

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

Shanghai Jinko Green Energy Enterprise Management Co., Ltd. v.
Abalance Corporation

Shanghai Jinko · No. 24-cv-08828-JSC · Decided July 28, 2025

SUMMARY

The United States District Court for the Northern District of California grants WWB Corporation’s motion to dismiss a patent infringement action for lack of personal jurisdiction under Federal Rule of Civil Procedure 12(b)(2). The court rejects plaintiffs’ agency and stream-of-commerce theories and declines jurisdictional discovery. The dismissal is without prejudice, and the court does not reach the alternative Rule 12(b)(6) arguments.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Jacqueline Scott Corley
JURISDICTION	United States District Court for the Northern District of California
DECIDED	July 28, 2025
DOCKET	24-cv-08828-JSC
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiffs brought a patent infringement action. Defendant WWB Corporation moved to dismiss the first amended complaint for lack of personal jurisdiction under Federal Rule of Civil Procedure 12(b)(2), and alternatively for failure to state a claim under Rule 12(b)(6).
STANDARD OF REVIEW	On a motion to dismiss for lack of personal jurisdiction decided on affidavits and written materials without a jurisdictional hearing, the plaintiff generally bears a prima facie burden. The court accepts uncontroverted allegations as true and resolves factual conflicts in the plaintiff's favor, but need not accept allegations contradicted by affidavit. The plaintiff must affirmatively establish purposeful direction and relatedness; if that showing is made, the burden shifts to the defendant to show that jurisdiction would be unreasonable.
PRECEDENTIAL VALUE	unpublished district court order

PARTIES

Shanghai Jinko Green Energy Enterprise Management Co., Ltd., et al.
v. Abalance Corporation, et al.

TOPICS

personal jurisdiction motions to dismiss patent infringement patent law civil procedure

PRACTICE AREAS

civil procedure patent law patent infringement commercial litigation

QUESTIONS PRESENTED

1. Whether the court could exercise specific personal jurisdiction over WWB under an agency or alter-ego theory based on WWB's alleged control over Toyo Co. or other subsidiaries.
2. Whether the court could exercise specific personal jurisdiction over WWB under a stream-of-commerce theory based on the alleged destination of the accused solar products in the United States or California.
3. Whether plaintiffs were entitled to jurisdictional discovery.
4. Whether the court should decide WWB's alternative Rule 12(b)(6) motion after granting dismissal for lack of personal jurisdiction.

HOLDINGS

1. Plaintiffs failed to make a prima facie showing that WWB exercised the degree of control over Toyo Co. or the other subsidiaries necessary to establish an agency relationship for personal-jurisdiction purposes.
2. Plaintiffs failed to establish specific personal jurisdiction over WWB under a stream-of-commerce theory because they offered no competent evidence tying WWB to the accused products or to products sold in the United States or California.
3. Jurisdictional discovery was not warranted because plaintiffs did not controvert the pertinent facts or provide evidence suggesting that WWB's and the VSUN executive's sworn statements were false or inaccurate.

KEY QUOTATIONS

"The parent's general executive control over the subsidiary is not enough; rather there must be a [] showing beyond simply facts evidencing the broad oversight typically indicated by [the] common ownership and common directorship present in a normal parent-subsidiary relationship." (Analysis, Agency Theory)

"WWB's motion to dismiss for lack of personal jurisdiction is GRANTED without prejudice." (Conclusion)

FACTUAL BACKGROUND

Plaintiffs own two U.S. patents directed to photovoltaic solar-panel technology and alleged that defendants infringed those patents by making, using, selling, offering to sell, or importing infringing solar panels. WWB is a Japanese parent company alleged to control companies in the VSUN and TOYO groups and to manufacture or

engineer solar-panel components destined for the United States and California. WWB submitted evidence that it sold solar panels only in Japan, did not sell products to the United States or the relevant corporate groups, and did not control or provide engineering or technical support for the accused products. Plaintiffs relied primarily on corporate websites, shared officers and offices, and an SEC filing identifying WWB as a controlling shareholder of Toyo Co.

PROCEDURAL HISTORY

Plaintiffs initially sued the named defendants and two additional defendants. After three defendants, including WWB, moved to dismiss, plaintiffs stipulated to dismissal of two moving defendants and amended their pleadings as to WWB. The court granted WWB's Rule 12(b)(2) motion without prejudice, declined jurisdictional discovery, and did not reach the alternative Rule 12(b)(6) motion.

DISPOSITION

dismissed

CASES CITED

- International Shoe Co. v. State of Washington, Int'l Shoe Co. v. Washington, 326 U.S. 310, 316 (1945)
- Ford Motor Co. v. Montana Eighth Jud. Dist. Ct., 592 U.S. 351, 358-59 (2021)
- Hildebrand v. Steck Mfg. Co., Inc., 279 F.3d 1351, 1354 (Fed. Cir. 2002)
- Apple v. VoIP-Pal.com, Inc., 506 F. Supp. 3d 947, 960-61 (N.D. Cal. 2020)
- Avocent Huntsville Corp. v. Aten Int'l Co., 552 F.3d 1324, 1329 (Fed. Cir. 2008)
- Mavrix Photo, Inc. v. Brand Techs., Inc., 647 F.3d 1218, 1223 (9th Cir. 2011)
- Celgard, LLC v. SK Innovation Co., 792 F.3d 1373, 1377-78 (Fed. Cir. 2015)
- Elecs. For Imaging, Inc. v. Coyle, 340 F.3d 1344, 1349 (Fed. Cir. 2003)
- Daimler AG v. Bauman, 571 U.S. 117, 135 n.13 (2014)
- Midwest Energy Emissions Corp. v. Berkshire Hathaway Energy Co., 762 F. Supp. 3d 788, 799 (S.D. Iowa 2025)
- Taurus IP, LLC v. DaimlerChrysler Corp., 726 F.3d 1306, 1336 (Fed. Cir. 2013)
- BASF Corp. v. Willowood, LLC, 359 F. Supp. 3d 1018, 1025 (D. Colo. 2019)
- Sys. Div., Inc. v. Teknek Elecs., Ltd., 253 F. App'x 31, 34 (Fed. Cir. 2007)
- Chiuminatta Concrete Concepts, Inc. v. Cardinal Indus., Inc., 1 F. App'x 879, 885 (Fed. Cir. 2001)
- Sonora Diamond Corp. v. Superior Ct., 83 Cal. App. 4th 523, 542 (2000)
- Lee v. Plex, Inc., 773 F. Supp. 3d 755, 768 (N.D. Cal. 2025)
- Apple, Inc. v. VoIP-Pal.com, Inc., 506 F. Supp. 3d 947, 957 (N.D. Cal. 2020)
- HDT Bio Corp. v. Emcure Pharms., Ltd., 704 F. Supp. 3d 1175, 1191-92 (W.D. Wash. 2023)
- Van Maanen v. Youth With a Mission-Bishop, 852 F. Supp. 2d 1232, 1249 (E.D. Cal. 2012)
- In re ZF-TRW Airbag Control Units Prods. Liab. Litig., 601 F. Supp. 3d 625, 701 (C.D. Cal. 2022)

- In re ZF-TRW Airbag Control Units Prods., No. LA ML 19-02905 JAK (FFMx), 2022 WL 19425927 (C.D. Cal. Mar. 2, 2022)
- In re Cal. Gasoline Spot Mkt. Antitrust Litig., No. 20-CV-03131-JSC, 2021 WL 4461199, at *2 (N.D. Cal. Sept. 29, 2021)
- Align Activation Wear, LLC v. lululemon athletica inc., No. 22-cv-3339-SVW-JEM, 2020 WL 5790418, at *3 (C.D. Cal. Aug. 24, 2020)
- World-Wide Volkswagen Corp. v. Woodson, 444 U.S. 286, 297-98 (1980)
- AFTG-TG, LLC v. Nuvoton Tech. Corp., 689 F.3d 1358, 1361-65 (Fed. Cir. 2012)
- Butcher's Union Local No. 498 v. SDC Inv., Inc., 788 F.2d 535, 540 (9th Cir. 1986)
- Univ. of Massachusetts v. L'Oreal S.A., 36 F.4th 1374, 1384 (Fed. Cir. 2022)
- HDT Bio Corp. v. Emcure Pharms., Ltd., 704 F. Supp. 3d 1175, 1192 (W.D. Wash. 2023)

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