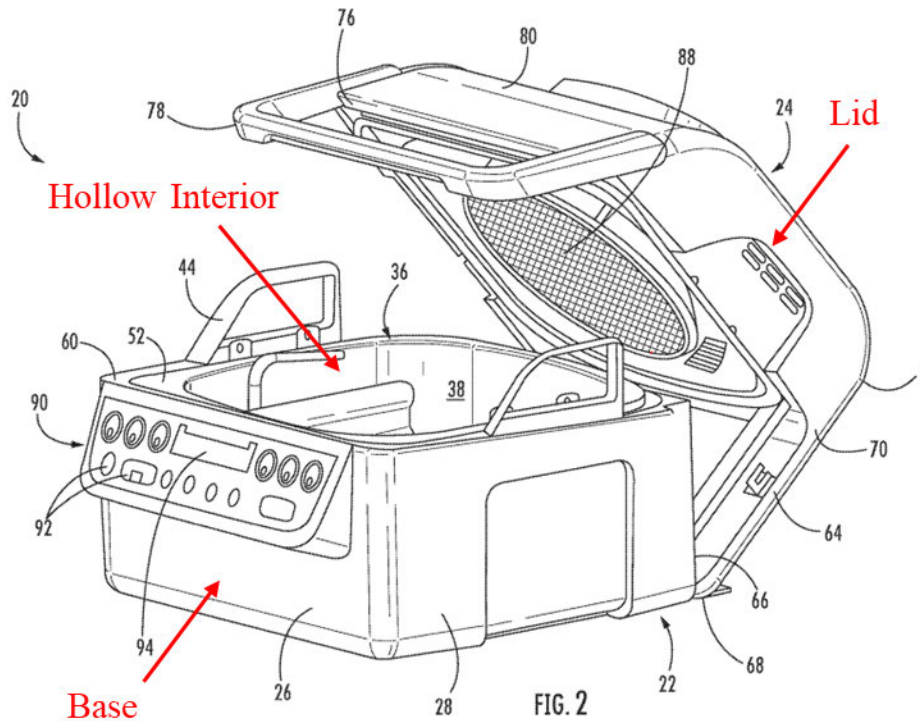
SharkNinja saw this trend years ago and, before many others in the industry, began investing in new developments in home cooking systems to make home cooking more effective.

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.

The '146, '152, and '654 Patents

75. 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. 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:

⁶ <https://www.fortunebusinessinsights.com/kitchen-appliances-market-104504>;
<https://gembah.com/wp-content/uploads/2024/02/Market-Trends-Innovation-Report-Home-Kitchen.pdf>.

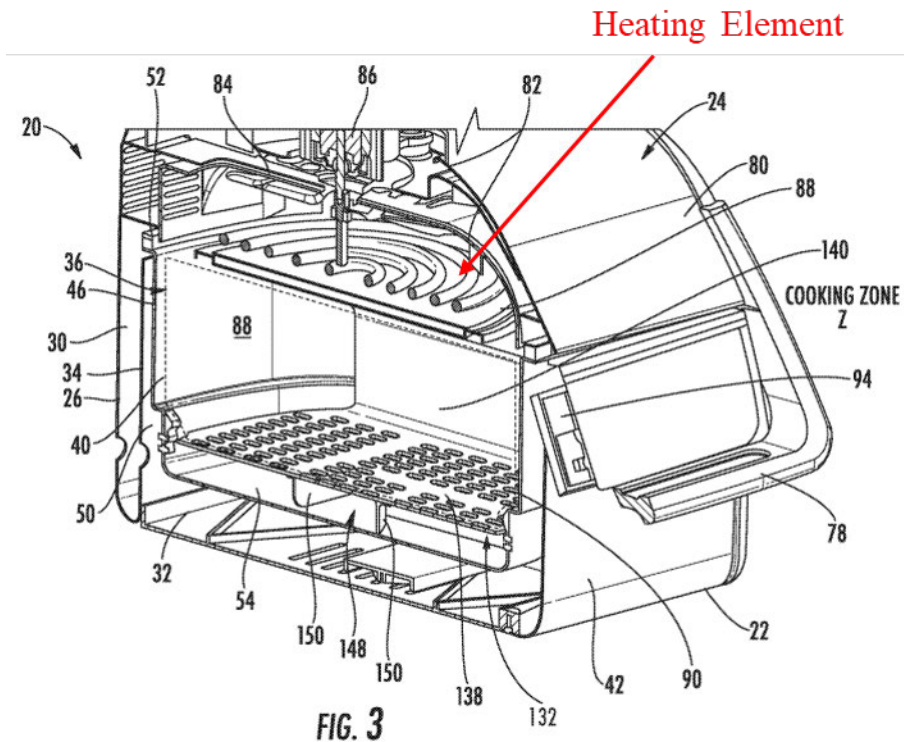


Id. at Figure 2 (annotations added).

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

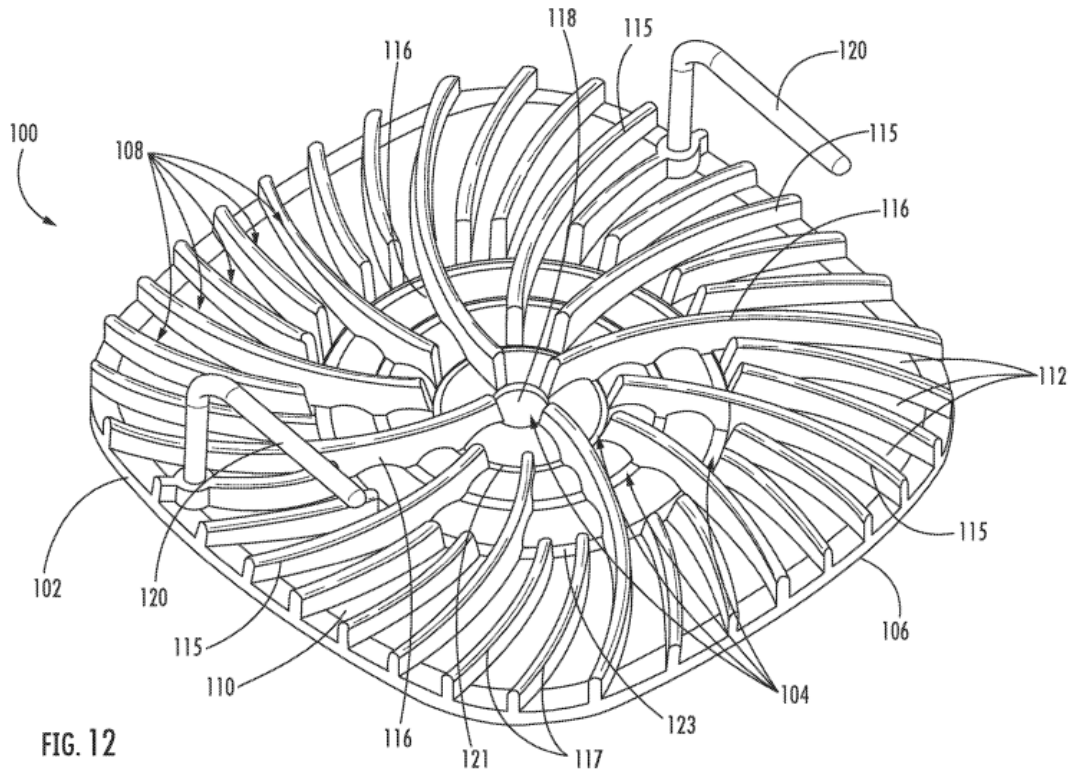
77. In a conventional indoor grill, the system would then heat food from the bottom of the cooking container or from both the bottom of the grill and the lid of the grill. But the '146 and '152 patents do not describe a conventional indoor grill. Instead, the patents involve, among other inventions,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

78. 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).

79. 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:



E.g., id. Fig. 12.

80. 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.

81. 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.

82. 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).

83. 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:⁷

⁷ <https://www.ninjakitchen.com/products/ninja-foodi-6-in-1-indoor-grill-4-quart-air-fryer-zidEG201>.



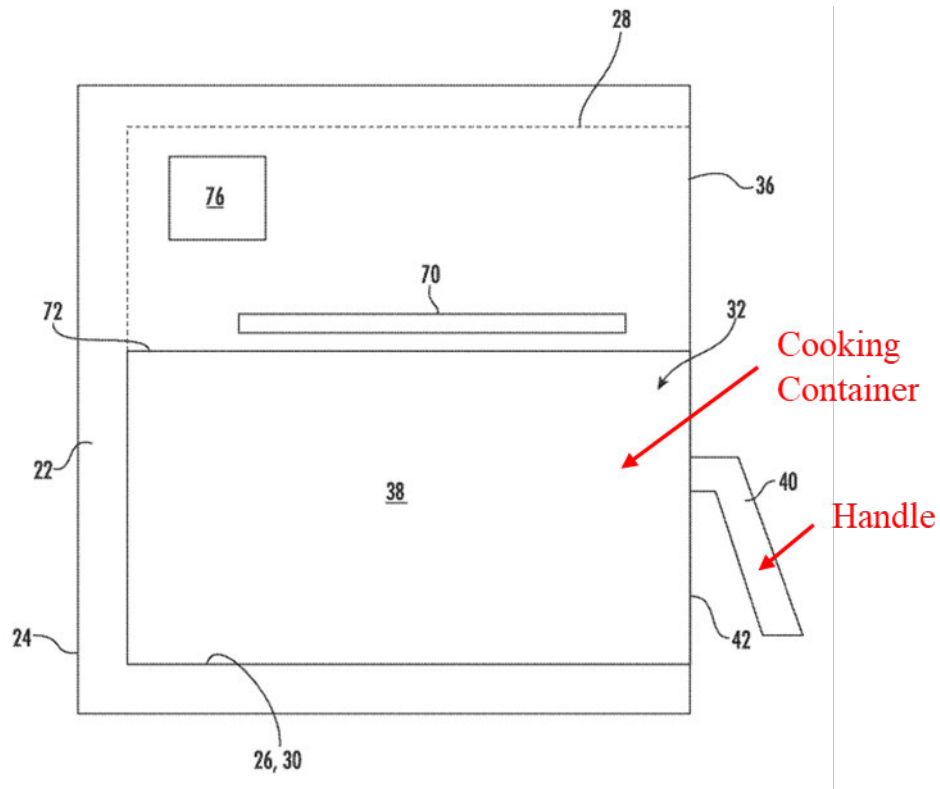
84. SharkNinja has marked various of its Ninja® Indoor Grill & Air Fryers with the '146, '152, and '654 patent numbers.⁸

The '026, '377, and '669 Patents

85. 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.

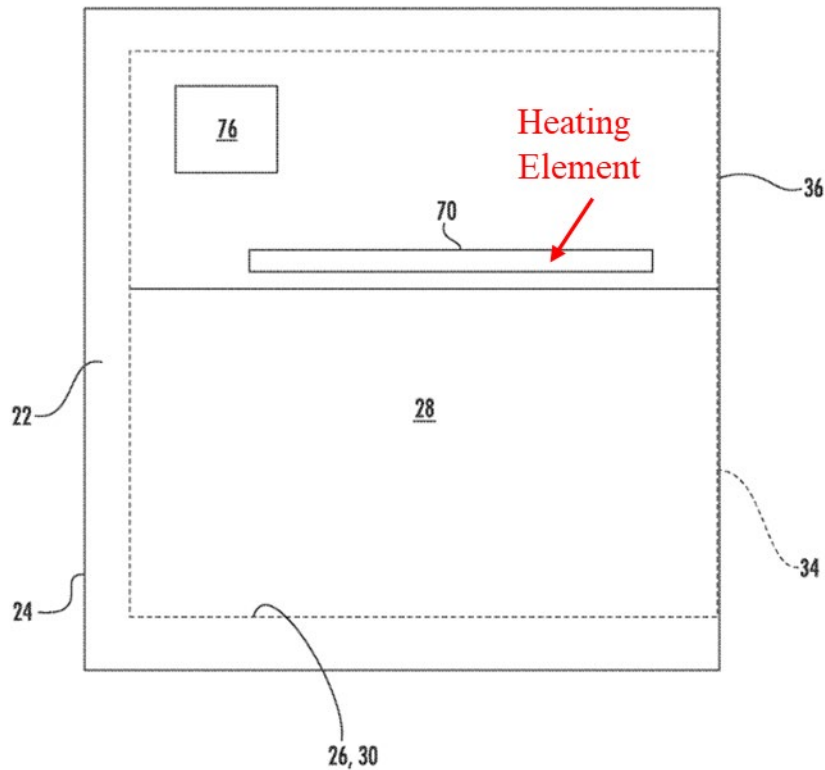
86. The patents describe an example cooking system that, among other requirements, has a housing, an internal compartment, a cooking container receivable within a portion of an internal compartment of the housing, and a handle associated within the cooking container to allow the cooking container to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

⁸ 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).

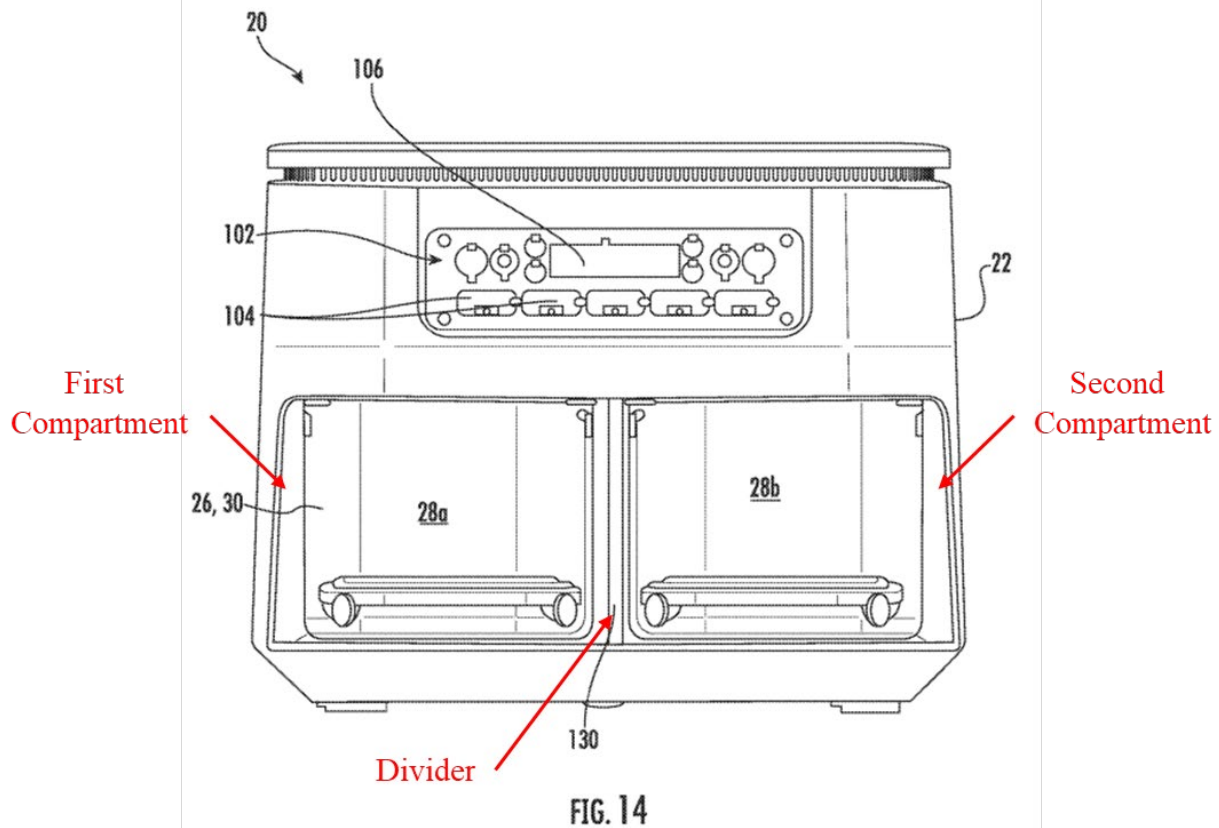
87. Like the '146 and '152 patents, the '026, '377, and '669 patents describe an example cooking system that can include a heating element at or above an upper extent or surface of the cooking container (*e.g.*, *id.* 9:24–27) as shown in the example below:



Id. Fig. 2 (annotations added)

88. 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.

89. 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).

90. 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.

91. 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

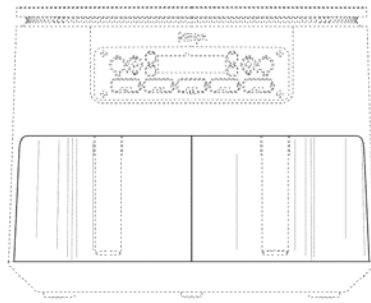


FIG. 2

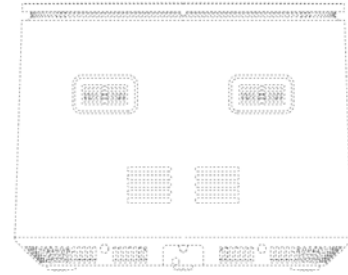


FIG. 3

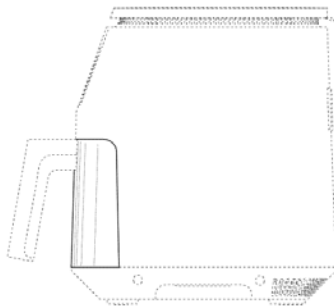


FIG. 4

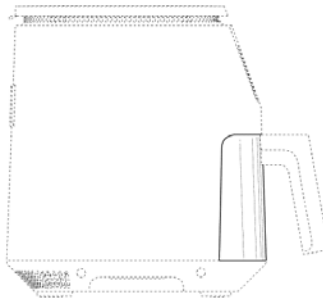


FIG. 5

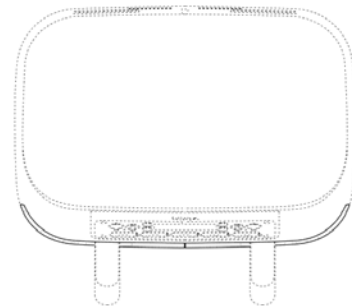


FIG. 6

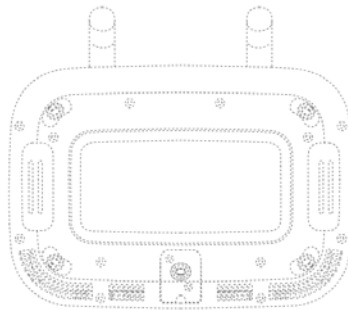


FIG. 7

92. 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.

93. 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.

94. 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:⁹



⁹ <https://www.ninjakitchen.com/products/ninja-foodi-6-in-1-smart-10-qt.-2-basket-air-fryer-zidDZ550>.

95. SharkNinja has marked various of its Ninja® Foodi® 2-Basket Air Fryer with DualZone™ Technology products with the '026, '377, and '669 patent numbers.¹⁰

E. Chefman's Infringing Products

96. 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 2019:¹¹



¹⁰ https://www.sharkninja.com/wp-content/uploads/2024/02/Ninja-Patent-Marking-2-2-2024.pdf?_gl=1*15304ff*_ga*MTQ4NTg3OTYyMC4xNzI0OTI0NjMx*_ga_L3KTXLYN9K*MTcyNDkyNDYzMC4xLjEuMTcyNDkyNDYzNi4wLjAuMA.

¹¹ <https://web.archive.org/web/20240623012221/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>.

97. After these products were on the market, Chefman released its Electric Indoor Air Fryer + Grill with the same grill plate feature:¹²



98. 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 2020:¹³

¹² Chefman Electric Indoor Air Fryer + Grill User Guide (attached hereto as Exhibit G), at 8; <https://www.amazon.com/Chefman-Air-Fryer-Countertop-Size-Thermometer/dp/B09BZXLSSR?th=1>.

¹³ https://www.ninjakitchen.com/products/ninja-foodi-6-in-1-8-qt.-2-basket-air-fryer-with-dualzone-technology-zidDZ201?srltid=AfmBOorWJQ4M0wRdzWQoRHsU1eXWASuPoS2pyI23r8bqH_42HmguROQ1; <https://markrosenzweign.medium.com/shark-ninja-introduces-foodi-2-basket-air-fryer-4632fc39a4bd>.



99. After these products were on the market, Chefman released its Dual Air Fryer with the same functionality.¹⁴



¹⁴ <https://chefman.com/products/rj38-sqpf-45tdb>;
<http://web.archive.org/web/20230208131609/https://chefman.com/products/rj38-sqpf-45tdb>.

100. 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.

101. 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:¹⁵



102. 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:

¹⁵ Ex. G at 11 (annotations added).



103. 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:



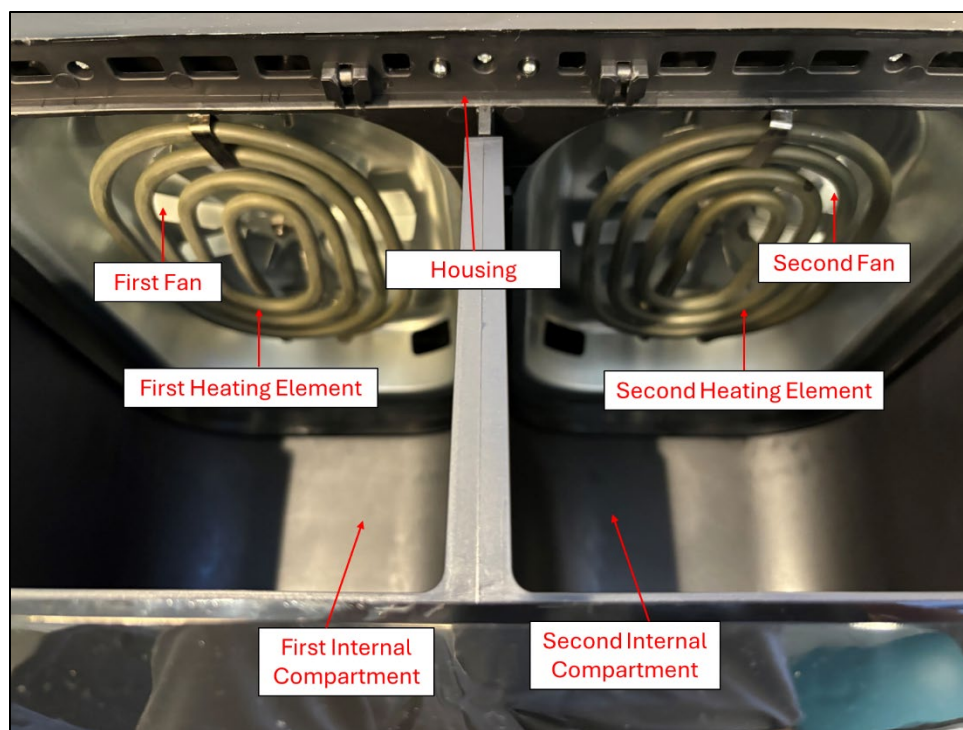
104. Just as described in the '146 and '152 patents, the configuration of the ribs and channels between the ribs of the grill plate of the Chefman Electric Indoor Air Fryer + Grill directs the air flow towards the center of the grill plate. The flow of air that exits the channels flows upwardly and heats 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.

105. 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:¹⁶



106. 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:

¹⁶ <https://chefman.com/products/rj38-sqpf-45tdb>.



107. 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:¹⁷

¹⁷ <https://chefman.com/products/rj38-sqpf-45tdb>.



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

108. 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: TRADE SECRET MISAPPROPRIATION IN VIOLATION OF DEFEND TRADE SECRETS ACT OF 2016 (18 U.S.C. § 1836 ET SEQ.)

109. SharkNinja incorporates by reference and realleges the allegations above.

110. SharkNinja is the owner of and/or lawfully possesses the SharkNinja Trade Secrets which relate to SharkNinja's SLUSHi. The SharkNinja SLUSHi is used in interstate

commerce. The SharkNinja Trade Secrets at issue here, without the benefit of discovery, are one or more of and/or a combination of one or more integrated design elements identified *supra* ¶ 49.

111. SharkNinja took and continues to take reasonable measures to protect the SharkNinja Trade Secrets, including by requiring non-disclosure agreements, by requiring employee and third-party confidentiality agreements, and by maintaining internal secrecy around new product categories.

112. Due to these security and confidentiality measures, none of the SharkNinja Trade Secrets were available for others in the frozen beverage market to use through any legitimate means until at least July 11, 2024, when the SLUSHi launched.

113. SharkNinja has expended significant resources to develop its SharkNinja Trade Secrets and other confidential and proprietary information. The SharkNinja Trade Secrets derived and derive actual independent economic value from not being generally known to, and not being readily ascertainable through proper means by, another person who could obtain economic value from the disclosure or use of the information. The SharkNinja Trade Secrets and confidential and proprietary information were and are highly valuable to SharkNinja and to any other person or entity that wants to enter the field of consumer frozen beverage products, in particular.

114. Upon information and belief, Chefman misappropriated SharkNinja's trade secrets by acquiring and using the SharkNinja Trade Secrets disclosed to Weili in confidence and pursuant to SharkNinja and Weili's agreement by directing Weili to manufacture the Chefman Iceman Slush-Ease, a product which is intended for use in interstate commerce. Upon information and belief, Chefman knew or had reason to know that the SharkNinja Trade Secrets

had been acquired from Weili through improper means including, without limitation, Weili's breach of its confidentiality obligations under the agreement.

115. Chefman's Slush-Ease was recently made available for purchase in the United States.¹⁸

116. Upon information and belief, Chefman knowingly benefitted from its improper use of the SharkNinja Trade Secrets, including in the head start it received over legitimate competitors. At minimum, Chefman had reason to believe the benefits associated with its use of the information it received from Weili were the result of Weili's relationship with SharkNinja and thus improper.

117. As a direct and proximate result of Chefman's misappropriation of the SharkNinja Trade Secrets and other confidential and proprietary information, SharkNinja has suffered damages, including but not limited to, loss of value to its trade secrets and loss of a head start advantage. SharkNinja is therefore entitled to monetary damages for its actual losses and monetary damages for unjust enrichment to the extent damages for its actual losses are not adequately addressed. Discovery may reveal that Chefman's conduct threatens additional and ongoing harm and injuries to SharkNinja.

118. Chefman's misappropriation has been willful and malicious.

V. COUNT II: TRADE SECRET MISAPPROPRIATION IN VIOLATION OF NEW JERSEY TRADE SECRETS ACT (NJTSA § 56:15-1 ET SEQ.)

119. SharkNinja incorporates by reference and realleges the allegations above.

120. SharkNinja is the owner of and/or lawfully possesses the SharkNinja Trade Secrets which relate to SharkNinja's SLUSHi. The SharkNinja Trade Secrets at issue here,

¹⁸ See, e.g., <https://www.costco.com/iceman-slush-ease-1.5l-slushy-maker-with-customizable-thickness.product.4000323735.html>; <https://www.walmart.com/ip/ICEMAN-Slush-Ease-1-5L-1-59-QT-Slushy-Frozen-Drink-Maker/13913714635>.

without the benefit of discovery, are one or more of and/or a combination of one or more integrated design elements identified *supra* ¶ 49.

121. SharkNinja took and continues to take reasonable measures to protect the SharkNinja Trade Secrets, including by requiring non-disclosure agreements, by requiring employee and third-party confidentiality agreements, and by maintaining internal secrecy around new product categories.

122. Due to these security and confidentiality measures, none of the SharkNinja Trade Secrets were available for others in the frozen beverage market to use through any legitimate means until at least July 11, 2024, when the SLUSHi launched.

123. SharkNinja has expended significant resources to develop its SharkNinja Trade Secrets and other confidential and proprietary information. The SharkNinja Trade Secrets derived and derive actual independent economic value from not being generally known to, and not being readily ascertainable through proper means by, another person who could obtain economic value from the disclosure or use of the information. The SharkNinja Trade Secrets and confidential and proprietary information were and are highly valuable to SharkNinja and to any other person or entity that wants to enter the field of consumer frozen beverage products, in particular.

124. Upon information and belief, Chefman misappropriated SharkNinja's trade secrets by acquiring and using the SharkNinja Trade Secrets disclosed to Weili in confidence and pursuant to SharkNinja and Weili's agreement by directing Weili to manufacture the Chefman Iceman Slush-Ease. Upon information and belief, Chefman knew or had reason to know that the SharkNinja Trade Secrets had been acquired from Weili through improper means including, without limitation, Weili's breach of its confidentiality obligations under the agreement.

125. Chefman's Slush-Ease was recently made available for purchase in the United States.¹⁹

126. Upon information and belief, Chefman knowingly benefitted from its improper use of the SharkNinja Trade Secrets, including in the head start it received over legitimate competitors. At minimum, Chefman had reason to believe the benefits associated with its use of the information it received from Weili were the result of Weili's relationship with SharkNinja and thus improper.

127. As a direct and proximate result of Chefman's misappropriation of the SharkNinja Trade Secrets and other confidential and proprietary information, SharkNinja has suffered damages, including but not limited to, loss of value to its trade secrets and loss of a head start advantage. SharkNinja is therefore entitled to monetary damages for its actual losses and monetary damages for unjust enrichment to the extent damages for its actual losses are not adequately addressed. Discovery may reveal that Chefman's conduct threatens additional and ongoing harm and injuries to SharkNinja.

128. Chefman's misappropriation has been willful and malicious.

VI. COUNT III: TORTIOUS INTERFERENCE WITH CONTRACT AND/OR BUSINESS RELATIONS

129. SharkNinja incorporates by reference and realleges the allegations above.

130. SharkNinja had a valid and binding contractual relationship with Weili, namely, the manufacturing agreement. Pursuant to the agreement, Weili had and has a continuing obligation to, *inter alia*, [REDACTED]

[REDACTED]

¹⁹ See, e.g., <https://www.costco.com/iceman-slush-ease-1.5l-slushy-maker-with-customizable-thickness.product.4000323735.html>; <https://www.walmart.com/ip/ICEMAN-Slush-Ease-1-5L-1-59-QT-Slushy-Frozen-Drink-Maker/13913714635>.

[REDACTED]

[REDACTED].

SharkNinja's interactions with Weili gave SharkNinja a reasonable expectation of economic advantage, as Weili agreed to be SharkNinja's manufacturer and to keep SharkNinja's information confidential; this confidentiality would in turn protect the market advantage that SharkNinja had gained through its substantial research and development.

131. Upon information and belief, Chefman knew and/or should have known that Weili had contractual obligations to SharkNinja, as a result of Chefman's experience in the small appliance manufacturing industry, where standard practice is for manufacturers, like Weili, to be subject to strict confidentiality clauses and for any intellectual property rights stemming from development work to be vested in the developer, SharkNinja.

132. Chefman intentionally and maliciously, without justification, interfered with SharkNinja's contractual relationship with Weili by directing Weili to manufacture and provide the Chefman Iceman Slush-Ease, which used SharkNinja's intellectual property rights and confidential information in violation of Weili's confidentiality obligations under the agreement.

133. SharkNinja is entitled to damages to compensate it for the harm it has suffered. Discovery may reveal that Chefman's conduct threatens additional and ongoing injuries to SharkNinja, including loss of profits and loss of market advantage.

VII. COUNT IV: INFRINGEMENT OF THE '146 PATENT

134. SharkNinja incorporates by reference and realleges the allegations above.

135. 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.

136. SharkNinja owns all rights, title, and interest in the '146 patent.

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

138. 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.

139. 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] A cooking system, comprising:	The Chefman Indoor Air Fryer + Grill is a cooking system. 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.” • Ex. G at 10:

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

U.S. Patent No.
11,033,146

Evidence of Infringement: Chefman Indoor Air Fryer + Grill

FEATURES

COOKING FUNCTIONS AT A GLANCE

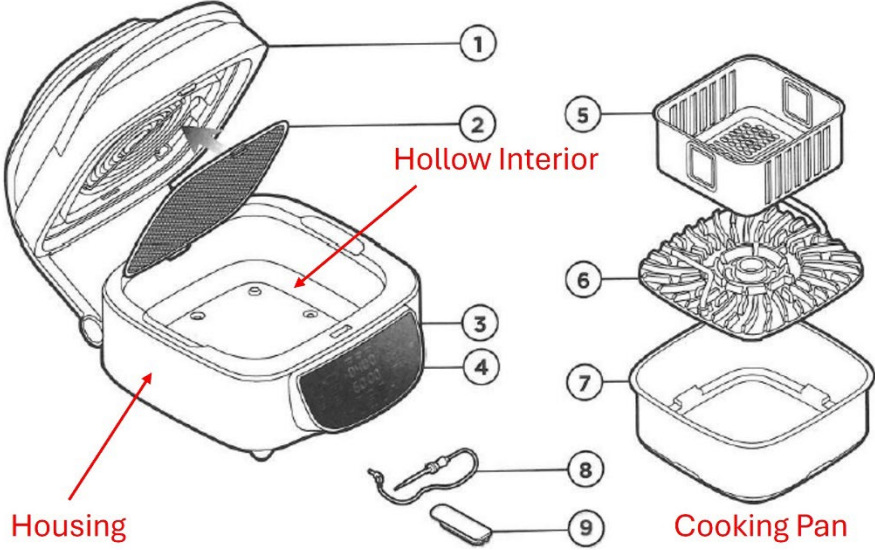
All five functions require the cooking pan to be inserted and can all be used with the probe. They differ in their temperature range, inserts used, and whether they include a Flip/Stir notification. (Note that you can ignore or amend the notification as desired.)

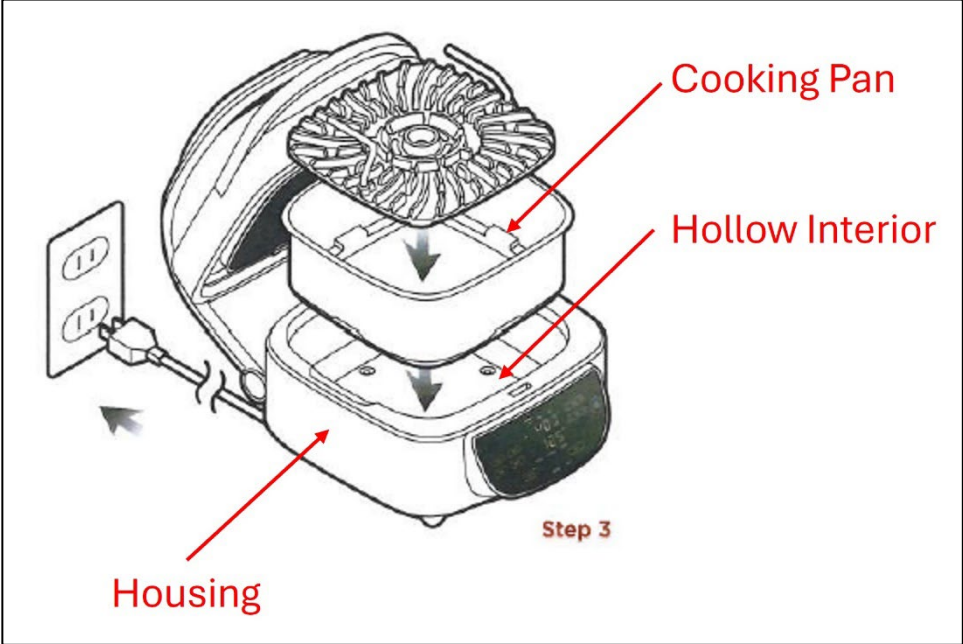
Function	Pan/Insert(s) Used	Temperature Range (°F)	Flip/Stir Notification?	Can You Use with Probe?
Grill	Cooking Pan + Grill Plate	200-500	Yes. Flip halfway through cooking time.	Yes
Air Fry	Cooking Pan + Air Fry Basket	200-450	Yes. Stir halfway through cooking time or every 15 minutes for longer cycles.	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

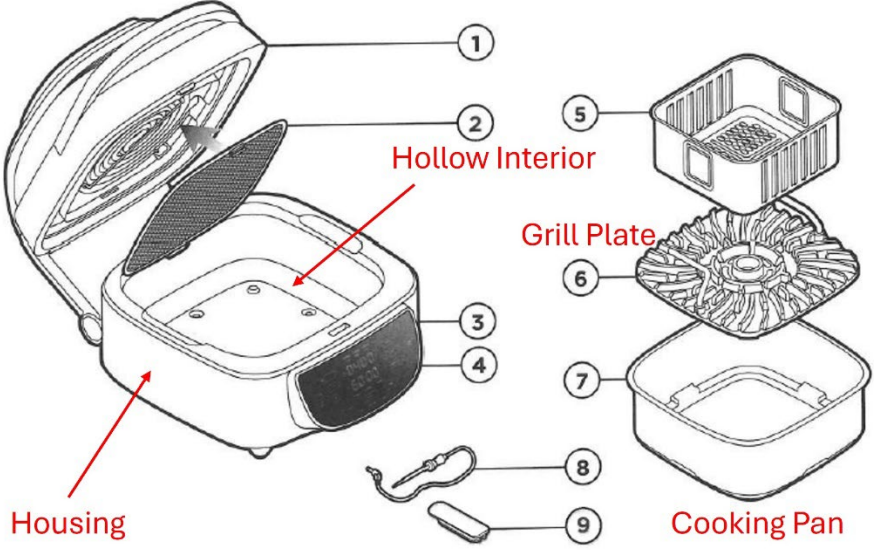
- Ex. G at 18 (annotations added):

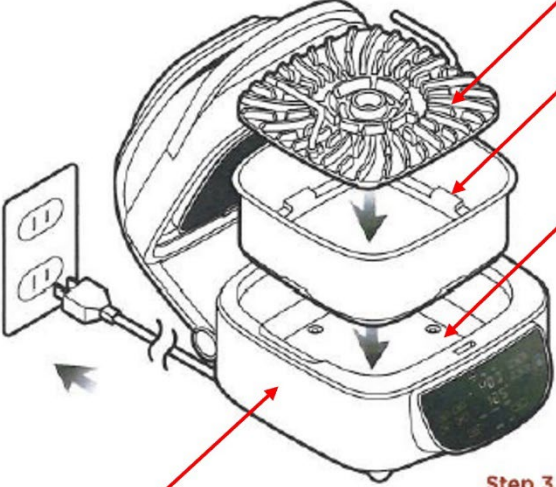
U.S. Patent No. 11,033,146	Evidence of Infringement: Chefman Indoor Air Fryer + Grill
	OPERATING INSTRUCTIONS HOW TO GRILL The heavy-duty grill plate is excellent at absorbing and retaining heat, so it gives your food the same gorgeous grill marks you'd get on an outdoor grill, while the closed environment 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. 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. 2. Prepare your food as specified in your recipe. 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). 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. 5. Press Start/Stop. This will begin the unit's automatic preheat. 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. 7. Close the lid. The timer will begin counting down. 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. 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. 15 • 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] 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. 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. • Ex. G at 8 (annotations added):

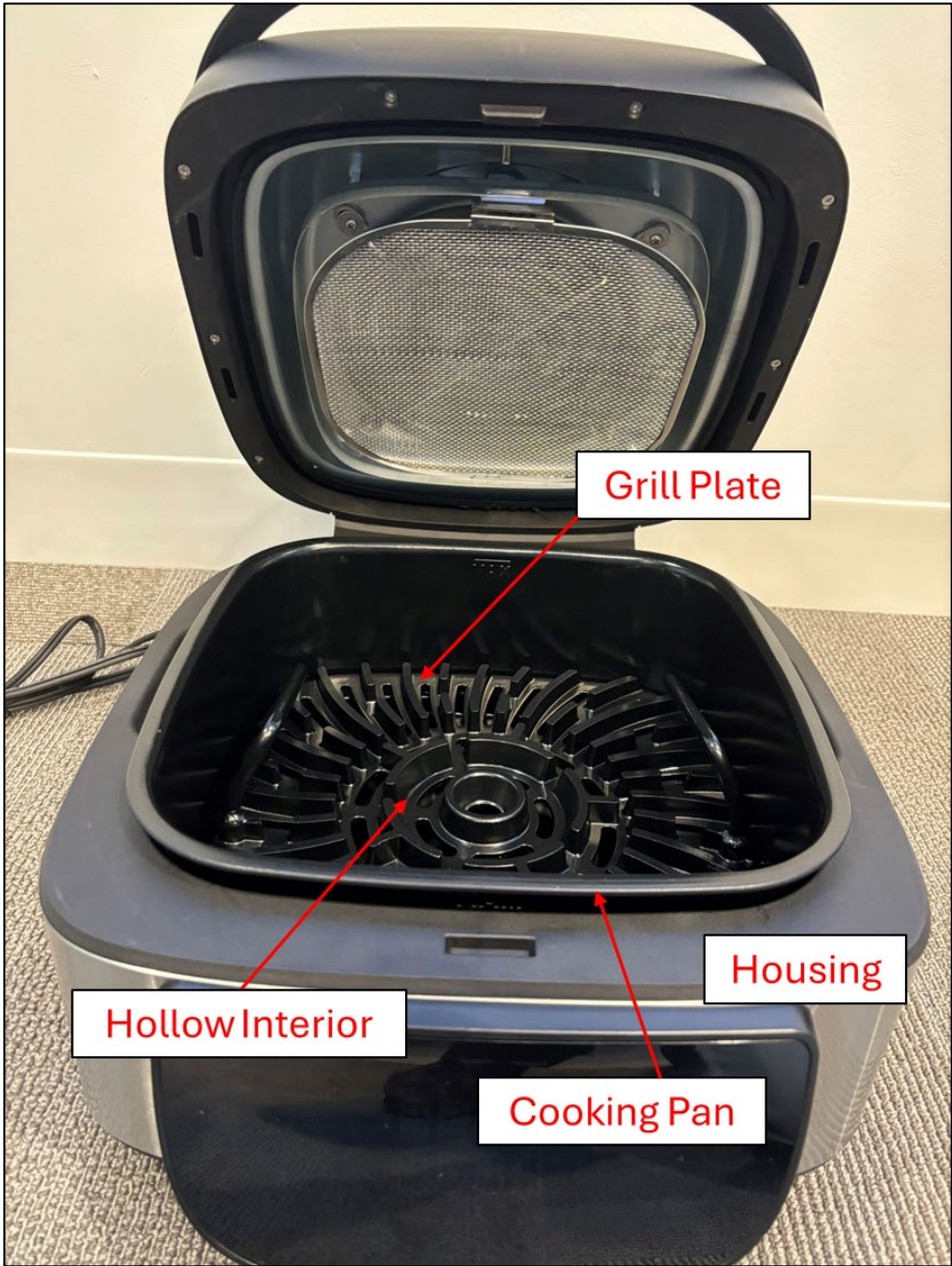
U.S. Patent No. 11,033,146	Evidence of Infringement: Chefman Indoor Air Fryer + Grill
	FEATURES  Housing Hollow Interior Cooking Pan 1. Lid: contains heat source and fan 2. Removable Mesh Splatter Shield: inserts into lid to help keep heating element clean and prevent smoking 3. Thermometer Jack: powers probe 4. Control Panel: capacitive touch LED screen 5. Nonstick Air Fryer Basket: allows air to circulate around foods 6. Grill Plate: heavy-duty die-cast aluminum for great grill marks 7. Nonstick Cooking Pan: large capacity for family-size meals 8. Thermometer Probe: tracks internal temperature of food during cooking 9. Probe Cord Winding Wheel: holds cord when not in use (separate from unit) - Ex. G at 13 (annotations added):

U.S. Patent No. 11,033,146	Evidence of Infringement: Chefman Indoor Air Fryer + Grill
	 The diagram illustrates the internal components of the air fryer. A power cord is plugged into a wall outlet on the left. The main unit is labeled 'Housing'. Inside the housing, there is a 'Hollow Interior' and a 'Cooking Pan'. A red arrow points from the 'Cooking Pan' label to the pan inside the housing. Another red arrow points from the 'Hollow Interior' label to the interior space. A third red arrow points from the 'Housing' label to the outer casing. The text 'Step 3' is located at the bottom right of the diagram. 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. • Ex. G at 8 (annotations added):

U.S. Patent No. 11,033,146	Evidence of Infringement: Chefman Indoor Air Fryer + Grill
	FEATURES  The diagram shows the main unit with its lid open, revealing the interior. Numbered callouts 1 through 9 point to specific parts: 1. Lid, 2. Removable Mesh Splatter Shield, 3. Thermometer Jack, 4. Control Panel, 5. Nonstick Air Fryer Basket, 6. Grill Plate, 7. Nonstick Cooking Pan, 8. Thermometer Probe, and 9. Probe Cord Winding Wheel. Red arrows point to the 'Hollow Interior' and 'Housing' of the main unit. 1. Lid: contains heat source and fan 2. Removable Mesh Splatter Shield: inserts into lid to help keep heating element clean and prevent smoking 3. Thermometer Jack: powers probe 4. Control Panel: capacitive touch LED screen 5. Nonstick Air Fryer Basket: allows air to circulate around foods 6. Grill Plate: heavy-duty die-cast aluminum for great grill marks 7. Nonstick Cooking Pan: large capacity for family-size meals 8. Thermometer Probe: tracks internal temperature of food during cooking 9. Probe Cord Winding Wheel: holds cord when not in use (separate from unit) - Ex. G at 13 (annotations added):

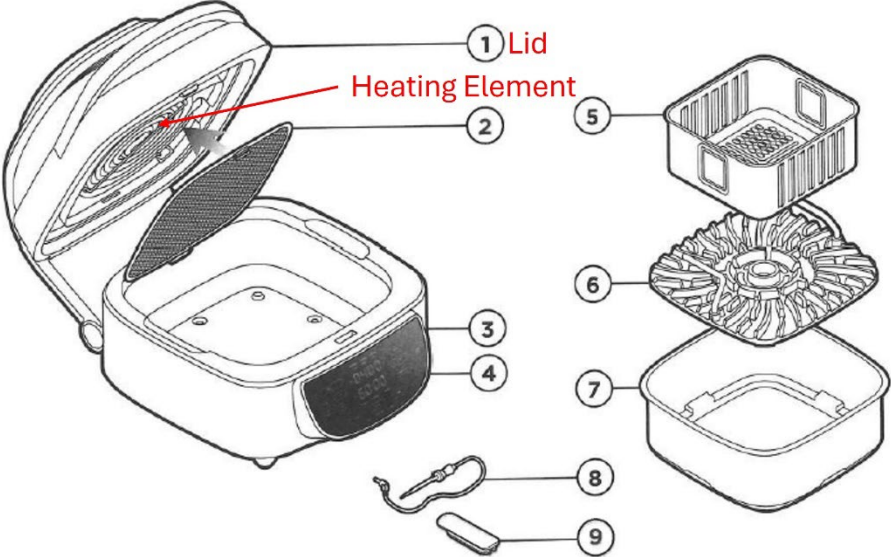
U.S. Patent No. 11,033,146	Evidence of Infringement: Chefman Indoor Air Fryer + Grill
	 The diagram illustrates the assembly of the Chefman Indoor Air Fryer + Grill. It shows a cross-section of the device with the following components labeled in red text with arrows pointing to them: 'Grill Plate' at the top, 'Cooking Pan' below it, 'Hollow Interior' pointing to the space between the pan and the base, and 'Housing' pointing to the bottom base. A power cord is shown plugged into a wall outlet on the left. The text 'Step 3' is located at the bottom right of the diagram. • Ex. G at 18 (annotations added):

U.S. Patent No. 11,033,146	Evidence of Infringement: Chefman Indoor Air Fryer + Grill
	OPERATING INSTRUCTIONS HOW TO GRILL 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. 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. 2. Prepare your food as specified in your recipe. 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). 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. 5. Press Start/Stop. This will begin the unit's automatic preheat. 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. 7. Close the lid. The timer will begin counting down. 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. 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. • 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:

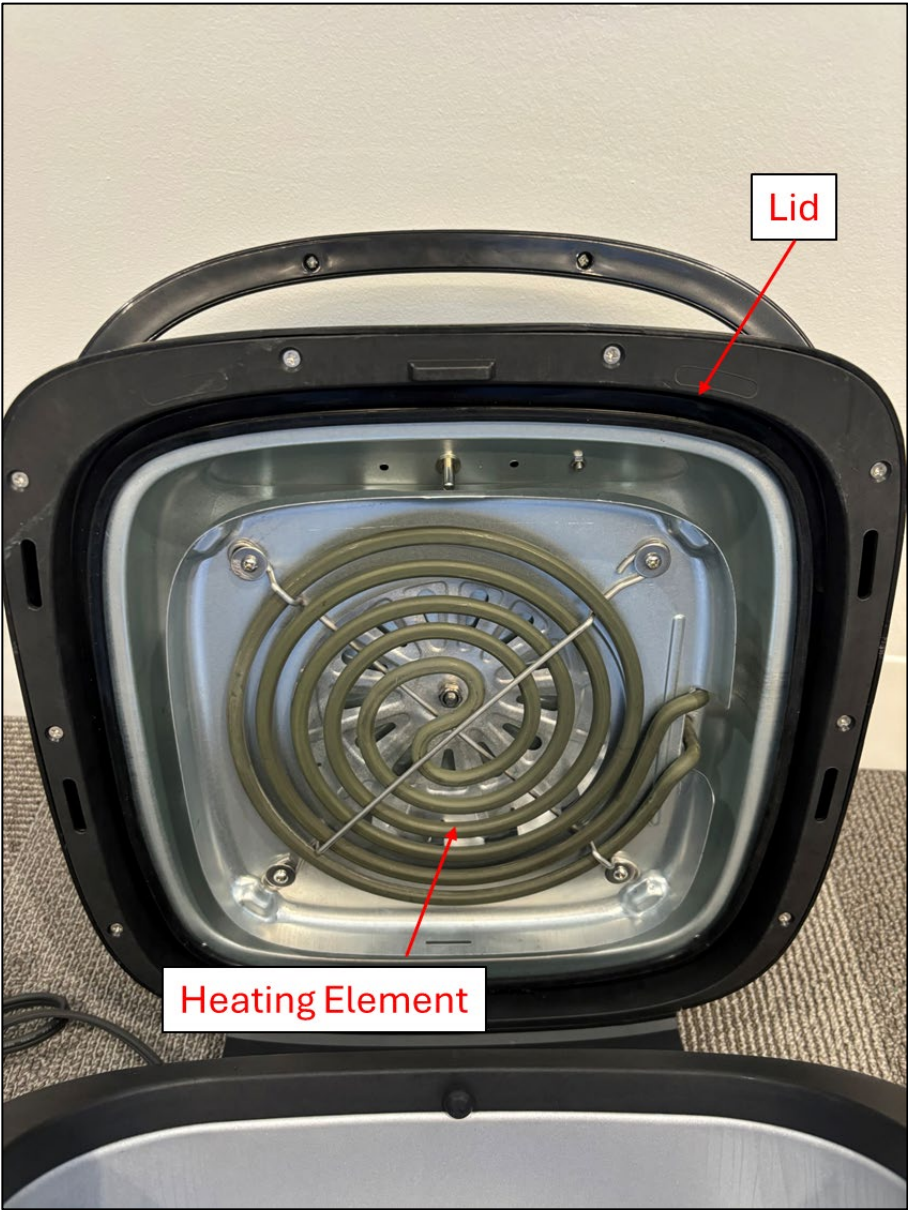
U.S. Patent No. 11,033,146	Evidence of Infringement: Chefman Indoor Air Fryer + Grill
	 • Chefman Indoor Air Fryer + Grill product website (Available at: https://chefman.com/products/rj38-afg-7tp-v2?srsltid=AfmBOoqZtjnGGJe2q60MILCNur8NPBLZsxlg-KKyc5sDhyUz50WkOWjQ):

U.S. Patent No. 11,033,146	Evidence of Infringement: Chefman Indoor Air Fryer + Grill
	 AN AUTHENTIC GRILLING EXPERIENCE Heavy-duty die-cast aluminum grill grate creates gorgeous grill marks and adds that authentic grilled flavor • Chefman Indoor Air Fryer + Grill product website (Available at: https://chefman.com/products/rj38-afg-7tp-v2?srsltid=AfmBOoqZtjnGGJe2q60MILCNur8NPBLZsxlg-KKyc5sDhyUz50WkOWjQ):

U.S. Patent No. 11,033,146	Evidence of Infringement: Chefman Indoor Air Fryer + Grill
	
1[b] a heating element associated with said housing; and	The Chefman Indoor Air Fryer + Grill cooking system includes a heating element associated with said housing. 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. <i>See, e.g.</i>, '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. • Ex. G at 8 (annotations added):

U.S. Patent No. 11,033,146	Evidence of Infringement: Chefman Indoor Air Fryer + Grill
	FEATURES  1. Lid: contains heat source and fan 2. Removable Mesh Splatter Shield: inserts into lid to help keep heating element clean and prevent smoking 3. Thermometer Jack: powers probe 4. Control Panel: capacitive touch LED screen 5. Nonstick Air Fryer Basket: allows air to circulate around foods 6. Grill Plate: heavy-duty die-cast aluminum for great grill marks 7. Nonstick Cooking Pan: large capacity for family-size meals 8. Thermometer Probe: tracks internal temperature of food during cooking 9. Probe Cord Winding Wheel: holds cord when not in use (separate from unit) Ex. G at 11 (annotations added):

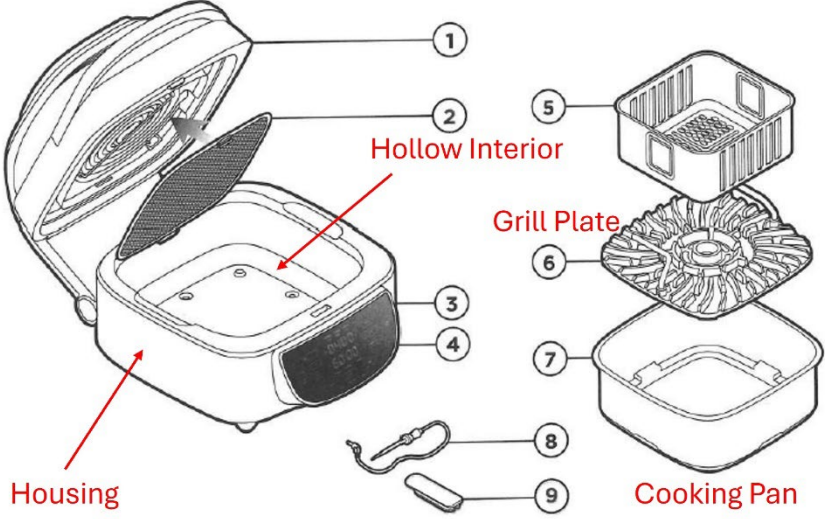
U.S. Patent No. 11,033,146	Evidence of Infringement: Chefman Indoor Air Fryer + Grill
	7. Reinstall the splatter shield in the lid: Insert the shield so that the grooves on the bottom of the shield line up with the notches in the lid. Then gently push the splatter shield upward until it clicks into the 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.  • The image below of the Chefman Indoor Air Fryer + Grill shows the heating element mounted to the lid of the housing:

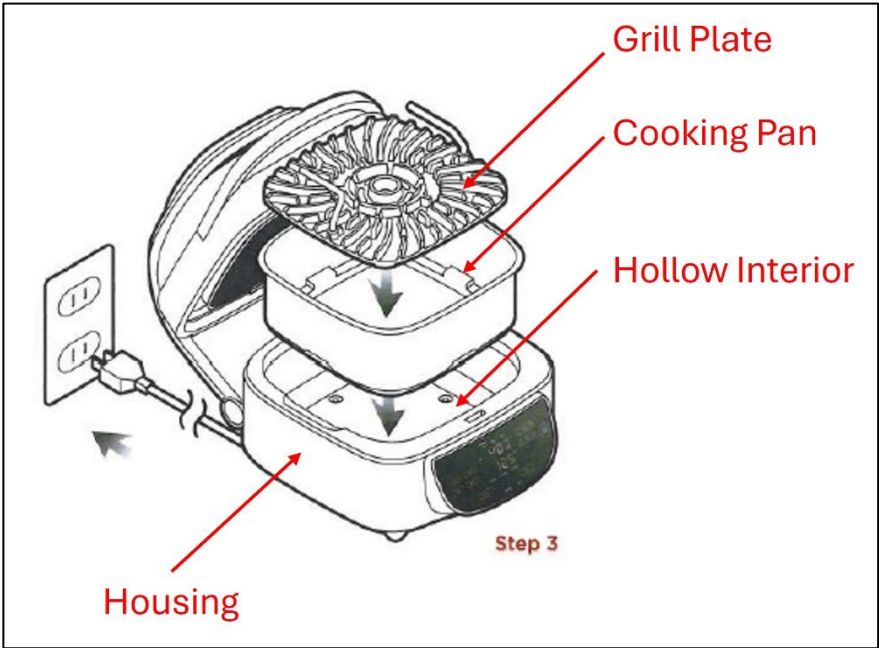
U.S. Patent No. 11,033,146	Evidence of Infringement: Chefman Indoor Air Fryer + Grill
	 The image shows the interior of the Chefman Indoor Air Fryer + Grill. A black lid is at the top, with a red arrow pointing to it from a label 'Lid'. Inside, a coiled heating element is visible, with a red arrow pointing to it from a label 'Heating Element'. The interior is metallic and has a ribbed support surface.
1[c] 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.

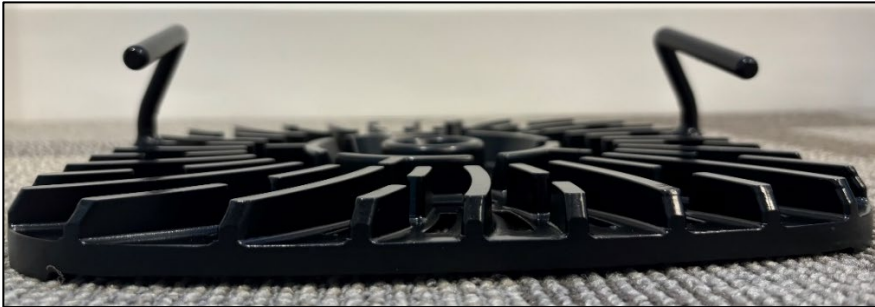
U.S. Patent No. 11,033,146	Evidence of Infringement: Chefman Indoor Air Fryer + Grill
said support body including a support surface, wherein said support surface includes a plurality of ribs;	First, the Chefman Indoor Air Fryer + Grill cooking system includes a support body for supporting food within 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. - Ex. G at 18 (annotations added): OPERATING INSTRUCTIONS HOW TO GRILL 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. - 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. - Prepare your food as specified in your recipe. - 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). - 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. - Press Start/Stop. This will begin the unit's automatic preheat. - 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. - Close the lid. The timer will begin counting down. - 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. - 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. - Chefman Indoor Air Fryer + Grill product website (Available at: https://chefman.com/products/rj38-afg-7tp-v2?srsId=AfmBOoqZtjnGGJe2q60MILCNur8NPBLZsxlg-KKyc5sDhyUz50WkOWjQ):

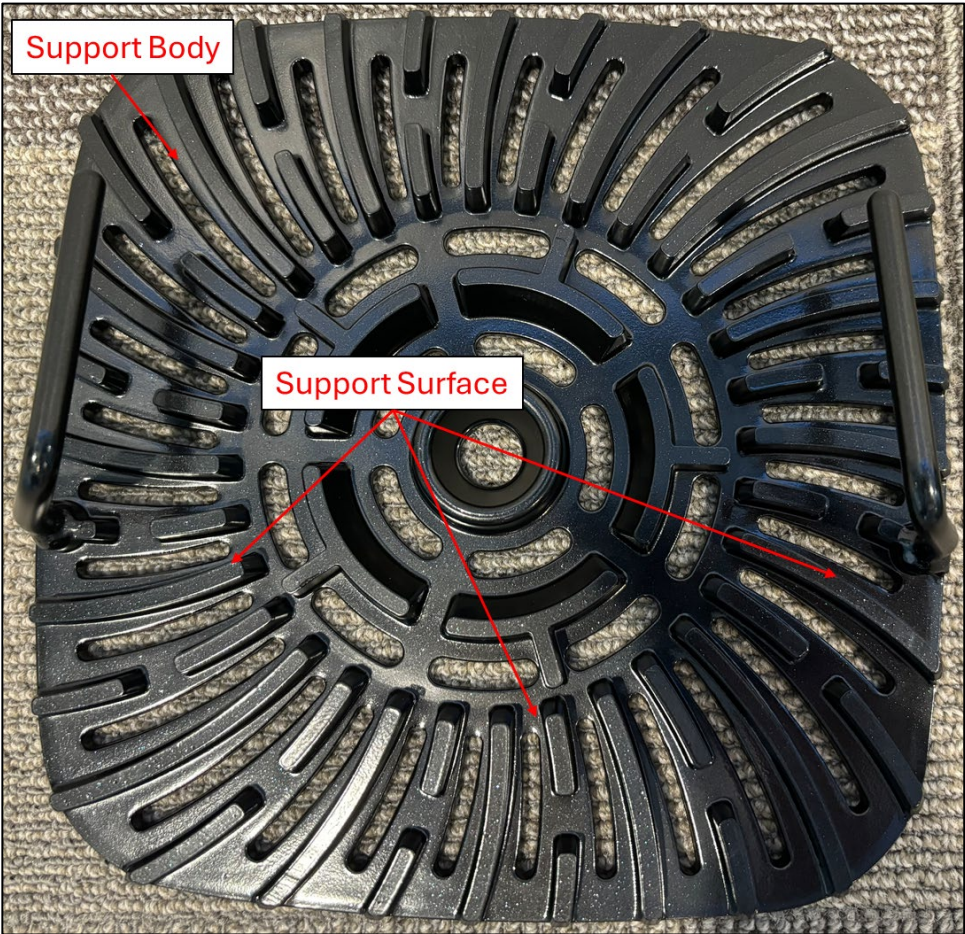
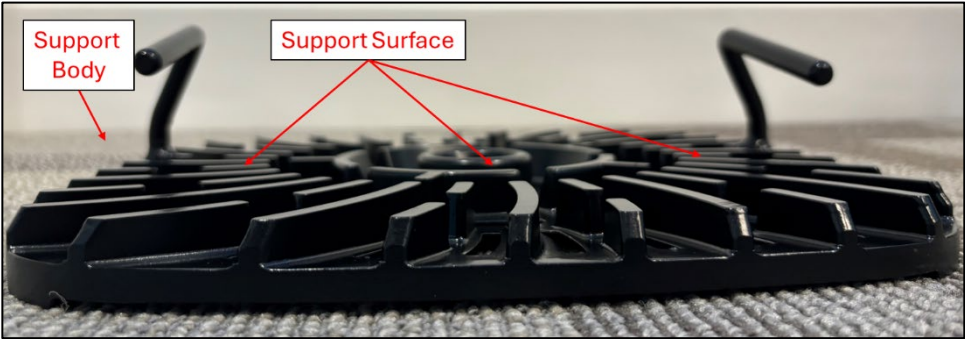
U.S. Patent No. 11,033,146	Evidence of Infringement: Chefman Indoor Air Fryer + Grill
	 AN AUTHENTIC GRILLING EXPERIENCE Heavy-duty die-cast aluminum grill grate creates gorgeous grill marks and adds that authentic grilled flavor • Chefman Indoor Air Fryer + Grill product website (Available at: https://chefman.com/products/rj38-afg-7tp-v2?srsltid=AfmBOoqZtjnGGJe2q60MILCNur8NPBLZsxlg-KKyc5sDhyUz50WkOWjQ):

U.S. Patent No. 11,033,146	Evidence of Infringement: Chefman Indoor Air Fryer + Grill
	 • Ex. G at 8 (annotations added):

U.S. Patent No. 11,033,146	Evidence of Infringement: Chefman Indoor Air Fryer + Grill
	FEATURES  The diagram illustrates the components of the Chefman Indoor Air Fryer + Grill. The main unit is labeled 'Housing' (3) and features a 'Lid' (1) with a heat source and fan, a 'Removable Mesh Splatter Shield' (2) for the 'Hollow Interior', a 'Thermometer Jack' (3) for the probe, and a 'Control Panel' (4) with a capacitive touch LED screen. The unit is shown with its 'Nonstick Air Fryer Basket' (5) and 'Nonstick Cooking Pan' (7). A 'Grill Plate' (6) is also shown. A 'Thermometer Probe' (8) and its 'Probe Cord Winding Wheel' (9) are shown separately. 1. Lid: contains heat source and fan 2. Removable Mesh Splatter Shield: inserts into lid to help keep heating element clean and prevent smoking 3. Thermometer Jack: powers probe 4. Control Panel: capacitive touch LED screen 5. Nonstick Air Fryer Basket: allows air to circulate around foods 6. Grill Plate: heavy-duty die-cast aluminum for great grill marks 7. Nonstick Cooking Pan: large capacity for family-size meals 8. Thermometer Probe: tracks internal temperature of food during cooking 9. Probe Cord Winding Wheel: holds cord when not in use (separate from unit) - Ex. G at 13 (annotations added):

U.S. Patent No. 11,033,146	Evidence of Infringement: Chefman Indoor Air Fryer + Grill
	 The diagram illustrates the assembly of the Chefman Indoor Air Fryer + Grill. It shows a cross-section of the device with the following components labeled in red text with arrows pointing to them: 'Grill Plate' (the topmost grilling surface), 'Cooking Pan' (the pan below the grill plate), 'Hollow Interior' (the space inside the main body), and 'Housing' (the outer casing). A power cord is shown plugged into a wall outlet on the left. The text 'Step 3' is located at the bottom right of the diagram. • 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
	  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
	  As shown below, the top of the grill plate is a support surface that holds food: • Chefman Indoor Air Fryer + Grill product website (Available at: https://chefman.com/products/rj38-afg-7tp-

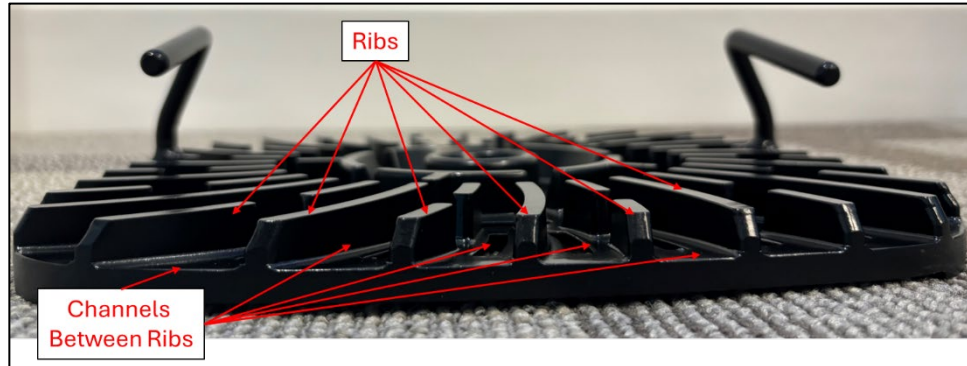
U.S. Patent No. 11,033,146	Evidence of Infringement: Chefman Indoor Air Fryer + Grill
	v2?srsltid=AfmBOoqZtjnGGJe2q60MILCNur8NPBLZsxlg-KKyc5sDhyUz50WkOWjQ):  AN AUTHENTIC GRILLING EXPERIENCE Heavy-duty die-cast aluminum grill grate creates gorgeous grill marks and adds that authentic grilled flavor • Chefman Indoor Air Fryer + Grill product website (Available at: https://chefman.com/products/rj38-afg-7tp-v2?srsltid=AfmBOoqZtjnGGJe2q60MILCNur8NPBLZsxlg-KKyc5sDhyUz50WkOWjQ):

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



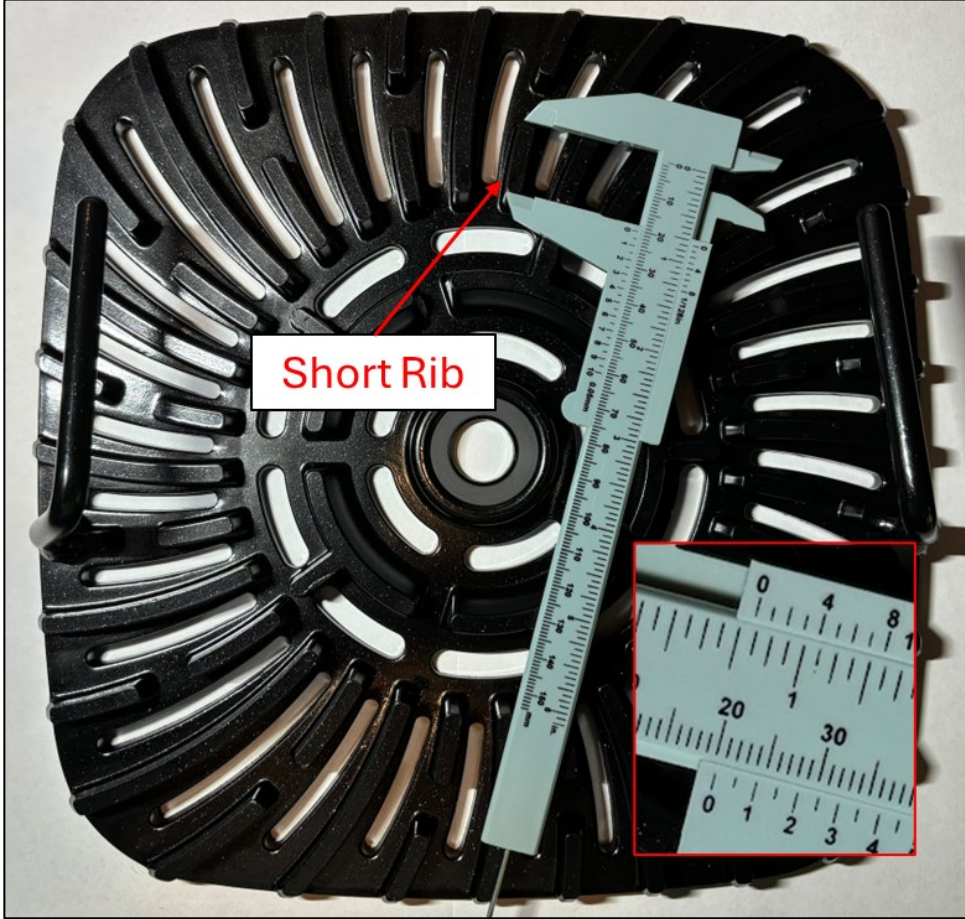
U.S. Patent No. 11,033,146	Evidence of Infringement: Chefman Indoor Air Fryer + Grill
1[e] wherein said plurality of ribs includes diffuser ribs, said plurality of diffuser ribs including short ribs, intermediate ribs, and long ribs, and	In the Chefman Indoor Air Fryer + Grill cooking system, said plurality of ribs includes diffuser ribs, said plurality of diffuser ribs including short ribs, intermediate ribs, and long ribs. 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: ○ Chefman Indoor Air Fryer + Grill product website (Available at: https://chefman.com/products/rj38-afg-7tp-v2?srsId=AfmBOoqZtjnGGJe2q60MILCNur8NPBLZsxlg-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). ○ Ex. G at 8 (“Grill Plate: heavy-duty die-cast aluminum for great grill marks”). ○ The diffuser ribs of the Chefman Indoor Air Fryer + Grill are shown in the image below of the Chefman Indoor Air Fryer + Grill:

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	 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
	 The intermediate ribs have length of approximately 30mm as shown in the image below of the Chefman Indoor Air Fryer + Grill:

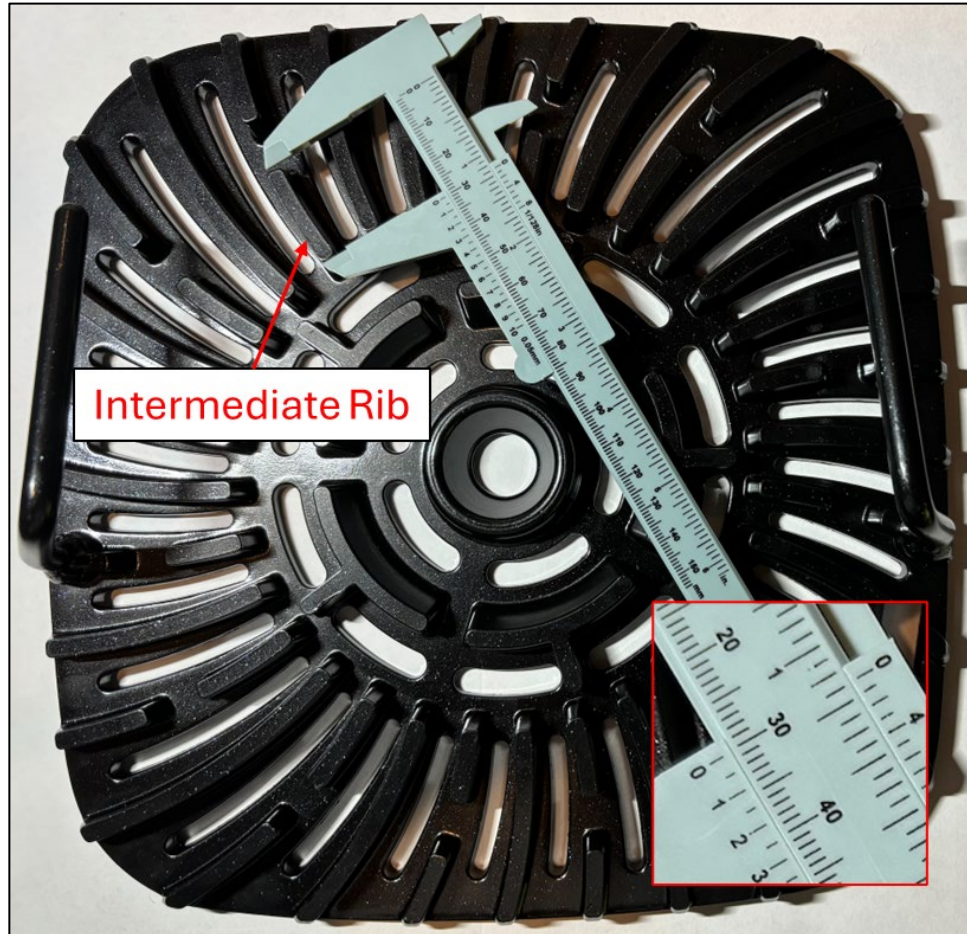
**U.S. Patent No.
11,033,146**

Evidence of Infringement: Chefman Indoor Air Fryer + Grill

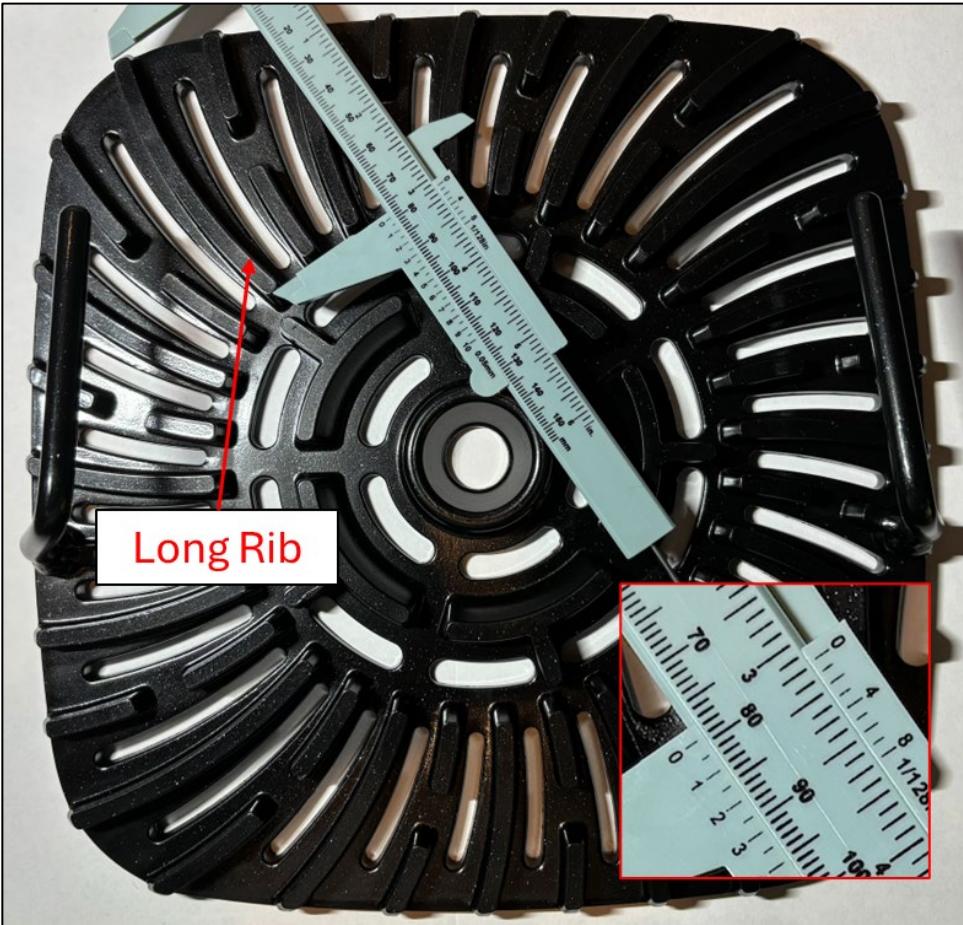


**U.S. Patent No.
11,033,146**

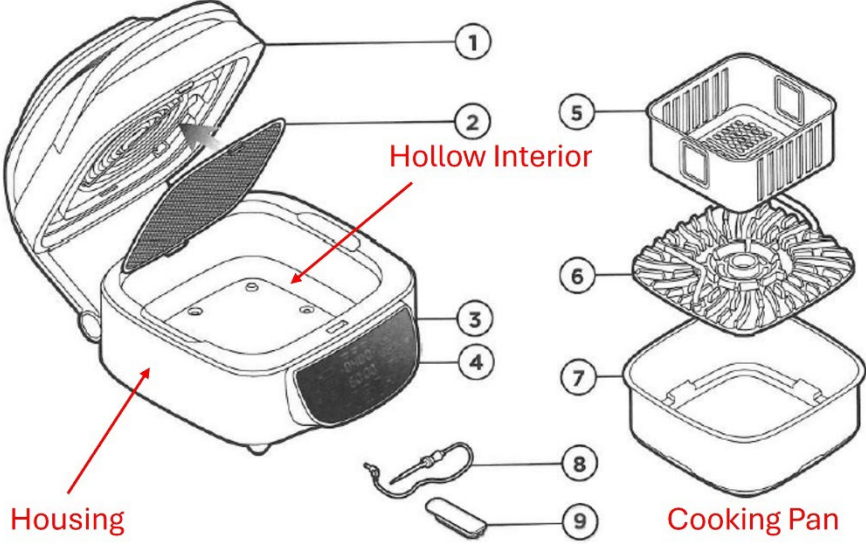
Evidence of Infringement: Chefman Indoor Air Fryer + Grill

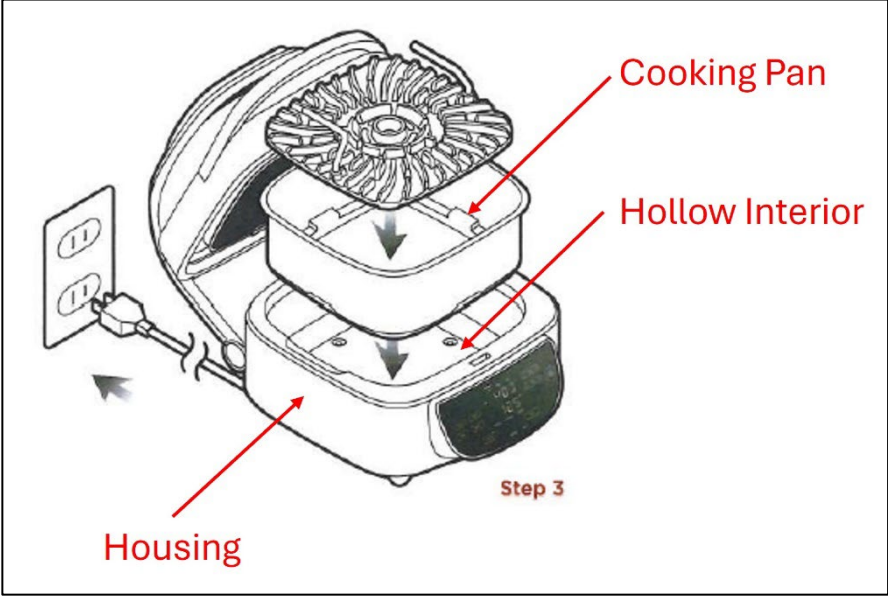


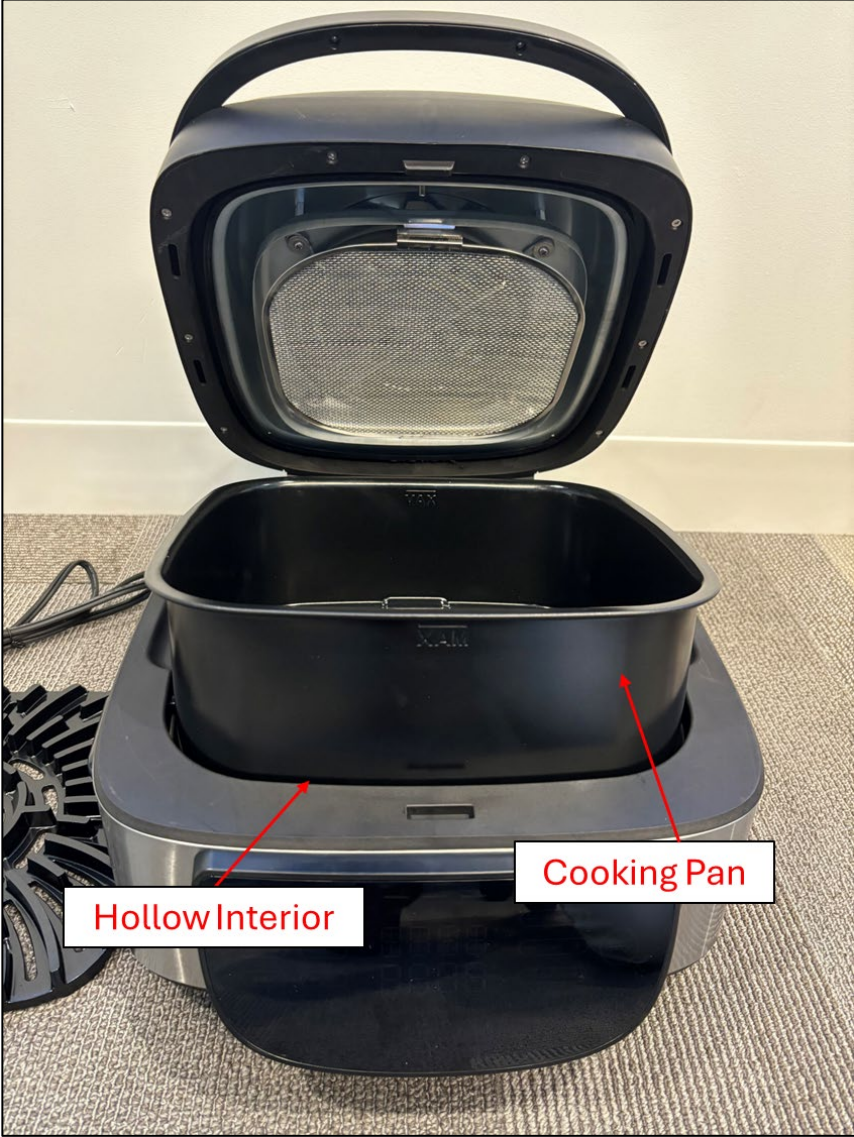
The long ribs have a length of approximately 79mm as shown in the image below of the Chefman Indoor Air Fryer + Grill:

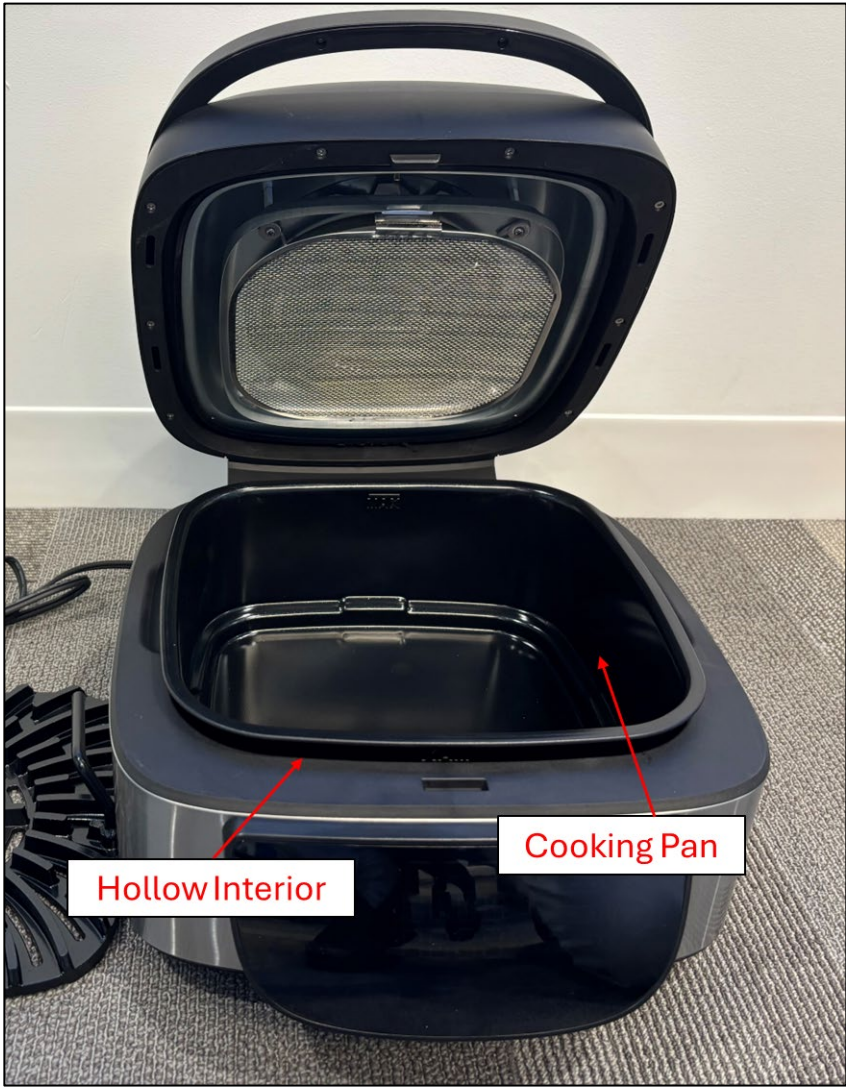
U.S. Patent No. 11,033,146	Evidence of Infringement: Chefman Indoor Air Fryer + Grill
	
1[f] further comprising a food container receivable in said hollow interior, said support body being removably mounted within an interior of	The Chefman Indoor Air Fryer + Grill cooking system further comprises a food container receivable in said hollow interior, said support body being removably mounted within an interior of said food container. 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. • Ex. G at 20 (“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).

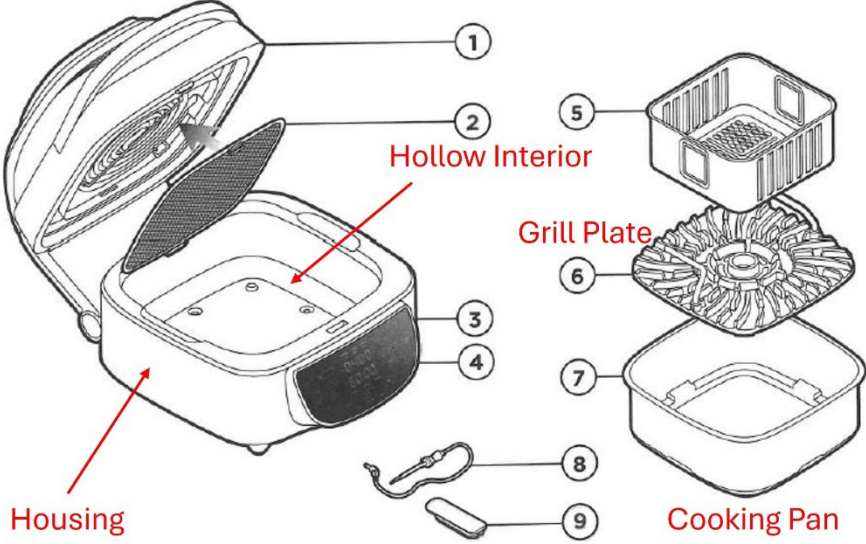
U.S. Patent No. 11,033,146	Evidence of Infringement: Chefman Indoor Air Fryer + Grill
said food container.	• Chefman Indoor Air Fryer + Grill product website (Available at: https://chefman.com/products/rj38-afg-7tp-v2?srltid=AfmBOoqZtjnGGJe2q60MILCNur8NPBLZsxlg-KKyc5sDhyUz50WkOWjQ) (showing food in the cooking pan):  • Ex. G at 8 (annotations added):

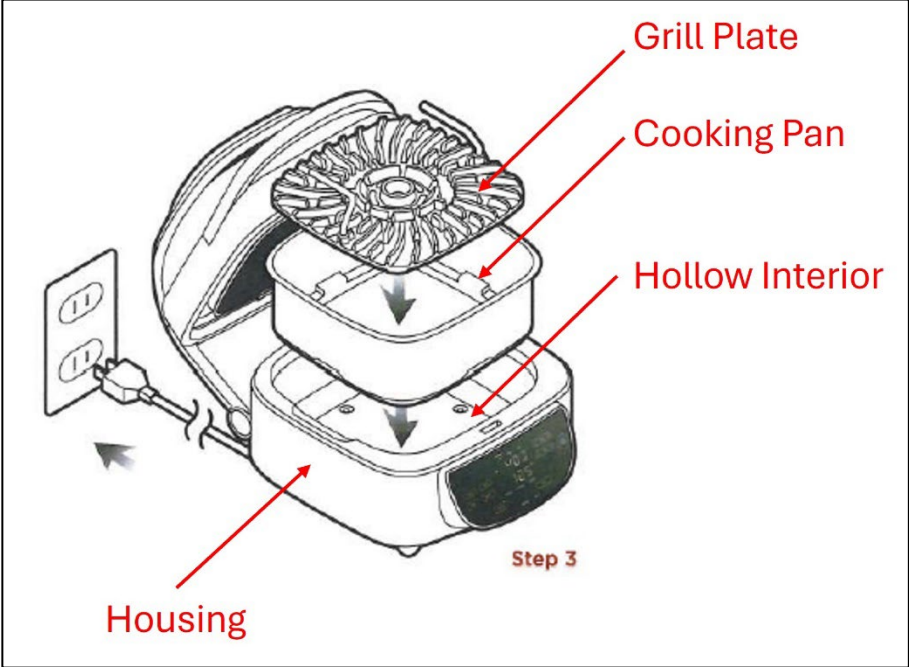
U.S. Patent No. 11,033,146	Evidence of Infringement: Chefman Indoor Air Fryer + Grill
	FEATURES  1. Lid: contains heat source and fan 2. Removable Mesh Splatter Shield: inserts into lid to help keep heating element clean and prevent smoking 3. Thermometer Jack: powers probe 4. Control Panel: capacitive touch LED screen 5. Nonstick Air Fryer Basket: allows air to circulate around foods 6. Grill Plate: heavy-duty die-cast aluminum for great grill marks 7. Nonstick Cooking Pan: large capacity for family-size meals 8. Thermometer Probe: tracks internal temperature of food during cooking 9. Probe Cord Winding Wheel: holds cord when not in use (separate from unit) Hollow Interior Housing Cooking Pan Ex. G at 13 (annotations added):

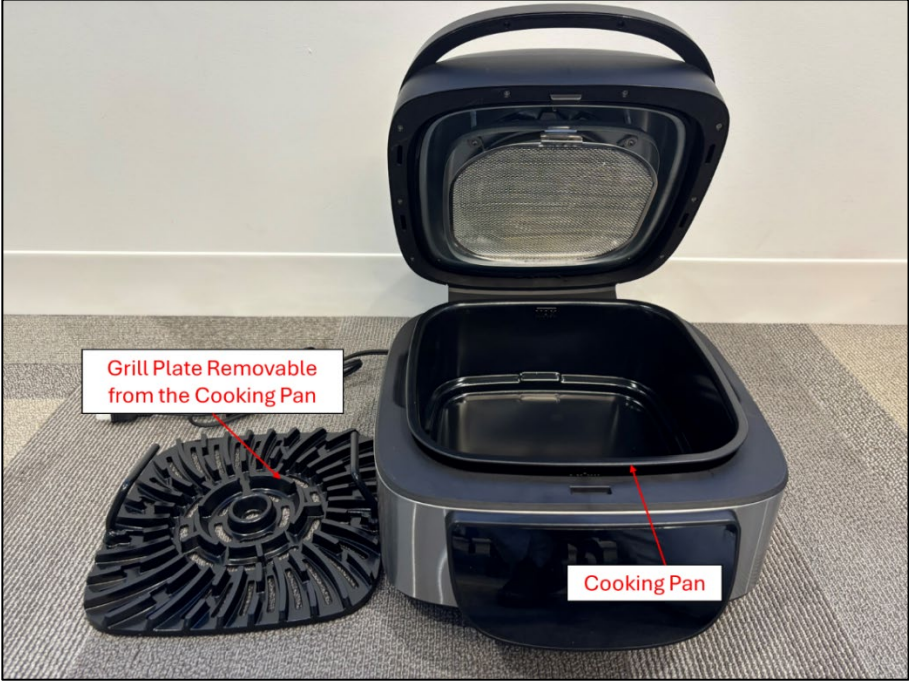
U.S. Patent No. 11,033,146	Evidence of Infringement: Chefman Indoor Air Fryer + Grill
	 The diagram illustrates the assembly of the Chefman Indoor Air Fryer + Grill. It shows a cross-section of the device with the lid open. A cooking pan is being inserted into the hollow interior of the housing. Red arrows point to the 'Cooking Pan', 'Hollow Interior', and 'Housing'. A power cord is shown plugged into a wall outlet. The text 'Step 3' is visible in the bottom right corner of the diagram. • As shown in the image below of the Chefman Indoor Air Fryer + Grill, the cooking pan is inserted into the hollow interior:

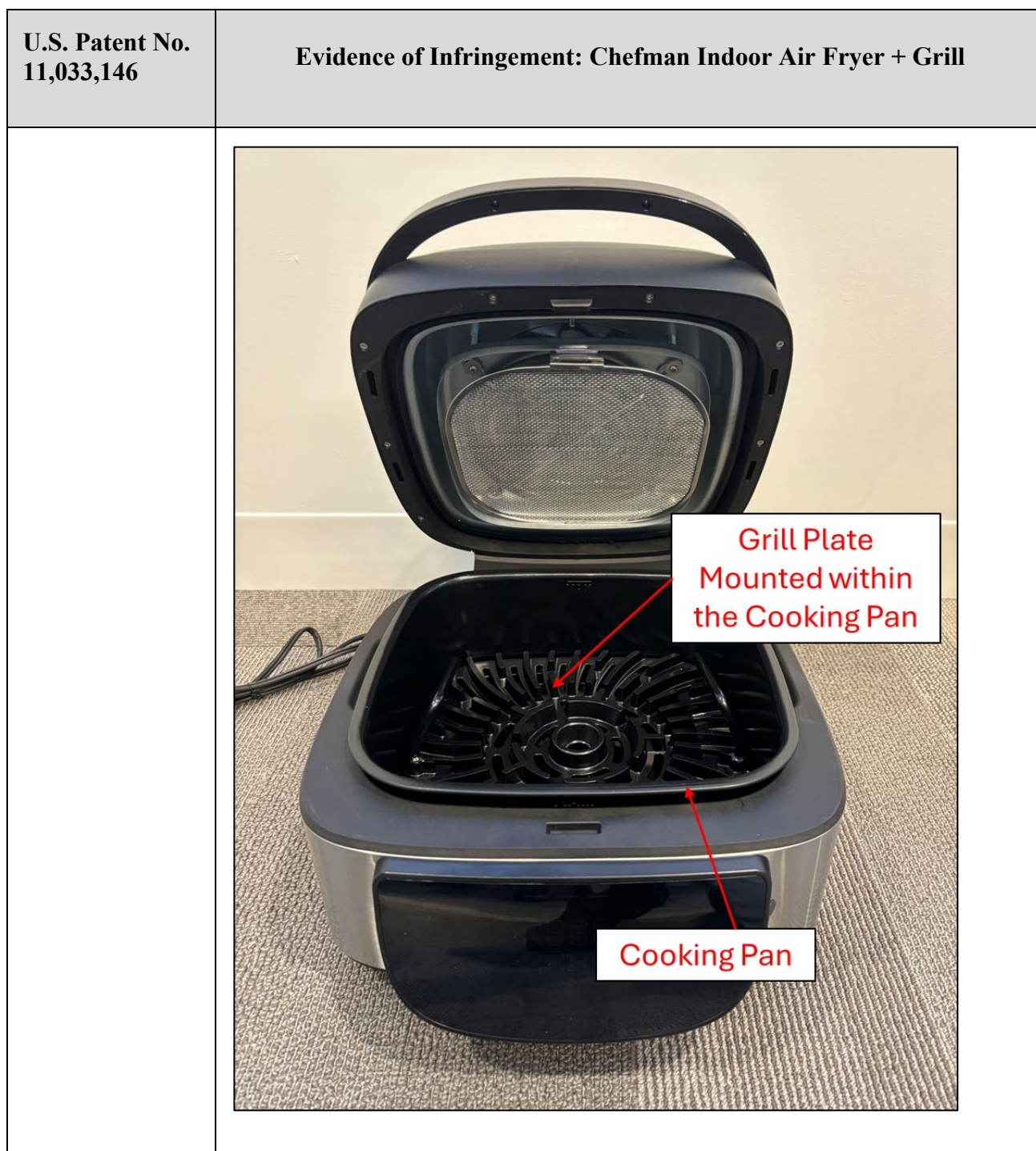
U.S. Patent No. 11,033,146	Evidence of Infringement: Chefman Indoor Air Fryer + Grill
	 Hollow Interior Cooking Pan

U.S. Patent No. 11,033,146	Evidence of Infringement: Chefman Indoor Air Fryer + Grill
	 Second, the Chefman Indoor Air Fryer + Grill cooking system’s grill plate (“support structure”) is removably mounted within the cooking pan (“food container”). • Ex. G at 8 (annotations added):

U.S. Patent No. 11,033,146	Evidence of Infringement: Chefman Indoor Air Fryer + Grill
	FEATURES  1. Lid: contains heat source and fan 2. Removable Mesh Splatter Shield: inserts into lid to help keep heating element clean and prevent smoking 3. Thermometer Jack: powers probe 4. Control Panel: capacitive touch LED screen 5. Nonstick Air Fryer Basket: allows air to circulate around foods 6. Grill Plate: heavy-duty die-cast aluminum for great grill marks 7. Nonstick Cooking Pan: large capacity for family-size meals 8. Thermometer Probe: tracks internal temperature of food during cooking 9. Probe Cord Winding Wheel: holds cord when not in use (separate from unit) • Ex. G at 13 (annotations added):

U.S. Patent No. 11,033,146	Evidence of Infringement: Chefman Indoor Air Fryer + Grill
	 The diagram illustrates the assembly of the Chefman Indoor Air Fryer + Grill. It shows the main housing with a digital display and a power cord plugged into a wall outlet. The lid is open, revealing the cooking pan inside. A grill plate is being inserted into the cooking pan. Red arrows point to the Grill Plate, Cooking Pan, Hollow Interior, and Housing. The text 'Step 3' is visible in the bottom right corner of the diagram. • 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
	 Grill Plate Removable from the Cooking Pan Cooking Pan



140. 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.

141. 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.

142. 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.

143. 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.

144. 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.

VIII. COUNT V: INFRINGEMENT OF THE '152 PATENT

145. SharkNinja incorporates by reference and realleges the allegations above.

146. 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.

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

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

149. 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.

150. 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] A cooking system, comprising:	The Chefman Indoor Air Fryer + Grill is a cooking system. 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." • Ex. G at 10:

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

U.S. Patent No.
11,766,152

Evidence of Infringement: Chefman Indoor Air Fryer + Grill

FEATURES

COOKING FUNCTIONS AT A GLANCE

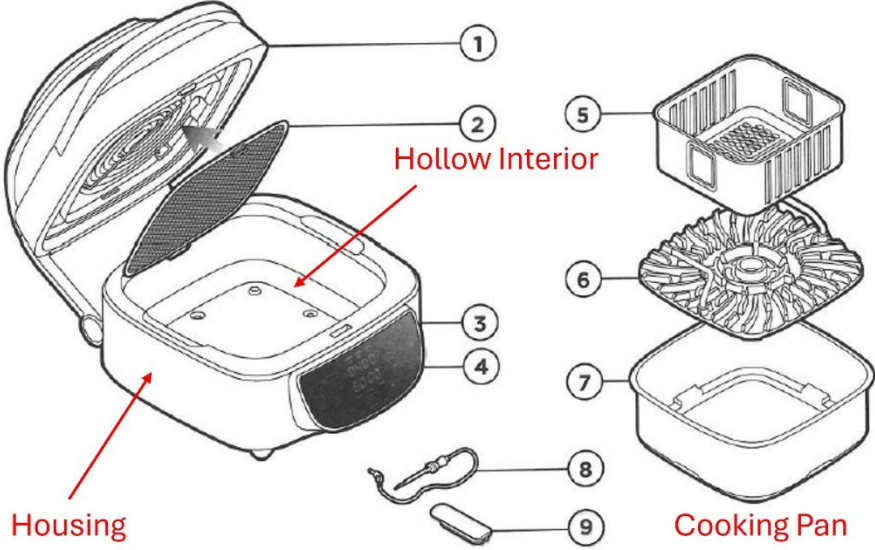
All five functions require the cooking pan to be inserted and can all be used with the probe. They differ in their temperature range, inserts used, and whether they include a Flip/Stir notification. (Note that you can ignore or amend the notification as desired.)

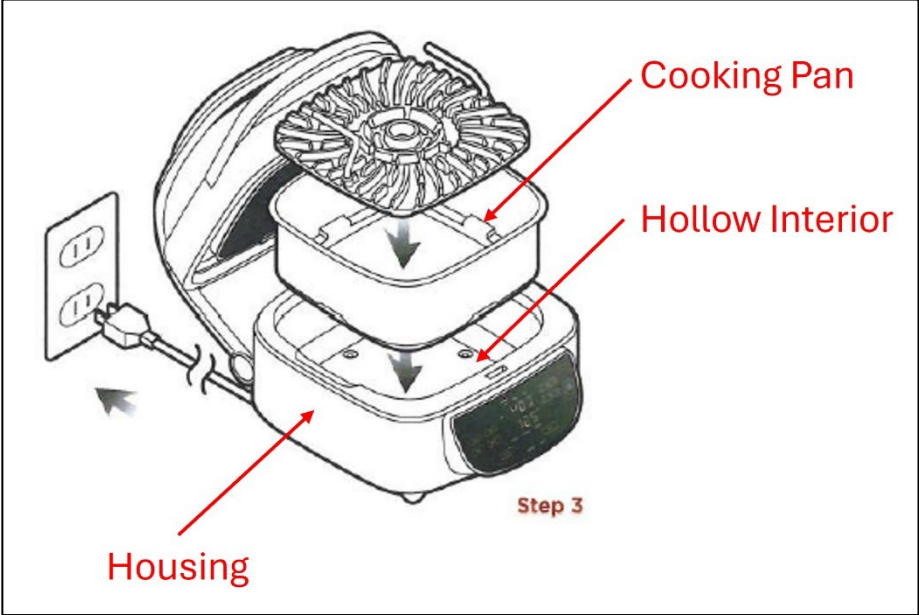
Function	Pan/Insert(s) Used	Temperature Range (°F)	Flip/Stir Notification?	Can You Use with Probe?
Grill	Cooking Pan + Grill Plate	200-500	Yes. Flip halfway through cooking time.	Yes
Air Fry	Cooking Pan + Air Fry Basket	200-450	Yes. Stir halfway through cooking time or every 15 minutes for longer cycles.	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

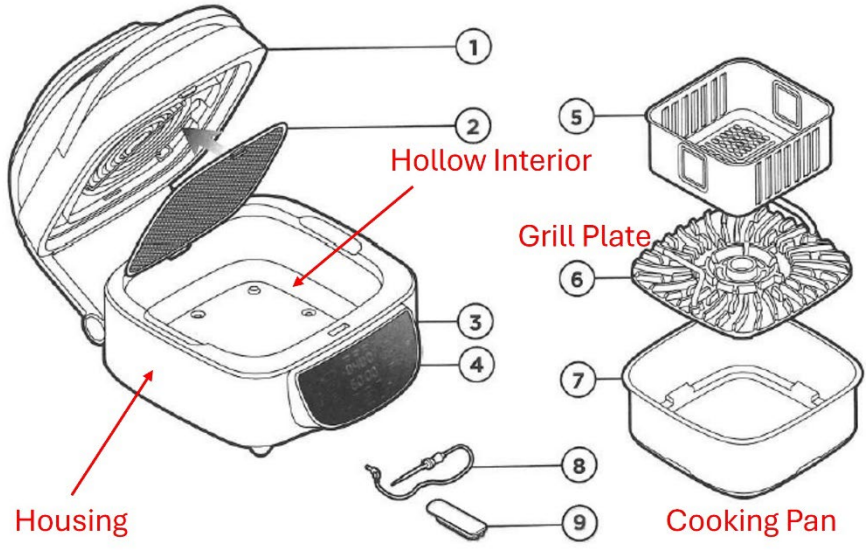
- Ex. G at 18 (annotations added):

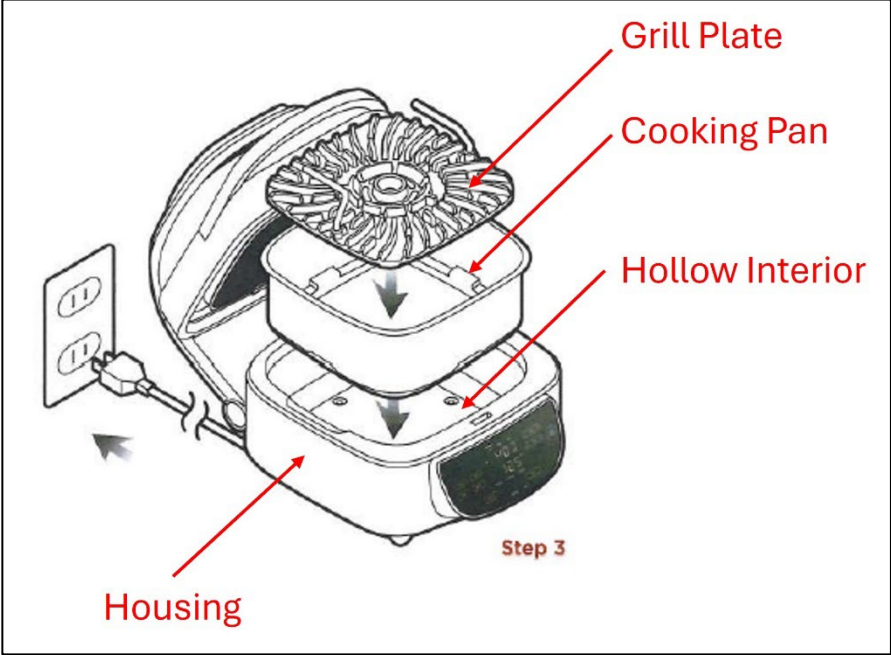
U.S. Patent No. 11,766,152	Evidence of Infringement: Chefman Indoor Air Fryer + Grill
	OPERATING INSTRUCTIONS HOW TO GRILL The heavy-duty grill plate is excellent at absorbing and retaining heat, so it gives your food the same gorgeous grill marks you'd get on an outdoor grill, while the closed environment 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. 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. 2. Prepare your food as specified in your recipe. 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). 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. 5. Press Start/Stop. This will begin the unit's automatic preheat. 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. 7. Close the lid. The timer will begin counting down. 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. 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. • 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] 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. 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. • Ex. G at 8 (annotations added):

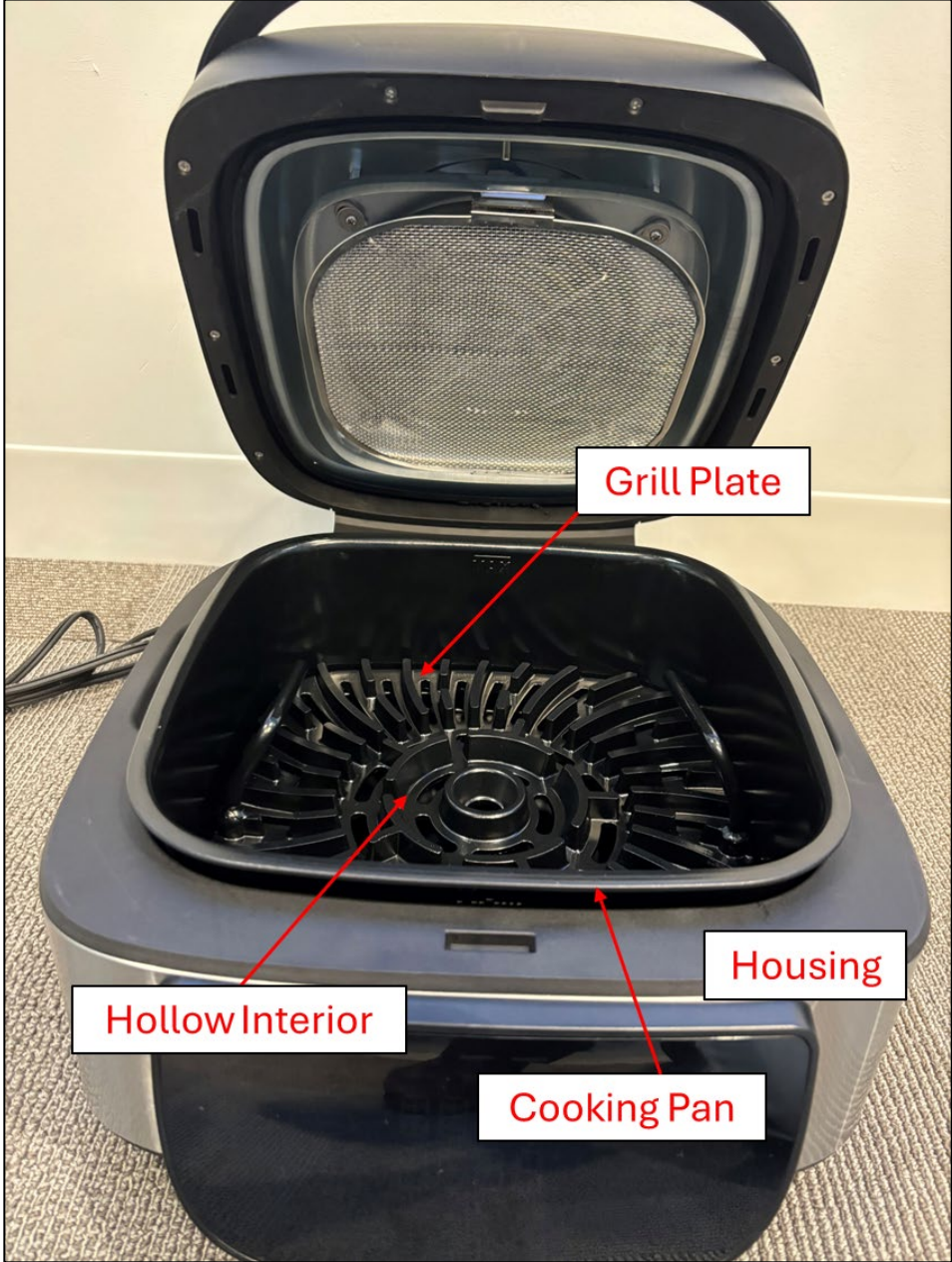
U.S. Patent No. 11,766,152	Evidence of Infringement: Chefman Indoor Air Fryer + Grill
	FEATURES  1. Lid: contains heat source and fan 2. Removable Mesh Splatter Shield: inserts into lid to help keep heating element clean and prevent smoking 3. Thermometer Jack: powers probe 4. Control Panel: capacitive touch LED screen 5. Nonstick Air Fryer Basket: allows air to circulate around foods 6. Grill Plate: heavy-duty die-cast aluminum for great grill marks 7. Nonstick Cooking Pan: large capacity for family-size meals 8. Thermometer Probe: tracks internal temperature of food during cooking 9. Probe Cord Winding Wheel: holds cord when not in use (separate from unit) • Ex. G at 13 (annotations added):

U.S. Patent No. 11,766,152	Evidence of Infringement: Chefman Indoor Air Fryer + Grill
	 The diagram illustrates the assembly of an indoor air fryer. It shows a base unit with a digital display and a power cord plugged into a wall outlet. A cooking pan is being inserted into the top of the unit. Red arrows point to the 'Housing' (the base unit), the 'Cooking Pan' (the insert), and the 'Hollow Interior' (the space inside the unit). The text 'Step 3' is located at the bottom right of the diagram. 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. • Ex. G at 8 (annotations added):

U.S. Patent No. 11,766,152	Evidence of Infringement: Chefman Indoor Air Fryer + Grill
	FEATURES  The diagram illustrates the components of the Chefman Indoor Air Fryer + Grill. The main unit is shown with its lid open, revealing the interior. Red arrows point to the 'Hollow Interior' and the 'Housing'. Numbered callouts (1-9) identify specific parts: 1. Lid, 2. Removable Mesh Splatter Shield, 3. Thermometer Jack, 4. Control Panel, 5. Nonstick Air Fryer Basket, 6. Grill Plate, 7. Nonstick Cooking Pan, 8. Thermometer Probe, and 9. Probe Cord Winding Wheel. To the right of the main unit, the individual components are shown in an exploded view, with their respective numbers and names. Lid: contains heat source and fan Removable Mesh Splatter Shield: inserts into lid to help keep heating element clean and prevent smoking Thermometer Jack: powers probe Control Panel: capacitive touch LED screen Nonstick Air Fryer Basket: allows air to circulate around foods Grill Plate: heavy-duty die-cast aluminum for great grill marks Nonstick Cooking Pan: large capacity for family-size meals Thermometer Probe: tracks internal temperature of food during cooking Probe Cord Winding Wheel: holds cord when not in use (separate from unit) - Ex. G at 13 (annotations added):

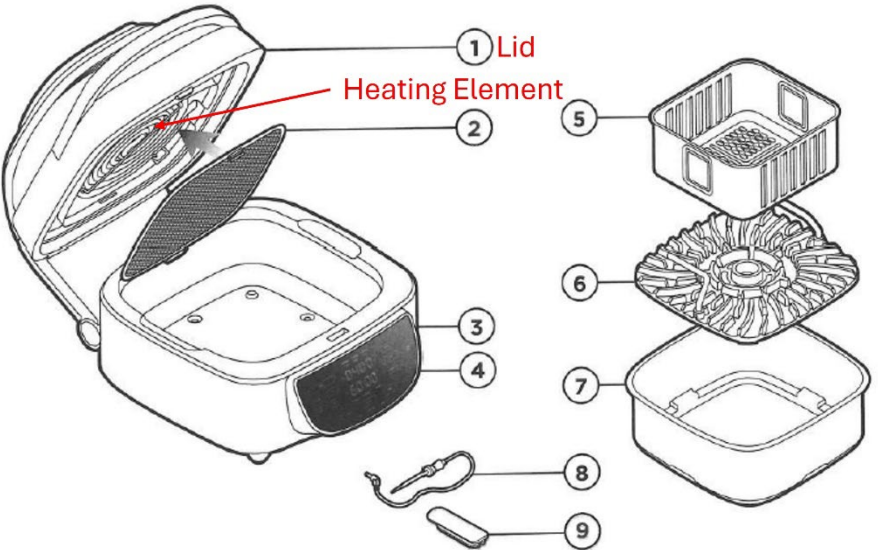
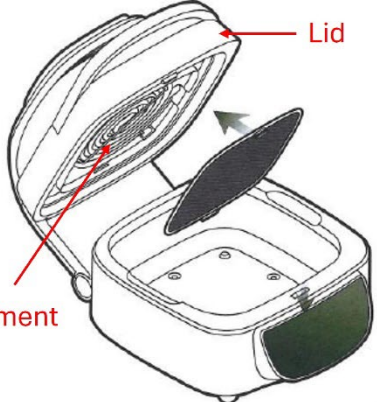
U.S. Patent No. 11,766,152	Evidence of Infringement: Chefman Indoor Air Fryer + Grill
	 The diagram illustrates the assembly of the Chefman Indoor Air Fryer + Grill. It shows a cross-section of the device with the following components labeled in red text with arrows pointing to them: 'Grill Plate' at the top, 'Cooking Pan' below it, 'Hollow Interior' pointing to the space between the pan and the base, and 'Housing' pointing to the bottom base. A power cord is shown plugged into a wall outlet on the left. The text 'Step 3' is located at the bottom right of the diagram. • Ex. G at 18 (annotations added):

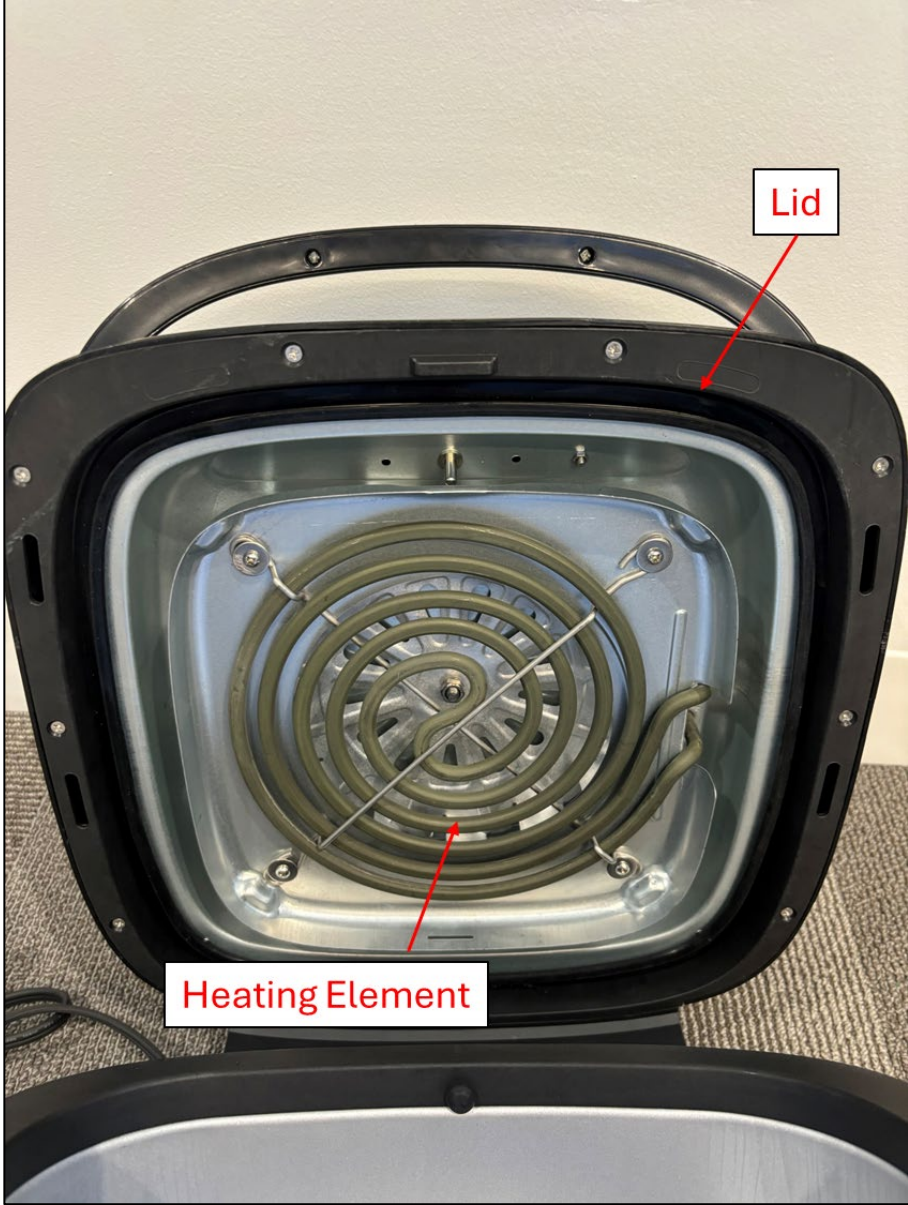
U.S. Patent No. 11,766,152	Evidence of Infringement: Chefman Indoor Air Fryer + Grill
	OPERATING INSTRUCTIONS HOW TO GRILL The heavy-duty grill plate is excellent at absorbing and retaining heat, so it gives your food the same gorgeous grill marks you'd get on an outdoor grill, while the closed environment 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. 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. 2. Prepare your food as specified in your recipe. 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). 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. 5. Press Start/Stop. This will begin the unit's automatic preheat. 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. 7. Close the lid. The timer will begin counting down. 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. 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. • 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
	 • Chefman Indoor Air Fryer + Grill product website (Available at: https://chefman.com/products/rj38-afg-7tp-v2?srsltid=AfmBOoqZtjnGGJe2q60MILCNur8NPBLZsxlg-KKyc5sDhyUz50WkOWjQ):

U.S. Patent No. 11,766,152	Evidence of Infringement: Chefman Indoor Air Fryer + Grill
	 AN AUTHENTIC GRILLING EXPERIENCE Heavy-duty die-cast aluminum grill grate creates gorgeous grill marks and adds that authentic grilled flavor • Chefman Indoor Air Fryer + Grill product website (Available at: https://chefman.com/products/rj38-afg-7tp-v2?srsltid=AfmBOoqZtjnGGJe2q60MILCNur8NPBLZsxlg-KKyc5sDhyUz50WkOWjQ):

U.S. Patent No. 11,766,152	Evidence of Infringement: Chefman Indoor Air Fryer + Grill
	
1[b] a heating element associated with the housing; and	The Chefman Indoor Air Fryer + Grill cooking system includes a heating element associated with the housing. 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. <i>See, e.g.</i>, '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. • Ex. G at 8 (annotations added):

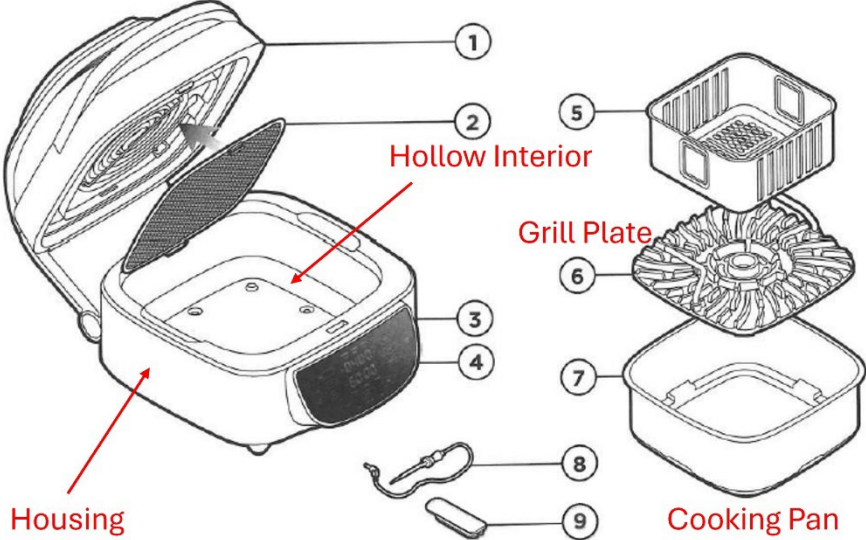
U.S. Patent No. 11,766,152	Evidence of Infringement: Chefman Indoor Air Fryer + Grill
	FEATURES  1. Lid: contains heat source and fan 2. Removable Mesh Splatter Shield: inserts into lid to help keep heating element clean and prevent smoking 3. Thermometer Jack: powers probe 4. Control Panel: capacitive touch LED screen 5. Nonstick Air Fryer Basket: allows air to circulate around foods 6. Grill Plate: heavy-duty die-cast aluminum for great grill marks 7. Nonstick Cooking Pan: large capacity for family-size meals 8. Thermometer Probe: tracks internal temperature of food during cooking 9. Probe Cord Winding Wheel: holds cord when not in use (separate from unit) 5 • Ex. G at 11 (annotations added): 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.  8

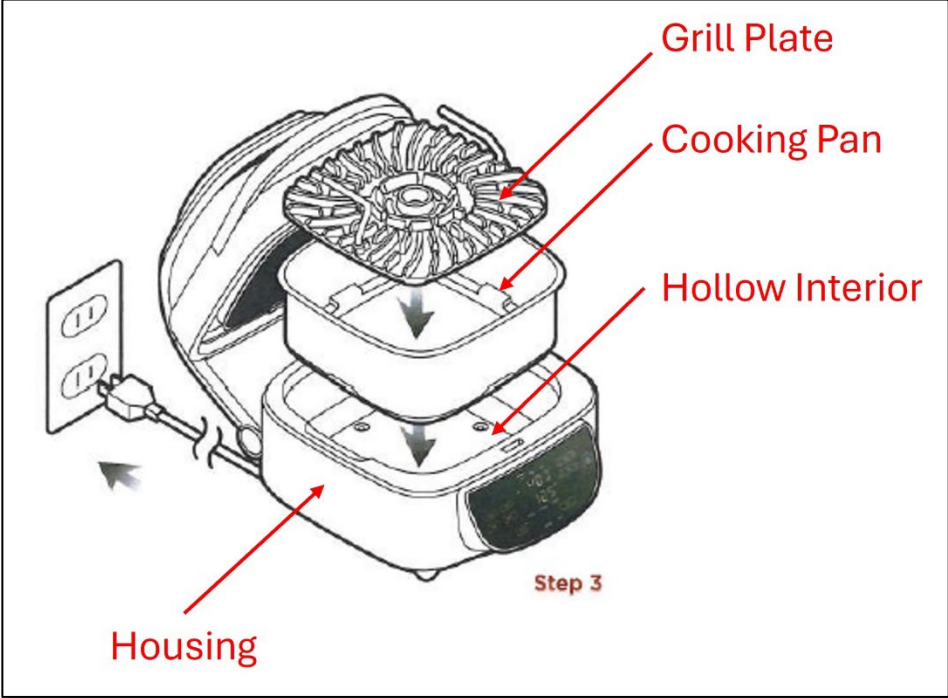
U.S. Patent No. 11,766,152	Evidence of Infringement: Chefman Indoor Air Fryer + Grill
	• The image below of the Chefman Indoor Air Fryer + Grill shows the heating element mounted to the lid of the housing: 
1[c] a support body configured to	The Chefman Indoor Air Fryer + Grill cooking system includes 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

U.S. Patent No. 11,766,152	Evidence of Infringement: Chefman Indoor Air Fryer + Grill
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 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.	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 different from one another. 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. • Ex. G at 18 (annotations added): OPERATING INSTRUCTIONS HOW TO GRILL 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. 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. 2. Prepare your food as specified in your recipe. 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). 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. 5. Press Start/Stop. This will begin the unit's automatic preheat. 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. 7. Close the lid. The timer will begin counting down. 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. 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.

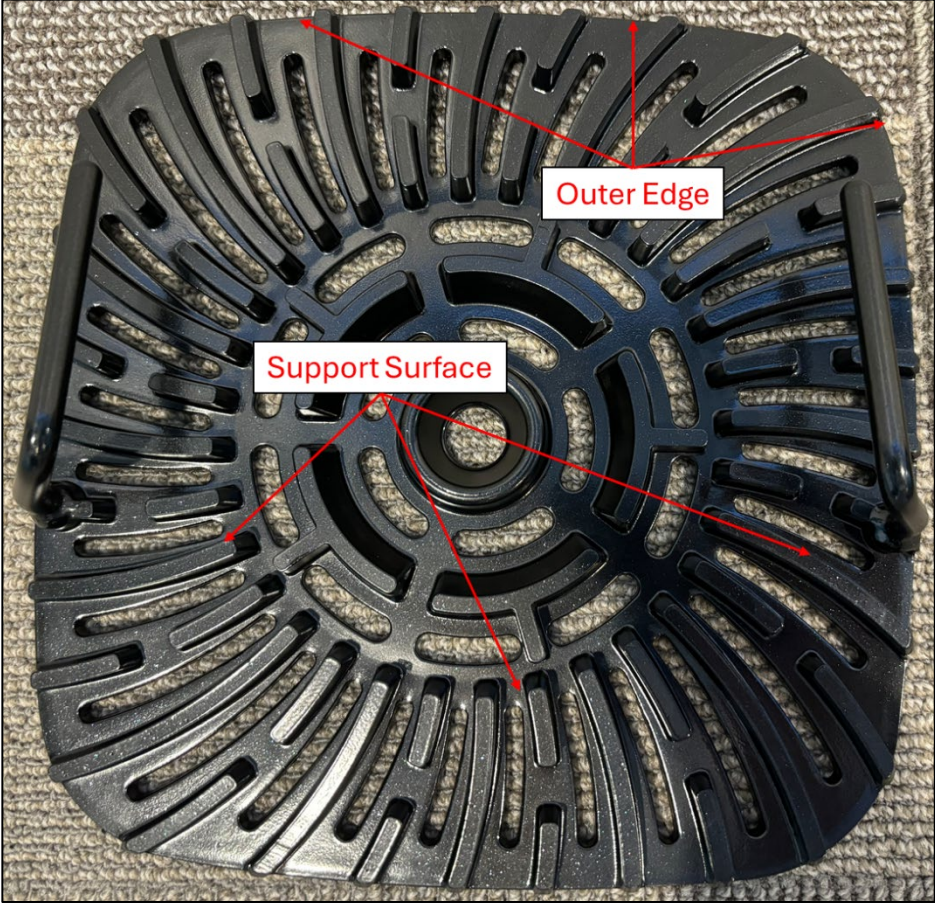
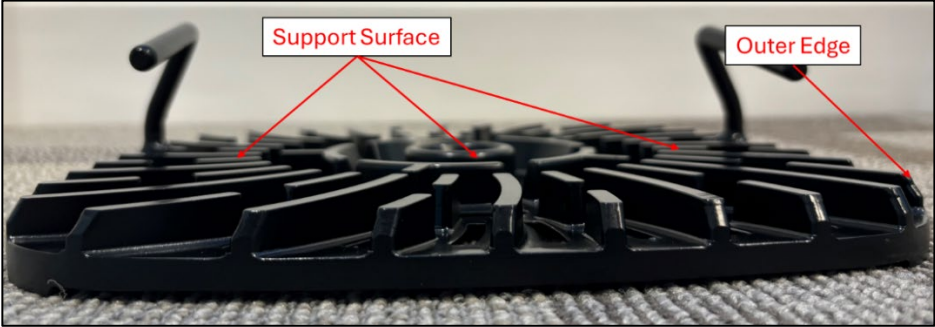
U.S. Patent No. 11,766,152	Evidence of Infringement: Chefman Indoor Air Fryer + Grill
third radial positions being different from one another.	Chefman Indoor Air Fryer + Grill product website (Available at: https://chefman.com/products/rj38-afg-7tp-v2?srsltid=AfmBOoqZtjnGGJe2q60MILCNur8NPBLZsxlg-KKyc5sDhyUz50WkOWjQ): AN AUTHENTIC GRILLING EXPERIENCE Heavy-duty die-cast aluminum grill grate creates gorgeous grill marks and adds that authentic grilled flavor Chefman Indoor Air Fryer + Grill product website (Available at: https://chefman.com/products/rj38-afg-7tp-v2?srsltid=AfmBOoqZtjnGGJe2q60MILCNur8NPBLZsxlg-KKyc5sDhyUz50WkOWjQ):

U.S. Patent No. 11,766,152	Evidence of Infringement: Chefman Indoor Air Fryer + Grill
	 10.5 in 16.5 in 13 in Ex. G at 8 (annotations added):

U.S. Patent No. 11,766,152	Evidence of Infringement: Chefman Indoor Air Fryer + Grill
	FEATURES  The diagram illustrates the components of the Chefman Indoor Air Fryer + Grill. It shows the main unit with its lid open, revealing the interior. Numbered callouts point to various parts: 1. Lid, 2. Removable Mesh Splatter Shield, 3. Thermometer Jack, 4. Control Panel, 5. Nonstick Air Fryer Basket, 6. Grill Plate, 7. Nonstick Cooking Pan, 8. Thermometer Probe, and 9. Probe Cord Winding Wheel. Red arrows and text labels highlight the 'Hollow Interior' and 'Housing'. 1. Lid: contains heat source and fan 2. Removable Mesh Splatter Shield: inserts into lid to help keep heating element clean and prevent smoking 3. Thermometer Jack: powers probe 4. Control Panel: capacitive touch LED screen 5. Nonstick Air Fryer Basket: allows air to circulate around foods 6. Grill Plate: heavy-duty die-cast aluminum for great grill marks 7. Nonstick Cooking Pan: large capacity for family-size meals 8. Thermometer Probe: tracks internal temperature of food during cooking 9. Probe Cord Winding Wheel: holds cord when not in use (separate from unit) • Ex. G at 13 (annotations added):

U.S. Patent No. 11,766,152	Evidence of Infringement: Chefman Indoor Air Fryer + Grill
	 The diagram illustrates the assembly of the Chefman Indoor Air Fryer + Grill. It shows a cross-section of the device with the following components labeled in red text with arrows pointing to them: 'Grill Plate' (the topmost circular component with a grid pattern), 'Cooking Pan' (the rectangular pan below the grill plate), 'Hollow Interior' (the space inside the main body), and 'Housing' (the outer casing). A power cord is shown plugged into a wall outlet on the left. The text 'Step 3' is located at the bottom right of the diagram. • 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
	  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
	 Outer Edge Support Surface  Support Surface Outer Edge As shown below, the top of the grill plate supports food: ○ Chefman Indoor Air Fryer + Grill product website (Available at: https://chefman.com/products/rj38-afg-7tp-v2?srltid=AfmBOoqZtjnGGJe2q60MILCNur8NPBLZsxlg-

U.S. Patent No. 11,766,152	Evidence of Infringement: Chefman Indoor Air Fryer + Grill
	KKyc5sDhyUz50WkOWjQ):  AN AUTHENTIC GRILLING EXPERIENCE Heavy-duty die-cast aluminum grill grate creates gorgeous grill marks and adds that authentic grilled flavor • Chefman Indoor Air Fryer + Grill product website (Available at: https://chefman.com/products/rj38-afg-7tp-v2?srsId=AfmBOoqZtjnGGJe2q60MILCNur8NPBLZsxlg-KKyc5sDhyUz50WkOWjQ):

U.S. Patent No. 11,766,152	Evidence of Infringement: Chefman Indoor Air Fryer + Grill
	 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. • 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: ○ Chefman Indoor Air Fryer + Grill product website (Available at: https://chefman.com/products/rj38-afg-7tp-v2?srsltid=AfmBOoqZtjnGGJe2q60MILCNur8NPBLZsxlg-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). ○ Ex. G at 18 (“Grill Plate: heavy-duty die-cast aluminum for great grill marks”) • 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**

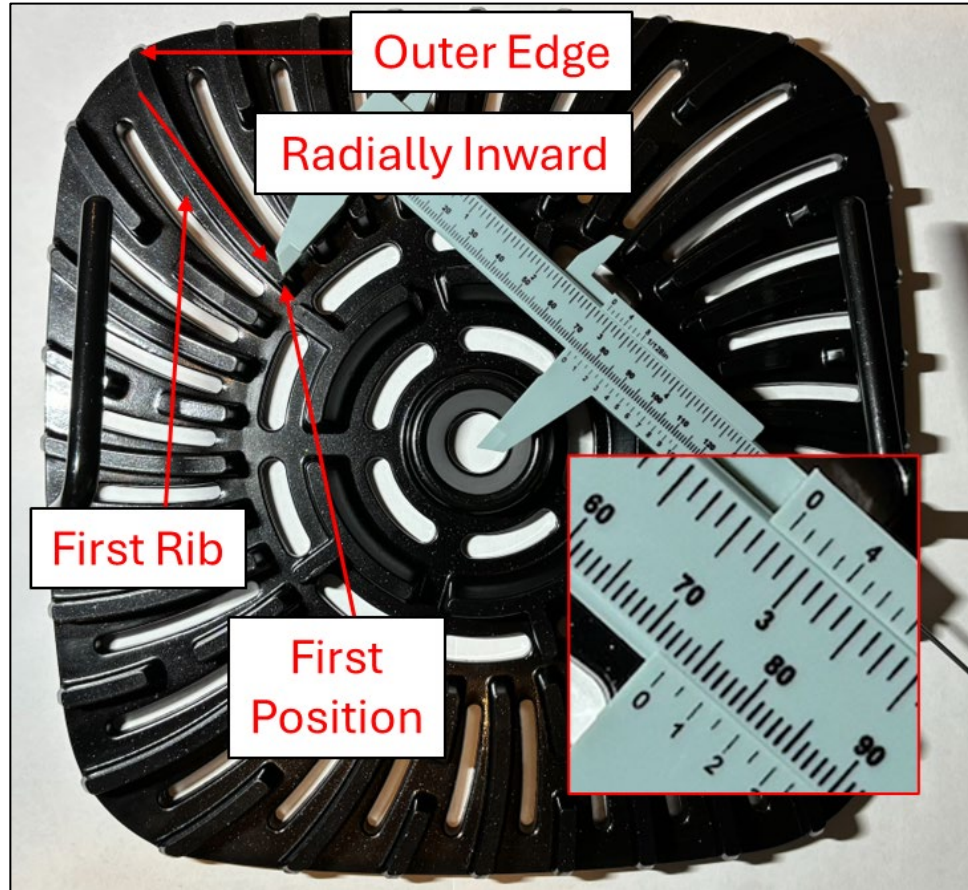
Evidence of Infringement: Chefman Indoor Air Fryer + Grill



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

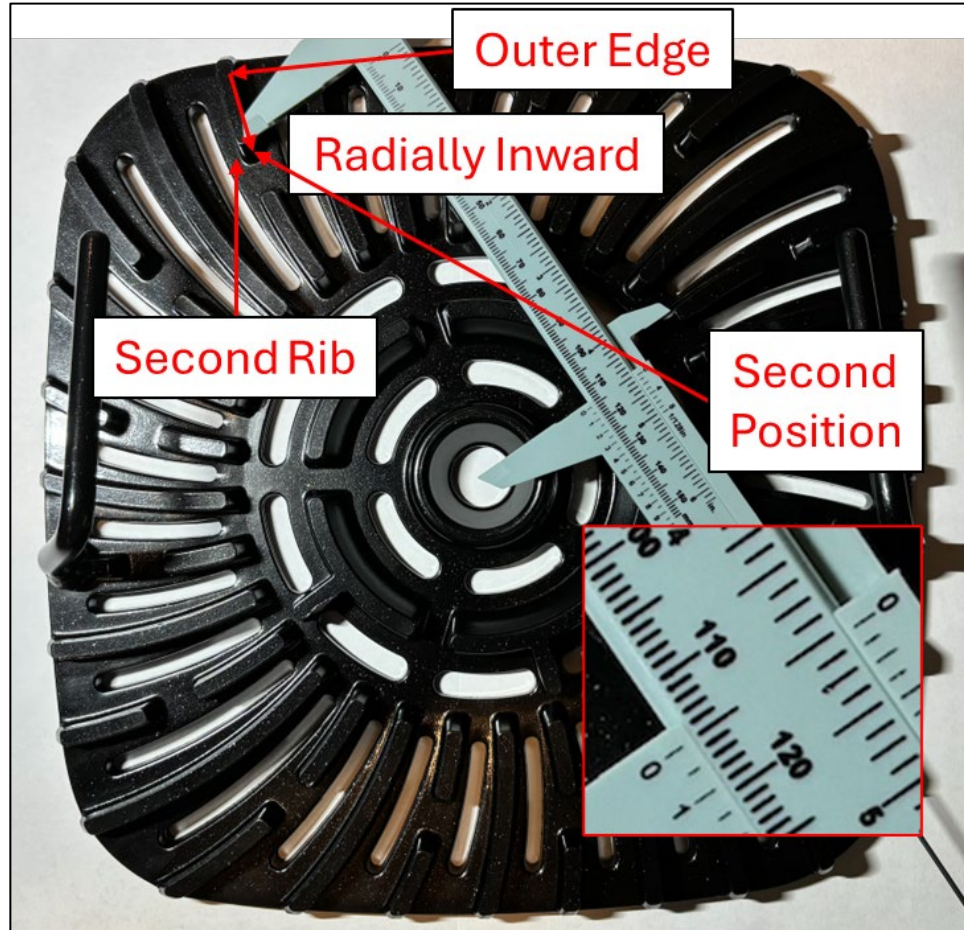
Evidence of Infringement: Chefman Indoor Air Fryer + Grill



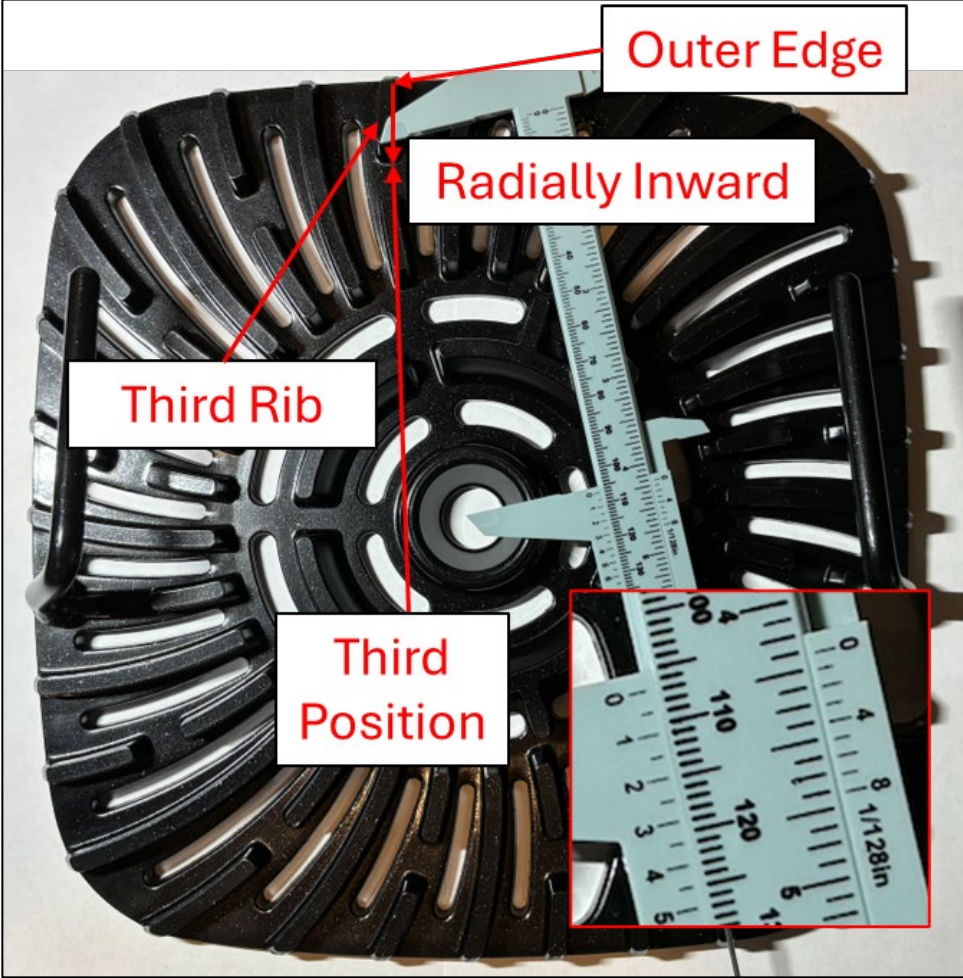
As shown in the image of the Chefman Indoor Air Fryer + Grill below, the second ribs extend radially inward between the outer edge to a second radial position 115mm from the inner radius:

**U.S. Patent No.
11,766,152**

Evidence of Infringement: Chefman Indoor Air Fryer + Grill



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
	

151. 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.

152. 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.

153. 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.

154. 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.

155. 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.

IX. COUNT VI: INFRINGEMENT OF THE '654 PATENT

156. SharkNinja incorporates by reference and realleges the allegations above.

157. 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.

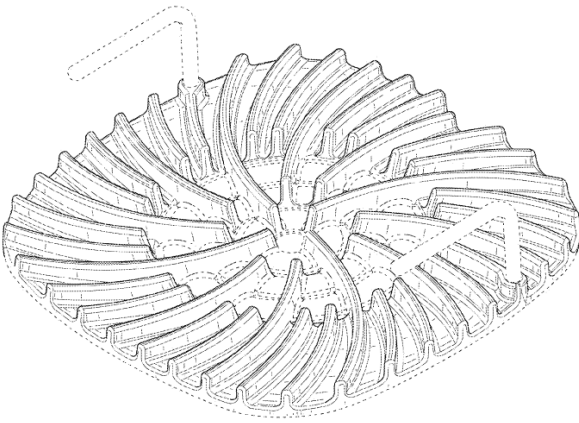
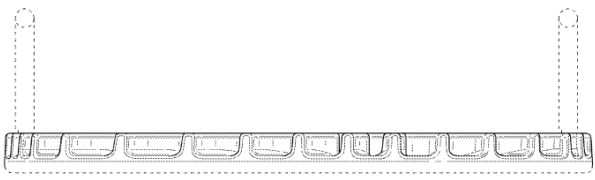
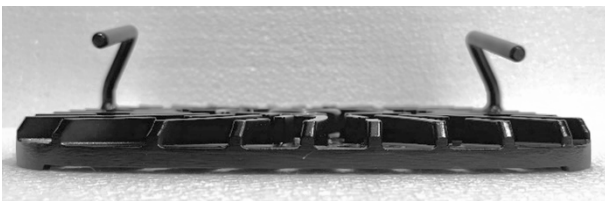
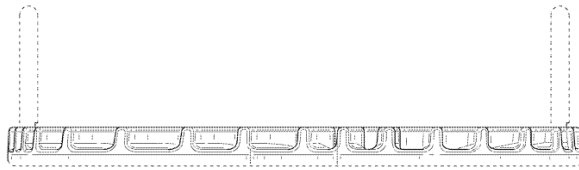
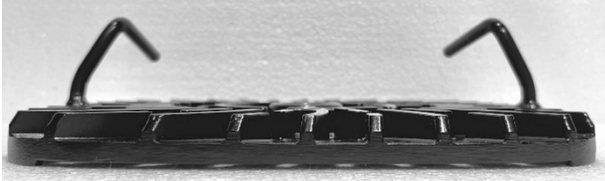
158. SharkNinja owns all rights, title, and interest in the '654 patent.

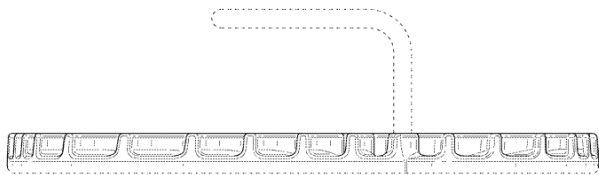
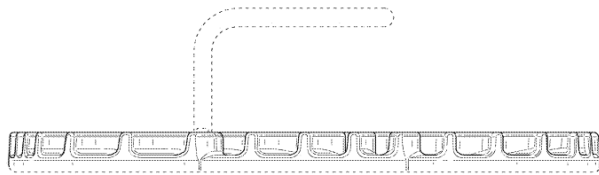
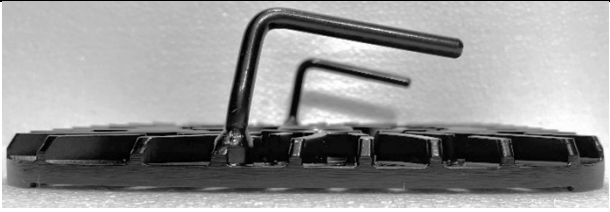
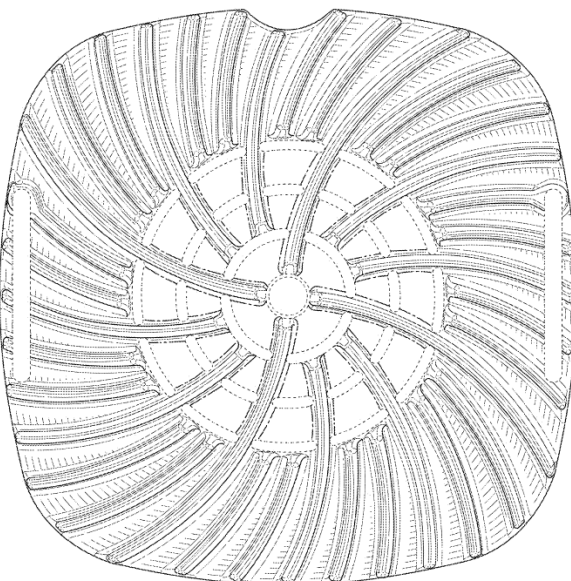
159. The application for the '654 patent was filed on June 6, 2019.

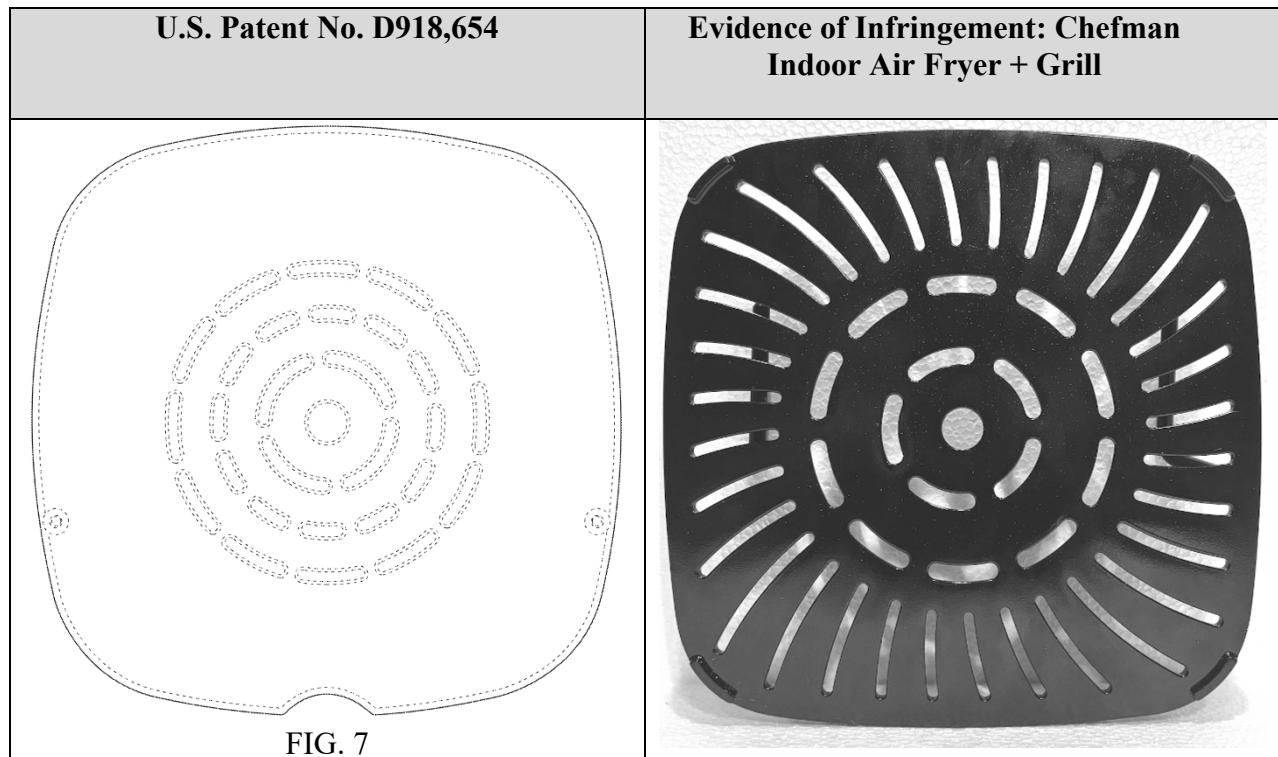
160. Chefman has infringed, and continues to infringe, the claim of the '654 patent, in violation of 35 U.S.C. § 271 by, among other things, making, using, offering to sell, and/or selling within the United States, supplying or causing to be supplied in or from the United States,

and/or importing into the United States, without authority or license, the Chefman Indoor Air Fryer + Grill product.

161. 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
 FIG. 1	
 FIG. 2	
 FIG. 3	

U.S. Patent No. D918,654	Evidence of Infringement: Chefman Indoor Air Fryer + Grill
 FIG. 4	
 FIG. 5	
 FIG. 6	



162. 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.

163. 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.

164. 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.

165. 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.

X. COUNT VII: INFRINGEMENT OF THE '026 PATENT

166. SharkNinja incorporates by reference and realleges the allegations above.

167. 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.

168. SharkNinja owns all rights, title, and interest in the '026 patent.

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

170. 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.

171. 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.

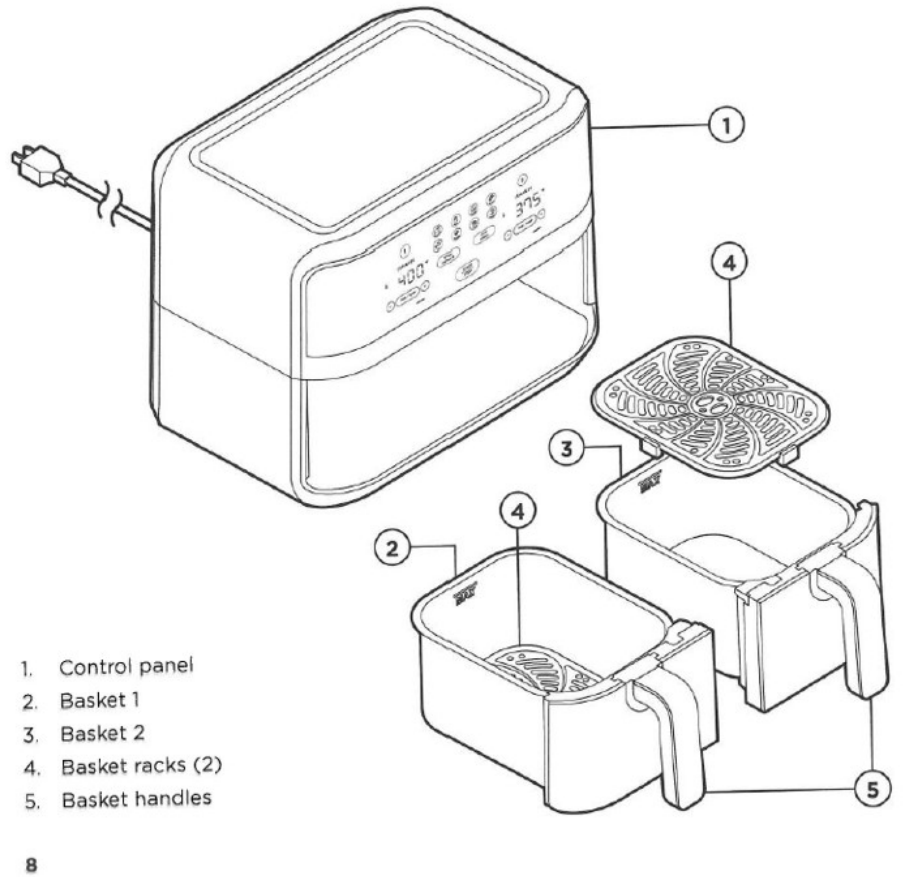
U.S. Patent No. 11,389,026	Evidence of Infringement: Chefman Dual Air Fryer
1[pre] 1. A cooking system comprising:	The Chefman Dual Air Fryer is a cooking system. For example, the Chefman Dual Air Fryer is a system that cooks foods such as “Fries, chicken, fish, bacon, hamburgers, steak, vegetables, [and] shrimp” using time and temperature controls or one of eight “Preset Function[s]:” • Chefman Website, Double Basket Air Fryer (9-Qt.) (Available at: https://chefman.com/products/rj38-sqpf-45tdb?srsId=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
	 Cook two foods at once with different time and temperature settings. • 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

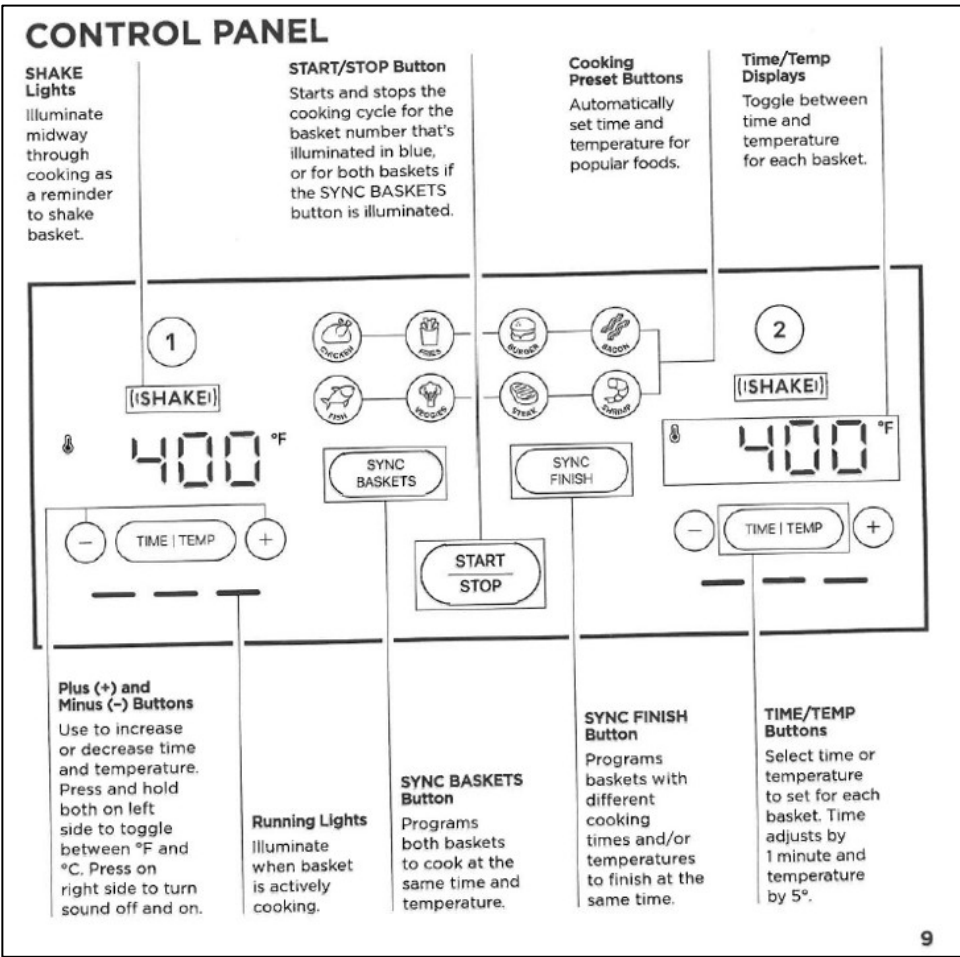
FEATURES



- Ex. H at 9 (showing control buttons “to increase or decrease time and temperature”):

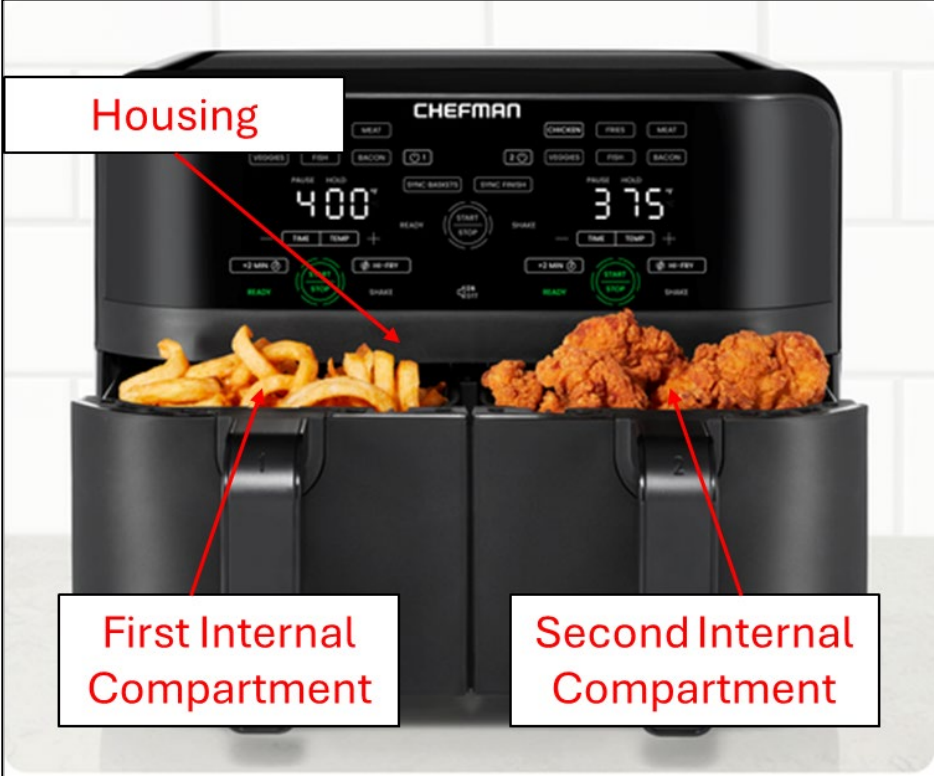
U.S. Patent No.
11,389,026

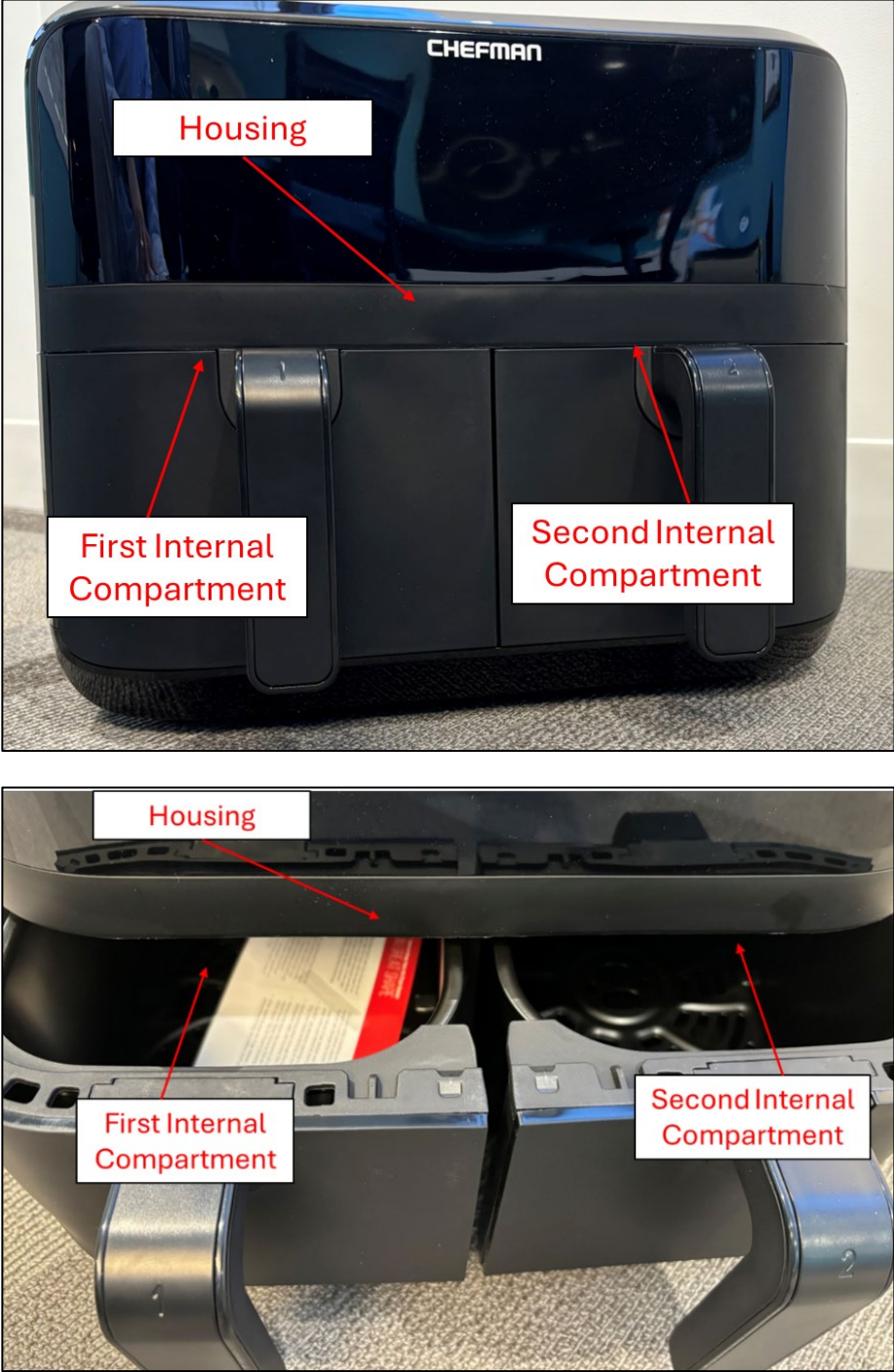
Evidence of Infringement: Chefman Dual Air Fryer

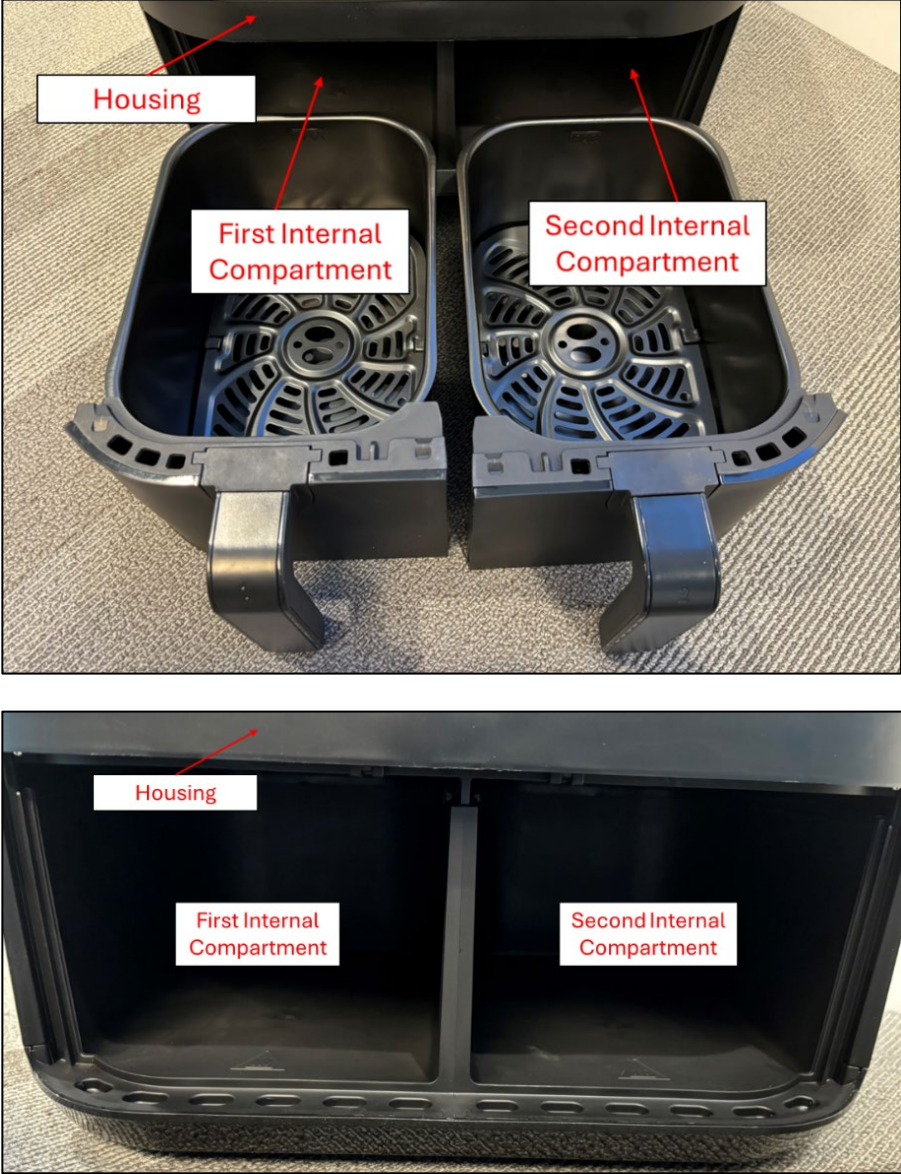


- Ex. H at 10:

U.S. Patent No. 11,389,026	Evidence of Infringement: Chefman Dual Air Fryer																																				
	OPERATING INSTRUCTIONS PRESET FUNCTION CHART <table><tr><th>FOOD</th><th>Default Time</th><th>Default Temp</th><th>Shake/Flip Reminder?</th></tr><tr><td>Fries</td><td>20 minutes</td><td>400°F</td><td>Comes on halfway through cook time</td></tr><tr><td>Chicken</td><td>30 minutes</td><td>375°F</td><td>Comes on halfway through cook time</td></tr><tr><td>Fish</td><td>10 minutes</td><td>350°F</td><td>None</td></tr><tr><td>Bacon</td><td>12 minutes</td><td>400°F</td><td>Comes on halfway through cook time</td></tr><tr><td>Burgers</td><td>10 minutes</td><td>350°F</td><td>Comes on halfway through cook time</td></tr><tr><td>Steak</td><td>15 minutes</td><td>400°F</td><td>Comes on halfway through cook time</td></tr><tr><td>Vegetables</td><td>15 minutes</td><td>350°F</td><td>Comes on halfway through cook time</td></tr><tr><td>Shrimp</td><td>7 minutes</td><td>400°F</td><td>Comes on halfway through cook time</td></tr></table>	FOOD	Default Time	Default Temp	Shake/Flip Reminder?	Fries	20 minutes	400°F	Comes on halfway through cook time	Chicken	30 minutes	375°F	Comes on halfway through cook time	Fish	10 minutes	350°F	None	Bacon	12 minutes	400°F	Comes on halfway through cook time	Burgers	10 minutes	350°F	Comes on halfway through cook time	Steak	15 minutes	400°F	Comes on halfway through cook time	Vegetables	15 minutes	350°F	Comes on halfway through cook time	Shrimp	7 minutes	400°F	Comes on halfway through cook time
FOOD	Default Time	Default Temp	Shake/Flip Reminder?																																		
Fries	20 minutes	400°F	Comes on halfway through cook time																																		
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Fish	10 minutes	350°F	None																																		
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Steak	15 minutes	400°F	Comes on halfway through cook time																																		
Vegetables	15 minutes	350°F	Comes on halfway through cook time																																		
Shrimp	7 minutes	400°F	Comes on halfway through cook time																																		
1[a] 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. The Chefman Dual Air Fryer cooking system includes a housing with a first internal compartment (cooking basket) and a second internal compartment (cooking basket): • Chefman Website, Double Basket Air Fryer (9-Qt.) (Available at: https://chefman.com/products/rj38-sqpf-45tdb?srsId=AfmBOorxi9JxUJiKEVHhuilcJmJSKEHIf_vVHNub5ZAeqFGVTKaqdBO) (annotations added):																																				

U.S. Patent No. 11,389,026	Evidence of Infringement: Chefman Dual Air Fryer
	 Housing First Internal Compartment Second Internal Compartment Cook two foods at once with different time and temperature settings. • 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):

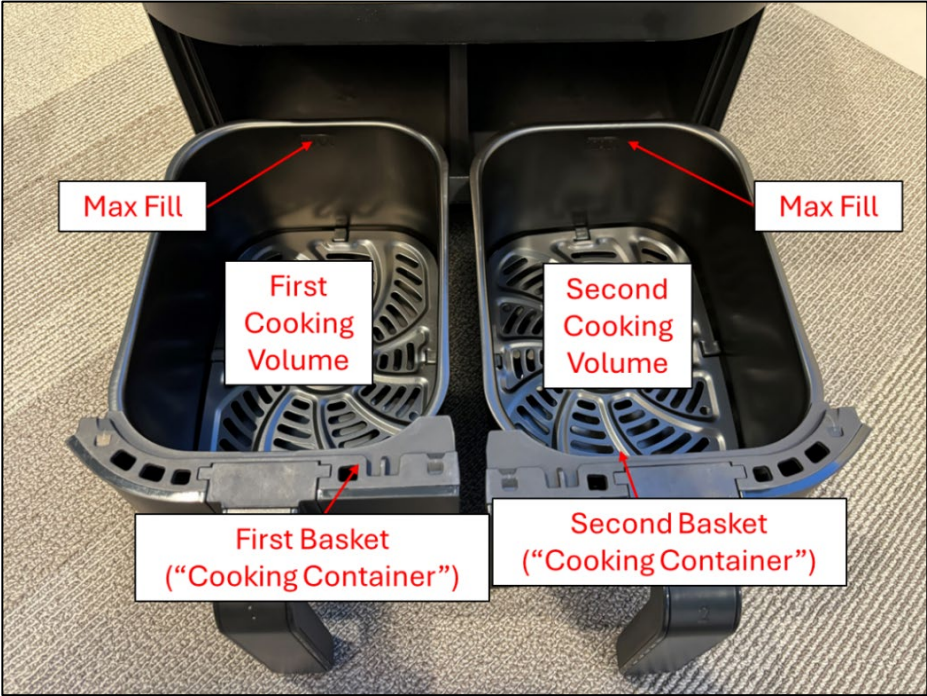
U.S. Patent No. 11,389,026	Evidence of Infringement: Chefman Dual Air Fryer
	 The top photograph shows the exterior of a black Chefman Dual Air Fryer. A red arrow points from the label 'Housing' to the top surface. Two other red arrows point from labels 'First Internal Compartment' and 'Second Internal Compartment' to the two separate cooking compartments at the bottom. The bottom photograph shows the interior of the air fryer with the compartments open. A red arrow points from the label 'Housing' to the top inner surface. Two other red arrows point from labels 'First Internal Compartment' and 'Second Internal Compartment' to the two separate cooking compartments.

U.S. Patent No. 11,389,026	Evidence of Infringement: Chefman Dual Air Fryer
	 The top photograph shows two dual air fryer units side-by-side. Red arrows point to the 'Housing' of each unit. Labels 'First Internal Compartment' and 'Second Internal Compartment' are placed over the respective units. The bottom photograph shows a single unit from a different perspective, with red arrows pointing to the 'Housing' and labels for the 'First Internal Compartment' and 'Second Internal Compartment'.
1[b] 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
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. 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: • Ex. H at 5 (“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). • Chefman Website, Double Basket Air Fryer (9-Qt.) (Available at: https://chefman.com/products/rj38-sqpf-45tdb?srsId=AfmBOorxi9JxUJiKEVHhuiltcjMJSKEHif_vVHNub5ZAeqFGVTKaqdBO) (annotations added):  Ensures differently timed dishes finish together.

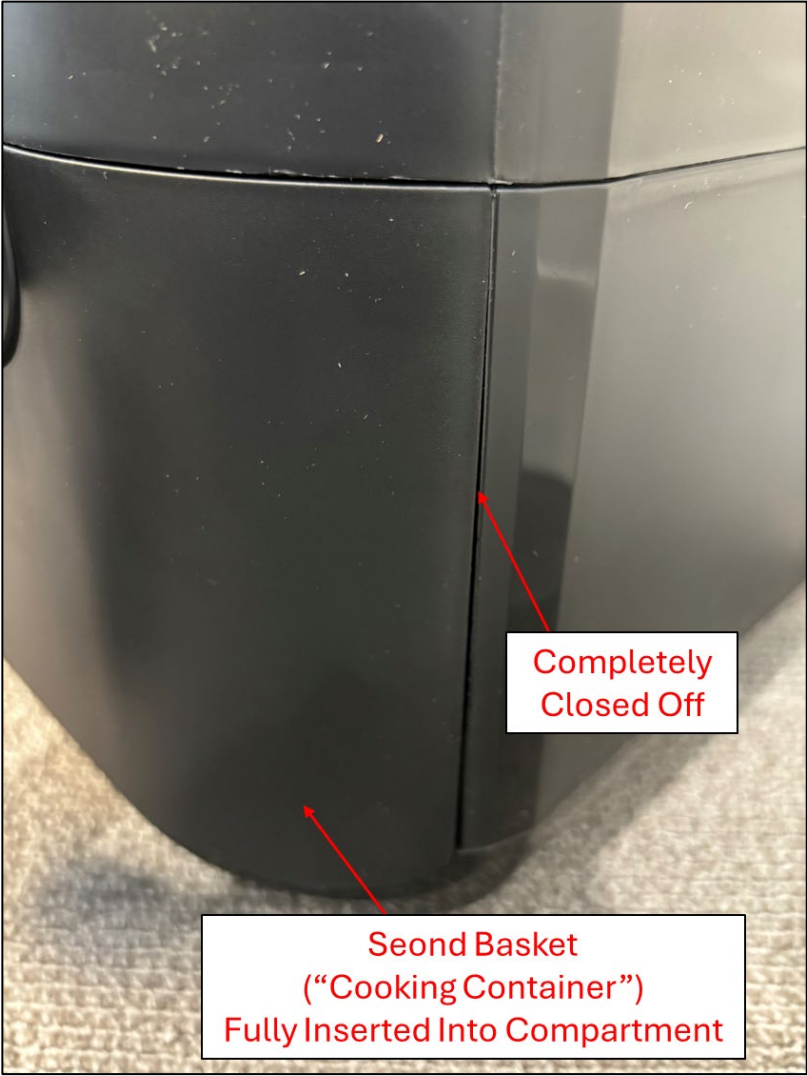
U.S. Patent No. 11,389,026	Evidence of Infringement: Chefman Dual Air Fryer
inserted into the first and second internal compartments respectively;	 4.5-quart baskets are top-rack dishwasher safe. • The removable baskets of the Chefman Dual Air Fryer are shown below:

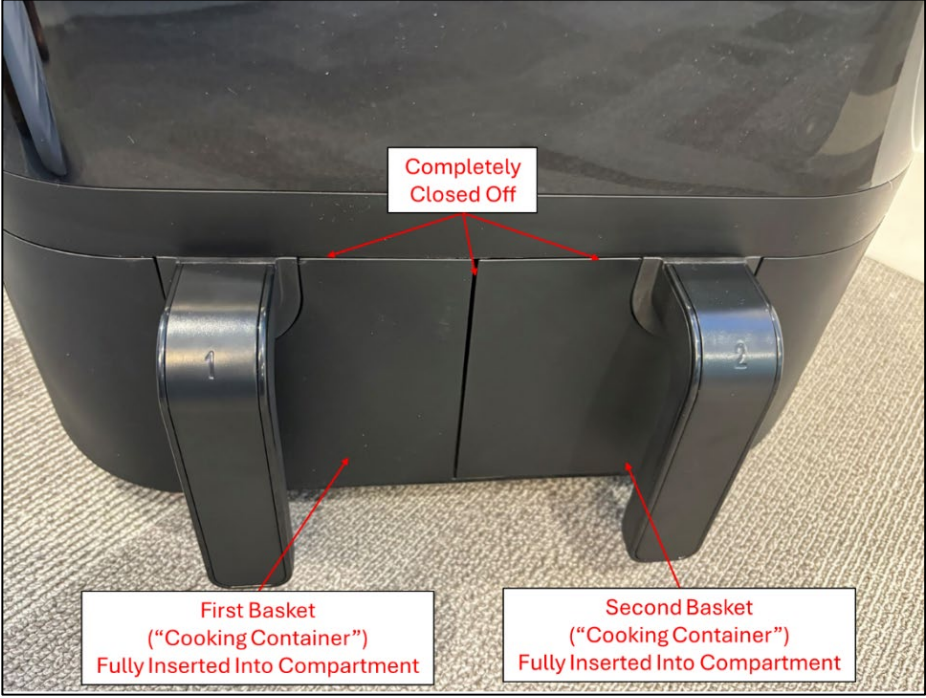
U.S. Patent No. 11,389,026	Evidence of Infringement: Chefman Dual Air Fryer
	 Second, the first cooking container (basket) defines a first cooking volume and the second cooking container (basket) defines a second cooking volume. Specifically, each basket contains a hollow volume to hold food that can be cooked up to a “Max line” that defines the limit of the cooking volume: • Ex. H at 2 (“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). • The images below show the “Max line[s]” and cooking volumes of the baskets of the Chefman Dual Air Fryer system:

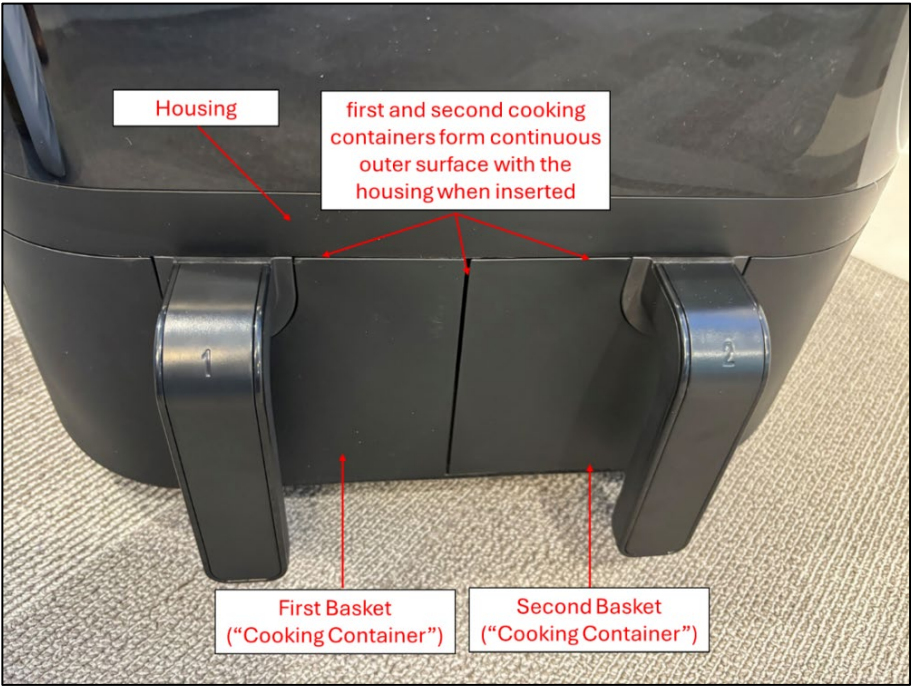
U.S. Patent No. 11,389,026	Evidence of Infringement: Chefman Dual Air Fryer
	

U.S. Patent No. 11,389,026	Evidence of Infringement: Chefman Dual Air Fryer
	A photograph of the interior of a Chefman Dual Air Fryer. The image shows a dark, metallic cooking chamber with a central, circular, perforated metal basket. A red arrow points to the top edge of the basket, which is labeled "Max Fill". Another red arrow points to the bottom of the basket, which is labeled "Cooking Volume". The basket is divided into four quadrants by a central vertical and horizontal divider. 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:

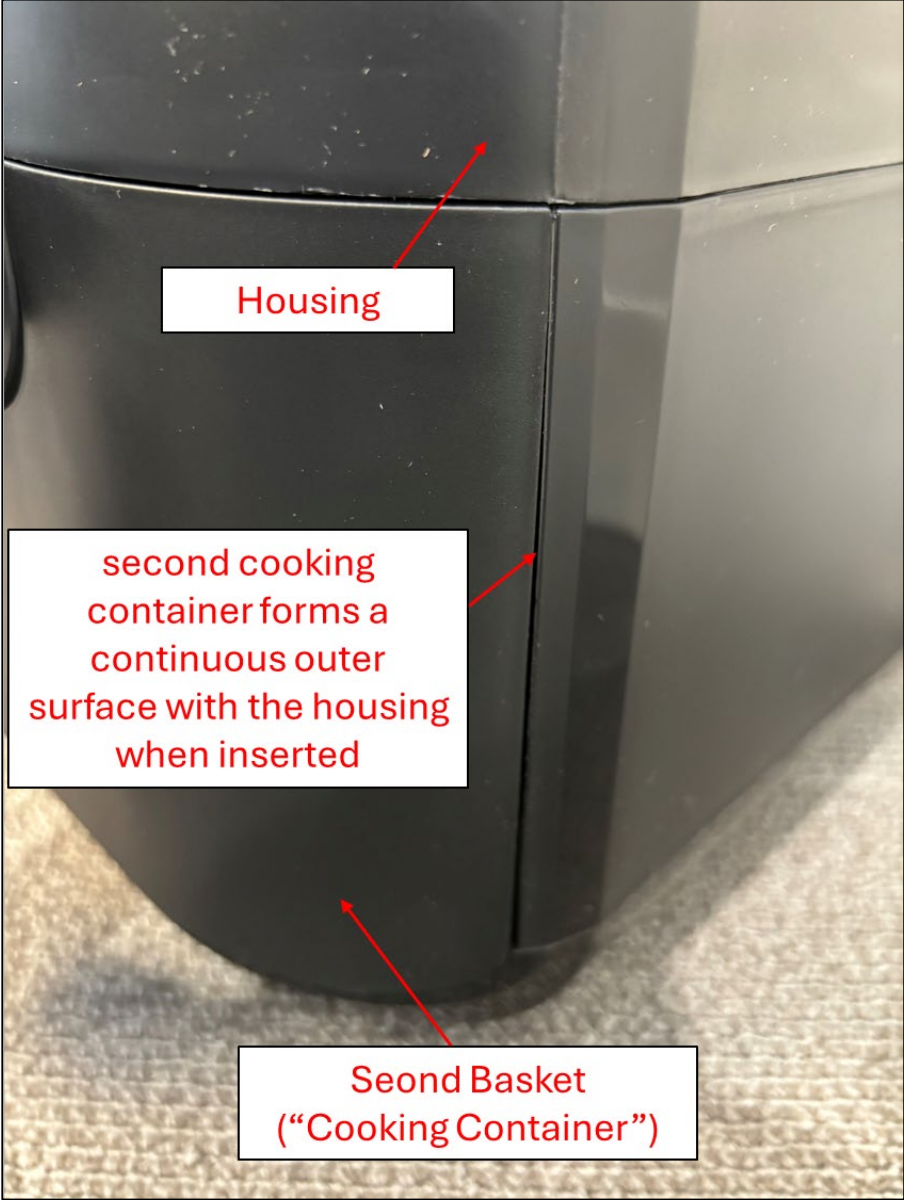
U.S. Patent No. 11,389,026	Evidence of Infringement: Chefman Dual Air Fryer
	 Completely Closed Off First Basket ("Cooking Container") Fully Inserted Into Compartment

U.S. Patent No. 11,389,026	Evidence of Infringement: Chefman Dual Air Fryer
	 Completely Closed Off Seond Basket ("Cooking Container") Fully Inserted Into Compartment

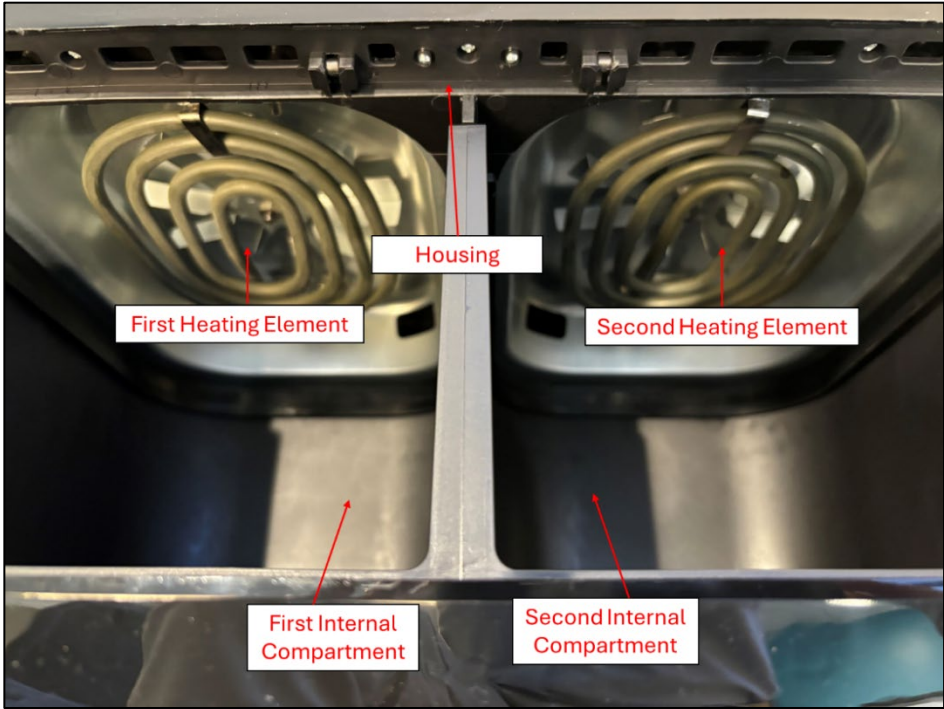
U.S. Patent No. 11,389,026	Evidence of Infringement: Chefman Dual Air Fryer
	 Completely Closed Off 1 2 First Basket ("Cooking Container") Fully Inserted Into Compartment Second Basket ("Cooking Container") Fully Inserted Into Compartment Fourth, the first and second cooking containers each form a continuous 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:

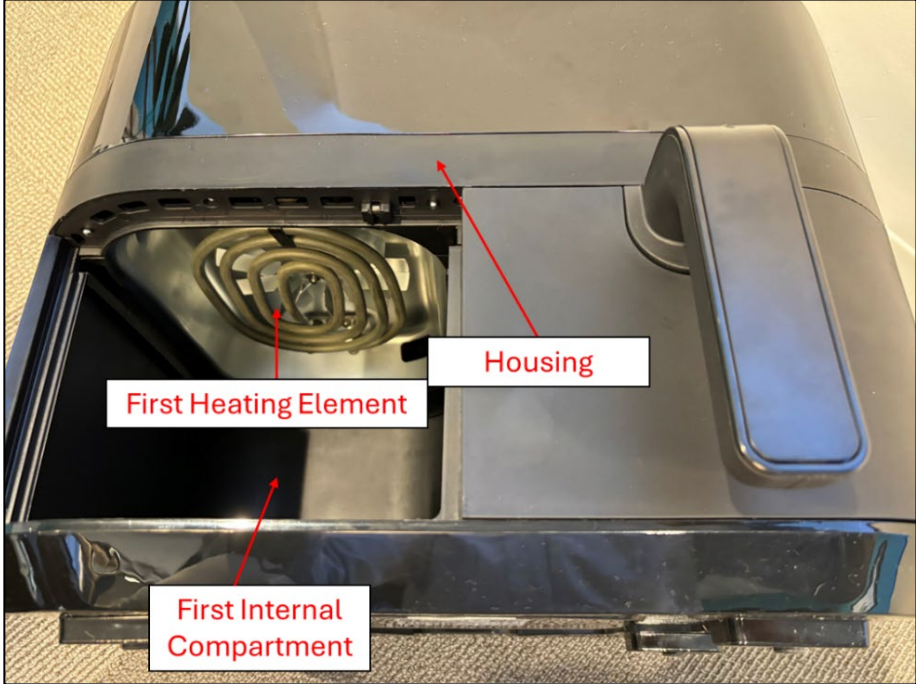
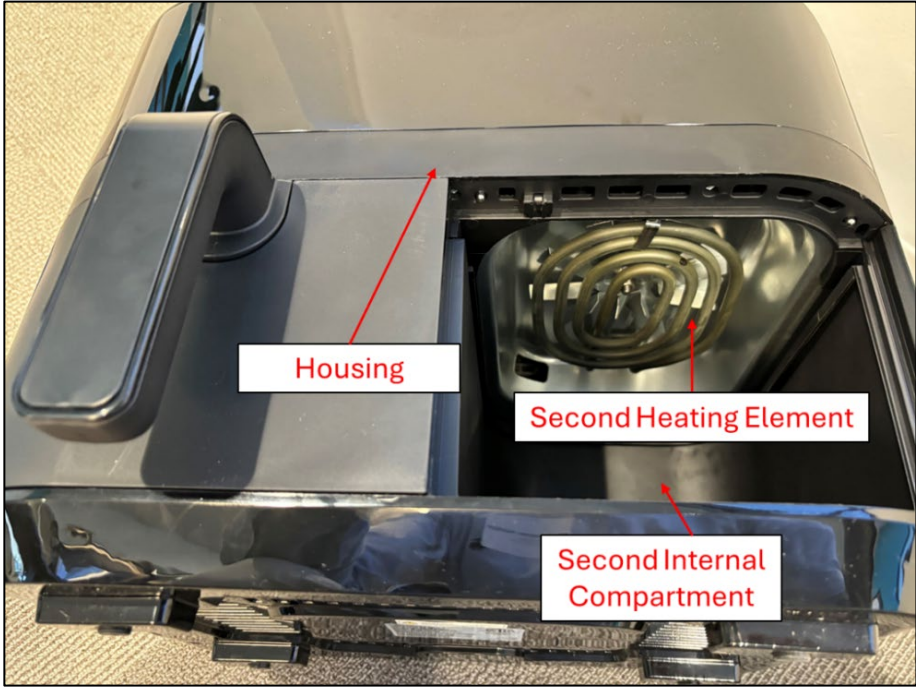
U.S. Patent No. 11,389,026	Evidence of Infringement: Chefman Dual Air Fryer
	



U.S. Patent No. 11,389,026	Evidence of Infringement: Chefman Dual Air Fryer
	 • Chefman Website, Double Basket Air Fryer (9-Qt.) (Available at: https://chefman.com/products/rj38-sqpf-45tdb?srltid=AfmBOorxi9JxUJiKEVHhuiltcjMJSKEHif_vVHNub5ZAeqFGVTKaqdBO) (showing continuous outer surface when first and second cooking containers are inserted):

U.S. Patent No. 11,389,026	Evidence of Infringement: Chefman Dual Air Fryer
	
1[c] 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.	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. 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. Ex. H at 5 (“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

U.S. Patent No. 11,389,026	Evidence of Infringement: Chefman Dual Air Fryer
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	may result. Take caution when handling the hot air fryer rack and all removable parts.”) (emphasis added). 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:  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
	 This photograph shows the interior of the air fryer with the basket removed. A red arrow points to a coiled heating element labeled "First Heating Element". Another red arrow points to the side wall of the fryer labeled "Housing". A third red arrow points to the bottom of the fryer labeled "First Internal Compartment".  This photograph shows the interior of the air fryer from a different angle. A red arrow points to the side wall labeled "Housing". Another red arrow points to a second coiled heating element labeled "Second Heating Element". A third red arrow points to the bottom of the fryer labeled "Second Internal Compartment". • Chefman Website, Double Basket Air Fryer (9-Qt.) (Available at: https://chefman.com/products/rj38-sqpf-

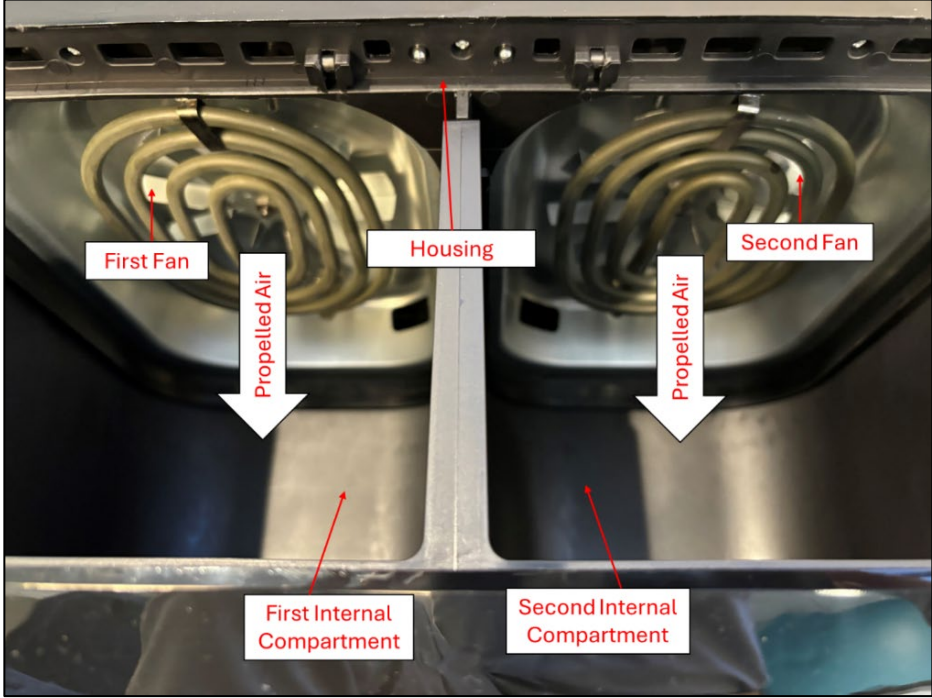
U.S. Patent No. 11,389,026	Evidence of Infringement: Chefman Dual Air Fryer
	45tdb?srsId=AfmBOorxi9JxUJiKEVHhuiltcjMJSKEHIf_vVHNub5ZAeqFGVTKaqdBO) (annotations added): First Heating Element Second Heating Element first heating element in thermal communication with first cooking volume second heating element in thermal communication with second cooking volume increases the temperature to 450°F for an extra crispy finish. 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. - 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: - Ex. H at 9 (annotations added):

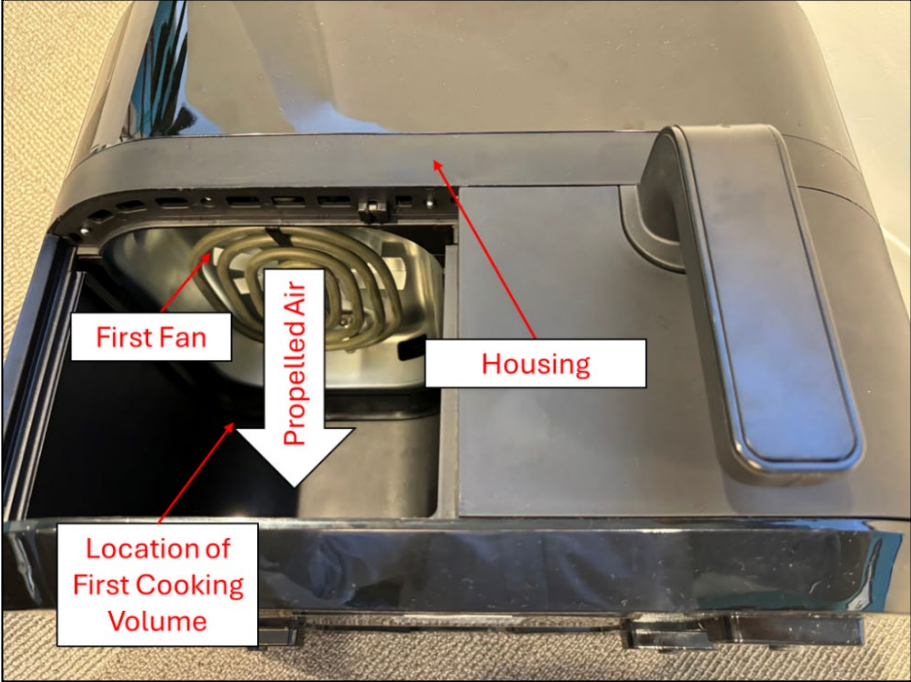
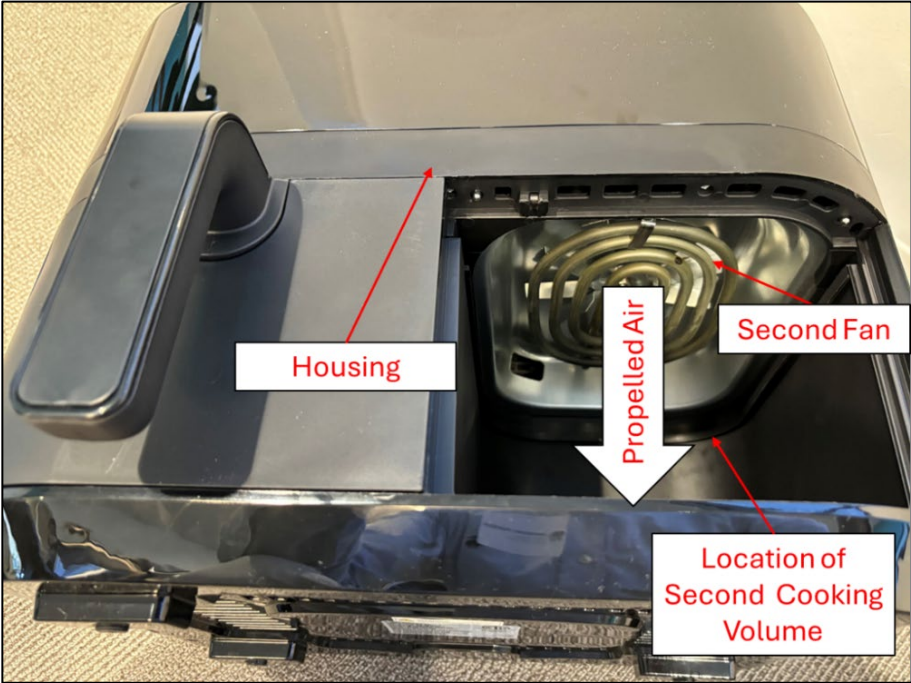
U.S. Patent No. 11,389,026	Evidence of Infringement: Chefman Dual Air Fryer
	9 • The Chefman Dual Air Fryer User Guide includes instructions on how to “cook in one basket” and independently operate one heating element to cook food in the cooking volume beneath it. Independent control is the system’s “default mode,” and the system permits a user to begin cooking on the second side with different time and temperature settings. ○ Ex. H at 12–13 (annotations added):

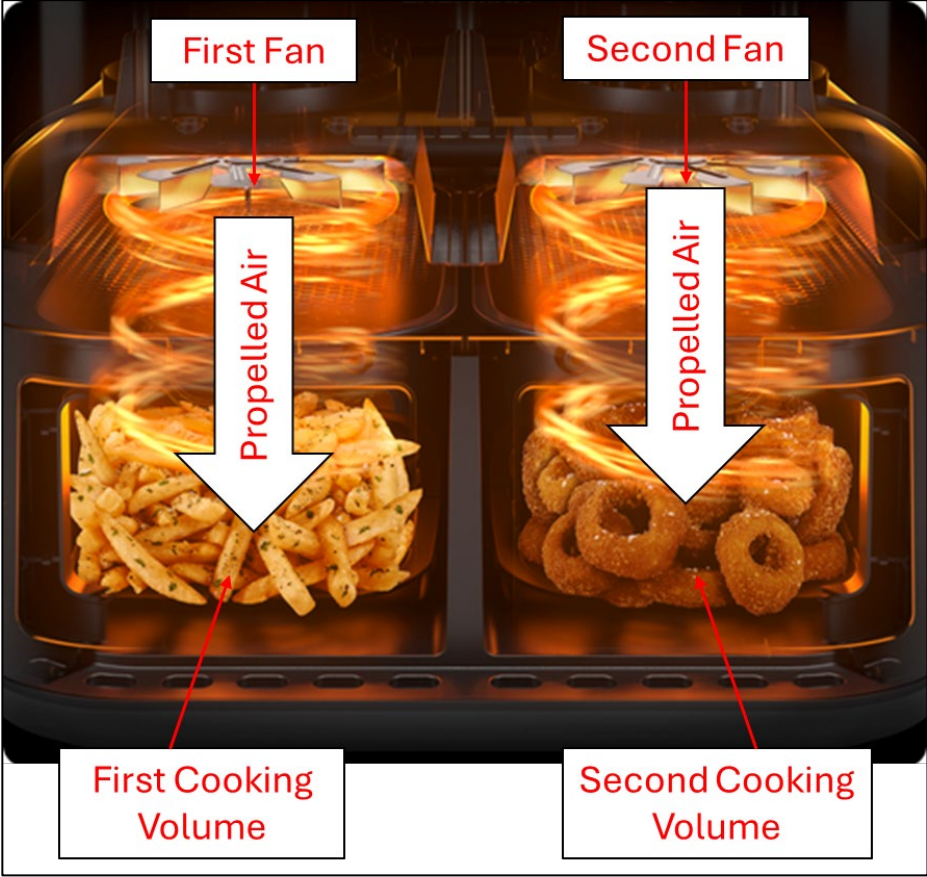
U.S. Patent No. 11,389,026	Evidence of Infringement: Chefman Dual Air Fryer
	HOW TO COOK IN ONE BASKET Though the beauty of this air fryer is its double-basket capacity and sync functions, you can easily cook in just one basket, which is the default mode. (The other basket can be removed or left in the unit on standby.) 1. Prepare for air fryer cooking as directed starting on p. 11. 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). 3. Press START. 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.) 12 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. 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. • Chefman Website, Double Basket Air Fryer (9-Qt.) (Available at: https://chefman.com/products/rj38-sqpf-45tdb?srsId=AfmBOorxi9JxUJiKEVHhuiltcjMJSKEHif_vVHNub5ZAeqFGVTKaqdBO):

U.S. Patent No. 11,389,026	Evidence of Infringement: Chefman Dual Air Fryer
	 Independent touchscreen functions for each basket. Chefman Website, Double Basket Air Fryer (9-Qt.) (Available at: https://chefman.com/products/rj38-sqpf-45tdb?srltid=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
	sleek and versatile air fryer!") (emphasis added).
1[d] 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. 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. • Ex. H at 11 ("The air fryer's high-speed fans cook your favorite foods quickly.") (emphasis added). • 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
	A photograph showing the interior of a dual air fryer. The device is split into two symmetrical halves by a central vertical metal divider. Each half contains a coiled heating element at the top and a fan below it. White arrows point from the fans down into the cooking compartments. Labels with red arrows identify the 'First Fan', 'Housing', 'Second Fan', 'First Internal Compartment', and 'Second Internal Compartment'. The text 'Propelled Air' is written vertically on the white arrows. • 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 basket 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
	 This photograph shows the interior of the air fryer's upper basket. A red arrow points to a coiled heating element labeled "First Fan". Another red arrow points to the surrounding structure labeled "Housing". A white arrow labeled "Propelled Air" points downwards from the heating element. A red arrow points to the bottom of the basket labeled "Location of First Cooking Volume".  This photograph shows the interior of the air fryer's lower basket. A red arrow points to the surrounding structure labeled "Housing". Another red arrow points to a coiled heating element labeled "Second Fan". A white arrow labeled "Propelled Air" points downwards from the heating element. A red arrow points to the bottom of the basket labeled "Location of Second Cooking Volume". • 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
	45tdb?srsltid=AfmBOorxi9JxUJiKEVHhuiltcjMJSKEHIf_vVHNub5ZAeqFGVTKaqdBO) (annotations added): 

172. 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.

173. 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.

174. 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.

175. 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.

176. 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.

XI. COUNT VIII: INFRINGEMENT OF THE '377 PATENT

177. SharkNinja incorporates by reference and realleges the allegations above.

178. 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.

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

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

181. 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.

182. 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.

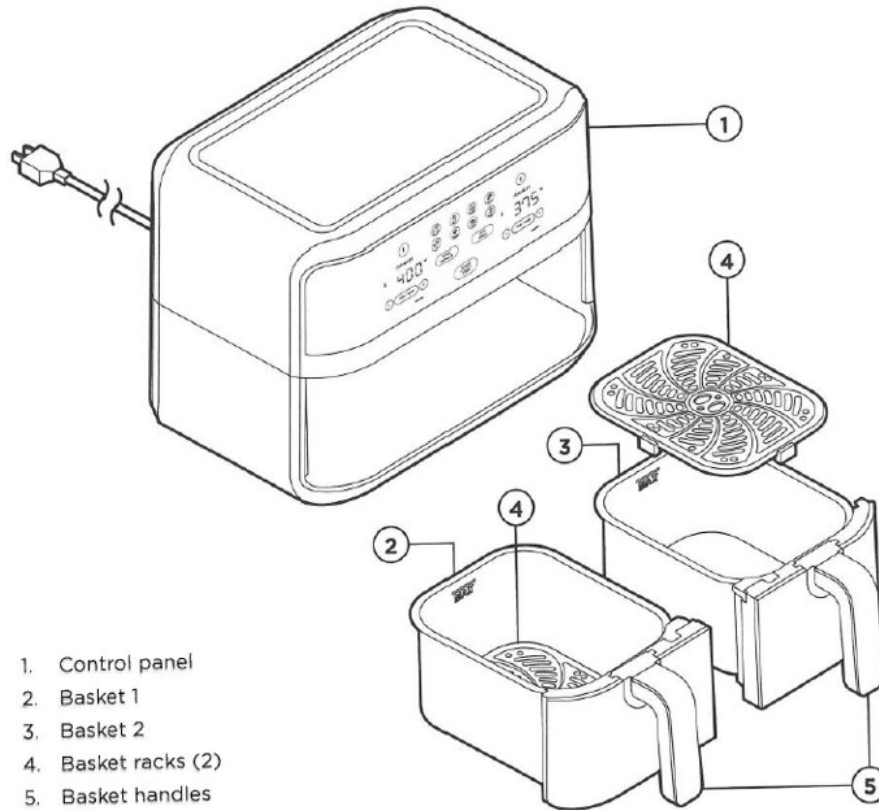
U.S. Patent No. 11,672,377	Evidence of Infringement: Chefman Dual Air Fryer
1[pre] A cooking system comprising:	The Chefman Dual Air Fryer is a cooking system. For example, the Chefman Dual Air Fryer is a system that cooks foods such as “Fries, chicken, fish, bacon, hamburgers, steak, vegetables, [and] shrimp” using time and temperature controls or one of eight “Preset Function[s]:” • Chefman Website, Double Basket Air Fryer (9-Qt.) (Available at: https://chefman.com/products/rj38-sqpf-45tdb?srsId=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 meal times easier with this sleek and versatile air fryer!”) (emphasis added):

U.S. Patent No. 11,672,377	Evidence of Infringement: Chefman Dual Air Fryer
	 Cook two foods at once with different time and temperature settings. ○ Ex. H at 8:

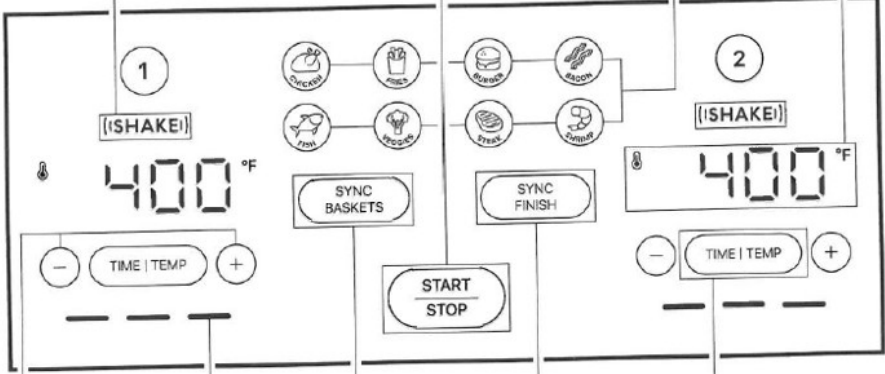
U.S. Patent No.
11,672,377

Evidence of Infringement: Chefman Dual Air Fryer

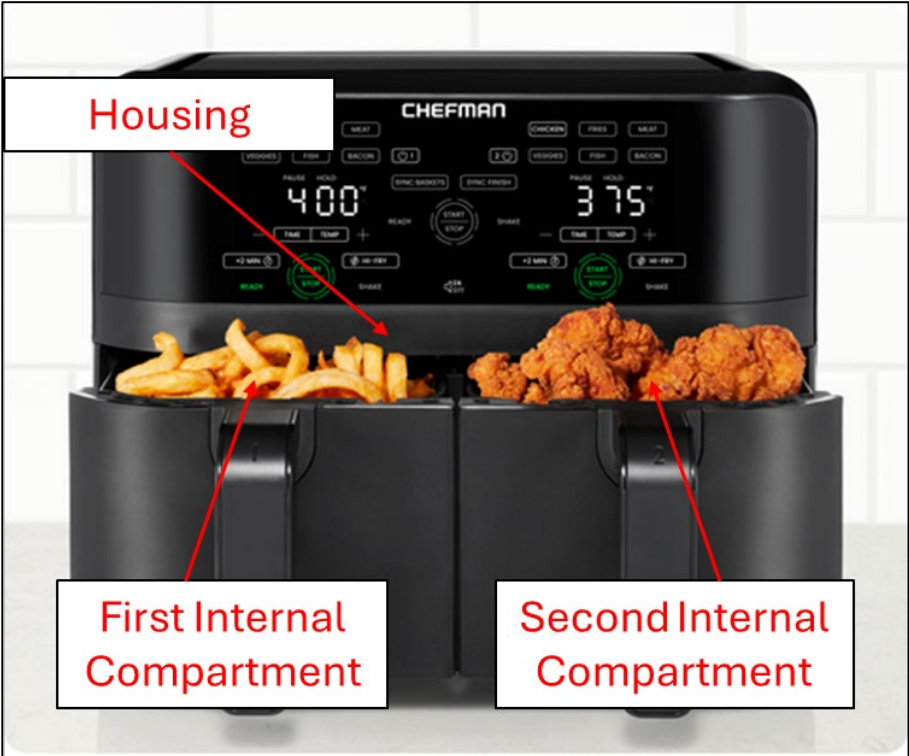
FEATURES

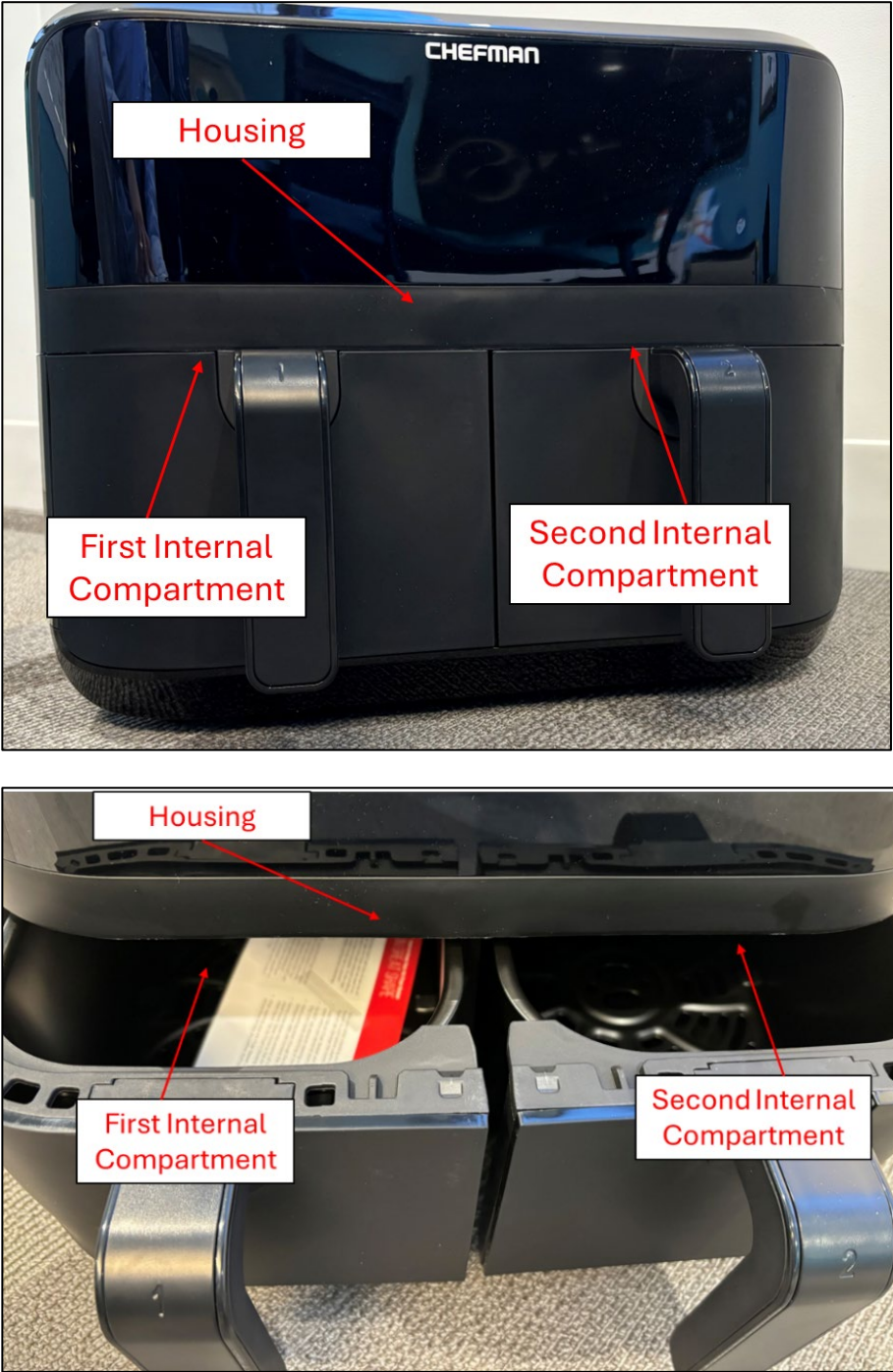


- Ex. H at 9 (showing control buttons “to increase or decrease time and temperature”):

U.S. Patent No. 11,672,377	Evidence of Infringement: Chefman Dual Air Fryer
	CONTROL PANEL SHAKE Lights Illuminate midway through cooking as a reminder to shake basket. START/STOP Button Starts and stops the cooking cycle for the basket number that's illuminated in blue, or for both baskets if the SYNC BASKETS button is illuminated. Cooking Preset Buttons Automatically set time and temperature for popular foods. Time/Temp Displays Toggle between time and temperature for each basket.  Plus (+) and Minus (-) Buttons Use to increase or decrease time and temperature. Press and hold both on left side to toggle between °F and °C. Press on right side to turn sound off and on. Running Lights Illuminate when basket is actively cooking. SYNC BASKETS Button Programs both baskets to cook at the same time and temperature. SYNC FINISH Button Programs baskets with different cooking times and/or temperatures to finish at the same time. TIME/TEMP Buttons Select time or temperature to set for each basket. Time adjusts by 1 minute and temperature by 5°. 9 Ex. H at 10:

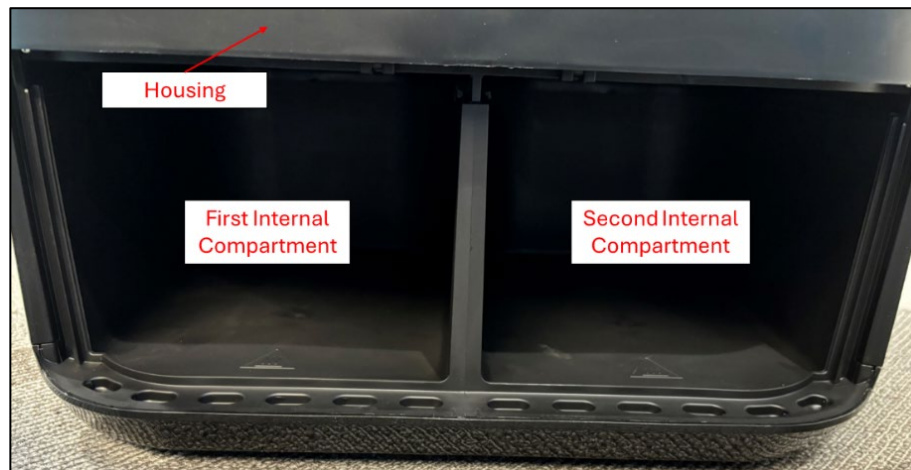
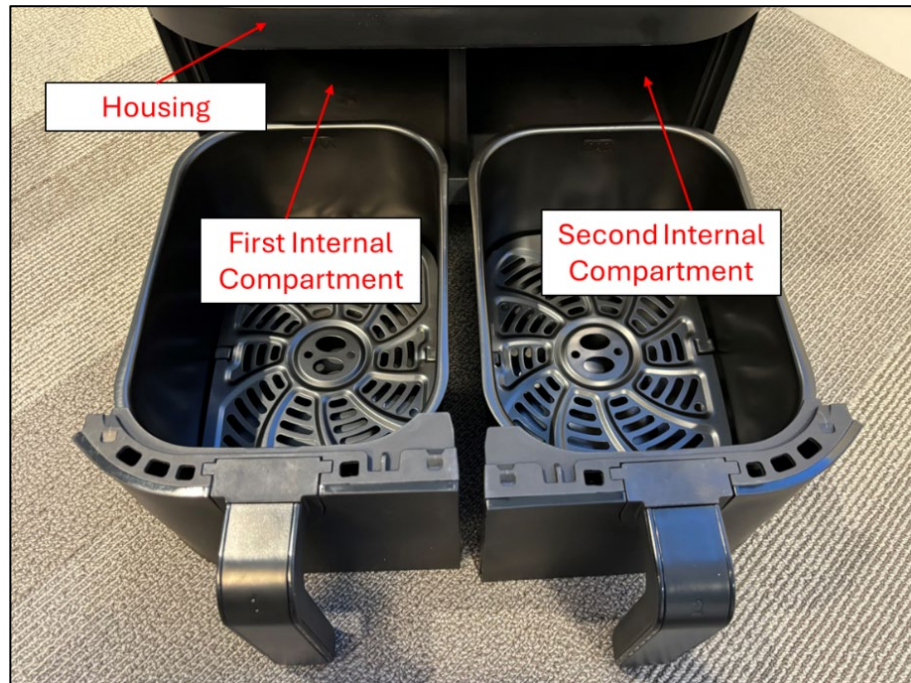
U.S. Patent No. 11,672,377	Evidence of Infringement: Chefman Dual Air Fryer																																				
	OPERATING INSTRUCTIONS PRESET FUNCTION CHART <table><tr><th>FOOD</th><th>Default Time</th><th>Default Temp</th><th>Shake/Flip Reminder?</th></tr><tr><td>Fries</td><td>20 minutes</td><td>400°F</td><td>Comes on halfway through cook time</td></tr><tr><td>Chicken</td><td>30 minutes</td><td>375°F</td><td>Comes on halfway through cook time</td></tr><tr><td>Fish</td><td>10 minutes</td><td>350°F</td><td>None</td></tr><tr><td>Bacon</td><td>12 minutes</td><td>400°F</td><td>Comes on halfway through cook time</td></tr><tr><td>Burgers</td><td>10 minutes</td><td>350°F</td><td>Comes on halfway through cook time</td></tr><tr><td>Steak</td><td>15 minutes</td><td>400°F</td><td>Comes on halfway through cook time</td></tr><tr><td>Vegetables</td><td>15 minutes</td><td>350°F</td><td>Comes on halfway through cook time</td></tr><tr><td>Shrimp</td><td>7 minutes</td><td>400°F</td><td>Comes on halfway through cook time</td></tr></table>	FOOD	Default Time	Default Temp	Shake/Flip Reminder?	Fries	20 minutes	400°F	Comes on halfway through cook time	Chicken	30 minutes	375°F	Comes on halfway through cook time	Fish	10 minutes	350°F	None	Bacon	12 minutes	400°F	Comes on halfway through cook time	Burgers	10 minutes	350°F	Comes on halfway through cook time	Steak	15 minutes	400°F	Comes on halfway through cook time	Vegetables	15 minutes	350°F	Comes on halfway through cook time	Shrimp	7 minutes	400°F	Comes on halfway through cook time
FOOD	Default Time	Default Temp	Shake/Flip Reminder?																																		
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Vegetables	15 minutes	350°F	Comes on halfway through cook time																																		
Shrimp	7 minutes	400°F	Comes on halfway through cook time																																		
1[a] 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. 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): • Chefman Website, Double Basket Air Fryer (9-Qt.) (Available at: https://chefman.com/products/rj38-sqpf-45tdb?srltid=AfmBOorxi9JxUJiKEVHhuiltcjMJSKEHIf_vVHNub5ZAeqFGVTKaqdBO) (annotations added):																																				

U.S. Patent No. 11,672,377	Evidence of Infringement: Chefman Dual Air Fryer
	 Housing First Internal Compartment Second Internal Compartment Cook two foods at once with different time and temperature settings. • 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):

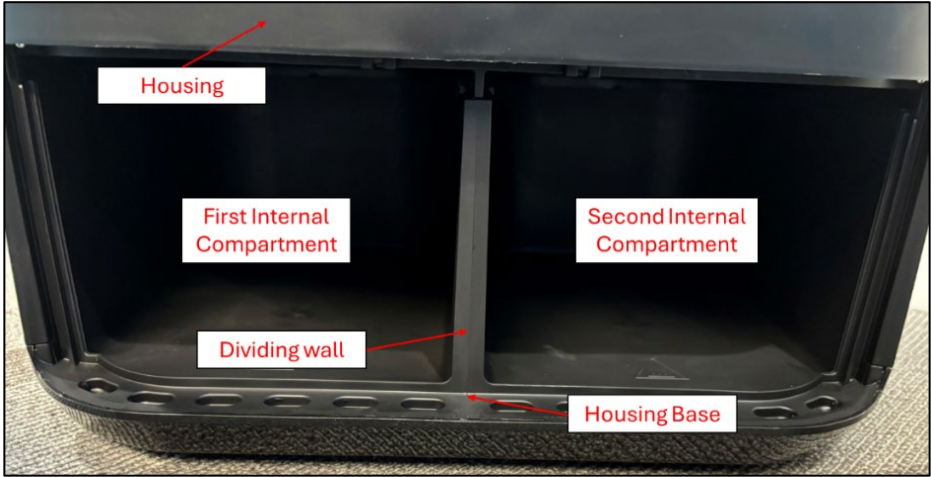
U.S. Patent No. 11,672,377	Evidence of Infringement: Chefman Dual Air Fryer
	 The top photograph shows the exterior of a black Chefman Dual Air Fryer. A red arrow points from the label 'Housing' to the top surface. Two other red arrows point from labels 'First Internal Compartment' and 'Second Internal Compartment' to the two separate doors at the bottom of the unit. The bottom photograph shows the interior of the air fryer with the doors open. A red arrow points from the label 'Housing' to the top interior surface. Two other red arrows point from labels 'First Internal Compartment' and 'Second Internal Compartment' to the two separate cooking baskets inside.

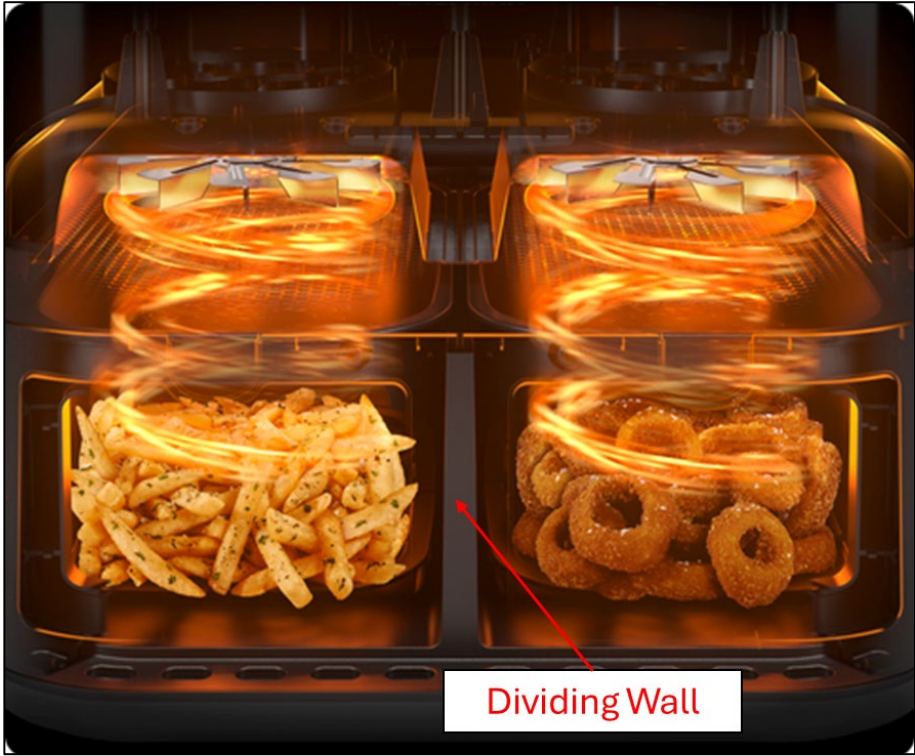
U.S. Patent No.
11,672,377

Evidence of Infringement: Chefman Dual Air Fryer



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:

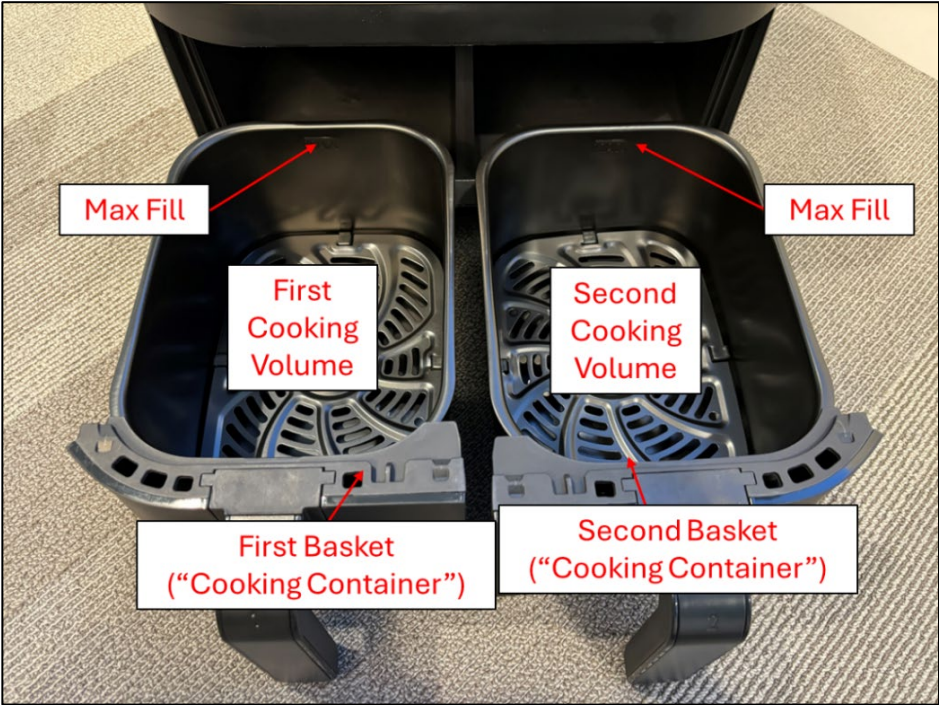
U.S. Patent No. 11,672,377	Evidence of Infringement: Chefman Dual Air Fryer
	 This photograph shows the interior of the air fryer basket from a top-down perspective. The basket is divided into two equal-sized compartments by a central vertical dividing wall. Labels with red arrows point to the following parts: 'Housing' (the upper rim of the basket), 'First Internal Compartment' (the left side), 'Second Internal Compartment' (the right side), 'Dividing wall' (the central partition), and 'Housing Base' (the bottom edge of the basket).  This photograph shows the interior of the air fryer basket from a side-angle perspective. It highlights the depth of the compartments and the position of the dividing wall. Labels with red arrows point to the following parts: 'Housing' (the upper rim), 'First Internal Compartment' (the left side), 'Second Internal Compartment' (the right side), 'Dividing wall' (the central partition), and 'Housing Base' (the bottom edge). • Chefman Website, Double Basket Air Fryer (9-Qt.) (Available at: https://chefman.com/products/rj38-sqpf-45tdb?srsItd=AfmBOorxi9JxUJiKEVHhuiltcjMJSKEHif_vVHNub5ZAeqFGVTkaqdBO) (annotations added):

U.S. Patent No. 11,672,377	Evidence of Infringement: Chefman Dual Air Fryer
	
1[b] 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,	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. 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: • Ex. H at 5 (“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). • Chefman Website, Double Basket Air Fryer (9-Qt.) (Available at: https://chefman.com/products/rj38-sqpf-45tdb?srsId=AfmBOorxi9JxUJiKEVHhuilcJmJSKEHif_vVHNub5ZA)

U.S. Patent No. 11,672,377	Evidence of Infringement: Chefman Dual Air Fryer
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;	eqFGVTKaqdBO) (annotations added):  Ensures differently timed dishes finish together.

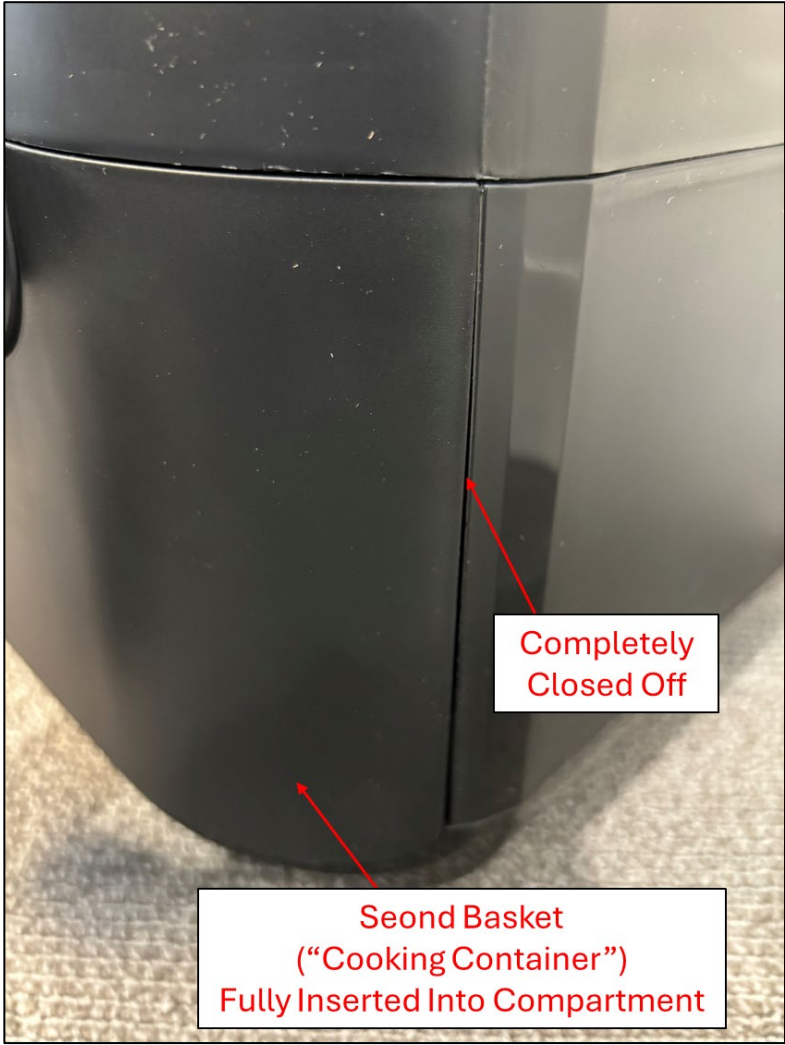
U.S. Patent No. 11,672,377	Evidence of Infringement: Chefman Dual Air Fryer
	A photograph showing a hand placing a black, rectangular, collapsible basket into the top rack of a dishwasher. The dishwasher is open, revealing the interior racks filled with various dishes, including plates and bowls. The dishwasher is set into yellow cabinetry. 4.5-quart baskets are top-rack dishwasher safe. • The removable baskets are shown in the below images of the Chefman Dual Air Fryer:

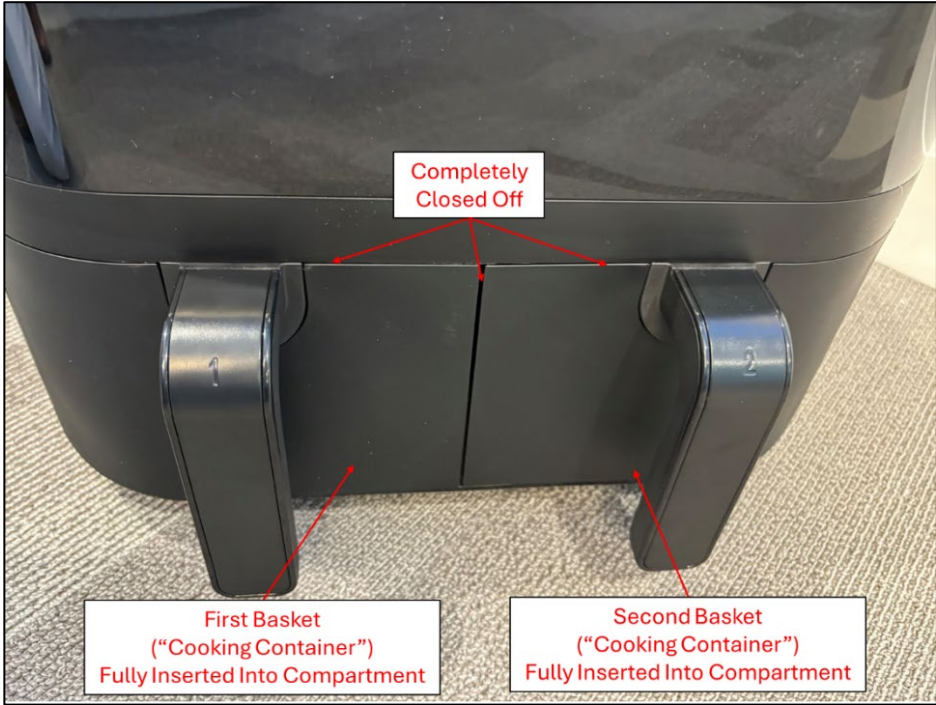
U.S. Patent No. 11,672,377	Evidence of Infringement: Chefman Dual Air Fryer
	 Second, the first cooking container (basket) defines a first cooking volume and the second cooking container (basket) defines a second cooking volume. Specifically, each basket contains a hollow volume to hold food that can be cooked up to a “Max line” that defines the limit of the cooking volume: • Ex. H at 2 (“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). • 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
	 The photograph shows the interior of a dual-basket air fryer. Two baskets are visible, each with a 'Max Fill' line indicated by a red arrow. Below the fill line, the 'First Cooking Volume' and 'Second Cooking Volume' are labeled. At the bottom of each basket, the 'First Basket (Cooking Container)' and 'Second Basket (Cooking Container)' are labeled.

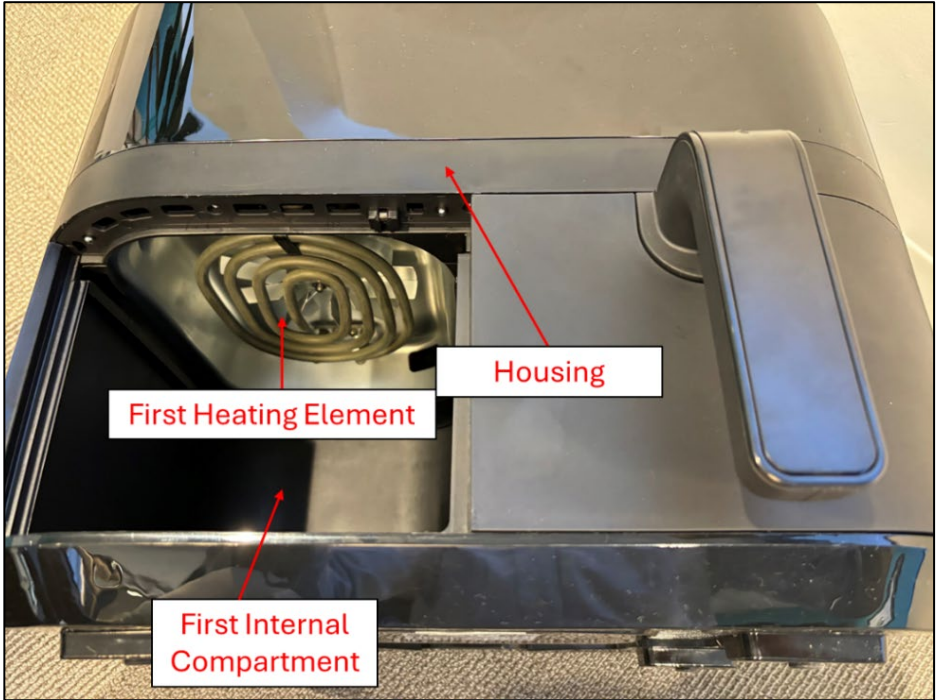
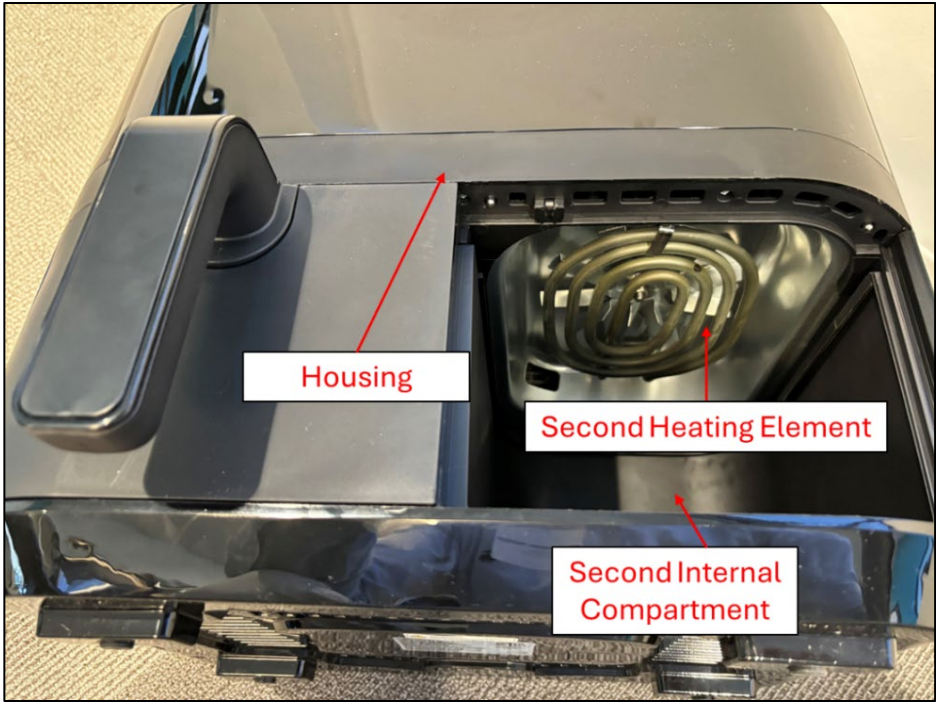
U.S. Patent No. 11,672,377	Evidence of Infringement: Chefman Dual Air Fryer
	A photograph of the interior of a Chefman Dual Air Fryer. The image shows a dark, metallic cooking chamber with a central, circular, perforated metal basket. A red arrow points to the top edge of the chamber, labeled "Max Fill". A white box with red text "Cooking Volume" is positioned over the central basket area. 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
	 Completely Closed Off First Basket ("Cooking Container") Fully Inserted Into Compartment

U.S. Patent No. 11,672,377	Evidence of Infringement: Chefman Dual Air Fryer
	 Completely Closed Off Seond Basket ("Cooking Container") Fully Inserted Into Compartment

U.S. Patent No. 11,672,377	Evidence of Infringement: Chefman Dual Air Fryer
	
1[c] 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.	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. 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. • Ex. H at 5 (“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). • 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:

U.S. Patent No. 11,672,377	Evidence of Infringement: Chefman Dual Air Fryer
second heating elements being independently operable to independently cook food contained within the first and second cooking containers; and	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:

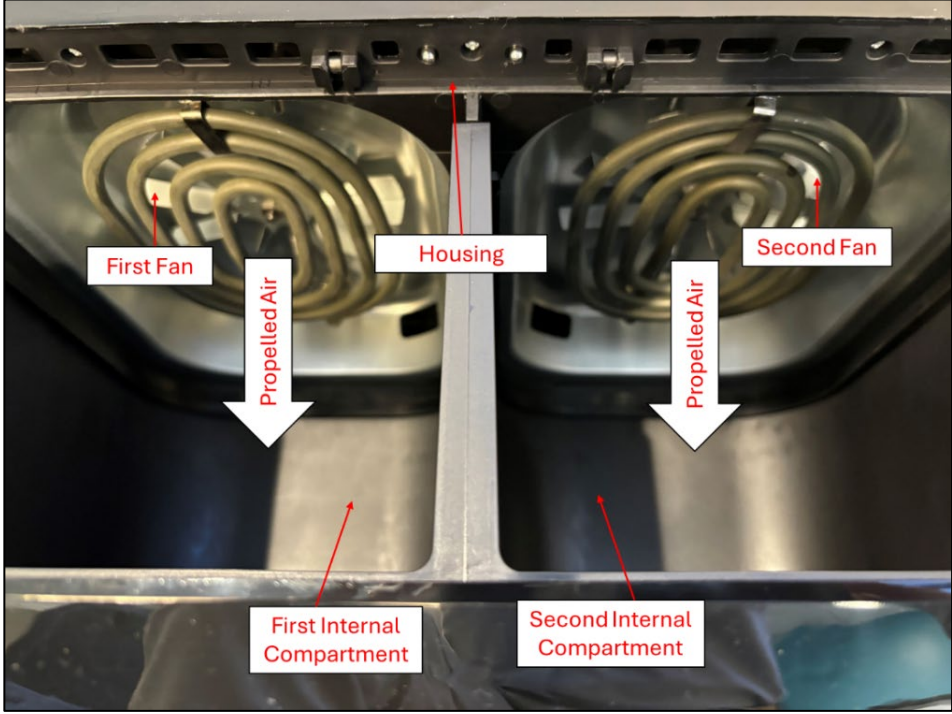
U.S. Patent No. 11,672,377	Evidence of Infringement: Chefman Dual Air Fryer
	 This photograph shows the interior of the first compartment of a Chefman Dual Air Fryer. A red arrow points to a coiled heating element, labeled "First Heating Element". Another red arrow points to the dark, metallic-looking interior wall, labeled "Housing". A third red arrow points to the bottom of the compartment, labeled "First Internal Compartment".  This photograph shows the interior of the second compartment of a Chefman Dual Air Fryer. A red arrow points to a coiled heating element, labeled "Second Heating Element". Another red arrow points to the dark, metallic-looking interior wall, labeled "Housing". A third red arrow points to the bottom of the compartment, labeled "Second Internal Compartment". • Chefman Website, Double Basket Air Fryer (9-Qt.) (Available at: https://chefman.com/products/rj38-sqpf-

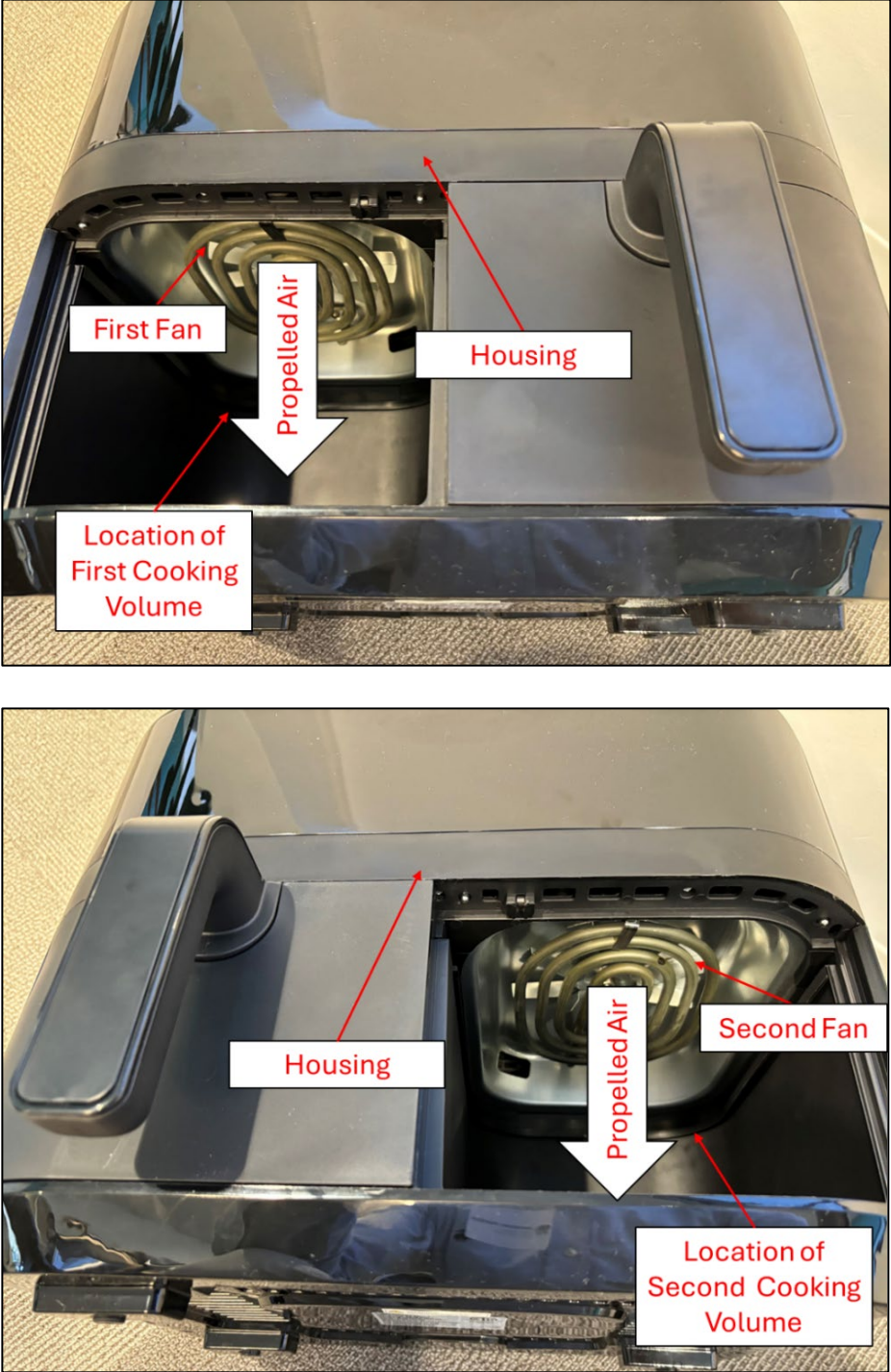
U.S. Patent No. 11,672,377	Evidence of Infringement: Chefman Dual Air Fryer
	45tdb?srsltid=AfmBOorxi9JxUJiKEVHhuiltcjMJSKEHif_vVHNub5ZAeqFGVTKaqdBO) (annotations added):  First Heating Element Second Heating Element first heating element in thermal communication with first cooking volume second heating element in thermal communication with second cooking volume Increases the temperature to 450°F for an extra crispy finish. 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. • 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: ○ Ex. H at 9 (annotations added):

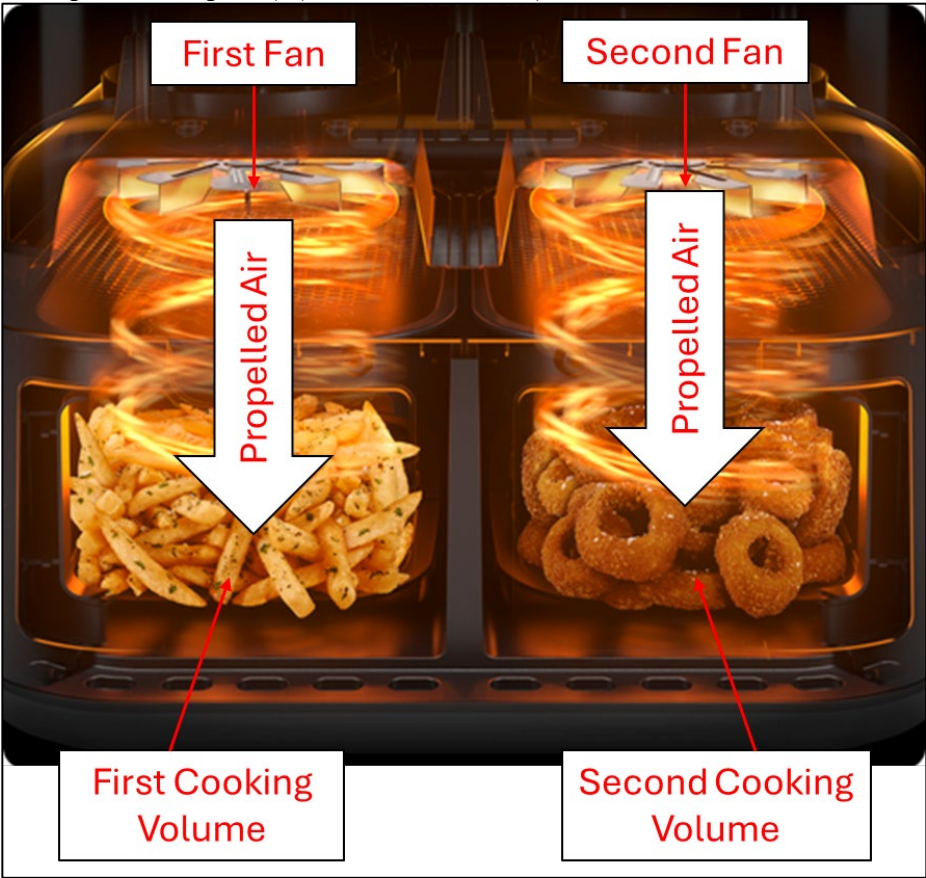
U.S. Patent No. 11,672,377	Evidence of Infringement: Chefman Dual Air Fryer
	CONTROL PANEL SHAKE Lights Illuminate midway through cooking as a reminder to shake basket. START/STOP Button Starts and stops the cooking cycle for the basket number that's illuminated in blue, or for both baskets if the SYNC BASKETS button is illuminated. Cooking Preset Buttons Automatically set time and temperature for popular foods. Time/Temp Displays Toggle between time and temperature for each basket. Plus (+) and Minus (-) Buttons Use to increase or decrease time and temperature. Press and hold both on left side to toggle between °F and °C. Press on right side to turn sound off and on. Running Lights Illuminate when basket is actively cooking. SYNC BASKETS Button Programs both baskets to cook at the same time and temperature. SYNC FINISH Button Programs baskets with different cooking times and/or temperatures to finish at the same time. TIME/TEMP Buttons Select time or temperature to set for each basket. Time adjusts by 1 minute and temperature by 5°. 9 • 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. ○ Ex. H at 12–13 (annotations added):

U.S. Patent No. 11,672,377	Evidence of Infringement: Chefman Dual Air Fryer
	HOW TO COOK IN ONE BASKET 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.) 1. Prepare for air fryer cooking as directed starting on p. 11. 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). 3. Press START. 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.) 12 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. 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. • Chefman Website, Double Basket Air Fryer (9-Qt.) (Available at: https://chefman.com/products/rj38-sqpf-45tdb?srsId=AfmBOorxi9JxUJiKEVHhuiltcjMJSKEHIf_vVHNub5ZAeqFGVTKaqdBO):

U.S. Patent No. 11,672,377	Evidence of Infringement: Chefman Dual Air Fryer
	 Independent touchscreen functions for each basket. Chefman Website, Double Basket Air Fryer (9-Qt.) (Available at: https://chefman.com/products/rj38-sqpf-45tdb?srsId=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] 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. 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. - Ex. H at 11 (“The air fryer’s high-speed fans cook your favorite foods quickly.”) (emphasis added). - 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:  - 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 basket such that each fan propels heated air into the respective cooking volume:  The top photograph shows the interior of the first cooking chamber. A red arrow points to the 'First Fan' (a coiled heating element). Another red arrow points to the 'Housing' (the upper part of the chamber). A third red arrow points to the 'Location of First Cooking Volume' (the bottom of the chamber). A white arrow labeled 'Propelled Air' points downwards from the fan area towards the cooking volume. The bottom photograph shows the interior of the second cooking chamber. A red arrow points to the 'Housing' (the upper part of the chamber). Another red arrow points to the 'Second Fan' (a coiled heating element). A third red arrow points to the 'Location of Second Cooking Volume' (the bottom of the chamber). A white arrow labeled 'Propelled Air' points downwards from the fan area towards the 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?srsId=AfmBOorxi9JxUJiKEVHhuiltcjMJSKEHif_vVHNub5ZAeqFGVTKaqdBO) (annotations added): 

183. 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.

184. 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.

185. 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.

186. 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.

187. 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.

XII. COUNT IX: INFRINGEMENT OF THE '669 PATENT

188. SharkNinja incorporates by reference and realleges the allegations above.

189. 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.

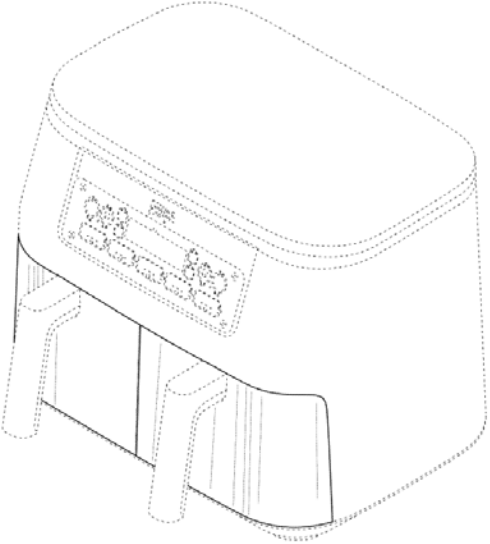
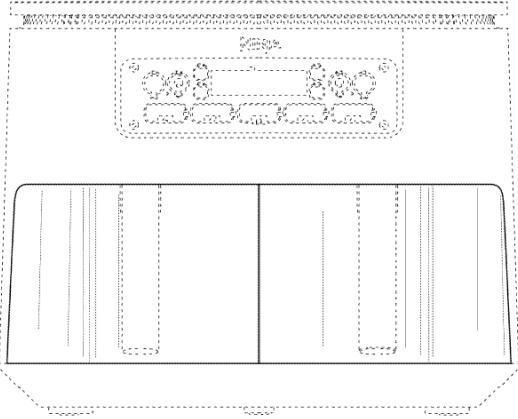
190. SharkNinja owns all rights, title, and interest in the '669 patent.

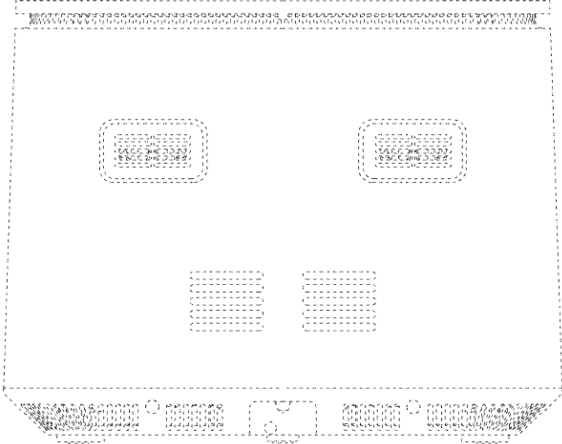
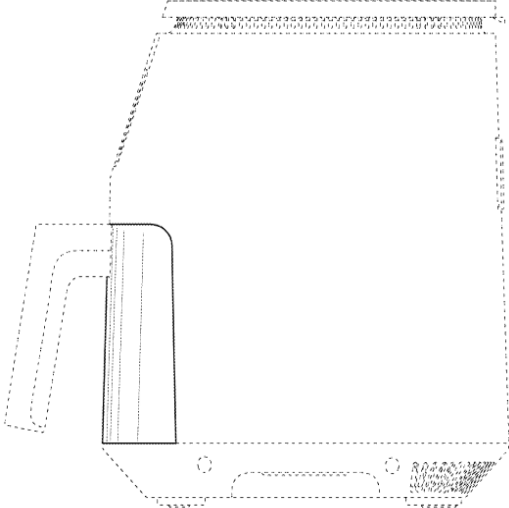
191. The application for the '669 patent was filed on December 15, 2021 and claims priority to an application filed on June 20, 2020.

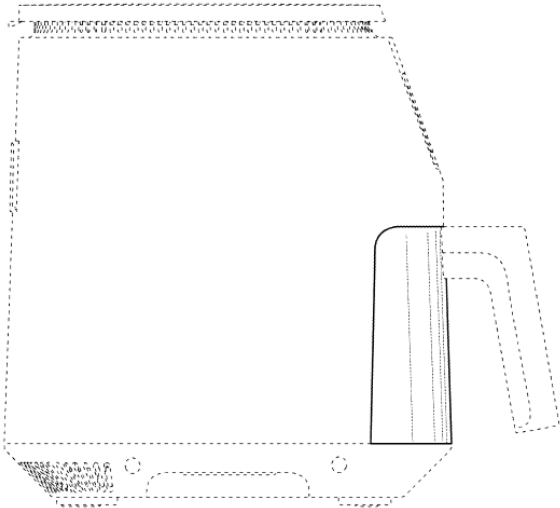
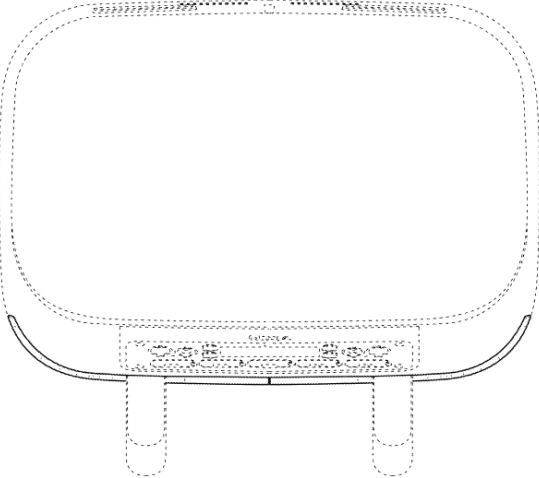
192. Chefman has infringed, and continues to infringe, the claim of the '669 patent in violation of 35 U.S.C. § 271 by, among other things, making, using, offering to sell, and/or selling within the United States, supplying or causing to be supplied in or from the United States,

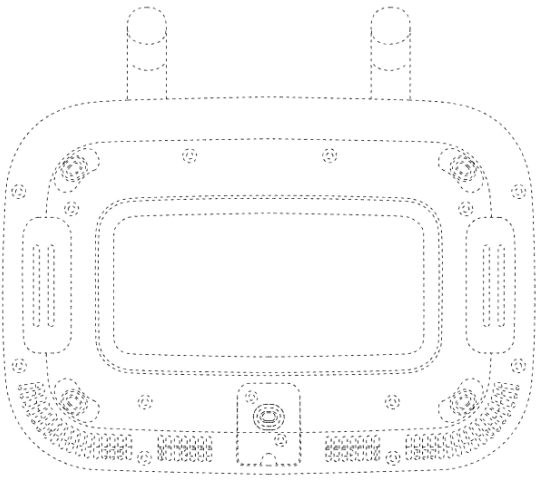
and/or importing into the United States, without authority or license, the Chefman Dual Air Fryer product.

193. 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	
 FIG. 4	

U.S. Patent No. D986,669	Evidence of Infringement: Chefman Dual Air Fryer
 FIG. 5	
 FIG. 6	

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

194. 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.

195. 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.

196. 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.

197. 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.

198. 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.

XIII. PRAYER FOR RELIEF

WHEREFORE, SharkNinja prays for relief, as follows:

- a. Money damages in an amount to be proved at trial, including prejudgment and post-judgment interest thereon, under the Defend Trade Secrets Act and/or the New Jersey Uniform Trade Secrets Act and/or for tortious interference with contractual and/or business relations.
- b. Exemplary damages up to two times the amount of compensatory damages found for trade secret misappropriation as provided by the Defend Trade Secrets Act and/or the New Jersey Uniform Trade Secrets Act and/or tortious interference with contractual and/or business relations.
- c. Reasonable attorneys' fees and costs; and
- d. A judgment that each of the Asserted SharkNinja Patents is valid and enforceable.
- e. A judgment that Chefman has infringed one or more claims of each of the Asserted SharkNinja Patents.

- f. 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.
- g. 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 Chefman Products subject to the patent infringement claims above.
- h. A judgment that Chefman's infringement of the Asserted SharkNinja Patents has been willful.
- i. 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.
- j. 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
- k. Such other relief as this Court deems just and proper.

XIV. 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: January 17, 2025

OF COUNSEL:

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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