

Whoop Nabs Block On Chinese Co.'s Health-Tracker Products

By **Elliot Weld**

Law360 (February 4, 2026, 4:53 PM EST) -- A Massachusetts federal judge has blocked a Chinese company from selling in the U.S. its health-tracking products that were alleged by health band maker Whoop Inc. to be infringing its trade dress.

U.S. District Judge Dennis F. Saylor IV on Monday **found** that Whoop had shown a likelihood of succeeding in showing that its trade dress merits protection and that Shenzhen Lexqi Electronic Technology Co.'s alleged infringement would result in consumer confusion.

Whoop sued Shenzhen in September, claiming the company had started producing knockoff versions of its wearable fitness trackers that copied Whoop's unique and recognizable design. Whoop claimed Shenzhen was trying to profit off of the goodwill Whoop had cultivated with consumers over a decade of selling quality biometric products.

Whoop had shown that it was likely to succeed in showing that its trade dress was not a functional part of the devices, Judge Saylor said, since Whoop had shown that its marketing relies on highlighting the aesthetic of the designs and not utilitarian advantages.

The judge said Whoop's trade dress had acquired distinctive meaning due to the length of time it had existed in the market and extensive advertising it had undertaken, including a Super Bowl advertisement and celebrity endorsements.

Judge Saylor said Whoop had shown a likelihood of consumer confusion, pointing to a diagram that showed its product against Shenzhen's and remarking that they were "almost identical." There were some minor differences, the order said, but the "similarities are unmistakable, and, particularly from a distance, the two devices are virtually indistinguishable."

Shenzhen tried arguing that Whoop's presumption of irreparable harm should be eliminated since it waited too long to bring suit, saying the cases cited by Shenzhen had been superseded by the Trademark Modernization Act of 2020. Secondly, Shenzhen has claimed its devices had been sold on Amazon since January 2025, meaning Whoop would have waited eight months to file suit, the order said.

This was "hardly comparable to the nine years of acquiescence" that were the subject of one of the cases cited by Shenzhen, Judge Saylor said.

Shenzhen had identified some potential harms that could befall it as a result of an injunction, such as

some of its inventory being disposed of by Amazon, but Whoop's "strong showing of likelihood of success on the merits" outweighed any of those harms, the order said.

"We applaud Judge Saylor's decision," Whoop's Chief Legal Officer Jason Lynch said in a statement. "This order is validation that the Whoop trade dress is distinctive and enforceable, and that knockoffs that are 'almost identical' as the court said, will not be tolerated."

Counsel for Shenzhen did not immediately respond to requests for comment.

Whoop is represented by Joshua Dalton and Katherine Soule of Morgan Lewis & Bockius LLP.

Shenzhen is represented by Jeffrey Schiller and Kevin Vanderleeden of Grogan Tuccillo & Vanderleeden LLP.

The case is Whoop Inc. v. Shenzhen Lexqi Electronic Technology Co. Ltd., case number 1:25-cv-12690, in the U.S. District Court for the District of Massachusetts.

--Editing by Rich Mills.

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