

**UNITED STATES INTERNATIONAL TRADE COMMISSION
WASHINGTON DC 20436**

In the Matter of

**CERTAIN PICKUP TRUCK FOLDING BED
COVER SYSTEMS AND COMPONENTS
THEREOF**

Investigation No. 337-TA-_____

**COMPLAINT UNDER SECTION 337 OF
THE TARIFF ACT OF 1930, AS AMENDED**

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3	Certified Copy of U.S. Patent No. 7,188,888
4	Certified Copy of Assignment Documents for U.S. Patent No. 7,188,888
5	Certified Copy of U.S. Patent No. 7,484,788
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84	Photograph of Infringing Ningbo Marketing Material wrongfully displaying Complainant BAK's federally registered BAKFLIP trademark
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85C	Confidential Declaration of William J. Reminder

86	Exemplary Claim Chart Comparing Claimed Design of the 'D877 Patent to Extang Solid Fold 2.0 (domestic industry)
87	Exemplary Claim Chart Comparing Claim 1 of the '788 Patent to the Extang Solid Fold 2.0 (domestic industry)
88	Exemplary Claim Chart Comparing Claim 2 of the '758 Patent to Extang Solid Fold 2.0 (domestic industry)
89	Exemplary Claim Chart Comparing Claims 1 and 11 of the '888 Patent to Extang Trifecta 2.0 (domestic industry)
90	Exemplary Claim Chart Comparing Claims 14 and 18 of the '021 Patent to BAK BAKFlip Tonneau Cover (domestic industry)
91	Exemplary Claim Chart Comparing Claim 1 of the '224 Patent to BAK BAKFlip Tonneau Cover (domestic industry)
92	Copy of Installation Instructions Demonstrating Use of the '393 and '016 Trademark Registrations (domestic industry)
93	Copy of Photograph Demonstrating Use of the '016 Trademark Registration

LIST OF PHYSICAL EXHIBITS*

Physical Exhibit Number	Description
P1	R&L Racing Solid Tri-Fold Tonneau Cover System, Part No. TC-F15097-6.5-TFH (accused)
P2	H&S Power Solid Tri-Fold Tonneau Cover System, Part No. TC-FRON05-5-TFH (accused)
P3	Nova Solid Tri-Fold Tonneau Cover System, Part No. B2001 (accused)
P4	Stehlen Automotive Solid Tri-Fold Tonneau Cover System, Part No. TC-SIL 14.5-6.5-TFH (accused)
P5	SyneticUSA Solid Tri-Fold Tonneau Cover System, Part No. KV8802/TC-SIL07-6.5 (accused)
P6	Topline Autoparts, Inc. Solid Tri-Fold Tonneau Cover System, Part No. TC-TUN-14-6.5-TFH (accused)
P7	Velocity Concepts Solid Tri-Fold Tonneau Cover System, Part No. TC-FRON05-5-TFH (accused)
P8	SyneticUSA Hard Fold with Rails, Part No. KV8001/TC_FI506-5.5 (accused)
P9	Extang Solid Fold 2.0 (domestic industry)
P10	Extang Trifecta 2.0 (domestic industry)
P11	BAK BAKFlip Tonneau Cover (domestic industry)

* Although referenced above, physical exhibits are not being provided to the Commission at this time because it is not practical to do so due to their large size and heavy weight. The physical exhibits can be made available request, however.

LIST OF APPENDICES

Appendix Number	Description
A	Certified Copy of File History for U.S. Design Patent No. 620,877
B	Relevant Patent and Technical References Cited in U.S. Design Patent No. 620,877
C	Certified Copy of File History for U.S. Patent No. 7,188,888
D	Relevant Patent and Technical References Cited in U.S. Patent No. 7,188,888
E	Certified Copy of File History for U.S. Patent No. 7,484,788
F	Relevant Patent and Technical References Cited in U.S. Patent No. 7,484,788
G	Certified Copy of File History for U.S. Patent No. 8,061,758
H	Relevant Patent and Technical References Cited in U.S. Patent No. 8,061,758
I	Certified Copy of File History for U.S. Patent No. 8,182,021
J	Relevant Patent and Technical References Cited in U.S. Patent No. 8,182,021
K	Certified Copy of File History for U.S. Patent No. 8,690,224
L	Relevant Patent and Technical References Cited in U.S. Patent No. 8,690,224
M	Certified Copy of File History for U.S. Trademark Registration No. 5,104,393
N	Certified Copy of File History for U.S. Trademark Registration No. 3,904,016

I. INTRODUCTION

1.1 Complainants Extang Corporation ("Extang") and Laurmark Enterprises, Inc. d/b/a BAK Industries ("BAK") (collectively "Complainants") are two indirect wholly-owned subsidiaries of Truck Hero, Inc. ("Truck Hero"). Truck Hero and its subsidiaries are well-known United States-based consumer goods manufacturers and retailers of high quality, innovative pickup truck and Jeep accessories.

1.2 Complainants jointly file this Complaint seeking temporary and permanent relief pursuant to Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337 ("Section 337"), based on the rapidly increasing unlawful sale for importation into the United States, importation into the United States, and/or sale within the United States after importation of certain infringing pickup truck folding bed cover systems (a/k/a folding cargo box cover systems and/or tonneau systems) and components thereof (the "Accused Products").

1.3 The Accused Products, upon information and belief, are manufactured, imported and/or offered for sale in the United States by at least by proposed respondents, Stehlen Automotive, SyneticUSA, Topline Autoparts, Inc., Velocity Concepts Inc., JL Concepts Inc., DT Trading Inc., Wensou Kouvi Hardware Product Co., Ltd ("Kouvi Ltd."), Syppo Marketing, Inc., Auto Apex Manufacturing Inc. ("Auto Apex"), Ningbo Huadian Cross Country Automobile Accessories Co., Ltd. ("Ningbo") and Sunwood Industries Co., Ltd. ("Sunwood") (collectively, "Respondents")

1.4 The Respondents have funneled -- and continue to funnel -- the Accused Products to consumers in the United States largely through ever-shifting online store fronts. More recently, Respondents were spotted egregiously hawking infringing goods

at a blatant open market offering at the October 30–November 1, 2018 Automotive Aftermarket Products Expo (AAPEX) in Las Vegas.

1.5 Over several decades, Complainants have invested and continue to invest millions of dollars in research and development to bring novel, top-of-the-line quality accessories to their customers. Complainants pioneered the development of innovative pickup truck folding bed cover systems that, since their introduction into the U.S. market in the mid-2000s, have been a resounding commercial success.

1.6 These folding covers are desirable because they not only cover and protect the bed of a pick-up truck, allowing for protection of cargo against dirt, debris, and weather, but when not needed, can be easily folded and stowed to provide quick access to the truck bed. Complainants' folding tonneau covers are particularly desirable for their superior functionality, due in large part to Complainants' inventions protected by the Asserted Patents.

1.7 Respondents seek to unfairly profit from Complainants' innovation and investment by taking illegal shortcuts to bring the Accused Products into the U.S. These Accused Products, imported from China or elsewhere outside of the U.S., directly and/or indirectly infringe Complainants' valid, enforceable U.S. patents. By importing these infringing folding covers into the U.S. market, Respondents are directly and intentionally interfering with Complainants' rights to realize the value of their innovations and are causing severe harm to Complainants' domestic industry.

1.8 Examples of the Accused Products include the following pickup truck folding bed cover systems: (1) R&L Racing Solid Tri-Fold, Part No. TC-F15097-6.5-TFH; (2) HS Power Solid Tri-Fold, Part No. TC-FRON05-5-TFH; (3) Nova Solid Tri-Fold, Part

No. B2001; (4) Stehlen Solid Tri-Fold, Part No. TC-SIL14.506.5-TFH; (5) SynteticUSA Solid Tri-Fold, Part No. 8802/TC-SIL07-6.5; (6) SynteticUSA Hard Fold with Rails, Part No. 8801/TC-F15-16-5.5F; (7) Topline Autoparts Solid Tri-Fold, Part No. TUN-14-6.5-TFH; and (8) Velocity Concepts Solid Tri-Fold, Part No. TC-FRON05-5-TFH. See *generally Exhibits 13-25, 28-42, 45.*

1.9 Additional examples of Accused Products seen for the first time on October 31, 2018, at AAPEX in Las Vegas include Ningbo's Nii4x4 Solid Tri-Fold Tonneau Cover, Ningbo's Nii4x4 Hard Tri-Fold, Ningbo's Nii4x4 Soft Tri-Fold Tonneau Cover, and Sunwood's Low Profile Hard Tri-Fold Tonneau Cover. See *generally Exhibits 26-27, 43-44.* As further evidence of the lack of respect for Complainants' intellectual property rights, Ningbo's marketing materials identify its Ningbo products as BAK and BAKFLIP models, further infringing Complainant BAK's U.S. Trademark Registration Nos. 5,104,393 and 3,904,016 for BAK and BAKFLIP, respectively. See *generally Exhibits 81-84.*

1.10 The Accused Products have been and continue to be sold to U.S. distributors or directly to U.S. consumers through online store fronts that are specifically designed to obscure the corporate identities of the Respondents, the sources of the Accused Products, and the importers and/or brokers that are bringing Accused Products to the U.S. market.

1.11 The Respondents, some of which appear to be interrelated, are frequently not registered to do business in any U.S. state, or have registrations that are no longer valid. The stores often knowingly provide inaccurate or incomplete contact information

for sellers, and products bought from these sites often bear names of manufacturers and importers not identified online.

1.12 These online stores, which are frequently found listed on well-known U.S. marketplaces such as Amazon and eBay, are rapidly proliferating. Apparently emboldened by the success of these knock-offs in the United States, Respondents were recently observed marketing their infringing products openly at U.S. trade shows, such as AAPEX.

1.13 An example of Respondents' online gamesmanship, as discussed more fully, *infra*, relates to the sale of the following Accused Products: R&L Racing Solid Tri-Fold, HS Power Solid Tri-Fold, Stehlen Solid Tri-Fold, Topline Autoparts Solid Tri-Fold, Velocity Concepts Solid Tri-Fold. See **Exhibits 51, 54, 72, 75, 78**. These Accused Products were ordered from various Respondents who are identified as sellers, but when the boxes arrived, they all showed a return shipper of "JL Concepts, Inc." Introducing yet another party, the purchase receipt for the R&L Racing Solid Tri-Fold identified "RL Racing Performance" as the seller, **Exhibit 70**, but no information about a company called RL Racing Performance could be located. Furthermore, RL Racing Performance does not provide its address on its website, <http://rlracingperformance.com/store/index.php/>, and when the phone number on the webpage was called, it went unanswered. See **Exhibit 71**.

1.14 Likewise, although the purchase receipt for HS Power Solid Tri-Fold identifies HSImport as the seller, **Exhibit 74**, information regarding HSImport could not be located.

1.15 As another example, Velocity Concepts Inc., sells its products online through Amazon which are then, on information and belief, at least sometimes shipped by JL Concepts. Yet Velocity Concepts Inc.'s status in California, its state of incorporation, is listed as "SOS SUSPENDED." **Exhibit 80.**

1.16 In other examples, Stehlen Automotive purports to have an online website to transact business, <https://stehlenautomotive.com/>, and a place of business located at 21912 Garcia Lane, Walnut, California 91789, **Exhibit 56.** SyneticUSA purports to have an online website to transact business, <http://www.syneticusa.com/Shop/>, and a place of business at 7141 Paramount Boulevard, Pico Rivera, California 90660, **Exhibits 61-63.** Nevertheless, counsel was unable to locate either as a registered entity in California. Moreover, after several attempts on different days to select "Find a store" on SyneticUSA's website, nothing appeared when the icon was selected.

1.17 The difficulty in locating actual suppliers, importers, distributors and end sellers is demonstrated by the fact that one of the purchases from SyneticUSA as seller (the SyneticUSA Hard Fold with Rails) was shipped from DT Trading Inc., **Exhibit 58**, which on information and belief receives its imports from Kouvi Ltd. See **Exhibit 59.** A separate SyneticUSA Accused Product (SyneticUSA Solid Tri-Fold) though purportedly shipped by SyneticUSA, was actually shipped from the same address as DT Trading Inc. Cf. **Exhibits 58, 63.**

1.18 In a similar manner, the Accused Product Nova Solid Tri-Fold was sold and shipped by Syppo Marketing, Inc. **Exhibits 65-66.** Syppo Marketing, Inc.'s webpage, <http://syppo.com/>, under "About Us," notes that Auto Apex shares its address and purports to identify it as a participant in its business. **Exhibit 67.** The webpage

also identifies Fuzhou XIWO Network Technology Co., Ltd under "Company Profile" as an "E-commerce enterprise[] serv[ing] many buyers and Distributors around United States," but no information on this enterprise could be located. See **Exhibit 69**.

1.19 Upon information and belief, several of the Respondents started openly selling to U.S. customers only recently. Apparently having experienced success in the online marketplace, some of the Respondents are now emboldened and are openly selling their infringing products to distributors and resellers at trade shows, as recently as October 31, 2018 at AAPEX. See *generally* **Exhibits 26-27, 43-44**. Moreover, they are doing to under Complainant BAK's BAK and BAKFLIP federally registered U.S. Trademarks. See *generally* **Exhibits 81-84**.

1.20 The Accused Products infringe, either literally or under the doctrine of equivalents, one or more claims of: the design claimed in U.S. Design Patent No. 620,877, entitled "Tonneau Cover" (hereinafter the "D877 Patent"), U.S. Patent No. 7,188,888, including at least claims 1, 11, 13, and 17-18, entitled "Tonneau System Latch" (hereinafter the "888 Patent"), U.S. Patent No. 7,484,788, including at least claims 1-3, 5-6, and 19-20, entitled "Solid Fold Tonneau System" (hereinafter the "788 Patent"), U.S. Patent No. 8,061,758, including at least claim 2, entitled "Pick-up Truck Box Cover" (hereinafter the "758 Patent"), U.S. Patent No. 8,182,021, including at least claims 1-7 and 11-30, entitled "Pick-up Truck Box Cover" (hereinafter the "021 Patent"), and/or U.S. Patent No. 8,690,224, including at least claims 1-6 and 8-10, entitled "Pick-up Truck Box Cover" (hereinafter the "224 Patent") (collectively, the "Asserted Patents").

1.21 Some of the infringement of the Accused Products is so blatant that it is accompanied by infringement of Complainant BAK's United States Trademark Registration Nos. 5,104,393 for BAK and 3,904,016 for BAKFLIP.

1.22 The Respondents' activities, which include the importation into the United States, the sale for importation into the United States, and/or the sale within the United States after importation of certain folding tonneau cover systems and components thereof, described more fully, *infra*, are unlawful under 19 U.S.C. §1337(a)(1)(B)(i) in that these systems are protected by one or more claims of the valid and enforceable Asserted Patents. In addition, Respondent Ningbo has engaged in unlawful acts in violation of Section 337(a)(a)(C) through its unlicensed importation, sale for importation, or sale after importation of Accused Products that infringe both of Complainant BAK's federally registered trademarks.

1.23 A copy of the 'D877 Patent, the '888 Patent, and the '788 Patent accompany this Complaint as **Exhibits 1, 3, and 5**, respectively. Complainant Extang owns by assignment the entire right, title, and interest in and to the '888 Patent, the '788 Patent, and the 'D877 Patent. Certified copies of the recorded assignments for the 'D877 Patent, '888 Patent, and '788 Patent accompany this Complaint as **Exhibits 2, 4, and 6**, respectively.

1.24 A copy of the '758 Patent, '021 Patent, and the '224 Patent accompany this Complaint as **Exhibits 7, 9, and 11**, respectively. Complainant BAK owns by assignment the entire right, title, and interest in and to this patent. Certified copies of

the recorded assignments for the '758 Patent, '021 Patent, and the '224 Patent accompany this Complaint as **Exhibits 8, 10, and 12**, respectively.¹

1.25 A copy of U.S. Trademark Registrations Nos. 5,104,393 and 3,904,016 accompany this Complaint as **Exhibits 81 and 82**.

1.26 As required by Section 337(a)(2) and defined in Section 337(a)(3), an industry in the United States exists relating to articles protected by the Asserted Patents. Complainants' folding covers and components thereof practice the inventions of the Asserted Patents. The domestic industry for the Asserted Patents includes Complainants' substantial investments and expenditures in the United States in the design, marketing and manufacture of folding tonneau cover systems that practice the inventions of the Asserted Patents.

1.27 In order to protect this domestic industry, Complainants seek preliminary relief, a general exclusion order, or in the alternative, a limited exclusion order specifically directed to the named Respondents and their subsidiaries and affiliates and suppliers, pursuant Section 337(d) prohibiting entry into the United States of all folding cover systems and components thereof that infringes one or more claims of the Asserted Patents.

1.28 Due to the likely circumvention of an exclusion order limited to the named Respondents, the pattern of violation of Section 337 and the difficulty identifying the source and channels of distribution of the Accused Products, Complainants seek relief from the Commission pursuant to Section 337(d) in the form of a general exclusion order excluding from entry into the United States all Accused Products that infringe one

or more claims of the Asserted Patents. In the alternative, Complainants seek relief in the form of a limited exclusion order excluding from entry into the United States all of the Proposed Respondents' Accused Products that infringe one or more claims of the Asserted Patents.

1.29 Complainants also seek a permanent cease and desist order, pursuant to Section 337(f), prohibiting the Respondents and others who are in active concert or participation with the Respondents from importing into the United States, selling, offering for sale, marketing, advertising, or soliciting the Accused Products or engaging in unfair acts and methods.

1.30 Pursuant to Section 337(e), Complainants also seek preliminary relief during the period of investigation excluding from entry into the United States all of Respondents' Accused Products that infringe one or more claims of the Asserted Patents because of the immediate and substantial harm to Complainants' domestic manufacturing industry resulting from the sale of infringing folding tonneau cover systems.

1.31 For the same reason, Complainants also seek temporary cease and desist orders prohibiting Respondents, their affiliates, others acting on behalf of Respondents, and others who are in active concert or participation with the Respondents from marketing, advertising, demonstrating, or warehousing (for distribution, sale or use) folding tonneau cover systems and components that infringe one or more claims of the Asserted Patents.

1.32 Complainants are likely to succeed on the merits and will suffer irreparable harm if the relief is not granted. The inability to locate suppliers of infringing products

once the infringing product enters the country and the inability to track the source of illegal product renders relief at the District Court level virtually impossible. Moreover, the ability of infringing U.S. suppliers to appear and disappear overnight and to supply product under alternative online storefronts renders the recovery of damages all-but-impossible. The balance of hardships plainly and undeniably tips strongly in Complainants' favor and the public interest strongly favors the issuance of temporary relief.

II. COMPLAINANTS

2.1 Complainant **Extang** is a corporation organized under the laws of the State of Michigan, having a principal place of business in Ann Arbor, Michigan. Extang owns the '888 Patent, '788 Patent, and the 'D877 Patent that are at issue in this Complaint. It is a domestic manufacturing company that today remains one of the leading manufacturers and sellers of folding tonneau covers and related accessories.

2.2 Complainant **BAK** is a corporation organized under the laws of the State of Texas, having a principal place of business in Ann Arbor, Michigan. BAK owns the '758 Patent, '021 Patent, and the '224 Patent that are at issue in this Complaint. Like Extang, BAK is also a domestic manufacturing company that today remains one of the leading manufacturers and sellers of folding tonneau covers and related accessories.

2.3 Complainants are indirect subsidiaries of Truck Hero, Inc. Separately and in combination, they have made significant investment in the United States in plant and equipment as well as labor and capital in the exploitation of the subject matter of the Asserted Patents, including design, engineering, manufacturing, research and development, sales and support. *See generally Exhibits 85 and 85C.*

2.4 Complainants have invested significant resources in developing and protecting its industry-leading, high quality, folding tonneau cover systems that are the subject of the Asserted Patents. Furthermore, Complainants plainly have a domestic industry that requires protection as all of their research and development and manufacturing take place in the United States. See *generally* **Exhibits 85 and 85C**.

III. RESPONDENTS

A. Stehlen Automotive

3.1 On information and belief, Proposed Respondent **Stehlen Automotive** is an unregistered entity, having a principal place of business in Walnut, California. On information and belief, Stehlen Automotive is an importer and/or distributor and/or marketer of pickup truck tonneau bed covers and accessories.

3.2 On information and belief, Stehlen Automotive imports into the United States, sells for importation, and/or sells and distributes after importation, offers to sell, sells, or uses within the United States Accused Products that infringe one or more of the claims of the Asserted Patents, including but not limited to Stehlen Solid Tri-Fold Part No. TC-SIL 14.5-6.5-TFH. See **Exhibits 16, 22, 30, 37, 53, 55**.

B. SyneticUSA

3.3 On information and belief, Proposed Respondent **SyneticUSA** is an unregistered entity, having a principal place of business in Pico Rivera, California. On information and belief, SyneticUSA is an importer and/or distributor and/or marketer of pickup truck tonneau bed covers and accessories.

3.4 On information and belief, SyneticUSA imports into the United States, sells for importation, and/or sells and distributes after importation, offers to sell, sells, or

uses within the United States Accused Products that infringe one or more of the claims of the Asserted Patents, including but not limited to SyneticUSA Solid Tri-Fold Part No. KV8802/TC-SIL07-6.5 and SyneticUSA Hard Fold with Rails Part No. KV8801/TC-F15016-5.5F. See Exhibits 17, 23, 31, 38, 42, 45, 57, 60-61, 64.

C. Topline Autoparts, Inc.

3.5 On information and belief, Proposed Respondent **Topline Autoparts, Inc.** is a corporation organized under the laws of the State of California, having a principal place of business in Hacienda Heights, California. On Information and belief, Topline Autoparts, Inc. is an importer and/or distributor and/or marketer of pickup truck tonneau bed covers and accessories.

3.6 On information and belief, Topline Autoparts, Inc. imports into the United States, sells for importation, and/or sells and distributes after importation, offers to sell, sells, or uses within the United States Accused Products that infringe one or more of the claims of the Asserted Patents, including but not limited to Topline Autoparts Solid Tri-Fold Part No. TC-TUN-14-6.5-TFH. See Exhibits 18, 24, 32, 39, 50, 52.

D. Velocity Concepts Inc.

3.7 On information and belief, Proposed Respondent **Velocity Concepts Inc.** is a corporation organized under the laws of California, currently identified as being in suspended status, having a principal place of business in Rowland Heights, California or Walnut, California. On information and belief, Velocity Concepts Inc. is an importer and/or distributor and/or marketer of pickup truck tonneau bed covers and accessories.

3.8 On information and belief, Velocity Concepts Inc. imports into the United States, sells for importation, and/or sells and distributes after importation, offers to sell,

sells, or uses within the United States Accused Products that infringe one or more of the claims of the Asserted Patents including but not limited to Velocity Concepts Solid Tri-Fold Part No. TC-FRON05-5-TFH. See **Exhibits 19, 25, 33, 40, 77, 79.**

E. JL Concepts Inc.

3.9 On information and belief, Proposed Respondent **JL Concepts Inc.** is a corporation organized under the laws of the State of California, having a principal place of business in Walnut, California. On information and belief, JL Concepts Inc. is an importer and/or distributor and/or marketer of pick-up truck tonneau bed covers and accessories.

3.10 On information and belief, JL Concepts Inc. imports into the United States, sells for importation, and/or sells and distributes after importation, offers to sell, sells, or uses within the United States Accused Products that infringe one or more of the claims of the Asserted Patents, including but not limited to R&L Racing Solid Tri-Fold Part No. TC-F1509-6.5-TFH, HS Power Solid Tri-Fold Part No. TC-FRON05-5-TFH, Stehlen Solid Tri-Fold Part No. TC-SIL 14.5-6.5-TFH, Topline Autoparts Solid Tri-Fold Part No. TC-TUN-14-6.5-TFH, and Velocity Concepts Solid Tri-Fold Part No. TC-FRON05-5-TFH. See **Exhibits 13-14, 16, 18-22, 24-25, 28-30, 32-33, 35-37, 39-40, 50-55, 70, 72-79.**

F. DT Trading Inc.

3.11 On information and belief, Proposed Respondent **DT Trading Inc.** is a corporation organized under the laws of the State of California, having a principal place of business in Pico Rivera, California. On information and belief, DT Trading Inc. is an

importer and/or distributor and/or marketer of pick-up truck tonneau bed covers and accessories.

3.12 On information and belief, DT Trading Inc. imports into the United States, sells for importation, and/or sells and distributes after importation, offers to sell, sells, or uses within the United States Accused Products that infringe one or more of the claims of the Asserted Patents, including but not limited to SyneticUSA Solid Tri-Fold Part No. KV8802/TC-SIL07-6.5 and SyneticUSA Hard Fold with Rails Part No. KV8801/TC-F15016-5.5F. See **Exhibits 17, 23, 31, 38, 42, 45, 57-58, 60-61, 63-64.**

G. Wenzhou Kouvi Hardware Products Co., Ltd.

3.13 On information and belief, Proposed Respondent **Wenzhou Kouvi Hardware Products Co., Ltd.** ("Kouvi Ltd.") is a Chinese company, having a principal place of business at No. 10, Xiafeng Road, Xianyan Industrial Zone, Ouhai District, Wenzh City, Zhejiang Province, China.

3.14 On information and belief, Kouvi Ltd. designs, develops, manufactures, has manufactured, imports into the United States, sells for importation, and/or sells and distributes after importation, offers to sell, sells, or uses within the United States Accused Products that infringe one or more of the claims of the Asserted Patents, including but not limited to SyneticUSA Solid Tri-Fold Part No. KV8802/TC-SIL07-6.5 and SyneticUSA Hard Fold with Rails Part No. KV8801/TC-F15016-5.5F. See **Exhibits 17, 23, 31, 38, 42, 45, 57-58, 60-61, 63-64.**

H. Syppo Marketing, Inc.

3.15 On information and belief, Proposed Respondent **Syppo Marketing, Inc.** is a corporation organized under the laws of the State of California, having a principal

place of business in City of Industry, California. On information and belief, Syppo Marketing, Inc. is an importer and/or distributor and/or marketer of pickup truck tonneau bed covers and accessories.

3.16 On information and belief, Syppo Marketing, Inc. imports into the United States, sells for importation, and/or sells and distributes after importation, offers to sell, sells, or uses within the United States Accused Products that infringe one or more of the claims of the Asserted Patents, including but not limited to Nova Solid Tri-Fold Part No. B2001. See **Exhibits 15, 34, 41, 65-66, 63.**

I. Apex Auto Parts Manufacturing Inc.

3.17 On information and belief, Proposed Respondent **Apex Auto** is a corporation organized under the laws of the State of California, having a principal place of business in City of Industry, California. Auto Apex shares an address with Syppo Marketing, Inc., and the Syppo website purports to identify Auto Apex as a participant in its business. See **Exhibit 69.** On information and belief, Apex Auto is an importer and/or distributor and/or marketer of pickup truck tonneau bed covers and accessories.

3.18 On information and belief, Apex Auto imports into the United States, sells for importation, and/or sells and distributes after importation, offers to sell, sells, or uses within the United States Accused Products that infringe one or more of the claims of the Asserted Patents, including but not limited to Nova Solid Tri-Fold Part No. B2001. See **Exhibits 15, 34, 41, 65-66, 63.**