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***Attorneys for Defendants***  
***Winplus North America, Inc., Winplus***  
***NA, LLC, and ADC Solutions Auto***  
***LLC***

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

THE NOCO COMPANY,  
*Plaintiff*

v.

WINPLUS NORTH AMERICA,  
INC., WINPLUS NA, LLC, AND  
ADC SOLUTIONS AUTO LLC,  
*Defendants.*

Case No.: 8:23-cv-00269-CJC-DFM

**STIPULATION TO AMENDED  
COMPLAINT AND TO EXTEND  
TIME TO RESPOND TO AMENDED  
COMPLAINT**

Judge: Hon. Cormac J. Carney  
Complaint Served: March 13, 2023  
Current Response Date: April 7, 2023  
New Response Date: May 8, 2023

1 Plaintiff The NOCO Company (hereinafter “NOCO”) and Defendants  
2 Winplus North America, Inc., Winplus NA, LLC, and ADC Solutions Auto LLC  
3 (hereinafter “Winplus”), by and through their respective undersigned counsel,  
4 hereby stipulate that the First Amended Complaint (“Complaint”) filed and served  
5 on March 13, 2023 (Dkt. 25) is the operative Complaint by consent of the parties  
6 under Rule 15(a)(2) and further stipulate to an extension of time for Winplus to  
7 respond to that Complaint. Winplus’s current extended deadline to respond to the  
8 Complaint is April 7, 2023.

9 Good cause exists for the amendment of the Complaint and this extension.  
10 With respect to the amended complaint, NOCO’s Complaint submitted on March  
11 13, 2023 added a claim for infringement of U.S. Patent No. 11,584,243, which  
12 issued on February 21, 2023, after the February 13, 2023 filing of the original  
13 complaint. Thus, that new patent could not have been included in the original  
14 complaint and that new patent was promptly added to this action upon its  
15 issuance.

16 With respect to the extension, as set forth in NOCO’s Notice of Pendency  
17 of Other Actions or Proceedings (Dkt. 9), there is a co-pending complaint before  
18 the United States International Trade Commission (“ITC”) seeking investigation  
19 of Winplus and others pertaining to some of the same US patents at issue in this  
20 action. The parties expect an institution decision in that matter around April 12,  
21 2023, after the current deadline for Winplus’s response to the Complaint here.  
22 However, should the ITC institute the action, the parties understand that Winplus  
23 may move to stay this case under 28 U.S.C. § 1659. For those reasons, and also to  
24 conserve resources of both the Court and the parties, the parties stipulate to extend  
25 the date for Winplus to respond to the Complaint, and respectfully request that the  
26 Court enter an order so extending the response from April 7, 2023, to May 8,  
27 2023.

1 Date: March 28, 2023

Respectfully submitted,

2 By: /s/ Alexis A. Smith  
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***LLC***

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***THE NOCO COMPANY***

17 **ATTESTATION**

18 In accordance with Local Rule 5-4.3.4(a)(2), I attest that concurrence in the  
19 filing of this document has been obtained from all other signatories listed and on  
20 whose behalf this filing is submitted.

22 March 28, 2023

/s/ Alexis A. Smith  
Alexis A. Smith