

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

**HESHAN JIAHOJIA SANITARY
WARE INDUSTRY, CO., LTD.,**

Plaintiff,

v.

Civil Action No. 3:25cv845

VOTON, *et al.*,

Defendants.

ORDER

This matter comes before the Court *sua sponte*. On February 6, 2026, Plaintiff Heshan Jiahojia Sanitary Ware Industry Co., Ltd., filed a Motion for Default Judgment seeking entry of default judgment against Defendants VOTON, DOLGABA HOME, Besdor, Dehebathroom, Rzoeoz, RUITHOE Store, and ODM Sanitary Ware Store (collectively, “Defaulting Defendants”). (ECF No. 79.)

Plaintiff owns two design patents for faucets: United States Design Patent No. D967,340 (the “’D340 Patent”) and United States Design Patent No. D983,326 (the “’D326 Patent”). Plaintiff alleges that Defaulting Defendants VOTON, DOLGABA HOME, Besdor, Dehebathroom, Rzoeoz, and RUITHOE Store infringed on the ’D340 Patent in violation of 35 U.S.C. § 271 by “making, using, offering for sale, importing, and/or selling” products that are substantially similar to the design covered by that patent. (ECF No. 1 ¶¶ 41–48.) Plaintiff alleges that Defaulting Defendant ODM Sanitary Ware Store infringed on the ’D326 Patent in violation of 35 U.S.C. § 271 by “making, using, offering for sale, importing, and/or selling” products that are substantially similar to the design covered by that patent. (ECF No. 1 ¶¶ 49–56.)

In its memorandum in support of default judgment, Plaintiff argues that Defaulting Defendants are “properly joined in this case” pursuant to Federal Rule of Civil Procedure 20(a)(2).¹ (ECF No. 80, at 10–11.) But joinder of defendants in patent actions is governed by 35 U.S.C. § 299, which provides:

(a) Joinder of Accused Infringers.—With respect to any civil action arising under any Act of Congress relating to patents, other than an action or trial in which an act of infringement under section 271(e)(2) has been pled, parties that are accused infringers may be joined in one action as defendants or counterclaim defendants, or have their actions consolidated for trial, only if—

(1) any right to relief is asserted against the parties jointly, severally, or in the alternative with respect to or arising out of the same transaction, occurrence, or series of transactions or occurrences relating to the making, using, importing into the United States, offering for sale, or selling of the same accused product or process; and

(2) questions of fact common to all defendants or counterclaim defendants will arise in the action.

(b) Allegations Insufficient for Joinder.—

For purposes of this subsection, accused infringers may not be joined in one action as defendants or counterclaim defendants, or have their actions consolidated for trial, based solely on allegations that they each have infringed the patent or patents in suit.

¹ Federal Rule of Civil Procedure 20 governs the permissive joinder of parties. It provides, in relevant part:

(2) *Defendants.* Persons—as well as a vessel, cargo, or other property subject to admiralty process in rem—may be joined in one action as defendants if:

(A) any right to relief is asserted against them jointly, severally, or in the alternative with respect to or arising out of the same transaction, occurrence, or series of transactions or occurrences; and

(B) any question of law or fact common to all defendants will arise in the action.

Fed. R. Civ. P. 20(a)(2).

(c) Waiver.—

A party that is an accused infringer may waive the limitations set forth in this section with respect to that party.

35 U.S.C. § 299.

Plaintiff is ORDERED to file, within seven (7) days of the date of entry hereof, a supplemental brief that explains whether joinder of Defaulting Defendants is appropriate under 35 U.S.C. § 299. Plaintiff's supplemental brief SHALL specifically address whether joinder of Defaulting Defendant ODM Sanitary Ware Store, as the only Defaulting Defendant that Plaintiff alleges violated the 'D326 Patent, is appropriate under 35 U.S.C. § 299.

It is SO ORDERED.

Date: 7/23/26
Richmond, Virginia

/s/ 
M. Hannah Lanck
Chief United States District Judge