Press Releases

Tristar Products Sues SharkNinja And Its Attorneys

FAIRFIELD, N.J., Dec. 5, 2019 /PRNewswire/ -- Tristar Products, Inc. ("Tristar") sues SharkNinja and its attorneys, the law firm of Cantor Colburn LLP, Daniel R. Gibson, and SharkNinja's Chief Legal Officer, Pedro J. Lopez-Baldrich, for "knowingly participat[ing] in a scheme to tortiously interfere with Tristar's business by fraudulently obtaining and enforcing invalid patents for the purpose of limiting competition and removing Tristar from the market." Defendant Tristar Products Inc.'s Answer to Plaintiff's Complaint and Counterclaims, Civ. Action No. 19-cv-24114 (S.D. FL.) (filed November 29, 2019), Factual Background ("FB"), paragraph 1.

A full copy of Tristar's Answer and Counterclaims with attachments may be viewed by clicking here. Quotes are taken directly from the court filing. A summary of the contents of this court filing is set forth below and anyone seeking the full measure of Tristar's allegations should read the filing and its multiple attachments. The contents of the filing are summarized as follows:

At least three (3) Chinese patent applications (one by Tristar's Chinese manufacturer) addressed to a single cooking pot that used a separate pressure cooker lid and a separate air fryer lid were filed before SharkNinja's three asserted patents were filed. Id., at paragraphs 2, 4-8. The Chinese Patent Office found in June 2016 that this combination was not inventive. Id., at paragraph 5.

"The pressure cookers and air fryers distributed by Tristar lead the marketplace in ongoing innovation, while SharkNinja is a late entrant falsely claiming to be inventor. Tristar introduced a pressure cooker in 2002 and has sold millions of units since its introduction. Tristar also introduced an air fryer in 2012 which has also sold millions of units since its introduction." Id., at paragraph 3.

SharkNinja filed all three (3) asserted patents on March 18, 2019 after Tristar's manufacturer filed its patent application, after Tristar shot its infomercial, and after Tristar publicly displayed and offered for sale the Emeril Pressure AirFryer at the Chicago Housewares Show from March 10 to March 13, 2019. Id., at paragraphs 8-10, 21.

SharkNinja and its patent attorneys represented that the three (3) patent applications filed on March 18, 2019 were continuations of earlier patent applications (that is they have the same disclosure as the earlier patent applications), but instead each of the applications added new text that was used to support new patent claim elements. Id., at paragraphs 10-17.

The three (3) asserted patents are invalid, not infringed, and unenforceable for multiple reasons. Id., at FB, paragraphs 1-22; Answer, at paragraph 8, 25, 37, 39, 41, 97-112.

SharkNinja and its attorneys have intentionally obtained and enforced invalid patents to suppress competition. Id., at FB, paragraphs 2, 4-8; Counterclaim, paragraphs 1-110. Tristar seeks a declaration that the patents are invalid, not infringed, and unenforceable, and Tristar also seeks attorneys' fees and damages. Id., at Prayer for Relief.

If you would like to receive by email a full copy of Tristar's Answer and Counterclaims with attachments (summarized above), please contact press@tristarproductsinc.com.

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