IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 1:23-cv-00313-RM-KLM

FOX FACTORY, INC.,

Plaintiff,

v.

SRAM, LLC,

Defendant.

FOX FACTORY, INC.'S AMENDED DISCLOSURE OF ASSERTED CLAIMS AND INFRINGEMENT CONTENTIONS RELATED TO U.S. PATENT NOS. 9,739,331 AND 8,550,223

I. PRELIMINARY STATEMENT

Pursuant to the Joint Rule 26(f) Report, Docket No. 88, Plaintiff FOX Factory, Inc. ("FOX") provides the following Amended Disclosure of Asserted Claims and Infringement Contentions Relating to U.S. Patent Nos. 9,739,331 ("the '331 patent") and 8,550,223 ("the '223 patent) (collectively "the Asserted Patents").

This Disclosure is based on FOX's current knowledge, understanding, and beliefs. Recognizing that discovery is in its early stages and FOX has not yet completed its investigation, collection of information, or analysis of Defendant SRAM, LLC's ("SRAM") conduct relevant to the Asserted Patents, FOX reserves its right to amend, revise, and/or supplement any part of this Disclosure and/or any accompanying exhibits in accordance with this Court's Scheduling Order and/or the Federal Rules of Civil Procedure, as additional documents and information become available and as discovery and investigation proceed.

This Disclosure does not represent, and should not be understood as describing, FOX's position regarding the construction of any claim language in the asserted claims of the Asserted Patents. Moreover, this Disclosure is made without prejudice to any position that FOX may take with respect to claim construction. FOX further reserves the right to supplement this Disclosure following any claim construction order from this Court or for other good cause, and reserves the right to introduce and use such supplemental materials at trial.

Furthermore, FOX makes this Disclosure without waiving its right to object to the production of any document, data compilation, or tangible thing disclosed on the basis of any privilege, work product, relevancy, undue burden, or other valid objection.

II. ASSERTED CLAIMS

Based on the information presently known to FOX, FOX identifies the following asserted claims:

(1) The ’331 Patent—claims 1-8.

(2) The ’223 Patent—claims 1-9, 11-15, 19.

FOX alleges SRAM infringes each of the asserted claims of the ’331 and ’223 patents under 35 U.S.C. §§ 271(a), (b), and (c).

III. ACCUSED INSTRUMENTALITIES

Based on FOX’s investigation thus far, FOX identifies the following apparatuses, products, devices, processes, methods, acts, or other instrumentalities (collectively “the Accused Instrumentalities”) that FOX believes infringe the asserted claims:

(1) RockShox Lyrik, Lyrik Select, Lyrik Select+, Lyrik Ultimate, and Lyrik Ultimate Flight Attendant.

(2) RockShox Pike, Pike Select, Pike Select+, Pike Ultimate, and Pike Ultimate Flight Attendant.

(3) RockShox ZEB, ZEB Select, ZEB Select+, ZEB Ultimate, and ZEB Ultimate Flight Attendant.

(4) RockShox Super Deluxe Coil series of rear shocks, which includes the Ultimate, Ultimate DH, Select, and Select+ models.

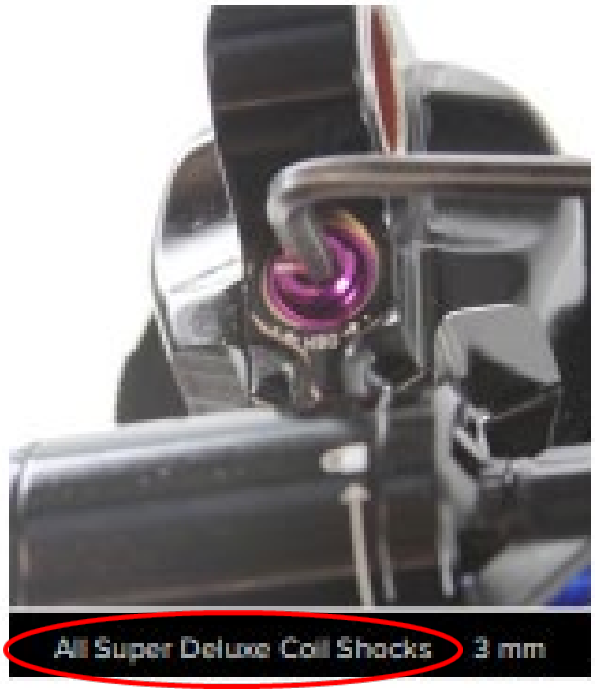
IV. CLAIM CHARTS

Based on FOX's investigation thus far, attached as Attachments A-C are detailed claim charts that identify specifically where each limitation of each asserted claim is found within each Accused Instrumentality.

Attachment A uses SRAM's RockShox Lyrik Ultimate as representative of SRAM's Rockshox Lyrik Select+, Lyrik Ultimate, Lyrik Ultimate Flight Attendant, Pike Select+, Pike Ultimate, Pike Ultimate Flight Attendant, ZEB Select+, ZEB Ultimate, and ZEB Ultimate Flight Attendant. Attachment A is also representative of the RockShox Lyrik, Lyrik Select, Pike, Pike Select, ZEB, and ZEB Select as modified with SRAM's pressure release valve upgrade kits.

Attachment B uses SRAM's RockShox Lyrik Select as representative of the Lyrik, Lyrik Select, Pike, Pike Select, ZEB, and ZEB Select forks without the upgrade kits.

Attachment C uses the RockShox Super Deluxe Coil Ultimate as representative of SRAM's Rockshox Super Deluxe Coil Ultimate, Ultimate DH, Select, and Select+ models sold with adjustable hydraulic bottom out feature. Upon information and belief, all of SRAM's Rockshox Super Deluxe Coil Ultimate, Ultimate DH, Select, and Select+ are available with the adjustable hydraulic bottom out feature, as shown below.



Ex. 2 at 20 (A picture of the hydraulic bottom out adjuster with the annotation "All Super Deluxe Coil Shocks")

V. INFRINGEMENT

Based on FOX's investigation thus far, FOX believes that SRAM's conduct with respect to the Accused Instrumentalities directly and indirectly infringes the Asserted Patents. On information and belief, SRAM designs, develops, makes, tests, markets, and/or uses the Accused Instrumentalities in the United States, and also offers for sale, sells, imports and/or distributes the Accused Instrumentalities to customers throughout the United States, including distributors, retailers, resellers, customers, and end-users.

Specifically, and on information and belief, SRAM directly and indirectly infringes claims 1-8 of the '331 patent under 35 U.S.C. §§ 271(a), (b), and (c) by designing, developing, making, testing, marketing, promoting using, selling, offering for sale, importing, and/or

distributing the Select+, Ultimate, and Ultimate Flight Attendant models of the ZEB, Lyrik, and Pike series of accused forks. On information and belief, SRAM directly and indirectly infringes claims 1 and 2 of the ’331 patent under 35 U.S.C. §§ 271(a), (b), and (c) by designing, developing, making, testing, marketing, promoting, using, selling, offering for sale, importing, and/or distributing the base and Select models of the ZEB, Lyrik, and Pike series of accused forks. On information and belief, SRAM also indirectly infringes claims 1-8 of the ’331 patent under 35 U.S.C. §§ 271(b) and (c) by designing, developing, making, testing, marketing, promoting, selling, offering for sale, importing, and/or distributing the base and Select models of the ZEB, Lyrik, and Pike series of accused forks and the upgrade kits that are intended for use with these accused forks. Claims 1-8 of the ’331 patent are directly infringed by SRAM’s customers or end users in the United States when they modify, combine, and/or use the base and Select models of the ZEB, Lyrik, and Pike series of accused forks with the upgrade kit.

On information and belief, SRAM directly and indirectly infringes claims 1-9, 11-15, and 19 of the ’223 patent under 35 U.S.C. §§ 271(a), (b), and (c) by designing, developing, making, testing, marketing, promoting using, selling, offering for sale, importing, and/or distributing the Super Deluxe Coil series of rear shocks, which includes the Ultimate, Ultimate DH, Select, and Select+ models.

On information and belief, SRAM has induced and continues to actively induce direct infringement of the Asserted Patents through sale, offer for sale, modification, and/or use of the Accused Instrumentalities by others (such as its distributors, retailers, resellers, customers, and end-users) in the United States under 35 U.S.C. § 271(b). On information and belief, SRAM knew of the Asserted Patents before designing, developing, making, testing, marketing, and

offering the Accused Instrumentalities for sale, and SRAM has taken affirmative steps that have encouraged, aided and abetted (and continues to encourage, aid and abet) direct infringement by its distributors, retailers, resellers, customers, and end-users in the United States, and SRAM has known that its induced acts constitute infringement of the Asserted Patents or has been willfully blind to the infringement. These acts include, but are not limited to, SRAM's manufacture and supply of the Accused Instrumentalities (either directly or through direction of its wholly owned subsidiary(ies)), promotion on its website, providing user manuals/guides and instructions instructing its customers/end users how to use the Accused Instrumentalities, and on information and belief, its contracts and agreements with dealers, resellers, retailers, and distributors for the promotions, offers to sell, and sales of the Accused Instrumentalities in the United States.

More specifically, by designing, developing, making, testing, marketing, promoting, selling or offering for sale the upgrade kits and the base and Select models of the Lyrik, Pike, and ZEB forks, SRAM has induced and continues to actively induce direct infringement of the asserted claims (claims 1-8) of the '331 patent under 35 U.S.C. § 271(b). More specifically, the end users of the base and Select models of the Lyrik, Pike, and ZEB series of forks directly infringe the asserted claims of the '331 patent when they use those forks in combination with the upgrade kits. SRAM has taken affirmative steps that have encouraged, aided and abetted (and continues to encourage, aid and abet) direct infringement by designing, developing, marketing, promoting, making, selling or offering for sale the upgrade kits and the base and Select models of the Lyrik, Pike, and ZEB series of forks, and also by providing instructions to end users to modify the base and Select models of the Lyrik, Pike, and ZEB forks with the upgrade kits.

An exemplary picture of SRAM's upgrade kits is provided below. The upgrade kits contain the same sub-components as are present on the Pressure Release Valves of the Lyrik Ultimate, and when combined with any of the base and Select models of the Lyrik, Pike, and ZEB series of forks, results in a combination that practices and infringes claims 1-8 of the '331 patent in the same manner as the Lyrik Ultimate, as shown in Attachment A.

On information and belief, SRAM has contributed to and continues to contribute to the direct infringement the Asserted Patents by others (such as its distributors, retailers, resellers, customers, and end-users) in the United States under 35 U.S.C. § 271(c). Upon information and belief, SRAM (either directly or through direction of its wholly owned subsidiary(ies)) supplies the Accused Instrumentalities or important (material) components of the Accused Instrumentalities to its distributors, retailers, resellers, customers, and end-users in the United States. On information and belief, SRAM is aware that the Accused Instrumentalities are

specially made or adapted for use in a manner that would infringe the Asserted Patents and have no non-infringing uses.

In particular, by designing, developing, making, testing, marketing, promoting, selling or offering for sale the upgrade kits, SRAM has contributed to and continues to contribute to direct infringement of the asserted claims (1-8) of the ’331 patent under 35 U.S.C. § 271(c). More specifically, the customers or end users of the base and Select models of the Lyrik, Pike, and ZEB series of forks directly infringe the asserted claims of the ’331 patent when they use those forks in combination with the upgrade kits. Furthermore, on information and belief, SRAM is aware that the upgrade kits are specially made or adapted for use in a manner that would infringe the asserted claims of the ’331 patent when used with the base and Select models of the Lyrik, Pike, and ZEB forks. Therefore, SRAM has contributed to and continues to contribute to the direct infringement of the asserted claims of the ’331 patent by others.

FOX intends to pursue fact discovery, including depositions, on the full scope of SRAM’s direct, contributory, and induced infringement.

VI. LITERAL AND EQUIVALENT INFRINGEMENT

FOX asserts that the Accused Instrumentalities literally infringe the asserted claims of the ’331 and ’223 patents. To the extent that any of the Accused Instrumentalities do not literally infringe the asserted claims of the ’331 and ’223 patents, FOX asserts infringement under the doctrine of equivalents. FOX may move to amend these contentions to allege infringement under the doctrine of equivalents based on future developments, discovery, and/or the Court’s claim construction order.

VII. PRIORITY DATE

The asserted claims of the ’331 patent are entitled to a priority date as least as early as May 9, 2012, as stated on the face of the patent. The asserted claims of the ’223 patent are entitled to a priority date as least as early as May 9, 2008, as stated on the face of the patent.

VIII. FOX’S PRODUCTS THAT INCORPORATE OR REFLECT THE ASSERTED CLAIMS

FOX asserts that the following list of products incorporate or reflect one or more of the asserted claims of the Asserted Patents:

<u>’331 Patent</u>

Model Year 2014 – 2020 40 Factory Series

Model Year 2018 – 2020 40 Performance Elite Series

Model Year 2021 – 2024 36 Factory Series

Model Year 2021 – 2024 36 Performance Elite Series

Model Year 2021 – 2024 36 Factory Series, E-Optimized

Model Year 2021 – 2024 36 Performance Elite Series, E-Optimized

Model Year 2021 – 2024 38 Factory Series

Model Year 2021 – 2024 38 Performance Elite Series

Model Year 2021 – 2024 40 Factory Series

Model Year 2021 – 2024 40 Performance Elite Series

Model Year 2021 – 2024 36 Performance Series

Model Year 2021 – 2024 36 Performance Series, E-Optimized

Model Year 2024 36 Rhythm Series

Model Year 2024 36 Rhythm Series, E-Optimized

Model Year 2021 – 2024 38 Performance Series

Model Year 2023 – 2024 38 Rhythm Series

Model Year 2023 – 2024 38 Rhythm Series, E-Optimized

Model Year 2021 – 2024 40 Performance Series

<u>’223 Patent</u>

Podium RC3 Shock

IX. TIMING OF FIRST INFRINGEMENT AND THE START AND END OF CLAIMED DAMAGES

On information and belief, FOX asserts that SRAM’s first infringement of the Asserted Patents began on the respective dates of release or first offer for sale of each Accused Instrumentality, (2) FOX may be entitled to damages for SRAM’s infringement of the Asserted Patent starting as of that date, and (3) assuming SRAM’s infringing sales do not cease, damages will continue to accrue for SRAM’s infringing sales through the date of the expiration of the Asserted Patents. FOX intends to pursue fact discovery on the issue of SRAM’s first infringement of the Asserted Patents.

X. WILLFUL INFRINGEMENT

Upon information and belief, SRAM knew or was willfully blind that its Accused Instrumentalities were both patented and infringing, that the Accused Instrumentalities are not a staple article or commodity of commerce, and that the Accused Instrumentalities do not have substantial non-infringing uses.

FOX intends to pursue fact discovery, including depositions, on SRAM’s knowledge and willful infringement of the Asserted Patents.

XI. DOCUMENT PRODUCTION ACCOMPANYING DISCLOSURE

FOX has produced nonprivileged documents in accordance with the District of Colorado Patent Local Rule 5 (**"**LPtR 5"). FOX's document production is based on its investigation to date and FOX reserves the right to supplement its production to the extent its investigation reveals any additional relevant documents required to be produced under the Joint Rule 26(f) Report.

Documents produced at least pursuant to LPtR 5(a) are labeled FOX_0000557-561; FOX_0000576; FOX_0000598-602; FOX_0000604-606, and FOX_0000608.

Documents produced at least pursuant to LPtR 5(c)are labeled FOX_0000023 to FOX_0000546.

Documents produced at least pursuant to LPtR 5(d) are labeled FOX_0000547-552.

Dated: March 16, 2023

Respectfully submitted,

/s/ Arpita Bhattacharyya

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Attorneys for Plaintiff
FOX FACTORY, INC.

CERTIFICATE OF SERVICE

I, Gail Selburn, hereby certify that on March 16, 2023, a true and correct copy of the following document:

- **FOX FACTORY, INC.'S AMENDED DISCLOSURE OF ASSERTED CLAIMS AND INFRINGEMENT CONTENTIONS RELATED TO U.S. PATENT NOS. 9,739,331 AND 8,550,223; EXHIBITS 1 AND 2; ATTACHMENTS A, B, AND C**

was served by the indicated means to the person(s) at the address listed below:

Richard B. Walsh, Jr. rwalsh@lewisrice.com Michael J. Hickey mhickey@lewisrice.com Sarah A. Milunski smilunski@lewisrice.com Edward T. Pivin epivin@lewisrice.com **LEWIS RICE LLC** 600 Washington Avenue, Suite 2500 St. Louis MO 63101 Telephone: (314) 444-7600 Facsimile: (314) 241-6056	☒ Via Email (download link) ☐ Via First Class Mail ☐ Via Hand Delivery ☐ Via Overnight Courier ☐ Via Facsimile
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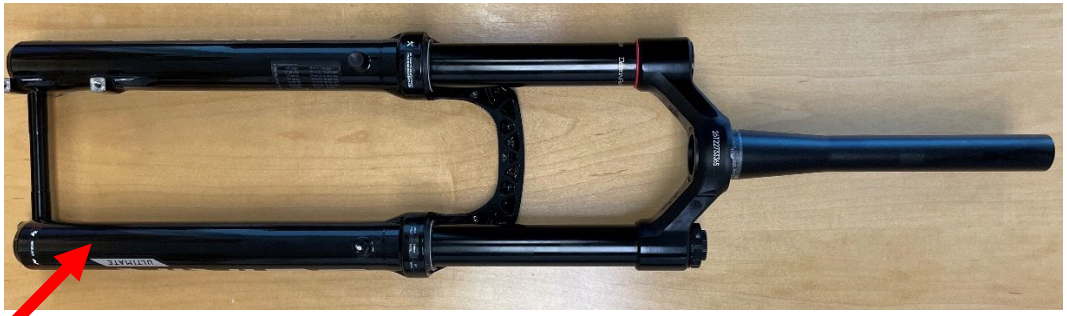
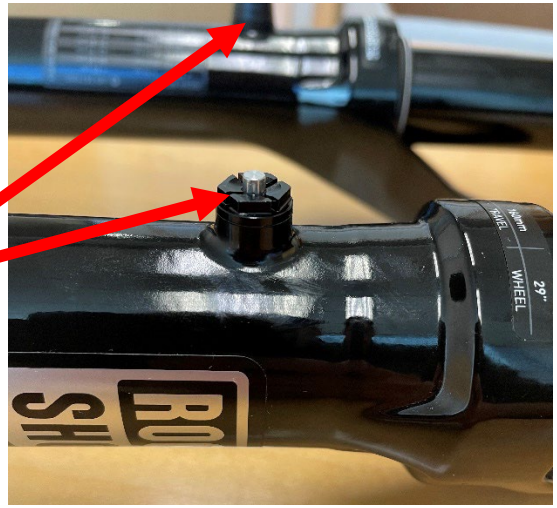
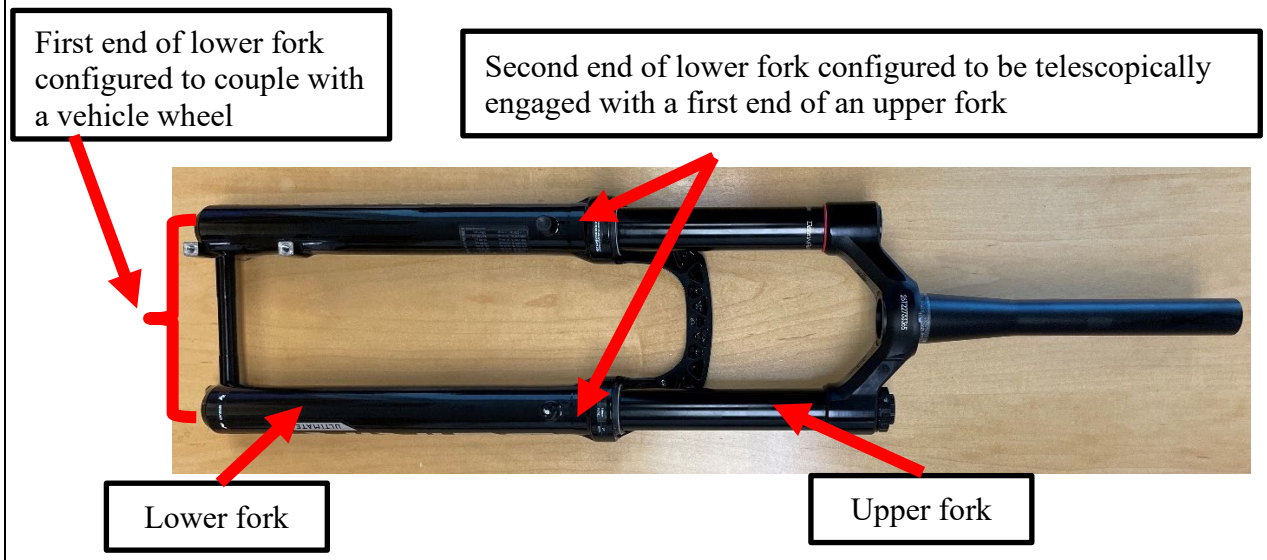
Attorneys for Defendant SRAM, LLC

I declare under penalty of perjury under the laws of the United States that the above is true and correct. Executed March 16, 2023, at Palo Alto, California.

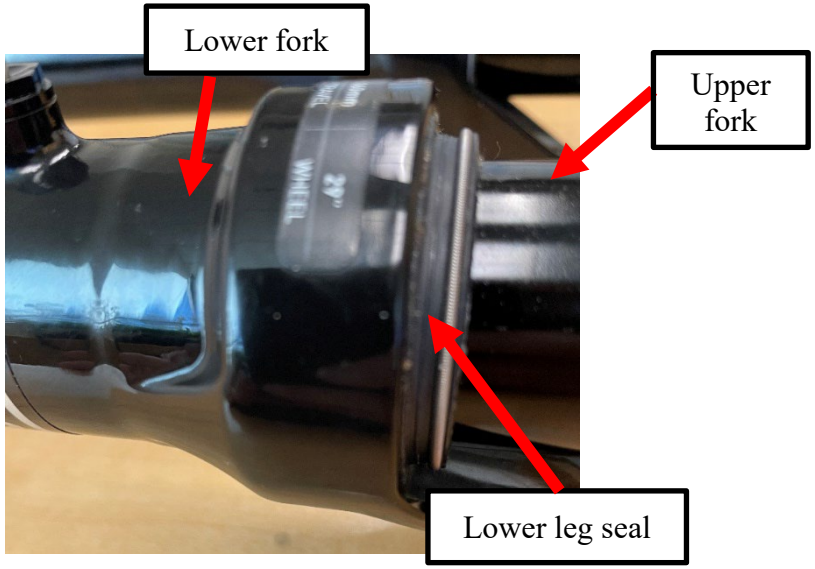
/s/ Gail Selburn
Gail Selburn
Litigation Legal Assistant

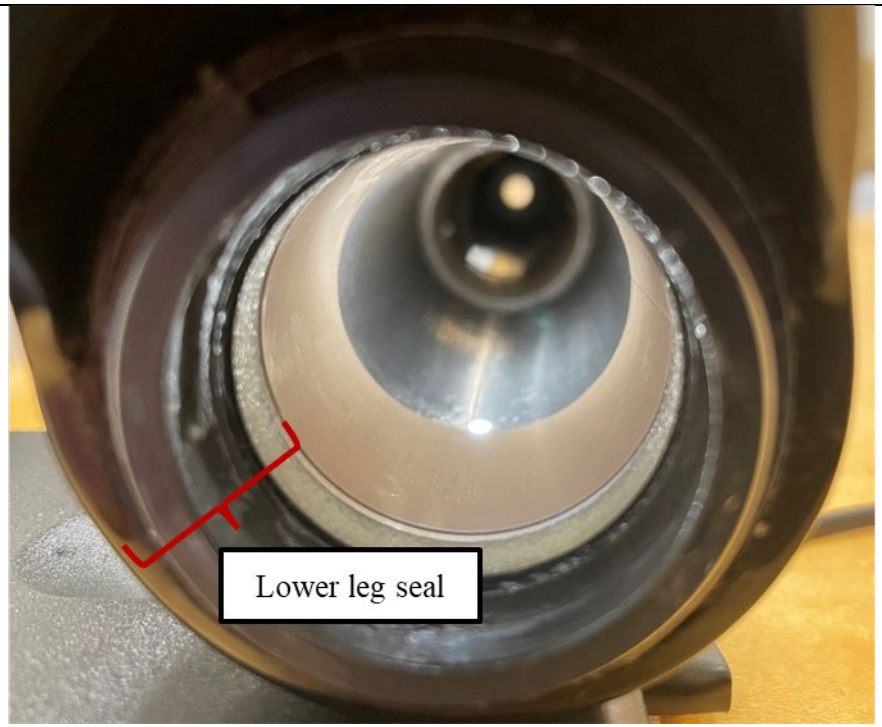
Attachment A to Plaintiff FOX Factory, Inc.'s Infringement Contentions
Claim Chart for Rockshox Lyrik Ultimate
U.S. Patent No. 9,739,331

Claim	U.S. Patent No. 9,739,331	Rockshox Lyrik Ultimate
1[pre]	A lower fork and air bleed assembly combination comprising:	The Rockshox Lyrik Ultimate has a lower fork and air bleed assembly.  Lower fork  Air bleed assembly

Claim	U.S. Patent No. 9,739,331	Rockshox Lyrik Ultimate
1[a]	a lower fork, said lower fork configured to have a first end coupled to a vehicle wheel, and a second end configured to be telescopically engaged with a first end of an upper fork	The Rockshox Lyrik Ultimate has a lower fork, said lower fork configured to have a first end coupled to a vehicle wheel, and a second end configured to be telescopically engaged with a first end of an upper fork. 

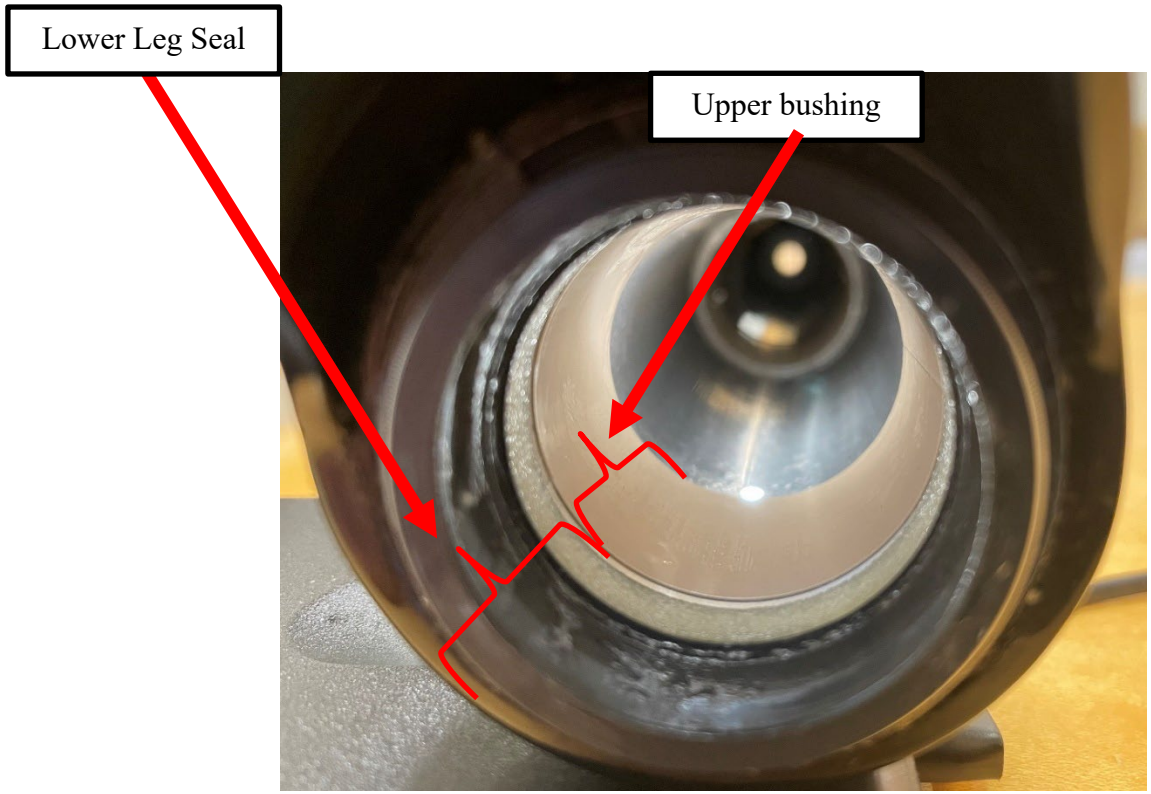
Claim	U.S. Patent No. 9,739,331	Rockshox Lyrik Ultimate
	end of an upper fork, said lower fork further comprising:	

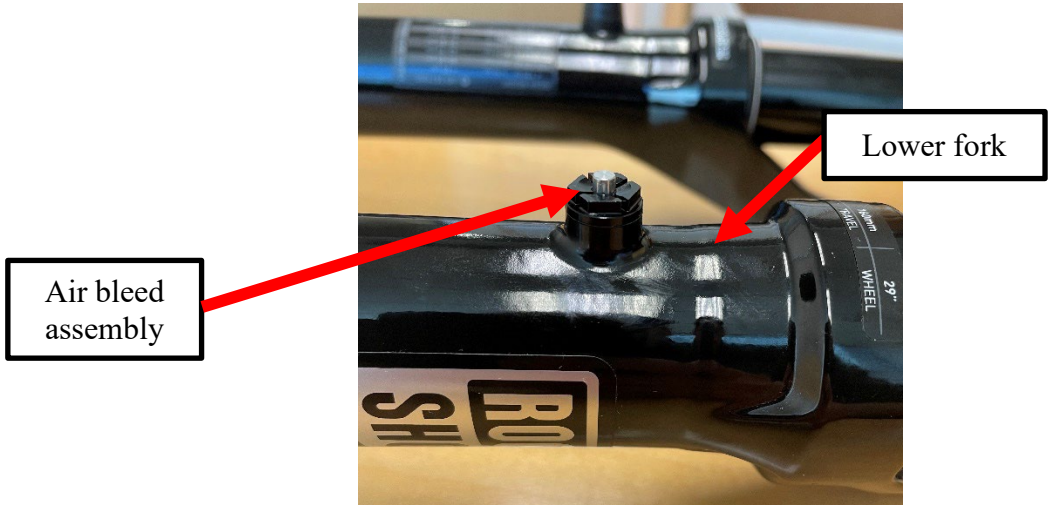
1[b]	a lower leg seal located at an outermost edge of said second end of said lower fork tube, said lower leg seal configured for sealing closed [sic] a gap disposed	The Rockshox Lyrik Ultimate has a lower leg seal located at an outermost edge of said second end of said lower fork tube, said lower leg seal configured for sealingly closing a gap disposed between said upper fork tube and said lower fork tube when said lower fork is telescopically engaged with said first end of said upper fork, thereby preventing an oil bath lubrication occupying an area within said lower fork tube at a first end of said lower fork tube from leaking from said lower fork. A person skilled in the art would understand that the seal between the upper fork tube and said lower fork tube is dynamic and allows for telescopic movement between the tubes, and that the seal substantially minimizes or prevents leakage of lubrication oil from the lower fork tube through the gap between the tubes. 

	between said upper fork tube and said lower fork tube when said lower fork is telescopically engaged with said first end of said upper fork, thereby preventing	 As shown above, the lower leg seal includes a rubber lip around the outermost edge of the lower fork tube and a foam ring connected to the rubber lip. Both the rubber lip and foam ring are affixed to the lower fork tube.

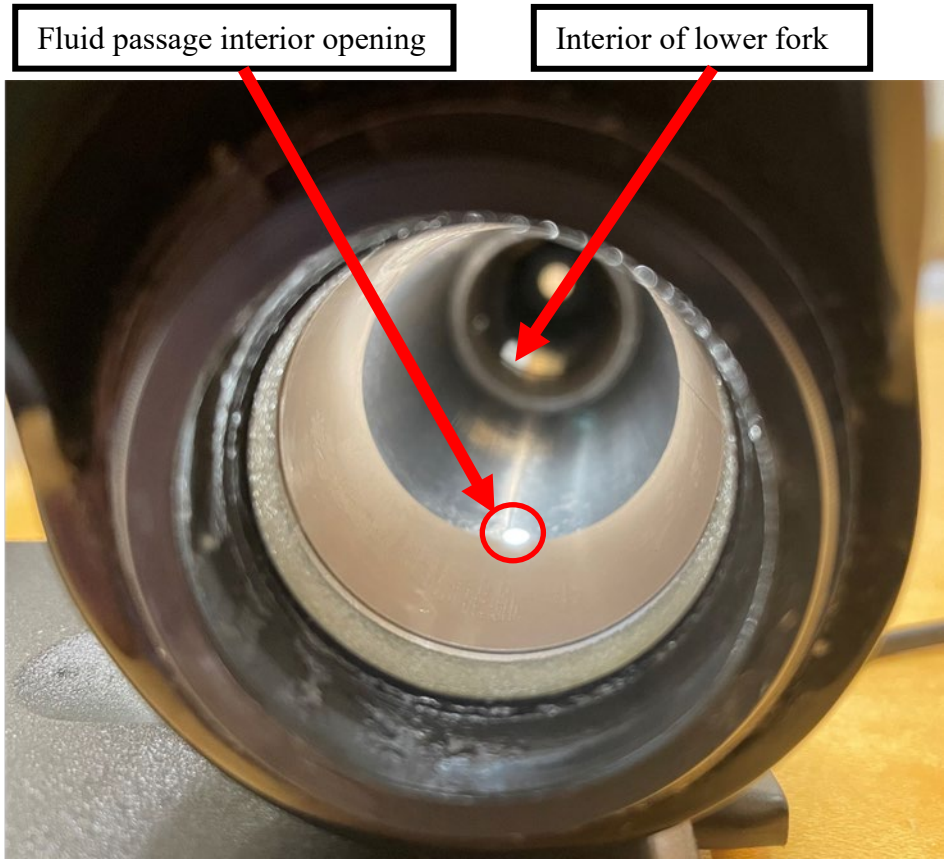
Claim	U.S. Patent No. 9,739,331	Rockshox Lyrik Ultimate
	an oil bath lubrication occupying an area within said lower fork tube at a first end of said lower fork tube from leaking from said lower fork; and	

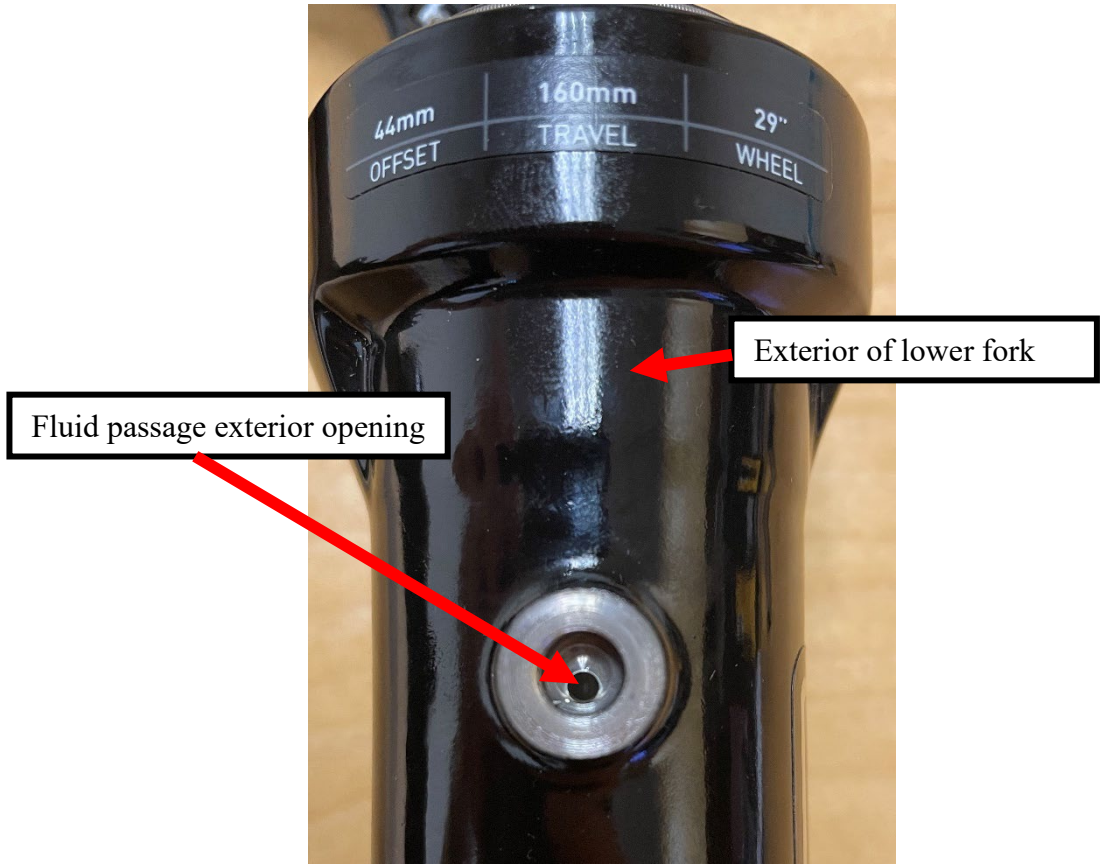
Claim	U.S. Patent No. 9,739,331	Rockshox Lyrik Ultimate
1[c]	an upper bushing attached to and positioned adjacent to said lower leg seal; and	The Rockshox Lyrik Ultimate has an upper bushing affixed to the lower fork tube. The upper bushing is further engaged with the foam ring (of the seal), and thus the upper bushing is positioned adjacent to and is attached to said lower leg seal. Specifically, the upper bushing and the foam ring are fitted into the lower fork tube as shown below, and thus the seal (including the foam ring) is adjacent to and indirectly attached to the upper bushing via the lower fork tube. Moreover, the foam ring is held in place by the upper bushing and prevented from slipping into the tube during operation, and thereby the upper bushing maintains the

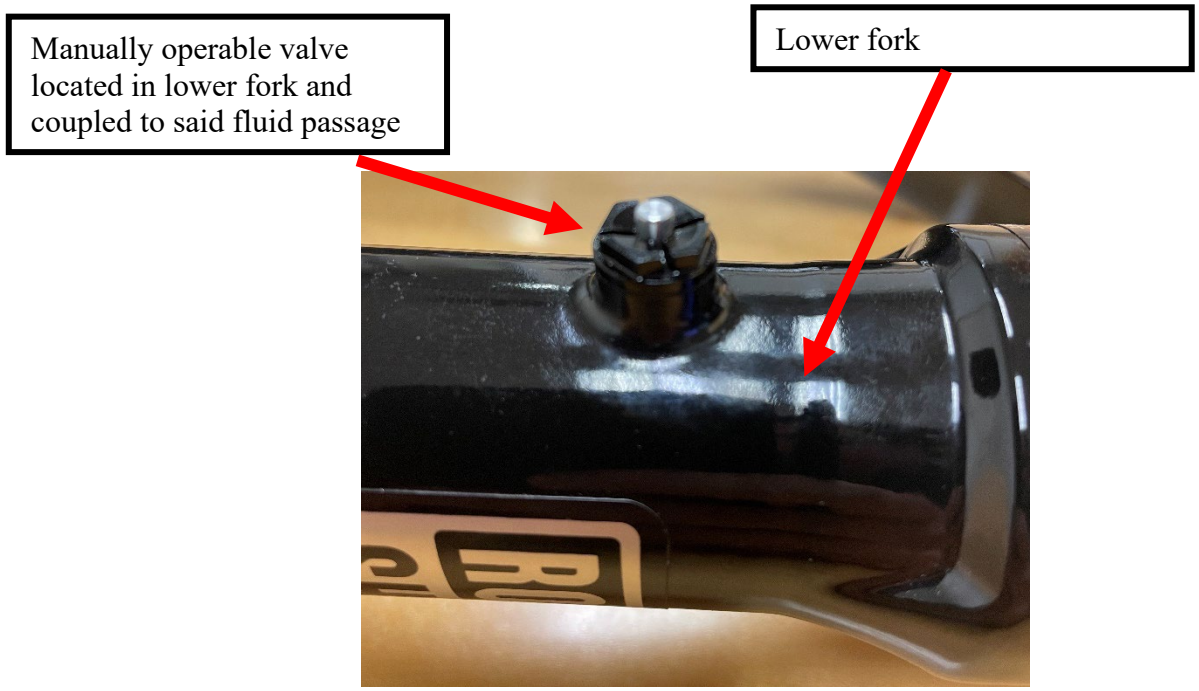
Claim	U.S. Patent No. 9,739,331	Rockshox Lyrik Ultimate
		coaxial alignment and symmetry of the foam ring during operation. Therefore, the seal (including the foam ring) is also directly attached to the upper bushing. 

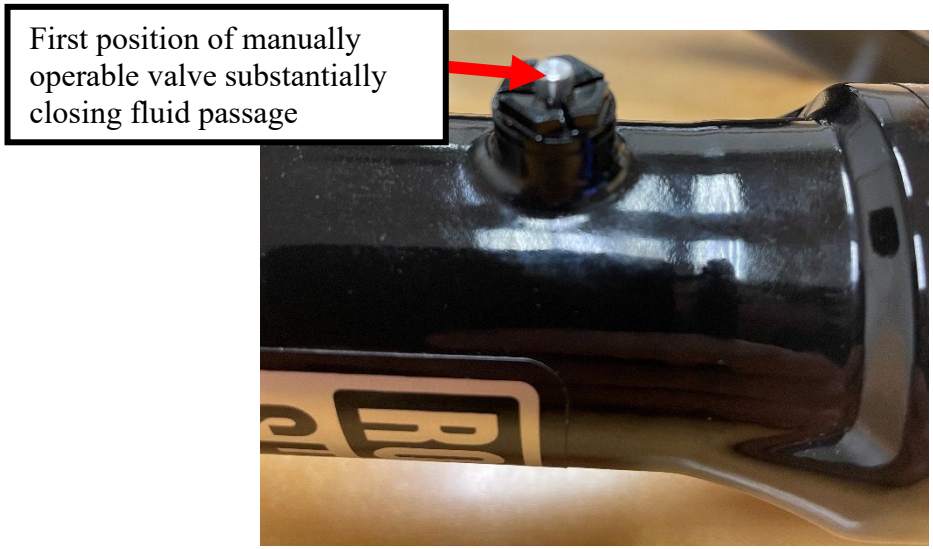
Claim	U.S. Patent No. 9,739,331	Rockshox Lyrik Ultimate
1[d]	an air bleed assembly disposed on said lower fork tube, said air bleed assembly configured for equalizing ambient pressure within said lower fork,	The Rockshox Lyrik Ultimate has an air bleed assembly disposed on said lower fork tube, said air bleed assembly configured for equalizing ambient pressure within said lower fork. 

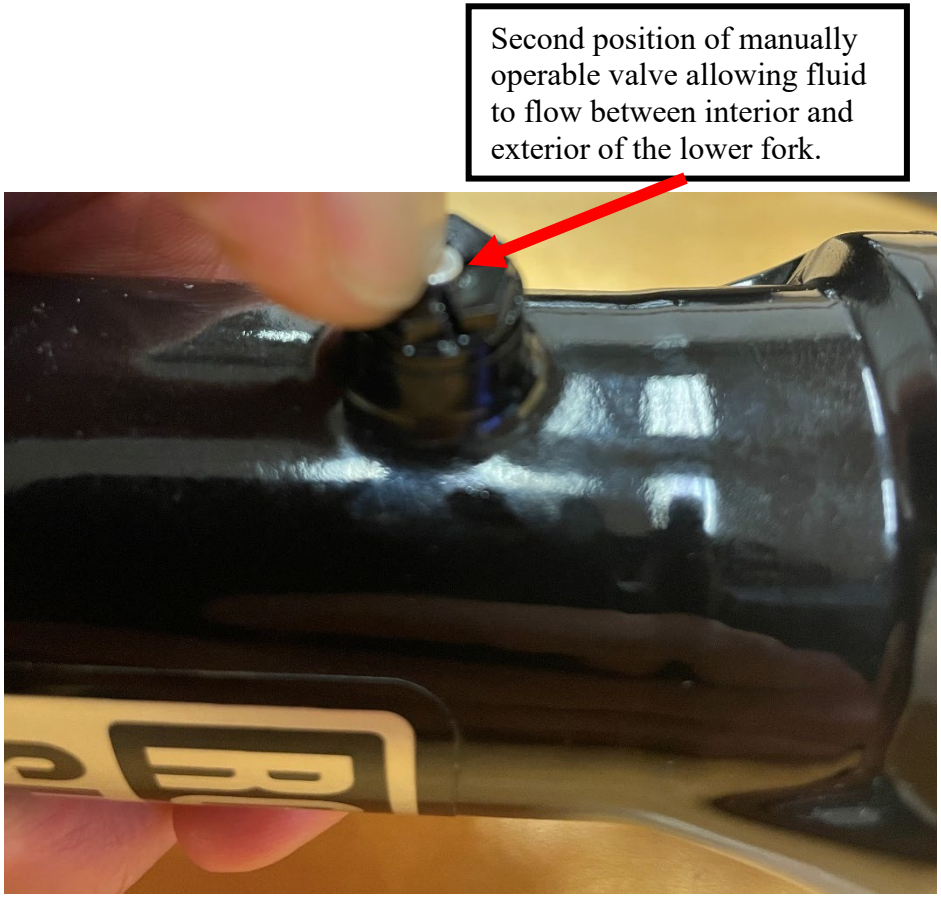
Claim	U.S. Patent No. 9,739,331	Rockshox Lyrik Ultimate
	said air bleed assembly comprising:	

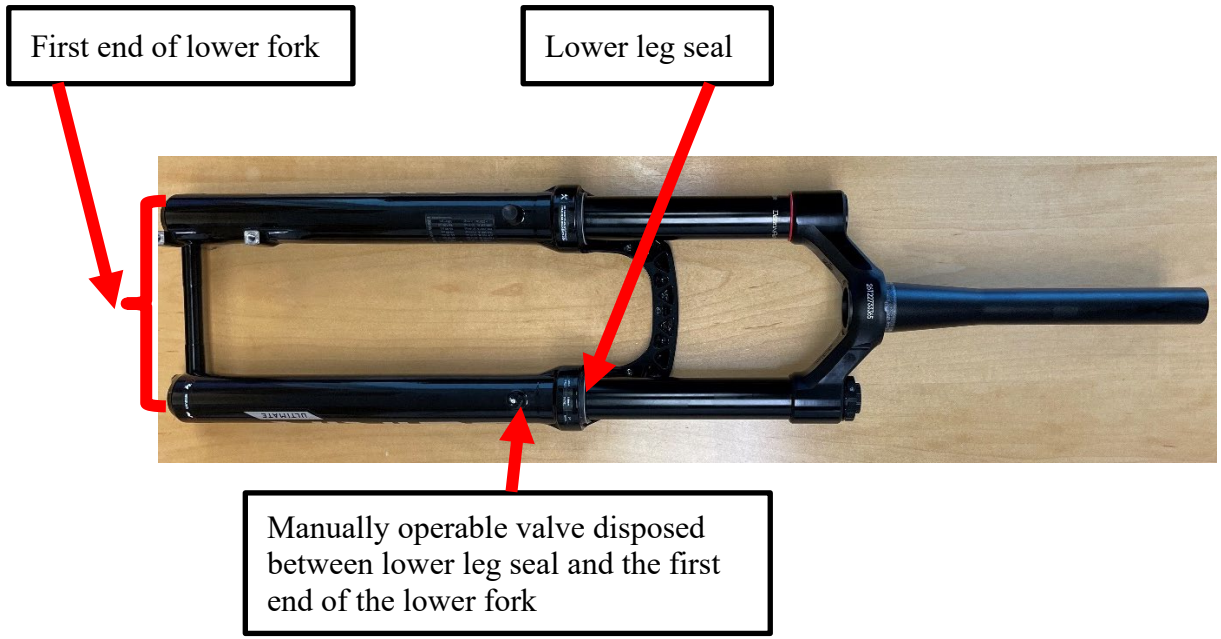
Claim	U.S. Patent No. 9,739,331	Rockshox Lyrik Ultimate
1[e]	a fluid passage disposed between an interior of said lower fork and an exterior of said lower fork; and	The Rockshox Lyrik Ultimate has a fluid passage disposed between an interior of said lower fork and an exterior of said lower fork. 

Claim	U.S. Patent No. 9,739,331	Rockshox Lyrik Ultimate
		

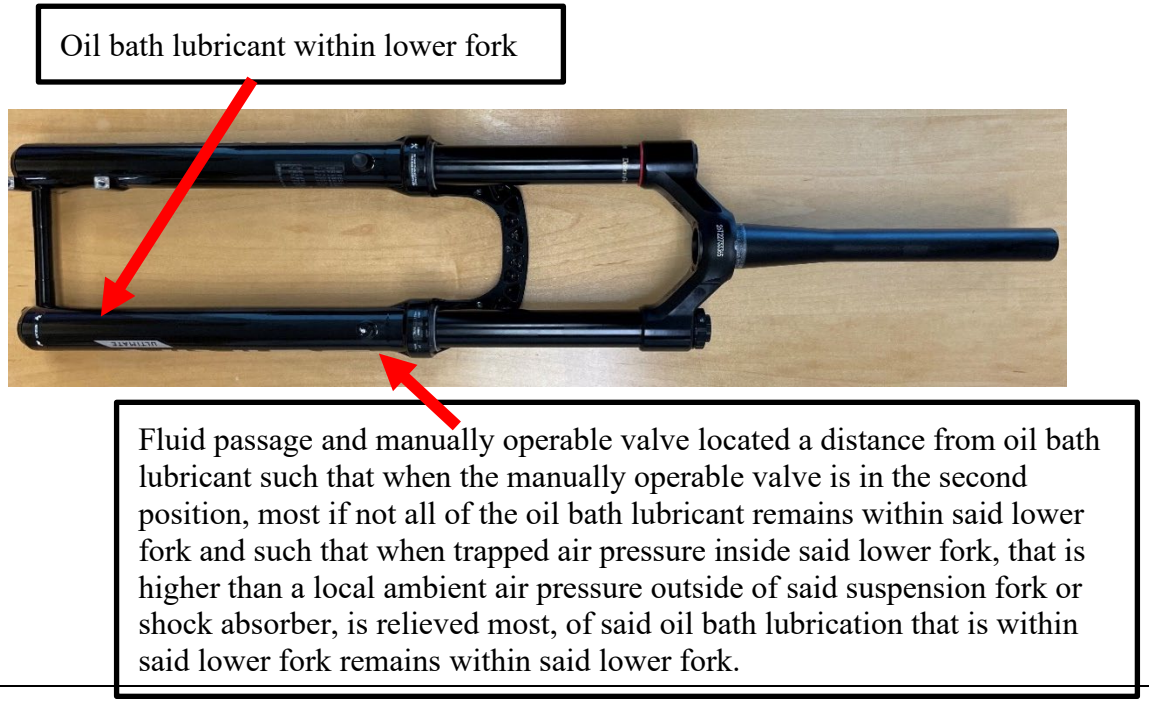
Claim	U.S. Patent No. 9,739,331	Rockshox Lyrik Ultimate
1[f]	a manually operable valve located in said lower fork and coupled to said fluid passage,	The Rockshox Lyrik Ultimate has a manually operable valve located in said lower fork and coupled to said fluid passage. 

Claim	U.S. Patent No. 9,739,331	Rockshox Lyrik Ultimate
1[g]	said manually operable valve having a first position substantially closing said fluid passage and a second position allowing a fluid to flow between	The Rockshox Lyrik Ultimate has a manually operable valve having a first position substantially closing said fluid passage and a second position allowing a fluid to flow between said interior and said exterior. A person skilled in the art would understand that in the first position, the valve substantially prevents passage of air between the interior and the exterior of the lower fork tube via the fluid passage, such that the rider does not feel any difference in operation until the valve is manually activated to release air to the exterior or receive air from the exterior via the fluid passage in order to equalize air pressure inside the tube with the ambient air pressure. 

Claim	U.S. Patent No. 9,739,331	Rockshox Lyrik Ultimate
	said interior and said exterior,	

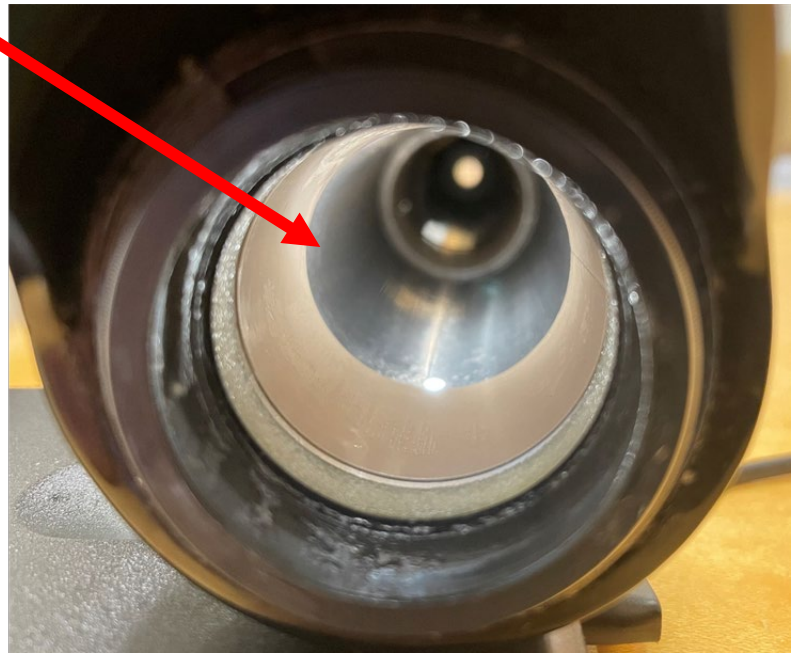
Claim	U.S. Patent No. 9,739,331	Rockshox Lyrik Ultimate
1[h]	said manually operable valve disposed between said lower leg seal and said first end of said lower fork,	The Rockshox Lyrik Ultimate has said manually operable valve disposed between said lower leg seal and said first end of said lower fork. 

1[i]	and wherein said fluid passage and said manually operable valve are located at a distance from an oil bath lubrication within said lower fork, such that when	In the Rockshox Lyrik Ultimate, said fluid passage and said manually operable valve are located at a distance from an oil bath lubrication within said lower fork, such that when said manually operable valve is in said second position, most, if not all of said oil bath lubrication remains within said lower fork and such that when trapped air pressure inside said lower fork, that is higher than a local ambient air pressure outside of said suspension fork or shock absorber, is relieved most, of said oil bath lubrication that is within said lower fork remains within said lower fork. For example, the Rockshox Lyrik Ultimate has an oil bath lubrication within the lower fork. **4** Position the fork at an angle with the bolt holes oriented upward. Inject Maxima PLUSH Dynamic Suspension Lube Light into each lower leg through the bottom bolt holes. **NOTICE** Do not exceed the recommended oil volume per leg as this can damage the fork. Fork: ZEB, Lyrik, Pike — Damper Side (mL): 30 — Spring Side (mL): 15 Maxima PLUSH Dynamic Suspension Lube Light — See Table Ex. 1 at 137.

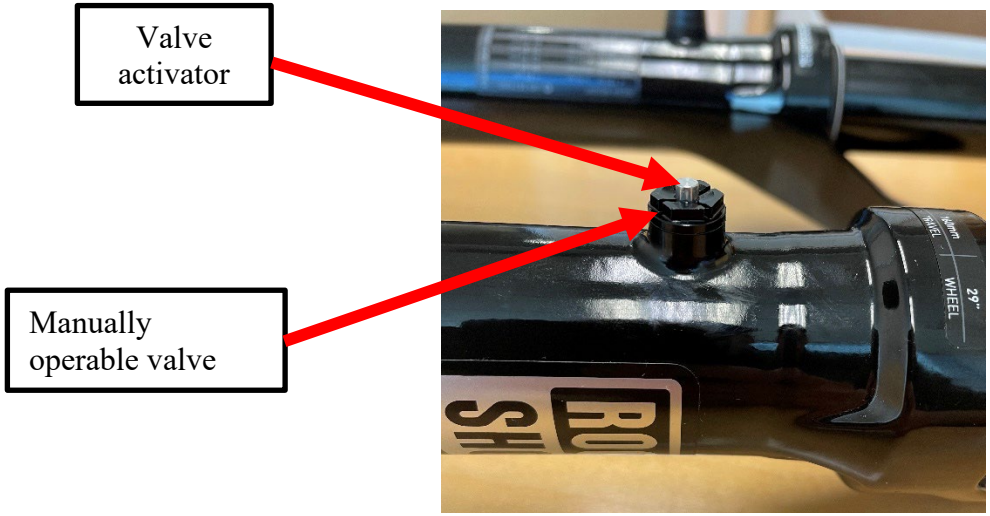
	manually operable valve is in said second position, most, if not all of said oil bath lubrication remains within said lower fork and such that when trapped air pressure	Further, for example, the Rockshox Lyrik Ultimate has a fluid passage and said manually operable valve is located at a distance from an oil bath lubricant within said lower fork such that when the manually operable valve is in said second position, most if not all of the oil bath lubricant (i.e., a substantial portion of the oil bath) remains within said lower fork and such that when trapped air pressure inside said lower fork, that is higher than a local ambient air pressure outside of said suspension fork or shock absorber, is relieved most (i.e., a substantial portion), of said oil bath lubrication that is within said lower fork remains within said lower fork. 

	inside said lower fork, that is higher than a local ambient air pressure outside of said suspension fork or shock absorber, is relieved most, of said oil bath	

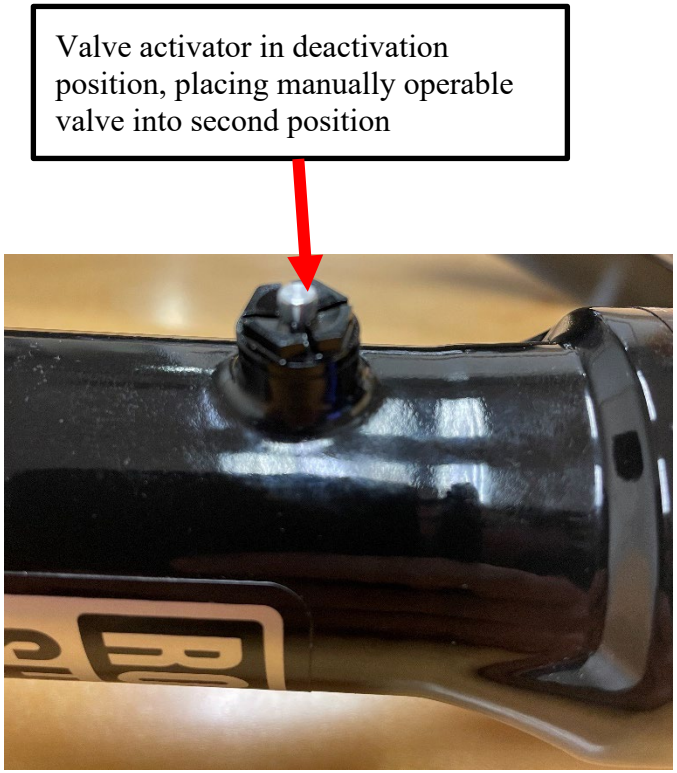
Claim	U.S. Patent No. 9,739,331	Rockshox Lyrik Ultimate
	lubrication that is within said lower fork remains within said lower fork.	

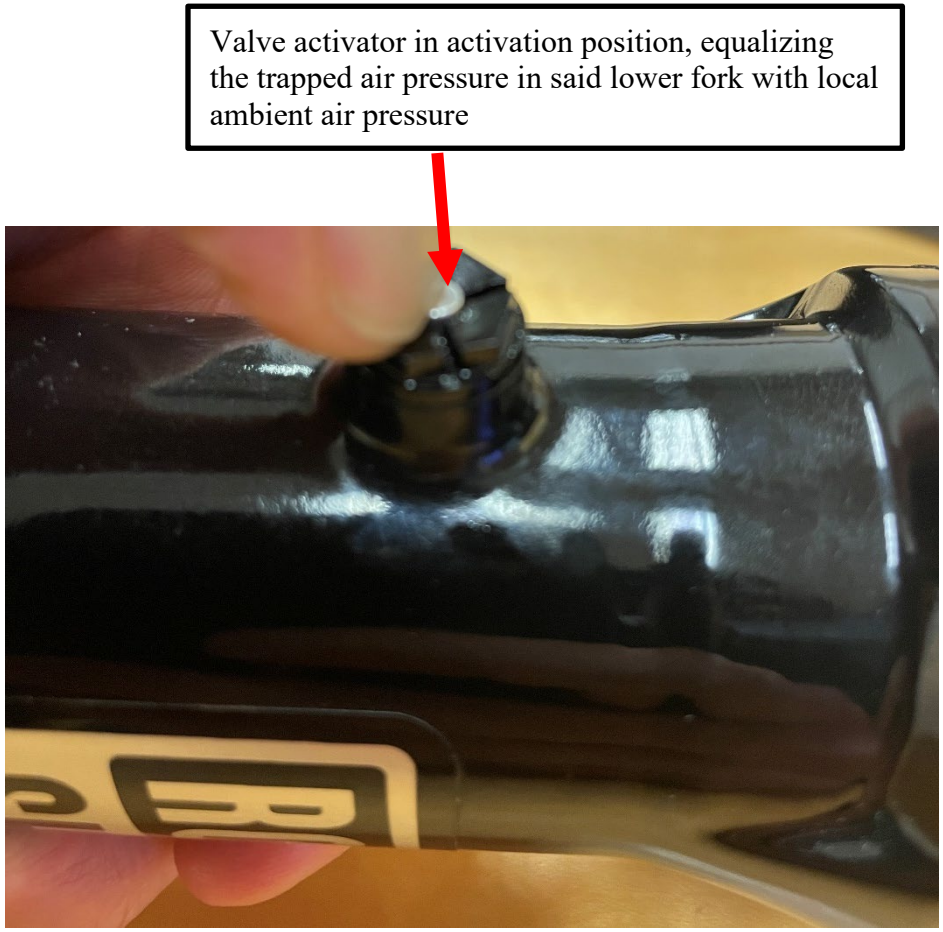
Claim	U.S. Patent No. 9,739,331	Rockshox Lyrik Ultimate
2	The lower fork and air bleed assembly combination of claim 1, wherein said fluid comprises: a gas.	The Rockshox Lyrik Ultimate comprises the lower fork and air bleed assembly combination of claim 1, wherein said fluid comprises a gas. Fluid comprising a gas, for example, atmospheric air. 

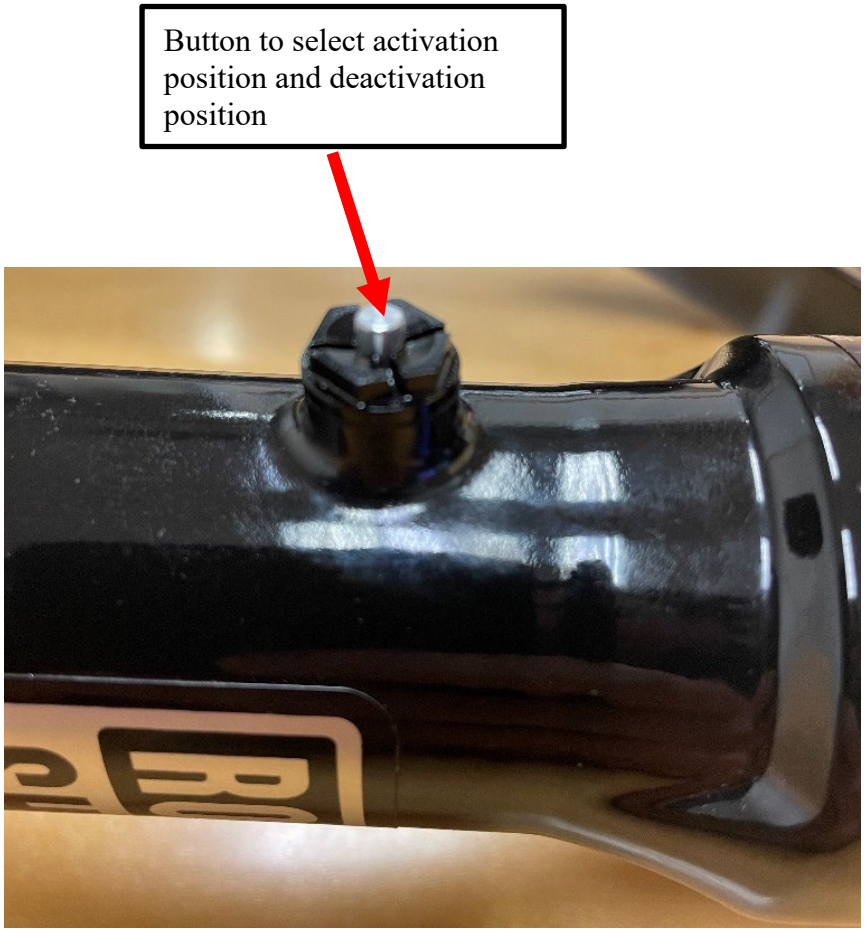
Claim	U.S. Patent No. 9,739,331	Rockshox Lyrik Ultimate
3[pre]	The lower fork and air bleed assembly combination of claim 1, said air bleed assembly further comprising:	The Rockshox Lyrik Ultimate comprises the lower fork and air bleed assembly combination of claim 1. *See supra*, claim 1.

Claim	U.S. Patent No. 9,739,331	Rockshox Lyrik Ultimate
3[a]	a valve activator coupled with said manually operable valve, said valve activator comprising:	The Rockshox Lyrik Ultimate has a valve activator coupled with said manually operable valve. 

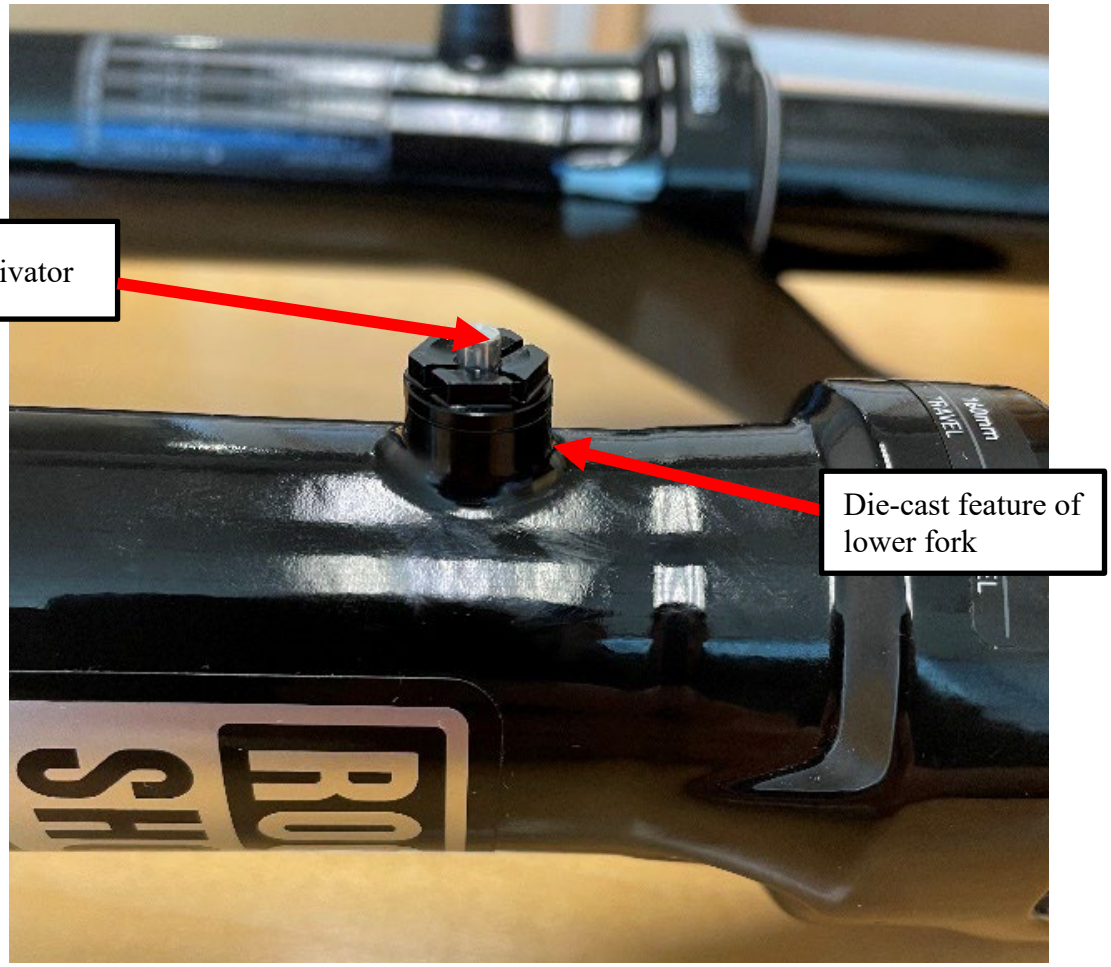
Claim	U.S. Patent No. 9,739,331	Rockshox Lyrik Ultimate
3[b]	an activation position placing said manually operable valve into said first position; and	The Rockshox Lyrik Ultimate has a valve activator with an activation position placing said manually operable valve into said first position.

Claim	U.S. Patent No. 9,739,331	Rockshox Lyrik Ultimate
3[c]	a deactivation position placing said manually operable valve into said second position,	The Rockshox Lyrik Ultimate has a valve activator with a deactivation position placing said manually operable valve into said second position. 

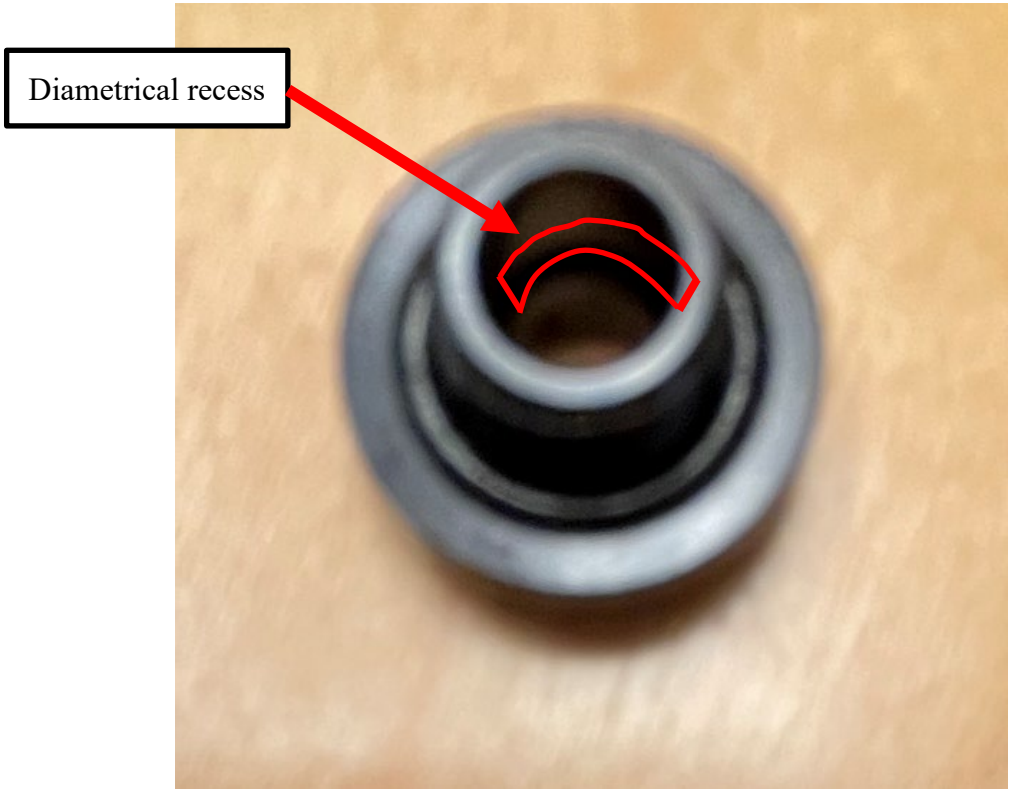
3[d]	and whereupon when in said activation position, the trapped air pressure in said lower fork is equalized with the local ambient air pressure.	When the valve activator of the Rockshox Lyrik Ultimate is in said activation position, the trapped air pressure in said lower fork is equalized with the local ambient air pressure. 

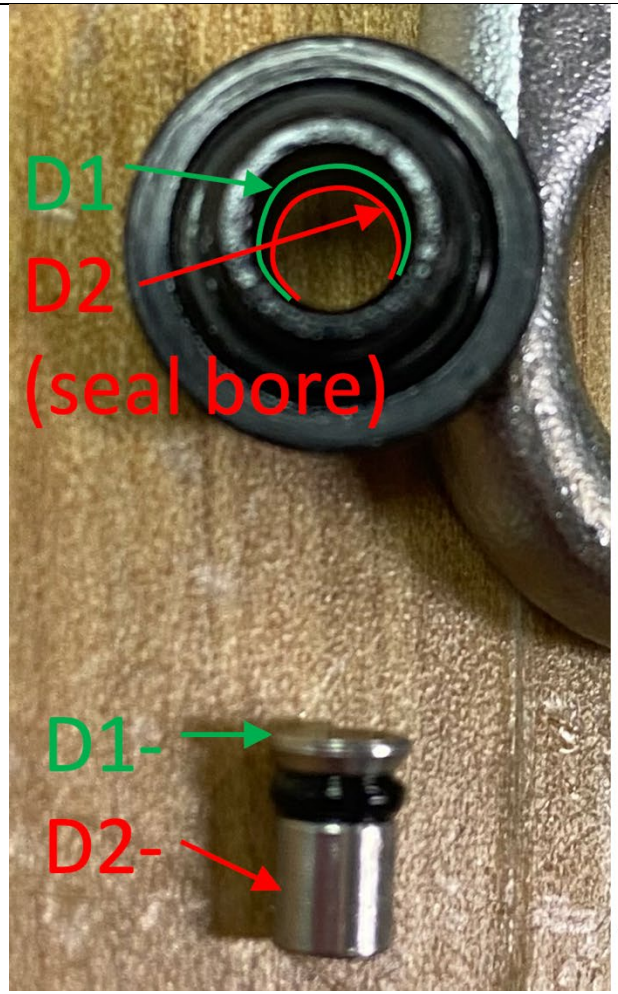
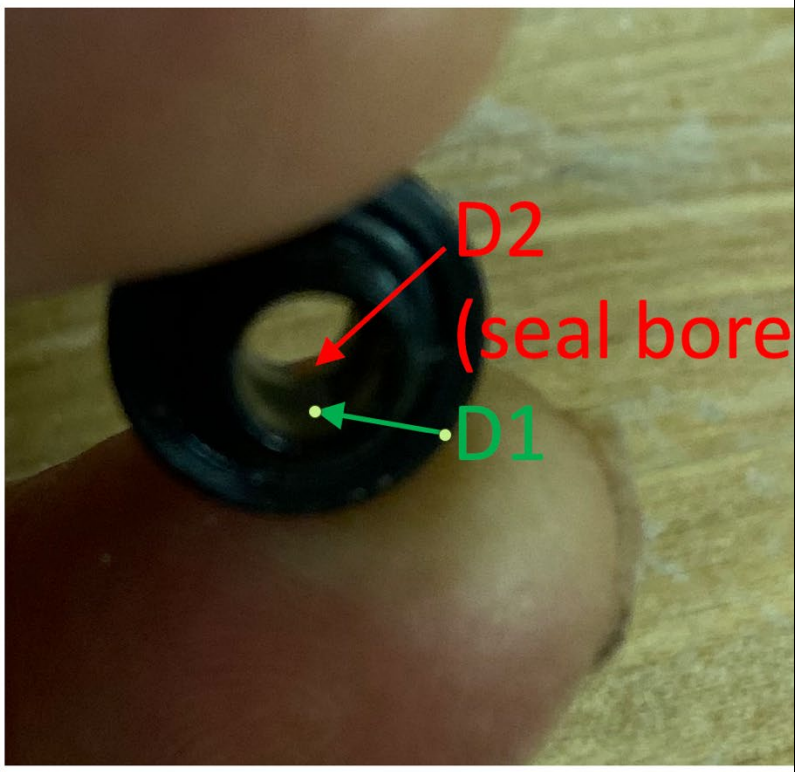
4	The lower fork and air bleed assembly combination of claim 3, wherein said valve activator comprises: a button to select said activation position and said	The Rockshox Lyrik Ultimate comprises the lower fork and air bleed assembly combination and the valve activator of claim 3, wherein the valve activator further comprises a button to select said activation position and said deactivation position. 

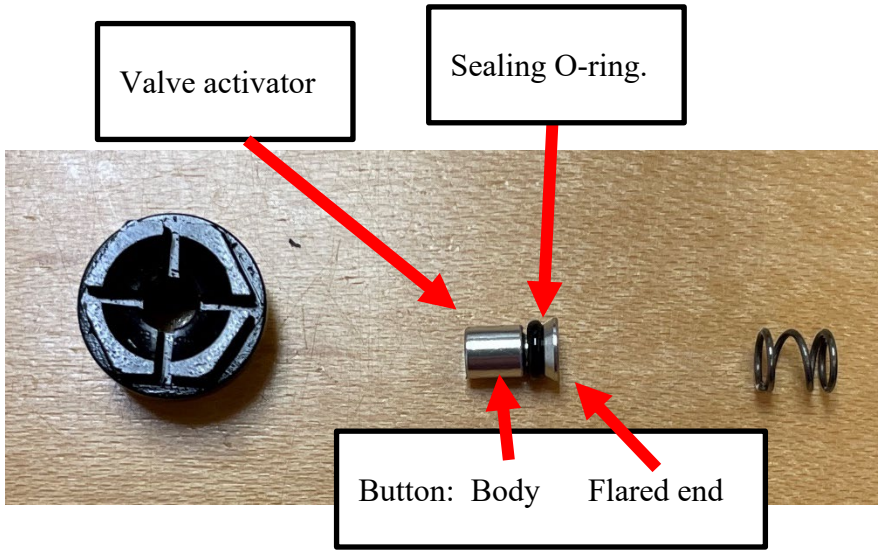
Claim	U.S. Patent No. 9,739,331	Rockshox Lyrik Ultimate
	deactivation position	

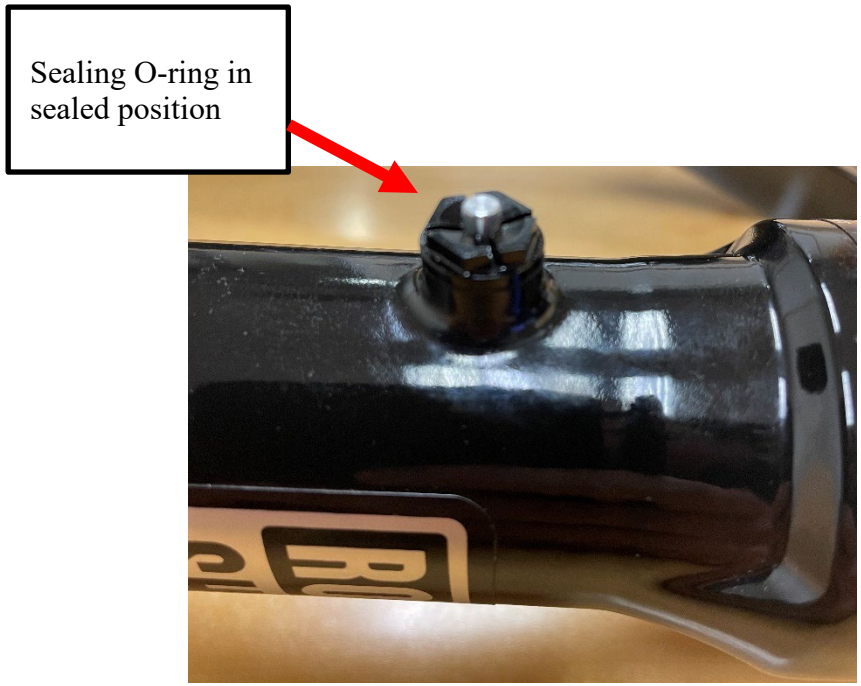
5	The lower fork and air bleed assembly combination of claim 3, wherein said valve activator is located on a die-cast feature of said lower fork.	The Rockshox Lyrik Ultimate has the lower fork and air bleed assembly combination and the valve activator of claim 3, wherein the valve activator is located on a die-cast feature of said lower fork. 

Claim	U.S. Patent No. 9,739,331	Rockshox Lyrik Ultimate
6[pre]	The lower fork and air bleed assembly combination of claim 5, further comprising:	The Rockshox Lyrik Ultimate comprises the lower fork and air bleed assembly combination of claim 5. *See supra* claim 5.

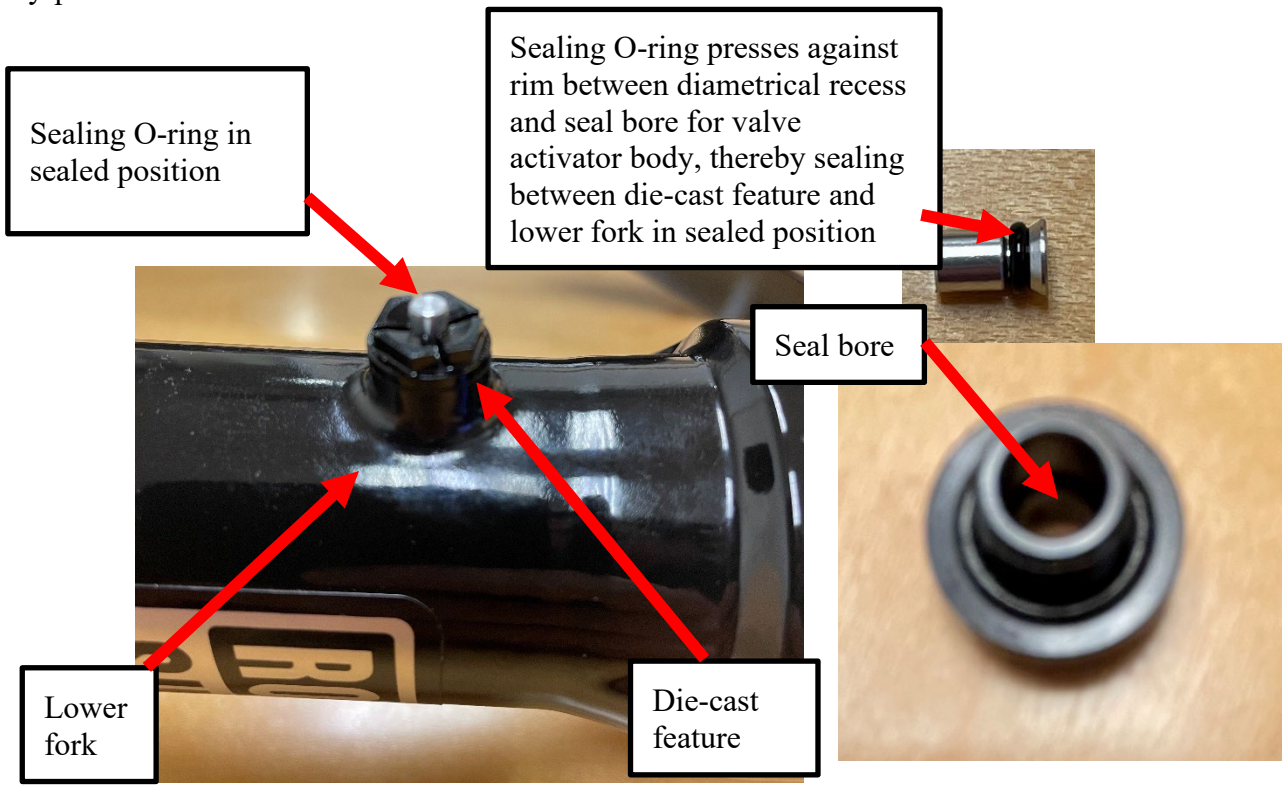
6[a]	a diametrical recess; and	The Rockshox Lyrik Ultimate has a diametrical recess on the inner surface of the plastic cap of the air bleed assembly (illustrated by the red outline on a partial portion of the diametrical recess). 

Claim	U.S. Patent No. 9,739,331	Rockshox Lyrik Ultimate
		 

Claim	U.S. Patent No. 9,739,331	Rockshox Lyrik Ultimate
6[b]	a sealing O-ring comprising:	The Rockshox Lyrik Ultimate has a sealing O-ring. 

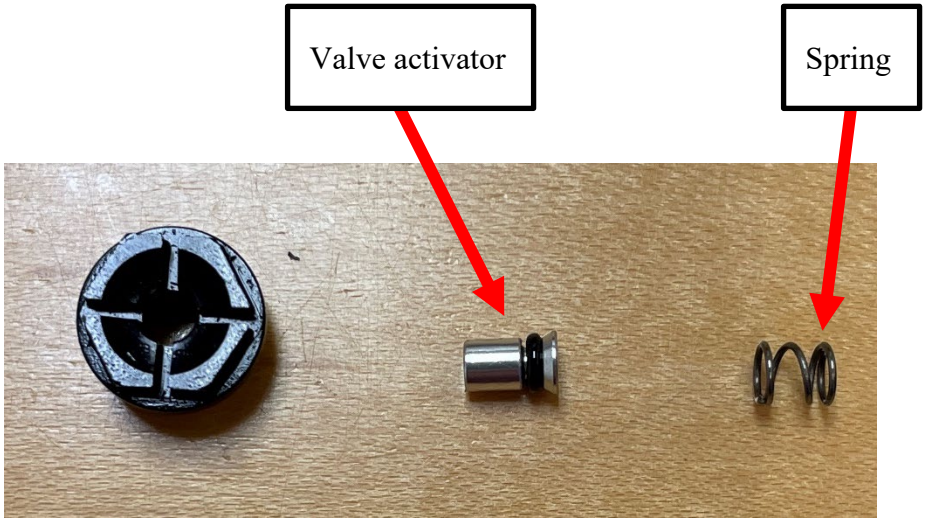
Claim	U.S. Patent No. 9,739,331	Rockshox Lyrik Ultimate
6[c]	a sealed position; and	The Rockshox Lyrik Ultimate has a sealing O-ring having a sealed position. 

6[d]	an unsealed position,	The Rockshox Lyrik Ultimate has a sealing O-ring sealing having an unsealed position,

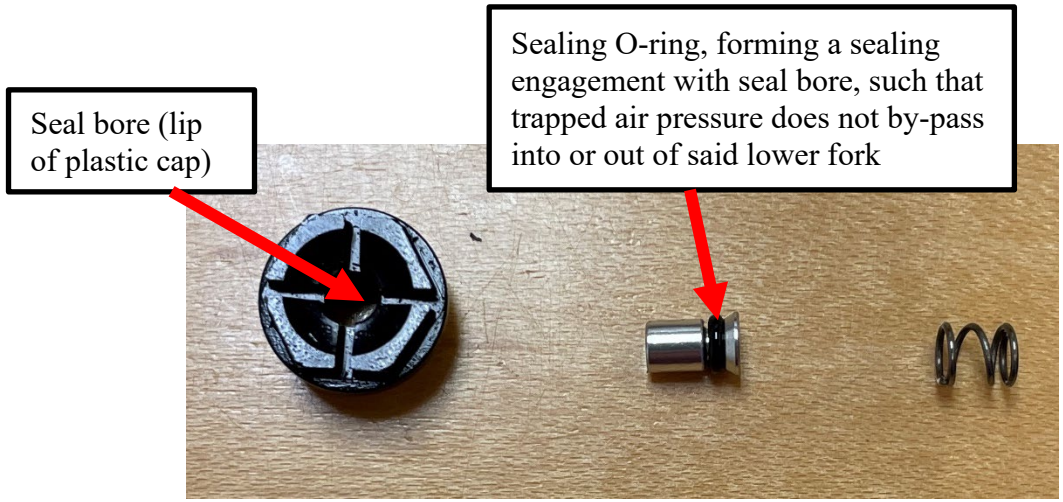
6[e]	wherein said sealed position seals between said die-cast feature and said lower fork, whereupon when said valve activator is moved from said activation	The Rockshox Lyrik Ultimate has a sealing O-ring having a sealed and unsealed portion wherein said sealed position seals against air leaks from the lower fork through the die-cast feature, whereupon when said valve activator is moved from said activation position to said deactivation position, said sealing O-ring moves further into said diametrical recess, thereby attaining the unsealed position and letting air pressure by-pass into or out of the lower fork via a vent hole. 

	position to said deactivation position, said sealing O-ring moves into said diametrical recess, thereby attaining said unsealed position and letting air	

Claim	U.S. Patent No. 9,739,331	Rockshox Lyrik Ultimate
	pressure by-pass into or out of said lower fork via a vent hole.	

7	The lower fork and air bleed assembly combination of claim 3, wherein said manually operable valve comprises a spring coupled with said valve activator,	The Rockshox Lyrik Ultimate has the lower fork and air bleed assembly combination of claim 3, wherein said manually operable valve comprises a spring coupled with said valve activator, whereupon when said valve activator is moved into said deactivation position, said spring biases said valve activator toward said first position. 

Claim	U.S. Patent No. 9,739,331	Rockshox Lyrik Ultimate
	whereupon when said valve activator is moved into said deactivation position, said spring biases said valve activator toward said first position.	

8	The lower fork and air bleed assembly combination of claim 7, wherein said second position comprises: a sealing engagement between said sealing O-ring and a seal bore,	The Rockshox Lyrik Ultimate has the lower fork and air bleed assembly combination of claim 7, wherein said second position comprises a sealing engagement between a sealing O-ring and a seal bore, wherein when in said sealing engagement, said trapped air pressure does not by-pass into or out of said lower fork. 

Claim	U.S. Patent No. 9,739,331	Rockshox Lyrik Ultimate
	wherein when in said sealing engagement, said trapped air pressure does not by-pass into or out of said lower fork.	