

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

ATLEISURE, LLC	)	
	)	
Plaintiff,	)	Case No.
	)	
v.	)	
	)	JURY TRIAL DEMANDED
QINGDAO ACTIVA SHADE INC.	)	
and ACTIVA LEISURE, INC.	)	
	)	
Defendants.		

COMPLAINT

Plaintiff ATLeisure, LLC (“Plaintiff” or “ATLeisure”), files this Complaint against Defendants Qingdao Activa Shade Inc. and Activa Leisure Inc. (collectively “Defendants”), and alleges as follows in its Complaint:

I. NATURE OF THE ACTION

1. This is an action for patent infringement of ATLeisure’s U.S. Patent No. 8,104,492 (“the ’492 Patent”) (attached as Exhibit 1). ATLeisure asserts the ’492 Patent against Defendants for making, using, offering to sell, selling, and/or importing various patio and outdoor umbrellas.

II. PARTIES

A. Plaintiff ATLeisure, LLC.

2. Plaintiff ATLeisure, LLC is a limited liability company organized under the laws of Georgia, with its principal place of business located at 1040 Boulevard SE, Suite B, Atlanta, Georgia 30312.

3. Established in 2011, ATLeisure designs, manufactures, markets, and sells umbrellas, furniture, and fire pits for outdoor living. Specifically, ATLeisure's patio and outdoor umbrellas are designed, manufactured, sold, and distributed throughout the United States. Headquartered in Atlanta, Georgia, ATLeisure is a fully integrated U.S., European, and China Operation.

4. ATLeisure represents an exceptional sales and design force with a combined 50 years' experience and is committed to delivering high quality products, patented designs, and superior customer service worldwide. One of ATLeisure's primary product lines is outdoor patio umbrellas sold under the brands ATLEISURE and SEASONS SENTRY.

5. ATLeisure has positioned itself as a leader of outdoor living products with a continued commitment to "on-trend" patented designs and inventions, use of long-lasting materials, and superior engineering.

6. ATLeisure owns numerous patents and trademarks for outdoor patio furniture, and in particular, for outdoor umbrellas. ATLeisure actively

enforces its patents, including through cease and desist letters and litigation where necessary, and it has licensed its patents on numerous occasions.

B. Defendants Qingdao Activa Shade Inc. and Activa Leisure, Inc.

7. Defendant Qingdao Activa Shade, Inc. (“Activa Shade”) is a Chinese corporation, which, upon information and belief, has its principal place of business located at No.689, Beijing Road, Tonghe Sub-District, Pingdu, Qingdao 266000 China. According to online information, the email for Activa Shade is sales@activa-leisure.com¹.

8. Defendant Activa Leisure, Inc. (“Activa Leisure”) is a Chinese corporation, which, upon information and belief, has its principal place of business located at No.118 West Xianghe Road, Yinzhou Dist. Ningbo 315105 China. According to Activa Leisure’s website (<http://www.activa-leisure.com/>), the email for Activa Leisure is the same as for Activa Shade: sales@activa-leisure.com².

9. Upon information and belief, Activa Shade and Activa Leisure are related entities.

10. Upon information and belief, Defendants advertise, make, use,

¹ <http://www.activa-leisure.com/contact-us/>

² <http://www.activa-leisure.com/contact-us/>

offer to sell, sell, and/or import offset umbrella products sold under ProShade³ and Treasure Garden, amongst others.

11. For example, upon information and belief, Activa Shade manufactures, uses, sells, offers to sell and/or imports umbrellas into this state and this district under the brand ProShade, including the umbrella previously depicted here: <https://www.costco.com/proshade-10ft-square-led-wood-look-cantilever-umbrella-with-rolling-base.product.4000077543.html>. Upon

information and belief, this umbrella is or has been sold through Costco, including Costco locations in this state and this district.

12. For example, upon information and belief, Activa Leisure manufactures, uses, sells, offers to sell and/or imports umbrellas into this state and this district the Starlux AKZ Plus Cantilever and the AKZP13 Plus Cantilever, through Treasure Garden, Inc., as depicted here: <https://www.treasuregarden.com/category/45/Cantilevers.html>. Upon

information and belief, this product is or has been sold through Treasure Garden at Americasmart Building 1, Floor 2, D-10, 240 Peachtree Street NW, Atlanta, GA 30303 (<https://www.treasuregarden.com/info/2/Showrooms.html>).

³ Activa Shade owns numerous trademark registrations associated with the mark PROSHADE, including for umbrellas (U.S. Trademark Registration No. 4,684,928).

13. Defendants are direct competitors with ATLeisure's umbrella business.

III. JURISDICTION AND VENUE

14. ATLeisure's patent infringement claims arise under the patent laws of the United States, Title 35 of the United States Code. Accordingly, this Court has jurisdiction over the subject matter of this Complaint under 28 U.S.C. §§ 1331 and 1338.

15. Defendants are subject to personal jurisdiction in this district because they purposefully direct their sales of goods, utilizing the '492 Patent, to Georgia residents by selling to stores placed the infringing products on sale within the United States, including Georgia and this District. In particular, Defendants have made and continue to make, have offered to sell and continue to offer to sell, have sold and continue to sell, have used and continue to use, and have imported and continue to import patio and outdoor umbrellas that infringe valid and enforceable claims of the '492 Patent via their distributors and customers in this District, such as through Costco, Lowe's, and Treasure Garden.

16. Venue is proper over Defendants in this District pursuant 28 U.S.C. § 1391 and 28 U.S.C. § 1400, since Defendants are, upon information

and belief, aliens engaged in infringing activities and causing harm within this District by advertising, importing, promoting, reproducing, offering for sale, selling, and/or distributing goods that incorporate and infringe Plaintiff's '492 Patent into this District and the Defendants are subject to personal jurisdiction within this District with respect to the action brought herein.

IV. FACTUAL BACKGROUND

A. ATLeisure's U.S. Patent No. 8,104,492

17. On January 31, 2012, the United States Patent and Trademark Office duly and legally issued the '492 Patent, titled, "Adjustable Offset Umbrella."

18. ATLeisure has exclusive rights in the '492 Patent, including the right to use and enforce the patent. Treasure Garden is on notice of the '492 Patent and the alleged infringement described herein as to certain of its umbrellas.

B. Defendants' Accused Umbrellas

19. Upon information and belief, Defendant Activa Leisure sells the Starlux AKZ Plus Cantilever and the AKZP13 Plus Cantilever, both depicted on its website here:
<https://www.treasuregarden.com/category/45/Cantilevers.html>.

20. Upon information and belief, Defendant Activa Shade

manufactures, uses, sells, offers to sell and/or imports umbrellas under the brand ProShade, including the umbrella previously depicted here:

<https://www.costco.com/proshade-10ft-square-led-wood-look-cantilever-umbrella-with-rolling-base.product.4000077543.html>.

C. Defendants' Patent Infringement

21. Each Defendant infringes at least Claim 1 of the '492 Patent, as set forth in the claim chart attached hereto as Exhibits 2 and 3, which depict infringement by one of the Accused Umbrellas by each Defendant. Generally speaking, each of the Accused Umbrellas infringe in the same manner, and the products shown are illustrative.

22. Activa Shade is on notice of ATLeisure's allegations of infringement, as ATLeisure's counsel notified Costco (upon information and belief, Defendant's customer) on or about August 2023, expressly alleging infringement of the '492 patent by the ProShade-branded umbrella. ATLeisure separately filed suit against Treasure Garden, which identified Activa Leisure as the manufacture of certain of the accused umbrellas, thereby placing Activa Leisure on notice of the allegations of infringement. Upon information and belief, Defendants continued to make, use, sell, offer for sale, advertise and import the Accused Umbrellas with knowledge of infringement across multiple brands and product types.

23. Defendants have committed and continue to commit acts of patent infringement, whether literally or under the doctrine of equivalents, within the United States, in the State of Georgia, and in this judicial district and division. For example, upon information and belief, Defendants have offered for sale and sold various patio and outdoor umbrellas, including the Accused Umbrellas. On further information and belief, Defendants make, use, offer to sell, sell, and/or import the Accused Umbrellas across the United States, including in Atlanta, Georgia.

V. COUNT I: INFRINGEMENT OF THE ‘492 PATENT BY ACTIVA SHADE

24. ATLeisure restates and realleges Paragraphs 1 to 23 as if fully stated herein.

25. Upon information and belief, Defendant Activa Shade manufactures, uses, imports, offers for sale and/or sells products in the United States and in this judicial district directly infringe one or more claims of the ‘492 Patent, literally or under the doctrine of equivalents, as set forth in the claim chart referenced herein.

26. Defendant Activa Shade’s counsel responded to cease-and-desist letters from ATLeisure’s counsel, but failed to cease infringing activities. To the extent Defendant Activa Shade has infringed or continued to infringe after

knowledge of the '492 Patent, such infringement was deliberate, knowing, and willful.

27. ATLeisure, under 35 U.S.C. § 284, may recover damages adequate to compensate for the Defendant Activa Shade's infringement.

28. ATLeisure has been, and continues to be, damaged and irreparably harmed by the Defendant Activa Shade's infringement, which will continue unless this Court enjoins the Defendant.

29. The Court should declare this an exceptional case under 35 U.S.C. § 285, based at least on continued infringement after notice, entitling ATLeisure to recover treble damages and attorneys' fees.

VI. COUNT II: INFRINGEMENT OF THE '492 PATENT BY ACTIVA LEISURE

30. ATLeisure restates and realleges Paragraphs 1 to 23 as if fully stated herein.

31. Upon information and belief, Defendant Activa Leisure manufactures, uses, imports, offers for sale and/or sells products in the United States and in this judicial district directly infringe one or more claims of the '492 Patent, literally or under the doctrine of equivalents, as set forth in the claim chart referenced herein.

32. Defendant Activa Leisure's counsel responded to cease & desist

letters from ATLeisure's counsel, but failed to cease infringing activities. To the extent Defendant Activa Leisure has infringed or continued to infringe after knowledge of the '492 Patent, such infringement was deliberate, knowing, and willful.

33. ATLeisure, under 35 U.S.C. § 284, may recover damages adequate to compensate for the Defendant Activa Leisure's infringement.

34. ATLeisure has been, and continues to be, damaged and irreparably harmed by the Defendant Activa Leisure's infringement, which will continue unless this Court enjoins the Defendant Activa Leisure.

35. The Court should declare this an exceptional case under 35 U.S.C. § 285, based at least on continued infringement after notice, entitling ATLeisure to recover treble damages and attorneys' fees.

PRAYER FOR RELIEF

ATLeisure prays for judgment in its favor and against the Defendants, jointly and severally as to each item, as follows:

(a) That the Defendants have infringed one or more claims of the '492 Patent;

(b) Once Defendants had knowledge, that the infringement has been willful;

(c) That this case be declared an exceptional case under 35 U.S.C. § 285;

(d) That ATLeisure be awarded damages adequate to compensate ATLeisure for the Defendants' infringement of the '492 Patent, including lost profits, but in no event less than a reasonable royalty;

(e) That ATLeisure's damages be trebled;

(f) That ATLeisure be awarded its attorneys' fees and costs;

(g) That this Court enjoin the Defendants, their officers, directors, principals, agents, servants, employees, successors, assigns, affiliates, and all that are in active concert or participation with them, or any of them, from further infringement of the '492 Patent;

(h) That ATLeisure be awarded pre- and post-judgment interest on all damages;

(i) That ATLeisure be awarded all its costs and expenses in this action;
and

(j) Such further and other relief as the Court may deem just and proper.

JURY TRIAL DEMANDED

Pursuant to Federal Rule of Civil Procedure 38, Plaintiff hereby demands a trial by jury on all issues so triable.

Dated: November 25, 2024.

/s/ Cynthia J. Lee

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Attorneys for Plaintiff

CERTIFICATE OF COMPLIANCE

Pursuant to LR 5.1C, the undersigned counsel certifies that the foregoing has been prepared in Century Schoolbook 13 point, one of the four fonts and points approved by the Court.

Respectfully submitted this November 25, 2024.

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Attorneys for Plaintiff

Exhibit 1



US008104492B2

(12) **United States Patent**
Dan

(10) **Patent No.:** **US 8,104,492 B2**
(45) **Date of Patent:** **Jan. 31, 2012**

(54) **ADJUSTABLE OFFSET UMBRELLA**

(75) Inventor: **Wu Wei Dan**, San Men (CN)

(73) Assignee: **Southern Sales & Marketing Group, Inc.**, Atlanta, GA (US)

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days.

(21) Appl. No.: **12/435,640**

(22) Filed: **May 5, 2009**

(65) **Prior Publication Data**
US 2010/0051074 A1 Mar. 4, 2010

Related U.S. Application Data
(60) Provisional application No. 61/050,353, filed on May 5, 2008.

(51) **Int. Cl.**
A45B 17/00 (2006.01)

(52) **U.S. Cl.** **135/20.3; 135/21**

(58) **Field of Classification Search** 135/20.1, 135/20.3

See application file for complete search history.

(56) **References Cited**

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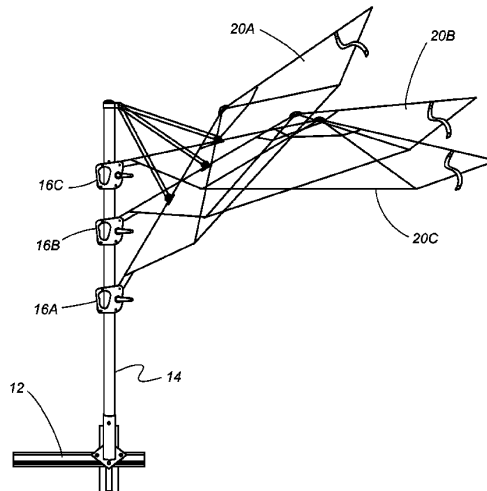
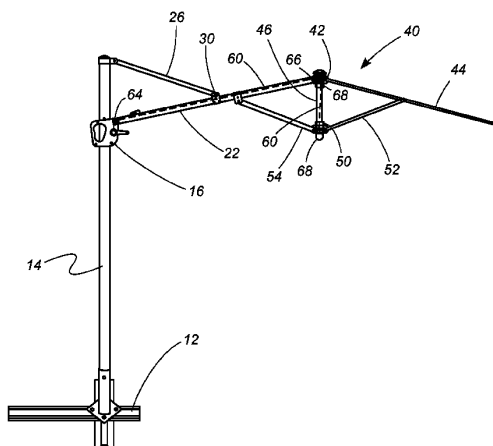
Primary Examiner — Noah Chandler Hawk

(74) *Attorney, Agent, or Firm* — Kilpatrick Townsend & Stockton LLP

(57) **ABSTRACT**

An adjustable offset umbrella has a generally vertical main pole and a sliding member slidably mounted to the main pole. The sliding member includes a locking mechanism for securing it at a desired location along the main pole. One end of an arm is associated with the sliding member, and the other end supports an umbrella canopy. A winding mechanism is associated with the sliding member and moves with it. A line extends from the winding mechanism to the umbrella canopy. Operating the winding mechanism opens and closes the umbrella canopy, and moving the sliding member up or down the main pole adjusts the angle of the canopy with respect to the main pole.

7 Claims, 5 Drawing Sheets

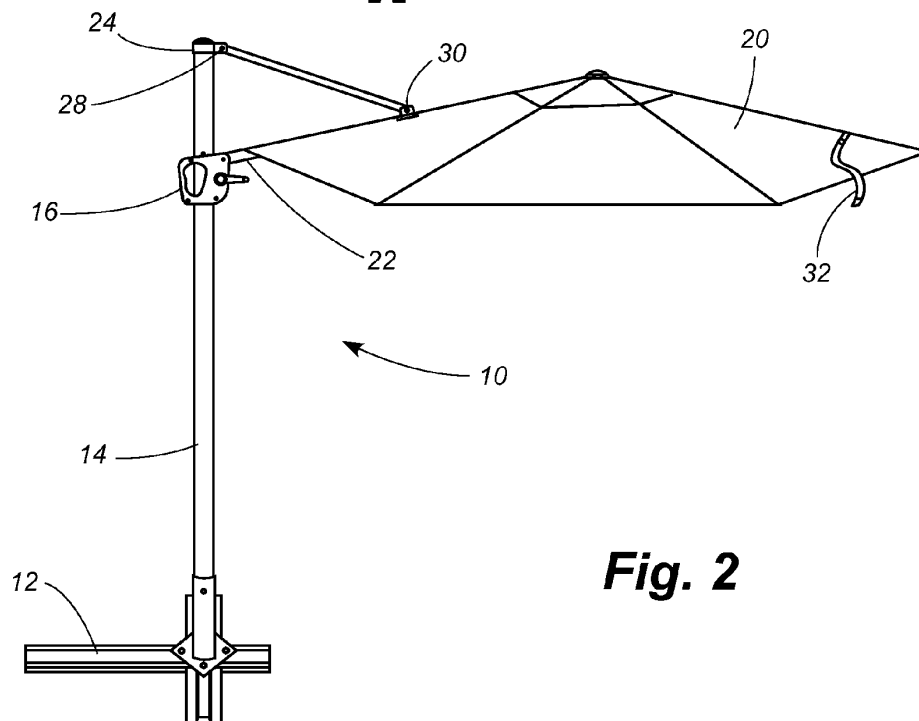
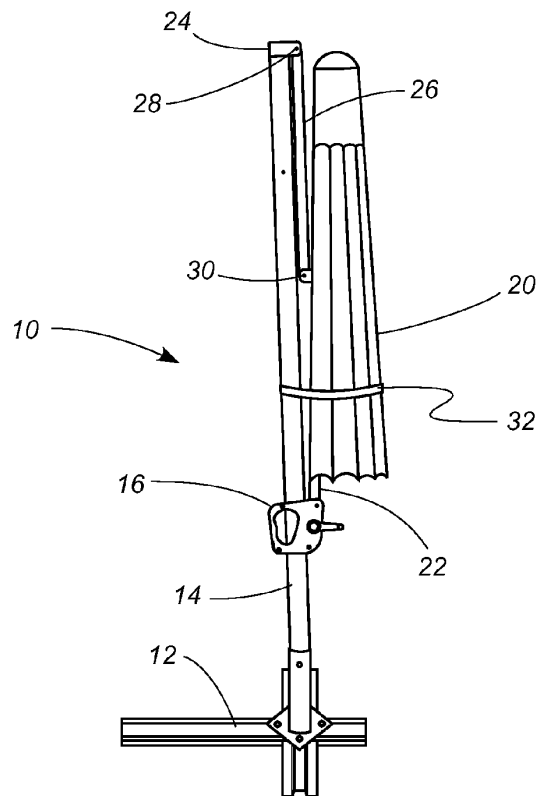


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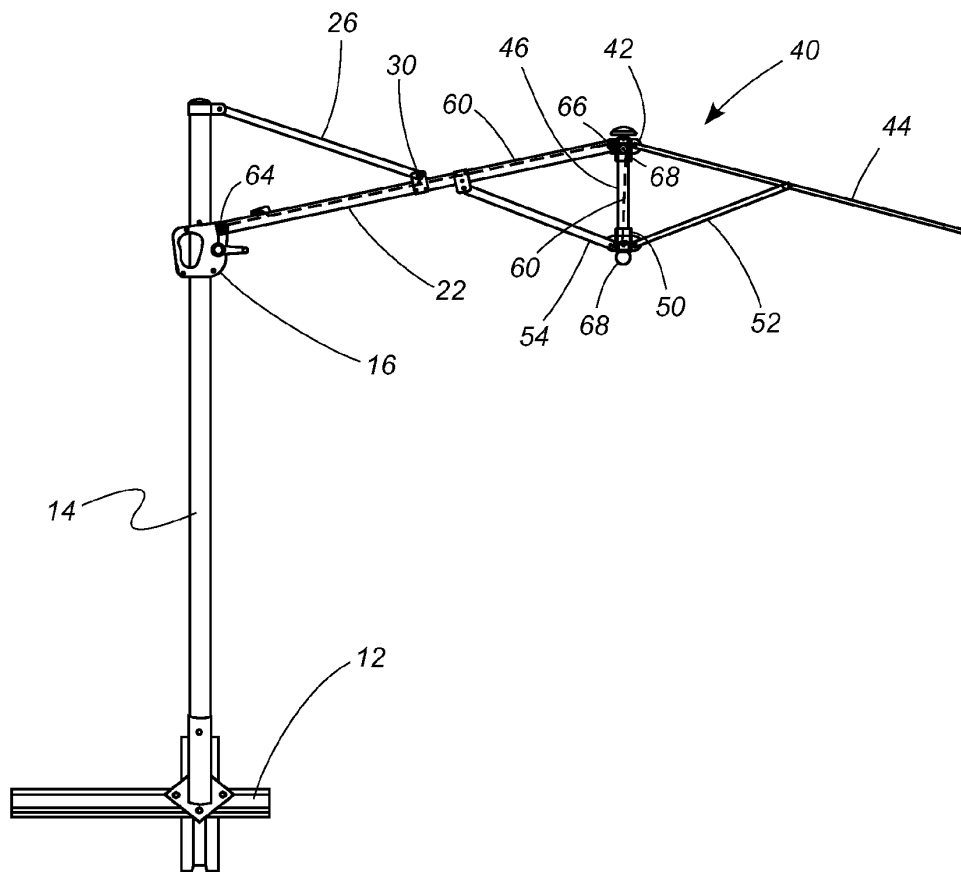


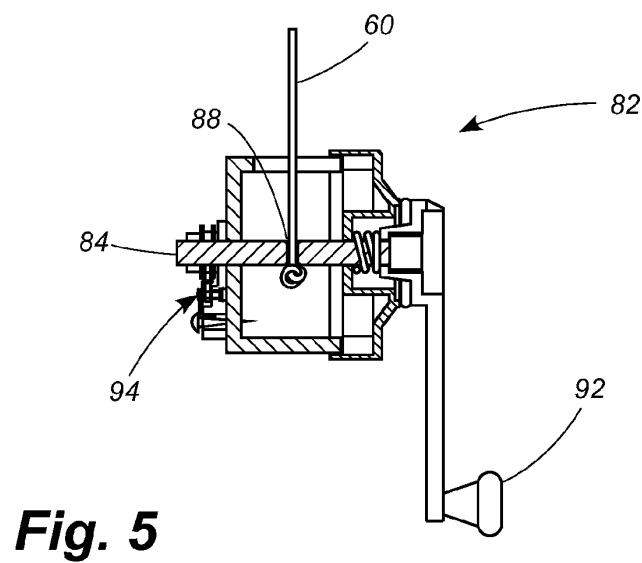
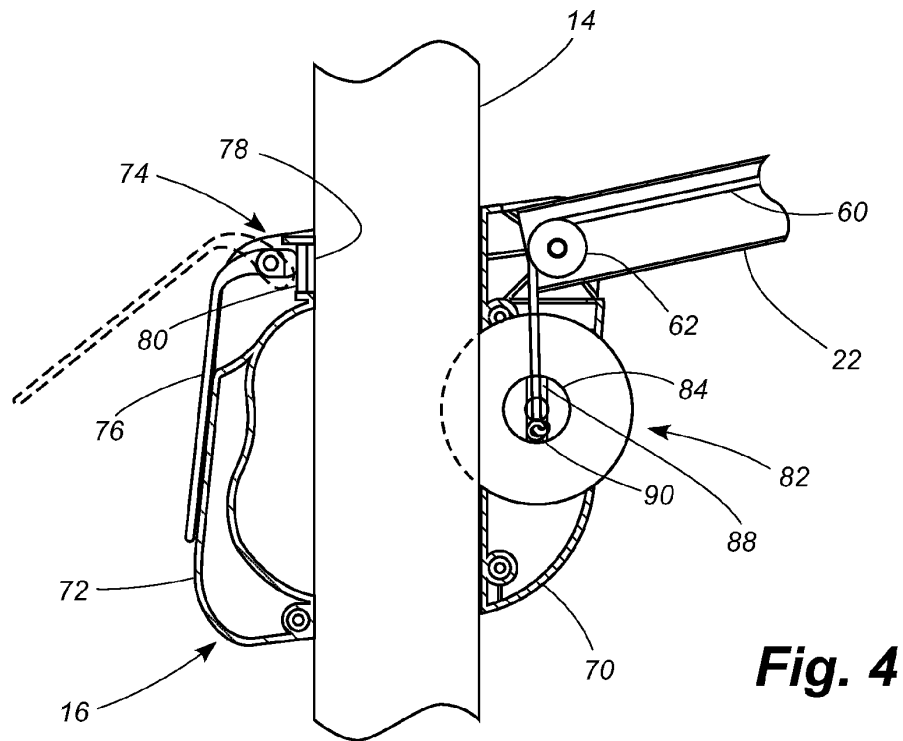
Fig. 3

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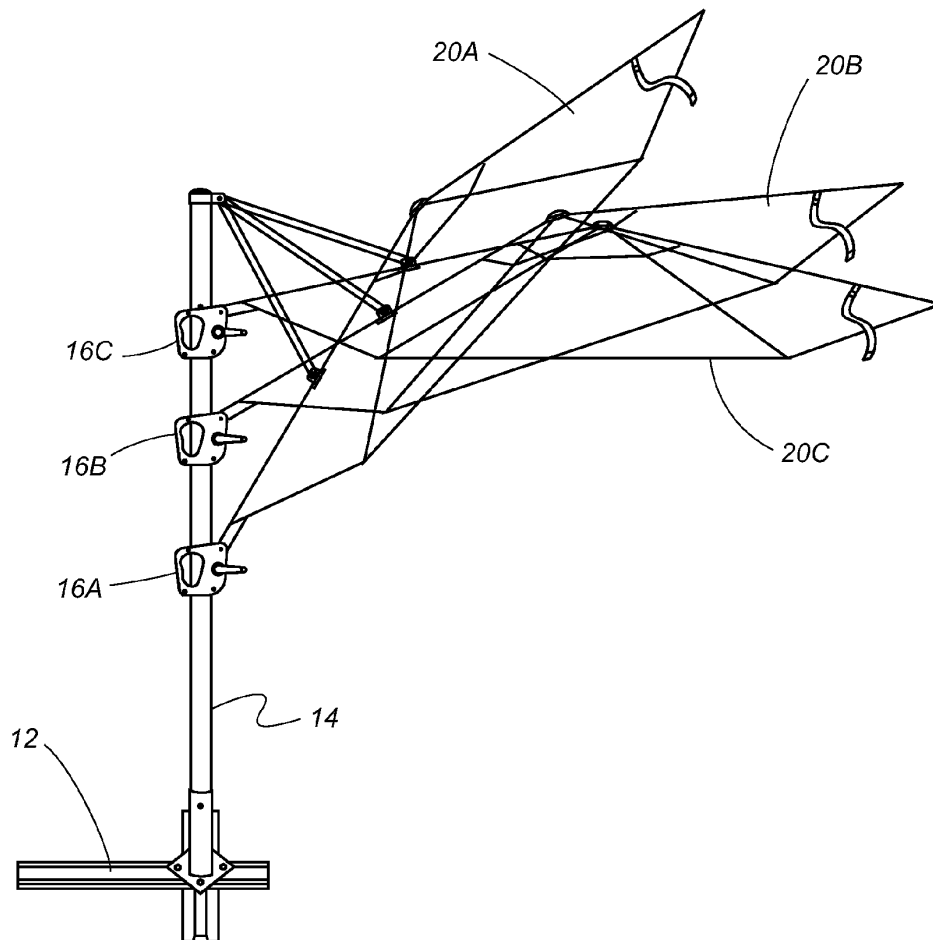


Fig. 6

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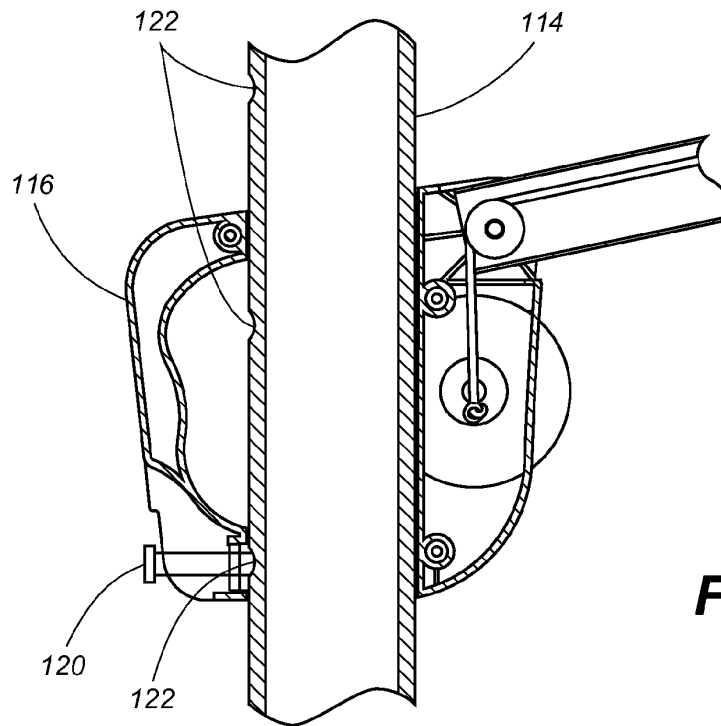


Fig. 7

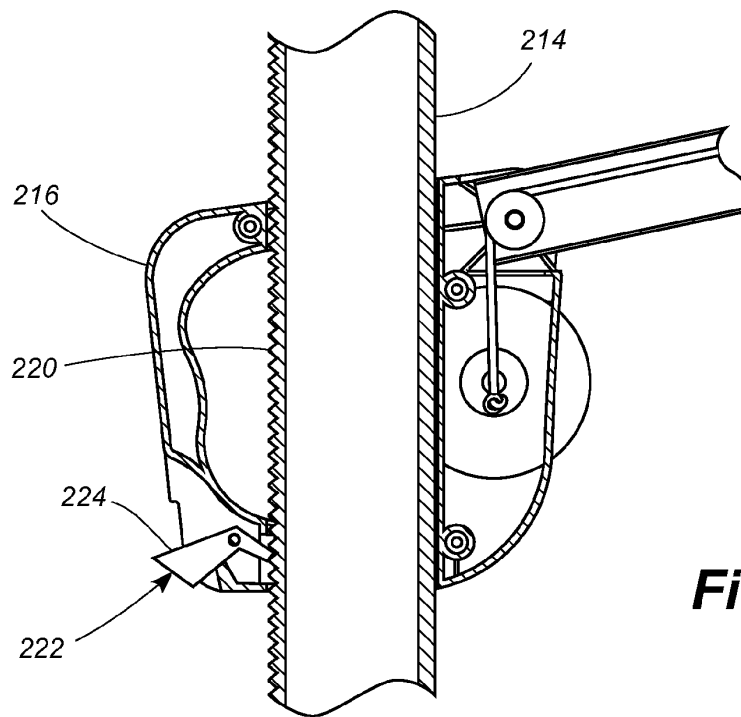


Fig. 8

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ADJUSTABLE OFFSET UMBRELLA**CROSS-REFERENCE TO RELATED APPLICATIONS**

The present application claims priority of provisional application Ser. No. 61/050,353, filed May 5, 2008.

TECHNICAL FIELD

The present invention relates generally to umbrellas used as shade from the sun and relates more specifically to an offset umbrella with an improved mechanism for raising and lowering the umbrella canopy and for adjusting the angle of the canopy with respect to a vertical support member.

BACKGROUND OF THE INVENTION

As an outdoor leisure product, sunshade umbrellas are widely used in squares, parks, on the beaches, patio and other leisure places, offering comfortable shade to shield people from the sun.

Conventional umbrellas generally have a main pole extending from the center of the umbrella downward to a support surface. An improvement on this design is the offset umbrella, shown for example in U.S. Pat. No. 5,937,882. The main pole of an offset umbrella utilizes a cantilever arrangement to suspend the canopy to the side of the main pole such that the main pole does not occupy space in the shady area beneath the canopy. For additional convenience, the angle of the canopy can be adjusted with respect to the main pole.

Existing adjustable offset umbrellas such as that disclosed in the previously mentioned U.S. Pat. No. 5,937,882 utilize a crank mechanism both for raising and lowering the canopy and for adjusting the angle of the canopy. The crank mechanism is mounted to the main pole, and the rope moves along a complex path with many turning points. This arrangement requires more winding force, and the rope can easily bind and wear, adversely affecting the umbrella's operation. These disadvantages make the operation of the umbrella burdensome and decrease the enjoyment of leisure time.

SUMMARY OF THE INVENTION

Stated generally, the umbrella of the present invention comprises a main pole having a lower end for support by a support surface and extending generally upward to an upper end. A sliding member is associated with the main pole and is selectively moveable thereon between lower and upper locations along the main pole. The sliding member includes a locking means for releasably securing the sliding member to the main pole at a desired location.

The umbrella has a canopy having a central region. An arm extends radially from the central region of the canopy to an outer end operatively associated with the sliding member. A brace is associated with the arm at a location thereon between the central region of the umbrella canopy and the outer end of the arm, the brace extending to the main pole at a location in spaced relation to the sliding member. A winding element is mounted to the sliding member and is movable therewith. A line extends along the arm from the winding element to engage the umbrella canopy. Operation of the winding element applies tension to the line to open or close the umbrella canopy in response to movement of the line. The angle of the umbrella canopy with respect to the main pole can be controlled by moving the sliding member along the main pole.

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Thus it is an object of the present invention to provide an improved offset umbrella.

It is another object of the present invention to provide an offset umbrella that simplifies the path of the line from the winding mechanism to the umbrella canopy so as to reduce the force needed to operate the winding mechanism and to reduce wear and binding of the line.

It is still a further object of the present invention to provide an offset umbrella that separates the function of raising and lowering the canopy from the function of adjusting the angle of the canopy so as to reduce the amount of effort required for each of these functions.

Other objects, features, and advantages of the present invention will become apparent upon reading the following specification, when taken in conjunction with the drawings and the appended claims.

BRIEF DESCRIPTION OF THE DRAWINGS

FIG. 1 is a perspective view of an adjustable offset umbrella with the umbrella canopy lowered.

FIG. 2 is a perspective view of the adjustable offset umbrella of FIG. 1 with the canopy raised.

FIG. 3 is a schematic representation of the adjustable offset umbrella of FIG. 2 with the canopy removed to reveal the underlying rib structure.

FIG. 4 is a side cutaway view of a sliding member of the adjustable offset umbrella of FIGS. 1 and 2.

FIG. 5 is an end cutaway view of a winding mechanism that is associated with the collar of FIG. 4.

FIG. 6 is a side perspective view of the adjustable offset umbrella of FIGS. 1 and 2 showing the canopy supported at various angles with respect to the vertical support.

FIG. 7 is a first alternate embodiment of a sliding member.

FIG. 8 is a second alternate embodiment of a sliding member.

DETAILED DESCRIPTION OF THE DISCLOSED EMBODIMENT

Referring now to the drawings, in which like numerals indicate like elements throughout the several views, FIGS. 1 and 2 illustrate an adjustable offset umbrella 10. The adjustable offset umbrella 10 includes a base 12 that supports a main pole 14 in a generally vertical orientation. A sliding member 16 is movably mounted to the main pole 14 for sliding movement between upper and lower positions along the pole. In the disclosed embodiment, the sliding member 16 takes the form of a collar that extends around the main pole 14. However, it will be understood that alternate mounting arrangements for slidably mounting the sliding member 16 to the main pole 14 may be employed without the requirement that the sliding member 16 completely encircle the main pole 14.

A canopy assembly 20 is supported alongside the main pole 14 by a main support arm 22. The main support arm 22 is pivotally mounted to the sliding member 16 at one end and extends to the central portion of the canopy assembly 20.

A cap 24 is mounted to top to main pole 14. A brace 26 has a first end pivotally mounted to the cap 24 at a first pivot point 28. The opposite end of the brace 26 is mounted to the main support arm 22 at a second pivot point 30. A strap 32 mounted to the canopy assembly 20 wraps around the main pole 14 when the umbrella is in its lowered position to prevent the canopy from blowing open in the wind.

Referring now to FIG. 3, the canopy fabric is removed to reveal a canopy support structure 40. The canopy support

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structure 40 include a rib hub 42. A plurality of radially extending canopy support ribs 44 are pivotally mounted to the rib hub 42. The main support arm 22 serves as a support rib and is also pivotally mounted to the rib hub 42.

A canopy support post 46 extends downward from the rib hub 42. A spreader hub 50 is slidably engaged with the lower end of the canopy support post 46. A spreader 52 is associated with each rib 44 and is pivotally attached to the rib 44 at its upper end and to the spreader hub 50 at its lower end. In the disclosed embodiment, a spreader 54 attached to the main support arm 22 is of more robust construction than the other spreaders 52 because of the additional weight that it must support. However, it will be appreciated that all of the spreaders 52, 54 can be of identical design for ease of manufacture and assembly.

A line 60 (shown in dashed lines in FIG. 3) extends inside the main support arm 22 from the lower end of the support arm to its upper end. The line 60 then extends downward inside the canopy support post 46 to a ball 62. To reduce friction and abrasion on the line 60, the line passes over a first pulley 64 at the lower end of the main support arm 22, over a second pulley 66 at the upper end of the main support arm, and over a third pulley 68 in the upper end of the canopy support post 46.

Referring now to FIG. 4, the sliding member 16 includes a housing 70, the rear portion 72 of which is formed in the shape of a handle that may be easily grasped by a user. A cam lock member 74 is pivotally mounted in an upper portion of the housing 70. The cam lock member 74 comprises a lever portion 76 and a cam surface 78. When viewed from the end, the lever portion 76 is slightly narrower than the housing 70. When the cam lock member 74 is in its "down" or "stored" position, the cam surface 78 bears against a spring loaded button 80, which in turn clamps against the main pole 14 to secure the sliding member 16 against the pole. When the lever portion 76 of the cam lock member 74 is in its up position, shown in the dashed line, the cam surface 78 is rotated free of the button 80. The spring then causes the button 80 to retract, and the sliding member 16 can move freely up and down the main pole 14.

A winding mechanism 82 is also mounted to the housing 70 of the sliding member 16. With reference to FIGS. 4 and 5, the winding mechanism 82 includes a winder hub 84 around which the line 60 can be wrapped. The end of the line 60 extends through a hole 88 and is knotted or otherwise secured to prevent the line from passing back through the hole 88. As can be seen in FIG. 5, a crank 92 is provided by which a user can rotate the winding mechanism 82 to tension or to relax the line 60. A latch mechanism 94 permits the user to lock the winding mechanism 82 in place once the line 60 has been retracted or extended to the desired extent.

Referring now to FIG. 6, movement of the sliding member 16 up and down the main pole 14 adjusts the angle of the canopy assembly 20 with respect to the main pole 14 as shown. The position of sliding member 16A corresponds to the position of the canopy assembly 20A, the position of the sliding member 16B corresponds to the position of the canopy assembly 20B, and the position of the sliding member 16C results in the position of the canopy assembly 20C.

To erect the umbrella canopy assembly 20 of the umbrella 10, the user first grasps the crank 92 of the winding mechanism 82 and winds in the line 60. Tension on the line 60 draws the ball 62 at the opposite end of the line upward, elevating the spreader hub 50. As the spreader hub 50 is raised, the canopy assembly 20 extends.

Once the canopy assembly 20 has been fully erected, the user can adjust the angle of the canopy assembly with respect

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to the main pole 14 by moving the sliding member 16 up or down the pole until the desired result is achieved. To move the sliding member 16, the user first rotates the cam lock member 74 to its extended position. This movement disengages the cam surface 78 from the spring loaded button 80 and unclamps the sliding member 16 from the main pole 14. The user then moves the sliding member 16 up or down the main pole 14 until the canopy assembly 20 is at the desired angle. Once the desired angle has been achieved, the user rotates the cam lock member 74 back to its retracted position, clamping the sliding member 16 securely against the main pole 14.

FIG. 7 illustrates an alternate embodiment of a sliding member 116. This embodiment employs a spring-loaded latch pin 120 mounted to the sliding member 116 that engages one of a corresponding series of holes 122 in the main pole 114. To move the sliding member 116 from one location on the main pole 114 to another, the user extracts the latch pin 120 until it disengages the hole, slides the sliding member upward or downward to a desired new location, and engages the latch pin with a new one of the series of holes 122.

FIG. 8 illustrates another embodiment of a sliding member 216 in which a plurality of ratchet teeth 220 are formed along the rear surface of the main pole 214. A pawl 222 pivotally mounted to the sliding mechanism 216 engages a cooperating one of the ratchet teeth 220 to lock the sliding member 216 in position. To move the sliding member 216 from one location on the main pole 214 to another, the user raises a lever portion 224 on the pawl 222 to disengage the pawl from the ratchet teeth 220, moves the sliding member 216 to a new desired location, and releases the spring-loaded pawl to re-engage the ratchet teeth.

In the foregoing embodiments, the main pole is described as being rectangular in shape. However, the main pole is not limited to a rectangular cross-section but can be round, oval, or any other of a number of suitable shapes.

In the embodiment of FIGS. 1-6 the handle of the lever is described as being pivoted at its upper end. However, it will be appreciated that the latch mechanism 74 can be mounted at the lower end of the slide 16, with the handle 76 being pivoted at its lower end.

Finally, it will be understood that the foregoing embodiments have been disclosed by way of example and that other modifications may occur to those skilled in the art without departing from the scope and spirit of the appended claims.

What is claimed is:

1. An umbrella comprising:

a main pole having a lower end for support by a support surface and extending generally upward to an upper end; a sliding member associated with the main pole and selectively moveable thereon between lower and upper locations along the main pole;

locking means for releasably securing the sliding member to the main pole at a selected location along the main pole;

an umbrella canopy having a central region;

an arm associated with the central region and extending radially therefrom to an outer end operatively associated with the sliding member;

a brace having a first end pivotally attached to an upper portion of the pole above the sliding member and a second end pivotally attached to the arm;

a winding mechanism having a winder hub around which a line can be wound, the winder hub being mounted to the sliding member and movable therewith;

a line having a first end that winds around the winder hub, an intermediate portion extending from the winder hub

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along the arm to the umbrella canopy, and a second end that engages the umbrella canopy;
 wherein rotation of the winder hub tensions or relaxes the line depending upon the direction of rotation of the winder hub, and
 wherein operation of the winding mechanism to apply tension to the line opens and closes the umbrella canopy in response to movement of the line; and
 wherein the angle of the umbrella canopy with respect to the main pole can be controlled by moving the sliding member along the main pole.

2. The umbrella of claim 1, wherein the locking means for releasably securing the sliding member to the main pole comprises a cam latch member having a cam surface, the cam latch member being rotatable with respect to the sliding member between a first position in which the cam surface causes the sliding member to be clamped against the main pole, and a second position in which the cam surface permits movement of the sliding member with respect to the main pole.

3. The umbrella of claim 1, wherein the locking means for releasably securing the sliding member to the main pole com-

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prises a plurality of teeth formed on the main pole and a cooperating pawl associated with the sliding member and selectively operative to engage a selected one of the teeth to prevent movement of the sliding member with respect to the main pole.

4. The umbrella of claim 1, wherein the locking means for releasably securing the sliding member to the main pole comprises a plurality of holes formed in the main pole and a pin associated with the sliding member and operative to engage a selected one of the holes.

5. The umbrella of claim 1, wherein the sliding member has a handle associated therewith.

6. The umbrella of claim 1, wherein the line extends along at least substantially the entire length of the arm.

7. The umbrella of claim 1, further comprising a crank handle operatively associated with the winder hub, whereby rotating the crank handle causes the winder hub to rotate.

* * * * *

Exhibit 2

U.S. PATENT 8,104,492	
'492 PATENT CLAIMS	ACCUSED UMBRELLA (PROSHADE ITEM 2127724)
1. An umbrella comprising:	The Accused Umbrella is an umbrella.
a main pole having a lower end for support by a support surface and extending generally upward to an upper end;	The Accused Umbrella includes a “main pole” with a “lower end for support by a support surface” that extends “generally upward to an upper end.” Upper End Main Pole Lower End 

CLAIM CHART FOR ACTIVA SHADE [PROSHADE] 10FT SQUARE LED WOOD-LOOK CANTILEVER (ITEM 2127551)

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a sliding member associated with the main pole and selectably moveable thereon between lower and upper locations along the main pole;

The Accused Umbrella features a “Sliding member” associated with the main pole and selectably moveable thereon between lower and upper sections along the main pole.”

Sliding member



a locking means for releasably securing the sliding member to the main pole at a selected location along the main pole;

The Accused Umbrella features a “locking means” to releasably secure the sliding member to the main pole at a selected location using a spring-loaded button.

Locking means/Spring-loaded button

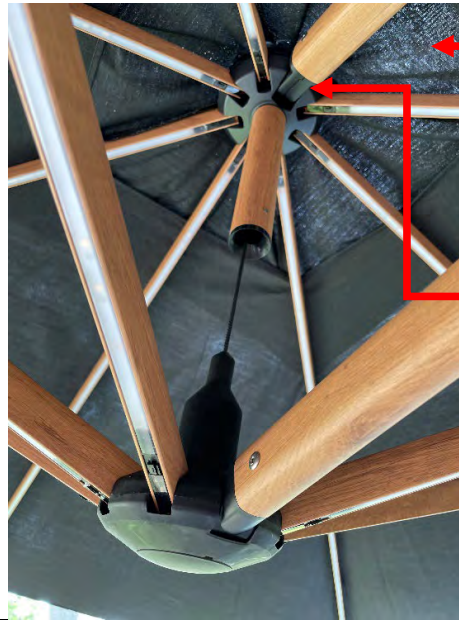


Locking teeth/holes for locking pin



an umbrella canopy having a central region;

The Accused Umbrella features a “canopy having a central region.”



Canopy

Central
region

CLAIM CHART FOR ACTIVA SHADE [PROSHADE] 10FT SQUARE LED WOOD-LOOK CANTILEVER (ITEM 2127551)

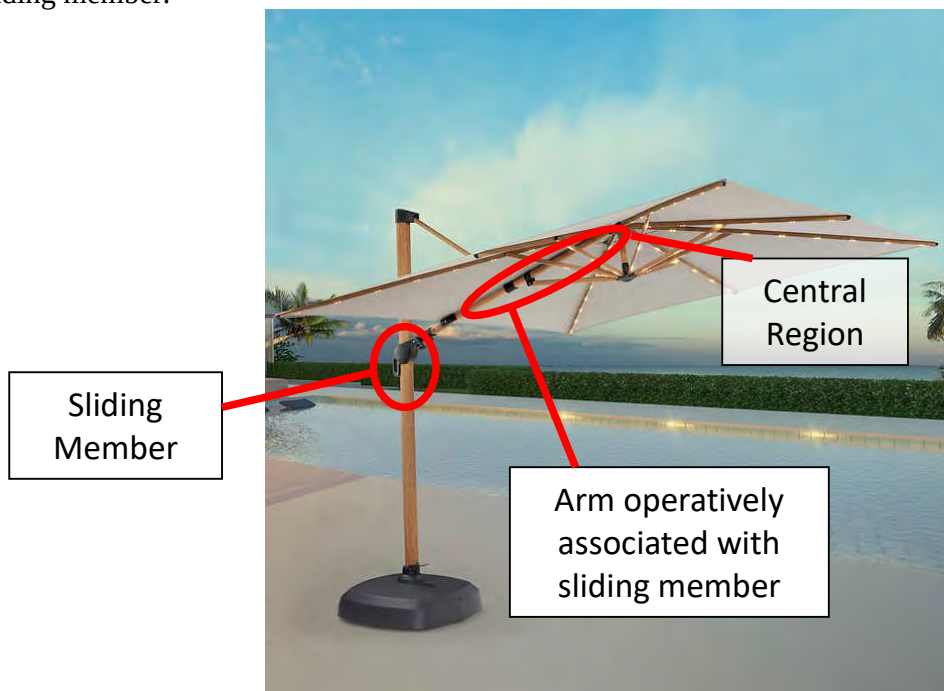
A-4

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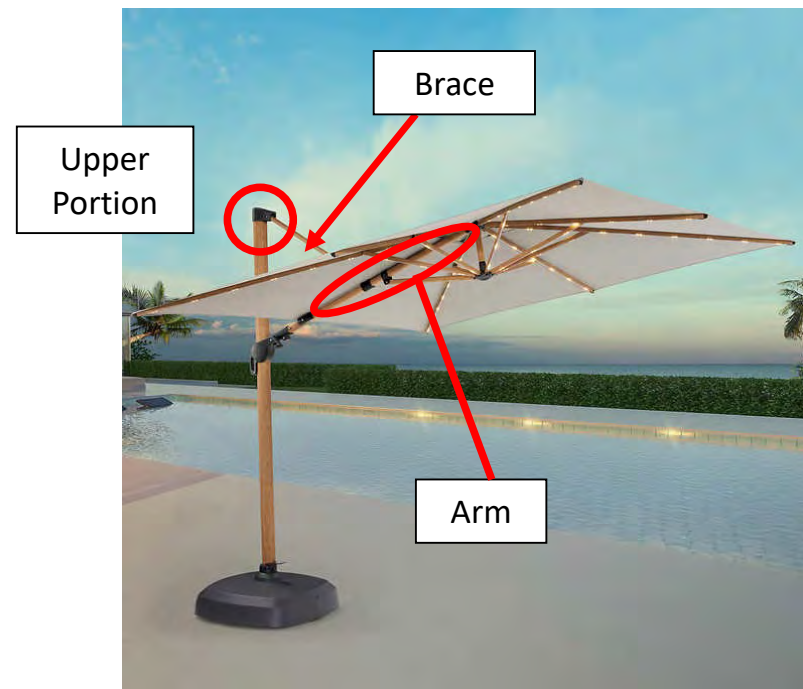
an arm associated with the central region and extending radially therefrom to an outer end operatively associated with the sliding member;

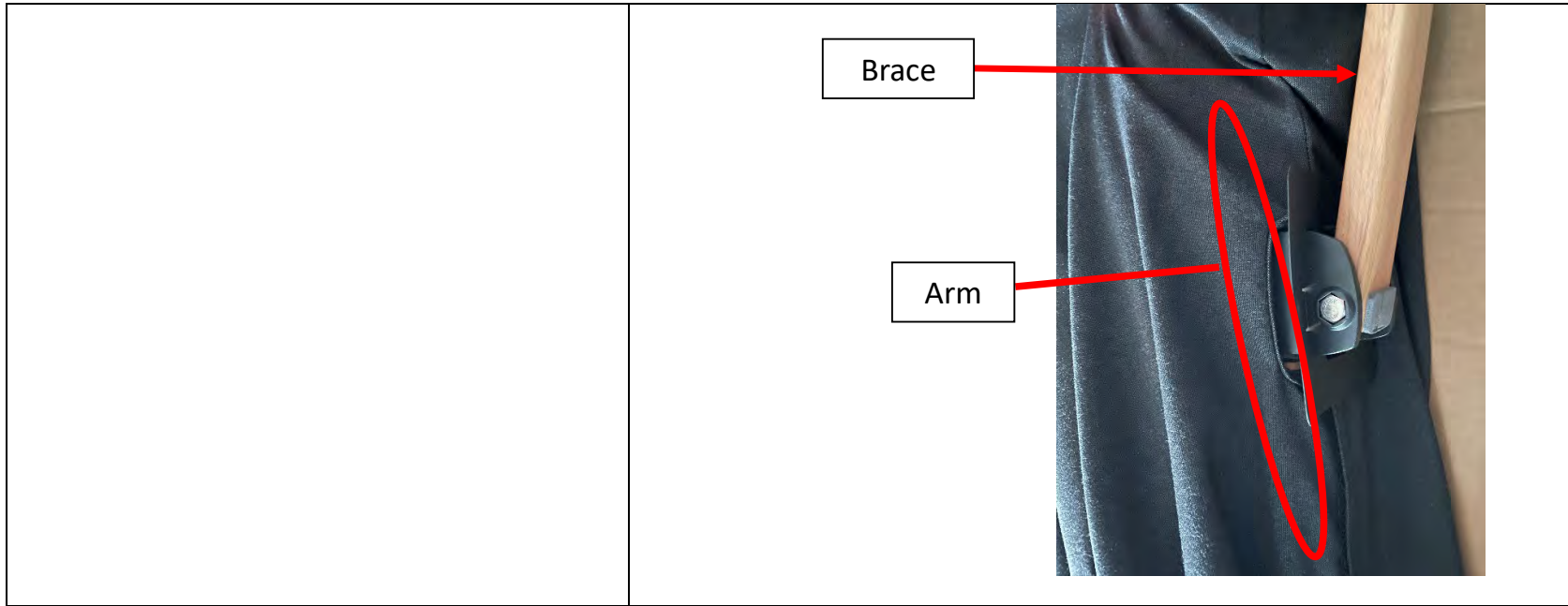
The Accused Umbrella features “an arm associated with the central region and extending radially therefrom to an outer end operatively associated with the sliding member.”



a brace having a first end pivotably attached to an upper portion of the pole above the sliding member and a second end pivotably attached to the arm;

The Accused Umbrella features a brace having two ends “pivotably attached to an upper portion of the pole above the sliding member and . . . the arm,” respectively.





CLAIM CHART FOR ACTIVA SHADE [PROSHADE] 10FT SQUARE LED WOOD-LOOK CANTILEVER (ITEM 2127551)

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a winding mechanism having a winder hub around which a line can be wound, the winder hub being mounted to the sliding member and moveable therewith;

The Accused Umbrella features a “winding mechanism” with a “winder hub around which a line can be wound . . . mounted to the sliding member and moveable therewith.”

Winding mechanism
with winder hub
mounted to the sliding
member and moveable
therewith and line
inside



a line having a first end that winds around the winder hub, an intermediate portion extending from the winder hub along the arm to the umbrella canopy, and a second end that engages the umbrella canopy

The accused umbrella features a “line” with a first end that winds around the winder hub and a second end that engages the umbrella canopy,” with an “intermediate portion extending from the winder hub along the arm to the umbrella canopy.”

1st end
(internal)



2nd end



wherein the rotation of the winder hub tensions or relaxes the line depending upon the direction of rotation of the winder hub, and

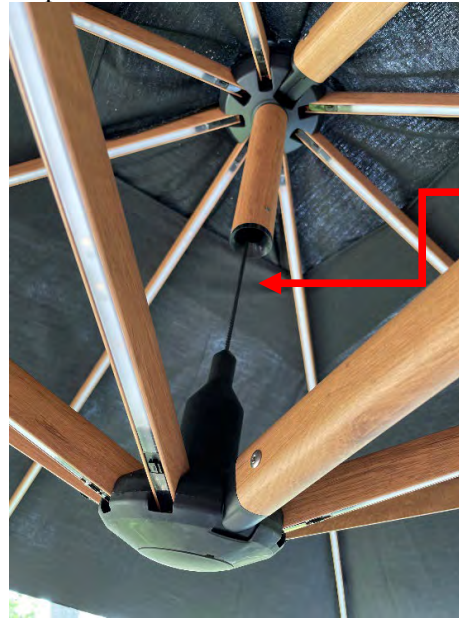
The Accused Umbrella's winder hub rotates to "tension[] or relax[] the line depending upon the direction of rotation."

Rotation of the
winder hub
tensions or
relaxes the line



wherein operation of the winding mechanism to apply tension to the line opens and closes the umbrella canopy in response to movement of the line; and

The Accused Umbrella features a winding mechanism, the operation of which applies tension to the line and “opens and closes the umbrella canopy in response to movement of the line.”

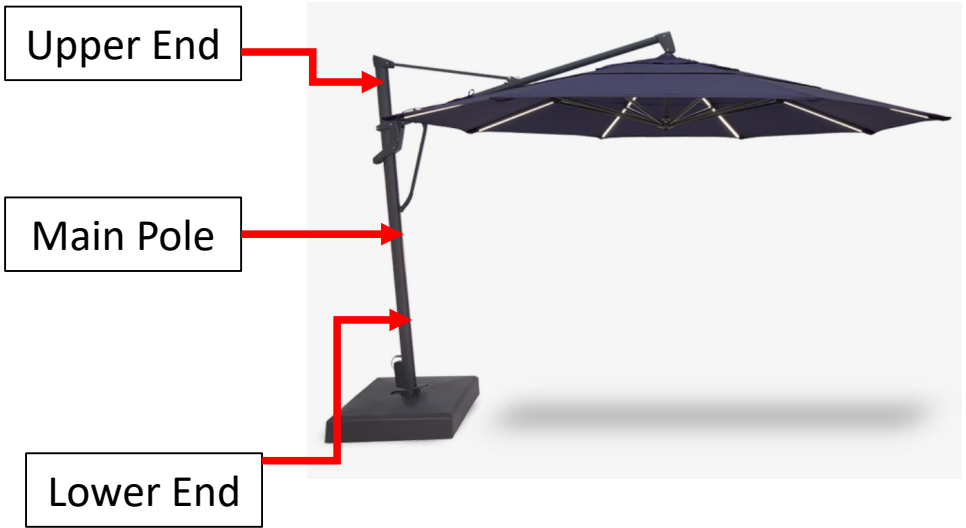


Line associated with
opening/closing
canopy

wherein the angle of the umbrella canopy with respect to the main pole can be controlled by moving the sliding member along the main pole.

The Accused Umbrella's canopy angle "with respect to the main pole can be controlled by moving the sliding member along the main pole."



U.S. PATENT 8,104,492	
'492 PATENT CLAIMS	ACCUSED UMBRELLA (Starlux AKZ Plus Cantilever)
1. An umbrella comprising:	The Accused Product is an umbrella.
a main pole having a lower end for support by a support surface and extending generally upward to an upper end;	The Accused Umbrella includes a “main pole” with a “lower end for support by a support surface” that extends “generally upward to an upper end.”  The diagram shows a cantilever umbrella with a dark canopy. Three red arrows point from text labels to specific parts of the umbrella's frame: 'Upper End' points to the top of the canopy's support arm, 'Main Pole' points to the vertical pole, and 'Lower End' points to the base of the pole where it meets the ground.

Activa Leisure [Starlux] AKZ Plus Cantilever

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a sliding member associated with the main pole and selectably moveable thereon between lower and upper locations along the main pole;

The Accused Umbrella features a “Sliding member” associated with the main pole and selectably moveable thereon between lower and upper sections along the main pole.”

Sliding member



Activa Leisure [Starlux] AKZ Plus Cantilever

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a locking means for releasably securing the sliding member to the main pole at a selected location along the main pole;	The Accused Umbrella features a “locking means” to releasably secure the sliding member to the main pole at a selected location. Locking means for releasably securing the sliding member  Release grip handle to lock into place
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Activa Leisure [Starlux] AKZ Plus Cantilever

A-3

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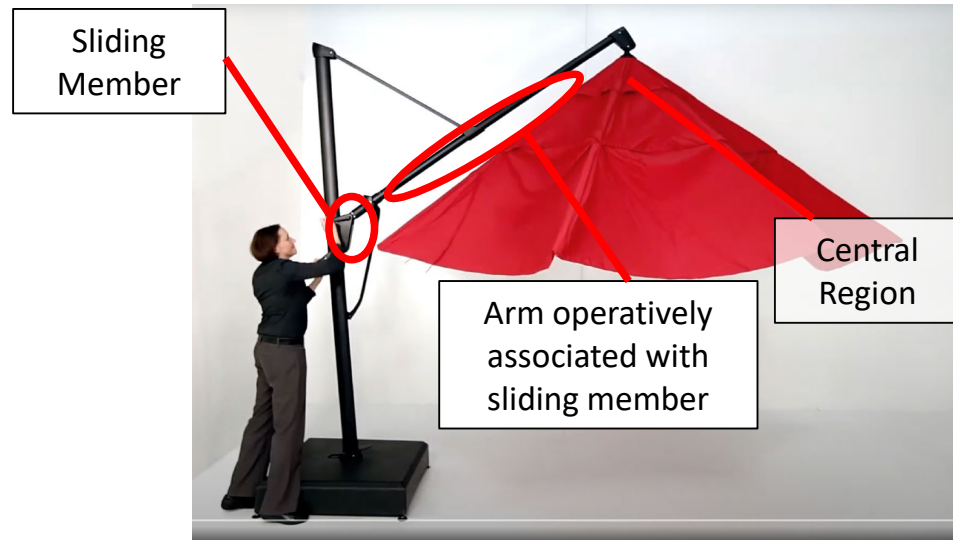
Activa Leisure [Starlux] AKZ Plus Cantilever

A-4

-40-

an arm associated with the central region and extending radially therefrom to an outer end operatively associated with the sliding member;

The Accused Umbrella features “an arm associated with the central region and extending radially therefrom to an outer end operatively associated with the sliding member.”



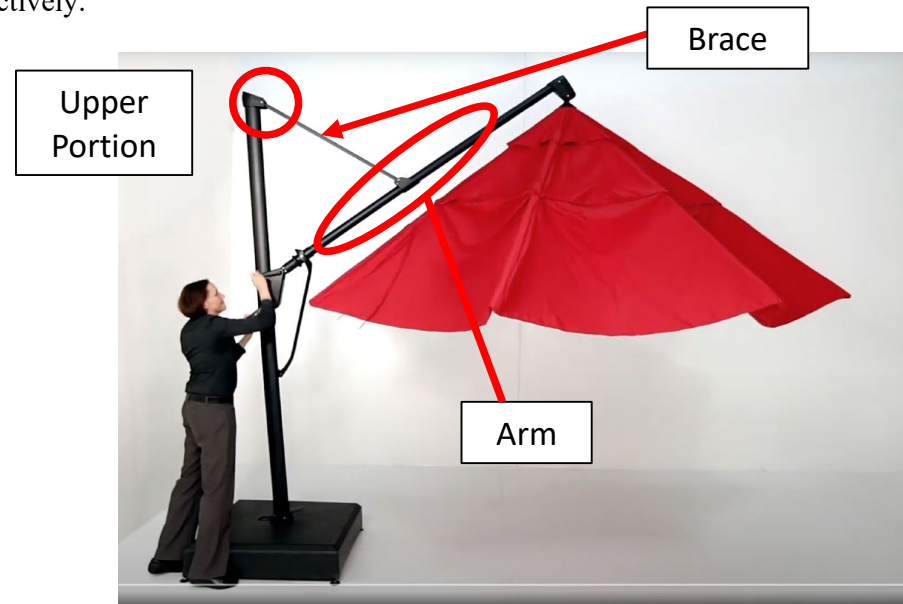
Activa Leisure [Starlux] AKZ Plus Cantilever

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a brace having a first end pivotably attached to an upper portion of the pole above the sliding member and a second end pivotably attached to the arm;

The Accused Umbrella features a brace having two ends “pivotably attached to an upper portion of the pole above the sliding member and . . . the arm,” respectively.



Activa Leisure [Starlux] AKZ Plus Cantilever

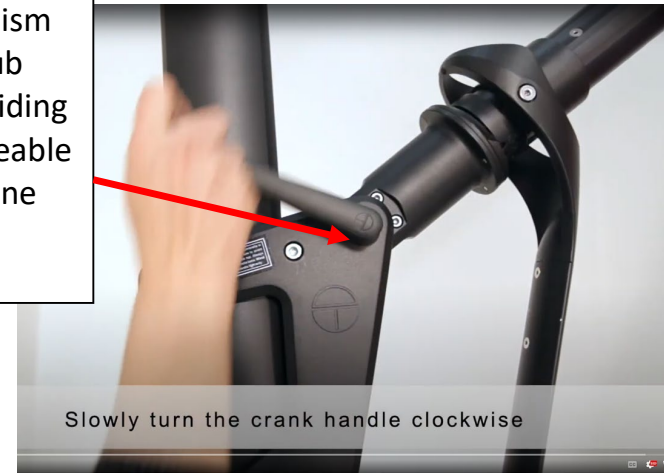
A-6

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a winding mechanism having a winder hub around which a line can be wound, the winder hub being mounted to the sliding member and moveable therewith;

The Accused Umbrella features a “winding mechanism” with a “winder hub around which a line can be wound . . . mounted to the sliding member and moveable therewith.”

Winding mechanism
with winder hub
mounted to the sliding
member and moveable
therewith and line
inside



Activa Leisure [Starlux] AKZ Plus Cantilever

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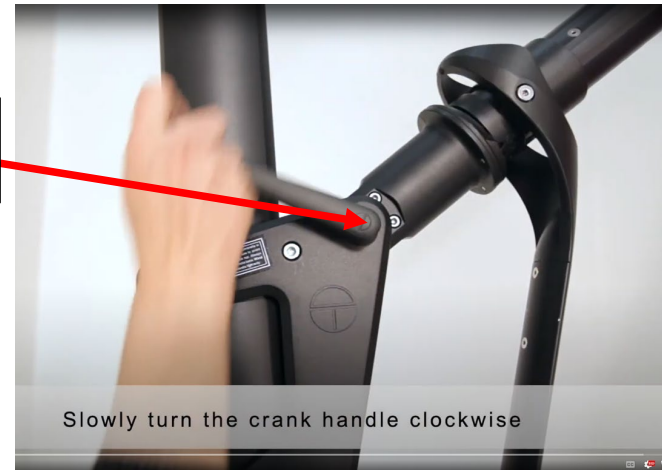
-43-

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a line having a first end that winds around the winder hub, an intermediate portion extending from the winder hub along the arm to the umbrella canopy, and a second end that engages the umbrella canopy

The accused umbrella features a “line” with a first end that winds around the winder hub and a second end that engages the umbrella canopy,” with an “intermediate portion extending from the winder hub along the arm to the umbrella canopy.”

1st end
(internal)



2nd end



Activa Leisure [Starlux] AKZ Plus Cantilever

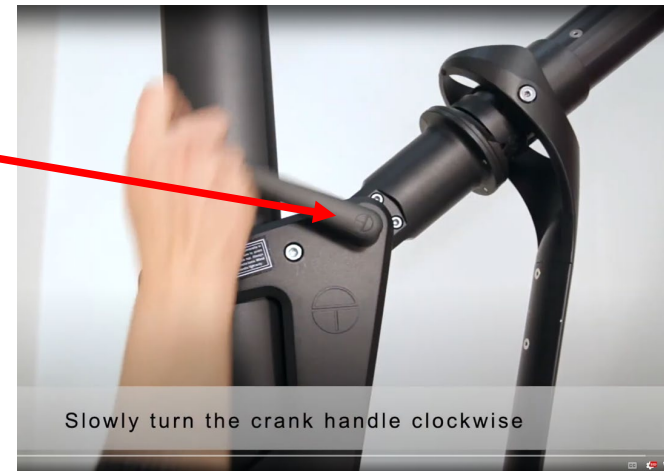
A-8

-44-

wherein the rotation of the winder hub tensions or relaxes the line depending upon the direction of rotation of the winder hub, and

The Accused Umbrella's winder hub rotates to "tension[] or relax[] the line depending upon the direction of rotation."

Rotation of the
winder hub
tensions or
relaxes the line



Slowly turn the crank handle clockwise

Activa Leisure [Starlux] AKZ Plus Cantilever

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wherein operation of the winding mechanism to apply tension to the line opens and closes the umbrella canopy in response to movement of the line; and

The Accused Umbrella features a winding mechanism, the operation of which applies tension to the line and “opens and closes the umbrella canopy in response to movement of the line.”



Line associated with opening/closing canopy

Activa Leisure [Starlux] AKZ Plus Cantilever

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wherein the angle of the umbrella canopy with respect to the main pole can be controlled by moving the sliding member along the main pole.

The Accused Umbrella's canopy angle "with respect to the main pole can be controlled by moving the sliding member along the main pole."



Activa Leisure [Starlux] AKZ Plus Cantilever
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5. The umbrella of claim 1, wherein the sliding member has a handle associated with it.

The Accused Umbrella's "sliding member has a handle associated with it."



6. The umbrella of claim 1, wherein the line extends along at least substantially the entire length of the arm.

The accused umbrella's line "extends along at least substantially the entire length of the arm" to engage the umbrella canopy. The line appears to be the same as that of the Accused Umbrella.



Activa Leisure [Starlux] AKZ Plus Cantilever

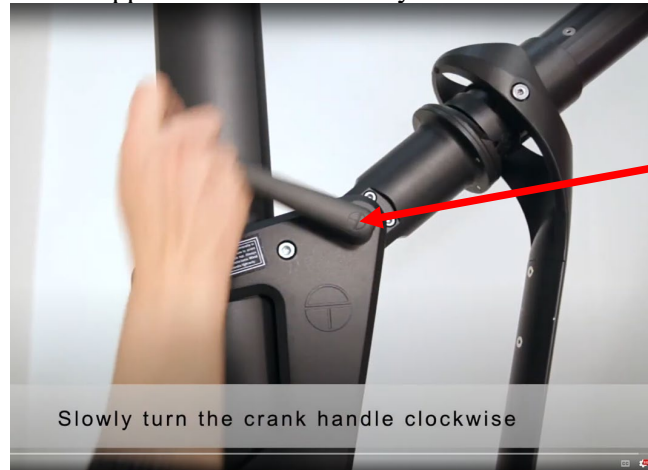
A-13

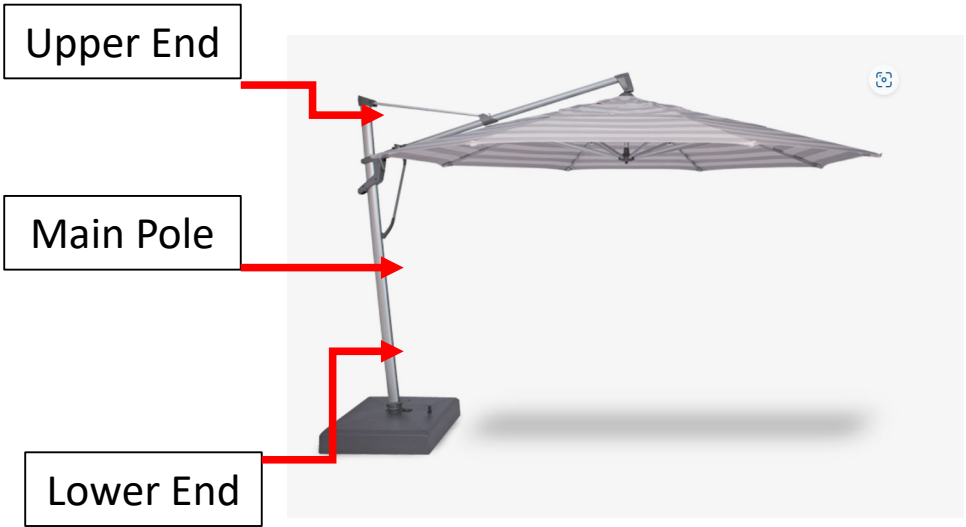
-49-

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7. The umbrella of claim 1, further comprising a crank handle operatively associated with the winder hub, whereby rotating the crank handle causes the winder hub to rotate.

The accused umbrella features a “crank handle operatively associated with the winder hub,” the rotation of which “causes the winder hub to rotate.” The crank handle appears to be functionally the same as that of the Accused Umbrella.



U.S. PATENT 8,104,492	
'492 PATENT CLAIMS	ACCUSED UMBRELLA (AKZP13 Plus Cantilever)
1. An umbrella comprising:	The Accused Product is an umbrella.
a main pole having a lower end for support by a support surface and extending generally upward to an upper end;	The Accused Umbrella includes a “main pole” with a “lower end for support by a support surface” that extends “generally upward to an upper end.”  The diagram shows a cantilever umbrella. Three red arrows point from text labels to specific parts of the umbrella: 'Upper End' points to the top of the canopy, 'Main Pole' points to the central vertical pole, and 'Lower End' points to the base of the pole where it meets the support surface.

AKZP13 Plus Cantilever

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a sliding member associated with the main pole and selectably moveable thereon between lower and upper locations along the main pole;

The Accused Umbrella features a “Sliding member” associated with the main pole and selectably moveable thereon between lower and upper sections along the main pole.”

Sliding member



a locking means for releasably securing the sliding member to the main pole at a selected location along the main pole;

The Accused Umbrella features a “locking means” to releasably secure the sliding member to the main pole at a selected location using a spring-loaded button.

Locking means
for releasably
securing the
sliding member



an umbrella canopy having a central region;

The Accused Umbrella features a “canopy having a central region.”



Canopy

Central
region

AKZP13 Plus Cantilever

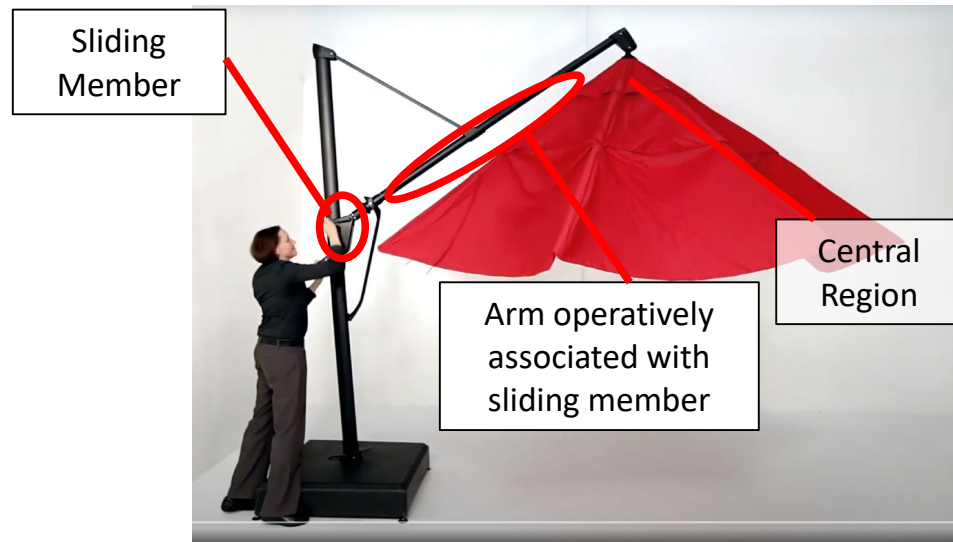
B-4

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an arm associated with the central region and extending radially therefrom to an outer end operatively associated with the sliding member;

The Accused Umbrella features “an arm associated with the central region and extending radially therefrom to an outer end operatively associated with the sliding member.”



AKZP13 Plus Cantilever

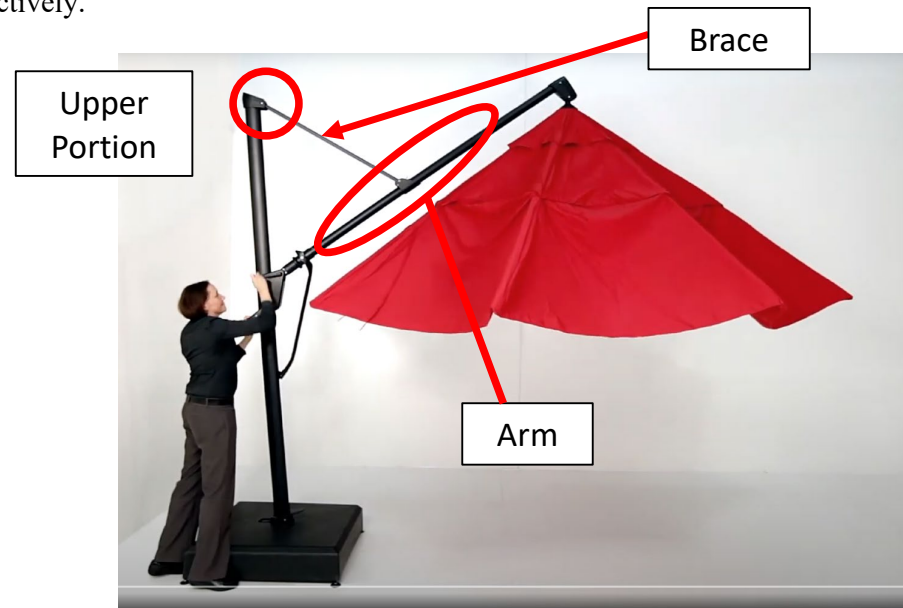
B-5

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Treasure Garden Ex. 1031
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a brace having a first end pivotably attached to an upper portion of the pole above the sliding member and a second end pivotably attached to the arm;

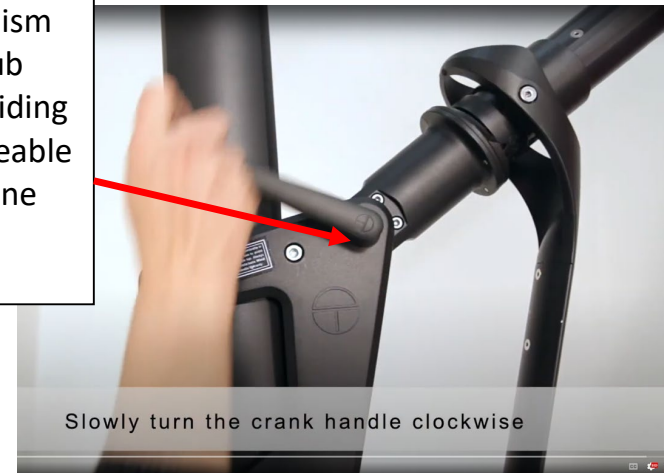
The Accused Umbrella features a brace having two ends “pivotably attached to an upper portion of the pole above the sliding member and . . . the arm,” respectively.



a winding mechanism having a winder hub around which a line can be wound, the winder hub being mounted to the sliding member and moveable therewith;

The Accused Umbrella features a “winding mechanism” with a “winder hub around which a line can be wound . . . mounted to the sliding member and moveable therewith.”

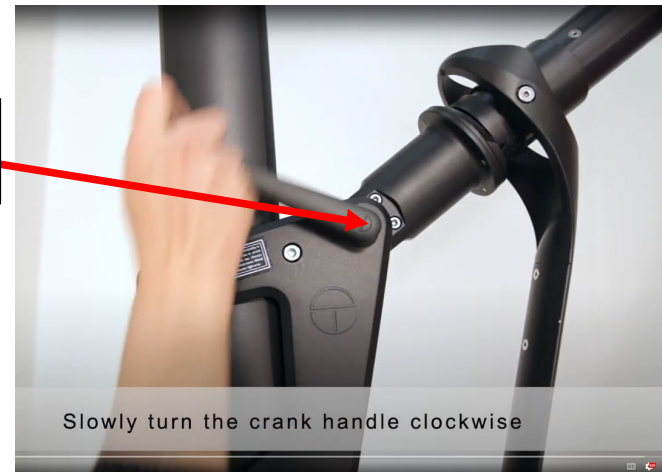
Winding mechanism with winder hub mounted to the sliding member and moveable therewith and line inside



a line having a first end that winds around the winder hub, an intermediate portion extending from the winder hub along the arm to the umbrella canopy, and a second end that engages the umbrella canopy

The accused umbrella features a “line” with a first end that winds around the winder hub and a second end that engages the umbrella canopy,” with an “intermediate portion extending from the winder hub along the arm to the umbrella canopy.”

1st end
(internal)



2nd end



AKZP13 Plus Cantilever

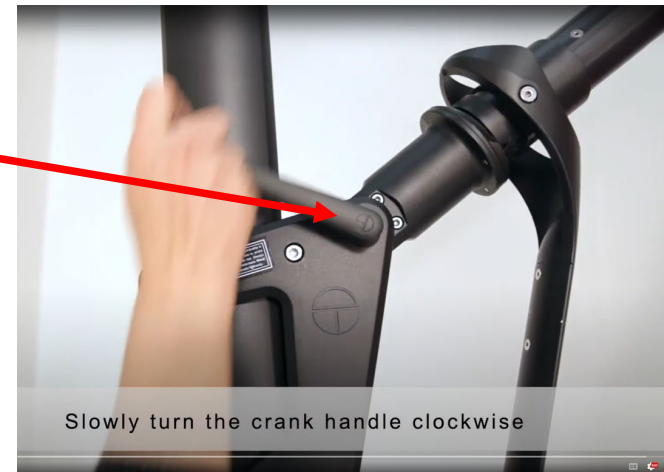
B-8

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wherein the rotation of the winder hub tensions or relaxes the line depending upon the direction of rotation of the winder hub, and

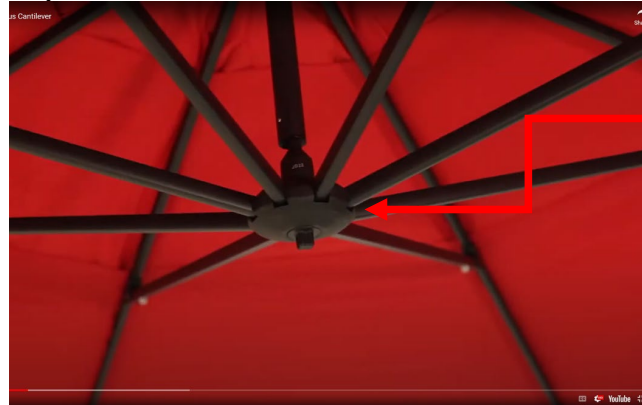
The Accused Umbrella's winder hub rotates to "tension[] or relax[] the line depending upon the direction of rotation."

Rotation of the
winder hub
tensions or
relaxes the line



wherein operation of the winding mechanism to apply tension to the line opens and closes the umbrella canopy in response to movement of the line; and

The Accused Umbrella features a winding mechanism, the operation of which applies tension to the line and “opens and closes the umbrella canopy in response to movement of the line.”



Line associated with opening/closing canopy

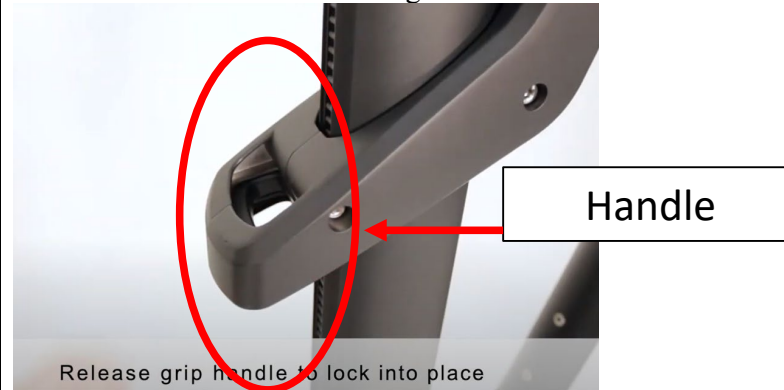
wherein the angle of the umbrella canopy with respect to the main pole can be controlled by moving the sliding member along the main pole.

The Accused Umbrella's canopy angle "with respect to the main pole can be controlled by moving the sliding member along the main pole."



5. The umbrella of claim 1, wherein the sliding member has a handle associated with it.

The Accused Umbrella's "sliding member has a handle associated with it."



6. The umbrella of claim 1, wherein the line extends along at least substantially the entire length of the arm.

The accused umbrella's line "extends along at least substantially the entire length of the arm" to engage the umbrella canopy. The line appears to be the same as that of the Accused Umbrella.



AKZP13 Plus Cantilever

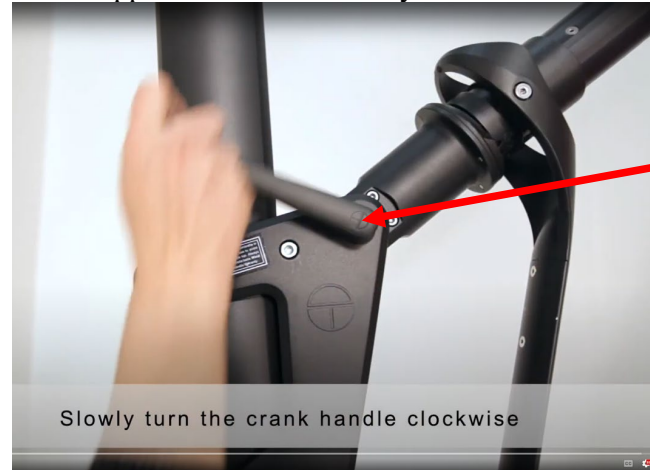
B-13

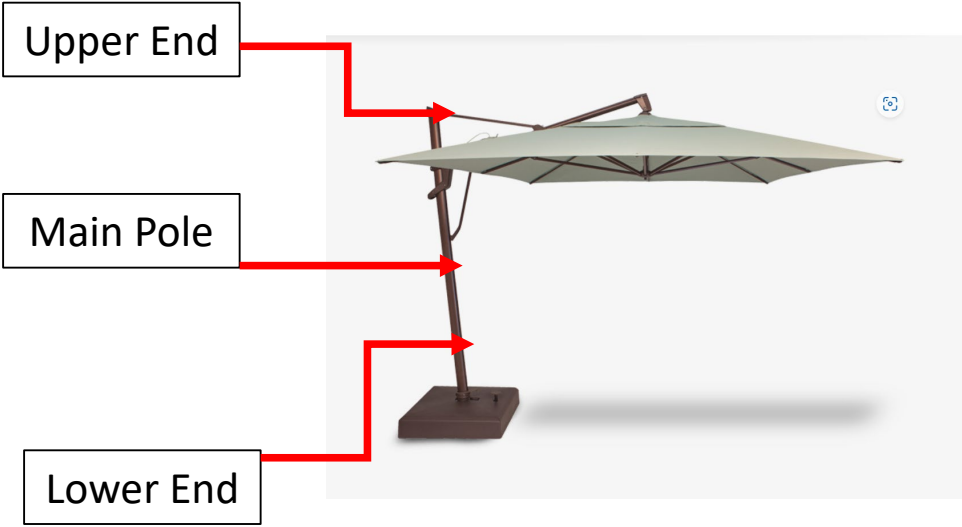
-63-

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7. The umbrella of claim 1, further comprising a crank handle operatively associated with the winder hub, whereby rotating the crank handle causes the winder hub to rotate.

The accused umbrella features a “crank handle operatively associated with the winder hub,” the rotation of which “causes the winder hub to rotate.” The crank handle appears to be functionally the same as that of the Accused Umbrella.



U.S. PATENT 8,104,492	
'492 PATENT CLAIMS	ACCUSED UMBRELLA (AKZPRT Plus Cantilever)
1. An umbrella comprising:	The Accused Product is an umbrella.
a main pole having a lower end for support by a support surface and extending generally upward to an upper end;	The Accused Umbrella includes a “main pole” with a “lower end for support by a support surface” that extends “generally upward to an upper end.”  The diagram shows a cantilever umbrella with a green canopy and a dark brown frame. Three red arrows point from text labels to specific parts of the frame: 'Upper End' points to the top of the canopy's support arm, 'Main Pole' points to the central vertical pole, and 'Lower End' points to the base of the pole where it meets the ground. A small circular logo is visible in the top right corner of the image area.

a sliding member associated with the main pole and selectably moveable thereon between lower and upper locations along the main pole;

The Accused Umbrella features a “Sliding member” associated with the main pole and selectably moveable thereon between lower and upper sections along the main pole.”

Sliding
member



a locking means for releasably securing the sliding member to the main pole at a selected location along the main pole;

The Accused Umbrella features a “locking means” to releasably secure the sliding member to the main pole at a selected location using a spring-loaded button.

Locking means
for releasably
securing the
sliding member



an umbrella canopy having a central region;

The Accused Umbrella features a “canopy having a central region.”

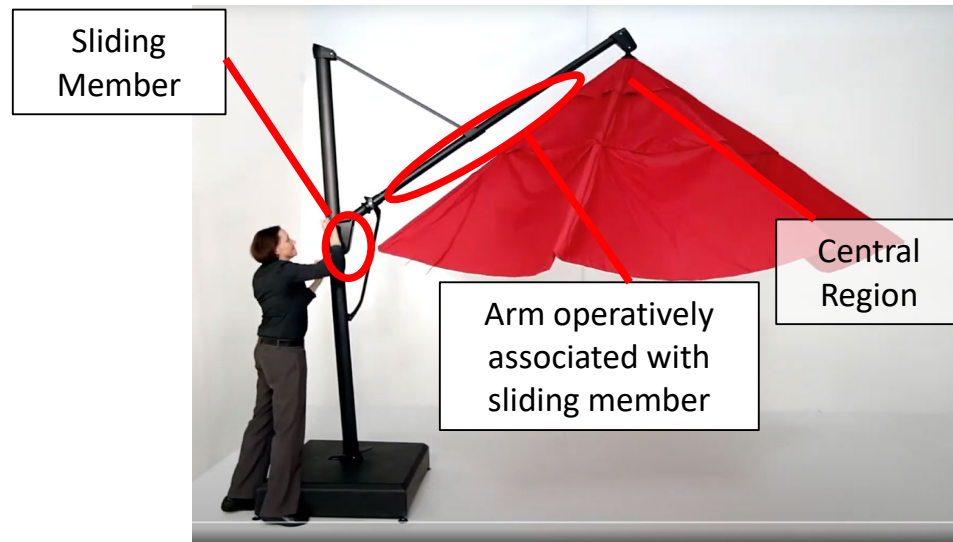


Canopy

Central
region

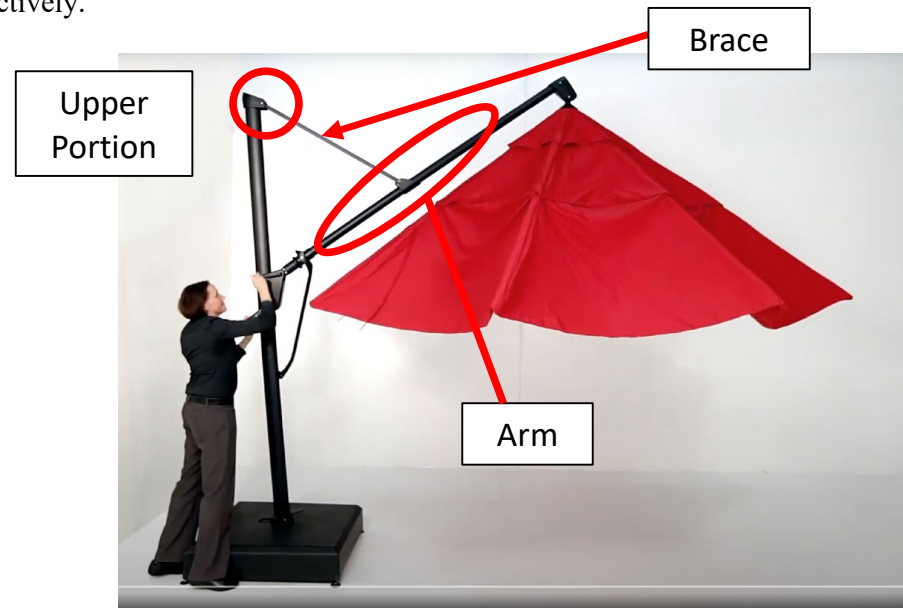
an arm associated with the central region and extending radially therefrom to an outer end operatively associated with the sliding member;

The Accused Umbrella features “an arm associated with the central region and extending radially therefrom to an outer end operatively associated with the sliding member.”



a brace having a first end pivotably attached to an upper portion of the pole above the sliding member and a second end pivotably attached to the arm;

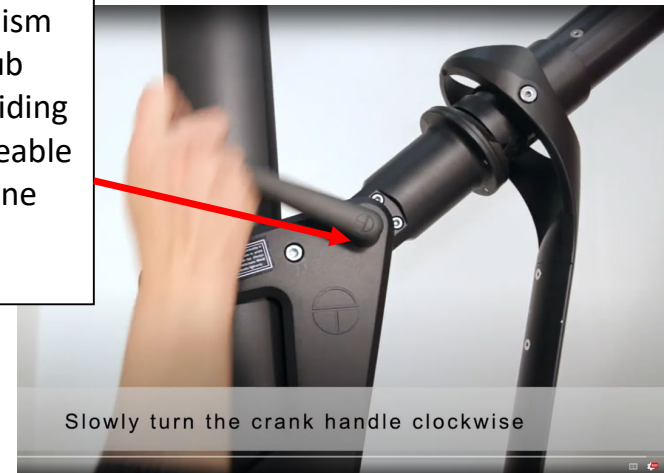
The Accused Umbrella features a brace having two ends “pivotably attached to an upper portion of the pole above the sliding member and . . . the arm,” respectively.



a winding mechanism having a winder hub around which a line can be wound, the winder hub being mounted to the sliding member and moveable therewith;

The Accused Umbrella features a “winding mechanism” with a “winder hub around which a line can be wound . . . mounted to the sliding member and moveable therewith.”

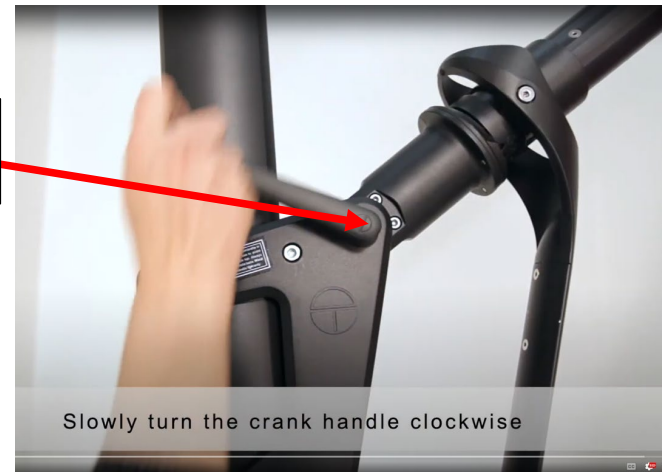
Winding mechanism
with winder hub
mounted to the sliding
member and moveable
therewith and line
inside



a line having a first end that winds around the winder hub, an intermediate portion extending from the winder hub along the arm to the umbrella canopy, and a second end that engages the umbrella canopy

The accused umbrella features a “line” with a first end that winds around the winder hub and a second end that engages the umbrella canopy,” with an “intermediate portion extending from the winder hub along the arm to the umbrella canopy.”

1st end
(internal)



2nd end



AKZPRT Plus Cantilever

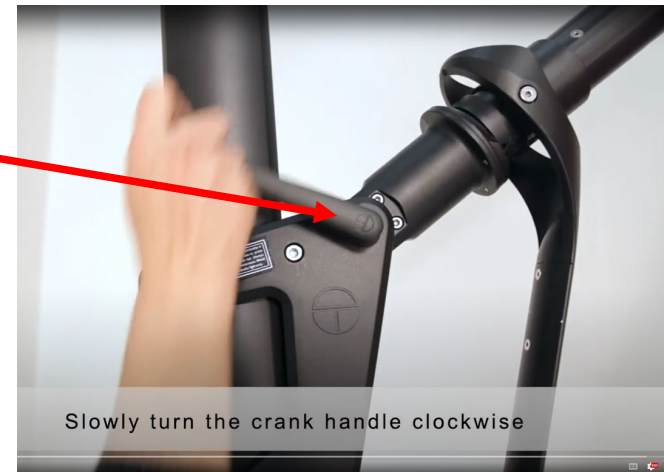
C-8

-72-

wherein the rotation of the winder hub tensions or relaxes the line depending upon the direction of rotation of the winder hub, and

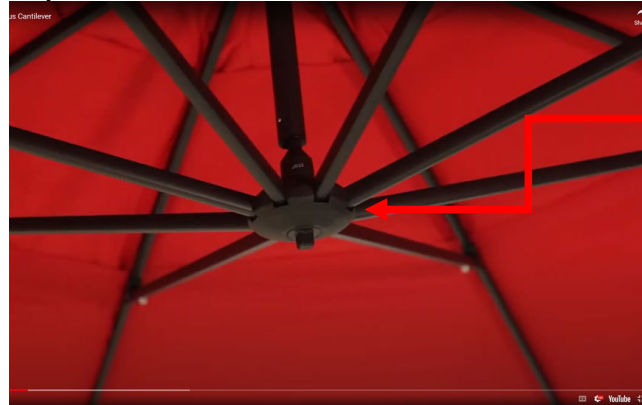
The Accused Umbrella's winder hub rotates to "tension[] or relax[] the line depending upon the direction of rotation."

Rotation of the
winder hub
tensions or
relaxes the line



wherein operation of the winding mechanism to apply tension to the line opens and closes the umbrella canopy in response to movement of the line; and

The Accused Umbrella features a winding mechanism, the operation of which applies tension to the line and “opens and closes the umbrella canopy in response to movement of the line.”



Line associated with opening/closing canopy

wherein the angle of the umbrella canopy with respect to the main pole can be controlled by moving the sliding member along the main pole.

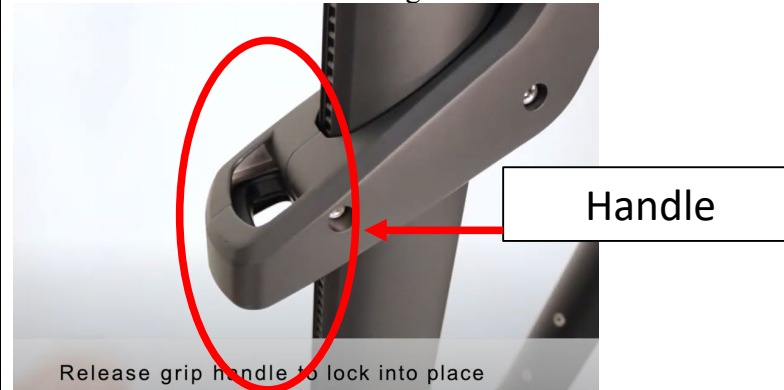
The Accused Umbrella's canopy angle "with respect to the main pole can be controlled by moving the sliding member along the main pole."



AKZPRT Plus Cantilever
C-11

5. The umbrella of claim 1, wherein the sliding member has a handle associated with it.

The Accused Umbrella's "sliding member has a handle associated with it."



6. The umbrella of claim 1, wherein the line extends along at least substantially the entire length of the arm.

The accused umbrella's line "extends along at least substantially the entire length of the arm" to engage the umbrella canopy. The line appears to be the same as that of the Accused Umbrella.



AKZPRT Plus Cantilever

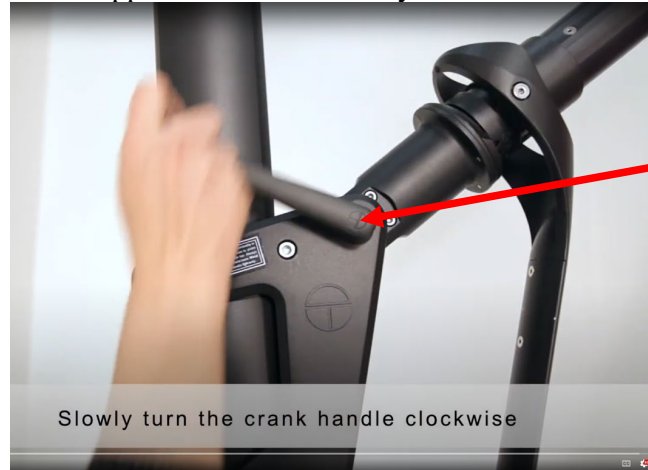
C-13

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7. The umbrella of claim 1, further comprising a crank handle operatively associated with the winder hub, whereby rotating the crank handle causes the winder hub to rotate.

The accused umbrella features a “crank handle operatively associated with the winder hub,” the rotation of which “causes the winder hub to rotate.” The crank handle appears to be functionally the same as that of the Accused Umbrella.



U.S. PATENT 8,104,492	
'492 PATENT CLAIMS	ACCUSED UMBRELLA (AKZPSQ11 Plus Cantilever)
1. An umbrella comprising:	The Accused Product is an umbrella.
a main pole having a lower end for support by a support surface and extending generally upward to an upper end;	The Accused Umbrella includes a “main pole” with a “lower end for support by a support surface” that extends “generally upward to an upper end.” Upper End Main Pole Lower End A diagram of a cantilever umbrella. The umbrella is shown from a side-on perspective, tilted slightly. It has a dark, striped canopy. The main pole is a thick, dark vertical rod. At the bottom, it is attached to a square base. Three red arrows point from text labels to the pole: 'Upper End' points to the top of the pole where it meets the canopy; 'Main Pole' points to the middle section of the pole; 'Lower End' points to the bottom of the pole where it meets the base.

a sliding member associated with the main pole and selectably moveable thereon between lower and upper locations along the main pole;

The Accused Umbrella features a “Sliding member” associated with the main pole and selectably moveable thereon between lower and upper sections along the main pole.”

Sliding
member



a locking means for releasably securing the sliding member to the main pole at a selected location along the main pole;

The Accused Umbrella features a “locking means” to releasably secure the sliding member to the main pole at a selected location using a spring-loaded button.

Locking means
for releasably
securing the
sliding member



an umbrella canopy having a central region;

The Accused Umbrella features a “canopy having a central region.”

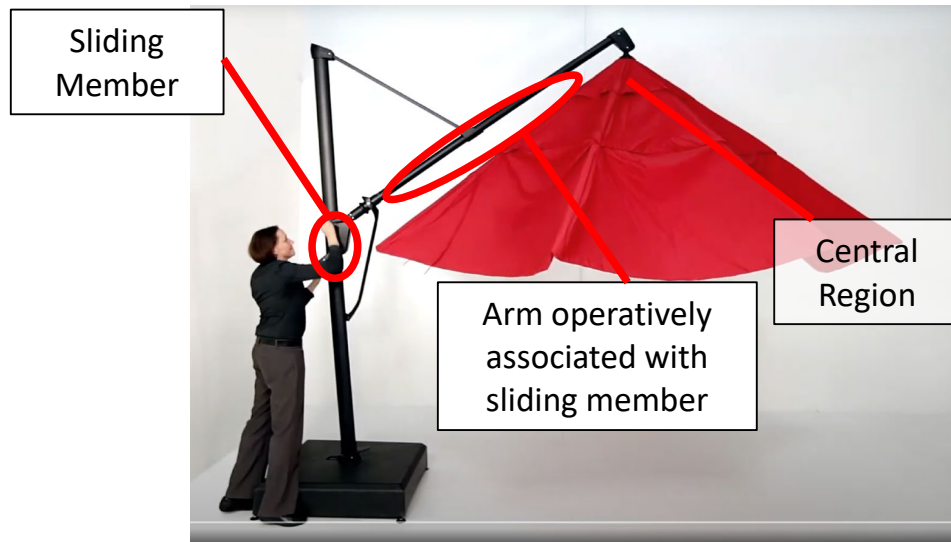


Canopy

Central
region

an arm associated with the central region and extending radially therefrom to an outer end operatively associated with the sliding member;

The Accused Umbrella features “an arm associated with the central region and extending radially therefrom to an outer end operatively associated with the sliding member.”



AKZPSQ11 Plus Cantilever

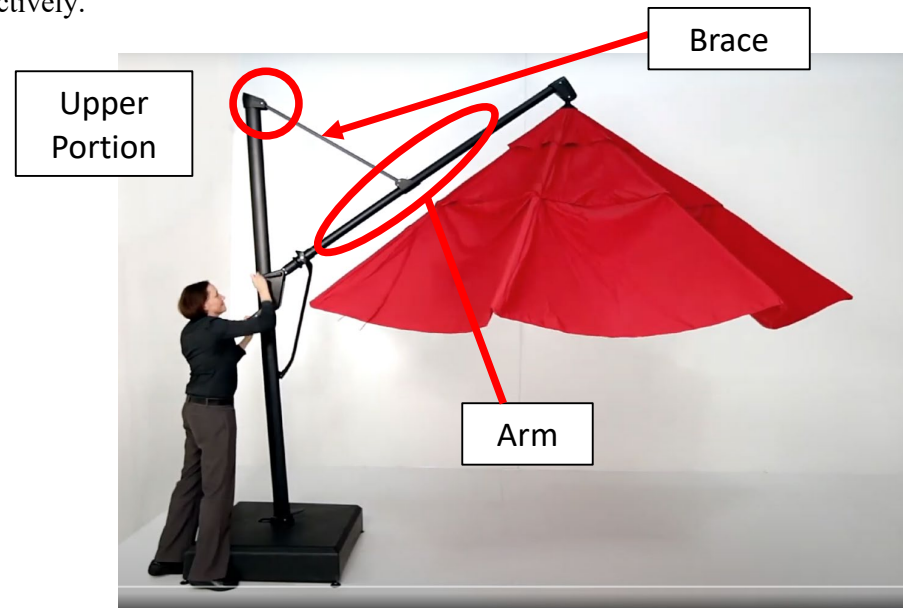
D-5

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Treasure Garden Ex. 1031
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a brace having a first end pivotably attached to an upper portion of the pole above the sliding member and a second end pivotably attached to the arm;

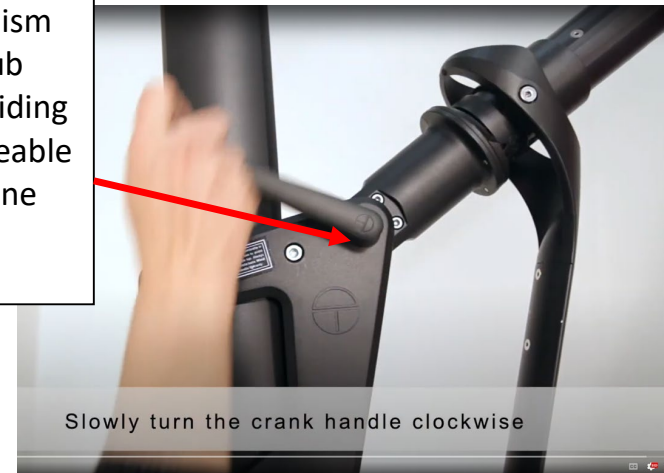
The Accused Umbrella features a brace having two ends “pivotably attached to an upper portion of the pole above the sliding member and . . . the arm,” respectively.



a winding mechanism having a winder hub around which a line can be wound, the winder hub being mounted to the sliding member and moveable therewith;

The Accused Umbrella features a “winding mechanism” with a “winder hub around which a line can be wound . . . mounted to the sliding member and moveable therewith.”

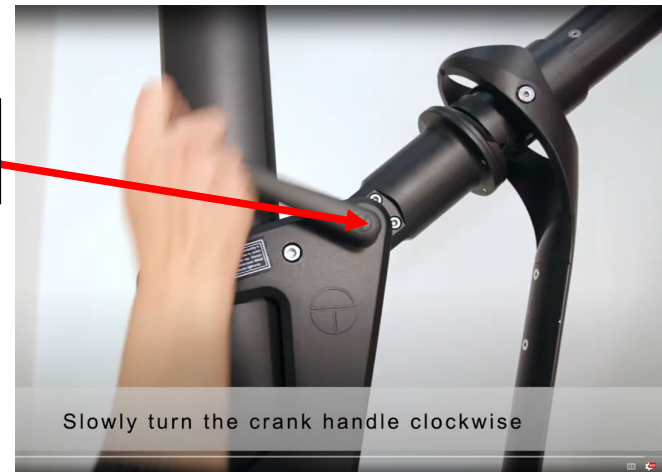
Winding mechanism with winder hub mounted to the sliding member and moveable therewith and line inside



a line having a first end that winds around the winder hub, an intermediate portion extending from the winder hub along the arm to the umbrella canopy, and a second end that engages the umbrella canopy

The accused umbrella features a “line” with a first end that winds around the winder hub and a second end that engages the umbrella canopy,” with an “intermediate portion extending from the winder hub along the arm to the umbrella canopy.”

1st end
(internal)



2nd end



AKZPSQ11 Plus Cantilever

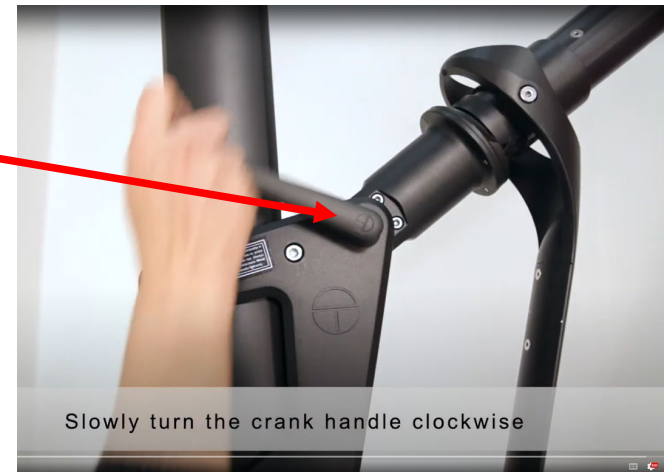
D-8

-86-

wherein the rotation of the winder hub tensions or relaxes the line depending upon the direction of rotation of the winder hub, and

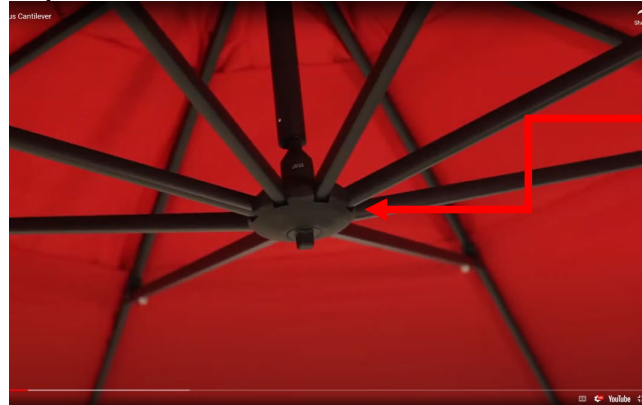
The Accused Umbrella's winder hub rotates to "tension[]" or relax[] the line depending upon the direction of rotation."

Rotation of the
winder hub
tensions or
relaxes the line



wherein operation of the winding mechanism to apply tension to the line opens and closes the umbrella canopy in response to movement of the line; and

The Accused Umbrella features a winding mechanism, the operation of which applies tension to the line and “opens and closes the umbrella canopy in response to movement of the line.”



Line associated with opening/closing canopy

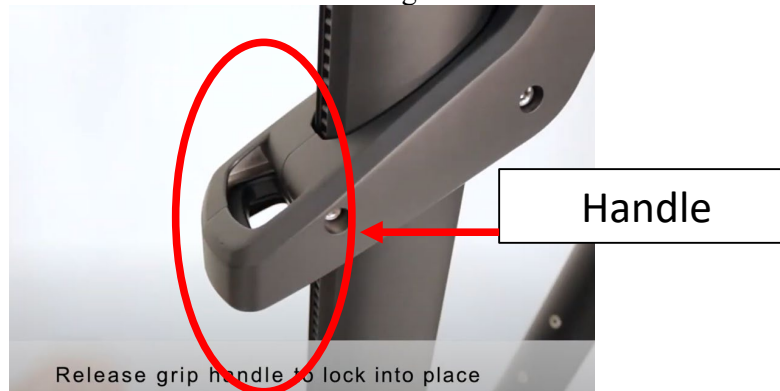
wherein the angle of the umbrella canopy with respect to the main pole can be controlled by moving the sliding member along the main pole.

The Accused Umbrella's canopy angle "with respect to the main pole can be controlled by moving the sliding member along the main pole."



5. The umbrella of claim 1, wherein the sliding member has a handle associated with it.

The Accused Umbrella's "sliding member has a handle associated with it."



6. The umbrella of claim 1, wherein the line extends along at least substantially the entire length of the arm.

The accused umbrella's line "extends along at least substantially the entire length of the arm" to engage the umbrella canopy. The line appears to be the same as that of the Accused Umbrella.



AKZPSQ11 Plus Cantilever

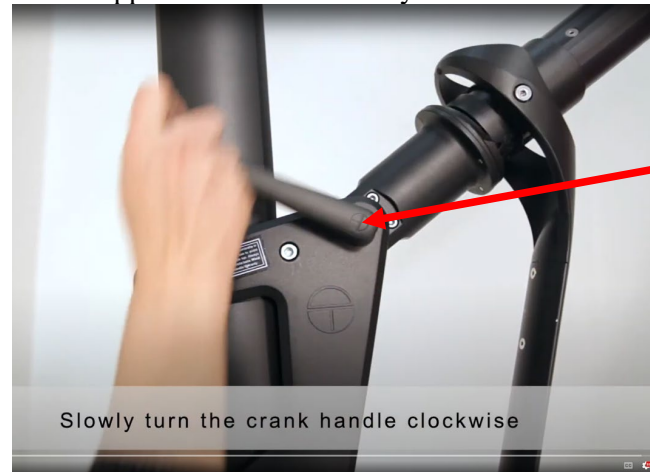
D-13

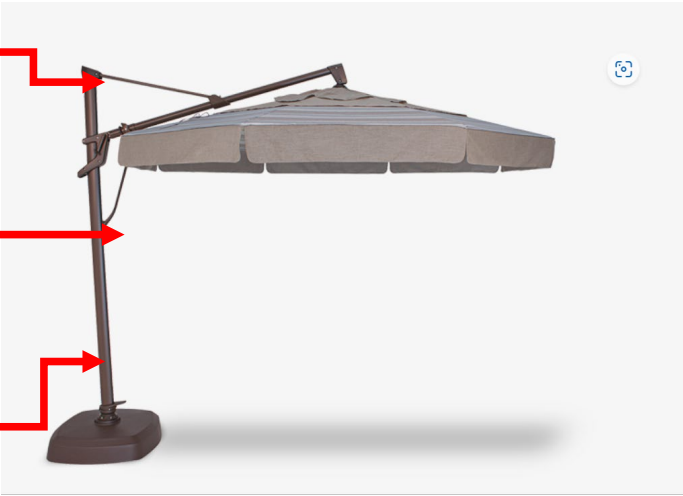
-91-

Treasure Garden Ex. 1031
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7. The umbrella of claim 1, further comprising a crank handle operatively associated with the winder hub, whereby rotating the crank handle causes the winder hub to rotate.

The accused umbrella features a “crank handle operatively associated with the winder hub,” the rotation of which “causes the winder hub to rotate.” The crank handle appears to be functionally the same as that of the Accused Umbrella.



U.S. PATENT 8,104,492	
'492 PATENT CLAIMS	ACCUSED UMBRELLA (AKZP Plus Cantilever)
1. An umbrella comprising:	The Accused Product is an umbrella.
a main pole having a lower end for support by a support surface and extending generally upward to an upper end;	The Accused Umbrella includes a “main pole” with a “lower end for support by a support surface” that extends “generally upward to an upper end.” Upper End Main Pole Lower End A photograph of a cantilever umbrella with a beige canopy and a dark brown frame. Three red arrows point from text labels to specific parts of the frame: 'Upper End' points to the top of the canopy's support arm, 'Main Pole' points to the vertical pole, and 'Lower End' points to the base of the pole where it meets the ground.

a sliding member associated with the main pole and selectably moveable thereon between lower and upper locations along the main pole;

The Accused Umbrella features a “Sliding member” associated with the main pole and selectably moveable thereon between lower and upper sections along the main pole.”

Sliding member



a locking means for releasably securing the sliding member to the main pole at a selected location along the main pole;

The Accused Umbrella features a “locking means” to releasably secure the sliding member to the main pole at a selected location using a spring-loaded button.

Locking means
for releasably
securing the
sliding member



an umbrella canopy having a central region;

The Accused Umbrella features a “canopy having a central region.”

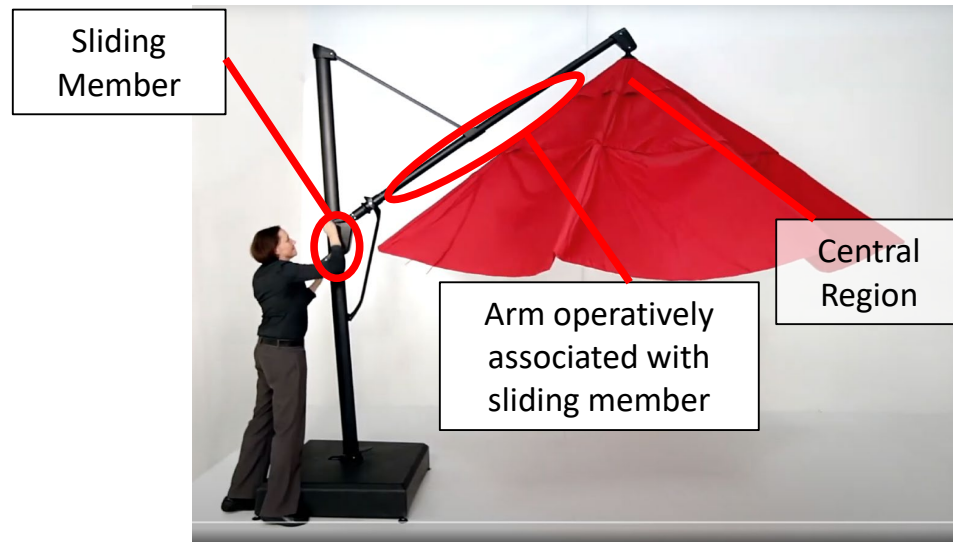


Canopy

Central
region

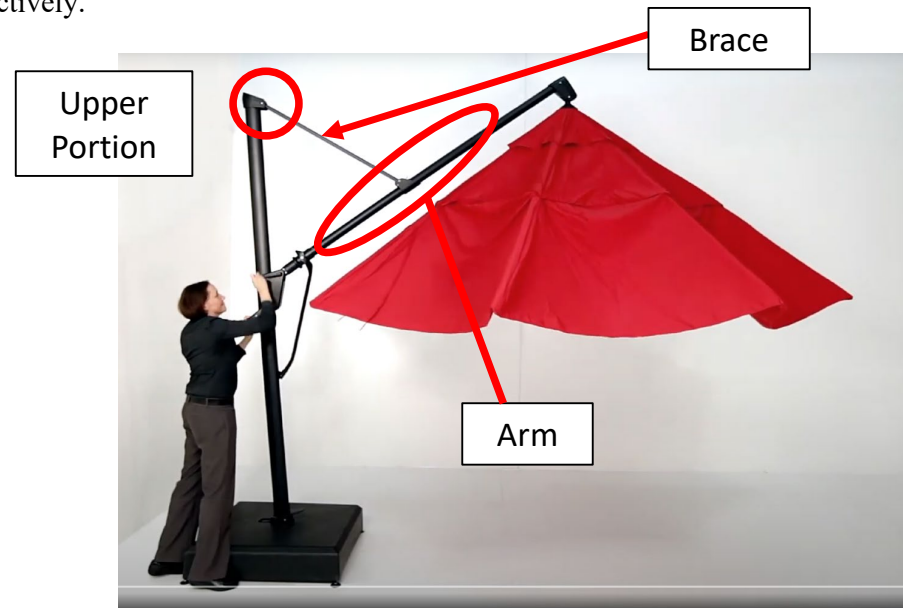
an arm associated with the central region and extending radially therefrom to an outer end operatively associated with the sliding member;

The Accused Umbrella features “an arm associated with the central region and extending radially therefrom to an outer end operatively associated with the sliding member.”



a brace having a first end pivotably attached to an upper portion of the pole above the sliding member and a second end pivotably attached to the arm;

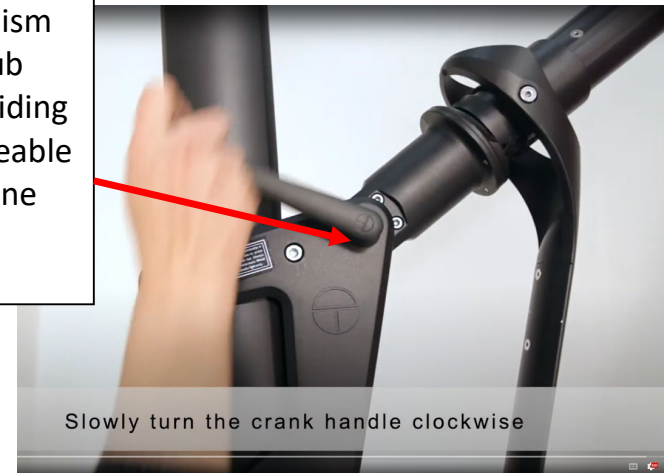
The Accused Umbrella features a brace having two ends “pivotably attached to an upper portion of the pole above the sliding member and . . . the arm,” respectively.



a winding mechanism having a winder hub around which a line can be wound, the winder hub being mounted to the sliding member and moveable therewith;

The Accused Umbrella features a “winding mechanism” with a “winder hub” around which a line can be wound . . . mounted to the sliding member and moveable therewith.”

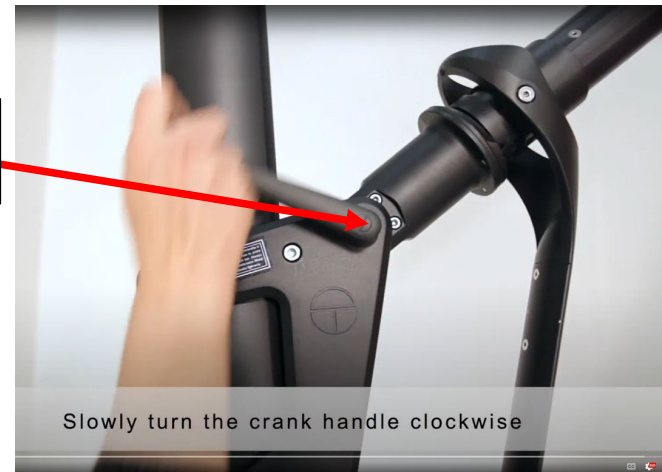
Winding mechanism
with winder hub
mounted to the sliding
member and moveable
therewith and line
inside



a line having a first end that winds around the winder hub, an intermediate portion extending from the winder hub along the arm to the umbrella canopy, and a second end that engages the umbrella canopy

The accused umbrella features a “line” with a first end that winds around the winder hub and a second end that engages the umbrella canopy,” with an “intermediate portion extending from the winder hub along the arm to the umbrella canopy.”

1st end
(internal)



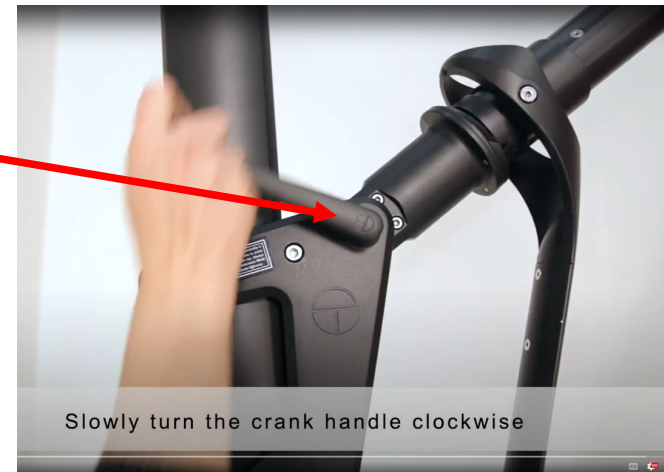
2nd end



wherein the rotation of the winder hub tensions or relaxes the line depending upon the direction of rotation of the winder hub, and

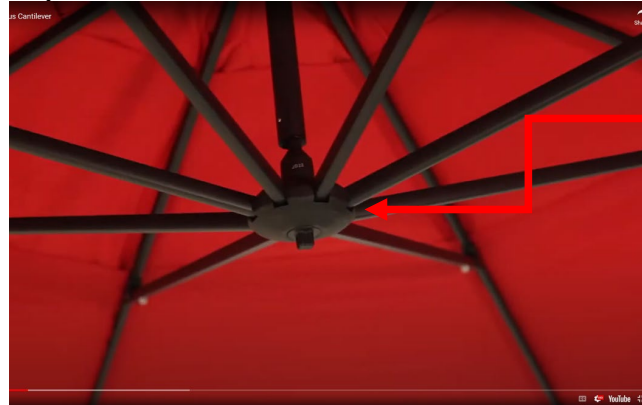
The Accused Umbrella's winder hub rotates to "tension[] or relax[] the line depending upon the direction of rotation."

Rotation of the
winder hub
tensions or
relaxes the line



wherein operation of the winding mechanism to apply tension to the line opens and closes the umbrella canopy in response to movement of the line; and

The Accused Umbrella features a winding mechanism, the operation of which applies tension to the line and “opens and closes the umbrella canopy in response to movement of the line.”



Line associated with opening/closing canopy

wherein the angle of the umbrella canopy with respect to the main pole can be controlled by moving the sliding member along the main pole.

The Accused Umbrella's canopy angle "with respect to the main pole can be controlled by moving the sliding member along the main pole."



AKZP Plus Cantilever

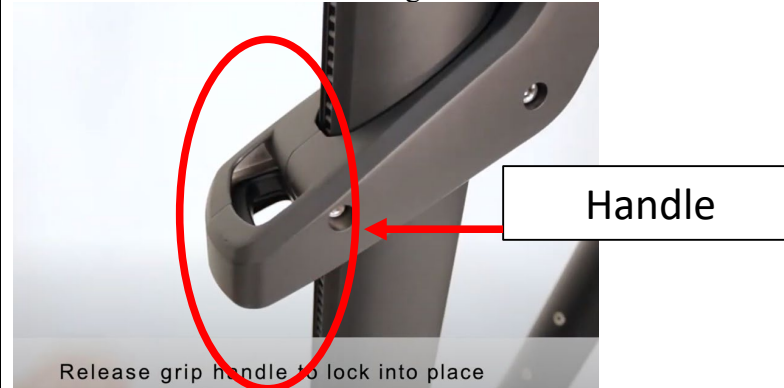
E-11

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IPR Petition - USP 8,104,492

5. The umbrella of claim 1, wherein the sliding member has a handle associated with it.

The Accused Umbrella's "sliding member has a handle associated with it."



6. The umbrella of claim 1, wherein the line extends along at least substantially the entire length of the arm.

The accused umbrella's line "extends along at least substantially the entire length of the arm" to engage the umbrella canopy. The line appears to be the same as that of the Accused Umbrella.



AKZP Plus Cantilever

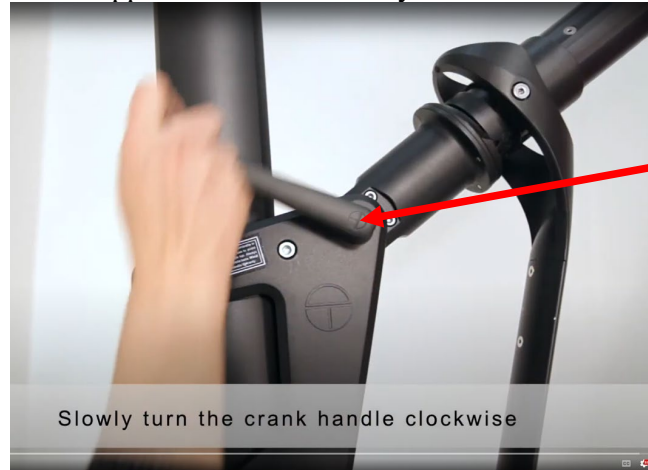
E-13

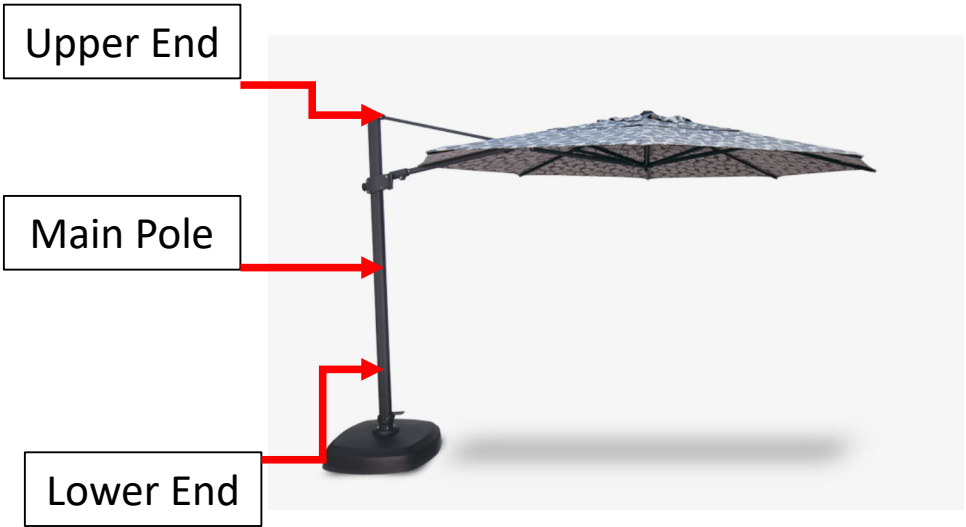
-105-

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7. The umbrella of claim 1, further comprising a crank handle operatively associated with the winder hub, whereby rotating the crank handle causes the winder hub to rotate.

The accused umbrella features a “crank handle operatively associated with the winder hub,” the rotation of which “causes the winder hub to rotate.” The crank handle appears to be functionally the same as that of the Accused Umbrella.



U.S. PATENT 8,104,492	
'492 PATENT CLAIMS	ACCUSED UMBRELLA (AG25TR Cantilever)
1. An umbrella comprising:	The Accused Product is an umbrella.
a main pole having a lower end for support by a support surface and extending generally upward to an upper end;	The Accused Umbrella includes a “main pole” with a “lower end for support by a support surface” that extends “generally upward to an upper end.”  The diagram shows a cantilever umbrella with a dark canopy. Three red arrows point from text labels to specific parts of the umbrella's frame. The 'Upper End' label points to the top of the canopy's support arm. The 'Main Pole' label points to the central vertical pole. The 'Lower End' label points to the base of the pole where it meets the ground.

AG25TR Cantilever

F-1

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a sliding member associated with the main pole and selectably moveable thereon between lower and upper locations along the main pole;

The Accused Umbrella features a “Sliding member” associated with the main pole and selectably moveable thereon between lower and upper sections along the main pole.”

Sliding
member



a locking means for releasably securing the sliding member to the main pole at a selected location along the main pole;

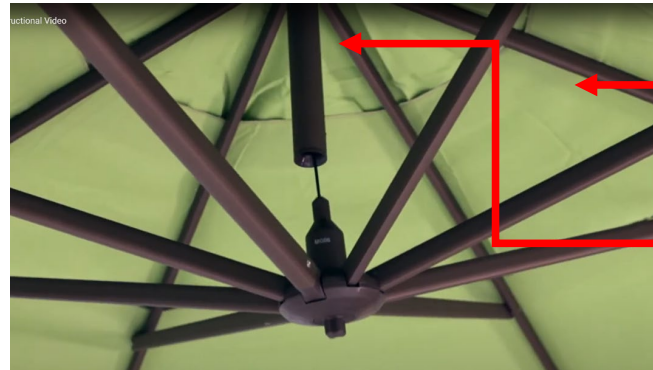
The Accused Umbrella features a “locking means” to releasably secure the sliding member to the main pole at a selected location using a spring-loaded button.

Locking means
for releasably
securing the
sliding member



an umbrella canopy having a central region;

The Accused Umbrella features a “canopy having a central region.”



Canopy

Central
region

AG25TR Cantilever

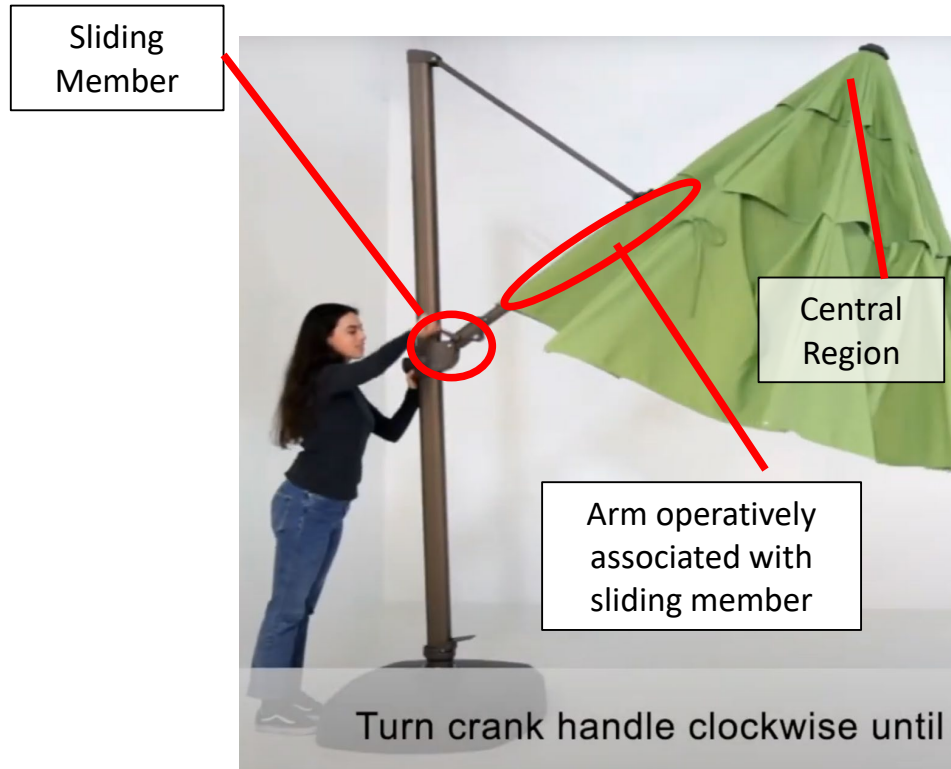
F-4

-110-

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IPR Petition - USP 8,104,492

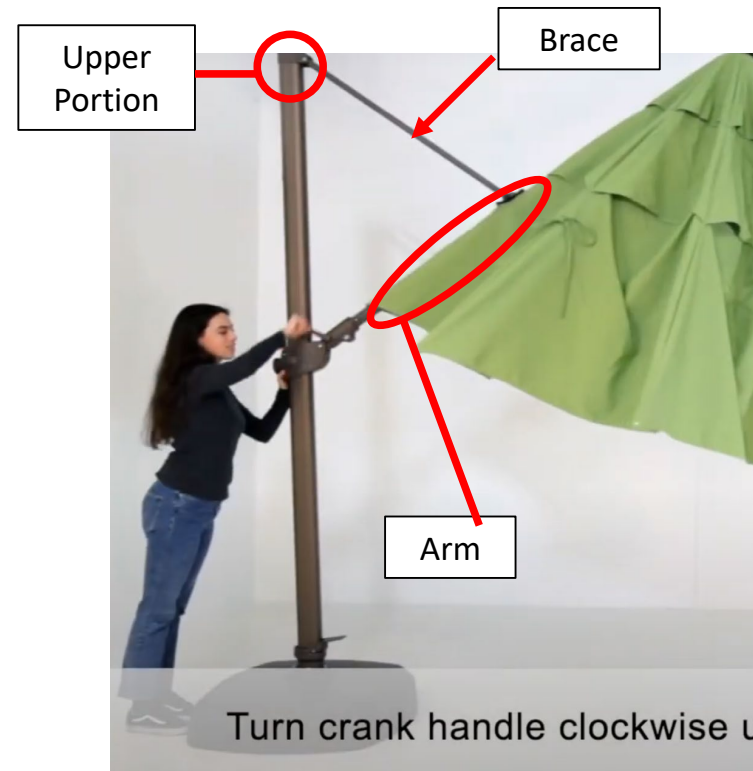
an arm associated with the central region and extending radially therefrom to an outer end operatively associated with the sliding member;

The Accused Umbrella features “an arm associated with the central region and extending radially therefrom to an outer end operatively associated with the sliding member.”



a brace having a first end pivotably attached to an upper portion of the pole above the sliding member and a second end pivotably attached to the arm;

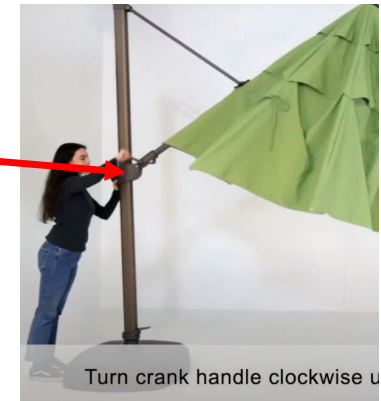
The Accused Umbrella features a brace having two ends “pivotably attached to an upper portion of the pole above the sliding member and . . . the arm,” respectively.



a winding mechanism having a winder hub around which a line can be wound, the winder hub being mounted to the sliding member and moveable therewith;

The Accused Umbrella features a “winding mechanism” with a “winder hub around which a line can be wound . . . mounted to the sliding member and moveable therewith.”

Winding mechanism
with winder hub
mounted to the sliding
member and moveable
therewith and line
inside



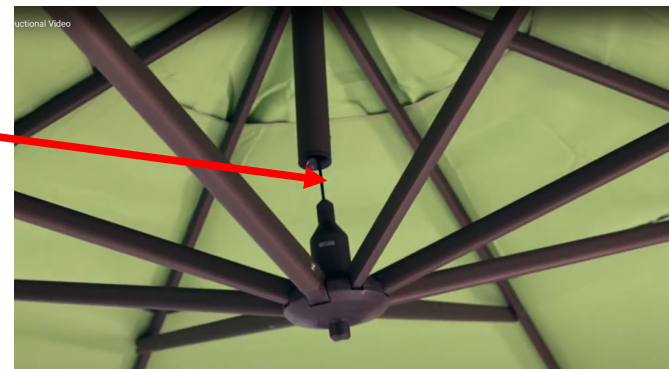
a line having a first end that winds around the winder hub, an intermediate portion extending from the winder hub along the arm to the umbrella canopy, and a second end that engages the umbrella canopy

The accused umbrella features a “line” with a first end that winds around the winder hub and a second end that engages the umbrella canopy,” with an “intermediate portion extending from the winder hub along the arm to the umbrella canopy.”

1st end
(internal)



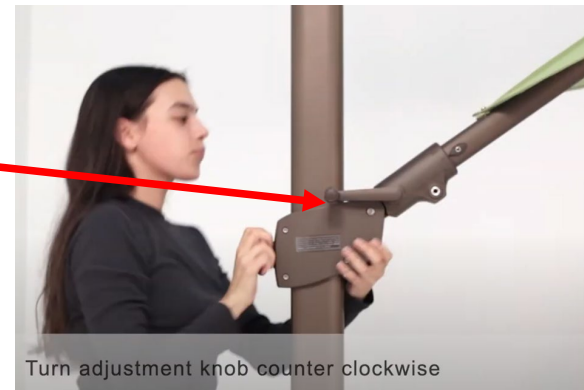
2nd end



wherein the rotation of the winder hub tensions or relaxes the line depending upon the direction of rotation of the winder hub, and

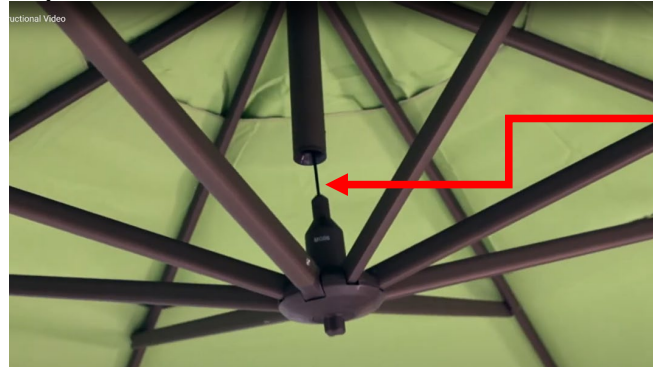
The Accused Umbrella's winder hub rotates to "tension[] or relax[] the line depending upon the direction of rotation."

Rotation of the
winder hub
tensions or
relaxes the line



wherein operation of the winding mechanism to apply tension to the line opens and closes the umbrella canopy in response to movement of the line; and

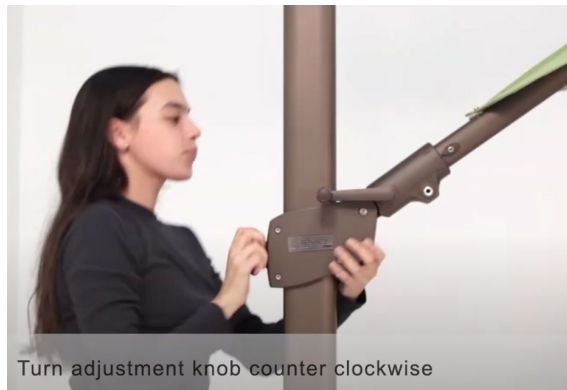
The Accused Umbrella features a winding mechanism, the operation of which applies tension to the line and “opens and closes the umbrella canopy in response to movement of the line.”



Line associated with opening/closing canopy

wherein the angle of the umbrella canopy with respect to the main pole can be controlled by moving the sliding member along the main pole.

The Accused Umbrella's canopy angle "with respect to the main pole can be controlled by moving the sliding member along the main pole."



6. The umbrella of claim 1, wherein the line extends along at least substantially the entire length of the arm.

The accused umbrella's line "extends along at least substantially the entire length of the arm" to engage the umbrella canopy. The line appears to be the same as that of the Accused Umbrella.



AG25TR Cantilever

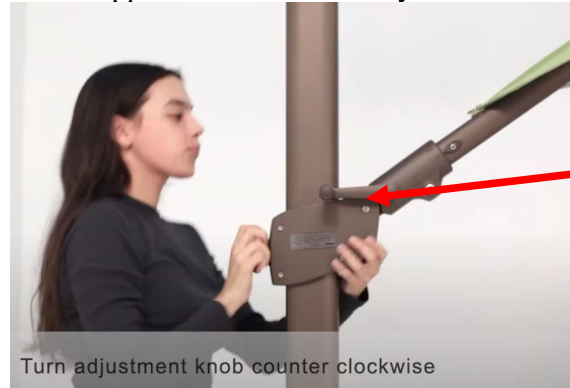
F-12

-118-

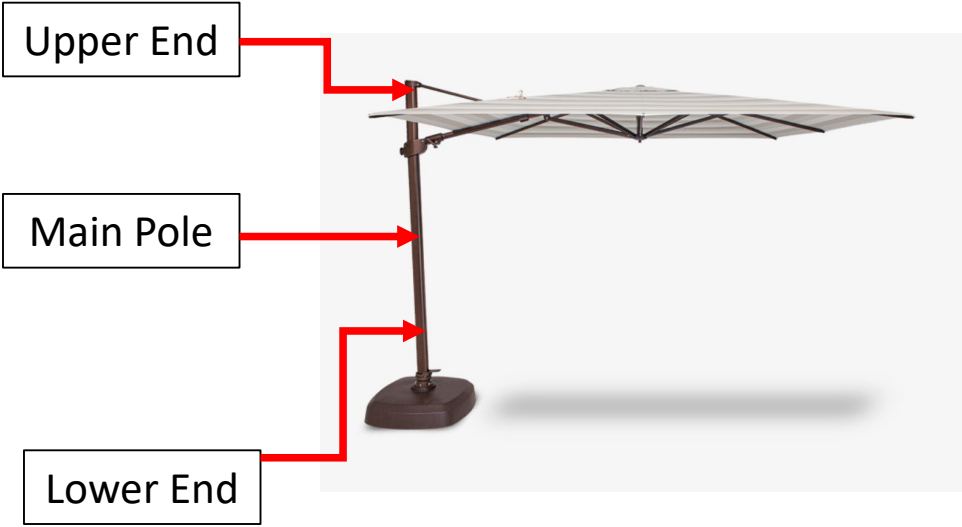
Treasure Garden Ex. 1031
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7. The umbrella of claim 1, further comprising a crank handle operatively associated with the winder hub, whereby rotating the crank handle causes the winder hub to rotate.

The accused umbrella features a “crank handle operatively associated with the winder hub,” the rotation of which “causes the winder hub to rotate.” The crank handle appears to be functionally the same as that of the Accused Umbrella.



Crank Handle

U.S. PATENT 8,104,492	
'492 PATENT CLAIMS	ACCUSED UMBRELLA (AG25TSQR Cantilever)
1. An umbrella comprising:	The Accused Product is an umbrella.
a main pole having a lower end for support by a support surface and extending generally upward to an upper end;	The Accused Umbrella includes a “main pole” with a “lower end for support by a support surface” that extends “generally upward to an upper end.”  The diagram shows a cantilever umbrella with a dark-colored main pole and a light-colored canopy. Three red arrows point from text labels to specific parts of the pole: 'Upper End' points to the top of the pole where it meets the canopy; 'Main Pole' points to the central vertical section of the pole; and 'Lower End' points to the base of the pole where it connects to the support surface.

a sliding member associated with the main pole and selectably moveable thereon between lower and upper locations along the main pole;

The Accused Umbrella features a “Sliding member” associated with the main pole and selectably moveable thereon between lower and upper sections along the main pole.”

Sliding
member



a locking means for releasably securing the sliding member to the main pole at a selected location along the main pole;

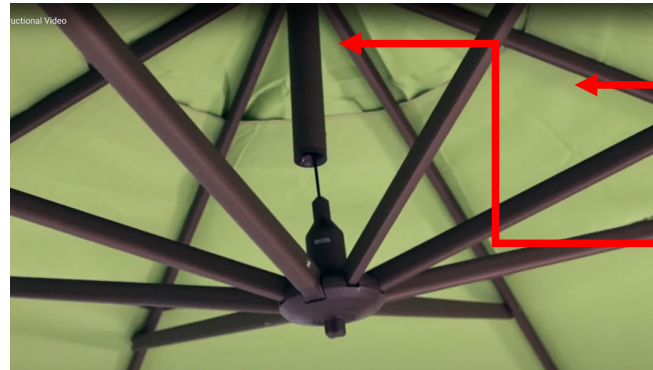
The Accused Umbrella features a “locking means” to releasably secure the sliding member to the main pole at a selected location using a spring-loaded button.

Locking means
for releasably
securing the
sliding member



an umbrella canopy having a central region;

The Accused Umbrella features a “canopy having a central region.”



Canopy

Central
region

AG25TR Cantilever

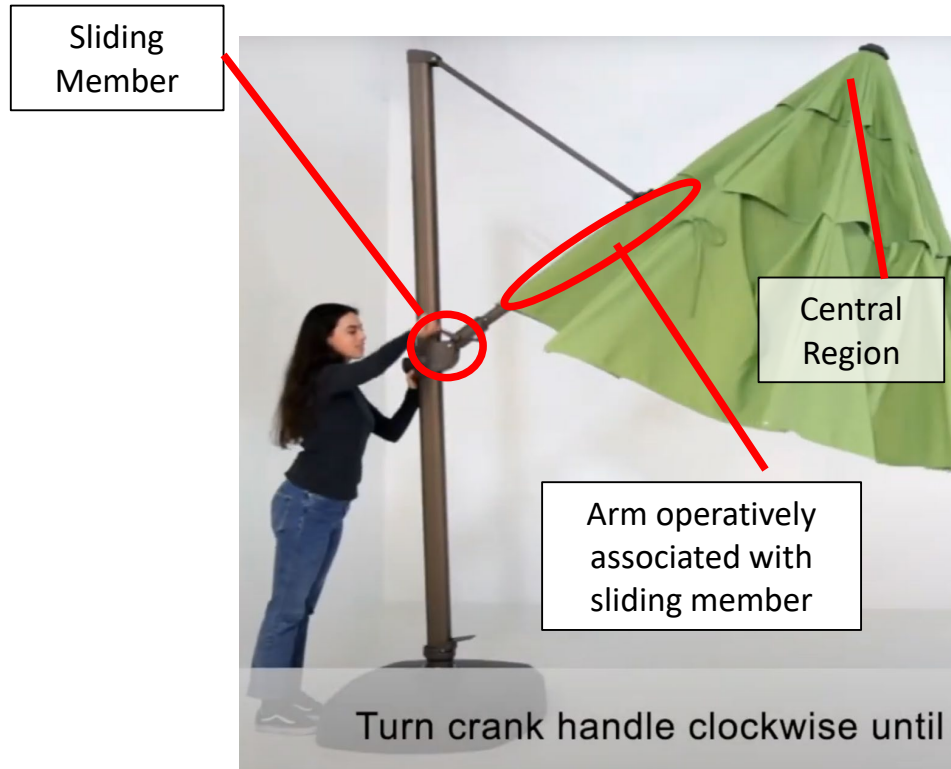
G-4

-123-

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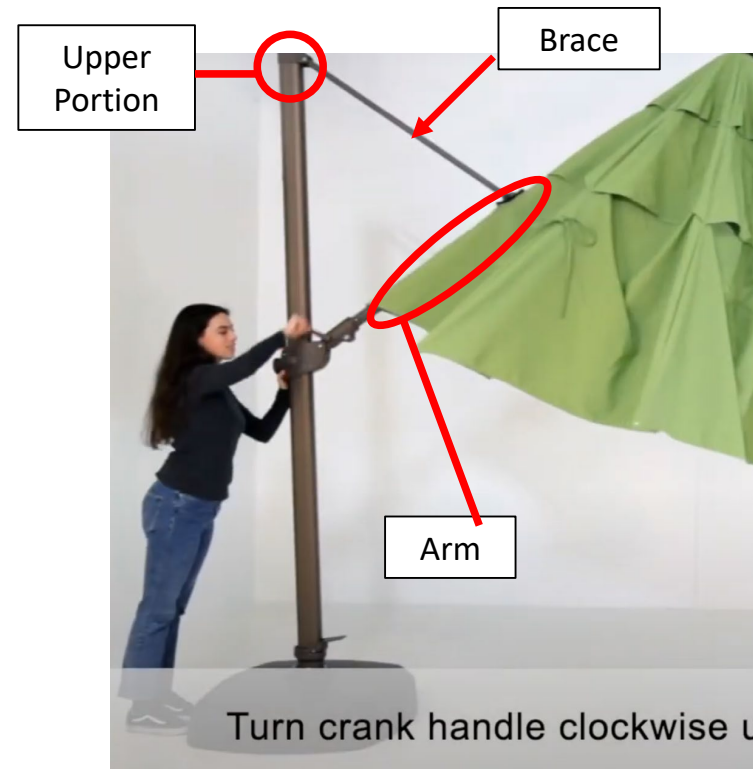
an arm associated with the central region and extending radially therefrom to an outer end operatively associated with the sliding member;

The Accused Umbrella features “an arm associated with the central region and extending radially therefrom to an outer end operatively associated with the sliding member.”



a brace having a first end pivotably attached to an upper portion of the pole above the sliding member and a second end pivotably attached to the arm;

The Accused Umbrella features a brace having two ends “pivotably attached to an upper portion of the pole above the sliding member and . . . the arm,” respectively.



a winding mechanism having a winder hub around which a line can be wound, the winder hub being mounted to the sliding member and moveable therewith;

The Accused Umbrella features a “winding mechanism” with a “winder hub around which a line can be wound . . . mounted to the sliding member and moveable therewith.”

Winding mechanism
with winder hub
mounted to the sliding
member and moveable
therewith and line
inside



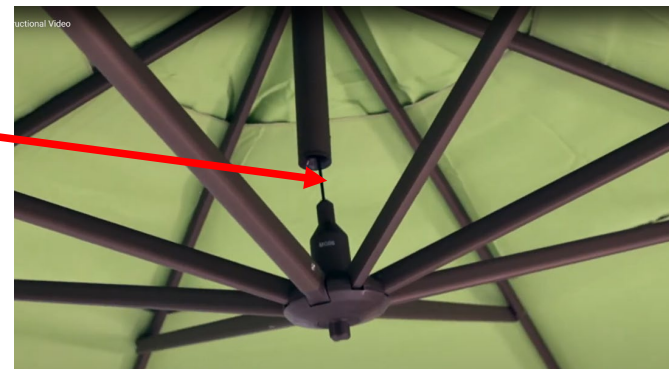
a line having a first end that winds around the winder hub, an intermediate portion extending from the winder hub along the arm to the umbrella canopy, and a second end that engages the umbrella canopy

The accused umbrella features a “line” with a first end that winds around the winder hub and a second end that engages the umbrella canopy,” with an “intermediate portion extending from the winder hub along the arm to the umbrella canopy.”

1st end
(internal)



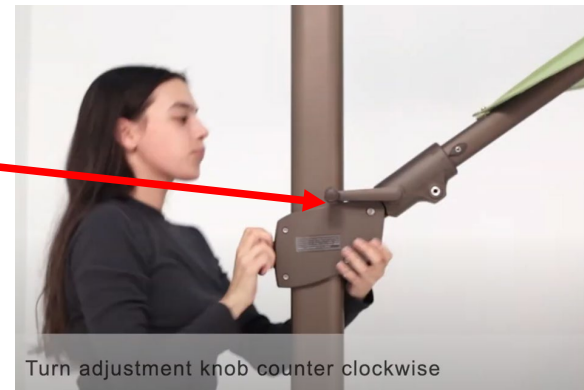
2nd end



wherein the rotation of the winder hub tensions or relaxes the line depending upon the direction of rotation of the winder hub, and

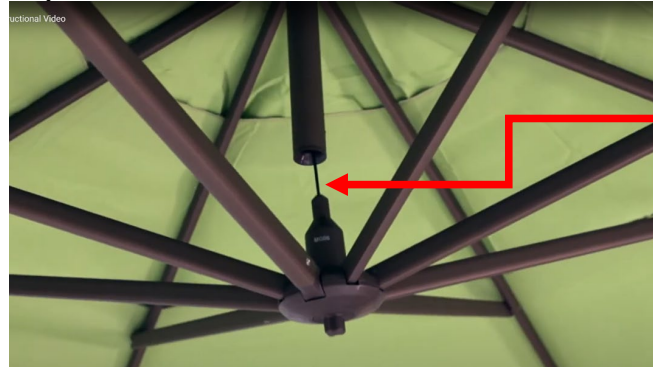
The Accused Umbrella's winder hub rotates to "tension[] or relax[] the line depending upon the direction of rotation."

Rotation of the
winder hub
tensions or
relaxes the line



wherein operation of the winding mechanism to apply tension to the line opens and closes the umbrella canopy in response to movement of the line; and

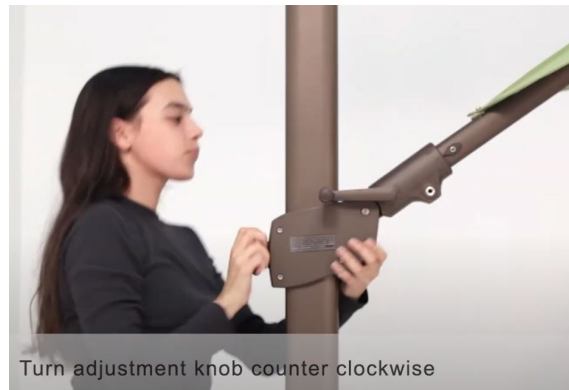
The Accused Umbrella features a winding mechanism, the operation of which applies tension to the line and “opens and closes the umbrella canopy in response to movement of the line.”



Line associated with opening/closing canopy

wherein the angle of the umbrella canopy with respect to the main pole can be controlled by moving the sliding member along the main pole.

The Accused Umbrella's canopy angle "with respect to the main pole can be controlled by moving the sliding member along the main pole."



6. The umbrella of claim 1, wherein the line extends along at least substantially the entire length of the arm.

The accused umbrella's line "extends along at least substantially the entire length of the arm" to engage the umbrella canopy. The line appears to be the same as that of the Accused Umbrella.



AG25TR Cantilever

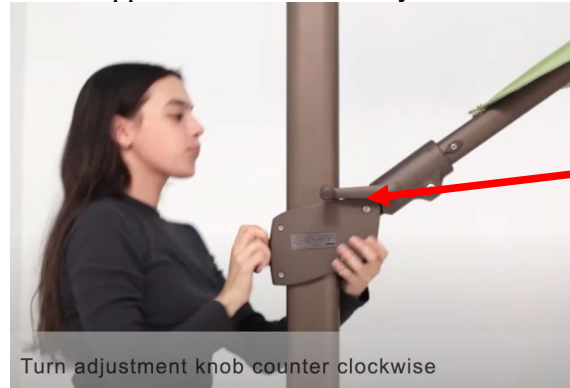
G-12

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Treasure Garden Ex. 1031
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7. The umbrella of claim 1, further comprising a crank handle operatively associated with the winder hub, whereby rotating the crank handle causes the winder hub to rotate.

The accused umbrella features a “crank handle operatively associated with the winder hub,” the rotation of which “causes the winder hub to rotate.” The crank handle appears to be functionally the same as that of the Accused Umbrella.



I. (a) PLAINTIFF(S) ATLeisure, LLC	DEFENDANT(S) Qingdao Activa Shade Inc. Activa Leisure Inc.
(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF <u>Fulton</u> (EXCEPT IN U.S. PLAINTIFF CASES)	COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT _____ (IN U.S. PLAINTIFF CASES ONLY) NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED
(c) ATTORNEYS (FIRM NAME, ADDRESS, TELEPHONE NUMBER, AND E-MAIL ADDRESS) Cynthia Lee, Esq., Perilla Knox & Hildebrandt LLP 5871 Glenridge Drive, Suite 350, Atlanta, GA 30328 Tel: (770) 927-7802 c.lee@pkhip.com	ATTORNEYS (IF KNOWN)

II. BASIS OF JURISDICTION (PLACE AN "X" IN ONE BOX ONLY) ☐ 1 U.S. GOVERNMENT PLAINTIFF ☐ 2 U.S. GOVERNMENT DEFENDANT ☒ 3 FEDERAL QUESTION (U.S. GOVERNMENT NOT A PARTY) ☐ 4 DIVERSITY (INDICATE CITIZENSHIP OF PARTIES IN ITEM III)	III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN "X" IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT) (FOR DIVERSITY CASES ONLY) <table><tr><td>PLF</td><td>DEF</td><td>PLF</td><td>DEF</td></tr><tr><td>☐ 1</td><td>☐ 1</td><td>☐ 4</td><td>☐ 4</td></tr><tr><td>☐ 2</td><td>☐ 2</td><td>☐ 5</td><td>☐ 5</td></tr><tr><td>☐ 3</td><td>☐ 3</td><td>☐ 6</td><td>☐ 6</td></tr></table> CITIZEN OF THIS STATE CITIZEN OF ANOTHER STATE CITIZEN OR SUBJECT OF A FOREIGN COUNTRY INCORPORATED OR PRINCIPAL PLACE OF BUSINESS IN THIS STATE INCORPORATED AND PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE FOREIGN NATION	PLF	DEF	PLF	DEF	☐ 1	☐ 1	☐ 4	☐ 4	☐ 2	☐ 2	☐ 5	☐ 5	☐ 3	☐ 3	☐ 6	☐ 6
PLF	DEF	PLF	DEF														
☐ 1	☐ 1	☐ 4	☐ 4														
☐ 2	☐ 2	☐ 5	☐ 5														
☐ 3	☐ 3	☐ 6	☐ 6														

IV. ORIGIN (PLACE AN "X" IN ONE BOX ONLY)

☒ 1 ORIGINAL PROCEEDING	☐ 2 REMOVED FROM STATE COURT	☐ 3 REMANDED FROM APPELLATE COURT	☐ 4 REINSTATED OR REOPENED	☐ 5 TRANSFERRED FROM ANOTHER DISTRICT (Specify District)	☐ 6 MULTIDISTRICT LITIGATION - TRANSFER	☐ 7 APPEAL TO DISTRICT JUDGE FROM MAGISTRATE JUDGE JUDGMENT
☐ 8 MULTIDISTRICT LITIGATION - DIRECT FILE						

V. CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE - DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

Title 35, U.S. Code § 271, et. seq., Patent Infringement

☐ YES ☐ NO Does the relief requested in the complaint or petition seek to bar or mandate statewide and/or nationwide enforcement of a state and/or federal law, including a rule, regulation, policy, or order of the executive branch or a state and/or federal agency, whether by declaratory judgment and/or any form of injunctive relief?

(IF COMPLEX, CHECK REASON BELOW)

☐ 1. Unusually large number of parties.	☐ 6. Problems locating or preserving evidence
☐ 2. Unusually large number of claims or defenses.	☐ 7. Pending parallel investigations or actions by government.
☐ 3. Factual issues are exceptionally complex	☐ 8. Multiple use of experts.
☐ 4. Greater than normal volume of evidence.	☐ 9. Need for discovery outside United States boundaries.
☐ 5. Extended discovery period is needed.	☐ 10. Existence of highly technical issues and proof.

CONTINUED ON REVERSE

FOR OFFICE USE ONLY			
RECEIPT # _____	AMOUNT \$ _____	APPLYING IFP _____	MAG. JUDGE (IFP) _____
JUDGE _____	MAG. JUDGE _____ (Referral)	NATURE OF SUIT _____	CAUSE OF ACTION _____

VI. NATURE OF SUIT (PLACE AN "X" IN ONE BOX ONLY)CONTRACT - "0" MONTHS DISCOVERY TRACK

- ☐ 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT
- ☐ 152 RECOVERY OF DEFAULTED STUDENT LOANS (Excl. Veterans)
- ☐ 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS

CONTRACT - "4" MONTHS DISCOVERY TRACK

- ☐ 110 INSURANCE
- ☐ 120 MARINE
- ☐ 130 MILLER ACT
- ☐ 140 NEGOTIABLE INSTRUMENT
- ☐ 151 MEDICARE ACT
- ☐ 160 STOCKHOLDERS' SUITS
- ☐ 190 OTHER CONTRACT
- ☐ 195 CONTRACT PRODUCT LIABILITY
- ☐ 196 FRANCHISE

REAL PROPERTY - "4" MONTHS DISCOVERY TRACK

- ☐ 210 LAND CONDEMNATION
- ☐ 220 FORECLOSURE
- ☐ 230 RENT LEASE & EJECTMENT
- ☐ 240 TORTS TO LAND
- ☐ 245 TORT PRODUCT LIABILITY
- ☐ 290 ALL OTHER REAL PROPERTY

TORTS - PERSONAL INJURY - "4" MONTHS DISCOVERY TRACK

- ☐ 310 AIRPLANE
- ☐ 315 AIRPLANE PRODUCT LIABILITY
- ☐ 320 ASSAULT, LIBEL & SLANDER
- ☐ 330 FEDERAL EMPLOYERS' LIABILITY
- ☐ 340 MARINE
- ☐ 345 MARINE PRODUCT LIABILITY
- ☐ 350 MOTOR VEHICLE
- ☐ 355 MOTOR VEHICLE PRODUCT LIABILITY
- ☐ 360 OTHER PERSONAL INJURY
- ☐ 362 PERSONAL INJURY - MEDICAL MALPRACTICE
- ☐ 365 PERSONAL INJURY - PRODUCT LIABILITY
- ☐ 367 PERSONAL INJURY - HEALTH CARE/ PHARMACEUTICAL PRODUCT LIABILITY
- ☐ 368 ASBESTOS PERSONAL INJURY PRODUCT LIABILITY

TORTS - PERSONAL PROPERTY - "4" MONTHS DISCOVERY TRACK

- ☐ 370 OTHER FRAUD
- ☐ 371 TRUTH IN LENDING
- ☐ 380 OTHER PERSONAL PROPERTY DAMAGE
- ☐ 385 PROPERTY DAMAGE PRODUCT LIABILITY

BANKRUPTCY - "0" MONTHS DISCOVERY TRACK

- ☐ 422 APPEAL 28 USC 158
- ☐ 423 WITHDRAWAL 28 USC 157

CIVIL RIGHTS - "4" MONTHS DISCOVERY TRACK

- ☐ 440 OTHER CIVIL RIGHTS
- ☐ 441 VOTING
- ☐ 442 EMPLOYMENT
- ☐ 443 HOUSING/ ACCOMMODATIONS
- ☐ 445 AMERICANS with DISABILITIES - Employment
- ☐ 446 AMERICANS with DISABILITIES - Other
- ☐ 448 EDUCATION

IMMIGRATION - "0" MONTHS DISCOVERY TRACK

- ☐ 462 NATURALIZATION APPLICATION
- ☐ 465 OTHER IMMIGRATION ACTIONS

PRISONER PETITIONS - "0" MONTHS DISCOVERY TRACK

- ☐ 463 HABEAS CORPUS- Alien Detainee
- ☐ 510 MOTIONS TO VACATE SENTENCE
- ☐ 530 HABEAS CORPUS
- ☐ 535 HABEAS CORPUS DEATH PENALTY
- ☐ 540 MANDAMUS & OTHER
- ☐ 550 CIVIL RIGHTS - Filed Pro se
- ☐ 555 PRISON CONDITION(S) - Filed Pro se
- ☐ 560 CIVIL DETAINEE: CONDITIONS OF CONFINEMENT

PRISONER PETITIONS - "4" MONTHS DISCOVERY TRACK

- ☐ 550 CIVIL RIGHTS - Filed by Counsel
- ☐ 555 PRISON CONDITION(S) - Filed by Counsel

FORFEITURE/PENALTY - "4" MONTHS DISCOVERY TRACK

- ☐ 625 DRUG RELATED SEIZURE OF PROPERTY 21 USC 881
- ☐ 690 OTHER

LABOR - "4" MONTHS DISCOVERY TRACK

- ☐ 710 FAIR LABOR STANDARDS ACT
- ☐ 720 LABOR/MGMT. RELATIONS
- ☐ 740 RAILWAY LABOR ACT
- ☐ 751 FAMILY and MEDICAL LEAVE ACT
- ☐ 790 OTHER LABOR LITIGATION
- ☐ 791 EMPL. RET. INC. SECURITY ACT

PROPERTY RIGHTS - "4" MONTHS DISCOVERY TRACK

- ☐ 820 COPYRIGHTS
- ☐ 840 TRADEMARK
- ☐ 880 DEFEND TRADE SECRETS ACT OF 2016 (DTSA)

PROPERTY RIGHTS - "8" MONTHS DISCOVERY TRACK

- ☒ 830 PATENT
- ☐ 835 PATENT-ABBREVIATED NEW DRUG APPLICATIONS (ANDA) - a/k/a Hatch-Waxman cases

SOCIAL SECURITY - "0" MONTHS DISCOVERY TRACK

- ☐ 861 HIA (1395ff)
- ☐ 862 BLACK LUNG (923)
- ☐ 863 DIWC (405(g))
- ☐ 863 DIWW (405(g))
- ☐ 864 SSID TITLE XVI
- ☐ 865 RSI (405(g))

FEDERAL TAX SUITS - "4" MONTHS DISCOVERY TRACK

- ☐ 870 TAXES (U.S. Plaintiff or Defendant)
- ☐ 871 IRS - THIRD PARTY 26 USC 7609

OTHER STATUTES - "4" MONTHS DISCOVERY TRACK

- ☐ 375 FALSE CLAIMS ACT
- ☐ 376 Qui Tam 31 USC 3729(a)
- ☐ 400 STATE REAPPORTIONMENT
- ☐ 430 BANKS AND BANKING
- ☐ 450 COMMERCE/ICC RATES/ETC.
- ☐ 460 DEPORTATION
- ☐ 470 RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS
- ☐ 480 CONSUMER CREDIT
- ☐ 485 TELEPHONE CONSUMER PROTECTION ACT
- ☐ 490 CABLE/SATELLITE TV
- ☐ 890 OTHER STATUTORY ACTIONS
- ☐ 891 AGRICULTURAL ACTS
- ☐ 893 ENVIRONMENTAL MATTERS
- ☐ 895 FREEDOM OF INFORMATION ACT 899
- ☐ 899 ADMINISTRATIVE PROCEDURES ACT / REVIEW OR APPEAL OF AGENCY DECISION
- ☐ 950 CONSTITUTIONALITY OF STATE STATUTES

OTHER STATUTES - "8" MONTHS DISCOVERY TRACK

- ☐ 410 ANTITRUST
- ☐ 850 SECURITIES / COMMODITIES / EXCHANGE

OTHER STATUTES - "0" MONTHS DISCOVERY TRACK

- ☐ 896 ARBITRATION (Confirm / Vacate / Order / Modify)

*** PLEASE NOTE DISCOVERY TRACK FOR EACH CASE TYPE. SEE LOCAL RULE 26.3**

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF CLASS ACTION UNDER F.R.Civ.P. 23 DEMAND \$ _____

JURY DEMAND ☒ YES ☐ NO (CHECK YES ONLY IF DEMANDED IN COMPLAINT)

VIII. RELATED/REFILED CASE(S) IF ANY

JUDGE Thomas W. Thrash, Jr.

DOCKET NO. 1:20-cv-04462-TWT; 1:12-cv-02253-TWT;

(Also Judge Charles A. Pannell, Jr. - Docket No. 1:12-cv-01260-CAP)

1:24-cv-02270-TWT

CIVIL CASES ARE DEEMED RELATED IF THE PENDING CASE INVOLVES: (CHECK APPROPRIATE BOX)

- ☐ 1. PROPERTY INCLUDED IN AN EARLIER NUMBERED PENDING SUIT.
- ☐ 2. SAME ISSUE OF FACT OR ARISES OUT OF THE SAME EVENT OR TRANSACTION INCLUDED IN AN EARLIER NUMBERED PENDING SUIT.
- ☒ 3. VALIDITY OR INFRINGEMENT OF THE SAME PATENT, COPYRIGHT OR TRADEMARK INCLUDED IN AN EARLIER NUMBERED PENDING SUIT.
- ☐ 4. APPEALS ARISING OUT OF THE SAME BANKRUPTCY CASE AND ANY CASE RELATED THERETO WHICH HAVE BEEN DECIDED BY THE SAME BANKRUPTCY JUDGE.
- ☐ 5. REPETITIVE CASES FILED BY PRO SE LITIGANTS.
- ☐ 6. COMPANION OR RELATED CASE TO CASE(S) BEING SIMULTANEOUSLY FILED (INCLUDE ABBREVIATED STYLE OF OTHER CASE(S)):

☐ 7. EITHER SAME OR ALL OF THE PARTIES AND ISSUES IN THIS CASE WERE PREVIOUSLY INVOLVED IN CASE NO. _____, WHICH WAS DISMISSED. This case ☐ IS ☐ IS NOT (check one box) SUBSTANTIALLY THE SAME CASE.

SIGNATURE OF ATTORNEY OF RECORD

DATE